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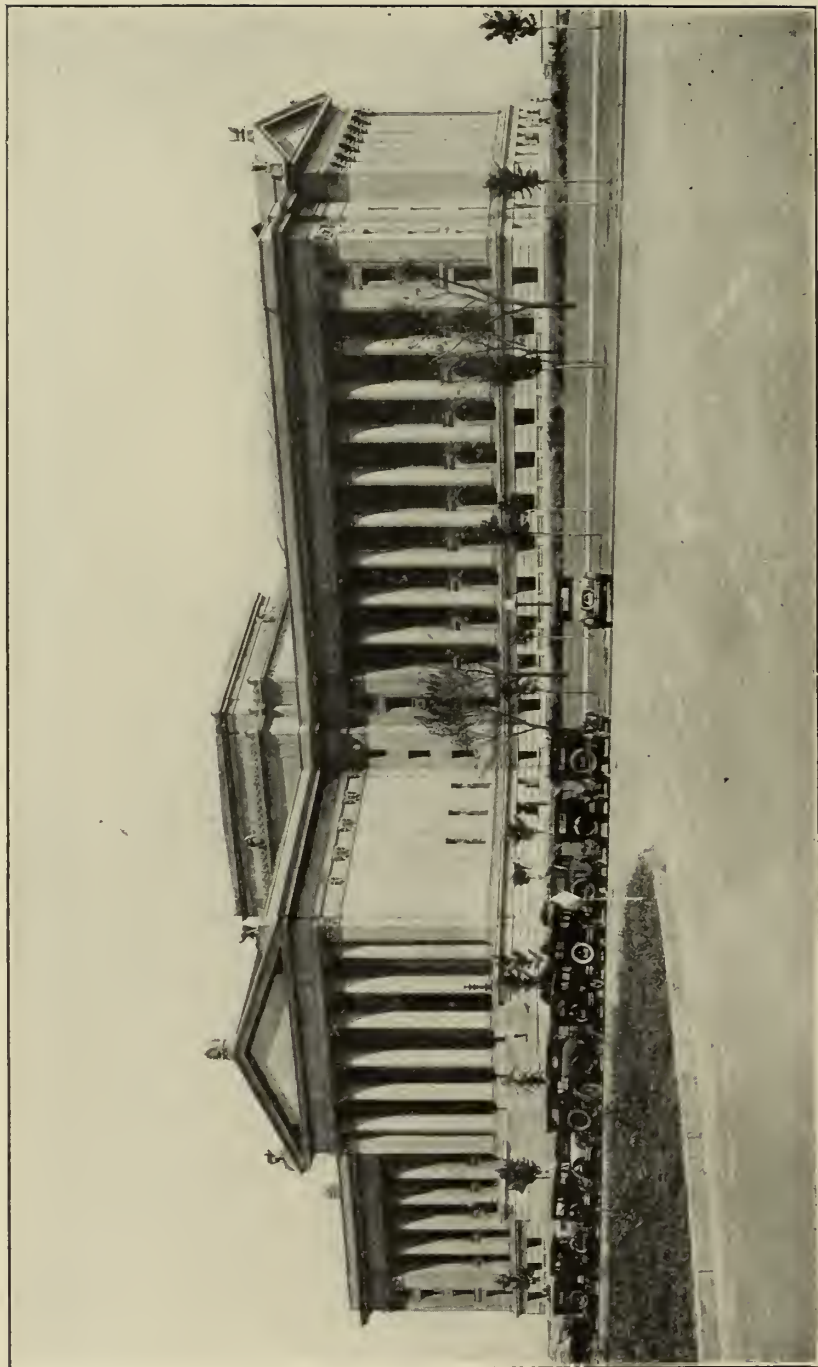
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Joseph B. Thoburn



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THE STATE CAPITOL, OKLAHOMA CITY

OKLAHOMA

A HISTORY OF

The State and Its People

By

JOSEPH B. THOBURN

and

MURIEL H. WRIGHT

VOLUME I

LEWIS HISTORICAL PUBLISHING COMPANY, INC.
New York
1929

FOREWORD



THE story of a great commonwealth and of its people, especially if it has seen the passing of the Stone Age huntsman, the coming in succession of the herdsman of the Pastoral Period, the retirement of the latter before the pioneer husbandman, the laying of the foundations of a state, with its complex civic and social structure, and the development of its agricultural, industrial, commercial, educational and intellectual culture and the fixing of its traditions, ideals and ethical standards, all in less than three score of years, is not an undertaking to be lightly considered. Unlike any other state in the Federal Union, Oklahoma was called upon to absorb the civilization of its Five Civilized Tribes of Indians and, moreover, to do its part in bringing to its other tribes whose previous contact with the white man's civilization had not been reassuring, a very definite and sincere assurance that, thenceforth, they were to have a part in it. Other and more gifted writers, in later and more learned times, will doubtless be privileged to write more complete and satisfactory treatises upon such a theme, in the light of a longer and clearer perspective. Imperfect and incomplete as any history of such a state would have to be at the present stage of development, the writers submit these volumes as the result of patient, painstaking and devoted effort, in the hope that the same may contribute to an enlarged understanding of the subject by interested citizens and students and that it may not be lacking in the element of inspirational value to the people of the State.

JOSEPH B. THOBURN,
MURIEL H. WRIGHT.

ANNOUNCEMENT



IN a statement to the public at the outset of his long and exhaustive labors upon the present history, Joseph B. Thoburn wrote: "While the builders of a great State are still toiling upon its superstructure with the shining vision of its ultimate destiny in their eyes—this version of the story of the State is written for the enlightenment and inspiration of the people of the present and the immediate future."

In its completed form the publishers feel that this history of Oklahoma has fulfilled that aim and has done more—that it has told the Oklahoma story in an authoritative and thoroughly documented manner that will stand for many years as the final word on the subject.

It is with pride and satisfaction that they present the work of Mr. Thoburn and Miss Wright to the public whose support made it possible, but they would be derelict indeed if they failed to recognize the loyal and interested support of the Advisory Board, whose assistance was such a dependable factor whenever it was needed. This board was composed of the following members: Charles F. Colcord, Hon. Dennis T. Flynn, Hon. Thomas H. Doyle, Col. R. A. Sneed, Roy M. Johnson, C. M. Sarchet, Harry B. Cordell, Col. P. J. Hurley, Eugene Lawton, Thomas A. Latta, Col. Clarence B. Douglas, Hon. Frank H. Greer, J. M. Hall, Hon. Omer K. Benedict, Hon. H. F. Newblock, Dr. W. B. Bizzell, Dr. James S. Buchanan, Dr. Eugene Antrim, Hon. Ed. Overholser, Frank Buttram, Mrs. J. R. Dale, Prof. Thomas F. Houston, Miss Anna Lewis, Hon. D. W. Perry, Miss Caroline Eaton, William H. Clift, Cyrus S. Avery, Rev. J. Y. Bryce, Jasper Sipes, Dr. Charles N. Gould

With these acknowledgments of valued assistance and coöperation, "Oklahoma—A History of the State and Its People" is launched upon what it is believed will be a career of great and cumulatively influential usefulness.

THE PUBLISHERS.

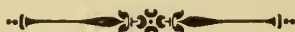
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CHAPTER I

GEOGRAPHY AND NATURAL FEATURES

CHAPTER I.

GEOGRAPHY AND NATURAL FEATURES.

Location—Oklahoma can be properly classed as one of the midland states of the American Union. Since the geographic center of the United States is to be found in the neighboring State of Kansas and is only about one hundred miles from the northern boundary of Oklahoma, it follows that Oklahoma is about equidistant from the Atlantic and Pacific oceans. The northern boundary of Oklahoma is 820 miles from the Canadian boundary, while the nearest approach of Oklahoma's southern boundary to the Gulf of Mexico is 450 miles.

Though Oklahoma is commonly classed as one of the states of the South, it is also sometimes classed as one of the states of the "Middle West." Fifty to eighty years ago, it was accounted to be on "the frontier." But "the frontier," like the "West" of that period, no longer exists. The real "West" of the present day is the region of the Pacific slope. The "Middle West," so called, is a misnomer. Therefore, while Oklahoma can be classed as one of the states of the South, strictly speaking, it should be classed as a midland State.

Extension—In its greatest longitudinal extent, Oklahoma is 464 miles long, extending from $94^{\circ} 29'$ to 103° of West Longitude. At the point of its greatest width, Oklahoma's extension is from $33^{\circ} 28'$ to 30° of North Latitude. Its greatest width, at several points on Red River, in the southeastern part of the State, is 222 miles. Its width just east of the 100th meridian is 166 miles. From that meridian westward to the 103d meridian, throughout what is known as the panhandle of the State, it is but thirty-four miles wide.

Boundaries—Oklahoma is bounded on the north by Colorado and Kansas, the thirty-seventh Parallel of North Latitude forming the dividing line. It is bounded on the east by Missouri and Arkansas. The boundary line between Oklahoma and Missouri is a projection of the line which, running due south from the mouth of the Kansas or Kaw River, separates the states of Kansas and Missouri. From the southwestern corner of Missouri, the boundary line between Oklahoma and Arkansas extends, in a direction slightly east of south, to the mouth of the Poteau River and thence, in a course due south, to Red River, which stream forms the southern boundary from the Arkansas line to the point of intersection with the 100th Meridian. Thence, the 100th Meridian forms the boundary line between Oklahoma and Texas northward to $36^{\circ} 30'$ of North Latitude. A line projected westward through that point forms the division line between the Oklahoma and Texas "panhandles" to an intersection with the 103d meridian, which forms the boundary between Oklahoma and New Mexico.

Altitude and Area—The altitude of Oklahoma varies from 325 feet above sea level, on the bank of the Red River, in the extreme southeastern corner of the State, to approximately 5,000 feet above sea level on the summit of the

Black Mesa, a volcanic table land in the extreme northwestern corner of the State. The altitude also varies greatly in the vicinities of the several mountain ranges in the northeastern, southeastern and southern portions of the State. The mean, or average elevation of the State is about 1,300 feet above sea level. The area of Oklahoma is 70,057 square miles, or nearly 45,000,000 acres.

Geology—The geology of Oklahoma, as indicated by the surface outcroppings of the several successive geological periods, presents a list of formations which, for variety, can be equalled by few areas of similar extent on the continent. The wide range of variation in rock formations that are available for examination and study by the geologist, is due not alone to the alternating periods of elevation above and submersion beneath the ancient seas, the sedimental deposits of which formed strata of limestone, sandstone, conglomerate and shale that still rest undisturbed in their original planes, but also to the effect of violent subterranean disturbances in a few localities and to the more recent action of erosion and dissection of stream valleys.

The oldest exposed stratifications in Oklahoma are to be found in the Arbuckle and Wichita mountain ranges, where the stratified sedimentary rocks have been disturbed or displaced by an irruption of igneous material, which now appears in the form of granite or similar rock formations, from which the covering of stratified rock has been partially or wholly eroded. The Reagan sandstone, which rests directly on the granite, is reputed to be the oldest exposed rock formation in Oklahoma. It dates from the Cambrian Period.

The Arbuckle limestone, which is from 6,000 to 8,000 feet thick and which dates from the later Cambrian and earlier Ordovician periods, is one of the greatest limestone deposits in the world. The Simpson formation, the Viola limestone and the Sylvan shale came next in order, all being in the Ordovician Period. Next came the Hunton limestone formation in the Silurian and Devonian periods, with the Woodford chert in the latter part of the last mentioned period.

During the Carboniferous Period which followed, there occurred the irruptions or upheavals which formed the Arbuckle and Wichita mountain ranges. The rocks of the Carboniferous Period are divided into three groups, the first and lowest of which is known as the Mississippian, the principal formation of which, in the Ozark region in Northeastern Oklahoma, is the Boone chert. Next in age and just above the Mississippian is the Pennsylvanian, the principal formations of which, in Eastern Oklahoma, are the Coal Measures, to which most of the rocks in that region belong. The Pennsylvanian rocks dip to the westward and pass underneath those of the next subdivision of the Carboniferous Period, namely, the Permian Redbeds, which are chiefly composed of red clay shales, with extensive deposits of gypsum, red sandstone and gray dolomite.

Rocks of the Triassic and Jurassic periods are unknown in Oklahoma, with the possible exception of a small section of the western part of Cimarron County. Rocks of the Cretaceous Period are predominant in the Red River region, from the central part of the State eastward. The Tertiary Period is represented by surface deposits in the High Plains section of the State—Cim-

arron, Texas, Beaver, Harper and Ellis counties. The quaternary deposits are represented in the alluvial formations of the river and creek valleys of the State. There is no evidence of glacial action or deposits in Oklahoma.

Topography—Oklahoma is drained by two of the five principal tributaries of the Mississippi River, namely, the Arkansas and Red rivers. As previously stated, its lowest altitude above sea level is to be found in the southeastern corner of the State, while its highest altitude above sea level is to be found in the extreme northwestern part of the State. Roughly speaking, its average slope would be in a direction parallel to a line drawn between the two points just mentioned. Actually the rivers in the northeastern part of the State have courses which approach nearly to a meridian direction from north to south. Farther west, in the north-central part of the State, the courses of the principal streams average nearly from northwest to southeast. Still farther west and southwest, the courses of the principal streams are generally more nearly to the east than to the southeast.

Approximately sixty-one per cent of the area of the State is drained by the Arkansas River and its tributaries, and thirty-nine per cent of the same is drained by Red River and its tributaries. The Arkansas River has its source in the Rocky Mountains of Colorado. It enters Oklahoma from Kansas about 130 miles west of the eastern boundary and, flowing in a generally southeasterly course, crosses into Arkansas near the middle of the boundary between that State and Oklahoma. Two of its principal tributaries (the Canadian and the Cimarron) and one of its subtributaries (the North Canadian) have their sources in the mountains of northeastern New Mexico, while three others (the Salt Fork or Nescatunga, the Verdigris and the Neosho or Grand) have their sources in Kansas and one (the Illinois) has its source in Arkansas.

Oklahoma is well supplied with rivers, for, in addition to the Arkansas and Red rivers, the State is drained by eight rivers of appreciable size which are tributary to these two. These major tributaries range from 200 to 700 miles in length and each of them has its source in a neighboring State. Some of them have picturesque valleys. Among these, several are sufficiently notable to deserve mention. The upper Cimarron is walled in by high sandstone bluffs in Cimarron County, before emerging upon the open High Plains country. Lower in its course, it threads the rugged gypsum canyons between Woodward and Major counties on one side and Woods County on the other. For distances aggregating more than sixty miles of the lower course of the Neosho or Grand River, it flows through ruggedly beautiful gorges which have been worn down through the western extremities of the Ozark Uplift. So, too, the Arkansas River flows between mountains a few miles below Muskogee. The Washita Water-gap, by means of which the river of that name makes its way through and past the Arbuckle Mountains, is another wildly picturesque gorge that is worth going a long way to see. The North Fork of Red River (known to the Comanche Indians of old as Mobeeteh Hono, *i. e.*, "Walnut River") passes through several mountain gaps in the western part of the Wichita range, the most picturesque of these being known as Devil's Canyon. The broad, alluvial valleys along portions of all of these rivers have soils of great

fertility and many of them are very beautiful in their way. All of the rivers of the Plains, in Western Oklahoma, are bordered with belts of sand dune land, on the north, beginning a few miles east of the 98th Meridian and extending upstream well beyond the 100th Meridian.

There are four mountain systems in the eastern and southern portions of the State. In the northeastern part of the State, extending a few miles west of the Neosho or Grand and Arkansas rivers, is the mountainous region known as the Ozark Uplift. In the southeastern part of the State is another mountainous region which is known as the Ouachita Uplift and which is also sometimes called the Mazon Ranges. In both of these systems there are mountains of appreciable height, ranging from 800 to 1,200 feet in altitude above the level of the surrounding country. In the south central part of the State, on both sides of the Washita River, is the Arbuckle Uplift, which is of a mountainous character, especially in its western section, though its summits are of moderate altitude. In the southwestern part of the State, west of the 98th Meridian and midway between the valleys of the Washita and Red rivers, is the Wichita range of mountains, which is one of the most striking topographic features of the State. Mount Scott, which is located near the eastern base of the group, is its highest and most picturesque peak, having an altitude of 1,200 feet above the adjacent lowlands.

In the northwestern part of Cimarron County, adjacent to the states of Colorado and New Mexico, the eastern extremity of the Black Mesa, a volcanic tableland, after crossing the northeastern corner of New Mexico from southern Colorado, extends nearly four miles across the boundary into Oklahoma. It rises about 800 feet above the valley floor of the Cimarron, at its southern base, and it has an altitude of nearly 5,000 feet above sea level. From its summit, two volcanic cones are visible—one in Colorado and one in New Mexico—as also several higher elevations of the nearest ranges of the Rocky Mountain system, of which it is one of the most far-extending foot-hills.

Gypsum deposits are widely distributed throughout the western part of Oklahoma, being found in various forms and to some extent in nearly every county. Deeply eroded stream beds, fantastically weathered outcrops and bold hills are characteristic of the gypsum regions. The Glass Mountains, located near the Cimarron River, in the northern part of Major County, are typical examples of gypsum hill scenery.

Geologically, all of Oklahoma may be said to be a part of the Great Plains, which extend eastward from the base of the Rocky Mountains to the Mississippi River. Using the term in its earlier and restricted sense, however, all that part of the State lying west of the Santa Fe Railway line which extends southward from Arkansas City, Kansas, through Ponca City, Perry, Guthrie, Oklahoma City, Purcell and Ardmore, to Gainesville, Texas, may be said to be included in the Plains region, proper, having been originally covered with a growth of grass and other prairie vegetation, with but little timber except the narrow belts that were to be found along the channels of creeks and rivers. The greater part of the Plains region is more or less rolling and is well drained. In the High Plains country, in the northwestern part of the State, much of the land appears to be level, though actually sloping in a direction slightly south of east.

Soils—As might be surmised in an area possessing so many forms and varieties of basic rocks, the soils of Oklahoma present a wide range of variation in composition and consistency. Clay soils, limestone soils, sand soils, granitic soils and gypsum soils, with various combinations and mixtures of these, are to be found widely distributed in different parts of the State. In the northwestern part of the State, especially in the vicinity of the Cimarron River, some of the soils are partially formed of decomposed lava or other material of volcanic origin. The range of variation in the scale of fertility is quite as great as in those of composition and mechanical consistency, the mixed soils of the alluvial flood plains of river and creek valley lands being quite generally superior in that respect. However, there are vast areas of upland prairie soils and timber land soils that are rich in the elements of natural fertility.

Climate—The climate of Oklahoma is classed as temperate, though it has some wide variations, not only in a seasonal way but also geographically, both as regards temperature and humidity. The average annual rainfall varies from forty-three inches in the southeastern part of the State, to less than twenty inches in the extreme northwestern part, the precipitation decreasing with the increase of altitude above sea level. At Oklahoma City, near the center of the State, the average annual rainfall is about thirty-two inches. There is also a variation in the mean or average annual temperature, due to the same differences in altitude above sea level. Thus, the mean annual temperature at Hugo, in the southeastern part of the State, is 62.1°; at Oklahoma City, in the central part, it is 59° and at Kenton, in Cimarron County, it is but 55°. The climate of the southeastern portion of the State is therefore more equable and uniform than those portions which have higher altitudes, where there are greater extremes of high and low temperatures.

Windy weather and high wind velocities are also more common in the western part of the State, thus tending to still further increase an already high rate of atmospheric evaporation. Although there is much less rainfall in the western part of the State, a much greater percentage of the same falls in torrential rain storms than in the more humid eastern sections of the State and, consequently, a proportionately greater runoff is thus lost to the soils of the subhumid and semi-arid country. The general storage of surplus storm water, by means of artificial ponds, lakes and reservoirs, with the resultant evaporation that would materially increase the atmospheric humidity of the Plains region, with an appreciable reduction in the rate of evaporation from growing crops and cultivated soil surfaces, is among the possibilities of development in the comparatively near future.

Vegetation—The eastern third of the State, which is well within the limits of the humid region, has a flora that is practically identical with that of other states of the central and lower valley of the Mississippi River. Most of the lands of this section of the State were originally covered with a forest growth, interspersed with which were smaller areas of prairie land. The most common species of trees to be found in the humid section of Oklahoma include the oak (about a dozen species), hickory (five or six species, including the pecan), black walnut, elm (three species), hackberry, cottonwood, honey locust, box

elder, maple (two species), sycamore, gum (two species), ash (two species), bois d'arc, pine (two species), red cedar and many other species of less importance. The cypress swamps of the lower Red River country extend into McCurtain County, in southeastern Oklahoma, where fine specimens of that splendid species of tree may be found.

In the central part of the State, excepting on the sandy lands, the growth of timber is generally limited to narrow, fringing belts of a few species of trees along the stream channels. In the Plains country of the western third of the State, both the distribution and variety of timber trees is still more limited. It is of passing interest to note in this connection that, in the subhumid and semi-arid portions of the State, not only are the common species of trees more or less stunted by lack of moisture, high temperature and stress of wind, but also that some of these are replaced by dwarf species, including such diminutive forms of oak, walnut, hackberry, buckeye, plum, etc.

Wild fruits of a number of species are to be found growing in different parts of Oklahoma, including plums of more than half a dozen distinct species, crab apples, cherries (two species), blackberries (two species), dewberries (two species), raspberries (two species), gooseberries (two species), currants (two species), grapes (five or six species), huckleberries (two species), persimmon, pawpaw, strawberry and several others.

The most common indigenous species of grass of the humid central and eastern sections of the State is the bunch grass, with blue stem, goldentop and many less common species scattered through it. In the dryer western part of the State, these species are largely replaced by the dwarfish, low-lying buffalo, mesquite and grama grasses. These short-stemmed grasses of the subhumid and semi-arid Plains region are exceedingly hardy and persistent in their growth and they furnish excellent pasturage for live stock under range conditions. When matured, during the dry season of late summer, they retain most of their nutritive properties and thus afford valuable winter pasturage.

Fauna—The animal life of Oklahoma is very similar to that of other states of the Mississippi Valley. In its primitive conditions, Oklahoma was a veritable hunters' paradise. Bison or buffalo, elk, deer (of both Virginia, or white tail, and mule, or black tail, species), antelope, rabbits and jackrabbits (of not less than four species), black bear, cinnamon bear (in Cimarron County), raccoon, opossum, timber wolf, coyote, fox (of two or three species), beaver, otter, muskrat, mink, squirrel (three or four species), ground hog, prairie dog, badger, skunk (two species), cougar or puma and wild cat were the most important species, though there are many others not in the list thus enumerated.

Buffalo were common in all parts of the State, though never congregated in large herds in the timbered regions of the eastern part as they did in the treeless prairies and plains of the western half of the State, where they sometimes might be seen in countless thousands. Major William Bradford found them in the valley of the Kiamitia in 1819, and the Leavenworth-Dodge Dragoon expedition found them to be very numerous in Coal and Marshall counties in 1834. Wild horses ranged eastward from the Great Plains region until they, too, were found well within the timbered portion of the State. The big-

horn or Rocky Mountain sheep formerly ranged among the rough hills and canyons of the upper Cimarron country in Cimarron County. It is a fact not generally known that alligators have occasionally been known to ascend Red River as far as the confines of McCurtain County.

The list of birds, resident and migratory, that have been found in Oklahoma, is a very large one. Game birds were especially numerous. Indeed, it may well be doubted whether there was any other part of the continent upon which gallinaceous game birds—wild turkeys, prairie chickens and bobwhite quails—were as plentiful as they were in Oklahoma when the first white men came. In addition to these, Oklahoma was included in the breeding habitat of the passenger pigeon, the flocks of which were of such vast extent as to darken the sun when in flight. The last surviving wild birds of this species are said to have been seen in the Osage country, in Oklahoma, in 1890. Another bird, once very numerous in the timbered portion of the State, was the gaily colored Carolina parrot, which is now extinct, at least in Oklahoma. Practically all of the game—both animals and birds—would have disappeared before this, like the buffalo herds and the wild pigeons, had it not been for the stringent game laws which have been enacted and enforced for the purpose of preventing extermination.

Fish of the various species which are common to the waters of all of the Mississippi Valley states were found in the streams of Oklahoma. In recent years, the pollution of streams, by the discharge of sewage and oil field waste, has had a destructive effect upon fish in many of the rivers and creeks of Oklahoma, resulting in a quickening of popular interest in fish culture and in the protection of game fish.



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CHAPTER II

PREHISTORIC LIFE

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PREHISTORIC LIFE.

In common with other parts of the United States, Oklahoma was inhabited by primitive peoples of the native American race since very ancient times. The evidences of such occupancy are by no means rare, though it is not always easy to distinguish these from those of more recent eras. Moreover, in many instances at least, it is practically impossible to identify such vestigia as belonging to any particular culture or as the handiwork of any definitely known ethnical stock. However, the number and variety of such discoveries have been sufficient to furnish conclusive proof of the presence, distribution, cultural development and industrial activities of the Stone Age man in Oklahoma long before the arrival of any of the Indian tribes which were found ranging over portions of the region included within its bounds at the beginning of its history.

The First Inhabitants—Within recent years, the attention of the scientific world has been drawn to the occasional finding of chipped stone implements and artificially shaped grinding stones in a deposit of sand and gravel near Frederick, the county seat of Tillman County, which dates from the Pleistocene Period.¹ The result of these interesting discoveries has been to prove conclusively that the antiquity of human life on this part of the North American continent extends much farther back than had been commonly believed. From the evidence thus presented, it would appear that primitive man was actually contemporary with the mammoth, the mastodon and other animals which became extinct thousands of years ago. But little is now known of these early inhabitants beyond the mere fact that they lived and plied their rude arts and crafts for, as yet, only a few fragmentary skeletal remains have been found.

Other scattered evidences of very ancient prehistoric human life within the limits of Oklahoma have been brought to light at various times and places in recent years. An arrow point, of chipped chert, or flint, was taken from a sand pit six feet beneath the surface of the ground with a deposit of two feet of red clay soil overlaying the sand, in the valley of one of the upper tributaries of the Deep Fork of the Canadian River, north of Oklahoma City. Granite metates, or mealing stones, were excavated from a prairie hillside, at a depth nearly as great, near Colony, in Washita County. Another utensil of the same sort was found several feet beneath the surface in excavating a basement in Greer County. In neither of these instances was the composition of the surface soil such as to indicate that it could have been readily disturbed by the action of wind or water, so it seems a reasonable conclusion that the finding of these specimens under such conditions may be accepted as evidence of great antiquity.

1. "New Trails of Ancient Man in America," by Dr. Harold C. Cook, in the *Scientific American*, August, 1927, pp. 116-17.

In general, it may be stated that Eastern Oklahoma is rich in archaeological remains and that such reminders of prehistoric human life are fairly abundant in the western part of the State, whereas they are comparatively much less common in the central portion. It is also worthy of remark in this connection that, throughout the western part of the State, stone implements and weapons, fragments of broken pottery and other evidences of primitive life are much more abundant in the vicinity of water springs than elsewhere. In a region which is subject to deficiency in rainfall and in which the water disappears even from streams of appreciable size in seasons of drouth, the most convenient camp sites would naturally be found near living springs.

Cave Dwellers—Of much more recent existence, though still sufficiently ancient to excite a feeling of veneration on the part of a modern antiquarian, were the peoples of the several stocks who successively held domiciliary occupancy (at least during the winter seasons) of certain subterranean caverns and beneath overhanging shelter ledges in that part of Oklahoma which is included in the Ozark uplift. That these cave-dwelling peoples were of the race now known as the American Indian, there can be but little doubt. As yet, comparatively little work has been done in the way of excavating the contents of these cave-dwelling and rock-shelter floors, which are numerous throughout the Ozark Mountain region, in Arkansas and Missouri as well as in Oklahoma.

It is not improbable that careful investigation may reveal the fact that there were several distinct eras of cave-dweller occupancy within the limits of the Ozark area, some of which may prove to be of very remote antiquity. Of these, the most recent has been ascertained to have covered a period extending from 1226 B. C. to A. D. 520.²

The remains of the Cave Dweller culture are to be found often in a state of perfect preservation in the deposits of ancient kitchen refuse (*i. e.*, wood ashes, charcoal, fragments of bone broken to secure the marrow, clam and mussel shells, etc.) with which the cave floors are found to be covered. Such deposits, when sifted, yield numerous specimens of implements, ornaments and weapons of stone and bone, fragments of earthenware pottery, bones and teeth of various game animals, bones of certain game birds and fish, shells of fresh water bivalves, the charred seeds of melons, pumpkins and squashes and the cobs and grains of maize, or Indian corn, likewise carbonized, all bearing mute but indisputable witness as to the arts, the crafts, the customs and the habits of these peoples who sought refuge from the stress of the elements in dark or dimly lighted subterranean chambers.³

2. "The Antiquity of Deposits in Jacob's Cavern," by Dr. Vernon C. Allison, in *Anthropological Papers of the American Museum of Natural History*, Vol. XIX, Part VI, pp. 297-335. Doctor Allison determined the chronology of the last Cave Dweller era in Jacob's Cavern (McDonald County, Missouri, hence in the Ozark region) by making a horizontal cross section of a stalagmite therefrom, which showed a series of annual rings as the result of discoloration of deposit by dust in the season of spring winds. Bits of charcoal, flakes of flint, fragments of pottery and splinters of bone, embodied in the stalagmite as the result of human proximity and activity, indicated, by their presence with reference to the lines of annual increment, a fairly accurate determination of the period of the last Cave Dweller occupancy.

3. With the coöperation of the Oklahoma Geological Survey, the author hereof (then connected with the University of Oklahoma), undertook the first systematic cave dwelling excavation on behalf of any Oklahoma institution, in a cavern on the bank of Honey Creek, near Grove, in Delaware County, in June, 1916. Nine years later, the work was resumed



OLD "700 RANCH," FIRST WHITE SETTLEMENT NEAR ARDMORE



REMAINS OF A SECTION OF IRRIGATION CANAL BUILT BY INDIANS HUNDREDS OF YEARS AGO, IN BEAVER COUNTY

Recently it has been discovered that there was a stock of Cave-Dwelling Indians which occupied the caverns and rock shelters in the Cimarron River country, in the extreme northwestern part of the State. Nothing is known as yet as to their ethnic relationship, though it has been surmised in some quarters that they may have been related to the Basket Makers of Southwestern Colorado and Southeastern Utah. That the occupancy of these caves may have dated back to a more ancient time, even, than the era of the Cave Dwellers of the Ozark region is not impossible.

Mound Builders—The end of the last Cave Dweller era, approximately fourteen centuries ago, was not improbably coincident with and consequent upon the arrival of the first Mound Builder migration. Of these, there were a number, conceivably represented in later times by the several important linguistic stocks of the American Indian race which were found occupying that part of the continent east of the Great Plains, in both the United States and Canada at the time of the first white settlements on the Atlantic Coast and in the St. Lawrence Valley. There is reason to believe that these Mound Builder migrations came from one or more racial swarming grounds in the tropical end of the continent, where the possibility of developing and supporting a dense population on a comparatively limited area had led in turn to the development of a high degree of culture.⁴

As mounds of the true Mound Builder type are to be found in several sections of eastern Oklahoma, it is not improbable that two or more of these great prehistoric migrations traversed portions of the State and that some or all of these may have tarried for periods of varying length, as witnessed by building of mounds of considerable magnitude, before continuing their advance to the valley of the Mississippi and the states of the region beyond. Mounds of this type are to be found in the valleys of the Red, Arkansas, Poteau, Illinois, Neosho or Grand and other rivers in eastern Oklahoma.

Mound Builder mounds vary in form and size and were probably built for various purposes. The most common designs are those of the cone and the pyramid. Earthworks of both of these designs are frequently found in truncated form, however. Of the several pyramidal mounds thus far examined in Oklahoma, both oblong and square, all seem to have been planned and built with due regard for the cardinal points. While some of these large mounds

in the same place and was carried on more extensively and for a much longer period. Valuable collections were secured as the result of each of these efforts, that of the season of 1925 being especially fine. Most of the labor performed in the course of these excavations was that of students who donated their services.

4. The hypothesis that would ascribe a racial swarming ground in the tropical end of the continent as a place of origin and development of the successive waves of migration which overran and occupied that part of the continent east of the Great Plains, which has been formulated and advanced by the author, is at variance with the commonly accepted theory of migrations from the northwest, which has seldom been questioned. His conclusions have been based partly upon the results of his own investigations in the remains of Caddoan house mounds (domiciliary tumuli) of two to five centuries ago and the vestigia of a proto-Siouan ceremonial mound believed to be approximately 1,000 years old, taken in conjunction with the results of recent mound explorations in Ohio by Dr. William C. Mills and Prof. H. C. Shetrone, and in the Etowah mounds, of Georgia, by Prof. Warren K. Moorehead, and also the migration legends which have persisted among the peoples of Muskogean stock down to the present day. It is hoped that this hypothesis may be put in form for publication in the not distant future.

may have been erected for monumental and sepulchral purposes, others were most certainly built ceremonially. There is also a possibility that some mounds, located on the uplands, were intended to serve as watch towers.

Ancient Irrigators—In northwestern Oklahoma and adjacent portions of neighboring states there are traces of ancient irrigation canals which antedate the discovery of America by Columbus, possibly by several centuries. There is abundant evidence of competent engineering skill in the location and construction of these canals. With these irrigation works, which are believed to have been an attempted adaptation of Pueblo culture from the Rio Grande region by the people of a tribe or stock which had previously grown corn and other agricultural products in a humid region, there seems also to have been an effort to imitate Pueblo architecture. Who these ancient irrigators were, whence they came and what became of them, are questions which remain yet to be answered, though it is possible that they may prove to have been the parent stock of the present Apache tribes.⁵

Earth House People—Scattered plentifully over more than twenty counties in eastern and southeastern Oklahoma, and more sparingly in as many more counties in the central part of the State, are thousands of low, circular mounds of earth, resembling in outline or form that of an inverted saucer. These low, circular mounds are so common in some sections as to present a very frequent and, in some places, an almost constant landscape feature. In size, they average about forty feet in diameter and twenty to twenty-four inches in height at the center, though many are smaller and some are much larger. They are also very common in certain portions of the neighboring states of Texas, Louisiana, Arkansas and Missouri. Careful dissection and investigation reveals the fact that each one of these low, circular mounds is the ruin of a timber-framed, dome-shaped, earth-covered human habitation, which was built and used as a domicile by people of Caddoan or Proto-Caddoan stock.⁶ In addition to the earth-covered lodges or huts, with heavy timber frames, these early Caddoan peoples also built dome-shaped, grass-thatched lodges, with light frames of slender poles, all vestiges of which must have disappeared within a few years after abandonment.

5. These ancient irrigation canals have been found in Beaver County, Oklahoma, and in the neighboring counties in Kansas, the most extensive and most nearly perfect specimen being the one near Englewood, in the southwestern part of Clark County, Kansas, which is eleven miles long. The largest and best defined group of pueblo-mound ruins is located near the town of Gate, in the eastern part of Beaver County.

6. The author conducted excavations in the ruins of the domiciliary mounds and burial grounds of Caddoan origin in eastern Oklahoma, chiefly in Le Flore County, in 1914-1915-16-17. One unusually large mound of this type, located eight miles from Spiro and near old Fort Coffee proved to be the remains of a habitation or lodge with an interior diameter of fifty-five feet, that had collapsed while it was still occupied, possibly as the result of a tornado or of an earthquake. Six people had been crushed to death by the falling timbers of the frame work and the weight of the superimposed covering of earth. The excavation of this mound, which was done during the winter of 1916-17, resulted in the acquisition of a fine collection of specimens illustrating the arts and crafts of the Caddoan peoples before their cultural deterioration had proceeded very far. Their dead were invariably interred in the sandy subsoil of valley land fields which they had under tillage and where a grave could be easily dug with the aid of a clam shell. As one or more earthenware vessels were buried with nearly every interment, presumably with food and drink for the sustenance of the departed while on the journey to the spirit land, such burial places are frequently subject to excavation for the purpose of securing specimens of Caddoan ceramic wares, which are unsurpassed by those of any other prehistoric people in the United States.

While it is not known that any of the Caddoan peoples built mounds, as such, as did the peoples of the Algonquian, Iroquoian and Siouan migrations, the cultural development of the early Caddoan immigrants was easily on a basis of equality with those of the true mound building stocks. The marked tendency of the arts and crafts of all of these major immigrant stocks to assume more crude and primitive forms was incidental to the cultural deterioration which naturally followed as the result of the change from a densely populated district in a tropical or subtropical racial swarming ground to a sparsely peopled wilderness which was teeming with game animals, birds and fish. Despite such retrogressive cultural tendencies, however, certain type artifacts, utensils and implements render it easily possible to definitely identify the descent of a modern Indian tribe from that of a particular prehistoric stock. The theory that the Mound Builder peoples belonged to a race far superior to the Indian is, except as to culture, without foundation in fact.⁷

As Oklahoma is much nearer the mouth of the Rio Grande, where most if not all of these ancient mass-movement migrations entered the United States, than the immediate valley of the Mississippi and the regions beyond, in which most of them finally settled, it would seem reasonably probable that the mounds, burial grounds and other earthworks, which they constructed and left behind as they passed on toward the east, should prove prolific of most instructive results when properly and systematically excavated and examined. Moreover, a well grounded knowledge of the movements, life, arts, crafts, customs, habits, and general culture of the prehistoric peoples of our own country and continent aids in gaining a better understanding of the primitive life of the prehistoric Aryan race of Europe from which most of the people of Oklahoma are descended.

7. The successive migrations from the tropical swarming grounds (coming at intervals averaging about a century) would probably include the Algonquian, Iroquoian, Siouan, Muskogean and Caddoan, not improbably in the order named. In this procession there may have been also the Athapascan and Shoshonean stocks, which finally found habitats and elsewhere west and north, and the Timuquanan, which settled in Georgia. It is conceivable that the first of these advancing hordes found portions of the regions thus invaded already occupied by cave dwelling peoples and others equally as primitive, who were overcome, partially exterminated and the remnants subjugated and eventually absorbed, thus leading to a divergence in physical type and the differentiation in language. It is noticeable that the stocks descended from the more recent migrations, which did not encounter many if any of the indigenous, primitive peoples, have undergone much less change in physical type and variation of language.



CHAPTER III

INDIGENOUS INDIAN TRIBES

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The dawn of history in Oklahoma, with the almost simultaneous arrival of the exploring expeditions of Coronado and De Soto on or within its borders, found a number of Indian tribes ranging over various portions of its present area, though it is doubtful if, at that time, more than two linguistic stocks were thus represented, namely the Caddoan and the Athapascan. Several tribes, representing other linguistic families, drifted into Oklahoma afterward, however.

The Caddoan Tribes—In the eastern section of the State, where forest covered areas were much more abundant than prairies, there lived a number of tribes whose people were descended from those of the Caddoan Migration. The original Caddoan settlement had probably been near the Gulf Coast, in southeastern Texas and western Louisiana, possibly not more than a century or two before the discovery of America by Columbus. Thence their dominion had been gradually pushed northward and northeastward, across Red River, below the mouth of the Washita, and on across Oklahoma toward Missouri.¹ These early Caddoan people were all agriculturists, tilling extensive communal fields and producing abundant crops of maize or Indian corn, beans, pumpkins, squashes, melons, etc., upon which they depended largely for subsistence, though also much given to the chase of wild game in quest of meat and skins. Being engaged in agriculture, they were sedentary in their habits, living in fixed villages composed of timber-framed, dome-shaped huts or lodges, some of which were earth-covered while the rest were covered with a thatch of sedge or slough grass.

The leading tribe of the Caddoan confederacy was the Kadohadacho, meaning "real Caddo" or "Caddo, proper," who called themselves *Hasinai*, literally signifying "our own people."² A part of the people of this tribe made their homes in Southeastern Oklahoma, near the valley of Red River and below the mouth of the Kiamichi.³ The rest of the people of this important tribe were

1. The author has embodied the results of his explorations and investigations of prehistoric Caddoan domiciliary ruins, burial grounds, etc., in Oklahoma, since 1913, in a paper which is to be published in the near future.

2. James Mooney's "The Ghost Dance Religion," Fourteenth Annual Report, Bureau of American Ethnology, Part II, p. 1093.

3. The band of Caddoes which lived in southeastern Oklahoma remained separated from the rest of the tribe for a long time. It gradually drifted westward, though remaining north of Red River. In the early part of the nineteenth century, it was located in the vicinity of the Blue and Boggy rivers, in Bryan County. The removal of the Choctaw people from Mississippi to the Red River country in the Indian Territory, after 1830, caused these Caddoes to move still farther westward, their new settlement being located near the Washita River at a point in the north central part of Garvin County, which thenceforth became known as Whitebead Hill. This band of Indian Territory Caddoes thereafter became known as the Whitebead Caddoes in distinction from the Texas band. The two bands were united, in the autumn of 1859, at the Wichita Agency, near Fort Cobb, after the Texas Caddoes had been moved thither from the Brazos reservation, in western Texas. At the outbreak of the Civil War, a year and a half later, the people of the Texas band, fearful of renewed trouble with the Texans, sought refuge in the North, first in

found in the adjacent portions of neighboring states—Arkansas, Texas and Louisiana. Northward from the country of the Kadohadacho, extending beyond the valleys of the Canadian and the Arkansas and also up the Red River Valley above the mouth of the Washita, there dwelt a number of kindred and cognate tribes of Caddoan origin, including the Tawehash (Taovayas, or Tejas), Touacara (Tawakony), Hueco (Waco), Ouicita (Wichita)⁴ and others, which were collectively called the Paniouassa (lower or southern Pawnees)⁵ by the early French traders and explorers and which, after the transfer of Louisiana to American control, became known as the Wichita confederacy. Although the people of most of the tribes of both of these confederacies, like those of the Panimaha, or Pawnee confederacy of the north, were more given to industry, more tractable and seldom or never at war with the white people, they were not immune to the effects of the white man's vices and diseases, so it is not improbable that the Caddoan population as a whole was decimated within a century and a half after it came into permanent contact with the first white traders and settlers.

The Athapascan Tribes—In that part of Oklahoma lying west of the 99th Meridian, there ranged a people of Athapascan stock, whose descendants are now known as Apaches. There are a number of tribes which are collectively known as the Apache, proper, practically all of which now live in the states of New Mexico and Arizona. Their range at the beginning of the historical period extended at least from the valley of the Smoky Hill to that of Red River. Who these proto-Athapascans were and whence they came is as yet unknown. If, as is suspected, it should prove that they were the projectors and builders of certain ancient irrigation works in Northwestern Oklahoma and Southwestern Kansas, there would seem to be reason for belief that they had been originally a race of corn-growers from a humid region and, hence, that not many generations before the effort to resort to irrigation on their new range on the subhumid plains, their ancestors might have been numbered among the successive migrations from the racial swarming grounds in tropical America. In any event, however, their experimental effort at irrigation in any but the smallest way must have been foredoomed to failure for the reason that there was not sufficient timber in the surrounding country to fence the buffalo herds away from the cornfields.⁶ If these early Athapascans were the immediate

Colorado and, later, in Kansas, while their kinsmen of the Whitebead band remained on the Washita, where a number of its members were nominally enrolled in the Confederate military service, though with a strict understanding that, under no circumstances, should they be called upon to engage in active hostilities against white people, even though the latter might be in the Federal service. The two bands were reunited in 1867 and have lived as one people ever since.

4. "Journal of La Harpe's First Expedition in Oklahoma," by Anna Lewis, *Chronicles of Oklahoma*, Vol. II, No. 4 (December, 1924), pp. 331-49.

5. Beaurain (Ca. 1720) in Margry's "Decouvertes et Etablissements des Francais dans l'Amerique Septentrionale," VI, pp. 230-89; also, La Harpe, *Ibid.*, p. 290.

6. The author spent several weeks with the field party of Prof. Warren K. Moorehead's Arkansas River Archaeological Survey, in May and June, 1920, while it was engaged in exploring prehistoric village sites, on both sides of the Canadian River, in the Texas Panhandle. A side trip into the Oklahoma Panhandle and southwestern Kansas, resulted in the discovery of ruins of ancient irrigation works mentioned elsewhere. Subsequent investigation tends to indicate that these irrigation works had been constructed by the same people whose village sites were found on the Canadian. There is reason to believe that further investigation may result in identifying the culture in question as that of the Athapascan Apache, modified by contact with the Pueblo cultures of the Rio Grande region.

descendants of immigrants from the tropical or subtropical regions, their culture underwent a very rapid deterioration when their course was turned out on the Plains, as did that of every other tribe or stock which had to undergo a similar experience under the conditions then existing. However, even after they had adapted themselves to such an environment, they were not destined to remain in undisturbed possession of such an unpromising habitat.

The Shoshonean Tribes—In the course of nearly two centuries which intervened between the Spanish explorations in Oklahoma, in 1541, and those of the first French exploring expeditions in 1719, the people of an offshoot or branch of the Shoshone tribe, left the ancestral range in northern Wyoming and moved out on the plains.⁷ Hitherto, having been mountaineers, they had given chase to the deer, elk, mountain sheep and the fierce grizzly bear and also to fishing for salmon at certain seasons of the year. With their removal to the Great Plains, there came a great change in their habits, for they became possessed of horses and, thereafter, they followed the buffalo herds. They also found it expedient to peg down the lower end of their rawhide lodge coverings rather than to depend on finding loose rocks at every camp site to render the same secure from flapping in the wind. The Shoshone of the plains called themselves *Neum*, supposed to be a contraction of *Nimenim*, meaning "people of people." The name Comanche is from the Spanish *Camanche*, the meaning of which is not positively known, though there is a possibility that it may be a contraction or corruption of *camino ancho*, literally meaning "the broad trail," and having reference to the raiding proclivities of the warriors of this tribe.

When the Comanche people finally forsook the Rocky Mountains for life on the Great Plains, their range was in the vicinity of the Black Hills of Dakota. Gradually, they extended it southward to and beyond the Platte River and on to the valley of the Arkansas. Ranging well eastward from the base of the Rocky Mountains into Nebraska and Kansas, they came into contact with the Siouan, Omaha, Kaw and Osage, who called them *Padouca*, which is to say "snake" or "serpent," which, in meaning, is the same as the name often given to the Shoshone people to this day. It was as the Padouca that the Comanches were first known to the French, in 1724.

Who the first Shoshonean people were, and whence they came, are likewise matters of conjecture. The fact that they belong to one of the big stocks—for the great Shoshonean family includes not only the Comanche and the Shoshone proper, but also the Bannock, the Ute, the Paiute and numerous smaller tribes and bands—is suggestive that it, too, must have originated and developed under more favorable conditions in a racial swarming ground, far to the southward.

When the Comanche people succeeded in establishing themselves on the plains and then began to push their range toward the south, it boded ill for the Apache people. Gradually the Apache were pushed southward until, by the close of the 17th Century, they no longer ranged north of Red River. In the end the Comanche drove them, still stubbornly contesting for what they

7. Mooney's "The Ghost Dance Religion," op. cit., pp. 1043-44.

rightly regarded as their hereditary hunting grounds, from the Plains into the mountains of New Mexico, whence many of them have drifted farther west into Arizona.

In the extreme western part of No Mans Land, now in Cimarron County, there is much rough, broken country, almost mountainous in its general topographic features. This was included in the range of one of the bands or subtribes of the Ute tribe which, like the Comanche, was of Shoshonean origin. This part of their range was abandoned by the Ute people over sixty years ago. Of all of the aboriginal tribes whose habitats extended into Oklahoma since the beginning of the historical period, only the Ute and the Apache are not now numbered among its inhabitants.

Siouan Tribes—As already stated, the great Siouan stock or family is composed of the descendants of one of the prehistoric migrations from the tropical or subtropical swarming ground. It is believed to have crossed Oklahoma in the course of its migration toward the east, approximately 1,000 years ago. This eastward movement was continued until it found a place of settlement east of the Alleghenies, between the James River on the north and the Savannah River on the south. There, all or nearly all of the Siouan people dwelt for several centuries until some sort of a disturbance—possibly the arrival of the Muskhogean migration on the southern border of the Siouan dominion, caused the most of the Siouan tribes to make a retrogressive migration to the West, supposedly about six or seven centuries ago. Of the westward movement of the main body of the Siouan peoples, little or nothing is known. The people of the southern division of the Sioux, however, are known to have migrated down the valley of the Ohio River, at the mouth of which they crossed the Mississippi, a century or more before the discovery of America by Columbus. There, this southern division subdivided, one band going downstream, into Arkansas, where it became known as the *Ugakhpa*, (Quapaw), meaning “downstream people,” while another subdivision went northward and ultimately settled on the Missouri, in Nebraska, where they became known as the *Omaha*, meaning “upstream people.” The third subdivision of the southern division of the Sioux remained in Missouri, where it was known as the *Washazhe* (Osage), the meaning of which is unknown. Eventually its range was extended to include Northern Arkansas, Northeastern Oklahoma and Southern Kansas, while its offshoot, the Kansas, or Kaw tribe (the name of which was probably derived from that of the river, *Ne-kon-zhouz*, meaning “shallow water”) pushed westward in Northern Kansas in such a way as to practically isolate the Panimaha, or Pawnee confederacy, from the Paniouassa, or Wichita confederacy.

The Kiowa Tribe—At some time subsequent to the middle of the eighteenth century, the people of the Kiowa Indian tribe drifted out of the mountainous region in which the Missouri River has its sources and began to range on the Plains, south of that stream.⁸ The name, Kiowa, is derived from

8. Mooney's "Calendar History of the Kiowa Indians," Seventeenth Annual Report, Bureau of American Ethnology, Part I, pp. 153-61.

Ka-i-gwu, meaning "principal people."⁹ At the time of the war for American independence, the Kiowa people were ranging in the vicinity of the Black Hills of Dakota. A few years later, as the result of pressure from the Cheyennes, who, in turn, were being pushed southwestward by the Sioux, the Kiowas moved south to the Platte and began to range over toward the Arkansas. This brought them into contact and conflict with the Comanche. The enmity thus arising continued for nearly twenty years when, through the kindly mediation of a Spanish-Mexican ranchero, the Kiowas and Comanches were induced to make peace.⁹ In the end, this peace agreement led to a federation between the two tribes which has existed to this day.

The Plains Apache Tribe—When the Kiowa people came out of the mountains near the source of the Missouri River they were accompanied by the people of a small tribe which, even then, had long been affiliated with and attached to the Kiowa tribe, though differing from it in origin, speech and tradition. The people of this small tribe were of Athapascan stock, though long separated from any of the other branches of that linguistic family. They called themselves *Na-i-shañ-dina*, literally meaning "our people."¹⁰ In the earliest accounts of them, from French, Spanish and English sources, they were called by various forms of the name, Gattacka, and it was as Kataka that they entered into their first treaty with the United States, in 1837.¹¹ Because they spoke an Athapascan language, evidently of the same origin as that of the various tribes and bands of the Apache family, though they had not even a traditional knowledge of any relationship therewith, they came to be called by that name and, since the middle of the nineteenth century, have been commonly known as Kiowa Apache, Prairie Apache and Apache of the Plains. Although relatively few in number and federated with the Kiowa for two centuries or more, except for two years (1865-67) when they were federated with the Cheyenne and Arapaho, they have maintained their tribal integrity and have clung tenaciously to their own language and traditions.

9. *Ibid.*, pp. 162-63.

10. Mooney's "Ghost Dance Religion," *op. cit.*, p. 1081.

11. Kappler's "Indian Laws and Treaties," Vol. II, pp. 489-90.



CHAPTER IV

SPANISH EXPLORATIONS

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CHAPTER IV.

SPANISH EXPLORATIONS.

Within fifty years after the first discovery of America by Christopher Columbus, Spanish explorations, conquests and settlements had been effected in Cuba, Hayti, Porto Rico, Mexico, Central America and several parts of South America. They had also explored Florida and the Gulf Coast of the United States.

Cabeza De Vaca's Journey—In 1527 Don Panfilo Narvaez, a Spanish officer who had already served more than a quarter of a century in Cuba, sailed from Spain with a fleet of five vessels, with 600 colonists and soldiers, for the purpose of effecting a settlement in Florida. The expedition landed near Tampa Bay in April, 1528. In the course of the explorations and vicissitudes which followed, the commander and nearly all of his followers lost their lives as well as their ships. One soldier survived until the De Soto expedition, nearly a dozen years later. Four others, of whom Alvar Nuñez Cabeza de Vaca was the leader, made their way from the Gulf Coast in Texas to the Spanish settlement at Culiacan, on the Pacific Coast in Mexico, eight years after their first landing in Florida.¹ When Cabeza de Vaca published an account of the wanderings of himself and his companions, five years after his return to Spain, it immediately aroused great interest and quickened the national zeal for further exploration.²

1539 **Friar Marcos de Niza's Expedition**—Of the members of the Cabeza de Vaca party, only Estevan, the negro slave, was fated to be connected with any of the subsequent efforts at exploration of the region north of Mexico. He was sent forth as a guide with a religious expedition, headed by the Friar Marcos de Niza, of the Franciscan Order. This expedition left Culiacan, in March, 1839, in quest of the mythical "City of Cibola." Within a month the Friar Marcos sent the negro guide ahead, with strict injunctions as to procedure and behavior. Left thus to his own resources, Estevan's race traits prevailed and he assumed the prerogatives of an ambassador, with such display of pomp and arbitrary authority and of disregard for the rights and conventions of the native Indians that they put him to death.

1. There has been a great difference of opinion as to the route traversed by Cabeza de Vaca and his companions during their wanderings which led from the Gulf of Mexico to the Gulf of California. The consensus of opinion seems to be that they went west and northwest from the mouth of the Sabine River to a point on the Rio Colorado, near the geographic center of the State; thence southwest to the confluence of the Pecos and the Rio Grande and up the valley of the last mentioned river to the mouth of the Rio Conchos; thence a generally westerly course through the mountains to the coastal plain bordering the Gulf of California and thence southeast to Culiacan.

2. The narrative of Cabeza de Vaca's marvelous journey, first published in 1542, was translated and published in several other languages within a few years. The principal American versions and, of course, the most readily available, are Buckingham Smith's "Alvar Nunez Cabeza de Vaca, Narrative" (1871), George Parker Winship's "The Coronado Expedition" in the Fourteenth Annual Report of the Bureau of American Ethnology (1896), and Mrs. Fanny Bandelier's "The Journey of Alvar Nunez Cabeza de Vaca" (1905). A revised version of Winship's treatise has been published in a separate volume (1922).

The Friar Marcos proceeded northward into Arizona and New Mexico. When he arrived in sight of a large Pueblo village, which he assumed to be the "City of Cibola," he viewed it from afar, with the result that distance lent enchantment to the view, but he did not attempt to visit it. Some of the Indians told him of a valley where gold abounded. He went to see it and looked into it but made no attempt to enter it to verify the tales that had been told to him. When he returned to Mexico City, his written descriptions were not merely inaccurate but badly overdrawn as well and his oral statements concerning what he had seen were even more vivid. His report created great excitement in Mexico and rumors of a new, rich province which would rival the wealth of the Aztecs and of the Incas quickly spread to other Spanish colonies.³

The stories of the discoveries of the Friar Marcos did not suffer any in being retold. Many adventurous dons and conquistadores were eager for the honor of leading an exploring expedition thither and there was much intrigue in consequence. The viceroy of New Spain (Mexico), Don Antonio de Mendoza, who had selected the Friar Marcos for the preceding expedition, shortly began to arrange for the organization of a new and more pretentious exploration, which was to be made under the personal direction of Don Francisco Vasquez de Coronado, who had been appointed Governor of Nueva Galicia a few months earlier.

Coronado's Expedition to Quivira—Like the expedition of the Friar Marcos de Niza, that of Coronado set out from Culiacan, near the coast of the Gulf of California, whence it proceeded by an irregular but generally northward course to Cibola, known in more recent times as the pueblo of Zuni, in west central New Mexico. Thence the expedition moved eastward to the Pueblo settlements of the Rio Grande Valley, where it arrived in the autumn of 1540. The following winter was spent at Tiguex, in the vicinity of the present town of Bernalillo, New Mexico. The Spanish expeditionary force, composed very largely of adventurers and soldiers of fortune, had met with nothing but disappointment in its quest of gold and silver and precious stones. Instead of great rich cities, they had found only mud-walled Pueblo villages with no traces of gold, silver or other treasures. This disappointment was reflected in the impatience and harshness with which the Pueblo villagers were treated.⁴

3. The Friar Marcos de Niza's "Relacion del Descubrimiento de la Siete Cuidades" is listed among the documents of the Indies, in the Spanish Colonial Archives, in Seville. The most readily available translations therefrom in English are those of Buckingham Smith and George Parker Winship. Fourteenth Annual Report Bureau American Ethnology, pp. 339-469.

4. The primary sources of information concerning the expedition of Coronado are from four documents, namely: (1) the chronicles of Captain Juan Jaramillo, who was one of Coronado's officers and who made a written account at the time, though it is to be regretted that he did not make a day to day journal, with a record of stream crossings, camp sites, directions and distances traveled each day and also more detail in the way of important incidents; (2) "Relacion del Suceso," a document of unknown though evidently contemporary authorship, which is preserved in the Archives of the Indies, at Seville; (3) the narrative of Pedro Casteñada, a common soldier who had migrated from the province of Biscay, in Northern Spain, to Mexico, and settled at Culiacan, whence he entered the service of Coronado's expedition to the upper Rio Grande and the Great Plains, and (4) the letter written to the King of Spain by Coronado. Although Casteñada's account was not written until after the return of the expedition to Mexico, it contains much more in the way of detailed information than either or all of the others. Of secondary authorities and

The winter of 1540-41 was one of unusual severity for that region. Moreover, the food and clothing of the members of the exploring expedition were not sufficient to keep them in comfort, though the people of one village had given it over entirely for the housing of the strangers, leaving also its stores of corn and other food for the winter, while they went to tarry for the season with their friends and relatives in other Pueblo villages. But the intruding Spaniards, with their large retinue of Mexican Indian allies and servants, had to be subsisted and clad as well as housed, so, in this emergency, they had recourse to requisitions, forcibly exacted, in the neighboring villages. The Pueblo people did not take kindly to such involuntary contributions and this disposition, taken in conjunction with their resentment at the turbulence of some of the evilly disposed Spanish soldiers, led to a hostile uprising which was sternly subdued by the invaders.

The Spaniards were so insistently inquisitive about gold that the very name of that metal became a term of derision among the Pueblo peoples. Finally, there was found living in one of the Tiguex villages a captive or slave, who claimed that he was a native of a region far to the southeast, where he said there were populous settlements in which gold and silver abounded. This was good news to the Spaniards, who were eager to equal if not outdo the exploits of Pizzaro in Peru and those of Cortez in Mexico. Unsuspicious of the possibility that this captive, whom the Spaniards had named "El Turco" (because of his fancied resemblance to a Turk), might have been deliberately induced by his Pueblo captors to tell such a tale in order to toll the invaders away, the latter prepared to march in full force to this new eldorado, which was called Quivira.

On April 23, 1541—just a year and a day after the departure of the expedition from Culiacan—Coronado, at the head of an army consisting of 300 Spaniards and 1,000 Mexican Indian allies, set forth from the Pueblo village of Cicuye,⁵ near the Pecos River, on its celebrated march across the buffalo plains in search of Quivira. In general, a southeasterly course was followed to a point near the confluence of the Concho and Colorado rivers, in central Texas. There El Turco, who had been with the expedition as its chief guide, confessed that he had deliberately led it out on the barren plains for the purpose of causing its failure by starvation and thirst. Other Indians, whom Coronado met among the buffalo herds on the open plains,⁶ informed him that

commentators, Mota Padilla, who wrote two centuries after Coronado's expedition and who, having access to all original documents and being possessed of first hand geographic knowledge of the regions traversed, gave an illuminating account in his "Historia de la Nueva Galicia." General James H. Simpson, of the United States Army, who was the first American commentator, made a careful study of the subject, though later research does not bear out all of his conclusions. Adolph F. Bandelier, the Swiss-American writer, personally went over much of the ground covered by Coronado's expedition and threw much new light upon the subject. The writings of George Parker Winship, mentioned elsewhere, probably present the fullest and most complete discussion of the subject. Ralph E. Twitchell's "Leading Facts of New Mexico History" also presents a full and instructive account, gathered from all available sources.

5. Cicuye was the pueblo which has been known in more recent times as Pecos. Its location is about thirty miles southeast of Santa Fe. Its ruins have been subject to very careful scientific exploration in recent years. It had been continuously occupied for more than a dozen centuries at the time that its abandonment began (because of the incursions of the Comanches), in the middle of the eighteenth century.

6. During the course of their tedious journey across Texas toward the Pacific Coast, Alvar Nunez Cabeza de Vaca and his companions were the first men of the European race

Quivira was far to the north.⁷ At a council which was convened to consider the matter, it was decided the main force should return to Tiguex, on the Rio Grande, while the commander, with thirty horsemen and six footmen, should march to the northward in further quest of Quivira.

While the description of Coronado's northward course is more or less vague, several authorities seem to agree that he passed through western Oklahoma, approximately through the counties of Jackson, Greer, Beckham, Roger Mills, Ellis, Woodward and Harper and that it crossed the Arkansas River in the eastern part of Ford County, Kansas. Turning thence down the course of that stream, to the angle of the great bend, in Barton County, and continuing in the same general northeasterly course, the expedition reached a point in the vicinity of the confluence of the Smoky Hill and Republican rivers. Beyond that, local exploration was continued almost to the boundary between Kansas and Nebraska.

Quivira was found to be a land of primitive people, living in timber-framed, dome-shaped huts or lodges, grass-thatched or earth-covered, while the tales of cities, with wealth that the white man would covet, proved to be myths. With the end of the summer season at hand and with hundreds of miles between him and his army, Coronado and his small troop of followers soon started on the return march to the Rio Grande. The course of this return march followed a much more direct route and one which approximated that which, nearly three centuries later, was preëmpted by the Santa Fe Trail, probably traversing the present Cimarron County, in Oklahoma.⁸

to discover the American bison, or buffalo. Coronado's expedition soon found itself among the herds of these "crooked-backed cattle" when it marched out on the Great Plains. The explorers subsisted largely on the flesh of these animals until their return to the Rio Grande.

7. Coronado met at least two distinct stocks of native people on the southern plains, namely: (1) the Querecho, or Vaquero Apache (literally, "buffalo Apache" or "cattle Apache," in distinction from other Apache tribes and bands which did not so continuously range among the buffalo herds as did these), who were of Athapascan origin, and the Teyas, or Tejas ("corn growers"), who were Caddoan. The present-day descendants of the Querecho or Vaquero Apache include the people of the Mescalero, Jicarilla, Faraone, Llanero and possibly Lipan divisions of the great Apache family. The Teyas, or Tejas (from which the great State of Texas derived its name), was a powerful Caddoan tribe at that period but, like other tribes of the same stock, it rapidly decreased in numbers during the ensuing two and a half centuries, the remnants being ultimately absorbed by the Towakony, Waco and Wichita bands.

8. An interesting memento of the Coronado expedition was accidentally found in Finney County, Kansas, on the headwaters of the Pawnee Fork of the Arkansas, in 1886, in the form of the steel blade of a Spanish officers' sword of the sixteenth century. The point of this blade was found protruding from the eroding bank of a small creek. When the blade was excavated and polished, it was found to bear an inscription in archaic Spanish, in two parallel lines, as follows:

NO ME SAQUES SIN RAZON
NO ME ENBAINES SIN HONOR

which, rendered into English, would read: "Draw me not without reason; Sheath me not without honor." Transversely across the base of the blade and close to where the hilt had been attached, there had been etched the name of Juan Gallego, who was one of Coronado's captains. Although Captain Gallego had returned to Mexico for reinforcements, in 1540, and did not return in time to accompany the expedition to Quivira, it is quite possible that some other officer or man-at-arms might have carried his sword on the expedition with the result that it was lost or otherwise passed into the hands of the Indians. It is worthy of comment that this blade (which is now in the museum of the Kansas Historical Society), though but lightly covered with earth and therefore subject to the action of the elements, showed but little corrosion, or rust, thus indicating that it had been wrought from the skillfully made Spanish steel that was practically rustproof as well as hard and resilient. In this connection it is also worthy of remark that, in the course of the excavation for the foundation for the dam of the Oklahoma City water works reservoir, in 1918, a frag-

Coronado failed to find the mineral wealth, though he remarked the fertility of the soils of the regions over which he and his intrepid followers marched. It remained for the people of another European stock and of different ideals to extract from the soils, thus trodden in disappointment, a wealth beside which the treasures which had been seized by Pizzaro and Cortez would seem insignificant in comparison. Despite the disappointment of Coronado and his followers, however, the romantic tales which had been told of Quivira held such a lasting appeal to the imagination of the Spanish colonists of Northern Mexico and the Rio Grande Valley that, during the course of the ensuing century, it led to other exploring expeditions which traversed portions of Oklahoma. These, like that of Coronado, were barren of practical results and did not even equal his expedition with its meagre addition to the geographical knowledge of its time.⁹

The De Soto Expedition—Some historical writers have maintained that the exploring expedition of Fernando De Soto penetrated as far west as the valley of the Arkansas, in eastern Oklahoma. While this would seem doubtful, it is certainly an interesting coincidence that the De Soto expedition was in Arkansas at the same time that the Coronado expedition was in Oklahoma.¹⁰

The Bonilla-Humana Expedition—In 1594, the Governor of Nueva Biscaya commissioned Francisco Leiva Bonilla, a native of Portugal, and Juan de Humana, to organize and lead an expedition to suppress certain rebellious and warlike tribes in the northern part of that province. Having succeeded in this undertaking, Captain Bonilla proposed to march in search of the wealth of the lands far to the north, of which traditions had persisted in spite of Coronado's failure. Rumors of such an intention on Bonilla's part having reached the provincial Governor, he promptly dispatched a courier with an order forbidding such a movement. Disregarding this order and the alternative threat of being branded as a traitor, Bonilla persisted in his determination, being followed by all except six members of his command. He marched north-

ment of the breastplate of a Spanish suit of armor, made of thin, non-corrosive steel, was uncovered in a deposit of sand and silt, several feet below the bottom of the river channel. This fragment (which is now on exhibition in the museum of the Oklahoma Historical Society) bears evidence that the rest of the breastplate had probably been hacked to pieces by Indians for the purpose of utilizing the hard steel in making arrow points or knife blades.

9. Hubert Howe Bancroft's "History of Arizona and New Mexico," pp. 107-09. Ralph E. Twitchell's "Leading Facts of New Mexico History," Vol. I, pp. 298-99.

10. An Indian woman of one of the Caddoan tribes, who was held as a slave by a member of the Coronado expedition, made her escape and fled eastward, where she came in contact with the De Soto expedition. In Winship's translation of Casteñada's narrative (Fourteenth Annual Report of the Bureau of American Ethnology, Part I, p. 510) this incident is related as follows:

"A painted Indian woman ran away from Juan de Saldibar and hid in the ravines about this time, because she recognized the country of Tiguex where she had been a slave. She fell into the hands of some Spaniards who had entered the country from Florida to explore it in this direction. After I got back to New Spain, I heard them say that the Indian told them that she had run away from other men like them nine days and she gave the names of some captains; from which we ought to believe that, we were not far from the region they discovered, although they said they were more than 200 leagues inland."

ward into New Mexico and thence onward to the Plains and Quivira. There he and Humana had a quarrel which resulted in the death of the former.

Humana assumed command of the expedition. On the return march from Quivira, the expedition was surprised by the Escanjaques (Kansas or Kaw) Indians and, with the exception of two of its younger members, its entire personnel was slain.¹¹ Three Mexican Indians had deserted shortly before this massacre and of these one survived to tell the story of the ill-starred expedition.¹²

Oñate's Expedition—Seven years after the disastrous end of the Bonilla-Humana expedition, Don Juan de Oñate, who reduced the Indians of New Mexico to a state of subjugation and planted the first Spanish settlements within the borders of that State, led an expedition out on the Great Plains, probably following the route which had been traversed by Coronado, just sixty years earlier. Oñate's guide was the Mexican Indian who had been one of the three deserters from Humana's command. The expedition traversed a distance of more than 200 leagues and reached an estimated latitude of 39° or 40° north. While on this journey, Oñate's command was treacherously attacked by the Escanjaques Indians, almost on the same ground where Humana's expedition had been ended by massacre, and hundreds of Indians were slain, with comparatively slight losses on the part of the Spanish expeditionary force.¹³

11. The only members of the Bonilla-Humana expedition who escaped massacre were Alonzo Sanchez and a mulatto slave girl. There was a persistent tradition among the Spanish people of Mexico to the effect that Sanchez was adopted as a tribesman by the Indians and that, in due time, he became a great chief among them, though how this story ever reached Mexico is not explained, as no white man ever saw him again.

12. Jose, the Mexican Indian, who accompanied Oñate's expedition as a guide, had been one of the three deserters from Humana's command, claimed to have left it just before crossing a large river into Quivira. Gaspar de Villagra, author of "Historia de Nueva Mexico" (1610) and a captain in Oñate's command during the expedition of Quivira, was a personal witness to the narrative of Jose when he related the story of the Bonilla-Humana expedition to the commander.

13. A large band of Escanjaques warriors accompanied the Oñate expedition as it entered the Quivira country. The Quiviran people abandoned their villages and fled at the approach of the expedition. When the Escanjaques warriors sought to loot the Quiviran lodges, Father Fernando de Velasco, a cousin of Oñate, who had accompanied the expedition as a chaplain, tried to prevent such depredation, whereupon the Escanjaques turned in fury upon the Spaniards and a fierce battle ensued, resulting in the defeat and all but annihilation of the offensive tribesmen. As the Escanjaques have been identified as the same tribe that in modern time has been known as the Kansas or Kaw, and as the Quiviran Indians were of the Caddoan stock afterward known as the Pawnee, the traditional hereditary enmity between the two tribes must have dated back at least to the fore part of the seventeenth century.



CHAPTER V

THE FRENCH EXPLORATIONS AND TRADING OPERATIONS

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The first permanent French settlements in America were made in Canada, along the valley of the St. Lawrence River. These served as a basis of operations for the exploration of the interior of the continent, including especially the region of the Great Lakes and the valleys of the Mississippi and its principal tributaries. Trading posts were established at various points in the region of the Great Lakes. From these, the valley of the Mississippi was finally descended and partially explored by way of the Wisconsin and Illinois rivers, during the first three quarters of the century after the first settlements were effected along the St. Lawrence.

The commercial instinct was well developed among the people of the French colonies and settlements in Canada, hence it was only to have been expected that the trappers and traders should have followed the routes of these explorers. Nearly all of the earlier French explorations were made by means of canoes; this was not only because canoeing was the ordinary means of travel by the Indians in Canada, but also because the rivers and lakes made the regions to be explored much more readily accessible to the French settlements on the St. Lawrence than to the English colonies from the Atlantic seaboard. It followed, therefore, that the French explorers and trading interests had ventured far into the interior of the continent before the English colonists had pushed their first pioneer settlement as far west as the Appalachian Mountain ranges.

The explorations of Father Jacques Marquette, the Jesuit missionary,¹ and Robert Cavelier, Sieur de la Salle, during the latter part of the seventeenth century, gave to France the basis of her claim to the right of colonial dominion over the valley of the Mississippi and those to all of its tributaries.² The colonization of Louisiana, which followed in due course of time, was the logical result of the claim thus established. The fact that Oklahoma was drained by two of the principal tributaries of the Mississippi put it within the scope of French exploring expeditions and caused French traders to regard it as a legitimate field for their commercial exploitations. Even before the planting of a settlement at New Orleans, Saint Denis, an intrepid French explorer, had traversed the lower valley of Red River and had crossed Texas to the valley of the Rio Grande, in 1714.³ Within the course of the ensuing decade, Oklahoma was visited and partially explored by French expeditions from three different directions.

La Harpe's Expedition—The Commandant Bernard de la Harpe was an officer of the French garrison at Natchitoches, who had been given a concession for the establishment of an outpost, the site for which he selected at

1. Thwaites's "Jesuit Relations," Vol. LI, p. 53; LIX, pp. 86-163.

2. Joutel's "Journal of the Last Voyage of La Salle."

3. Margry, "Decouvertes et Établissements," Vol. VI, pp. 193-99.

the Big Bend of Red River, in the present Hempstead County, Arkansas, where he was to engage in trade with the natives and do what he could to win their friendship and thus extend French influence. On August 11, 1719, La Harpe's exploring expedition, consisting of the Commandant and four other white men, three Indians and two negroes, with a pack train of over twenty horses, set forth from this outpost on what proved to be the first visit of Frenchmen in Oklahoma. Taking a westward course across the present Little River County, Arkansas, and following a route that ran parallel with Red River, he traversed McCurtain County, Oklahoma, to a point near its western border. There the course was changed to a direction much nearer northward, across the present counties of Pushmataha, Latimer, Pittsburg, McIntosh and Muskogee, the journey ending at a point two or three miles northeast of the present town of Haskell, in the northwestern part of the last mentioned county. There he arrived, on September 3,⁴ at a camp of nine closely related tribes of the Caddoan peoples, including the Wucita (Wichita), Touacara (Towakony), and others not so easily recognized by name.

Not least interesting of La Harpe's experiences, while at the Paniouassa (*i. e.*, Southern or Lower Pawnee) village, was his meeting with a Chicachas (Chickasaw) Indian, who had brought English goods to trade, but who hastily decided to leave when he found the French there ahead of him. It would seem almost incredible that French and English commercial interests should thus have come into competition in this remote interior, a generation or more before the outbreak of the French and Indian War, which was to result in the ultimate decadence and disappearance of French dominance, even in the Louisiana country, yet the evidence to such effect is beyond question.

The expedition remained as the guests of the people of these confederated tribes, who were known to the Osage as the Paniouassa, for a period of ten days. La Harpe's narrative described the people as being of a friendly disposition. Their domiciles were said to be dome-shaped, grass-covered and grouped closely together. The people were partially sedentary, having fixed villages, from which, however, they were wont to roam during the autumn and winter seasons, in quest of buffalo herds. They were described as following agriculture during the growing season, cultivating Indian corn, beans, pumpkins and tobacco. They were said to be sensual, though not irreligious. The population of the camp was reputed to have been about 7,000, which was probably overestimated.⁵

La Harpe's expedition left the Paniouassa camp (which was located near the Arkansas River and about midway between the present cities of Muskogee and Tulsa) on September 13 and, after a toilsome march, arrived at the village of the Nassonite Indians, near the home post on Red River, just one month

4. La Harpe and the members of his expedition were received with much ceremony and were treated with every manifestation of hospitality. As the object of his visit to these Indian people was to gain, if possible, their friendship and good will, and to seek to attach them and their trade to French interests, his mission seemed to have been eminently successful.

5. A recent translation of La Harpe's journal of his overland exploring expedition into the present Oklahoma, by Professor Anna Lewis, with map and editorial annotations by the writer hereof (J. B. T.), was published in *Chronicles of Oklahoma*, Vol. II, No. 4, pp. 331-49.

later. All of their horses having died during the course of the return march, the journey had been completed afoot.⁶

Du Tisné's Expedition—While La Harpe was making his journey into Oklahoma from the southeast, another French explorer was headed toward Oklahoma from the northeast, though neither of these men knew aught of the plans and purposes of the other. Lieutenant Claude Charles Du Tisné, an officer of the garrison at Kaskaskia (Fort Chartres), set forth, at the head of a small expedition, to visit the Osages and also to attempt to explore the region between the Osage River and the country of the Padouca (Comanche) Indians. After visiting the Osage people, he was reluctantly permitted by them to advance farther toward the southwest. In his report, he claimed to have crossed the Arkansas River and to have visited a Paniouassa village on a creek some distance to the southwest of the Arkansas. If he did succeed in doing so, he doubtless found the Paniouassa village on or near the Kansas-Oklahoma boundary line, in the valley of the Chikaskia River, or that of Bluff Creek, in or near the northeastern corner of Grant County, Oklahoma.⁷ In any event, whether he set his feet on the soil of Oklahoma or not, he was so close to it that he gave additional evidence of the activities of the French explorers just at that time. Du Tisné was greatly disappointed that the people of the Paniouassa village refused to consent to his farther advance toward the southwest. It was his desire to go farther for the purpose of visiting the Padouca but, because of bitter warfare between the two tribes, he was not permitted to visit them. His real object was to find a route by means of which communication and trade might be opened up with the Spanish-Mexican settlements in the region of the Rio Grande. The obstinate opposition of the Paniouassa people prevented his farther advance toward the southwest, so another century was due to elapse before trade could be opened between the Missouri and the Rio Grande.⁸

La Harpe's Voyages up the Arkansas—When La Salle made his first trip to the Gulf of Mexico, one of his most loyal and trusted lieutenants was the Chevalier Henri de Tonti, who though a French subject, was of Italian birth. In recognition of his valiant and faithful service, La Salle conferred on him a seigniorship or land grant, on the Arkansas River. In 1686, Tonti established a post and settlement on this tract, on the north bank of the river, about forty

6. La Harpe's return was made on practically the same route which had been traversed on the outward-bound journey. His description of the march, from day to day, is sufficient to enable one to easily trace the course of his advance, except during the days that the expedition was making its toilsome way through the mountains of Southeastern Oklahoma.

7. Margry, *op. cit.*, pp. 313-15; also, Kansas Historical Society "Collections," Vol. X. pp. 252-54.

8. Practically all of the commentators, with the exception of the notation just preceding (No. 7), have located the end of Du Tisné's expedition in Northeastern Oklahoma, probably on Cabin Creek, in the present Craig County. However, such a conclusion is difficult to reconcile with Du Tisné's statement that, "two days' journey to the west, a quarter southwest is a salt-mine, which is very beautiful and pure." Inasmuch as there are no salt springs or outcrops in such a distance or direction from such a position in Craig County, the conclusion that he ended his journey on Cabin Creek does not seem to be justified. On the other hand, a two days' journey would just about measure the distance from a point in Northeastern Grant County to the salt plain of the Nescatunga, in the present Alfalfa County. A further discussion of Du Tisné's expedition in Appendix V-I.

miles above its confluence with the Mississippi. It was known as the Post of Arkansas. During the years that followed, this post was successively abandoned and reoccupied several times, though it was probably continuously garrisoned after the establishment of New Orleans in 1717. As one result of the activities incident to John Law's "Mississippi Bubble," a colony of Germans was located near the Post of Arkansas, but, after the collapse of Law's wild financial scheme, these all moved down and settled nearer New Orleans. Finally in the latter part of 1721, the Sieur Bernard de la Harpe, the story of whose previous exploring expedition in the southeastern and east-central portions of what is now Oklahoma, has already been related, was directed to ascend and explore the Arkansas River.

Unfortunately for historical purposes, if La Harpe kept a diary or journal, describing in detail the incidents, progress and observations of his voyage up the Arkansas (such as he had systematically kept during the course of his overland exploring expedition in 1719), its existence and present whereabouts do not seem to be known. Two brief narratives of this expedition have been preserved, neither of which was written by La Harpe. It is evident, also, that they were not written by the same person, though, apparently, each writer had accompanied the expedition. Neither of the writers discloses his personal identity.

In one account of La Harpe's voyage which has been preserved, there is much that is confusing, both as to dates and as to distances.⁹ From it, however, some interesting information may be extracted, as indicated by the following:

When La Harpe planned to leave on this expedition, the French commandant at New Orleans furnished him with eighteen men and provisions for forty-five days. In this printed account of his upstream voyage, the chronology of the same seems to be confused, though it is evident that he left New Orleans in the late autumn of 1721. Below the mouth of the Yasous (Yazoo) River, he met a detachment "from the garrison of Arkansas" (*i. e.*, Arkansas Post), going down stream to New Orleans for supplies, but he ordered its return as he was conveying the supplies for that post. Thus, in the absence of any other definite information, it is evident that that outpost was garrisoned before La Harpe's expedition up the Arkansas.

Although no information is contained in the account as to the kind of craft in which La Harpe's upstream voyage was made, the statement that he reached the mouth of that stream on 27th of February and entered its channel and that, on the following day, he "continued to sail up this river until he came to White River, which comes from the northwest, from the country of the Osages, and discharges itself into the Arkansas or Sotouis, about four leagues from the Mississippi River, near the village of the Sotouis, leads us to believe that the voyage was made in a small keeled sailing vessel, probably of the type known as a sloop. If so, however, it is evident that he did not attempt to use it further in the navigation of the Arkansas as, thereafter, he mentions only pirogues, or dugout canoes, fashioned from the trunks of large trees.

9. French's "Historical Collection of Louisiana."

La Harpe visited the plantation or settlement on the concession of John Law, the Scottish financier, who had led France into the era of speculation that ended so disastrously. He found but forty-seven people there, as it was even then in the process of abandonment. While visiting the settlement he was informed that, in August of the preceding year, five Frenchmen had set out to ascend the river to the Indian nations on its headwaters, to buy horses, but that they had been killed, on the way, by the Osages.

The Indian tribes, mentioned as having been met, included the Sotouis, Ougapa or Kappa, Toriman and Tonginga, all of whom spoke the same language and were of the same origin or stock. These tribes composed a loose confederacy, called the Arkansas Nation. Their descendants are now known as the Quapaw. They called the Arkansas River the Nigette, which signified "red river." It would seem that La Harpe had tarried at the Indian villages within a few miles of the mouth of the Arkansas for two or three weeks before actually beginning the ascent of that stream.

The other account, written by a subaltern engineer officer of the garrison at Yasous (Yazoo), who was attached to the staff of the expedition, has been preserved and was reproduced in the same work.¹⁰ This address was much more coherent than that from which the foregoing information was extracted. It is quoted in full, as follows:

In 1721, some visionaries having assured the company that there was an emerald rock on the Arkansas River, Captain de la Harpe was sent to look for it. He had with him a detachment of twenty-two men, with the Sieur de Franchomme as lieutenant and one Bessan for sargent, and, as I was then at Yasous, as lieutenant and engineer, he took me along as mathematician. We ascended the river for more than 250 leagues, without being able to discover this pretended treasure, probably because it existed only in imagination; we even advanced fifty leagues further by land till complaints arising in the troop, the Sieur de la Harpe, who apprehended a fate similar to La Salle's, resolved to retrace his steps and return to the capitol. If, in this expedition, we had not discovered the emerald rock, which gave it rise, we had the satisfaction of traversing a very beautiful country, fertile plains, vast prairies covered with flowers, teeming with buffalo, stags, does, deer, turtles, etc. We saw rocks of jasper marble, at the foot of which lay slabs cut by Nature's hand; others of slate and talc, very fit for making plaster. I have no doubt there are gold mines in the country, as we discovered a little stream which rolled gold dust in its waters. At some distance from this stream is a salt spring in the Arkansas River itself, though it is nearly three hundred leagues from the sea! With care and labor it would undoubtedly furnish salt.

If La Harpe actually ascended the Arkansas River 250 leagues by water and fifty leagues farther by land, it is not improbable that he reached the region of the Three Forks, or the vicinity of the present city of Muskogee.

The Mallet Expedition—In the year 1739, a trading expedition, consisting of eight men, led by the brothers, Paul and Pierre Mallet, left the French settlements in the Illinois country, ascended the Missouri to the mouth of Nebraska River (which they named the Platte) and followed the course of the latter to the confluence of the north and south branches of the same. Thence, turning southwestward across the high plains of Colorado, they made their way to the Spanish-Mexican settlements in the valley of the Rio Grande.

10. *Ibid.*, Vol. V, p. 35

After spending the ensuing winter in Santa Fe, when the time came for their return, they decided to divide their party, half of its members descending the Arkansas River and the other half taking a course that led down Red River. Happily, both parties succeeded in safely accomplishing the homeward journey.¹¹

Attempted Navigation of the Canadian—In 1741, Fabré de la Bruyere, an Acadian Frenchman, tried to find a more direct route to Santa Fe, by attempting to navigate the Canadian River with pirogues. It is scarcely necessary to state that the attempt failed. His expedition spent the winter in camp on the north bank of the Canadian, at a point near the boundary line between the present McIntosh and Hughes counties.¹²

Traders and Trappers on the Arkansas—That the French traders and trappers followed closely after the earlier explorations of the Louisiana country, is not improbable. Many of the geographic names, especially those of rivers, creeks, mountains and mountain ranges in Oklahoma still bear French names, or those which have been corrupted from the original French names. Indeed, two of the rivers in Eastern Oklahoma have names derived from the nativities of early explorers or visitors, namely the Canadian and the Illinois, these doubtless having been named respectively *la Riviere des Canadiens* and *la Riviere des Illinois* out of compliment of two craft, one of which was presumably composed of *habitants* of the faraway valley of the St. Lawrence, while the other was paddled by *voyageurs* from the Kaskaskia and Cahokia settlements.

That the French traders did an extensive business is abundantly proven in the vestigia of the old trading camp and Indian village sites on the west bank of the Arkansas River, in Kay County, a few miles south of the Oklahoma-Kansas boundary line. Careful excavation of one of these by a party working under the direction of the Oklahoma Historical Society, in the summer of 1926, brought to light many interesting items of the primitive Caddoan culture and, with these, many others which were of French origin and which doubtless dated from the second third of the Eighteenth Century. It is to be hoped that an authentic record of at least a part of the story of the operations of such a trading company, of the place and period mentioned, may yet come to light in the musty archives of some library, possibly in France.

Bolton quotes from the Spaniard, Felipe de Sandoval, who wrote on March 1, 1750, shortly after his arrival in Santa Fe, that, with a party of six Frenchmen which had ascended the Arkansas the year before, he had passed through the Jumano villages on the Arkansas River and that "these Indians were well supplied with firearms by French traders, possessed of a French flag, and had just received a bountiful supply of presents in the name of the French king."¹³

11. Margry, op. cit., p. 455.

12. Coues' "The Exploring Expedition of Zebulon Montgomery Pike," Plate I. This map, most of the details of which were evidently copied from a French map of earlier date, indicates the site of La Bruyere's winter camp of 1741-42; also, a few miles farther upstream, the highest point reached by his expedition.

13. Bolton's "Athanase De Mézières," Vol. I, p. 47. De Mezieres was a French officer who accepted service under the Spanish colonial authorities after Louisiana passed under

The six Frenchmen who (had accompanied Sandoval) arrived at New Mexico in 1749, were held there for a time and later ordered sent to the interior, lest, returning, they should spread in Louisiana their knowledge of New Mexico and the Indian country, thus repeating the evil consequences which had come from the too liberal treatment of the Mallet party.¹⁴

The *Juomano* villages on the Arkansas, the passing of which Sandoval mentioned, were doubtless the same as the French called the *Pani* or *Paniouassa*, as, among the Spanish-Mexican people, the name *Juomano* was identical in meaning with that of the *Pawnee* or *Paniouassa* among the French. It is, therefore, not improbable that the villages thus mentioned by Sandoval were those, the ruins and remains of which had been recently located, identified and explored in Kay County, Oklahoma. Sandoval also reported that, while he was among the people of the *Comanche* tribe, "he saw a French priest and several French traders bartering weapons and other merchandise for skins, horses and slaves."

During the Eighteenth Century there were two large settlements—or rather, one very large settlement divided by the Red River—of *Taovayas* Indians located in Jefferson County, Oklahoma, and Montague County, Texas. These people are almost certain to have been descendants of the *Quiviran* people who lived in Central Kansas at the time of Coronado's expedition two centuries earlier.¹⁵ The latter were probably driven to the Red River country by the southward advance of the *Comanches* from the *Platte* River region. The *Taovayas* were semi-sedentary *Caddoan*, living in fixed villages except during their periodical buffalo hunts, and near which they cultivated corn and other agricultural crops. They were on friendly terms with the *Comanche* and other Plains tribes, after settling on Red River, but were always at enmity with the *Apache* tribes, which had likewise been crowded southward by the *Comanches*, and were then ranging in Southwestern Texas.

When the *Spaniards* came into Texas, they cultivated the friendship of the people of the *Apache* tribes, but did not succeed in gaining that of the *Comanche* or of the *Caddoan Taovayas*. The *Spaniards* established a mission for the *Apache* people on San Saba River, in Central Texas, in 1757. The next year, an allied force of *Comanche*, *Taovayas*, and possibly *Caddo* warriors, raided and destroyed this mission. There were several *Spaniards* killed, including two *Franciscan* friars. In August, 1759, Captain Don Diego Ortiz Parilla, in command of a force of 500 troops with a large number of Indian allies, marched from San Antonio to the *Taovayas* settlements, on Red River. When this punitive expedition arrived at the *Taovayas* settlement, it was found to be

Spanish administration, in 1764. As Lieutenant-Governor of Louisiana, he had helped to establish Spanish rule in the Red River country. His observations were mostly south of Red River in Texas and in Western Louisiana, consequently he does not seem to have a personal first-hand knowledge of the affairs in the Arkansas River country, though he gives the traders in that region anything but a good name. The author of Athanase de Mezieres found the Sandoval statement in the Archivo General, Mexico.

14. *Ibid.*, p. 59.

15. The identity of the *Taovayas* people with the *Quiviran* people, whom Coronado found on the plains of Central Kansas, in 1541, has been definitely established only within the past two years. An account of the *Caddoan* peoples and their culture and of some of their prehistoric migrations has been compiled and written by the writer hereof (J. B. T.), as the result of extensive research and field-work and is to be published in the near future.

strongly fortified with a ditch (or trench) and stockade, with the French flag flying and several Frenchmen aiding and advising the Indian defenders.¹⁶ However, the Indians did not wait to be attacked but rushed forth and began hostilities by attacking the Spaniards. The latter were soon defeated and fled from the field of action, leaving their baggage train and artillery. The cannon thus lost by Parilla were not recovered until De Mezieres made peace with the Taovayas-Wichita people nearly twenty years later. Shortly after the defeat of the Parilla expedition, the Spaniards began a systematic effort to win the friendship of these implacable Caddoan peoples in the valley of Red River, but did not succeed in their efforts until after the province of Louisiana had passed under Spanish control and French influences were thus neutralized.¹⁷

It is perhaps not irrelevant to state in this connection that the Taovayas people, in common with others of the Caddoan stock, rapidly decreased in numbers as the result of contact with the white man's diseases and vices. Finally, when reduced to a small fraction of their former number and strength, they merged, probably late in the Eighteenth Century, with a fragmentary remainder of the Paniouassa, from the Arkansas River region, and their descendants are now known as the Wichitas.

Throughout the latter two-thirds of the Eighteenth century, French traders were active in the valley of Red River and those of its larger tributaries. The evidence of this is to be found in the names of the principal tributaries of Red River on the Oklahoma side, namely, the Kiamichi, the Boggy (*Vaseux*), the Blue (*Eau Bleu*) and the Washita rivers, and Cache Creek. Red River was readily navigable for canoes and pirogues as far as the mouth of the last mentioned stream.¹⁸

Of these first white men who threaded the wilderness paths and navigated the river channels of Oklahoma, most of them were doubtless from Canada. The light-hearted *couriers de bois* and *voyageurs* from the northern regions doubtless adapted themselves to the prairies and plains of the Southwest with the same facility that they had done in the woodlands and on the rivers and lakes of Canada. Many of their Creole *camarades* were from the French settlements "in the Illinois." With these, likewise, there had come a few of the Acadians, even before an unkind fate sent the rest of the people of that peaceable little French colony to their tragic eviction and exile. Not many of these

16. De Mézières, op. cit., p. 49.

17. Ibid., p. 50. When the first white settlements were effected in the valley of Red River, in the northern part of Montague County, Texas, shortly after the close of the Civil War, the traces of the old Taovayas village were very noticeable. Having been abandoned by the Indians for the greater part of a century, the settlers were at a loss to account for the ditch, or trench by which the fortified part of the village site had been surrounded. Therefore, assuming that it must be the ruin of a fortified camp that had been constructed and used by the Spanish colonial forces, it was misnamed "the Old Spanish Fort," by which appellation it has since been commonly known. A number of the small brass balls which were designed for use in Captain Parilla's cannon, have been found in the vicinity, one credulous hunter finding several which he melted in the belief that they were made of gold. A few of these have been found in widely scattered locations in Oklahoma, doubtless having been carried away and lost by Indians. The rich, black valley land soil is quite gray in some parts of these extensive village sites because of the large amount of disintegrating buffalo bones with which it is mixed.

18. Bolton's map of Texas as it was during the eighteenth century, shows the Red River as having been navigated by the trader, J. Gagnard, in 1774, from the Caddo villages in Southwestern Arkansas, to the Taovayas villages, in Southwestern Oklahoma and Northern Texas.

men were directly from France. Life was not easy with them. Some of them not only lived and toiled in the wilderness but died there as well, with no mark or monument to perpetuate the story of their deeds. Though they had a very real part in the history of Oklahoma, as the first pioneers of their race within its bounds, but little of it has been made available for our knowledge as yet. Were it within our reach, it would doubtless be found rich in romance and adventure, if not in high emprise.



CHAPTER VI

FIRST AMERICAN EXPLORATIONS IN OKLAHOMA

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Shortly after the close of the American Revolution, emigrants from the Atlantic seaboard began to cross the Allegheny Mountains into Kentucky, Tennessee, and Ohio. The most prosperous settlements were to be found along the valleys of the navigable streams, including the Ohio River and its principal tributaries, the Kanawha, the Kentucky, the Tennessee, and the Cumberland. After these settlements reached a stage of development where their industries had become productive, the people grew interested in the matter of markets and also in the question of transportation. Situated as they were on the navigable tributaries of the Mississippi, this great waterway was the natural outlet for their commerce.

Since both banks of the Mississippi for some distance above its mouth were included in the Province of Louisiana, which was then a colony of Spain, the Spanish authorities imposed restrictions that seriously affected the commercial development of the states west of the Allegheny Mountains. Dissatisfaction on the part of the people of Kentucky, Ohio, and Tennessee had almost reached the point of open resentment when it was reported that Napoleon Bonaparte had forced the retrocession of the Province of Louisiana from Spain to France, though an effort was being made to keep the matter a secret, lest Great Britain, which was then at war with France, might strive to effect its conquest and occupation.

When President Jefferson learned of the prospective change in ownership of the mouth of the Mississippi, he entered into correspondence with Robert R. Livingston, the American minister to France, directing him to ascertain if France would sell New Orleans and the mouth of the Mississippi to the United States. In the meantime, Napoleon had instructed his ministers to open negotiations with the representatives of the United States with a view to selling not only the mouth of the Mississippi, but also the whole province of Louisiana. Of the desirability of such an acquisition on the part of the United States, there could be no doubt, for it would forever settle the question of the free navigation of the Mississippi River. President Jefferson did not hesitate in directing Livingston and Monroe¹ to sign the articles for the purchase of Louisiana, even though he was aware that he might be accused of violating the spirit as well as the letter of his own strict constructionist doctrines concerning the Constitution.

With the purchase of Louisiana, in 1803, all that part of Oklahoma east of the hundredth meridian became a part of the public domain of the United States of America. In all, there have been thirteen states and parts of states formed from the territory included in the Louisiana Purchase. Of these, the

1. James Monroe was appointed by President Jefferson to join Livingston as a special plenipotentiary.

first to be admitted to the Union was Louisiana, in 1812, while Oklahoma, which was the last, was not admitted until 1907, ninety-five years later.²

The duly authorized representatives of the government of the United States took formal possession of New Orleans December 20, 1803, and of St. Louis March 9, 1804.³ At that time the people of the United States had gathered complete and accurate information concerning the regions east of the Mississippi, but had very little knowledge of the country west of that river, which had become a part of their national possessions. Soon after the Americans had assumed administrative control of the Louisiana country, President Jefferson began to plan for the systematic exploration of this unmapped wilderness. In fact, he had been planning for a scientific expedition across the continent even before the acquisition of Louisiana, consequently he was in a measure prepared for its organization. The execution of these plans resulted in the first American exploring expeditions through the country which is now included within the bounds of the State of Oklahoma.

Lieutenant James B. Wilkinson's Voyage Down the Arkansas—In July, 1806, an expedition was organized at St. Louis to cross the Great Plains to the Rocky Mountains in what is now the State of Colorado. It was commanded by Captain Zebulon M. Pike, 2d United States Infantry. After visiting the Osage Indians in Missouri and a village of the Pawnees on the Republican River, near the northern boundary of Kansas, Captain Pike marched southward to the Arkansas River, which was reached at a point near Great Bend. There he detached Lieutenant James B. Wilkinson,⁴ with five enlisted men, for the purpose of descending the Arkansas to its mouth.⁵

Lieutenant Wilkinson and his men made preparations for the voyage down the Arkansas by constructing two canoes, one by hollowing out a cottonwood log and the other by stretching buffalo and elk skins over a framework of poles. They took leave of Captain Pike near the site of the present town of Great Bend, Kansas, on October 28, 1806. A severe snow storm had been raging,

2. The price paid by the United States for the Province of Louisiana, covering approximately 1,000,000 square miles, was \$11,250,000 besides the assumption of claims against France to the amount of \$3,750,000 more. The total amount expended in the purchase reached the sum of \$27,267,622, including interest and expenses incidental to the final settlement, or a trifle over four cents per acre. At that rate the 63,414 square miles of Oklahoma cost the United States \$1,865,848.

3. The Spanish flag had been replaced by that of France only the day before, out of regard for the feelings and sentiments of the French people of the St. Louis settlement. Thus when the authorized representatives of the government took formal possession of St. Louis, it was an occasion of fitting ceremony. As the tricolor that hung over the government headquarters was slowly lowered, a salute of guns was fired; when the Stars and Stripes were raised to take its place, the guns boomed forth another salute while cheers arose from the crowd that had gathered, joyfully greeting the standard of the United States and bidding farewell to the emblem of the old and powerful Nation of France, whose rule had now passed from the North American continent.

4. Lieutenant James B. Wilkinson, 2d United States Infantry, was son of Gen. James Wilkinson, who was in command of the Western Division of the United States Army at the time this expedition was dispatched. Lieutenant Wilkinson was promoted to the grade of captain, October 8, 1808. He died September 7, 1813.

5. The rest of the force proceeded toward the Rocky Mountains under the command of Captain Pike, marching directly up the valley of the Arkansas. It was the plan of the commander to explore the sources of the Red River on his way back from the mountains, but he was arrested in northern New Mexico by the Spanish authorities. After having been taken as a prisoner to Chihuahua, he was conducted by the Spanish military authorities through Texas, reaching Natchitoches, July 1, 1807.—Elliott Coues, "The Expeditions of Zebulon M. Pike," Vol. II.

but, with a rift in the clouds at noon of the same day and the subsequent melting of the ice on the river, the little exploring party set forth down the river. After proceeding only a hundred yards the canoes grounded and had to be dragged for a distance of five miles. The winter storm again raged, delaying further progress for two days, during which time the river was frozen over, making the descent in the two canoes impossible. Undaunted, Lieutenant Wilkinson now determined to abandon the canoes⁶ and follow the course of the river by land.

Pressed by cold and hunger, the expedition went forward for a week, arriving in a region of game where there were "herds of buffalo, elk, goat (antelope) and deer," Lieutenant Wilkinson asserting that "if I saw one, I saw more than 9,000 buffaloes during the day's march." Within a few days timber was found along the river, large enough for "splitting out" new canoes. After delaying for ten days to construct the craft, the men again set out on their voyage down the river, only to meet with the distressing accident of upsetting one of the boats and losing nearly all their provisions and ammunition.

During the last week in November, 1806, they drifted down the Arkansas River, amidst large sheets of ice, through what is now the northern part of Oklahoma. Bnumbed by the intense cold, they arrived at the mouth of the Salt Fork,⁷ with the "severity of the weather increasing." By this time, Lieutenant Wilkinson was sorely distressed on account of the suffering of his men, who were nearly naked in their tattered clothing, and because of lack of ammunition, but with dogged courage he pushed forward on December 6th. The boats again grounded in the middle of the river and a passage had to be cut through large cakes of ice that blocked the stream, the men working barefooted in the freezing water. Beset with difficulties on every side, the exploring party passed the mouth of the Cimarron, continuing down the river and arriving at a camp of the Osages⁸ on the Verdigris River "in a storm of hail and snow." Here Lieutenant Wilkinson held council with the Indians during Christmas Day. As a result of this conference he recommended that the United States choose a site for a garrison in the country where the Verdigris and the Grand (or Neosho) rivers flow into the Arkansas, a locality that became one of the earliest trading centers in Oklahoma and near which one of its first military posts (Fort Gibson) was established in 1824.

Continuing down the river, Lieutenant Wilkinson particularly noted the

6. Lieutenant Wilkinson wrote, "Accordingly, on the 31st of October, after having thrown away my clothing and provision, except half dozen tin cups of hard corn for each man, I slung my rifle on my shoulder, and with my buffalo-robe at my back and circumference in my hand, I recommenced my march with a light and cheerful heart. My only apprehension was that I might meet with detached bands of Pawnees, who, I am confident, would have brought me and my five men to action; and what the consequence of this would have been is very obvious."—*Ibid.*, "Wilkinson's Report on the Arkansas," p. 547.

7. There was much confusion with reference to the names of the Salt Fork and the Cimarron rivers, respectively, by early geographers. As many as fifteen names or variations of names were applied to the former, while a total of eleven variants designated the latter river. Wilkinson spoke of the Salt Fork as the "Neskalonska," and the Cimarron as the "Grand Saline or Newsewketonga." (*Ibid.*, pp. 552-55.) Grand Saline was the name applied by the French trappers and traders to the stream now called the Salt Fork, the Osage name for which was Ne-skua-tonga, meaning "big salt river."

8. This was the camp of Casheseagra, or Big Track, chief of the Osages of the Oaks (Arkansas Osages). Clermont was the nominal leader of this band or division of the Osage tribe. *Ibid.*, p. 557.

Falls of the Arkansas (Webbers Falls), the perpendicular height of which was seven feet at that time.⁹ He passed the mouth of Poteau River,¹⁰ which marks the eastern boundary of Oklahoma, on December 31st, 1806, ending his voyage at New Orleans several weeks later.

Though the report of the voyage through Oklahoma is not as lengthy and full of particulars as it might have been, yet the details given by Lieutenant Wilkinson present a graphic description of the deprivations and suffering undergone by those who carried out official orders for the exploration of the unknown Louisiana country; brief though it is, it is the first record of United States Government exploration in Oklahoma.

George C. Sibley's Expedition of the Salt Plains—The next official representative of the American Government who penetrated the western wilderness far enough to come within the borders of Oklahoma was George C. Sibley,¹¹ United States Indian agent at Fort Osage,¹² Missouri. His expedition started May 11, 1811, and arrived home two months later, after having traveled nearly a thousand miles through portions of Kansas, Nebraska and Oklahoma.¹³

The first ninety miles of the journey was made, in a direction slightly south of west, to a point in Osage County, Kansas, where the course was changed to a direction slightly north of west to the site of Fort Riley, where a visit was paid to the principal village of the Kansas or Kaw Indians.¹⁴ Thence the course was northwest over the bounds of the present State of Nebraska and across the Platte River to the valley of Loup River, where several days were

9. See reference footnote "Falls of the Arkansas."

10. "Poteau" is French for post. The name may refer to some early landmark in this vicinity.

11. George Champlain Sibley was born at Great Barrington, Massachusetts, in April, 1782. He was the son of Dr. John Sibley, a surgeon in the Revolutionary army, who was appointed as an Indian agent in Louisiana during President Jefferson's administration. George C. Sibley spent most of his early life in North Carolina. He entered the Indian service as a clerk at Fort Osage, Missouri, and was made agent later. In 1825, while still in the Indian service, he was appointed by President John Quincy Adams as a member of the commission which was to establish a road from Missouri to New Mexico and, also, to negotiate treaties with the Indians who claimed the country through which the proposed road would pass, as their hunting grounds. After his retirement from public life, in 1828, he settled on a farm near St. Charles, Missouri, where he and his wife, Mary Easton, became the founders and patrons of Lindenwood College for Young Women, at St. Charles. He died at Elma, St. Charles County, Missouri, on January 31, 1863.

12. Fort Osage, sometimes called Fort Clark, was established by the Government, in 1808. It was situated on the south side of the Missouri River, on the site of the present village of Sibley, Jackson County, Missouri. For description see Houck's "History of Missouri," pp. 147-49.

13. The Sibley party consisted of fifteen persons, namely, the agent, a servant, two interpreters, Sans Oreille (an Osage leader) and fifteen Osage warriors. Sans Oreille was the French translation of the Osage, meaning literally "without ears," and having reference to the fact that, in his youth and young manhood, he was not given to listening to the advice and counsel of his elders. Although not a chieftain by inheritance, he became one of the best known and most influential leaders of the Little Osage division of the tribe. He was a member of the Osage delegation which visited Washington, in 1804 and, in 1806, started to go with Lieutenant Zebulon M. Pike on the expedition to the Rocky Mountains but, for some unexplained reason, changed his mind and returned home. Henry M. Brackenridge, the traveler, who had visited Fort Osage the month before the Sibley party started on its expedition and where he met the Little Osages, describes Sans Oreille as "intriguing to be the head of the tribe" and as resorting to all of the arts and wiles of a cunning politician and clever demagogue in his evident determination to achieve that purpose. ("Brackenridge's Journal," pp. 50-51.) Whether his seeming devotion to Agent Sibley was real or feigned, it is evident that the latter believed in his sincerity and loyalty.

14. The Kansas, or Kaw Indians, like the Great and Little Osages, were attached to the agency at Fort Osage, of which Mr. Sibley was in charge, hence he was well acquainted with them.



MAJOR GEORGE C. SIBLEY
U. S. Indian Agent

spent in visiting the Pawnee Indians and holding a council with them. From the Pawnee village, the course led southward across the forks of the Kansas River, passing successively the summer hunting camps of the Kaw Indians (just south of the Smoky Hill River, in Ellsworth County), and of the Little Osages,¹⁵ on Cow Creek, in Reno County. As the latter were planning to move nearly a hundred miles southward, he waited several days and traveled with them part of the way. After parting with them, he next proceeded to the hunting camp of the Great Osages, which seems to have been in the vicinity of Wellington, Kansas. From thence he made his way to the hunting camp of the Chaneers,¹⁶ or Arkansas Osages, which was located on the Chikaskia River, near the site of Blackwell, Oklahoma. After a brief visit with these Indians (who were not under the jurisdiction of his agency), he turned his course westward to the salt plain, which he called the Grand Saline.¹⁷ It is located in the central part of the present Alfalfa County, immediately south of the Salt Fork of the Arkansas, which was known to the Osages as the Nescatunga. He was assured by the Osages who accompanied him that he was the first white man that had ever visited that region. The sight of this extensive salt-covered area, glistening like snow, though in a summer sun, far surpassed anything that he had imagined from the descriptions given by the Indians. He was especially impressed by the optical illusion caused by the "beautiful, white, dazzling surface of the plain," which made objects more than a mile away seem only a few hundred yards distant.¹⁸

Osages who were members of the Sibley party were ever on the watch for the possible approach of enemies and these had reported a band of Padouca (Comanche) warriors had been sighted at a distance. As the party consisted of but nine persons in all, it was not deemed wise to risk an attack by the

15. The terms Great Osage and Little Osage had no reference to the physical size or stature of the two tribal divisions, but were derived from the relative size of their respective villages, that of the Great Osage being numerically stronger than that of the Little Osage. According to Lieutenant Pike (*Pike's Expeditions*, Part II, p. 12), the separation of the Osage tribe into these two divisions occurred about a century before his going among them, in 1806.

16. Agent Sibley was hospitably received and entertained by Chief Clermont (Clamo, also called Claremore), of the Arkansas Osage, or Chaneers, as they were often called at that period. This division had been formed or recruited from elements which voluntarily withdrew from the other two tribal divisions about ten years before, largely through the influence or instigation of Pierre Chouteau, the St. Louis trader, who induced them to remove from Missouri and settle in the valleys of the Neosho, or Grand, and Verdigris rivers, in northeastern Oklahoma. Their permanent village was established in the valley of the Verdigris River, in Rogers County, a few miles from Claremore, while the villages of the Great and Little Osages remained in the valley of the Little Osage River, in western Missouri. The name Chaneer was an Anglo-American corruption from the French Osage *des Chêne*, meaning the Osages of the Oaks.

17. The Grand Saline, known also as the salt plain of the Nescatunga and, in more recent years, it has been more commonly known as the Government Saline Reserve of Alfalfa County, having been set aside as a mineral reservation, along with the two salt plains of the Cimarron, when the Cherokee Outlet was opened to settlement, more than eighty years after Agent Sibley's visit.

18. While contemplating the unusual sight, Agent Sibley saw some buffalo, crossing the salt plain, seemingly near at hand. Urging a young Osage to accompany him on the chase, he hurried after the animals, but what he had supposed to be a distance of only 500 yards proved to be more than a mile. However, after a long run, the game was finally brought down by the swift arrows of the Osage and by the agent's pistols. They watched the rest of the shaggy animals, "running in the same direction full half an hour, and yet they appeared almost within gun-shot, so great and deceptive is the looming on the salt plain."—Extract from the Diary of Agent Sibley, published in *Chronicles of Oklahoma*, Vol. V, No. 2, pp. 215-16.

Comanches. Hence Mr. Sibley decided to start immediately for the new camp of the Little Osages, distant about forty miles northwest of the Grand Saline, in the beautiful valley of Elm Creek, in Barber County, Kansas.¹⁹ There he found ninety-four Osage braves, fully equipped as a war party and ready to accompany him to the "Rock Saline," or, as it was mythically called at that time, the "Salt Mountain."²⁰ These Osage warriors started out in advance, afoot,²¹ and, two days later, Agent Sibley and two of his companions set out on fresh horses, to overtake the war party.

After traveling about seventy miles in a southwest direction, the expedition arrived at the "Rock Saline."²² Agent Sibley described it as being a "level flat" of about five hundred acres in extent, "surrounded by very high hills, formed chiefly of gypsum of various qualities and flint and red clay. From the bases of the hills issue many springs of salt water, which spreading slowly over the flat is converted by the action of the sun to hard salt, which is more or less abundant according to the weather. A long continuance of very hot, dry weather produces a solid mass of salt from five to twelve inches thick, covering an hundred acres, very much resembling a large pond of water covered with rough ice. There are several springs which rise within the flat, around which the salt forms in such solid masses as to defy the heaviest storms of rain, however often repeated. At one of these springs I hewed out a piece of salt 16 inches thick, then dug about a foot below the surface of the ground, and still found an almost solid mass of salt. An Indian seeing me digging, laughingly asked me if I expected to dig to the bottom. I am induced to believe there is a solid rock of salt of vast extent near the surface here. At present I cannot give more sketches of these truly great curiosities of nature."

Thomas Nuttall's Travels in Arkansas Territory—In the spring of 1819, Thomas Nuttall,²³ the English naturalist, ascended the Arkansas River for the purpose of investigating and studying the natural history of a region which presented a new field of effort to the scientist. At that time, the eastern part of Oklahoma was included within the bounds of Arkansas Territory.

19. Agent Sibley particularly remarked on the life in the Little Osage hunting camp: "They were living most luxuriously on fat buffalo beef, tongues, marrow bones, hominy, dried pumpkins, plums, and other dainties. All was mirth and merriment. I never witnessed so much apparent happiness, so generally pervading an Indian nation." *Ibid.*, p. 217.

20. The myth of the "Salt Mountain" had its origin in the credulity of Major Amos Stoddard who, at the time of the American occupation of St. Louis, accepted as authentic a fanciful tale which was told to him by waggish Spanish officials.

21. It was common for the Osages of that day to travel long distances afoot, either on a hunt, on the warpath, or on a horse-stealing excursion, and this despite the fact that all, or nearly all, of them were possessed of horses. The Osage brave of that day was lean, lithe and decidedly athletic in physical appearance, being in quite strong contrast with the Osage people of today.

22. The "Rock Saline" is the larger and more important of the two salt plains of the Cimarron. It is located in the valley and channel of the Cimarron River, in Harper and Woods counties, about thirteen miles south of the Kansas-Oklahoma boundary. It was much resorted to in the days of the cattle ranching era by ranch owners who hauled rock salt away by wagon loads. The Buffalo branch of the Santa Fe Railway crosses the Cimarron just below this salt plain.

23. Thomas Nuttall was born at Settle, in Yorkshire, England, on the 5th of January, 1786. Though his family was in humble circumstances, his love for books and application to study resulted in his becoming authority as a botanist and ornithologist, even as a young man. After serving some years as a journeyman printer, he emigrated to the United States in 1808. Not long after his arrival in this country, he was induced by Dr.

Arriving at Fort Smith on the 24th of April, in a pirogue with two French boatmen, Nuttall was politely received by Major Bradford,²⁴ commander of the garrison. He remained here about three weeks, studying the flora of the vicinity, during which time he made frequent excursions along the Poteau River in Oklahoma.

On the 16th of May, Major Bradford, with a company of soldiers, carried out government orders in an expedition down the Kiamichi, made for the purpose of expelling some white settlers who were living on the Osage lands, near the mouth of this river.²⁵ Nuttall accompanied the expedition that traveled overland to the upper valleys of the Poteau and its tributary, the Fourche Maline.²⁶ They crossed the divide²⁷ between the Poteau and the Kiamichi, now known as the Winding Stair Mountains, and from thence continued along the rocky valley of the Kiamichi and one of the numerous buffalo traces over the rough, pine hills.

After six days, they entered a beaten path that led to the house of a man by the name of Styles, who had settled on the east side of the Kiamichi, about five or six miles from the Red River.²⁸ Near here the expedition crossed the Kiamichi River and traveled about fifteen miles above its mouth to Horse Prairie,²⁹

Benjamin S. Barton to continue his botanical studies here. The journey into the interior or Arkansas Territory was undertaken in 1819 through the assistance of a number of Nuttall's friends who were interested in science and some fellow-members of the American Philosophical Society of Philadelphia. From 1822-33 he was curator of the botanical gardens at Harvard. In 1834 he crossed the continent to the Pacific Ocean, visited the Hawaiian Islands and the California coast, returning to Boston via Cape Horn in the brig "Pilgrim," made famous in literature by Dana's "Two Years Before the Mast." Some property being left him by an uncle on condition that he remain in England during a part of each year, he left America in 1842 in order to help his family, revisiting it for a short time in 1847-1848. His published works, consisting of several scientific volumes and numerous contributions to periodicals, appeared in America. He died September 10, 1859, at St. Helens, Lancashire, England.

24. Major Bradford at first refused to give Nuttall permission to continue farther up the river into the Indian country, without the proper credentials from the Secretary of State. However, after further conversation, during which Nuttall called his attention to the fact that such permission was entirely in the hands of the commanders of the frontier garrisons, according to the most recent government regulations, Major Bradford relented and afterward made every effort to see that the opportunity was given him for pursuing his scientific studies.—Thomas Nuttall, "Journal of Travels into Arkansas Territory," pp. 140-41.

25. At that time the Osage country extended below the Canadian to the Red River on the south and the Kiamichi River on the east.—*Ibid.*, p. 146.

26. On the evening of the first day camp was made at the foot of Sugar Loaf Mountain. In the luxuriant prairies near here, the party "surprised herds of fleeting deer, feeding as by stealth." Nuttall added, "In the morning our party fell in with a favourite amusement, in the pursuit of two bears, harmlessly feeding in the prairies, which, being very fat, were soon overtaken and killed." *Ibid.*, p. 147.

27. At that time it was said that twenty white families lived at the mouth of the Kiamichi, and twelve families at Pecan Point, a few miles farther down Red River. Thwaites, "Early Western Travels," Vol. XIII, footnote, p. 213 (Pecan Point was sixty-six miles below the mouth of the Kiamichi River.)

28. As many of these people were fugitives from justice from the states east of Mississippi, Nuttall had no high regard for their moral character, stating they frequently made "disrespectful murmurs against the government of the United States," and were "such as have forfeited the esteem of civilized society"; adding that "when a further flight from justice became necessary, they passed over into the Spanish territory, towards St. Antonio." —"Nuttall's Journal," pp. 159-60.

29. On the way, Major Bradford's party visited a settler who showed them the skin of a Mexican wild hog (peccary) and reported that this animal was common not a great distance up the river. *Ibid.*, p. 155. Horse Prairie is located about six miles southeast of Hugo, in Choctaw County, extending some miles eastward. Nuttall said it received its name because of the herds of wild horses frequently found there; he mentioned seeing a herd. There is a creek in the same vicinity by the name of Horse Creek, which received its name from that of Horse Prairie.

on Red River. Some of the settlers in this region had cleared good sized farms and were altogether unprepared for the news of their ejection, eliciting the commiseration of Nuttall who "could not but sympathize with their complaints, notwithstanding the justice and propriety of the requisition."

Upon the return from Horse Prairie, Nuttall became separated from Major Bradford's party and had to remain with Mr. Styles for three weeks, since it was unsafe for him to travel alone through the mountains to Fort Smith. During this time, he rambled over the prairies and through the woods of the Red River country—a wild region then—intent upon his studies of nature. He also visited a settlement on Red River a few miles below the mouth of the Kiamichi, in present McCurtain County, that consisted of a number of farms where flourishing crops of corn, cotton, and wheat were being raised. Here he met three men "of diligence and industry" who were about to proceed to Fort Smith to recover some horses which, they claimed, had been stolen by some Cherokees. Taking a hasty departure from Mr. Styles and his family who made every effort to show their kindness and hospitality during his sojourn in this country, Nuttall accompanied the three men and arrived at Fort Smith on the 21st of June.³⁰

On the 6th of July, Nuttall again set forth, this time for a voyage up the Arkansas in a boat, bound for Bougie's trading house³¹ near the falls of the Verdigris. In his interesting description of this voyage, he mentions "the Swallow (or Hirundal) rocks," the cliff where some years later Fort Coffee was located, and the Charbonnier Cliff, the ledge of rock at the western end of the Frisco railroad bridge near the present city of Muskogee. He also described Webber's Falls as being two or three feet high at that time.³² He especially noted Sallisaw Creek,³³ the red and muddy waters of the Canadian, and the clear stream of the Illinois. He told of a buffalo hunt at the mouth of Sans Bois Creek, in Haskell County, and of another hunt near the mouth of the Illinois where two hunters brought in some "fat bison meat."

After an eight-day voyage, Nuttall arrived at the trading house on the

30. On this return trip, Nuttall and his companions were lost for a time in the mountains. When they gave out of provisions they had the good fortune to kill a fat buffalo while following a buffalo path along the Kiamichi. A few days later, they had the misfortune to lose their horses, which, on account of the swarms of green head flies, broke their hobbles and ran back over the prairies and through the woods to plunge into the water of the Kiamichi, five miles away.—"Nuttall's Journal," pp. 161-62.

31. During his visit to this section, Nuttall stayed at Bougie's post, which was located near that of Captain Pryor. *Ibid.*, pp. 170-71. Not long after Nuttall's visit here, Colonel Hugh Glenn went into partnership with Captain Pryor (q. v.). Colonel Glenn's post was one mile above the mouth of the Verdigris.—Edwin James, "An Expedition from Pittsburgh to the Rocky Mountains under the direction of Maj. S. H. Long, Vol. II, p. 251.

32. Wilkinson mentioned that the same falls were seven feet high in 1806. During the thirteen years since that time, the channel of the river had been filled up with sand and silt until the ledge of the rock had been partially buried. In her "Memoirs," Mrs. Narcissa Owen said, "Mother told me that when she moved from lower Arkansas to the present country, at Webbers Falls, about 1828 [1829], there was really a beautiful fall, nearly or quite across the whole of the Arkansas River, about three or four feet in height. The June rise of 1833 came with such terrific force and such a quantity of water that the falls were entirely buried in sand."—"Memoirs of Narcissa Owen," p. 44. Today, at ordinary stages of the river, this ledge forms a noticeable riffle, or rapid, and, in very low water, it projects from six inches to two feet above the surface.

33. Sometimes spelled "Sallison." The present name is a corruption of the French "salaison," meaning salt provision. Nuttall wrote, "We passed the mouth of the rivulet or brook, called by the French Salaiseau, from some hunters having killed a quantity of bison, and salted the beef for traffic."—"Nuttall's Journal," p. 168.

Verdigris where he remained for a month studying the flora and geology of the region and the characteristics and habits of the Osage Indians, who often came to the post to barter tallow, dried buffalo meat, and dried sweet corn³⁴ for the goods of the trader. He took occasion to remark upon the possibilities of future development in the region of the Three Forks when he said, "If the confluence of the Verdigris, Arkansas, and Grand rivers, shall ever become of importance as a settlement, which the great and irresistible tide of western emigration promises, a town will probably be founded here, at the junction of these streams."³⁵ This prophecy has come true today in the thriving city of Muskogee.

Nuttall also ascended the Grand River with two companions in a canoe, visiting the salt springs on the west side where a man by the name of Campbell and his partner, Erhart, had their salt works. This salt spring is located about seven miles southeast of the town of Chouteau, in the southern part of Mayes County, and near the site of the Union Mission which was established the following year (q. v.). When the works were in operation, salt to the amount of 120 bushels was manufactured in a week.³⁶

On the 11th of August, accompanied by a trapper, Nuttall undertook a journey on horseback up the Arkansas to the Cimarron. On account of the nauseaous water at that season, the lack of proper food, the extreme exertion, and the troublesome swarms of mosquitoes, he soon began to suffer from illness and high fever. His guide suggested a return to the Verdigris, but, undaunted, he would not yield to such a proposition, though frequently he could hardly mount his horse without assistance, his suffering and misery never seeming to dull his keen interest in his observations of nature.

Upon arriving at the Cimarron on the 3d of September, the two men continued up that river for a few miles, but fearing an encounter with a party of Osages, whom they did not trust, they decided to return.³⁷ It was not long before they met a small party of Indians whose "wolfish behavior" caused them to travel apprehensively far into the night.³⁸ Finding it impossible to keep up with the trapper, who was descending the river in a canoe which he had been forced to make after losing his horse, Nuttall was compelled to leave him and travel alone through the dense thickets and "horrible woods," arriving nearly

34. *Ibid.*, p. 191.

35. *Ibid.*, pp. 172-73.

36. At the time of Nuttall's visit to the springs, Campbell had recently been murdered by Erhart and two accomplices. *Ibid.*, p. 178. The kettles, belonging to the works, were evidently purchased by Mr. Bean, some months later, for his salt works on the Illinois River. See reference Bean's salt works, James' "Long's Expedition from Pittsburgh to the Rocky Mountains," *op. cit.*, Vol. II, p. 254.

37. The trapper soon lost his horse in a bog, necessitating a delay of three days while he made a dugout canoe which, when completed, "so exactly answered his purpose that it would have sunk with any additional loading."—"Nuttall's Journal," p. 207.

38. Nuttall wrote that two of the Indians followed them at a distance all day. "We knew not whether they intended to kill or to rob us; and, endeavoring to elude their pursuit, we kept on in the night amidst the horrors of a thunder storm, the most gloomy and disagreeable situation I ever experienced in my life. In consequence also of the quicksands and the darkness, it was with the utmost difficulty that I could urge my horse to take the river, which it was necessary repeatedly to cross. In one of these attempts, both myself and it were on the point of being buried before we could extricate ourselves. Dressed in leather, I came out of the water drenched and shivering, almost ready to perish with cold." *Ibid.*, pp. 209-10.

dead two days later at Mr. Bougie's trading house on the Verdigris.³⁹ A week later he started back to Fort Smith where he remained until the middle of October.⁴⁰

Nuttall's sojourn in this part of the southwest had been a strenuous one, indeed nearly cost him his life, but his personal observations and descriptions of Arkansas Territory and the Indian country in 1819, are of incomparable value, especially in recounting the history of Oklahoma.

39. "Towards evening, I again arrived at the trading establishment of Mr. Bougie, an asylum, which probably, at this time, rescued me from death."—*Ibid.*, p. 211.

40. While at Fort Smith, Nuttall met Rev. Epaphras Chapman and Mr. Job Vinal, who were visiting this country with the intention of locating a mission among the Osages. Mr. Vinal died at Fort Smith at this time. Mr. Chapman returned in 1821 and founded the Union Mission (q. v.).—*Ibid.*, p. 213.



CHAPTER VII

FIRST MILITARY POSTS

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In November, 1817, following Major Stephen H. Long's selection of the site for a new military post at Belle Point, the first United States troops were stationed on the Upper Arkansas, consisting of Company "A" of the Rifle Regiment, under the command of Brevet Major William Bradford.¹ Temporarily it was designated as the Post on the Arkansas (not to be confused with Old Arkansas Post near the mouth of the White River) until officially named Fort Smith, in honor of Colonel Thomas A. Smith, of the Rifle Regiment.² The first troops transported up the Arkansas in keel-boats from Fort Adams, Mississippi, where they had been stationed after the Battle of New Orleans less than three years before, began the erection of rude huts for shelter until permanent log buildings could be erected.³ This new military station was farther west than any other yet established on the western frontier, before 1820 its site being within the limits of the Choctaw country. It became the chief depot for the first forts built in the Indian Territory and held an important place in the events connected with the early history of Oklahoma.

Under orders from Colonel Smith, Major Bradford was made commandant and in this capacity superintended the building of the new fort. When completed the heavy hewed log buildings of the barracks, officers' quarters, guard house, and other necessary buildings formed two sides of a hollow square, terminating with two strong block houses at opposite angles, and fronting the river. The fort was enclosed with a heavy ten-foot palisade, with loop-holes

1. William Bradford was appointed from Kentucky as a captain in the 17th United States Infantry in 1812. Two years later he was promoted to the grade of major. He rendered distinguished service in the Creek wars, under General Jackson. In the reorganization of the regular army at the end of the War of 1812, he was transferred to the Rifle Regiment with the rank of captain. He was commissioned major in 1818. In 1821 he was transferred back to the infantry arm of the service, where he received the commission of brevet major of the 7th Infantry. After resigning his commission in the army on May 1, 1824, he held a commission as brigadier-general in the Arkansas militia. He had taken an active interest in politics, having entered his name as a candidate for territorial delegate to Congress from Arkansas, in 1822. Soon after leaving the army, he held the position as post sutler at Fort Towson, where he died on October 20, 1826, aged about fifty-five years.

2. Thomas A. Smith was a native of Virginia. He was commissioned from Georgia as a second lieutenant of artillery, in December, 1803, being promoted to the grade of first lieutenant two years later. In May, 1808, he was transferred to the Rifle Regiment and commissioned captain. He was promoted to the rank of lieutenant-colonel in July, 1810, and to that of colonel two years later. In January, 1814, he was commissioned as a brigadier-general. In the reorganization of the army, at the close of the War, in 1815, he was retained as a colonel of the Rifle Regiment. He resigned his commission in November, 1818, and died the following month.

3. In a sketch on the history of Sebastian County, appearing in the "History of Arkansas," published by the Goodspeed Publishing Company of Chicago, in 1889, p. 751, the following information is given: "Maj. Long's report was forwarded by Gen. Smith to the adjutant and inspector-general of the army, under date of May 16, 1818, with the following remark: 'The season being so far advanced, at the time of Major Bradford's arrival at the point fixed on for the occupancy of his command, that he was unable to do more than erect huts for his men last season. It is, however, to be presumed that he has by this time made considerable progress in the work, but of this I have not yet been informed.' In December, 1818, the post was named Fort Smith, and July 4, 1819, the southern part of the Missouri Territory (embracing Fort Smith) was constituted the Territory of Arkansas."

for defensive fire, while a cannon was set up in the center to command the gate.⁴

With the discharge of the Rifle Regiment in February, 1822, pursuant to the provisions of an act of Congress, a detachment of five companies of the 7th Infantry, under the command of Colonel Matthew Arbuckle,⁵ occupied the post until its abandonment in April, 1824. At that time the garrison was transferred sixty miles up-stream to the site of the proposed new post of Cantonment Gibson. Fort Smith was reoccupied for a little more than a year between March, 1833, and June, 1834, by Company "C" of the 7th Regiment, under the command of Captain John Stewart, when it was abandoned and the garrison transferred twelve miles up the Arkansas to the site of a new post, called Fort Coffee. Fort Coffee was established on the south bank of the Arkansas River, the change from Fort Smith being due to political influence, rather than to military expediency, however. The site of the fort was a romantic one, which occupied a high hill and ended in the rocky promontory fall, the foot of which is washed by the waters of the Arkansas River.⁶ Fort Coffee was occupied by a garrison for four years when the site was abandoned.

On July 27, 1838, with the abandonment of Fort Coffee, Fort Smith was again reoccupied by Company "F" of the 7th Infantry, under the command of Captain B. L. E. Bonneville.⁷ The important position of the post at this time led the War Department to erect a more substantial fortification here. Among the plans considered were those of Seigneur de Vauban,⁸ the great fortification

4. James Long's "Expedition from Pittsburgh to the Rocky Mountains in 1819 and 1820," *Op. cit.*, Vol. II, p. 260.

5. Matthew Arbuckle was born in Greenbrier County, West Virginia, in 1776. He entered the United States Army as an ensign in 1799, was promoted to the rank of captain in 1806 and to that of major in 1812. At the Battle of New Orleans, in 1815, he served as an aide on the staff of General Andrew Jackson. He was commissioned colonel of the 17th Infantry in 1820, and ten years later was brevetted brigadier-general. He was in command of the military forces in the eastern part of Oklahoma for nearly twenty years, being transferred to Fort Jessup, Louisiana, about 1842. In 1845, he was again transferred, being stationed at Fort Smith, where he was in command at the time of his death in 1851.

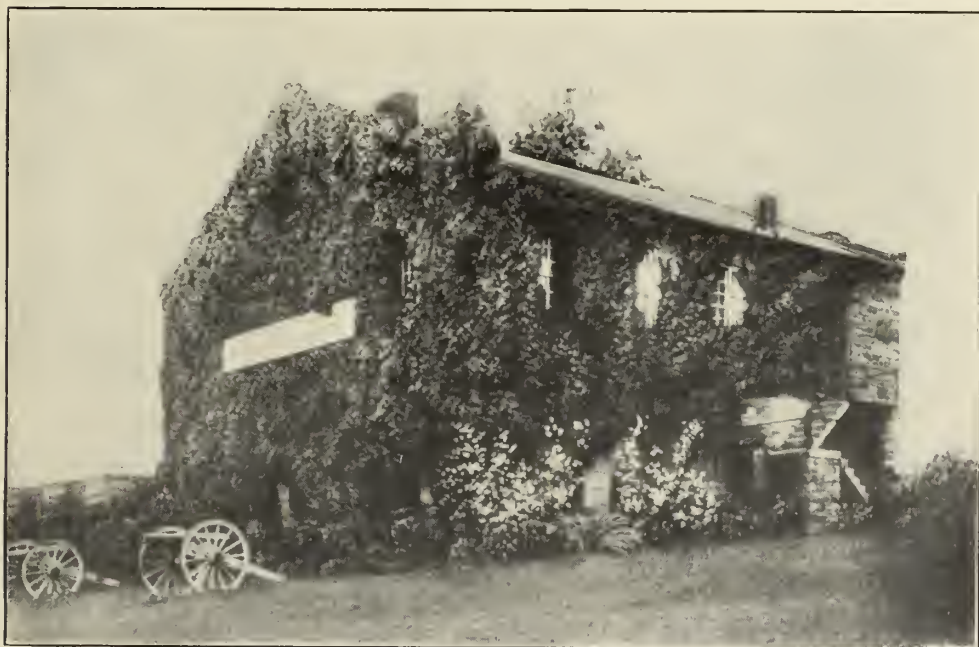
6. American State Papers, Military Affairs, Vol. VII, 2d Sess. of 24th and 1st & 2d Sess. of 25th Congress, pp. 976-77.

7. Benjamin L. E. Bonneville was born in France in 1793, his parents migrating to America on account of disturbed political conditions. At the age of eighteen, he was appointed as a cadet at the United States Military Academy at West Point, graduating in 1815 with the commission of second lieutenant of artillery. After successive promotions in the army, he was made captain of the 7th Infantry in October, 1825, and was assigned as a special aide to accompany General Lafayette on his homeward voyage to France, in 1826. In 1832, he received a two-year leave of absence for the purpose of conducting a trading and exploring expedition into the Rocky Mountains at his own expense. Overstaying his leave, his name was dropped from the roster of his regiment in May, 1834. When he finally returned, more than a year later, his notes and a fine set of maps, which represented the result of his explorations in the Rocky Mountain region, were of such value that his name was ordered restored to the rolls of the army, without loss of rank or seniority, by President Jackson. He was made major of the 6th Infantry in July, 1845, promoted to lieutenant-colonel of the 4th Infantry in May, 1849, and commissioned as colonel of the 3d Infantry in February, 1855. He retired in September, 1861, though he was retained in the recruiting service throughout the Civil War period. He was brevetted a brigadier-general for long and faithful service in March, 1865. Most of his extended service was on the southwestern frontier. His later years were spent at Fort Smith, Arkansas, where he died June 12, 1878.

8. Sebastien le Prestre, Seigneur de Vauban, was born at St. Leger de Towcherets, near Avallon, in the province of Burgundy, France, in 1633. After having been well educated, especially in mathematics, he entered the army, as a youth of seventeen, and won his first commission by valor in action. He became a military engineer, displaying such uncommon talents in the planning and construction of defensive works that he was made commissioner-general of fortifications. Under his direction, over three hundred ancient



LAST REMAINING BUILDING OF FORT COFFEE



OLD COMMISSARY BUILDING, ERECTED 1839, FORT SMITH, ARKANSAS

architect of Europe, one of which was adopted. According to the ground work of the great walls, the plan of the post was in the shape of an irregular pentagon, with a cannon bastion at each angle of the wall.

Hundreds of mechanics were brought to Fort Smith, spending more than a year moving the old log post and beginning the ground work of the new fort. An expensive sawmill was set up where logs of walnut and ash, some of them four feet through, brought down the Arkansas River from the Cherokee country, were made into the necessary lumber; rafts of huge pine logs lined the banks of the Poteau River, carried down during high water from the mountain region of its upper sources in Oklahoma. The bluff overlooking the river and named "Belle Point" by the early French voyageurs of the eighteenth century, because it was a beautiful place covered with ferns and lichens and crowned by a stately forest of oak trees, was chosen as the stone quarry. The rocks were cut into large blocks, finely chiseled, and used in making the great wall and the foundations of the new fortification.⁹

The work continued as the appropriation of funds would allow, until 1841, when General Zachary Taylor arrived at the post as commander of the Western Department of the United States Army.¹⁰ With his knowledge of the Indians and their method of warfare, he saw at once that the Government was wasting money in building such an elaborate fortification. It was largely due to his advice that the Vauban plans were abandoned. A part of the wall under the original plans had already been completed. Three of the cannon bastions were used for the foundation of buildings, one of which was the commissary depot, another the quartermaster's department, and the third a one-story powder magazine.¹¹

From this time Fort Smith was continually garrisoned until it was abandoned by the United States troops on April 23, 1861, being reoccupied during the Civil War by Federal forces on September 1, 1863. It was finally abandoned as a military station in 1871, the last garrison being a detachment of Company "D" of the 6th Infantry, under the command of First Lieutenant

citadels were reconstructed and fortified and many new defensive works were built. He participated, either offensively or defensively, in many noted sieges of his time and was made marshal of France, in 1703. He died in Paris, in 1707. Principles of military engineering developed as the result of his genius were regarded favorably and in common use until rendered obsolete by the invention of rifled artillery of large calibre and long range, since the middle of the nineteenth century.

9. The plan of building such elaborate and costly works to withstand possible attacks from the Indians was considered highly ridiculous by the workmen on the new fort. On one occasion they had a great laugh, when one of their number, seeing a small crowd of Indians peacefully strolling around curiously watching the building of the walls, suddenly shouted, "Boys, look out! Here comes the enemy!"—W. J. Weaver, in "Memories of Old Fort Smith," appearing in the Fort Smith Elevator. (Mr. Weaver was born in Philadelphia in 1818, and came to Fort Smith in 1838. He was a resident of that city and the Cherokee Nation, until his death in 1906.)

10. General Zachary Taylor, who was elected the twelfth President of the United States in 1848, had served as a colonel in the Black Hawk War in 1832. During the war with the Seminoles in Florida, he inflicted a severe defeat on the Indians at the battle of Okeechobee, December 25, 1837, for which he was brevetted brigadier-general. As commandant of the Western Department of the Army, he made his headquarters at Fort Smith from 1841 to 1845, though not in command of the post.

11. When the United States District Court, presided over by Judge I. C. Parker (q. v.), was established at Fort Smith in 1873, this old powder magazine became famous as an execution ground. A long beamed scaffold was erected in front, where many outlaws and murderers, who were fugitives from justice in other states, and were attempting to hide in the Indian Territory, were hanged.

Frederick W. Thibaut. Many of the commanders during its half century of service as a frontier post, achieved distinction and attained high rank of general officers, either in the United States Army, or in the United States Volunteer or in the Confederate Army.¹²

Founding of Fort Gibson and Fort Towson—On account of the continued threats of trouble on the frontier of Arkansas Territory arising from the depredations of the Osages, who harassed all of the Indian tribes of the Southwest, and in order to further the policy of concentrating the Indians in the West and to maintain peace on the border, the government established Fort Gibson in April, 1824, the first United States military post in Oklahoma.

Fort Gibson was first occupied by troops under the command of Colonel Matthew Arbuckle, of the 7th United States Infantry, who remained in command of the post as the station of regimental headquarters for nearly twenty years. The new post was named in honor of General George Gibson.¹³ Its original site was in a cane-brake of the bottom on the east bank of the Grand River, about three miles above the confluence of that stream with the Arkansas. The fort itself consisted of an enclosure about three hundred feet square, surrounded by a palisade of stout pickets, with heavy log-walled block houses on the southeast and northeast corners. On the outside of the fort, near the bank of the river, were the log-walled quarters, a hospital and other buildings.¹⁴

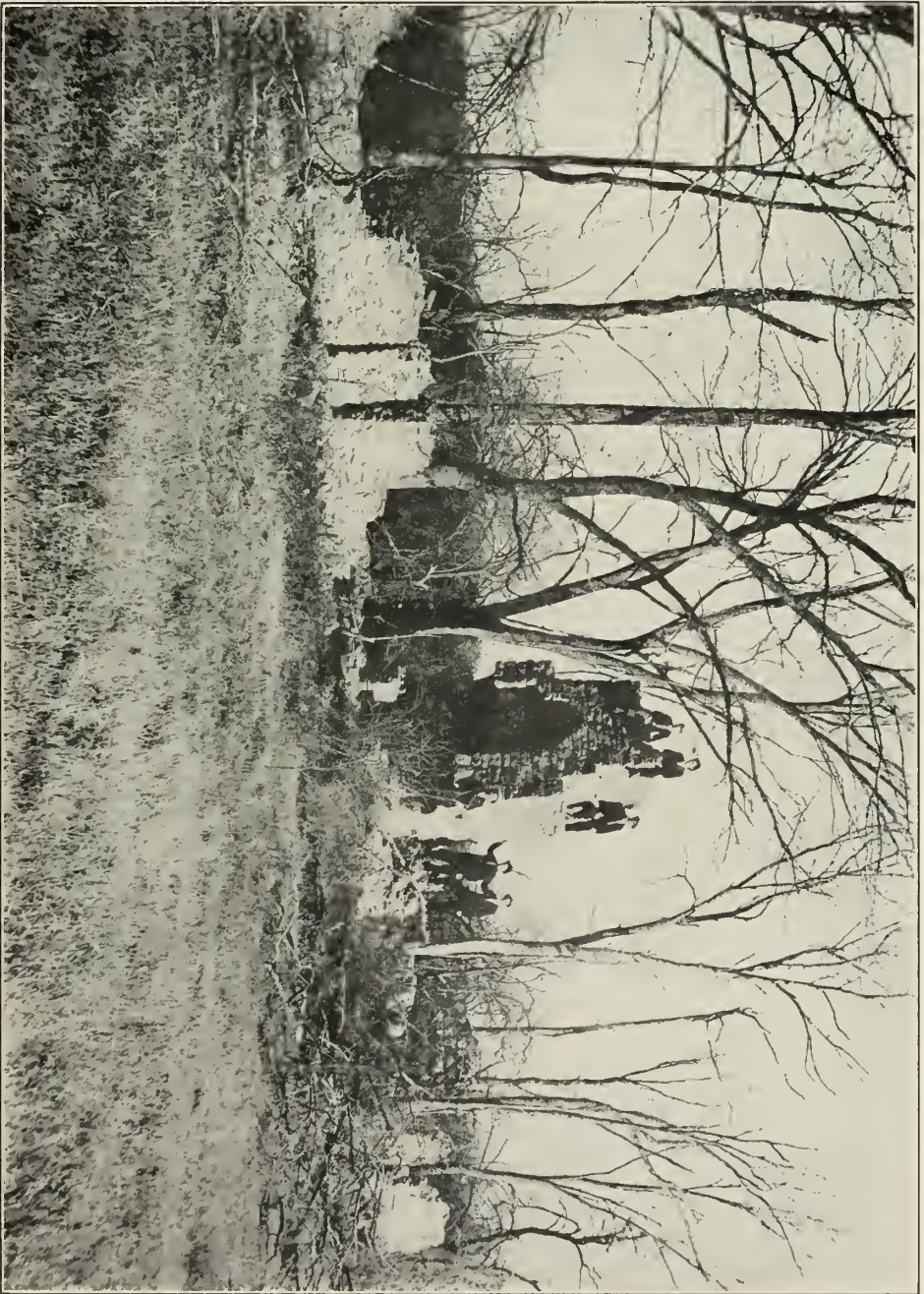
At the close of the Seminole War, in Florida, all the cavalry regiments were centered at Fort Gibson. During the Mexican War, most of the troops were withdrawn to the Rio Grande, but at its close the post was again the station for a large body of troops. It was garrisoned continuously until June 23, 1857, when it was abandoned on account of its unhealthful situation, for since it was located so near the river, the constant sickness and many deaths of the soldiers quartered there occasioned much complaint in the army. Although the Cherokees were bound by treaty to permit the maintenance of a military post in their midst, there was a feeling among some of them that they would be better off if the post at Fort Gibson were abandoned.¹⁵ Many other Cherokees and most of the Creek and other neighboring tribes wanted it retained. After it was abandoned, the tribal authorities laid out a townsite and sold lots to the value of \$20,000. The town was called Catoowah. During the session

12. Among the commanders of Fort Smith in addition to Colonel Matthew Arbuckle and Captain B. L. E. Bonneville already named, who likewise achieved distinction and high rank, were Captain C. C. Sibley, Captain Henry J. Hunt, Lieutenant Franklin Gardner, Captain T. H. Holmes, Lieutenant Joseph H. Potter, Captain S. G. French, Captain Lafayette McLaws, Captain William W. Burns, Captain Delos B. Sacket, Captain Samuel D. Sturgis, and Captain William G. Belknap, all of whom attained the rank of general officers, either in the United States Army, United States Volunteers, or the Confederate Army.

13. George Gibson was a native of Pennsylvania. He was commissioned as a captain of the 5th U. S. Infantry, in May, 1808, and as major of the 7th Infantry, in November, 1811. He was promoted to the grade of lieutenant-colonel, in August, 1813. In June, 1815, he was honorably discharged by reason of the close of the war. In April, 1816, he was commissioned quartermaster-general with the rank of colonel and, two years later, was made commissary-general of subsistence with the same rank. In April, 1826, he was brevetted a brigadier-general and, in May, 1848, he received the brevet rank of general. He died September 29, 1861.

14. Grant Foreman, "The Centennial of Fort Gibson," in *Chronicles of Oklahoma*, published by Oklahoma Historical Society, Vol. II, No. 2, pp. 120-21.

15. Annual Report of Commissioner of Indian Affairs, for 1858, p. 141.



RUINS OF OLD FORT TOWSON

of the National Council in 1858, a bill was introduced and passed both houses, by the terms of which the capital of the Cherokee Nation should be moved from Tahlequah to the new town. But, as it did not pass until near the end of the session, Chief John Ross treated it to a pocket veto.¹⁶

Fort Gibson has a unique place in the history of the Indian Territory; being located near the first trading establishment and at the head of navigation of the Arkansas River it was the scene of the commercial activities that flourished in the region of the Three Forks. It was situated only a short distance south-east of the Creek and Osage agencies, which, together with its own military activities, made it the center of much of the official and social life in the Indian country in early days.¹⁷

Fort Gibson was occupied by Confederate forces in 1861. Upon its reoccupation by Federal forces, in 1863, earthworks were constructed on the hill overlooking the old post and the Grand River. A number of handsome stone buildings were also erected in due time. It was continuously garrisoned or occupied until its final abandonment in 1890. The town of Fort Gibson perpetuates the name of the first military post in the Indian Territory on the map of Oklahoma.

In May, 1824, Colonel Arbuckle also established another post at the mouth of the Kiamichi River, which was named in honor of Colonel Nathan Towson.¹⁸ The buildings of this post and the barracks were of logs, and were enclosed by a log-walled stockade, like most of the other early military posts.¹⁹

16. Those Cherokees who had been opposed to the garrisoned post asserted that it tended to breed disorder among the Cherokees. March 11, 1845, there was a riot just outside of the post, in which soldiers were implicated. A year before, when a court of inquiry was convened to investigate the conduct of the post commander, Lieutenant-Colonel R. B. Mason, he had protested against the admission of any testimony from Indians. Hence, when the riot occurred, a mass meeting of Cherokees at Tahlequah demanded the abandonment of the post. Its abandonment, however, resulted in "the growing up of a vicious little town there," and was regarded as having "given unusual activity to the whiskey trade in that region of the Cherokee country and in the Creek country adjoining."—*Ibid.*, for 1859, p. 159. The *Arkansas Gazette* for July 6, 1842, mentions the disorders of Fort Gibson, which included race track and racing, gamblers and illicit liquor traffic. A tavern near the fort had been closed by post commander, Lieutenant-Colonel R. B. Mason. Gamblers were proscribed and ordered to leave, and steamboats were warned. Colonel Mason's orders (No. 6, January 24, 1842, and No. 44, June 11, 1842), and that of the regular post commander, Colonel Stephen H. Kearney (No. 43, June 13, 1842), approved of those previously issued.

17. "During its antebellum days of prosperity, good houses were built, traders had fine stocks of merchandise, officers brought their families to live here, and society improved. They had a race track, and the soldiers established a Thespian Club, with good talent, which performed every week; to make things more lively, they had a fine band of music, from which they could draw stringed instruments for dancing parties, but the drummer boys, when learning taps, were sent a half mile off into the woods to practice."—*Historical Sketches of William J. Weaver, in the Fort Smith Elevator.*

18. Nathan Towson was born in Baltimore County, Maryland, in 1784. He was commissioned captain of the 2d U. S. Artillery, in March, 1812. Most of his service during the war that followed was on the northwestern frontier, in the vicinity of Niagara and in Canada, where he distinguished himself for his courage, military skill and resourcefulness. At the close of the war, in 1815, he was retained in the regular military establishment. In 1819, he was made paymaster-general, in which capacity he continued to serve for thirty-five years. He was given the rank of colonel in 1822, was brevetted brigadier-general in 1834, and major-general in 1848. He died in Washington, D. C., July 20, 1854.

19. Frequent mention is made of Indian traders in the Red River country above Fort Towson in the regular issues of the *Arkansas Gazette*. Pioneer citizens and settlers from Arkansas who ventured into the region near the mouth of the Washita to hunt buffalo or catch wild horses, were more or less frequently attacked by hostile Indians, and reports of the killing of such adventurous hunters were by no means infrequent. While most of the Indian outrages in the Upper Red River country could be justly charged to Indians of

Fort Towson was continuously garrisoned until 1829, when the troops were withdrawn to Fort Jessup, in Louisiana.²⁰ Soon afterward some vandals from the neighboring settlements burned all the buildings with the exception of a few small cabins.²¹

With the arrival of the Choctaws in their new country, a new post was established in 1831, six miles northeast of old Fort Towson, at first called Camp Phoenix. The buildings of the new post were constructed of stone. Within a few months the old name of Fort Towson was given it.²² The post was occupied until 1854, when the garrison was transferred to Fort Arbuckle, which had been established two years previously.

Fort Smith remained the base of supplies for Fort Gibson and Fort Smith, from the time that it was reestablished as a regularly garrisoned post in 1838, until the outbreak of the Civil War. Isolated as these posts were from the time they were established on the southwestern frontier, it was important that roads be opened up between them not only to make them accessible overland, but also to make possible the quick movement of troops from one to the other when necessary. By October, 1827, the Government had ordered the construction of approximately eight hundred miles of roads in the Southwest, more than two hundred miles of which were in Eastern Oklahoma.²³

A military road from Little Rock to Fort Gibson, a distance of 208 miles, was completed in December, 1827, eighty-two miles having been constructed by government troops and the rest by contract with citizens of Arkansas Territory. About the same time a military trail was opened up between Fort Gib-

the Comanche, Kiowa and other plains tribes, the evidence seems clear that strong bodies of Osage warriors were responsible for some of the unprovoked attacks. The Osage people were nominally at peace with the whites and, near their home ranges, north of the Arkansas, they were counted friendly. However, when they had strayed off into the wilderness where other tribes were hostile, they completely evaded treaty obligations and attacked small parties of hunters from the pioneer settlements with impunity. One such instance is recorded by the Arkansas Gazette of April 15, 1829, wherein two members of a party of five hunters—John Sellers, a white man, and Jim Bradford, a Creek Indian, who had been raised by General William Bradford—were attacked, killed and scalped by Osages. This statement was confirmed by Colonel A. P. Chouteau, the trader among the Osages, who had personally seen the scalps in question, after the return of the Osage warriors from Red River.—See Appendix V-a for letters with reference to Necoming, the Delaware chief, who was wounded in a fight with a band of the Plains Indians in the Red River country in 1828.

20. The Arkansas Gazette of May 6, 1829, announced that orders had been issued by the War Department for the abandonment of Cantonment Towson, the troops of the garrison to be transferred to Cantonment Jessup, near Natchitoches, Louisiana.

21. "The garrison of Cantonment Towson abandoned that post on the 18th of June. A few days later the barracks of that post were set on fire in a spirit of vandalism, by irresponsible persons, and were totally destroyed."—Arkansas Gazette, July 15, 1829.

22. "A post office has been established at Fort Towson and George Gooding, sutler at that post, appointed postmaster."—Arkansas Gazette, December 19, 1832.

23. "United States Roads in Arkansas:—The general government have ordered the opening and constructing of 830 miles of roads in Arkansas, the greater part of the which is already surveyed, and under contract for clearing out. These roads, when completed, will greatly facilitate the movement of emigrants to that fertile territory. We give the direction of the roads with their several distances:

From Memphis to Little Rock.....	136 miles
From Little Rock to Fort Smith.....	152 "
From Fort Smith to Fort Gibson.....	56 "
From Fort Smith to Fort Towson.....	190 "
From Fort Towson to Natchitoches.....	320 "

Total length of roads..... 854 miles."

—Niles Register for October 20, 1827, Vol. IX, No. 8, p. 117.

son and Fort Towson. Under a Congressional act of March 3, 1827, a road was surveyed between Fort Smith and Fort Towson. Its construction was begun in November, 1828, but the work was discontinued not long afterward, because of the withdrawal of the troops from Fort Towson to Camp Jesup, near Natchitoches, Louisiana. Early in January, 1826, the importance and necessity for a military road between Fort Towson and Natchitoches had been especially stressed by Thomas S. Jesup, Quartermaster General, in a letter to the Secretary of War. This road was surveyed by Lieutenant Francis Lee, assistant quartermaster, at Natchitoches, early in 1827. Its construction from Fort Towson and from the northern boundary of Louisiana was begun simultaneously in October, 1828. It was completed the following March, at a total cost of \$12,000. With the immigration of the Choctaws to the Indian Territory beginning in 1831, a new road was needed between Fort Smith and Fort Towson. Under orders of the War Department, Captain John Stewart made the survey for this road in the spring of 1832, its construction being completed to Horse Prairie, a few miles west of Fort Towson, in the same year.²⁴

The eastern boundary of Oklahoma from Red River to Fort Smith was also surveyed and marked in 1825-26.²⁵ A part of Crawford County, Arkansas, and the whole of Miller County,²⁶ Arkansas, were found by this survey to be west of the line in the Choctaw country. A number of white families who were living as "squatters" in these sections were compelled to move from the country, as they were living on land that had been ceded by the government to the Choctaws.

Later Military Posts and Movements—In a report to the War Department dated Fort Gibson, February 10, 1834, Commissioners Stokes, Ellsworth and Schermerhorn stressed a suggestion with regard to military affairs in the Indian Territory. In this they recommended the establishment of two lines of military posts, one of which was to be on the border of the Indian Territory, the State of Missouri and Arkansas Territory, the other to be on the western border of the supposed inhabitable country from Red River to the Upper Missouri.²⁷ The establishment of these military posts coincided with the plan which had been advocated for several years by the War Department, not only for the purpose of reducing the intrusion of white settlers in the Indian country, but also for maintaining peace among the Indians.

At this time there were three military posts in Oklahoma, namely, Fort Gibson, Fort Towson and Fort Coffee. With the abandonment of the latter fort, a small post known as Fort Wayne was established in the eastern part of

24. Report of Captain John Stewart on the construction of the road from Fort Smith to Horse Prairie, on Red River, edited by Carolyn Thomas Foreman, in *Chronicles of Oklahoma*, published by Oklahoma Historical Society, Vol. V, No. 3, pp. 333-47.

25. "Arkansas: The survey of the road from Little Rock to Cantonment Gibson is completed; its length is 208 miles. The Choctaw boundary has also been run and marked; sixty or eighty families in the county of Crawford, and the whole of Miller County, said to be pretty populous, are found to be west of the line and within the Choctaw country. This tribe has only about 3,500,000 acres of land in the territory of Arkansas."—*Niles' Register* for April 1, 1826, Vol. VI, No. 5, p. 83.

26. Miller County, Arkansas, was established by an act of the Arkansas General Assembly, drafted April 1, 1820, and published in the *Arkansas Gazette*, July 22, 1820.

27. Report of Commissioner of Indian Affairs for 1836, pp. 373-74.

the Cherokee Nation on Spavinaw Creek, in what is now Delaware County.²⁸ It was garrisoned until 1842, when it was abandoned. Captain Nathan Boone, youngest son of the noted Kentucky pioneer, Daniel Boone, was Post Commander at Fort Wayne during part of the time it was a garrisoned post. The same year that Fort Wayne was abandoned, the War Department, in carrying out its policy of building a chain of forts from north to south in the Indian Territory, established the new post of Fort Scott, on the Arkansas River, in what is now the State of Kansas; and also reestablished Fort Washita in the southern part of the Indian Territory.

In following the recommendations of Commissioners Ellsworth, Stokes, and Schermerhorn, with reference to the establishment of a chain of western forts, and also in compliance with the requests of some of the chiefs and captains of the Choctaws, a new fort had been established at the mouth of the Washita River in 1834. In July of that year a detachment of the 3d Infantry from Fort Towson was working on the construction of this post, the site of which was near the point of the confluence of the Washita and the Red rivers.²⁹ The waters of both rivers were within a few hundred yards of the log barracks and earthworks that were erected at that time. This post was called Camp Washita. In 1842, under orders of the Secretary of War, the site of Camp Washita was abandoned, and a new post was ordered to be erected fifteen miles above the mouth of the Washita River. This post was thenceforth known as Fort Washita. Its buildings were substantial structures, the heavy walls being built of shale rock which was quarried in the vicinity. Fort Washita became an important post and continued to be regarded as such until the outbreak of the Civil War, nearly twenty years later.³⁰

In May, 1850, orders were received at Fort Smith (where General Arbuckle was in command) for Captain Randolph B. Marcy, of the 5th United States Infantry, to proceed with one company and establish a military post at a point on the Canadian River Road where it was intersected by the hundredth meridian. For reasons of his own (and they were good reasons, too) Captain Marcy did not deem it wise to place the post so far west and he therefore selected a site on the south side of the Canadian, in what is now the eastern part of McLain County.³¹ Temporary buildings were erected and the post, called Camp Arbuckle, was occupied until the following year when a new location was selected on Wild Horse Creek, a few miles from the Washita River, in the southern part of what is now Garvin County. This post was called Fort Arbuckle.³²

Captain Marcy had commanded the escort which accompanied a large party of gold seekers who were on their way to California from the southern states

28. Fort Wayne was destined to figure in the history of the Indian Territory again twenty years later, when it was the scene of a battle between the Union and Confederate forces. The last vestige of its rock-walled buildings have disappeared.

29. "A Journal of the Dragoon Camp in 1834, by Sergeant Hugh Evans, edited by Fred S. Perrine and Grant Foreman in *Chronicles of Oklahoma*, published by Oklahoma Historical Society, Vol. III, No. 3, p. 183.

30. "Fort Washita," by W. B. Morrison. *Ibid.*, Vol. V, No. 2, pp. 251-58.

31. R. Glisan's "Journal of Army Life," pp. 47-71; also, files of the Fort Smith Herald for 1850.

32. Glisan's "Journal of Army Life," *op. cit.*, pp. 73-113.



A COMANCHE VILLAGE, NEAR FORT SILL, 1872, WITH HORACE P. JONES, WHITE SCOUT AND INTERPRETER, IN CENTER OF GROUP. THE LODGES ARE COVERED WITH BUFFALO HIDES

by way of the Canadian River and Santa Fe, in 1849. On his return, instead of retracing the line followed on the way up the Canadian, Captain Marcy followed the Rio Grande down to Doña Ana, from whence he came back by a more direct route which was three hundred miles shorter than by way of Santa Fe, as well as being otherwise more practicable. When he was ordered to select a site for a post at a point near the intersection of the Canadian River Road and the one hundredth meridian, therefore, he knew that the order had been issued under a misapprehension, and he accordingly selected a site near the point where the Doña Ana Road rejoined the Canadian River Road. When the matter was more thoroughly understood by his superiors, orders were issued to select a new site farther out on the Doña Ana Road. The people of Fort Smith petitioned the selection of the name of Fort Arbuckle in honor of the old veteran, General Matthew Arbuckle, whose death occurred during an epidemic of cholera just about the time the new post was established. Fort Arbuckle was continuously garrisoned until the outbreak of the Civil War and was occupied much of the time by Confederate forces during the course of that struggle. After the war it was reoccupied by Federal troops for several years, and until the establishment of Fort Sill made its further occupation unnecessary. The adjacent mountain group received its name from the military post.³³

Late in the summer of 1858 four companies of the 2d United States Cavalry under the command of Brevet Major Earl Van Dorn, established a cantonment at the foot of the Otter Creek Canyon, in the southern part of Kiowa County. It was called Camp Radziminski and was occupied until December, 1859. In the autumn of 1859 a new post known as Fort Cobb was established on the north side of the Washita, near the United States Indian agency for the tribes which had recently been removed to that section from Texas. The site was selected and the post established by Lieutenant Colonel William H. Emory, of the 1st United States Cavalry.

The Comanches at War in Texas—The Comanche Indians, who ranged over Western Oklahoma and Northeastern Texas, were at war with the settlements in Texas most of the time. Early in 1840, some of them indicated a willingness to make peace with the people of Texas. In February of that year a delegation visited San Antonio for the purpose of holding a peace council. They had been told by the Texas commissioners that they would have to bring in the thirteen white captives, whom they were known to be holding, before peace terms could be considered. When the delegation went to San Antonio it carried but one prisoner, a little girl. When asked where the other prisoners were, the Comanche answered: "We brought the only one we had; the others are with other tribes." The little girl whom they had brought in and surrendered, declared this to be false, as she had seen others in the Indian camp only a few days before. She added that it was the intention of the Comanches to surrender only one or two of the captives at a time in order to extort a greater ransom for them. There was a pause, whereupon the chief who had

33. The selection of the site for the erection of Fort Arbuckle was doubtless influenced not only because of its location, but also because of an unusually fine water supply, the post being built in proximity to several fine springs.

made the reply asked how the commissioners liked it. The commissioners did not answer him but sent for a company of troops. When the latter filed into the council room and took their positions, the Comanches were informed that their entire delegation, consisting of sixty-five men, women and children, would be held prisoners unless they sent to their camps and had the rest of the white captives brought in and surrendered.

Seeing that their own plans were foiled, the Comanche chiefs and warriors became desperate, drew their knives, bows and arrows, and attacked the troops. In the bloody fight which followed, all of them—thirty-two in number—together with three women and two children, were killed and twenty-seven women and children were made prisoners. One of the women was sent to inform the Comanches that these prisoners would be exchanged. A few days later she returned, bringing two white captives and four or five Mexican captives, all of whom she proposed to exchange for her own people and to pay the difference in horses. Colonel Fisher, the officer in command, replied that all of the white captives must be brought in before her own people could be released. Small parties of Comanches hung about in the vicinity of San Antonio for a time in the hope of being able to rescue their kindred, but finally they went away to their own ranges where they rallied hundreds of other warriors to wreak a terrible vengeance upon the Texas settlements.³⁴

A force estimated to consist of four hundred warriors made its way quietly and quickly to the southern part of Texas, where the town of Victoria was attacked on the evening of August 6, 1840. Although the attack was an entire surprise, the men of the community rallied and repelled the attack, which, however, was renewed the next morning, though with no better success. The Comanches then crossed the Guadalupe River and attacked the little hamlet of Linnville on the morning of the following day. The inhabitants fled and found refuge on a boat in La Vaca Bay. The Indians looted and burned every house, destroying all contents that they could not carry away. They also took cattle and horses wherever they could be found. They were thus able to secure fresh mounts for themselves and hundreds of horses were loaded with plunder when they began their retreat. Several prisoners were also carried away. In the meantime, many companies of Texans were being formed to prevent their escape. These were concentrated under the command of General Felix Huston and Colonel Edward Burleson, a number of well known Indian fighters being in command of companies.

General Felix Huston's force intercepted the Comanches on a small creek called Plum Creek, a tributary of the St. Mark. The Comanches made a show of resistance when attacked but were soon defeated and driven in a running fight for fifteen miles. Mrs. Watts, one of the captives, escaped at that time. Mrs. Crosby (a granddaughter of Colonel Daniel Boone), who had been captured with her child, was killed to prevent her recapture. The Comanches were forced to abandon three thousand head of captured horses, several hundred of which were laden with plunder, and also to release all of the captive women and children, except the few who were killed. They fled northward

34. John Henry Brown's "Indian Wars and Pioneers of Texas," pp. 76-78.

toward the Wichita Mountains, utterly crushed, and their expedition a failure. It was believed that the foray was planned by the Mexicans at Matamoras.³⁵

Military Expeditions—Although the region now embraced in Oklahoma was then a wilderness, there were no Indian wars worthy of mention within its limits during the decade following the reestablishment of Fort Smith. In 1846 most of the troops stationed in the Indian Territory were ordered to Mexico to take part in the war which had begun between the United States and that country. These forces marched overland under the command of Major B. L. E. Bonneville. After the end of that struggle the garrisons of the Indian Territory posts were again increased to their former strength.³⁶

In the late spring of 1858 a detachment of Texas Rangers, under the command of Captain John S. Ford ("Old Rip"), and accompanied by a force of friendly Indians from the Brazos Reserve, in Texas, under the leadership of Captain Chapley P. Ross,³⁷ passed northward from the Red River through the western tier of counties and attacked a Comanche village on Little Robe Creek in the southwestern part of Ellis County, inflicting a severe loss upon them, but otherwise barren of results.³⁸

On the first day of October following, a force consisting of four troops of

35. *Ibid.*, pp. 78-82.

36. Early in July, 1846, John Hobart Heald, a trader living at Doaksville, wrote in his diary as follows: "Yesterday a detachment, composed of infantry and dragoons, reached Ft. Towson, about a mile distant, en route from Northern parts for San Antonio—a fearful march is before them across the arid prairies without any shelter from the sun's burning rays and what would be worse, an inevitable scarcity of water. Great mortality must surely prevail and this march will be more than storming a Mexican battery. Such are some of the necessary consequences resulting from war, with all its pomp, circumstances, and glory at times. A soldier informs me several are almost unable to continue, are not, in fact, able to march, but have to be transported in uncomfortable baggage wagons. Two died at Fort Smith, and two on the route from Ft. Smith to this place." (John Hobart Heald was a native of Massachusetts. For a sketch of his life, by Muriel H. Wright, see *Chronicles of Oklahoma*, publication of the Oklahoma Historical Society, Vol. II, No. 3, pp. 311-18.)

37. De Shield's "Cynthia Ann Parker," pp. 36-46; also, personal information secured from Captain W. A. Pitts, Captain Robert Ross, and Colonel George W. Paschal. (Colonel Paschal was a nephew of General Stand Watie, though an officer in the Federal Army. As a youth of seventeen he had run away from a military school to enlist in the Texas Rangers, to participate in this campaign against the Comanches.)

38. The following information was furnished the writer (J. B. T.) by the late Colonel George W. Paschal, of Washington, D. C.: When the Rangers attacked the Comanche encampment most of the warriors were several miles distant hunting buffalo. They arrived on the scene in such numbers that the Rangers deemed it prudent to retire. At the beginning of the fight Pohebits Quasho (i. e., "Iron Jacket"), the chief of the band, was seen to ride forth from the village toward the attacking party. He was mounted on an iron-gray steed and wore a coat or shirt of mail (whence his name) which had probably been stripped from the stricken body of a proud Castilian conquistador several generations before. As he rode out alone, he was seen to be waving a small white cloth, about a yard square. As he approached the center of the line of attack, a number of the Rangers began to shoot at him, though with no apparent effect other than to cause him to swerve the course of his charger sharply to the left and gallop along in front of the friendly Indian allies on the right of the line. The fact that he had passed unscathed through a galling fire seemed, even to some of the observant Rangers, to warrant the reported belief of the Comanches that he bore a charmed life. Reaching the end of the line, his horse was brought up with a round turn and he raced back toward the center, where, apparently, not wishing to draw fire of the Rangers, he made another short turn and rode back toward the right of the line. There, just as he was making another sharp turn, with his body leaning away from his enemies, a bullet, said to have sped from the rifle of Jim Pockmark, the Anadarko chieftain, lifted one of the scales of his hitherto invulnerable armor and the great Pohebits Quasho was laid low, just as his gallant steed fell dead. Savage that he was, cruel and vengeful though he may have been, he died as brave men die, nor was his tragic end less heroic than those of the white race whose memories are treasured in song and story.

the 2d United States Cavalry, under the command of Captain and Brevet Major Van Dorn, aided by a company of friendly Indian auxiliaries which were led by young Lawrence Sullivan Ross (son of Agent Shapley P. Ross, of the Brazos Reserve), attacked a Comanche encampment at the Wichita Village on Rush Creek, a short distance east of the site of Rush Springs, in Grady County. The Comanches, who were there on a peaceful mission, were taken completely by surprise and were defeated with severe loss, though they fought with the valor of desperation.

It seems that the Comanches had had some difficulty or misunderstanding with the Wichitas and had come to visit the latter for the purpose of holding a friendly council to adjust the matter. The purpose of the visit was known to the commander at Fort Arbuckle. Unfortunately for the Comanches, Major Van Dorn and his command had but recently arrived in the Indian Territory from the other side of the Red River and he knew nothing of the purposes of the Comanches in visiting the Wichitas. So, when his scouts brought him word of the whereabouts of the Comanche encampment, he immediately set forth to attack it. After riding all night, the attack was made at daybreak. The fight was a furious one while it lasted. Major Van Dorn was seriously wounded, an arrow having passed through his abdomen. His adjutant, Lieutenant Cornelius Van Camp, fell from the saddle with a Comanche arrow straight through his heart. Young "Sul" Ross, the boy captain of the friendly Indian contingent (later a brigadier-general in the Confederate Army, and still later Governor of Texas), was also severely wounded. The Comanches suspected the Wichitas of treachery in informing the soldiers of their presence and vowed to have vengeance for such presumptive duplicity. The Wichitas, who were peaceful and faithful to every trust that the Comanches had reposed in them, fled in consternation, abandoning their village and crops, to take refuge under the protection of the garrison at Fort Arbuckle. The Wichitas never again returned to their village on Rush Creek nor, indeed, to their old home country at all. About a year later they were settled on the north side of the Washita, with the several small tribes and remnants of tribes which had been recently transferred thither from the Brazos Reserve in Texas.³⁹

In May, 1859, having recovered from his wound and having had his command recruited and reinforced by the arrival of two additional troops of cavalry, Major Van Dorn again set forth from Camp Radziminski in quest of the hostile Comanches. The expedition marched nearly two hundred miles, found and attacked a band of Comanches which was encamped on Crooked Creek, in the northern part of what is now Meade County, Kansas, capturing the horse herd and village of buffalo skin lodges and killing or capturing practically the entire band, which had been surprised and compelled to fight dismounted.

With this expedition, which consisted of six troops of cavalry, were nine line officers, four of whom afterward became general officers in the Confederate Army, namely, Earl Van Dorn, Edward Kirby Smith, Fitzhugh Lee and George B. Cosby. Another—Lieutenant Manning M. Kimmel—was adjutant

39. Annual Report of the Commissioner of Indian Affairs for 1859, pp. 331-333; also, "Indian Wars and Pioneers of Texas." *Op. cit.*, pp. 41-42.

general of Missouri under the Confederate organization and also served as adjutant-general on the staff of General John B. Magruder, C. S. A. Captain E. Kirby Smith and Lieutenant Fitzhugh Lee were both wounded in this fight, the latter receiving a Comanche arrow in the right breast, the point passing through the right lung and protruding from the back, beneath the shoulder blade.⁴⁰

During the summer of 1860, a strong force of cavalry, selected from the garrison of Forts Smith, Washita, and Arbuckle, was sent out on the plains under the command of Captain Samuel D. Sturgis, for the purpose of operating against the Indians of the tribes that were hostile. The chase was a long one, leading as it did far to the north and west and across the line into Kansas. At the end of the summer's campaign the troops returned to their respective stations in the Indian Territory and on the border at Fort Smith.⁴¹

The Comanche braves and the warriors of the confederated Kiowa and Apache tribes made frequent raids among the frontier settlement of what is now Central Texas. Indeed so regular were these raids that the pioneers and the officers and men of the Texas Rangers were always on the watch for such raids, especially at the full of the moon. Late in November, 1860, a band of Comanches raided in Parker County, Texas (which was as yet but sparsely settled), committing serious depredations and running off a large number of horses. Young Lawrence Sullivan Ross (who had commanded the friendly Indian allies that participated with Major Van Dorn's forces at the battle with the Comanches at the Wichita village more than two years before) had graduated from college in the meantime. Though still little more than a youth, he had been commissioned by Governor Sam Houston as a captain of Rangers. Captain Ross was sent with his company in pursuit of the marauders, being reinforced by a detachment consisting of a sergeant and twenty men of the 2d United States Cavalry, detailed for such service by Captain N. G. Evans, post commander at Camp Cooper. The party was further augmented by seventy citizens of Palo Pinto County, led by Captain Jack Curington. This combined force was scouting near some mountains at the head of Pease River.

On the morning of December 18, a part of this force, personally led by Captain Ross, discovered a Comanche camp, which was charged, surprised and captured, with 350 horses. A number of Comanches were killed and some of the fugitives were pursued. Two mounted Indians attempted to escape to the mountains. Captain Ross and Lieutenant Kelliher pursued. The former overtook one, who proved to be the Comanche chief, Mohee, who was killed in the personal combat which ensued. Lieutenant Kelliher captured the other, who proved to be a woman with a child. Ross instantly noticed that she was a white woman, with blue eyes. She was much frightened, expecting to be killed, until an interpreter reassured her. She proved to be Cynthia Ann Parker, who, as a child of nine, had been carried into captivity when her parents, grandparents, and other members of the settlement had been killed when a Comanche war party had raided Parker's Fort in Limestone County twenty-

40. Personal information secured from General George B. Cosby, Colonel Manning M. Kimmel and General Edward M. Hayes.

41. Annual Report of the Secretary of War for 1860.

four years before. She had grown to womanhood in captivity and had become the wife of Peta Nocona, who was a prominent Comanche war chief. Besides the child which she was carrying in her arms when she was captured, she said she had two young sons, concerning the safety of whom she was very anxious. One of these grew to manhood and became known as Quanah—later, better known as Quanah Parker—the last noted chief of the Comanches. The two great tragedies of her life—her ruthless captivity in childhood and her separation from her Comanche husband and children—her pathetic death, while a virtual stranger among her own kinsfolk, together with the remarkable personality of her son Quanah, and his devotion to her memory, is not only a part of the history of two states, but it also constitutes one of the most romantic chapters in the story of the Great Plains.⁴²

42. De Shields, "Cynthia A. Parker," *op. cit.*, pp. 58-66; also, Brown's "Indian Wars and Pioneers of Texas," *op. cit.*, pp. 42-43.



CHAPTER VIII

EARLIEST AMERICAN COMMERCIAL INTERESTS IN OKLAHOMA

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EARLIEST AMERICAN COMMERCIAL INTERESTS IN OKLAHOMA.

The earliest American commercial interests in Oklahoma, as elsewhere in the Louisiana Purchase, were chiefly concerned with the fur trade. The region in the vicinity of the mouths of the Verdigris and the Grand rivers, commonly regarded as the head of navigation of the Arkansas, offered a site¹ for a commercial center unsurpassed throughout the southwest. This region was then known as "the Three Forks" or "the Forks of the Arkansas." It was situated on the natural highway to the commercial centers already established on the Upper Ohio and the Mississippi, for it was along the rivers to the Southwest that first the pirogue, or canoe, then the bateaux, still later, the flat-boat and the keel-boat, and, finally the steamboat, plied their way. It was also easy of access from St. Louis, overland three hundred miles by the trail² which the Osages traveled after they came to live on the Verdigris.

The story of transportation throughout the periods of exploration, trading exploitation, settlement and final development in the Indian Territory, is one which is not only intimately connected with the life of the people, but which is also of fascinating interest as well. The first Spanish explorers on the Great Plains of the western part of the present Oklahoma found nomadic Indians (mostly of the stock now known as Apache) who followed the buffalo herds afoot, carrying their belongings on their backs, though they also utilized their wolfish dogs by tying lodge poles to the neck of each animal and then fastening small packages to the dragging poles. In the eastern part of the state, the native Indians used "dug-out" canoes (*i. e.*, fashioned by hollowing out logs) for river navigation.

Spaniards from the Southwest, traveling to the region of the Great Plains, were mostly mounted on horseback,³ carrying their belongings on pack-mules, such having been the common means of transportation in Spain, and later in Mexico, where few of the rivers were navigable. The French explorers and traders did not enter Oklahoma until a full century after the colonization of

1. Both Wilkinson and Nuttall noted this site in their visits to this country (*q. v.*). Pierre Chouteau, also, was aware of the advantages offered here, when he induced several bands of the Osages to move their villages to the valleys of the Verdigris and the Grand rivers.

2. Thomas Nuttall, "Journal of Travels into the Arkansas Territory," p. 172. The approximate route of this trail was afterward followed by the St. Louis and San Francisco Railroad, from St. Louis to Vinita.

3. Occasionally a few horses escaped from the Spaniards and thus were formed the first herds of wild horses. Later, bands of predatory Indians raided Spanish settlements in northern Mexico, whence they rode and drove horses back into the wilderness in order that theirs might become an equestrian people. The acquisition of horses made a very great change in the life of the Indian people of the Great Plains. In the first place, the possession of horses rendered the discovery and near approach of wild game, and especially the buffalo, much more readily accomplished. It also rendered it easier to elude or pursue an enemy in time of war. Moreover, whereas, a dog, with but two lodge-poles attached to his collar, could only drag a light load on the trail, an Indian pony, with two or three lodge poles tied on each side of a pack-saddle, could drag a load heavier than a man or woman could carry. Lastly, the possession of horses made it possible for the people of a given tribe to extend their range far beyond what it had been under the primitive conditions.

Canada was begun. In Canada, the French settlers found canoe transportation in common use by the people of the native Algonquin and Iroquoian tribes and found them admirably adapted to their purpose in exploring and opening up trade in the region of the Great Lakes. They also used canoes in exploring the courses of the Mississippi and of the principal tributaries of the Arkansas and Red Rivers in Oklahoma.

Early River Navigation—Though the numerous tributaries of the Arkansas and the Canadian, in Oklahoma, were not navigable for larger craft, yet they served the purpose of the trappers and the Indians who navigated them in crude pirogues⁴ loaded with packs of deer, bear, otter, beaver and buffalo skins to the trading posts that were soon established at the Three Forks. Within a few years the Creek Indians came down the rivers with their pirogues also filled with much other produce, to barter with the traders, such as dried peaches, beans, gopher peas (peanuts), rice, snake root, sarsaparilla root and ginseng. The principal currency for many years consisted largely of pesos and other Spanish silver coins from Mexico and the West Indies.

As trading establishments began to flourish, large cargoes of merchandise were in demand, which were brought up the Arkansas by means of the keel-boats. Occasionally a flat-boat loaded with bacon, hides, coon skins, beeswax, and pecans, came down to the Arkansas from Southwestern Missouri by way of the Elk, or Cowskin, and the Grand, or Neosho rivers.⁵

When the first trading shipments, the first missionary stations and first military posts were planted in the wilderness of what was later to be known as the Indian Territory, the keel-boat was the only means of transporting equipment and supplies to this country. While recourse was had to canoes and bateaux for the more rapid movement of mail, messages, or occasional passengers, the stories of trading operations at the Three Forks, of the beginning of Union Mission, and of the movement of troops from Fort Smith to the site of Cantonment Gibson, would be incomplete were the accounts of keel-boat navigation of the Arkansas to be omitted.

The keel-boat was a staunch little vessel from fifty to seventy feet long, with a width of fifteen to twenty feet, and a capacity of ten to twenty tons. It was propelled upstream by several methods, chiefly by the use of the cordelle, or a rawhide tow-line, which was fastened to the mast, near the center of the boat and was pulled by twenty to thirty men who walked along the bank. The craft was steered by the captain, while his assistant, or "bosseman," stood at the bow, with a pole in his hands, shouting directions to the voyageurs at the cordelle.⁶ Upstream voyages were necessarily laborious, slow and tedious. Even

4. The pirogue was a dug-out canoe. On the upper courses of the Arkansas and its tributaries, it was usually hollowed out of a log of the cottonwood tree which grew to large size in this region. The wood of the cottonwood was easily worked with the crude tools of the trapper and the Indian. The pirogue was propelled by means of a paddle.

5. Historical Sketches by William J. Weaver, in the Fort Smith Elevator.

6. When obstacles, such as heavy timber, thick underbrush, or a tall growth of cane, prevented the men on the bank from drawing the cordelle, the end of the line was tied to an object on the bank and it was "warped" forward by the men going aboard and pulling, hand over hand, until the line was nearly all taken in. Other means of propelling the keel-boat upstream included "poling," wherein men went to the prow of the boat, on both sides, each dropping an end of a setting pole to the bottom of the channel and pushing against it as he walked toward the stern of the vessel, other boatmen following successively in



CAPT. PHILIP PENNYWIT,
who commanded the first steamboat that ascended the Arkansas River to
Fort Gibson, 1828

under the most advantageous circumstances, fifteen miles was a good day's journey.

With the development of steam navigation, traffic and travel along the rivers was greatly facilitated. The first steamboat that entered the lower Arkansas was the "Comet," from New Orleans, in April, 1820.⁷ The first steamboat to ascend the Arkansas River as far as Fort Smith was the "Robert Thompson," which, with a keel-boat in tow, landed at that post in April, 1822.⁸ During the course of that season, the same boat made two additional round-trip voyages from the mouth of the Arkansas to Fort Smith, carrying supplies and stores for the garrison at that post. For a number of years thereafter, that point was regarded as the head of navigation on the Arkansas for merchandise supplies intended for Fort Gibson, Three Forks and the Grand Saline, by sending them to Fort Smith, where the same were unloaded for reshipment by keel-boat or wagon to their final destination.

The steamboats "Velocipede" and "Scioto," from Louisville, left Little Rock for Cantonment Gibson April 18, 1827, with supplies and stores for that post.⁹ Five weeks later, the steamboat "Highland Laddie" passed up with a cargo destined for the sutler at the same post.¹⁰ Early in February of the following year, the steamboat "Facility," towing two keel-boats in which were three hundred immigrant Creek women and children arrived at Cantonment Gibson.¹¹ This steamboat, commanded by Captain Philip Pennywit,¹² made

like manner. In case of favoring winds, a sail was sometimes hoisted on the short mast. Oars were also used at times, especially in crossing the river. Nearly all of the voyageurs employed in keel-boat navigation were Creole French, from Canada, or from the French settlements of the Mississippi.—Phil E. Chappell, "A History of the Missouri River," Kansas Historical Society Collections, Vol. IX, pp. 271-72.

7. Hempstead's "History of Arkansas," Vol. I, p. 105.

8. "The steamboat Robert Thompson arrived two miles below Little Rock, April 8, 1822, en route from Pittsburgh to Fort Smith, with a keel-boat in tow, both laden with stores for the garrison at that post.—Arkansas Gazette, April 9, 1822. The Robert Thompson repassed down stream on the 26th. Ibid., April 30, 1822. The same craft arrived on the second upstream voyage, with heavily laden keel-boat in tow, with provisions from the mouth of White River, on May 5th, passed Little Rock, down stream from third voyage to Fort Smith en route to Steubenville, Ohio, July 2, 1822."—Arkansas Gazette, June 4, 1822.

9. "The steamboat Catawba, Captain Hovenden, arrived from New Orleans, April 16, having left that port on March 18. It carried freight for Little Rock and Dwight Mission. On the evening of the same day, the steamboat Velocipede, Captain Ray, and the Scioto, Captain Gilchrist, arrived at Little Rock, nine days out from Louisville, and four days out from the mouth of White River. These were loaded with stores for Cantonment Gibson. All three vessels got underway upstream the next morning. The Catawba returned down stream on the 28th. The other two vessels passed down on May 4. The Scioto bound for St. Louis and the Velocipede for Louisville."—Arkansas Gazette, April 17, 1827.

10. "The steamboat Highland Laddie, Captain McCallum, arrived on the night of the 21st, nineteen days out from New Orleans, bound for Fort Gibson, with a full cargo, principally for General Nicks, the sutler at the post."—Ibid., May 29, 1827.

11. The Arkansas Gazette of January 30, 1828, announced the arrival of Colonel D. Brearley, Agent, with a party of five hundred Creek Indians (mostly men) traveling overland to their new reservation west of Arkansas, and the simultaneous arrival of three hundred Creek women and children in two keel-boats towed by the steamboat Facility, Captain Pennywit. The Facility returned on her down-stream voyage on February 10, completing a full cargo at Little Rock. Most of her cargo came from above, however, consisting of cotton, hides, furs, peltries, and about five hundred barrels of pecans.

12. Philip Pennywit was born in the Shenandoah Valley, Virginia, in 1793. He became a riverman early in life, and was engaged in navigating the Ohio and Mississippi rivers, between Cincinnati and New Orleans, with a keel-boat. He built the first steamboat at Cincinnati, naming it for that city. He continued to follow the river until 1847, when he settled at Van Buren, Arkansas, and engaged in business. He died in 1868, at Little Rock, and was buried at Van Buren.

five round-trip voyages between the mouth of the river and Cantonment Gibson during the course of the boating season.¹³ Thenceforth, that post came to be regarded as the head of navigation on the Arkansas. During the course of the boating season¹⁴ beginning in November, 1835, and extending into July, 1836, eight steamboats are recorded as having effected an aggregate of twenty-three landings at Fort Gibson, or an average of one steamboat arrival for each ten days.

The Arkansas and Grand rivers remained the chief commercial route to the region of Fort Gibson until the construction of the first railway line across the Indian Territory nearly a half century later. The steamboat "James O'Hara," captain Stewart, was one of the first to run the Arkansas River regularly to Fort Gibson.¹⁵

Most of the steamboats which plied the Arkansas River to points up the Indian Territory were of comparatively small size, ranging from seventy-five to one hundred fifty tons burthen and were of light draught. Long, tedious detentions, because of low stages of water in the river, were not uncommon. A number of boats in the Arkansas River trade were snagged on the branches of submerged trees and sunk. Some of these were raised and repaired, while others were of a total loss or were but partially salvaged. Several were wrecked by boiler explosions and one was lost as a result of striking a submerged rock at Webbers Falls, which was one of the most difficult points in the ascent of the river.

During high water all went well and rapid progress was made upstream, but when the river was low the small steamboats of weak power could not stem the current at Webbers Falls (Falls of the Arkansas). In the emergency, the smaller vessels were towed over riffle by a long rope and a yoke of oxen. Captain Houston of the "Trident," who was engaged in the river trade between Pittsburgh and Fort Smith, could run his powerful stern-wheeler to

13. See Appendix VIII-1 for notes on Captain Pennywit and excerpts from the Arkansas Gazette (Little Rock, Arkansas) on early steamboats on the Arkansas.

14. The boating season on the Arkansas began in December and usually lasted until the following July. A protracted low stage of water sometimes compelled a boat to discharge its cargo without proceeding to its destination. In some such cases the cargo was merely transferred to a steamboat of lighter draught; in others it was shifted to keel-boats while, in still other instances, freighting by wagon was found to be necessary. The Arkansas Gazette for July 4, 1826, reported, "The steamboat Superior, . . . met with an accident twenty miles above Fort Smith, which necessitated unloading the cargo, which was sent to its destination by keel-boats."

DISTANCES FROM NAPOLEON, ARKANSAS, TO LANDINGS ON ARKANSAS RIVER IN THE INDIAN TERRITORY.

Fort Smith	548 Miles	Canadian	628 Miles
La Flore's	560 "	Illinois	633 "
Wilson's Rock	566 "	Webber's Falls	636 "
Fort Coffee	569 "	Taylor's Bar	640 "
Scullyville	575 "	Cabin Creek	650 "
French Jack's	585 "	Green Leaf	655 "
Black Rock	588 "	Spaniard Creek	660 "
San Bois	596 "	Bayou Menard	672 "
Sallisaw	602 "	Frozen Rock	676 "
Vian	612 "	Creek Agency	680 "
Pheasant Bluff	618 "	Fort Gibson	683 "
Canadian Shoals	623 "		

15. Other steamboats plying the channel of the Arkansas as early as 1830 were the Industry, Captain Johnson; the Saratoga, Captain Strause; the Laurel, Captain Baldwin; and the Reindeer, Captain David Miller.—Hempstead's History of Arkansas, Vol. I, p. 106.

Fort Gibson on less water than any other boat. If he struck a sand-bar or other obstacles in the river, he would back his boat and repeatedly attempt to "jump her over." In the meantime the women in the cabin screamed with fright, and the stewards held the swinging lamps to keep them from smashing on the walls.¹⁶

Steamboat navigation on the Red River above the Oklahoma boundary was not begun as early as navigation on the Arkansas, on account of the "Great Red River Raft," a huge drift of wood that obstructed the channel of that stream and extended about one hundred sixty-five miles. The head of the raft was located about six hundred miles below Fort Towson, by the meanders of the river.¹⁷ The first supplies of corn purchased by the government for the Choctaws, under the terms of the treaty at Dancing Rabbit Creek (September 27, 1830), were shipped by keel-boat in the early spring of 1831, to the government depot at the site of old Fort Towson, at the mouth of the Kiamichi. Some weeks later, in May, 1831, Colonel Benjamin R. Milam, of Long Prairie, La Fayette County, Arkansas, left Natchitoches, Louisiana, previously regarded as the head of steam navigation on Red River, with the steamboat "Enterprise" (formerly called the "Alps"), Captain Hawley, master, with two keel-boats in tow, bound on an upstream voyage to the mouth of the Kiamichi.¹⁸ The "Enterprise" and one of the keel-boats held cargoes consisting of commissary, quartermaster and ordnance stores for the garrison at Camp Phoenix. As this voyage necessitated the threading of the narrow and tortuous bayous around the Great Raft, it was regarded by river men generally, as a very adventurous undertaking, especially as there was a low stage of water at the time. It was carried through successfully, however, the cargoes being discharged at the mouth of the Kiamichi, after which a safe return was made.

While the voyage of the "Enterprise" was the beginning of commercial navigation on Red River, it was not until after the removal of the Great Raft in 1838 that shipping by steamboat became common above that point. Work of removing the raft was begun as early as 1830 and continued eight years, its removal being effected by Captain Henry M. Shreve, employed by the Government as superintendent for the improvement of the Missouri, Arkansas and Red rivers.¹⁹ In 1833 there was no settlement on the Red River from forty

16. Historical Sketches by William J. Weaver, in the Fort Smith Elevator.

17. "Red River (the Rio Roxo de Natchitoches of the Spaniards), which forms the northern boundary of Texas, separating it from Arkansas Territory, is said to take its rise in about 104° west longitude, and 35° north latitude, and after an estimated course of 1,500 miles through a fertile and picturesque region, receiving the contributions of many subordinate streams, it augments with its turbid waters the majestic volume of the Mississippi, in about 91° west longitude, and 31° north latitude. Since the removal of the Great Raft, which extended 165 miles on the stream, it affords a navigation of twelve hundred miles, independently of the communications through its tributaries, which, with moderate improvement in their channels, will afford six hundred more. This river derives its name from its waters, which, especially during the vernal and autumnal swells, are of a deep crimson and transfer the colour to the alluvial deposits on the banks. A large proportion of the immigration into Texas is by the steam-boats on the Red River, the lands on both sides of which are being settled with great rapidity."—William Kennedy, Esq., "Texas: The Rise, Progress, and Prospects of the Republic of Texas," published in London, 1841, Vol. I, pp. 26-28.

18. Arkansas Gazette, July 6, 1831.

19. "The removal of the enormous mass of driftwood called the 'Great Red River Raft' was effected, in 1838, by Captain Henry M. Shreve, who was employed for that purpose by

miles below the Raft up to Fort Towson, with the exception of a small one near the Caddo agency (Louisiana), and a few settlers in Arkansas and Texas above the Raft. In a report to the War Department in November, 1839, it was stated, "There are now many flourishing cotton plantations on that part of the river where the Raft was located and where the lands were then nearly all inundated by the back water caused by the masses of timber which formed the Raft."²⁰

In July, 1838, a drift of twenty-three hundred yards in length was again formed, necessitating further work to open up the channel of the stream for navigation. On November 24, 1838, Captain Abram Tyson, commanding the snag boat "Eradicator" with a keel-boat in tow and seventy-four men, officers and mechanics on board, proceeded from the mouth of the Ohio River for the Red River. The "Eradicator" arrived at the Raft in January, 1839, and its force of men began the work of removal of the recently formed drift, which was effected by February 15. Two months later, on April 15, however, another rise in the river formed a drift of wood 2150 yards long in the same place. Two steamboats above this point bound down the river with cargoes of cotton were detained. Five steamboats below, bound upstream, with cargoes for the country above the raft, and government stores for Fort Towson, besides three steamboats with full cargoes, stored all their freight at Shreveport (forty-five miles below the raft) and returned to New Orleans.²¹ These difficulties illustrate the trouble encountered in clearing the channel of the Red River for steamboat navigation.

In his report to the War Department, dated June 12, 1839, Captain Henry M. Shreve stated:²²

I have also to state to the Department, that the part of the Red river where the Raft was formerly located, has been very much improved by the action of the current on its banks, and the operations of the boats during the last year. The channel is fully one-third wider now than when the operations closed on the 25th day of May, 1838; still there is much yet to be done to place the river in a condition to carry down the immense quantity of drift that flows on its surface during the freshets that prevail in the spring and summer of each year.

By the end of the next decade, regular trade by steamboats plying the Red River²³ during the boating season,²⁴ which began in December and lasted until

the Government of the United States. The mechanical ingenuity of Captain Shreve has wonderfully improved the navigation of the western rivers by removing the sunken trees, which, under the name of 'Snags' and 'Sawyers,' are noted and formidable obstacles to steamboat navigation. The boat used for removing the snags was a steamer of the simplest construction, but of such power that the largest tree, however firmly imbedded, was extracted in a few minutes. Scores of such trees are raised in a single day, with the assistance of a few hands. The expenditure for the removal of the Great Red River Raft, with the cost of constructing a steam snag-boat, to prevent the formation of fresh obstructions, has been above 300,000 dollars. The working of the snag-boat for a necessary term, and other improvements, would occasion a further outlay to the United States of 100,000 dollars."—Kennedy: "Texas: The Rise, Progress and Prospects of the Republic of Texas," *op. cit.*, pp. 26-28.

20. Report No. 6, accompanying the report of the Secretary of War for 1839, Exhibit "G," p. 208.

21. *Ibid.*, p. 205.

22. *Ibid.*, p. 207. The City of Shreveport, Louisiana, was named in honor of Captain Henry M. Shreve.

23. For description of Upper Red River country, see report of Garrett Igo, in Appendix VIII-2.

24. "Cash paid for hides and peltries: 'The subscriber will pay six cents per pound, for sound dry hides, and nine cents for good peltries; and one dollar each for heavy coated

the following July, was carried on at more than thirty-two landings above Shreveport. Of these, Fort Towson and Kiamichi were the principal landings in the Choctaw Country, which is now included in Oklahoma.²⁵ However, boats regularly ascended the river, during the boating season, as far as Captain Robert M. Jones' plantation at the mouth of Boggy.²⁶ Captain Jones, who was reported to be the wealthiest Choctaw before the Civil War, owned several steamboats, among which were the "R. M. Jones" and "Frances Jones," the latter being named in honor of his daughter.²⁷ Among other boats which were built for the upper Red River, were the "Choctaw," "Kiamichi," "Texas," "Belle of Illinois," "Echo," and "Luda."²⁸ In 1843, Captain J. B. Earheart had a contract to furnish supplies to the quartermaster at Fort Washita. During the boating season he ran his steamboat twice up the Washita River, to within a mile of the post when delivering these supplies.

bear skins, delivered at any shipping point between Fort Towson and the Raft; or on the Sulphur as high up as Charles Moore's landing until the 1st of March next. I shall run the steamer Belle of Illinois from the raft to Fort Towson and the captain of the boat will pay for the above whenever they shall be delivered to the boat. James B. Gilmer, Coshatta Bluffs, December 4, 1847."—Advertisement in "Northern Standard," Clarksville, Texas, December 18, 1846.

25. "From Shreveport to Pine Bluff: We have been furnished by Captain J. E. Hopkins with the following table of distances from Shreveport up; carefully ascertained in the days when keel-boat navigation prevailed upon Upper Red River. We imagine that the distances stated may be relied upon as very nearly correct. The original table stated the distances to all the plantations along the river, but as these would not interest the general reader, and as many of them have changed owners, we omit them:

FROM SHREVEPORT TO PINE BLUFFS ON UPPER RED RIVER.

	50 Miles		310 Miles
Caddo Prairie	96 "	McKinney's Landing	310 "
Diggs' Bluff	96 "	Paxton's Bluff	334 "
Sulphur Fork	100 "	Spanish Bluff	338 "
Conway	121 "	Smith's Landing	248 "
Abrams	155 "	Laynesport	366 "
Clicanniny Cutoff	161 "	Mill Creek	386 "
Col. Winn Fisher's Prairie.....	163 "	Pecan Point	436 "
Little Prairie	179 "	Rowland	451 "
Hamilton's Lost Prairie.....	202 "	Albion	484 "
Dooley's Ferry	211 "	James' Bluff	495 "
Buzzard's Bluff	227 "	Jonesborough	497 "
Fulton	241 "	Fort Towson	502 "
Glass Landing	268 "	Kiamichi	504 "
White Oak Shoals.....	273 "	Wright's	505 "
Pine Prairie	297 "	Pinehills	530 "
Shaw's Landing	304 "	Slate Banks	545 " "

—Extract from "Northern Standard" (Clarksville, Texas), December 9, 1854. (On file at University of Texas Library.)

26. "The River—New Goods: The river has been in a good boating order for a week past. On Friday the Luda arrived at our Landing—on Saturday the Echo, and on Monday the Ranger. The Echo and Luda had some freight for Wright's and went up to R. M. Jones' Boggy Plantation for his cotton, and passed down on Thursday. Wagons have been coming into town in large numbers during the week, hauling in the precious lading of Merchandise, some of which is really fine. Where it may be found, can be determined by a look at our columns. Yesterday the Runaway arrived. The River, which has been nearly bank full, is falling somewhat. We have had heavy rains during the week and the creeks have all been very high."—*Ibid.*, June 3, 1854.

27. "Red River: The river has been in boating order for three months, but the first boat of the season, The Frances Jones, passed up on Monday last, and the second, The R. M. Jones, on Tuesday. The Texas is hourly expected."—*Ibid.*, December 25, 1852. "Removal of the Raft: We learn with pleasure, that the contract for the removal of the Raft in Red River has been taken by a company at St. Louis. The company, we understand, have contracted to remove the raft, and to keep the river free from obstruction for five years, for the amount appropriated—one hundred thousand dollars."—Washington (Ark.) Telegraph—*Ibid.*, May 21, 1853.

28. More than one hundred steamboats plied the waters of the Upper Red River. The Arkansas Gazette for February 8, 1843, prints the following: "Great Flood on Red River: Stream reaches gauge fifteen higher than ever before known, at Fort Towson. A number

First American Trading Posts—The results of the rivalries between the French and Spanish trading interests in the Province of Louisiana during the last years of the Spanish régime, brought about the establishment of the first American trading post in Oklahoma. Although this post was planted by Pierre Chouteau, a member of a prominent French family of St. Louis, it can be rightfully classed as an American trading post, for the reason that its owners continued its operation for many years, and established other trading posts in Oklahoma as late as 1837.

In 1795, Manuel Lisa, a Creole Spaniard, sought and secured from the Spanish governor at New Orleans the grant of an exclusive concession to trade with the Indians of the tribes living in the valleys of the Missouri River and all of its tributaries. This monopoly, of course, included the privilege of trading with the Osage Indians, who then lived most of the time in the valley of the Osage River, in Missouri. For nearly, if not quite thirty years, the trade of the Osages had been practically controlled by the Chouteau brothers, who thus saw the threatened destruction of a large part of their business. Manifestly they could not defy Lisa within the prescribed limit of his concession, yet they were loath to surrender the lucrative trade of the Osages. It was equally plain that there was nothing in the terms of his grant which would prohibit them from trading with the Osages at any place outside the drainage area of the Missouri River. The solution of the problem was therefore a comparatively easy one. The range of the Osages included not only the valley of the Osage River in Missouri, but also large sections of the present states of Arkansas, Kansas and Oklahoma, which are drained by the Arkansas River and its tributaries. Pierre Chouteau therefore accomplished by shrewdness what would not have been possible to do by force; he persuaded a large part of the Osages to move their permanent villages over to the valleys of the Neosho (or Grand) and Verdigris rivers. Having done this, the rest was easy of accomplishment. The next step was the establishment of a trading post within a convenient distance of the Osage villages.²⁹

Chouteau's Trading Post was established shortly after the Osages had removed to the vicinity of the Arkansas, probably in 1802. The site selected for this settlement was on the east side of the Grand (or Neosho) River in Mayes County. It is now included within the limits of the town of Salina. It was doubtless chosen because of its proximity to the large saline spring which offered an opportunity to engage in the manufacture of salt. It continued to

of Indians perished in sudden rise of waters." The Northern Standard (Clarksville, Texas), for January 20, 1848 (on file with the Texas University Library), also gives the following notice: "The River: Old Red is still high. Since our last, The Texian, The Woodsman, and The Violet have all been at our landing. The Woodsman, brought around from Cincinnati, a load of articles for traffic—furniture and produce. Apples are plentiful here now, or rather we should say, will be, as soon as they can be hauled from the landing, over the almost impassable roads." The following notice copied from the Northern Standard appeared in the Choctaw Intelligencer (Doaksville, Choctaw Nation) for Wednesday, October 15, 1851: "Red River: The river is low beyond previous example. The editor of this paper was able to get to Alexandria by water, on the only boat that could get there at all,—the Choctaw, built for upper river. From Alexandria travelers get up by hacks. The trip to Shreveport, from New Orleans, takes ten days. Travelers who wish to look at Northern Texas, had better take a horse across Arkansas or bring horses to the mouth of Red River, and thence ride up."

29. Lieutenant James B. Wilkinson's "Report on the Arkansas," in Elliot Coues' "Pike Expeditions," Vol. II, pp. 529 and 570.

be occupied and operated by members of the Chouteau family until the Osages withdrew from that part of the country and their places were taken by the Cherokees. The last of its log buildings were destroyed during the Civil War.³⁰

Immediately after the transfer of Louisiana to the United States, traders from the Upper Mississippi began to seek the opportunity offered by trade in the southwest. When the Federal troops took charge of Arkansas Post in 1804, Charles Bougie,³¹ a French-Canadian of Kaskaskia, entered the trading business at the post, and became well known for his "enterprise and industry" throughout the region of the Arkansas. When Lieutenant James Wilkinson descended the Arkansas in 1806, he met Bougie coming up the river with \$10,000 worth of goods for the Indian trade, at the mouth of the Verdigris.³² Some time later, Bougie set up a trading post here and was enjoying a well-established business by 1819.

Nathaniel Pryor,³³ who had accompanied the Lewis and Clark expedition to the Oregon country in 1803, was another influential trader who established

30. Thirty-five years ago there was an old negro still living in the vicinity of Salina who claimed to have been reared at Chouteau's Trading Post. He said that he remembered a great gathering at the Trading Post one time which was attended by several thousand Indians and many traders and trappers. He pointed out the depression in the ground which he said were the partially filled pits over which the carcasses of ten buffalo and a half dozen beeves had been barbecued for the occasion.

31. Upon arriving at Arkansas Post, in 1819, Nuttall said: "I waited on Monsieur Bougie, one of the earliest settlers and principal inhabitants of the place, to whom I was introduced by letter. I soon found in him a gentleman, though disguised at this time in the garb of a Canadian boatman. He treated me with great politeness and respect, and, from the first interview, appeared to take a generous and active interest in my favour. Monsieur was by birth a Canadian, and, though 70 years of age, possessed almost the vigor and agility of youth."—"Journal of Travels into Arkansas Territory," p. 72.

32. Soon after arriving at the mouth of the Verdigris, Bougie was attacked by the Choctaw chief, Pushmataha, who had come to this country from Mississippi at the head of a party of warriors to fight the Osages. Pushmataha claimed that Bougie was subject for reprisal since he was trading with the Osages.—Grant Foreman, "The Three Forks of the Arkansas," *Chronicles of Oklahoma Historical Society*, Vol. II, p. 40.

33. Nathaniel Pryor is believed to have been born in Amherst County, Virginia, about 1783. Left an orphan in early childhood, he was taken by maternal relatives to Kentucky, where he was reared. On the maternal side, he was said to have descended from Niketti, a sister of Pocahontas. He was related to many of the prominent families of Virginia and Kentucky, including the Floyds, Shelbys, Lewises, Clarks and Cabells, while his mother, whose maiden name was Davis, was a kinswoman of Jefferson Davis. At Louisville, in 1803, with a number of other young men "all of whom were members of good families and all good shots with the rifle," he enlisted for service in the army of the detachment which was to constitute the expeditionary force of Captain Lewis and Clark on their journey across the continent to the mouth of the Columbia and return. He held the rank of sergeant when he came back and was soon commissioned as an ensign. A few months later he was assigned to command a detachment of soldiers detailed to escort Shehaka, the Mandan chief (who had accompanied Lewis and Clark to Washington), to his home country on the Upper Missouri; Pryor was forced to return unsuccessful because of the hostility of the Arikara Indians, who refused to permit a passage up the river through their country. Promoted to a lieutenant in 1808, he resigned two years later to enter the Indian trade at the Dubuque lead mines. Reëntering the army as a first lieutenant, in 1813, he was promoted to a captaincy the following year, and was honorably discharged after the close of the War of 1812, in June, 1815. He then engaged in the Indian trade on the Arkansas, centering his activities at the Three Forks. Nuttall, Fowler, Thomas James, the *Journal of the Union Mission*, and other writers of the period and region made frequent mention of him as a trader, mediator and peacemaker. Like the true Kentuckian that he was, he secured several well bred race horses from the "Blue Grass Country" and, as late as the outbreak of the Civil War, many of the best and speediest animals belonging to some of the wealthy mixed-blood Cherokees were said to have pedigrees that traced back to "the Pryor stock." He married a woman of the Osage tribe and the Pryor family, still known among the Osages, traces descent from him. The following notice appeared in the *Arkansas Gazette* of June 22, 1831: "DIED, Recently, very suddenly, at the Osage Agency, Captain Nathaniel Pryor, Sub-Agent to the Osage Indians and formerly an officer of the United States Army." He was buried in Mayes County, where Pryor Creek and the county seat town of Pryor bear his name.

his business at the Three Forks. Having received an honorable discharge from the United States Army in 1815, he soon afterward went into partnership with Samuel B. Richards, obtaining a license to trade at the mouth of the Verdigris. Thomas Nuttall met the two men descending the Arkansas in 1819 with a load of furs and peltries in their boat which also operated under license, as far up the river as their trading house on the Verdigris. In their employ was a young man by the name of Samuel M. Rutherford,³⁴ who came from New Orleans in 1817; he later became prominent in the management of Indian affairs when he was appointed by the government to different official positions in the Indian Territory. Upon the death of Richards in 1819, Colonel Hugh Glenn,³⁵ a merchant of Cincinnati, entered partnership with Captain Pryor in his trading business on the Verdigris. Captain Pryor figured prominently in the affairs of the region surrounding the Three Forks, for he was especially held in high esteem by the Osages. He aided the missionaries in securing a site for the Union Mission (q. v.) as, also, a few years later he aided Colonel Arbuckle in choosing a site for the military post which became known as Fort Gibson.

Another trading post was established about 1819, on the east side of the Verdigris below the falls. This was owned by Brand and Barbour,³⁶ and consisted of about a dozen houses, near which a field of thirty acres was cleared and cultivated. They also operated a ferry near there. Barbour died in 1823, and the following year the establishment was purchased by Colonel Auguste P. Chouteau. This post was called the Osage Agency by Washington Irving in his "Tour of the Prairies."

The Chouteaus had retained their establishment on the Grand River under

34. Samuel Morton Rutherford was born in Goochland County, Virginia, March 31, 1797. His parents moved to the vicinity of Nashville, Tennessee, in 1805. As a youth of seventeen he enlisted in Colonel Ralston's regiment of Tennessee Volunteers, with whom he took part in the Battle of New Orleans, January 8, 1815. At the expiration of his military career, he came to Arkansas and soon afterwards entered the trading business in the region of the Three Forks in Oklahoma. A few years afterward he returned to Arkansas, where he took an active part in the political life of that State. He was sheriff of Clark County in 1825, and later was Representative to the Assembly from Pulaski County, in 1831, 1833 and 1835. He was register of the United States Land Office at Little Rock in 1834. He was presidential elector from 1836 until 1840. He was elected president of the Bank of the State of Arkansas at Little Rock, February 22, 1842. He was offered a quartermaster commission in the Mexican War. Upon the death of Captain William Armstrong, in 1847, Mr. Rutherford was made acting superintendent of Indian Affairs of the Southern Superintendency, which position he held until 1849. He was a member from Sebastian County, Arkansas, from 1852 to 1853. Afterward he was probate and county court attorney of the same county. He served as agent of the Seminole Indians from 1855 to 1861. At the outbreak of the Civil War he settled his accounts in full and retired from public life, his death occurring on his farm near Fort Smith, on April 1, 1867. His son became a prominent lawyer in Arkansas; his grandson, Samuel Morton Rutherford, a well-known lawyer in Oklahoma, was elected to the Oklahoma Senate in 1920. His death occurred at Muskogee, in 1923, from being struck by an automobile.

35. Hugh Glenn came into the trans-Mississippi country from Cincinnati. He married Miss Elizabeth McDonald, at St. Louis, in 1813, coming to Fort Smith as the first sutler, or post trader of the garrison, in 1817. Letters of administration were granted on his estate in Calloway County, Missouri, in 1835. His estate consisted of thousands of acres of land, scattered in tracts over nearly a dozen counties in central and eastern Missouri. He was a member and commander of Jacob Fowler's trading expedition, which went from the Three Forks to Sante Fe in 1821. He is reputed to be a man of broad culture, genial disposition and gentlemanly deportment. The history of his trading operations at the Three Forks, like those of other traders of the same vicinity, consists of little more than incidental mention by the writers of that day.—Douglas' "James, Three Years Among the Mexicans and Indians," pp. 108-09; also, Coues' "Journal of Jacob Fowler," pp. 3-4.

36. Barbour was originally from Pittsburgh. In later life he was a merchant of New Orleans. He was successful as a trader, and was esteemed for his honesty and hospitality. He died at New Orleans in 1823.



SAMUEL MORTON RUTHERFORD

1797-1867

Pioneer Trader in the Indian Territory

French-Indian managers. The last of these was Joseph Revard,³⁷ who was killed by the Cherokees in 1821. Shortly afterward, Colonel Auguste P. Chouteau³⁸ came to take charge of the Chouteaus' trade in this country, remaining until his death some fifteen years later. In addition to his trading posts in the region of the Three Forks, Colonel Chouteau, some years later, had a trading house at Camp Holmes at the mouth of Little River. After accompanying the noted Leavenworth Expedition (q. v.) from Fort Gibson to the Wichita Village on Red River in 1834, it was largely due to the influence and suggestion of Colonel Chouteau that the first treaty was signed the following year with the Comanches and Wichitas at Camp Holmes. In 1837, Colonel Chouteau was appointed by the War Department to visit the Indians of the Plains in Western Indian Territory, at which time Kiowas, Katakas (Plains Apaches), and Tawakaros sent delegations to Fort Gibson where the first treaty with those tribes was signed. In the same year, he established a trading post on the Chouteau's Creek, about two miles and a half north of the present site of Lexington in Cleveland County. This was done at the urgent request of the Comanches and Kiowas, who disliked to travel through a timbered country to the trading post. About the same time, he also set up a temporary trading post on Cache Creek, near the present site of Fort Sill. Colonel Chouteau was a prominent figure in the events connected with the history of Oklahoma during this period, for he not only had great influence among the Indian tribes, but was also known and respected by many distinguished men, officials of the government, and army officers, who visited the Indian Territory or were stationed there. He died at his post on the Grand River in 1838 and was buried with full military honors at Fort Gibson.

37. Although the trading post on the Grand River was owned by the Chouteau brothers, of St. Louis, its active management was for many years in the hands of superintendents, or, as the Creole engagers or trappers called them, "les Bourgeois." The last of these was Joseph Revard, who was killed by a band of Western Cherokees from Arkansas, in 1821. This was during the era of hostilities between the Osages and the Western Cherokees. The success of the Osages in their predatory attacks upon the Cherokees was believed by the latter to be largely due to the counsel and support of Revard, and a party of Cherokee warriors was accordingly made up for the express purpose of proceeding to the Grand River and making way with him, which was promptly done. He was succeeded by Colonel Auguste P. Chouteau, who remained in active control until the time of his death, nearly twenty years later. For details on the death of Joseph Revard, see MS. "Journal of Union Mission," entries for June 24, 25, and 26, 1821.

38. Auguste Pierre Chouteau was born at St. Louis, on May 9, 1786. He was the eldest son of Pierre Chouteau and his first wife, Pelagie Kiersereau. He graduated from the United States Military Academy, at West Point, in 1806, at which time he was appointed ensign in the 2d United States Infantry. He served as an aide-de-camp to General James Wilkinson on the southwestern frontier, and resigned from the army early in 1807, becoming a member of the Missouri Fur Company. In the command of a trading party, he accompanied Ensign Nathaniel Pryor, in 1807, when the latter was sent to conduct Shahaka, the Mandan chief, to his home on the Upper Missouri. In 1814, Auguste P. Chouteau married his cousin, Sophie Labadie, at St. Louis. The following year he made an unsuccessful trading expedition to Mexico, his claims for the losses he sustained, not being paid until after his death. Upon his return from Santa Fe, he continued his trade with the Indians of the Southwest, taking personal charge of the Chouteau business in Oklahoma after the death of Joseph Revard, in 1821. He conducted the party of Irving and Latrobe to the Grand River when they came to visit the Southwest. Latrobe said of him, "The colonel whom we considered for the time being the head of the party, generally led the van, a fine, good humored, shrewd man, of French descent, with claims both to fortune and family in Missouri." Colonel Chouteau was a great favorite of President Andrew Jackson, who consulted him with reference to Indian affairs more than any other man. After coming to live at his trading post on the Grand River, he took an Osage wife, Rosalie, whose children afterward shared in his estate, through the efforts of Governor Montfort Stokes, Agent for the Cherokees.

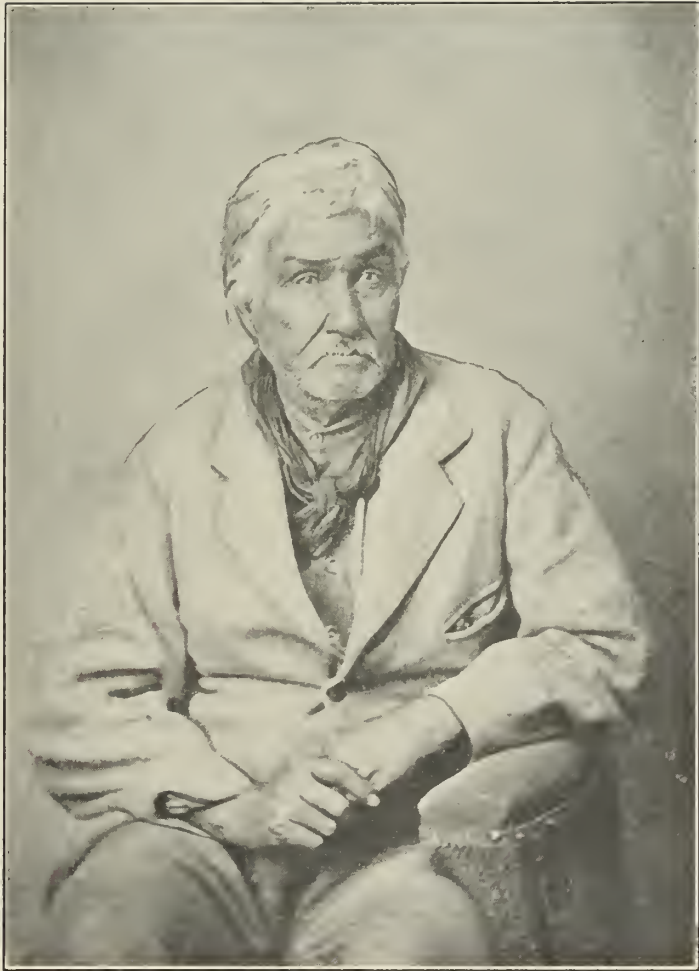
Later American Traders—Trade among the Indians of the civilized tribes did not differ greatly from that of the rural merchant of that period in other parts of the country; trading establishments and stores were to be found throughout the Indian Territory. The old time trading posts, such as those of the Chouteaus, therefore disappeared from the more thickly settled eastern portions of the Territory. The principal trading centers were either near a steamboat landing or a tribal agency or both. Among the most important of these might be mentioned the following: Fort Gibson, Webber's Falls,³⁹ Tahlequah, Skullyville, Doaksville, Perryville, Boggy Depot, and the Creek Agency. Some of the mercantile establishments at these places were quite extensive and carried large and well selected stocks of goods.⁴⁰

Trade with the wild tribes of the Plains still continued to be carried on in much the same manner that it had by the earlier traders in the eastern part of the Territory, namely (1) by means of trading posts that were capable of being used defensively if need be, and (2) by the venturesome independent trader who, with a small stock of goods, carried either in wagons or on pack animals, went directly into the buffalo ranges and traded with the Indians of the Plains tribes on their own hunting grounds. It is not improbable that there were several such trading establishments in the western half of the state of which even the names have been forgotten. The names of others are recorded but little or nothing is known of their location.

One of the most noted traders of this period was the Cherokee half-breed Jesse Chisholm, who not only maintained trading posts but also made frequent trips out to the hunting grounds of the Comanches and Kiowas. His first trading post was at old Camp Holmes, where he settled about 1837. After the discovery of gold in California, when the overland travel became considerable, he reoccupied the site of Chouteau's trading post, near Camp Mason, on the Canadian River, in the southern part of Cleveland County. Chouteau's post, a substantially built affair, had been occupied by some of the Keechi Indians for a number of years previously. In 1858, Jesse Chisholm established a trading station at Council Grove, a few miles west of Oklahoma City. He was on

39. Webber's Falls was named for Walter Webber, a Natchez Indian who was adopted by the Western Cherokees. He located at the rapid, or riffle, on the Arkansas, about 1829. Joe Vann was another prominent Cherokee citizen of Webber's Falls, about whom W. J. Weaver wrote in the Fort Smith Elevator as follows: "He [Joe Vann] owned 160 negroes and had a large cotton plantation there. He owned the racing mare Lucy Walker, reputed to be the fastest quarter-mile horse in the world. She had never been beaten and her colts were sold at extravagant prices. He was fond of steamboating, and built a splendid side-wheel boat, for the 'lower trade' and named her Lucy Walker. She made several trips from Louisville to New Orleans. She was manned by his own negroes as fireman and deck hands. Vann was on the boat all the time enjoying the situation, and indulged to excess in drinking. On her last trip up the Ohio he became so violent that his excellent captain, Holderman, left the boat and Vann took command himself. A fast boat had just left the wharf and Vann swore he would beat her to New Orleans. He went through the canal and landed below at New Albany, Indiana, for a passenger. Vann was on deck, and shouting to the fireman to make her 'red hot,' she backed out and as she rounded to the river she blew up. The explosion was so frightful that many were killed, and not a vestige of his body or that of his clerk was found." There was also another family of Vanns in the Cherokee Nation, of whom Andrew, Joseph ("Little Joe"), and Clement N. Vann were outstanding members. All of the Vanns were prominent citizens of the Cherokee Nation.

40. Doaksville was named for Judge Josiah Doaks, who settled at this place soon after the Choctaws immigrated to the Indian Territory. For advertisements appearing in the Choctaw Intelligencer (Doaksville, Choctaw Nation), in 1851, see Appendix VIII-3. (A story of "Old Boggy Depot," by Muriel H. Wright, appeared in the *Chronicles of Oklahoma*, published by the Oklahoma Historical Society, Vol. V, No. I, pp. 4-17.)



JESSE CHISHOLM

Mixed-blood Cherokee Trader, Scout, Guide, Pathfinder, and
Peacemaker

friendly terms with all of the Indians of the Southern Plains region and could go among them to trade, even when they were at war with the whites.⁴¹ Another trader who was prominent for a time was Abel Warren, of Fort Smith, who built and maintained a trading post in the valley of the Red River, in the western part of what is now Jefferson County.⁴²

The products of the Indian trade, whether secured by the more pretentious traders who built and maintained permanent establishments for the convenience and safety of their business, or by the independent trader who had less capital invested and who went directly to the camps of the wild Indians with his stock in trade in wagons or on pack animals, usually found its way to some point on the rivers where they could be shipped out of the country. These independent traders were no doubt more numerous than those who established and maintained permanent trading posts, but records of their identity and activities are even more scarce than those pertaining to the operations of the latter. Some of the Indians and mixed-blood men of the immigrant tribes became well known as independent traders, among whom were Jesse Chisholm and Charles McIntosh, both mixed-blood Cherokees.⁴³

41. The name of Jesse Chisholm, who was not only a trader, but also a noted scout, guide and interpreter, appears very frequently in the literature of the period, such as the reports of army officers, explorers, surveyors, Indian agents and travelers, yet, apparently, nothing like a complete account of his life has ever been written. In addition to the numerous references above mentioned, the author has secured much information concerning this remarkable man from several persons who were associated with him during the latter part of his life, namely, the late Hon. James R. Mead, of Wichita; Philip Smith, of Purcell, and George Chisholm, of Holdenville. Mr. Mead was associated with him in some of his trading ventures during the years immediately preceding his death; Mr. Smith was an employee during the same time.

42. Abel Warren was born at Northborough, Massachusetts, September 19, 1814. He came to the Southwest in 1837. The date of the establishment of his trading post on the Red River is not known, but it was prior to 1843. In 1847 he returned to Massachusetts to be married (having been betrothed to a young woman in that State during the ten years he had been on the western frontier). After his return to the East, he was notified that a partner, in whose care he had left his business, had decamped with the proceeds. He did not return at once, but spent five years in New England. In 1852 he came West again and engaged in contracting at the Choctaw Agency, at Skullyville, for a time. After living in the vicinity of Fort Smith for several years he returned to Skullyville in 1856, continuing to reside there until 1859. During the Civil War he sent his family to New England, while he tried to save some of his property by driving it to the Red River. After the war he lived at Fort Smith and on his farm, eighteen miles below that place on the Arkansas River. He died in 1882.

43. The late William J. Weaver, of Fort Smith, once visited Warren's Trading Post on Red River, presumably about the year 1843. Mr. Weaver's description of this post and his account of the life of the people employed there may be found in Appendix C-d; in another of these contributions to the Fort Smith Elevator, Mr. Weaver related a story of Charles McIntosh, which also may be found in Appendix VIII-4.



CHAPTER IX

THE EXPLORING EXPEDITIONS OF MAJOR
STEPHEN H. LONG

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After ceding all of the lands which they had claimed in northern Arkansas to the government by the treaty of 1808,¹ the people of the Osage tribe caused more or less constant trouble as the result of their continued depredations against the other Indian tribes of the southwestern frontier and, especially, against certain bands of eastern Indians who had come to settle on the lands thus ceded.² A report appeared in the press of the United States in the summer of 1817 to the effect that the Cherokee, Delaware, Shawnee, Caddo, Coss-hette, Tonkawa, and Comanche tribes had confederated for the purpose of attacking and punishing the Osage people for such depredations.³

Upon receipt of the news of this threatened outbreak, Major Stephen H. Long, of the Corps of Topographical Engineers,⁴ was ordered to proceed with a small escort to the Arkansas country, then in the southwestern part of the Territory of Missouri, the chief objective being the selection of a site for a new military post. The proposed new station was to be established for the double purpose of preventing inter-tribal Indian wars and prohibiting the encroachment of white settlers on Indian lands.⁵ Major Long entered the Arkansas River on October 13, 1817,⁶ which he ascended to the mouth of the Poteau River, on the lower side of which he selected a beautiful promontory as the site of the proposed new post. This promontory had been called Belle Point.

After determining the location of the new military outpost, Major Long continued his exploration of the Arkansas River as far as the mouths of the Grand and the Verdigris rivers, then generally known as "The Three Forks."⁷ He also ascended the valley of the Poteau and crossed over the divide to the head of the Kiamichi River, the valley of which he explored to its confluence with Red River.

Major Long's Expedition Down the Canadian—Under the terms of a treaty with Spain on February 22, 1819, the Red River as far west as the 100th meridian was established as the southern boundary between the territory of the

1. Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 95-99.

2. See note on Western Cherokees, p. 110; also, Osage-Cherokee War, p. 111.

3. Niles' "Weekly Register," September 27, 1817.

4. Stephen H. Long was born at Hopkinton, New Hampshire, December 30, 1784. He graduated at Dartmouth College in 1809, and entered the army as a lieutenant of engineers in 1814. He was transferred to the Corps of Topographical Engineers in 1816, with the brevet rank of major. From 1817 to 1823 he was constantly engaged in western explorations. He remained in the military service, though often engaged in civil engineering work, and was retired with the rank of colonel in 1863. His death occurred at Alton, Illinois, September 4, 1863.

5. Edwin James, "An Expedition to the Rocky Mountains under the Command of Major Stephen H. Long," Vol. II, pp. 263-71.

6. *Ibid.*, p. 275.

7. On this expedition (1817), Major Long drew a map of the country from Belle Point up to the region of the Forks of the Arkansas, which was used by Captain Bell's expedition three years later. *Ibid.*, pp. 228. Reference to the Red River Expedition, *Ibid.*, pp. 156-315.

United States and the Spanish possessions in the southwest. The following year, a Government exploring expedition set out under the command of Major Stephen H. Long to explore the Red River from its upper sources; however, since the sources of most of the southwestern streams were unknown at that time, Major Long's party, through a mistake, descended the Canadian River instead, the record of his expedition being the first official account of the exploration of this river from its upper courses across Oklahoma.

The official report of Major Long's expedition to the West is entitled "A tour from Council Bluffs on the Missouri river, westward along the river Platte to its headwaters in the Rocky Mountains,—thence southwardly to the headwaters of the Arkansas and Canadian rivers,—and down said rivers to Belle Point." In descending the Arkansas from the region of the Rocky Mountains, it was decided that the expedition should separate into two parties,⁸ one under the command of Major Long to explore the Red River from its upper sources, the other under the command of Captain John R. Bell⁹ to continue down the Arkansas to Fort Smith (Belle Point) where the two parties should meet again. The account of the expedition compiled by Dr. Edwin James,¹⁰ botanist and geologist, who accompanied Major Long down the Canadian, is interesting not only because it gives the incidents that occurred each day, but also for its descriptions of the geology, the plant life, and the animals of the country through which the party passed.

The main expedition separated into the two divisions on July 24, 1820, crossing to the south side of the Arkansas near the Purgatory, or Las Animas

8. "It was now proposed, pursuant to the plan already detailed, that one division, consisting of Mr. Say, Lieutenant Swift, the three Frenchmen, Bijeau, Le Doux, and Julien, with five rifle-men, the greater part of the pack-horses, and heavy baggage under the direction of Capt. Bell, should proceed down the Arkansas, by the most direct route, to Fort Smith, there to wait the arrival of the other division, while Major Long, accompanied by Dr. James, Mr. Peale, and seven men, should cross the Arkansas, and travel southward in search of the Red River." James, "An Expedition to the Rocky Mountains, Etc.," Vol. II, p. 67.

9. John R. Bell was a native of New York, from which State he was appointed a cadet to the West Point Military Academy in 1808, graduating and being commissioned a second lieutenant of artillery in 1812. In August of the same year he was promoted to first lieutenant. In July, 1813, he was commissioned and appointed as an assistant inspector-general with the rank of major; in October, 1814, he was promoted to the grade of inspector-general with the rank of colonel. In the reorganization of the army after the close of the war, in 1815, he was made captain of the light artillery; in 1821 he was assigned to the 4th Regiment of Artillery. He died on April 11, 1825. Judging from the position and rank which he attained during the War of 1812, while as yet but little more than a youth, he must have been regarded as one of the most accomplished officers of the army.

10. Dr. Edwin James was born at Weybridge, Vermont, August 27, 1797. After graduating from Middlebury College in 1816, he spent three years in the study of medicine at Albany, New York, during which time he was also interested in the study of botany and geology. In 1819-20 he was actively engaged in field work and collections as the botanist and geologist of Major Long's expedition to the Rocky Mountains. A few days before Major Long set out on his expedition to Red River, Dr. James with two companions from the expeditionary forces were the first Americans to scale the summit of the peak, now known as Pike's Peak. The peak for many years was known as James' Peak, but the name of Pike, the earlier explorer of the Rocky Mountain region, was retained in popular usage. Upon his return from the West, Dr. James spent two years in compiling and writing the report of this expedition, which appeared in 1823. He was then appointed a surgeon in the U. S. Army and was stationed at various frontier posts for the next six years. In addition to his official duties, he spent much time in the study of Indian dialects and languages, later translating the New Testament into the Chippewa tongue. In 1830 he resigned his commission in the army and returned to Albany, where he was engaged in writing and was editorially connected with the "Temperance Herald and Journal." In 1836 he settled near Burlington, Iowa, where he remained interested in agricultural pursuits, until his death on October 28, 1861.

River, in what is now eastern Colorado.¹¹ Major Long's division, consisting of ten men, with six horses and eight mules, proceeded overland in a south-eastern direction into the eastern part of New Mexico. On July 29, they halted in the deep and narrow valley of a dry creek, now known as Major Long's Creek. Thinking this one of the upper sources of the Red River,¹² they continued along its rocky course where they were visited by violent rain storms and suffered from want of provisions for themselves and from lack of grass for their footsore and weary horses. Still following the stream, they traveled over the sandy desert region of the Plains in the Texas Panhandle,¹³ keeping on the constant watch for roving bands of Indians who might prove unfriendly. Near the western boundary of Oklahoma, they met a hunting party of Kaskaias,¹⁴ on August 10, from whom they received the information that the stream they were descending was the Red River, and that they were not far from the village of the Pawnee-Picts (Wichita of the Upper Red River.)

By the middle of August the expedition was passing through what is now Ellis County. Here the men suffered from the constant hot winds that filled the air with burning sand which stung their faces and filled every part of their clothing; this was in severe contrast to a heavy hail storm that visited them one afternoon while they were journeying forward. The smooth sandy bed of the river, in some places nearly two miles wide, afforded the best path for a number of days. Thousands of buffaloes gathered during the stifling heat of mid-day at the stagnant pools of water in the low places along the river. The men themselves suffered for want of drinking water, but feasted upon the delicious wild grapes that they found growing in great abundance along the north side of the river.¹⁵

11. "On the 24th, the movements of the party were resumed; Major Long with the division destined for Red River, crossed the Arkansas, at five A. M. On arriving at the opposite bank, three cheers were given, which our late companions returned, from the other side. We lost sight of them as they were leaving camp, to descend the Arkansas." *Ibid.*, Vol. II, p. 67.

12. Above the boundary of Texas and New Mexico, the Canadian River is, as it always has been, still called the Red River (i. e., Río Colorado). The name "Canadian" was bestowed upon it at its mouth by traders and voyageurs, who were from Canada, just as others who were from Kaskakia and Cahokia named another tributary of the Arkansas, the mouth of which they were passing, the Illinois.

13. Early one morning, in attempting to capture a beautiful wild horse that had followed the party the day before, one of the hunters shot it accidentally, much to everyone's regret; but being pressed by hunger, since game was scarce, they had a great feast of horse meat and congratulated "each other on so seasonable a supply of food."—*Ibid.*, Vol. II, p. 95.

14. Kaskaias (Plains Apache) inhabited the country around the sources of the Platte and Arkansas rivers. This band that Major Long met had been on a hunting expedition to the Río Grande. The chief of the Kaskaias at first was very cordial to Major Long's men, inviting them to accompany him to his encampment. But in a short time, the whole band of Indians were proving none too hospitable in their actions. Since they were far outnumbered, the explorers were glad to make a friendly, though hurried, departure the next day (August 11). *Ibid.*, pp. 103-10.

15. "The small elms along this valley were bending under the weight of innumerable grape vines, now loaded with ripe fruit, the purple clusters crowded in such profusion as almost to give colouring to the landscape. On the opposite side of the river was a range of low sand hills, fringed with vines, rising not more than a foot or eighteen inches from the surface. On examination we found these hillocks had been produced, exclusively, by the agency of the grape vines arresting the sand, as it was borne along by the wind, until such quantities had been accumulated as to bury every part of the plant except the ends of the branches. Many of these were so loaded with fruit, as to present nothing to the eye but a series of clusters so closely arranged as to conceal every part of the stem. The fruit of these vines is incomparably finer than that of any other, either native or exotic, which we have met with in the United States."—*Ibid.*, p. 126. (These vines were of the

Not many miles from the present site of Taloga, in Dewey County, finding the river coursing toward the north, the expedition turned off from its sandy bed and traveled overland toward the Southeast, feeling certain that the stream would bend toward the south and that they would strike its course again, but lack of water compelled them to follow one of the numerous buffalo paths that lead toward the river.¹⁶ On August 22 camp was pitched near the place where the Canadian River crosses the western border of Canadian County. Progress was slower for the rest of the month on account of the weakened condition of the horses. In describing the journey down the river through Canadian County and along the present borders of Grady, Cleveland, and McLain counties, especial mention was made of the fertility of the soil and the tameness of the game that was found there in great quantities.¹⁷

After crossing over the ridges "of rocky hills that traverse the country from northwest to southeast," where the river borders Seminole and Pontotoc counties, and after passing the mouth of the North Fork, the river bed was again followed. Here there was frequent danger of losing the horses in the quick-sands while crossing from one sand-bar to another. Discovering an abandoned canoe near the bank, most of the baggage was loaded into it and sent down the stream in charge of two of the men. On September 10, the expedition reached the confluence with a large river which Major Long and his men at once recognized as the Arkansas; great was their disappointment and their chagrin to find they had been descending the Canadian instead of the Red River, though they had had misgivings as to the course they were pursuing for some time. The mistake was not altogether blamed upon the information received from the Kaskaias on the upper courses of the river, but for the most part on the confusion that existed on the maps of that day, with regard to the names of the western streams.¹⁸ It was now too late in the season and the horses were too exhausted to return and attempt the discovery of the sources of the Red

species known to botanists and viticulturists as *Vitis rupestris*, and locally called the "Sand-hill grape." They are still very abundant throughout the sand dune areas of western Oklahoma, where they are noted for their fruitfulness and excellent quality, fully corroborating Professor James' foregoing statement.)

16. "The bison paths in this country are so frequent, and almost as conspicuous, as the roads in the most populous parts of the United States. They converge in all directions where water is to be found. . . ." Ibid., p. 134.

17. "The common post oak, the white oak, and several other species, with the gym-nocladus, or coffee bean tree, the cercis [red bud], and the black walnut, which indicate a soil of very considerable fertility, now began to occur, and game grew so abundant, that we had it at any time in our power, to kill as many bison, bear, deer, and turkies, as we might wish." Ibid., p. 141. In passing along the north side of the river through what is now Pottawatomie County, not far from the present site of Wanette, one of the men found a bee tree, an occasion for rejoicing, since it was a common saying that bees were never found more than two hundred and fifty miles from the borders of civilization.—Ibid., p. 149.

18. The upper course of the Red River in the Texas Panhandle, where it flows through the Palo Duro Canyon, is known as Terra Blanco Creek, or Arroyo, the source of which is in eastern New Mexico.

19. In May, 1806, an exploring party, known as the "Exploring Expedition of the Red River," acting government orders, began its ascent of the Red River, under the command of Captain Richard Sparks. On June 2, the party set out from Natchitoches, having been increased to thirty-seven men by a detachment of soldiers from the garrison of that place. On the 29th of July, a point on Red River, 635 miles above its mouth, had been reached in boats. Here Captain Sparks, Mr. Thomas Freeman (the journalist of the party), and a favorite Indian guide walked ahead on the sand beaches of the river. Soon the Indian discovered signs that Spanish troops were in the vicinity, the alarm was given out and the explorers made ready for a possible encounter. Some hours later, a squadron of Spanish troops advanced to meet Captain Sparks. After a short parley, during which the Spanish

River,¹⁹ none the less they had the first written record of the entire country along the Canadian, over which they had traveled during a period of seven weeks.

After the arrival of the canoe, the expedition crossed the Arkansas and entered an impenetrable canebrake on the north side of the river, where both the men and the horses were nearly exhausted in making their way through the dense cane.²⁰ After leaving this pathless region, the Sugar Loaf and Cavanal Mountains were noted in the distance to the south.²¹ On the morning of September 13, 1820, Major Long reached Fort Smith where Major Bradford, the commander of the garrison, and Captain Bell, who had been awaiting his arrival, welcomed him and his men whose uncouth appearance after the long journey of over eight hundred and fifty miles from the upper courses of the Canadian, was "a matter of astonishment both to dogs and men."

Captain Bell's Expedition Down the Arkansas—Upon leaving Major Long and his party near the Las Animas River on July 24, 1820, Captain Bell's division continued overland coursing the Arkansas River on its left bank most of the way, and arrived near the northern border of Oklahoma about the middle of August. Thomas Say,²² the eminent naturalist who accompanied Captain Bell, was the author of the six chapters in Major Long's report concerning the Arkansas Expedition. Below the mouth of the Salt Fork, the steep and stony bluffs along the east side of the Arkansas and the deep ravines of the prairies proved rough traveling for the exhausted horses. As game was scarce and provisions were reduced to a few bread crumbs and a small supply of

officers politely voiced their determined attitude not to let the exploring expedition pursue its course, the American officers were forced to give up their ascent of the Red River, especially since the opposing forces were much the superior in numbers.—James, "An Expedition to the Rocky Mountains, Etc.," pp. 306-14. Also, "Report of Exploration of the Sources of the Red River of Louisiana, in the Year 1852," by Randolph B. Marcy, Captain 5th Infantry, United States Army, pp. 2-3.

20. "The canes were of large size, and stood so close together, that a horse could not move forward the length of his body without breaking, by main force, a great number of them. . . . The cane stalks, after being trod to earth, often inflicted, in virtue of their elasticity, blows as severe as they were unexpected." James, "An Expedition to the Rocky Mountains, Etc.," p. 168.

21. Here the party met Mr. Hugh Glenn, a trader of the Verdigris River region, who generously revived the wearied explorers with "coffee, biscuits, and a bottle of spirits," and gave them the good news that Captain Bell's division had arrived a few days before, from his journey down the Arkansas River.—*Ibid.*, p. 171.

22. Thomas Say was born in Philadelphia, July 27, 1787. His father, Benjamin Say, was a physician and a member of the Society of Friends. His grandfather, Thomas Say, was a merchant and philanthropist. Placed in a Friends' school, he took an aversion to his teachers which led him to leave school at an early age. He was, thereupon, taken into his father's drug store. After reaching his majority, he entered into business in partnership with John Seakman, who was an active member of the Philadelphia Academy of Natural Sciences, and who induced him to take membership in the same institution, in 1812. Becoming interested in biology, and especially in zoölogy, he developed into a careful student of life forms and types, with marked ability as a collector. In addition to his tour of the Plains country with Major Long's expedition, in 1819-20, he accompanied Long's second expedition to the sources of the Mississippi. In 1825, he settled at New Harmony, Indiana, which was thenceforth his home. Unhampered by professional traditions and the scholastic limitations of his day and largely without books, he labored unceasingly as a collector and writer. He is reputed to have written primary descriptions of more species than any other naturalist with the exceptions of Edward Gray and Francis Walker, of the British Museum. He was the author of "American Entomology" and "American Conchology," and of numerous published papers and monographs. His collections, notes and manuscript are in the museum and library of the Philadelphia Academy of Natural Sciences. He is known as the "father of American zoölogy." He died at New Harmony, in 1834.

dried buffalo meat, the men enjoyed some of the green corn and small half ripe watermelons found in the fields of corn of the low lands, presumably cultivated by the Osage Indians.

On August 21, the explorers camped opposite the mouth of the Cimarron River. The following night, after traveling nineteen miles during the day, they stopped near "the remains of a large Indian hunting camp," not far from the present site of the city of Tulsa, Oklahoma.²³

Continuing down the Arkansas, misfortune befell the expedition in the desertion of three of the soldiers who took with them three of the best horses and the saddle bags containing extra clothing, presents for the Indians, and, most valuable of all, the manuscripts of the notes and observations written during the long journey. Every endeavor was made to find the culprits, and later a reward was offered for their detention and the recovery of the manuscripts.²⁴

Arriving at the Verdigris, the explorers visited Mr. Hugh Glenn's trading house which was situated about a mile above the confluence of that river with the Arkansas. Here, the interpreter, a Frenchman, hospitably received them, Mr. Glenn²⁵ being at Fort Smith, and loquaciously offered interesting bits of information concerning the region of the forks of the Arkansas and the characters living there at that time.²⁶

On the evening of September 6, they stopped at Mr. Bean's salt works, located on a small creek that flowed into the Illinois River a mile below the works and about seven miles above the confluence of that river with the Arkansas. There Mr. Bean had erected a log house and shed for the kettles which he had purchased from the Campbell and Erhart salt works on the Grand River.²⁷ He had also built a neat farm house on the Illinois, cultivated several acres of corn, and owned a thriving stock of cattle, hogs and poultry.

Three days later Captain Bell and his men reached Fort Smith where they were welcomed by the commanding officer and remained to await the arrival of Major Long's division from its supposed expedition down the Red River.

23. In this vicinity the hunters had the good fortune to bring in a small fawn and four wild turkeys; this was indeed a feast, as the party had been reduced to eating a stew of boiled skunk and a few bread crumbs.—*Ibid.*, pp. 223-25.

24. Upon meeting a hunting party of Osages, in company with Chief Clermont, news of the robbery was given out to these Indians, and every effort was made to catch the deserters, who succeeded in making their escape. "An Expedition to the Rocky Mountains," etc., *op. cit.*, pp. 172, 239-42.

25. See sketch of life of Hugh Glenn, p. 86.

26. James, "An Expedition to the Rocky Mountains, Etc.," Vol. II, pp. 251-54.

27. Thomas Nuttall, "Journal of Travels in Arkansas Territory," p. 169, and Elliot Coue's "Journal of Jacob Fowler," p. 3.



CHAPTER X

FIRST AMERICAN TRADING EXPEDITIONS ACROSS OKLAHOMA

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Until Captain Zebulon M. Pike's published report of his expedition to the headwaters of the Arkansas and the Rio Grande, in 1806-07, few actual facts concerning Mexico were known, except vague reports of the unbounded wealth of the Mexican gold mines. Therefore the account of Pike's tour was read with great interest by the Americans, and proved an incentive to a number of trading expeditions across the plains to New Mexico, the first steps in an enterprise which in time attained vast proportions over the famous Santa Fe Trail. A part of these early expeditions have their place in Oklahoma history, since they crossed the state and were accompanied by some of the traders from the forks of the Arkansas.

The first American trading expedition to Mexico was undertaken in 1812 by Baird, Chambers and McKnight of St. Louis, and followed Pike's route across what is now Kansas and Colorado. When they reached Santa Fe, the Mexican officials seized them for entering the country without passports and held them prisoners for nine years.¹ Likewise a second expedition undertaken by Colonel August P. Chouteau and Jules De Mun of St. Louis, in 1815, also proved unsuccessful as they, too, were imprisoned for a time and their goods confiscated.² However, in 1821 two of Baird's party escaped—one of whom was Peter Baum³—and made their way to the headwaters of the Canadian, finally arriving at the mouth of the Verdigris in a canoe. Upon hearing their glowing accounts of Santa Fe, Colonel Hugh Glenn and Captain Nathaniel Pryor, along with other parties who lived in the vicinity of the forks of the Arkansas, determined to undertake an expedition to that settlement.⁴

First Expedition of Thomas James—Peter Baum and his companion at last reached St. Louis, where they gave John McKnight,⁵ a trader of that city, news concerning his brother, Robert, who was yet in New Mexico. Wishing to go in search of his brother, John McKnight joined an American trading expedition⁶ to Santa Fe, which set out in May, 1821, under the command of General Thomas James.⁷ Since many people of that time thought the Canadian, the

1. Josiah Gregg, "Commerce of the Prairies," Vol. I, p. 19.

2. Missouri Historical Society Publication, Thomas James, "Three Years Among the Mexicans and Indians," Appendix, p. 258.

3. *Ibid.*, pp. 95-106. Also, Appendix, pp. 292-93.

4. "Commerce of the Prairies," *op. cit.*, Vol. I, p. 20.

5. John McKnight was one of the firm of McKnight & Brady, of St. Louis, who built up the largest mercantile business in that city. James, "Three Years Among the Mexicans and Indians," footnote sketch, pp. 94-95.

6. The party consisted of General Thomas James, John McKnight, John G. James, David Kirker, William Shearer, Alexander Howard, Benjamin Potter, John Ivy, and Francois Maesaw, a Spainard. *Ibid.*, p. 98.

7. Thomas James was born in Maryland, in 1782. His family moved West in 1803, and finally located at Florissant, Missouri, in 1807. He accompanied the party of the Missouri Fur Company, which contracted with Governor Lewis to conduct the Mandan chief, Shehaka, to his home on the Upper Missouri, in 1809. Upon his return in 1813, he freighted goods in a keel-boat, from Pittsburgh to St. Louis, making large profits in the business. In

North Canadian and the Cimarron navigable streams, James and his men descended the Mississippi and continued up the Arkansas in the hope of ascending the Cimarron with their goods loaded in a keel-boat, thinking they could thus travel to the vicinity of Taos, New Mexico.

When James arrived at Little Rock, he procured a license to trade with all the Indian tribes on the Arkansas and its tributaries, from Secretary Charles Crittenden, of Arkansas Territory. Continuing up the Arkansas he stopped at Fort Smith, where he was entertained for a few days by Major Bradford. He traveled on up the river, passing the Grand and the Verdigris and arriving at the Cimarron. Some miles farther west along the Cimarron, low water, along with sand-bars and brushy banks, gave James a different idea of the course that lay before him to New Mexico, so he decided to cache his heavy goods, such as flour, whiskey, lead and other hardware, to abandon his keel-boat, and travel overland with horses to Taos. Since he was now in the country of the Osages, he remained a short time to trade and procure horses from those Indians. There he was visited by Captain Pryor and some Osages, with whom he returned to the Osage village on the Verdigris. While at the village, he met Colonel Hugh Glenn and his party of twenty men on their way to Mexico; he suggested that the two parties travel together to Santa Fe, a proposal that did not meet with Colonel Glenn's approval.

Loading his horses with the lighter goods of his cargo, James and his companions proceeded along the Cimarron and one of its branches, west to the "Shining Mountains," a low range of gypsum hills, now called the "Glass Mountains," located in Major County.⁸ Within a few days they met some warlike Comanches, to whom James was forced to give about three thousand dollars worth of goods in order to gain their good will, since the Indians thought they were spies of the Osages, from the fact that their horses were equipped with Osage saddles and bridles. Upon receiving the gifts, one of the Comanche chiefs proved very friendly and left a Mexican Indian with James and his men, who would act as interpreter and a guide for the rest of the way. Near the western border of Major County the party struck out for the North Fork of the Canadian, entering Santa Fe on the 1st day of December, 1821, after many days travel through western Oklahoma,⁹ the Texas Panhandle, and New Mexico.

1815, he entered partnership with McKnight and Brady, of St. Louis, and opened a small store in Harrisonville, Illinois. In 1818, he bought his goods for cash in Baltimore, but on account of delay in their delivery faced bankruptcy in 1819-20. From 1821-24, he was engaged in his expeditions to the Southwest, including Oklahoma. After his return, he engaged in the milling business in Monroe County, Illinois. In 1825, he was elected general in the Illinois militia, and to the Legislature of that State. He served in the Black Hawk War as a major. The story of his experiences among the Mexicans and Indians was written from his dictation by Judge Nathaniel Niles, of Belleville, Illinois, in the early 'forties. However, the book was suppressed on account of its open accusations of certain prominent citizens of St. Louis, General James being a man of bitter prejudices; it was edited and republished by the Missouri Historical Society in 1916. General James died at Monroe City, Illinois, in 1847.

8. James and his men were amazed at the vast amount of salt found in this region, breaking off large pieces from the banks of the river with their tomahawks. He remarked, "Here, and in the Salt River [Cimarron] was enough of this valuable mineral to supply the world for an indefinite period." "Three Years Among the Mexicans and Indians," *op. cit.*, p. 112.

9. In crossing the country between the Cimarron and the North Canadian, the party suffered for want of water. James said, "McKnight and I went forward to find water and killed a buffalo. We drank large draughts of the blood of this animal, which I recollect tasted like milk." *Ibid.*, p. 117.

The Glenn and Fowler Expedition—In the meantime, Colonel Hugh Glenn, Jacob Fowler,¹⁰ and others from the region of the Grand and Verdigris rivers, had continued on their expedition¹¹ to New Mexico, ascending the Verdigris to the mouth of Caney Creek, in Rogers County. Following this creek across Washington County to its upper sources, they took a due west course through the northern part of Osage County, reaching the Arkansas River near where it crosses the northern border of Oklahoma. The rest of their route to Santa Fe led them through Kansas and Colorado.

On June 1, 1822, James' party and that of Glenn and Fowler set out together from Santa Fe for the return trip to St. Louis. Within two weeks, a misunderstanding having arisen between them, the two parties separated to pursue different routes through Kansas.¹² Such was the ill feeling that, a few days later, when James saw a company of men wearing hats at some distance down the Arkansas River, he remarked in his memoirs, "Supposing it to be Glenn's company, I passed on without hailing them," and that in a country where there were only Indians and wild game! Afterward James learned that this had been the party under the leadership of Captain William Becknell, bound for New Mexico.

Second Expedition of Thomas James—In the fall of 1822, General Thomas James set out upon a second expedition for trading with the Comanches in Oklahoma, John McKnight, Robert McKnight, and twenty other men accompanying him. James had promised the Comanches that he would return to trade with them; at the same time, he also hoped to recover damages for the losses he had sustained at their hands the year before. He and his men ascended the Canadian River early in the spring of 1823,¹³ transporting their goods in a keel-boat. At the mouth of the North Canadian, they turned into the channel of that stream, continuing to "a falls," probably the rapid at Dog Ford, near old Arbeka town, in the southern part of the present Okfuskee County. Further progress with the keel-boat being hindered, the heaviest hardware was cached, and the rest loaded into three pirogues and on the horses which were driven up the course of the river, along its banks.

10. Major Jacob Fowler was born in New York in 1765. As a young man he settled in Kentucky, fully equipped as a surveyor. He married a French woman of great beauty and accomplishment, who often accompanied him on his surveying expeditions and also helped him in his business affairs at Covington. His journal of the Glenn expedition to New Mexico, entitled "memorandum of the voyage by land from fort Smith to the Rocky mountains," is a curious and interesting contribution to the historical literature of the Southwest, concerning early American trading expeditions of which there are few original records.

11. Elliot Coues, "Journal of Jacob Fowler," pp. 1-3.

12. Fowler wrote: "Friday, 21st June, 1822—We seen James and partey this day at a great distance to our Right makeing down the [Arkansas] River." *Ibid.*, p. 161. James spoke of Glenn's departure, saying, "Glenn now pushed on in a trot and soon went out of my sight where he has remained from that day to this." "Three Years Among the Mexicans and Indians," *op cit.*, p. 174.

13. John McKnight, James, and a few of the men drove the horses, belonging to the party, overland through the present counties of Muskogee and McIntosh. Here they found elk, deer, buffalo, wild turkey, and bear plentiful. Twenty black bears were killed within a few days, all having been found in hollow trees where they had slept through the winter. James especially mentioned the "very fertile and beautiful country, which will in a few years teem with a dense population. The prairies are interspersed with valuable woodland, and will make as fine a farming country as any in the Union." *Ibid.*, pp. 193-94.

Somewhere on the North Canadian, between the present sites of El Reno and Oklahoma City, James began a stockade trading post.¹⁴ In the meantime John McKnight set out to find the Comanches that he might induce them to come in to trade, but he never returned. James mourned deeply for the loss of his friend who, he afterward learned, had been killed by the Indians.

As James "wished to get into the heart of the Comanche country," an opportunity for proceeding farther up the North Canadian soon presented itself with a rise in the river. After reloading the pirogues and the horses, the party traveled a hundred miles farther up the river where a more substantial fort was completed, in what is now Blaine County, Oklahoma. The fort consisted of a log trading house surrounded by a stockade and defended by a swivel gun which was mounted in one corner of the inclosure.

At this point a profitable trade was carried on with the Indians. The men traded their horses and buffalo robes; the women, also, brought in buffalo robes and beaver skins. Though the strips of cloth, knives, tobacco, looking-glasses and other small articles of the traders seemed paltry compared to the furs and robes they secured in exchange, yet they had brought these articles to the plains at the risk of their lives, while the Indians procured what was valuable to them.¹⁵

Within a few weeks, hearing that the Osages were approaching, the Comanches began to move camp in order to prepare to defend themselves in case of an attack. As they¹⁶ left they expressed themselves as wanting to trade with the Americans, since they did not like the Spaniards, but nearly a dozen years passed before the United States made efforts to establish any sort of relations with these Indians of the plains in western Oklahoma.

James and his men at last took leave of the Comanche country, loaded the skins and furs in pirogues to begin their return down the North Canadian. The three hundred and twenty-five horses and mules were driven overland to meet the pirogues at the mouth of the river, but misfortune overtook them, for the greater part were lost either in stampedes or by disease, the rest being rendered worthless by the hard trip and the bites of myriads of horse-flies.

Being eager to return to his home in the north, James left all his goods and most of his remaining horses in the hands of a former friend of John McKnight, who lived at the mouth of the Illinois River. Since James did not return to this country to attend to his business, he lost all his profits and was deeply in debt from his second trading expedition. However, the account of his expedition to the plains remains among the few written records of the first trading ventures between the Americans and the Comanches of Oklahoma.

14. Gregg called this place "Spring Valley." He stated that this place was about eighty miles from Camp Holmes (which Gregg called "Chouteau's Fort"), which would locate it in the immediate vicinity of Oklahoma City.—"Commerce of the Prairies," *op. cit.*, Vol. II, p. 23.

15. James wrote, "They [the Indians] claimed twelve articles for a horse. I made four yards of British strouding [wool cloth] at \$5.50 per yard and two yards of calico at 62½ cents to count three, and a knife, flint, tobacco, looking-glass, and other small articles made up the complement." In trading for skins, he said, "One plug of tobacco, a knife and a few strings of beads, in all worth but little more than a dime, bought one of these valuable skins or robes, worth at least five dollars in any of the states."—"Three Years Among the Mexicans and Indians," *op. cit.*, pp. 202 and 217.

16. The Comanches complained that their enemies, the Osages, bought ammunition and guns from the Americans; they thought it unfair, since they did not have this chance to protect themselves against the Osages, who were thus better armed. *Ibid.*, p. 225.

The Santa Fe Trail—The expedition of Captain William Becknell, whose party had been sighted by General Thomas James returning from his trading venture to New Mexico, was an important one in the history of Oklahoma. Captain Becknell set out for Santa Fe in May, 1822,¹⁷ from Boone's Lick neighborhood, Missouri, with a party of twenty-one men and three wagons. Wishing to avoid the circuitous course of the Arkansas River as he traveled west, he crossed that river at the Caches,¹⁸ continuing west of south to the Cimarron River,¹⁹ afterward crossing what is now the Panhandle of Oklahoma. His expedition was a memorable one as his wagons were the first used in the trade between Missouri and Santa Fe, and marked the beginning of that part of the Santa Fe Trail which traversed Oklahoma.

The Santa Fe Trail²⁰ was officially marked by the United States Government in 1825, by a series of raised mounds²¹ as far west as the Arkansas River, to a point just below Great Bend. The trail then followed the course of the Arkansas to the Caches, where it diverged over several different routes, the shortest one being approximately that of Captain Becknell. This route led west of south to the valley of the Cimarron, and from thence southwest across the corner of Colorado into Oklahoma. It passed through Cimarron County, following the divide between the Cimarron River and the Beaver or Corrupaugh, and leaving the state near the valley of the last mentioned stream. The eastern terminus of the Santa Fe Trail was originally at Fort Osage, on the south bank of the Missouri River, about thirty miles below the mouth of the Kansas River; it was soon changed to Westport, which is now a part of Kansas City. The western terminus of the trail was at Taos, but from the first all trading caravans went on to Santa Fe.

This highway became an important factor in the development of the west and southwest. Over it were transported manufactured goods and supplies for the trading posts of the Great Plains and the Rocky Mountains, as well as to the Mexican settlements in the valleys of the Pecos and the Rio Grande. On

17. "Commerce of the Prairies," op. cit., Vol. I, p. 21. "Three Years Among the Mexicans and Indians," op. cit., footnotes, pp. 96 and 175.

18. The caches were located on the north side of the Arkansas River, a few miles west of the point where the hundredth meridian crossed the river, in the present State of Kansas. Baird and Chambers, on their second trading expedition to Santa Fe, were forced to winter here in 1822. Having lost most of their pack animals during the severe weather, they cached or buried nearly all their heavy merchandise in the vicinity, hence the name "caches."—Gregg, Vol. I, p. 67. Traders to Santa Fe usually crossed the Arkansas at the sites of the present towns of Ingalls and Cimarron, Kansas; these were known as the Upper and the Lower crossings, respectively. The Lower Crossing was about twenty miles above the caches. The two roads converged near the present site of Ulysses, Grant County, Kansas, and from thence continued toward the Cimarron River. "Commerce of the Prairies," op. cit., Vol. I, p. 311. Also, Coues' "Expeditions of Zebulon M. Pike," Vol. II, footnote, p. 439.

19. Before reaching the Cimarron River, the party nearly perished from thirst. Some of the men, having been fortunate enough to secure water from the paunch of a buffalo they had killed, managed to make their way to the river. Dipping up a supply of water in canteens, they hurried back to their dying companions, who had been reduced to sucking the blood of their dogs and horses. "Commerce of the Prairies," op. cit., Vol. I, pp. 23-24.

20. The Congressional act proposing the survey of a trading road between Missouri and New Mexico was secured through the efforts of Senator Thomas H. Benton, of Missouri. A commission composed of Benjamin H. Reeves, George C. Sibley, and Thomas Mather, was appointed by President John Quincy Adams, in 1825, to supervise the survey of the proposed road and, also, to make treaties with the Indians through whose hunting grounds the road might pass.

21. *Ibid.*, p. 44.

the return trip, bales of wool, bars of silver, furs, robes, and hides were hauled to the Missouri River. The large freight wagons known as Conestoga wagons, were built at Pittsburgh especially for the overland traffic. They were usually drawn by eight oxen or mules. The traders generally traveled in companies of considerable size for the sake of mutual protection, military escorts being seldom furnished by the government prior to the Mexican War. The menace from the marauding charges of Indians of the plains tribes was ever present, as were the possibilities of attack by bands of renegade white men. Several battles were fought between the Indians and the freighters and traders along the Santa Fe Trail in Oklahoma.

The traces of the Santa Fe Trail in Cimarron County have scarcely been disturbed by the plow, as they have in the more humid regions to the east. Except for an occasional line fence of barbed wire there are few obstacles to prevent its being traveled as it was in early days. Even these fences are generally provided with gates near the points where they intersect the old trail. Through Cimarron County its course is usually on high land, though generally in sight of the river valley. Exceptions to this are the points where the lower ground was approached because of springs or water holes, where stock could be watered and where camps were pitched. The higher ground was followed because it offered much more freedom from possibility of surprise by hostile Indians.

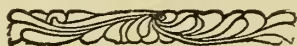
At the Cold Springs camping ground, midway between the points where the trail intersects the boundary lines of Oklahoma, and where there was always an abundant water supply, the creek bottom is bounded on one side by a ledge of sandstone upon which are carved the names of freighters, traders, soldiers, hunters, ranchmen, and pioneers, many of them accompanied by dates, home addresses, fraternal emblems, stock brands, and other tokens of individual distinction.

Many graves are scattered along the line of the trail, generally unmarked save by the stones which were piled upon them at the time of interment, for the purpose of preventing the wolves from digging into them.²²

Though the risks attending the trading ventures over the Santa Fe Trail were great, yet the profits were so alluring that by 1860, upwards of 62,000 mules and oxen, 3,000 wagons, and 7,000 men were engaged in the trade with New Mexico.²³

22. *Ibid.*, p. 27.

23. George S. Bryan, "Pioneers of the West," published by *The Mentor*, February 16, 1920, Vol. VIII, No. 1, p. 9.



CHAPTER XI

THE BEGINNING OF AN INDIAN TERRITORY WEST
OF THE MISSISSIPPI

CHAPTER XI.

THE BEGINNING OF AN INDIAN TERRITORY WEST OF THE MISSISSIPPI.

When the Louisiana country was taken over by the United States, in 1804, all that part lying north of the thirty-third parallel of latitude, including what is now Oklahoma, was designated as the District of Louisiana and organized as a part of Indiana Territory. The following year, the District of Louisiana was organized as Louisiana Territory with administrative offices at St. Louis. Seven years later, 1812, this territory became Missouri Territory. In 1819, Arkansas Territory was organized south of 36° 30' and included all of Oklahoma, except the Panhandle. In the same year, a treaty was made with Spain establishing the Red River, as far west as the hundredth meridian, as the boundary between Arkansas Territory and the Spanish claims in the Southwest. Thus the southern and western boundaries of the present State of Oklahoma were determined.¹

In assuming the administrative control of the Louisiana Purchase, the United States attempted to recognize the rights of the Indians who lived there and who claimed large portions of the country as their respective tribal hunting grounds. Many of these Indian land claims overlapped one another, causing constant trouble and frequent warfare among the tribes. At the time of the Louisiana Purchase, the Osage Indians claimed all of Oklahoma north of the Canadian and all south of that river as far east as the Kiamichi. The claims of the Quapaws south of the Arkansas and the Canadian, extended westward from the southern part of the present State of Arkansas, where they had their permanent villages. In the southeastern part of Oklahoma lived the Caddoes. In the southwestern part of the State, in the vicinity of the Wichita Mountains near the Red River, lived the Wichita Indians. Over the entire western part of Oklahoma roved the Comanches and Kiowas. The Osages were always at war with all of these tribes, except the Quapaws, with whom they were related by ties of a common descent and language, but even these they treated with contempt.

The tide of emigration that began crossing the Alleghany Mountains after the American Revolution, swept into the hunting grounds of the Indians who occupied the region between those mountains and the Mississippi River. As the white settlements increased, game grew scarce, so that, as early as 1785, small bands of Delawares, Shawnees, Cherokees, and Choctaws² began moving west of the Mississippi to live.

1. Treaty with Spain—Debates and Proceedings in the Seventh Congress of the United States, 2d Session, pp. 23-24.

2. Bands of Choctaws entered upon long journeys west of the Mississippi from time to time to hunt buffaloes. Their appearance on the hunting grounds of the wilder tribes of the trans-Mississippi country, led to armed conflicts with the Comanches, Kiowas, Osages, and Wichitas, who watched the incursions of the Choctaws with jealous eyes. Pushmataha (q. v.) spoke of chasing the Comanches and the Wichitas and of being chased by them in turn during some of his hunting expeditions to the west. Upon one occasion,

In a special, confidential message addressed to Congress, January 18, 1803, President Jefferson suggested the expediency of the removal of certain Indian tribes to the country beyond the Mississippi.³ Less than fifteen months later, an act of Congress, approved March 26, 1804, provided for the division of the recently purchased Louisiana into two territories and appropriated \$15,000 annually⁴ for the beginning of the negotiations for such removals, though there were no immediate results.

The Western Cherokees—At this time, the Cherokee people were divided into two well defined groups, commonly known as the Upper Cherokees and the Lower Cherokees, respectively.⁵ The people of the Upper Cherokee division were mostly settled on the Hiwassee and Little Tennessee rivers, in Southeastern Tennessee and Southwestern North Carolina. They had accepted their governmental annuities quite generally in the form of agricultural implements, spinning wheels and looms and were chiefly engaged in farming and stock raising. The Lower Cherokee people, on the other hand, included the hostile and irreconcilable elements of the tribe and those which still clung to the more primitive ways of living. Most of these lived in Northern Georgia and Northeastern Alabama.⁶ There were disputes and misunderstandings between the people of the two divisions as to equitable distribution of annuities and it was even proposed that the Cherokee people should be divided into two tribes, with a permanent boundary line between. Delegations were about to visit Washington for the purpose of asking President Jefferson to adjust these differences, in the summer of 1808, when the Government Indian authorities, realizing the opportune occasion, instructed the tribal agent, Colonel Return J. Meigs, to submit to the Lower Cherokees a proposition to cede their share of the tribal domain for a tract west of the Mississippi of sufficient area to enable them to continue to live as hunters of wild game. This proposition having been approved by the President, an appropriation was made by Congress to defray the expenses of a delegation

early in the nineteenth century (about twenty-five years before the main migration of the Choctaws from Mississippi in 1832-33), a band of Choctaws was returning from the buffalo country, laden with the spoils of the chase—"jerked" meat, robes, and tallow—when, to their astonishment they were attacked by a band of Caddoes. Being better armed than their assailants, the Choctaws soon obtained the advantage and began to press them when the Caddoes retreated to their village which was then attacked and destroyed. The scene of this battle is still pointed out at Caddo Hill, situated about two miles from the town of Caddo, in the northern part of Bryan County. The story of this battle has been handed down entirely by tradition among the Choctaws.

3. "Messages and Papers of the Presidents," Vol. I, pp. 252-54.

4. *Ibid.*, Vol. II, p. 289

5. The division of the Cherokee tribe into two groups was a permanent one of long standing. Before these came to be known as Upper and Lower Cherokees, they were often called the Overhill and Underhill groups. Originally, there were three of these sub-divisions, namely, the Elati, or Lower, the Middle, and the Atali or Mountain, and each had its own dialect. The Lower Cherokees were located along the Savannah River, in South Carolina and Georgia. The Middle Cherokees were mostly located in the valley of the Tuskasegee River, in Western North Carolina. The Mountain, or Upper Cherokees occupied the extreme western part of North Carolina, East Tennessee, and adjacent portion of Georgia and Alabama. The Atali or Mountain dialect came to be exclusively used in the native literature of the tribe, while the dialect of the Middle Cherokees is still used by the eastern division of the tribe, in North Carolina. The distinctions between these groups largely disappeared as the result of the removal to the West.

6. James Mooney's "Myths of the Cherokee," 19th Annual Report of the Bureau of American Ethnology, Part I, pp. 101-02.



GRASS-THATCHED HUT OR LODGE OF THE WICHITA INDIANS, CADDO COUNTY, OKLAHOMA



A PIONEER SOD HOUSE IN DEWEY COUNTY, OKLAHOMA

to be sent beyond the Mississippi for the purpose of visiting and inspecting the lands on the Arkansas and White rivers, in the present State of Arkansas. This visit was made in the summer of 1809 and so favorable were the reports brought back by the members of the delegation that a large number of Cherokee families signified their willingness to remove at once. No funds being available for the purpose of aiding such removals of many individuals and families, the total number of such emigrant Cherokees in the West being estimated at upward of 2,000 in 1817. These emigrant members of the tribe were thenceforth known as the Arkansas, or Western Cherokees.

The Cherokees who had emigrated to the West soon found themselves in trouble. The Osage Indians claimed all of the lands north of the Arkansas River, where most of the Cherokees had settled. The United States refused to confirm them in possession of these lands for the reason that no cession of lands from the Cherokee domain in the East had been made in exchange therefor. On the other hand, the main body of the Cherokee people, whose assent was necessary in order that such a cession of tribal lands should be valid and binding, utterly refused to even consider the proposed cession. It was not until July 8, 1817, that a treaty was signed by representatives of the whole tribe, ceding certain lands in Georgia, Tennessee, and Alabama, in return for which a reservation was established for the Western Cherokees, between the Arkansas and White rivers, in the present State of Arkansas.⁷

Osage-Cherokee War—When the Western Cherokees had settled in their new home, they were looked on as intruders and were jealously regarded by the Osages⁸ who had claimed the northern part of Arkansas as a portion of their hunting grounds. It was not long before the latter were carrying on depredations of stealing horses and seizing an occasional captive among the Cherokees, who retaliated when they found the Osages determined to provoke trouble, not only acting on the defensive within the limits of the territory which had been confirmed to them by the Government, but also invading the country of the Osages at times. Thus began a period of petty warfare between the two tribes, that continued a number of years.

Many attempts were made to put an end to the trouble between the Osages and the Cherokees, during this period. Major William L. Lovely,⁹

7. This treaty was concluded at the Cherokee Agency, July 8, 1817, within the Cherokee Nation, east, between Major-General Andrew Jackson, Joseph McMinn, Governor of Tennessee; General David Meriwether, as commissioners plenipotentiary of the United States, and the duly authorized representatives of the Cherokee Nation, east of the Mississippi River, and of the Cherokees of the Arkansas River. John D. Chisholm and James Rogers were the duly authorized deputies of the latter. The treaty provided that emigrants who had improved their lands were to be reimbursed for such improvements. The poorer Indians who had no improvements were to be given a rifle and ammunition and the choice of either a brass kettle or a beaver trap. They were also to be furnished with flatboats and provisions for the westward journey.—Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 140-44.

8. The Osages had relinquished their lands in what is now the northern part of Arkansas by a treaty concluded at Fort Clark (Fort Osage) on November 10, 1808. This country was Government property at the time of the settlement of the Western Cherokees.—*Ibid.*, pp. 95-99.

9. Major William Lovely was an officer in the Virginia Line of the Continental Army, during the war for American Independence. He had borne an honorable part in the campaign which resulted in the surrender of the British forces commanded by General Burgoyne, at Saratoga. After the close of the Revolution, he moved from Virginia to Tennessee, where he became a friend of the Cherokees. With some of them, he moved from Tennessee to Arkansas, where he settled, first as a trader and, subsequently, became the tribal agent of the Western Cherokees, a position which he still held at the time of his death, several years later.

agent for the Western Cherokees, persuaded the Osage chiefs to meet him in July, 1816, at the mouth of the Verdigris River in an attempt to bring about peace. There it was agreed that the Osages would give up the land north of the Arkansas, between that river and a line drawn eastward from the Falls of the Verdigris to the eastern boundary of the Osage country,¹⁰ then in Arkansas, to the United States which, in turn, according to Major Lovely's promises, would pay the Cherokees for the losses they had suffered at the hands of the Osages. However, as this treaty was not ratified by the Government, peace was not secured.

In 1817, the Cherokee chiefs complained to General William Clark, who was superintendent of Indian affairs for the country west of the Mississippi, that the Osages were continuing their depredations of horse and cattle stealing and they intended to protect themselves even though they had promised the United States that they would not attack the Osages.¹¹ On the other hand, throughout the whole period of the war there was complaint on the part of the Osages that their people who had been taken captive were not returned by the Cherokees according to promise, so they continued their attacks against the Cherokees in retaliation.

During 1817, a bloody conflict occurred between the two tribes at Claremore Mound, near the present site of Sageeyah, in Rogers County. Chief Clermont's village was located about half a mile southwest of this hill. The Osages had recently waylaid and killed a small band of Cherokees, whose fellow tribesmen, in a spirit of revenge gathered together a large force, including eleven Americans, and came up the Arkansas River to punish the Osages. Forgetting they laid claims to civilization, the Cherokees¹² fell upon the decrepit old Osage men and the women and children, left at the village by the warriors, who had gone on an expedition, and killed about ninety, taking the rest as prisoners to Arkansas. During the scene of outrage and bloodshed, the Americans who accompanied the attacking party "acted a conspicuous and shameful part."¹³

The results of the Battle of Claremore Mound called for interference on the part of the Government authorities. During October of 1818, a council in which the leading men of both the Western Cherokees and the Osages participated was convened at St. Louis, upon the urgent insistence of General Clark. This was not the end of the trouble between the two tribes, however, but Governor James Miller,¹⁴ of Arkansas, took the initiative in

10. This tract was called "Lovely's Purchase." The western part was established as Lovely County by the State of Arkansas, on October 13, 1827. When the western boundary line of Arkansas was changed by Congress in 1828, Lovely County was abolished.

11. Grant Foreman, "Three Forks of the Arkansas," in *Chronicles of Oklahoma*. Vol. II, No. 1, p. 41.

12. The Osages were armed only with bows and arrows and smoothbore muskets. The Cherokees, on the other hand, were not only armed with rifles but were also skilled in the use of the same. The advantage as to position was wholly on the side of the Osages, who had retreated to the limestone hill known as Claremore Mound, but the Cherokees, in addition to being better armed, were also animated by a spirit of revenge. So accurate was their marksmanship and so impetuous were their charges that they gained a foothold on top of the hill and completely overcame the Osages.

13. Thomas Nuttall, "Journal of Travels Into the Arkansas Territory," pp. 135-36. Also Edwin James, "An Expedition to the Rocky Mountains," Vol. II, pp. 269-70.

14. James Miller was born at Peterboro, New Hampshire, in 1776. He was engaged in the practice of law before he entered the United States Army in 1808, being commis-

another attempt to secure a cessation of hostilities, the effort to a second peace council at Fort Smith, in September, 1820,¹⁵ which was unsuccessful.

In the late spring of 1821, Chief Clermont sent a messenger to Chief Webber¹⁶ of the Cherokees, asking for peace and saying that he did not wish to injure the white people since there were too many among them for the two nations to be at war. However, he added if the Cherokees saw fit to carry on the war, he did not beg for peace, but, on the other hand, he could immediately send fifteen hundred warriors into the Cherokee country and continue to fight with vigor.¹⁷ In June, the murder of Joseph Revard, the French-Osage manager of Colonel Chouteau's establishment, by a band of Cherokees who had attacked Revard even though he had greeted them as friends,¹⁸ greatly incensed the Osages, who continued the war, making it unsafe for all who lived in the region north of the Arkansas.

About the middle of November, an invading band of 400 Cherokees passed through the country on the way toward the Osage villages. Again most of the Osage warriors were away on a raiding expedition against some Indians of the Plains; the few warriors who remained at the village vainly tried to hold off the overwhelmingly superior force of Cherokees until the women and children could escape but were powerless to do so. Those of the Osages who managed to escape were pursued and killed; about a hundred victims—old men, women, and children—were thought to have perished; in addition this band of Osages lost all their horses and other possessions.¹⁹

The Government authorities, both civil and military, now exerted themselves to the utmost in the endeavor to bring about a peace agreement between the two tribes. Captain Nathaniel Pryor, who lived among the Osages and had great influence with them, finally persuaded the leaders that it was to the best interest of all to stop the war. Mr. Philbrook, tribal sub-agent of the Osages on the Arkansas, proceeded to the Cherokee country, in Arkansas, with a peace proposal from the chiefs and head men of the Osages. He was gone from December until April, during which time there was much anxiety among the Osage people, many of whose relatives had been carried into captivity. With further counsel on the part of Major Bradford, the commandant at Fort Smith, and Governor Miller, of Arkansas, the Western

sioned as major. In 1810 he was promoted to the rank of lieutenant-colonel, and in 1812 to the rank of colonel for gallantry at Brownston. At the Battle of Lundy's Lane, July 25, 1814, when General Scott asked him to take the British battery, Colonel Miller replied, "I'll try, sir." For his successful charge made at this time, he was presented with a gold medal and promoted to the rank of brigadier-general. He was made Governor of Arkansas Territory in March, 1819. He resigned this position in 1825, and became collector at the port of Salem. He died in 1851.

15. *Ibid.*, Vol. II, p. 271.

16. Walter Webber was a trader as well as a chief of the Western Cherokees. He lived on the north side of the Arkansas River, opposite the present site of Dardanell, Arkansas. Nuttall wrote that he "lives in ease and affluence, possessing a decently furnished and well provided house, several negro slaves, a large, well cleared, and well fenced farm; and both himself and his nephew read, write, and speak English." Thomas Nuttall, "Journal of Travels into the Arkansas Territory," p. 129. Some years later Webber settled at the Falls of the Arkansas which became known as Webber's Falls. This was a thriving trading center from the time of the settlement of the Western Cherokees, in 1828.

17. *Journal of the Union Mission*, entry of May 17, 1821.

18. *Ibid.*, entries of June 24-26, 1821.

19. *Ibid.*, entry of December 3, 1821.

Cherokees and the Osages signed a treaty of peace on August 9, 1822, at Fort Smith,²⁰ though there never was a friendly feeling between the two tribes.

First Land Purchases in Oklahoma—The first land purchased by the Government in Oklahoma was secured from the Quapaws by a treaty signed at St. Louis, August 24, 1818. General William Clark, superintendent of Indian affairs for the region west of the Mississippi, and Auguste Chouteau, acted as commissioners for the United States. All the land in Oklahoma that is bounded on the north by the Arkansas and Canadian rivers and on the south by the Red River was relinquished by the Quapaws at this time.²¹

On September 25, 1818, the Osages, also, signed a treaty at St. Louis, in which they gave up lands that included that part of Oklahoma which lies north of the Arkansas River and south of a line drawn from the Falls of the Verdigris northeast to a point about where the Illinois River crosses the Arkansas boundary. On June 2, 1825, another treaty was signed by the Osages with General Clark as Commissioner for the Government. At this time the Osages relinquished all the rest of their claims to lands that are now included in Oklahoma.²²

First Land Cessions Made to Other Indian Tribes—The purchase of Oklahoma lands by the Government, from the Osages and Quapaws, made it possible to assign reservations of generous proportions to other Indian tribes living east of the Mississippi River. The first cession out of this land was made by the United States to the Choctaws of Mississippi, under the terms of a treaty signed at Doak's Stand on the Natchez Trace in Mississippi, October 20, 1820.²³ This treaty was signed by one hundred chiefs and head men of the Choctaw Nation, besides the three noted chiefs Pushmataha, Mosholatubbee, and Apuckshennubbee; the Government commission consisted of General Andrew Jackson and General Thomas Hinds.

General Jackson opened the council, preliminary to making the treaty, by stating the desires of the Government, with reference to its policy of removing the Indians to the country west of the Mississippi, and the benefits which would be gained by the Choctaws by entering into such an agreement with its representatives. Pushmataha, who was chosen as the spokesman of the Choctaws, succeeded in driving a bargain with General Jackson, decidedly to the advantage of the Choctaws.²⁴ Under the terms of the treaty they were

20. *Ibid.*, entry of August 13, 1821. Also, Edwin James, "An Expedition to the Rocky Mountains," *op. cit.*, p. 271. Throughout the war instances are given where Osage women upon being taken captive by the Cherokees, adopted the customs and married into that tribe. When they were later about to be sent back to their former kinsmen, they were stricken with grief at leaving their adopted nation.

21. Treaty with the Quapaw, Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 160-61.

22. Treaty with the Osage, *Ibid.*, pp. 217-18.

23. Treaty with the Choctaw, *Ibid.*, p. 192.

24. General Jackson enlarged upon the vastness and fertility and the wonderful resources of the new land which the President wished the Choctaws to accept in exchange for a "little slip" of their country in Mississippi. In conclusion he asked what the Choctaws had to say in reply to the offer. Pushmataha, who had served with Jackson in the war with the Creek Indians, arose to reply. He told his people that the President had selected two of the greatest war chiefs to represent him in this council with the Choctaws.



PUSHMATAHA, THE GREAT CHIEF OF THE CHOCTAW INDIANS

assigned all that part of Oklahoma lying between the Canadian and Red rivers, in which region²⁵ those members of the tribe, who so desired, might settle. Few Choctaws came to live in Oklahoma until the migration of the whole tribe more than ten years later, however. Since they were cognizant of the benefits received as the result of Pushmataha's diplomacy and far-sighted policy in treating with the Government commissioners in 1820, the Choctaws named one of their three tribal districts in his honor, and, in more recent times, an Oklahoma county, which was formed from a part of the domain of the Choctaw Nation, west, was also christened in his honor.

In December, 1824, a delegation of Choctaws²⁶ visited Washington for the purpose of making another treaty. Secretary of War John C. Calhoun carried on the negotiations on behalf of the Government. It was concluded

He then said that the proposition submitted by the commissioners was worthy of serious consideration and a respectful reply, and he therefore moved that the council adjourn until the middle of the following day. That night the Choctaw leaders gathered for consultation concerning the proposition which had been submitted to them. When the council with the commissioners were reconvened at noon the next day, Pushmataha was again the spokesman for the Choctaws. In his address to the commissioners, while adroitly disclaiming the possession of ability or wisdom, he delivered a masterly reply to the proposition which had been submitted to the Choctaws and delicately yet definitely hinting that the fine speech of General Jackson was not altogether free from misrepresentation. The general, who was always impulsive, controlled his temper, but insisted that Pushmataha should explain his words or he (Jackson) would quit the council. This Pushmataha then proceeded to do. He demonstrated that the "little slip" of the Choctaw lands in Mississippi which the commissioners wished to trade for was in reality a large tract and was more valuable than the proposed reservation in the West which they wished the Choctaws to accept in exchange. He not only showed that he had accurate, personal knowledge of the proposed new reservation, because he had hunted over most of it, but he also proved that General Jackson was ignorant of the geography of that region. When Jackson produced a map, Pushmataha examined it carefully and then proceeded to explain wherein the map was wrong, namely, the Red River did not head as far west as the Canadian. He also asked the commissioners if they proposed to sell with the new reservation the white people who were already living within its limits. After such a display of knowledge and ability, the commissioners on the part of the Government were willing to consider such terms as the Indians might have to submit in addition to what was being offered by the Government. Pushmataha briefly and explicitly presented these as follows: "1st—That the United States furnish each of those who chose to go to the new country a good rifle, bullet mould, camp-kettle, one blanket and powder and lead to last one year. Also corn for one year. 2d—Out of the land to be swapped, fifty-four sections of a mile square shall be surveyed and sold to the best bidder by the United States, for the purpose of raising a fund to support Choctaw schools. 3d—The United States to pay for the military services of all the Choctaw warriors during the campaign at Pensacola. 4th—Payment to all having good houses and residing on the ceded territory."—Cushman, "A History of the Choctaw, Chickasaw and Natchez Indians," pp. 121-23.

25. The bounds of this reservation were described as follows: "Beginning on the Arkansas River, where the lower boundary of the Cherokees strikes the same; thence up the Arkansas to the Canadian Fork, and up the same to its source; thence due south to the Red River; thence down Red River three miles below the mouth of Little River, which empties itself in the Red River on the north side; thence by a direct line to the beginning." It thus appears that the new Choctaw reservation, as first described by the metes and bounds, included a considerable portion of southwestern Arkansas.

26. Pushmataha was a member of the delegation of Choctaws who went to Washington to negotiate this treaty. Shortly after his arrival he visited General Lafayette, who was then making his farewell visit to this country. Pushmataha was taken suddenly ill and his death followed within twenty-four hours. He was sixty years old at the time of his death. Nothing is known of his parentage. He distinguished himself as a warrior, when less than twenty years old, while a band of his people were engaged in war with the Osages west of the Mississippi. Eventually, he reached the position of a chieftain of the first rank through sheer force of character and ability. According to his own statements, he had seen much of the country west of the Mississippi, as a hunter as well as warrior. His influence and example, more than that of any other man, had held the Choctaws true to their friendship with the United States when Tecumseh tried to tempt them into an alliance with Great Britain, and he rendered valiant and valuable service in the war which followed, becoming popularly known as "The Indian General." Before he died he asked that his body should be buried with military honors, and 2,000 people marched in the funeral cortege which followed his remains to the Congressional Cemetery, at Washington, where a monument was afterward erected over his grave.

and signed January 20, 1825. In accordance with its stipulations the Choctaws retroceded and relinquished all claims to that part of the new country lying east of a line beginning 100 paces east of Fort Smith and running due south to the Red River. Provisions previously made for the education of the Choctaw youth were practically doubled by this treaty.

In a communication to the Senate in 1825, President James Monroe recommended that provision be made for reserving a tract of sufficient size, west of Missouri and Arkansas, where various Indian tribes living east of the Mississippi might be colonized.²⁷ Accordingly, with this end in view the Government continued to negotiate treaties with the Indians for their permanent removal.

On February 12, 1825, the Creeks entered into a treaty with the United States, at Indian Springs, Georgia, by the terms of which a large tract of Creek lands in Georgia were ceded to the United States for an area of country of equal size between the Arkansas and Canadian rivers.²⁸ This treaty was signed by William McIntosh,²⁹ chief of the Lower Creeks and his friends, but was utterly repudiated by the Upper Creeks. The following year, a delegation headed by Opothleyahola and John Stidham went to Washington, and, after deliberating in council with James Barbour, Secretary of War, succeeded in making a new treaty with the Government, January 24, 1826, that abrogated the treaty of Indian Springs. Under the terms of the new treaty, the Creeks sold all of their lands in Georgia for a stipulated sum and those Creeks who wished to move west were given permission to settle between the Arkansas and Canadian rivers. Most of the members of the tribe belonging to the McIntosh party came to Oklahoma a few months afterward. The great majority of the tribe remained in Alabama.

27. U. S. Statutes at Large, Vol. VII, p. 312.

28. Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 214-15.

29. William McIntosh was born at Coweta, Georgia, in 1775. His father was William McIntosh, a Scotchman, who was a British officer and was also engaged in trading among the Indians. His mother was a woman of the Creek tribe. By his talent and address he became recognized as one of the leading chiefs of the Creek Nation. During the War of 1812 his influence was effectively used in behalf of the former. He recruited a strong force of Lower Creeks which cooperated with the American forces in the campaigns against the Upper Creeks, who sided with the British, and he distinguished himself in the battles of Atasi and Horseshoe Bend. He was accused of venality in his willingness to sign away the Creek lands in Georgia in exchange for a new reservation in the Indian Territory despite drastic tribal law to the contrary. When the chiefs of the Upper Creeks refused to sign the treaty at Indian Springs, Opothleyahola, addressing the commissioners, said: "We told you we had no land to sell. The chiefs have no right to treat. General McIntosh knows our laws. We have no lands to sell. I shall go home." In spite of this implied threat, the commissioners assured McIntosh that the Creek Nation would be sufficiently represented if he and his immediate followers signed the treaty, and they also promised him that he would be protected if he did so. On his own part, he justified his action with an argument that was logical and statesmanlike. He said: "The white man is growing. He wants our lands; he will buy them now. By and by he will take them and the little band of our people, poor and despised, will be left to wander without homes and be beaten like dogs. We will go to a new home and learn like the white man, to till the earth, grow cattle and depend on these for food and life. This knowledge makes the white man like the leaves; the want of it makes the red man few and weak. Let us learn to make books as the white man does and we shall grow again and become a great nation." McIntosh had been assured by the Government commissioners that he would be protected from any violent consequences if he would sign the treaty. When he realized that his life was in danger, he went to Milledgeville, where he hoped to be safe from attack. A few days later (April 29, 1825), the house in which he was staying was surrounded by a hundred Creek warriors of the faction opposed to removal. The white men were ordered to leave, the house was then set on fire, and McIntosh was shot down when he attempted to leave the building.

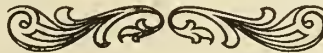
With the organization of the Territory of Arkansas, in 1819, the increasing number of white settlers pressed the Government for the removal of the Arkansas Cherokees still farther west, even though their land had been confirmed to that part of the tribe by the treaty of 1817. As a result of a council held between their chiefs and Secretary of War Barbour, a treaty was signed, May 6, 1828, which provided that the Cherokees should relinquish their holdings in Arkansas and receive a new country of seven million acres, located west of Arkansas and north of the Arkansas River. In addition, the United States guaranteed the tribe "a perpetual outlet, west, and a free and unmolested use of all the country lying west of the western boundary of the above described limits" It was further agreed that all those members of the Cherokee tribe yet living east of the Mississippi, who might wish to move west, should be granted the right to move to the new country.

This treaty also defined part of the boundary of Arkansas,³⁰ since the Cherokees agreed to move west of a line drawn from the southwestern corner of Missouri³¹ to the point where the eastern boundary of the Choctaw country struck the Arkansas River. The eastern boundary of the Choctaw country had been defined in the treaty with that tribe in 1825, as "a line beginning on the Arkansas, one hundred paces east of Fort Smith, and running thence due south to Red River."

With the cession of land to the Choctaws, Creeks, and Cherokees confirmed by treaty, the country that had been purchased from the Quapaws and the Osages remained Indian lands and the preliminary steps for moving all the civilized tribes who lived east of the Mississippi had been made by the Government.

30. Kappler's "Laws and Treaties" (Indian Affairs), p. 288.

31. The southwestern corner of Missouri was at the point of intersection of a meridian line drawn through the middle of the mouth of the Kansas River and the parallel of 36° 30'. Gittinger, "Formation of the State of Oklahoma," p. 2.



CHAPTER XII

THE FORMATION OF AN INDIAN TERRITORY

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During the time that new treaties were being made with the eastern Indians, for their removal to the West, letters from Government officials and prominent Indians and other articles concerning the movement appeared as news items in the columns of the public press throughout the United States.¹ Hence the movement became an essential part of American history, and with the settlement of whole tribes in this section of the West, the history of Oklahoma became marked by some of its most dominant and enduring characteristics. With the extinguishment of the aboriginal claims and titles to the lands where the Indians had lived for generations, the way was opened for the complete occupancy of the region between the Appalachian Mountains and the Mississippi River and the local self-government of the same under the laws of the several States. It was repeatedly stated by officials of the United States, that the best interests of the Indians inspired and justified the action of the Government in removing the various tribes to a section of the public domain where they could maintain their own tribal governments, free from the vicious influences of the fading frontier east of the Mississippi.

While some of the large tribes living in the southern section of the United States territory, were conspicuous for their advancement, it is well to bear in mind that there was not a single tribe east of the Mississippi that was not more or less civilized.² Some had made progress in a material way and their mode of living, that compared well with the best the new Nation afforded.³

1. The policy of removal, outlined by the Secretary of War, John C. Calhoun, in 1825, did not affect the remnants of Indian tribes living in Maine, Massachusetts, Connecticut, Rhode Island, Virginia, South Carolina, and Louisiana. Certain tribes living in Illinois, Northern Michigan, Indiana, New York, and Ohio were to be located west of Lake Michigan and north of Illinois. The Indians to be settled in the country west of Missouri and Arkansas included the following: The Cherokees, Chickasaws, Choctaws, and Creeks, living in North Carolina, Tennessee, Mississippi, Alabama, and Georgia; the Wyandottes, Shawnees, Senecas, Delawares, Kaskaskias, Miami, and Eel Rivers, living in Ohio, Indiana, and Illinois; the Seminoles, living in Florida; the Osages, Western Cherokees, Quapaws, Kickapoos, Piankeshaws, Weas, Ioways, and bands of Delawares and Shawnees, living in Missouri and Arkansas and farther west.—Message to the President, submitted by John C. Calhoun, published in Niles' "Register" for February 26, 1825, Vol. XXVII, p. 404.

2. "The expense of extinguishing their [Wyandotte, Seneca, Miami, Eel River, and Kaskaskia] title to the lands occupied by them will probably be high, in comparison with the price which has been usually given for lands in that quarter, as they (particularly the Indians in Ohio) have made some advances in civilization and considerable improvements on their lands.—Almost all the tribes proposed to be affected by the arrangement [of removal], are more or less advanced in the arts of civilized life, and there are scarcely one of them which has not the establishment of schools in the nation, affording at once the means of moral, religious and intellectual improvement. These schools have been established for the most part by religious societies with the countenance and aid of the government." Ibid. It is well to keep in mind that the only sum set aside by the Government to educate and civilize the Indians was the annual sum of \$10,000, first appropriated by Congress on March 3, 1819. This was generally divided into small sums among the different religious organizations doing work with the Indians. In fairness to the Indians, themselves, it should be stated that the individual tribes appropriated their own payments and annuities due them from the Government for thousands of acres of land that they had relinquished to the United States, to be used for the support of schools and the education of their children.

3. "The following is an extract of a letter, giving a brief account of a journey made through the country of the Cherokee Indians:

The removal of the eastern Indians was not merely the pushing aside of nomad bands but, in almost every instance, the banishment of a people who not only were attached to the soil but also whose spirit, during many centuries of the tribal occupancy and ownership, had become profoundly affected by the character and features of the country itself.

During the decade following 1827, events in the history of Oklahoma centered around the settlement of the four large tribes from the South, namely the Choctaws, the Creeks, the Cherokees, and the Chickasaws. These four tribes, together with the Seminoles, have since come to be called the "Five Civilized Tribes."⁴ It was to these tribes that the whole country within the bounds of Oklahoma was ceded with the exception of the "Panhandle" and the Quapaw Agency (q. v.). Holding their lands in this region by patents in fee simple from the United States, these tribes set up their own national governments, forming miniature republics the romantic stories of which form the greater part of the early history of Oklahoma.

Beginning the Settlement of the Eastern Indians—According to the provisions of settlement with the followers of William McIntosh, in the Creek treaty concluded at Washington, January 24, 1826,⁵ plans were carried forward for their emigration from Georgia and Alabama to the West. Under the sixth article of the treaty, in order to promote the best interests of these people, Colonel David Brearly, agent for that part of the tribe which proposed to emigrate, accompanied a delegation of five chiefs on an exploring tour to the western country in the spring of 1827. Upon reaching the Arkansas the party ascended that river on the steamboat, "Catawba."⁶ Securing horses at Cantonment Gibson and being accompanied by John W. Baylor, assistant surgeon United States Army, under orders from Colonel Matthew Arbuckle, they continued overland on the north side to the Arkansas about sixty miles, then crossed it and traveled southwest of the Canadian; thence down that river to the road leading to Cantonment Towson, by which they returned to Cantonment Gibson.⁷ Spring was at its height in all beauty, the rich bottom lands, the verdant prairies and fresh, running streams making a favorable impression on the Creek chiefs who expressed their satisfaction with the prospects of bringing their people to live in this section of the country.

Returning to their Nation east of the Mississippi in August, the delegation met their people who thronged to the tribal council, called especially

"We saw many Indians and half-breeds, who live in comfort and abundance, in good houses of brick, stone and wood. We saw several houses built of hewn stone, superior to any we had ever seen before. The people seemed to have more money than the whites in our own settlements; they were better clothed. The women were weaving, the men cultivating corn, and raising beef and pork in abundance; butter and milk everywhere.

"We were at an election for delegates among the Cherokees to form a constitution. They were orderly and well behaved. No whiskey was allowed." Niles' "Register" for July 7, 1827, Vol. 32, p. 309.

4. This term, as applied to the Cherokees, Choctaws, Chickasaws, Creeks, and Seminoles, came into common use after the Civil War. See Report of the Board of Indian Commissioners for 1869; also, the Report of the Board for 1876, p. 8.

5. Treaty with the Creeks. Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 264-67.

6. Niles' "Register" for June 2, 1827, Vol. 32, p. 227.

7. Letter dated October 29, 1831, from Jno. W. Baylor, assistant surgeon U. S. Army, to General John Campbell, agent Western Creeks. Senate Doc. 512, Indian Removals, Vol. I, p. 633.

to hear the report of the exploring party. There Arbeka Tustenuggee, chief of the delegation, gave an enthusiastic description of the western country—its water courses, the quality of land, the variety of game—and pointed out the advantages of removal. This address had the desired effect.⁸ It so encouraged those of the Creeks who were now compelled to emigrate under the terms of the recent treaty, that upward of eight hundred members of the McIntosh party were soon willing to leave the old Creek Nation with the hope of establishing homes in the new land.

The first emigrant party of Creeks set out for the West in the late fall of 1827.⁹ Though the prospects of material improvement in their condition lay ahead of them, yet their hearts were heavy with the parting from their kinsmen and with the thoughts of leaving forever the lands where their forefathers had lived from a time barely mentioned in the oldest of the tribal legends. After a hard and tedious journey through the winter months, the emigrating party arrived at its destination, on the Verdigris River, early in the spring of 1828. Finding a large party of Osages had encamped in the vicinity, a council of chiefs of the two tribes was held the evening after the arrival of the Creeks. The meeting proved an amicable one, the newcomers stating their intentions of settling in this region, the Osages making no objections to receiving them as neighbors. One of the Osage chiefs even went so far as to propose a union of the two nations, and, as an evidence of his good-will, offered his two daughters in marriage to the Creeks.¹⁰

Under the advice of Colonel Arbuckle, not only for the convenience of furnishing the immigrants with supplies from Fort Gibson, but also for their protection, Colonel Brearly and the exploring party of chiefs had previously selected as a site for the first settlement, a tract six to eight miles

8. "The Little Prince," a Creek chief, addressed the delegation in a friendly manner, saying he wished to part with the emigrating party as a friend, and if there were any of the McIntosh party who did not wish to emigrate, they should remain and be protected by the authorities of the Nation. Other chiefs, including "The Mad Tiger," spoke in a friendly manner. Chilley McIntosh replied in an eloquent address, after which there was a general shaking of hands, the McIntosh party retiring to the Falls of the Chatahoochie to organize their council and receive the official report of the delegation, as well as the emblems of friendship sent them by the Osages and Western Cherokees.—Niles' "Register" for August 25, 1827, Vol. XXXII, p. 420.

9. The "Tuscumbia Patriot," Tuscumbia, Alabama, for November 30, 1827, carried a news item to the effect that General (Chilley) McIntosh in company with 739 Creeks had passed through the town on November 25. The following letter from Chilley McIntosh to the citizens of Tuscumbia, also appeared:

"On our way to our location, west of Mighty River, we stopped and stationed ourselves at Harpersville in the State of Alabama, and tarried there many weeks for some of the emigrants to come up, who were then behind. We received no hospitality from the citizens of that place, but were harassed with attachments upon our property, and thrown into confusion with false accounts. After we had taken up our line of march from Harpersville, at a late hour of the night, for our long journey, we were still disturbed by persons laying claims to property in our possession, which had been obtained by us properly:—Hoping to march our people along peaceably, we were troubled with constables every five miles, with false papers, and we did not enjoy any peace until we came down the mountain; then we marched along with peace and harmony—passed through many villages, and arrived at Tuscumbia, where we encamped for a few days, intending to take boats down the waters of the Tennessee and so on to Mighty River. Here we have remained several days, and have received all kinds of hospitality and good treatment. The citizens of Tuscumbia have treated us like brothers, and our old helpless women were furnished by the good women of the town with clothing. On Tuesday the 29 of November, the law of our Great Father above was explained to us; and our people were glad to hear it. As long as our nation remains up on the earth, we will recollect Tuscumbia." "CHILLEY MCINTOSH."

Niles' "Register" for December 29, 1827, Vol. 33, p. 276.

10. Ibid., April 12, 1828, Vol. 34, p. 108.

west of Fort Gibson, situated north of the Arkansas on the west bank of the Verdigris. At that time, also, arrangements had been made for the erection of buildings for the tribal agency, on this tract, the site of which was later known as the old Western Creek Agency.¹¹ Other emigrants belonging to the McIntosh party continued to come west, until by 1832, it was estimated that twenty-five hundred Creeks were living in this region.

Soon after the arrival of the first emigrating party of the Creeks, in Oklahoma, the delegation of Western Cherokees, that had been sent to Washington, was practically forced to sign the treaty of 1828, providing for the removal of the Cherokees from Arkansas Territory. The treaty was ratified by the President within three weeks after it was signed, May 28, 1828. As the delegates had not been clothed with the power to cede any of their tribal lands, they were concerned over the action that they had been forced to take and expressed their fears to the Secretary of War, at Washington, who immediately addressed a letter to the Western Cherokees to the effect that the delegates had been actuated by purely unselfish motives for the best interests of the whole tribe.¹² Thus these people were compelled once more to leave their homes and emigrate yet farther west.¹³ In 1832 it was estimated thirty-five hundred Cherokees of the western division lived in Oklahoma, north of the Arkansas River.

It is interesting to note that Sequoyah, or George Guess,¹⁴ the celebrated inventor of the Cherokee alphabet or syllabary, who was one of the signers

11. "Arkansas Gazette" for April 17, 1827.

12. Fifth Annual Report of the Bureau of Ethnology, Charles C. Royce, "The Cherokee Nation of Indians," pp. 247-49.

13. When the news of the treaty reached the Western Cherokees, so incensed were they that threats of violence were made against the lives and property of the members of the delegation. In some places poles were set up, on which to exhibit their heads. Ibid. Also Niles' "Register" for November 29, 1828, Vol. XXXV, p. 217.

14. Little is definitely known concerning the parentage and early life of Sequoyah, called by the white people of his time George Gist, or less correctly Guest or Guess. Some authorities maintain that his father was a white man, who lived among the Cherokees some years before the Revolution, claiming that he was the son of an unlicensed German trader from Georgia. Others assert that he was born in 1760, the son of Nathaniel Gist, a soldier of the French and Indian War, whose military services were rewarded by a tract of several thousand acres of land in Bourbon County, Kentucky. After the fall of Fort Duquesne in 1758, Colonel Gist spent much of his time in the Cherokee Nation until the Revolutionary War, during which sojourn he was held in high esteem by the Indians. Sequoyah's mother was of a family of high standing among the Cherokees, her brother being a chief of Echota. During Sequoyah's childhood, she lived alone with him at Tuskegee town in Tennessee, near old Fort Loudon. The boy never attended a school and never learned to speak, read or write the English language. Upon reaching manhood, like most of his fellow-tribesmen of that time, he led the life of a hunter and trader, though he was also skilled in silver working. While on a hunting expedition, he was accidentally injured and rendered a cripple for life, a circumstance that gave him opportunity and time to contemplate the fact that the white man was able to communicate his thoughts by means of writing, which by chance he had learned in 1809. Though he never forsook the religion of his people, he often visited the Moravian Mission, where he became impressed with the advantages of civilization. For twelve years he patiently worked at perfecting a syllabary of the Cherokee language, which upon its completion was composed of eighty-five characters. This proved to be a great invention for the Cherokees, who soon adopted it in writing their language. Sequoyah occupied a prominent position among the Western Cherokees, and especially assisted in the reorganization of the reunited Nation, after the main migration of the tribe to Oklahoma, in 1838-39. Four years later, while on an expedition in search of a band of lost Cherokees, whom he heard were living somewhere in the western mountains, he died alone and unattended. It was reported he was buried near San Fernando, Mexico, in August, 1843. In 1823, he had been awarded a medal, specially made for him by a northern jewelry firm, by the order of the Cherokee Council. A pension of three hundred dollars, voted him by his Nation during his lifetime, was continued to his widow—the only literary pension in the United States. He left a widow and two sons and a daughter; a number of his descendants are living among the Cherokees of Oklahoma today.



SEQUOYAH, THE INVENTOR OF THE CHEROKEE ALPHABET

of this treaty, came to Oklahoma in 1829. Eight years previous to that time, after years of effort during which he was ridiculed and scorned by his people, he had at last perfected his alphabet of the Cherokee language, and had won its approval by the eastern portion of the tribe, through the influence of his friend Takatoka (Degataga), a prominent chief. Within a few months, practically the whole Cherokee people were lifted to the plane of literacy, and that without the aid of schools. In 1822, Sequoyah visited his kinsmen in Arkansas; they, too, mastered his alphabet and immediately an active correspondence began between the eastern and the western divisions of the tribe. From 1823, Sequoyah made his home among the Western Cherokees, his genius being specially rewarded under the fifth article of the treaty of 1828, which provided that the sum of \$500 be paid George Guess "for the great benefits he has conferred upon the Cherokee people, in the beneficial results they are now experiencing from the use of the alphabet discovered by him" Emigrating to Oklahoma in 1829, he remained an influential citizen among the Western Cherokees, or "Old Settlers" as they were afterward called.

From the signing of the treaty at Doak's Stand, in 1820, when the whole country west of the Arkansas, between the Canadian and the Red rivers had been assigned the Choctaws, it had been definitely known where the Choctaws would locate if they could be persuaded to emigrate. But few Choctaws came west to live before 1831, however. Particular attention was called to this extensive domain of the Choctaws, in 1825, when it was suggested that the Chickasaws, their kinsmen, should be persuaded to emigrate and settle in some portion of this country.¹⁵

With this end in view, a deputation of Choctaws and Chickasaws reached St. Louis in October, 1828, whence they set out with a company of commissioners, agents, and other representatives of the Government to explore the Southwest and select a site for the settlement of the Chickasaws.¹⁶ The party explored the prairie country of Southern Kansas and Northern Oklahoma as far south as the Arkansas River, a region destitute of timber except fringing growths along the streams and with little water supply. These circumstances, along with the fact that the visit was made in an unfavorable season, did not agreeably impress the Chickasaws with the idea of emigrating from their home in Mississippi. The Choctaws repeatedly expressed their willingness to allow the Chickasaws to settle in their country south of the Canadian, provided the latter would incorporate themselves politically with the Choctaw Nation, if the two tribes emigrated. The Chickasaws objected to this provision, but expressed themselves more favorably impressed with the Choctaws' lands, south of the mouth of the Canadian, than with any of the other lands which they had inspected.¹⁷ Upon arriving in this locality,

15. Message to the President, submitted by John C. Calhoun, published in Niles' "Register" for February 25, 1825, Vol. 27, p. 404. (An attempt was made in 1826 to induce the Choctaws and Chickasaws to cede all their eastern lands, without success.)

16. There were thirty-six persons in this company that included Rev. Isaac McCoy, Benjamin Reynolds, agent for the Chickasaws; Lieutenant Washington Hood, Mr. John Bell, D. W. Haley, John L. Blake, sub-agent for the Creeks, and Captain Kennerly; six Choctaws, of whom one was Peter P. Pitchlynn; thirteen Chickasaws, accompanied by Major Levi Colbert, Thomas Sealy, Isaac Love, C. Colbert, and J. McLish; in addition there were some personal servants.—Isaac McCoy in "History of Baptist Indian Missions," pp. 349-67.

17. Senate Document 512, "Indian Removals," 23d Congress, 1st Session, Vol. I, pp. 561-66.

therefore, the Chickasaw delegates, in behalf of their tribe, addressed a communication to the representatives of the Government, saying that they could not consider the question of emigration until a further settlement of their affairs in the East. For a period of nine years thereafter, locating a home for the Chickasaws continued to be a problem for Government officials.¹⁸

Creation of an Indian Territory—In the meantime, the administration at Washington continued to push the matter of removing all the eastern Indians. President Jackson in his message to Congress, December 8, 1829, reviewed the condition of the various Indian tribes, and pointed out the necessity of adopting a new policy regarding them, recommending that Congress enact legislation setting apart "an ample district west of the Mississippi . . . to be granted to the Indian tribes as long as they should occupy it. . . . There they may be secured in the enjoyments of governments of their own choice, subject to no control from the United States than such as may be necessary to preserve peace on the frontier and between the several tribes."¹⁹

In compliance with this request and the urgent demands of people in certain sections of the United States, Congress passed an act, approved May 28, 1830, providing for an exchange of lands with the Indians. Section 3 of the act expressly stated "That in the making of any such exchange or exchanges, it shall be and may be lawful for the President to solemnly assure the tribe or nation with which the exchange is made that the United States will forever secure and guarantee to them and their heirs or successors the country so exchanged with them"²⁰

After the Indians east of the Mississippi were located in the unorganized areas west of Missouri and Arkansas, under the provisions of this act, all the country extending south from the northern boundary of the present State of Nebraska, to the Red River, and extending as far west as the lands were supposed to be habitable, came to be known as the "Indian Territory." From this vast tract the states of Kansas, Nebraska, and Oklahoma have since been formed. With the passage of the Kansas-Nebraska act, nearly twenty-five years later, the area of the Indian Territory was restricted to practically the same limits as those which now embrace the State of Oklahoma.²¹

18. Among the suitable locations suggested for the Chickasaws was the Osage Reservation in Kansas, the Osages, themselves, to be induced to remove further North. *Ibid.*, pp. 275-77 and 561-67.

19. *Messages and Papers of the Presidents*, Vol. II, pp. 457-59.

20. *U. S. Statutes at Large*, Vol. 4, pp. 411-12.

21. The Indian Territory, as first known, was approximately 600 miles long; from north to south, while the supposed habitable zone (i. e., that upon which there was timber sufficient for building, fuel, and fencing) was approximately from 150 to 250 miles wide. Rev. Isaac McCoy, in his pamphlet "The Annual Register of Indian Affairs Within the Indian (or Western) Territory," printed at the Shawnee Baptist Mission, in Johnson County, Kansas, January 1, 1835, made the following statement:

"By the Indian Territory is meant the country within the following limits, viz.: Beginning on the Red River, east of the Mexican boundary and as far west of Arkansas Territory as the country is habitable; thence down the Red River eastwardly to Arkansas Territory; thence northwardly along its western line to the Missouri River; thence up the Missouri River to the Puncah [Niobrara] River; thence westwardly as far as the country is habitable; thence southwardly to the point of beginning."

Affairs in the Region of the Three Forks—Two years had passed since the treaty with the Western Cherokees, in 1828, yet no survey of their country had been made and no definite boundaries established. Both the Cherokees and the Creeks, who were living north of the Arkansas west of Fort Gibson, were unsettled, not knowing the location of their recently acquired lands. They were still waiting to begin permanent improvements of their property. Appearances generally were like other new settlements on the frontiers, except that they had more corn growing and more cattle on the range than the average white settlement of that period, in proportion to their numbers. Their houses were of the log-cabin type, their fields fenced with rails. In addition to herds of cattle and horses, they kept hogs, sheep, and poultry. The women used spinning wheels and looms.²²

The unsettled state of the Cherokees and Creeks, together with the fact that bands of Osages had not yet removed to their reservation in the North, within the boundaries of the present State of Kansas, created a disturbing condition in the region of the Three Forks. The Osages still roved within the unsurveyed limits of the Cherokee cession, the old antagonism between the two tribes still smoldering in the hearts of each. The fall and winter of 1830-31 was exceptionally hard, on account of a severe drought in the North, so that the prairies to the west had burned far and wide, destroying much of the game and driving the rest to remote regions in search of food. The Osage hunting parties had evidently returned in the autumn with little provision, for when winter came it found these people poor and without protection from the severe weather. Harassed with the idea that they were soon to be limited within the narrow bounds of a new reservation, the bounds of which were not positively determined as yet, and pressed by hunger, they began to make raids on the Cherokees and Creeks, destroying their property and driving off and killing their stock. War was imminent, for the incensed Cherokees were aroused and retaliation would have followed but for the interference of the Government's authorities.

Through the efforts of Pierre L. Chouteau, Government agent for the Osages, the leaders of the marauding bands acknowledged their guilt and were induced to meet the Creeks and Cherokees at Fort Gibson to make amends for their depredations during the winter months. Early in May, 1831, the Osages first met in council with the Creeks who spoke more in an aggrieved tone than in anger. After the meeting, which lasted several days, the Osages admitted all reasonable and just claims against them, Chief Clermont's band, the offending party, agreeing to pay the Creeks damages from the annuity due them for 1831. A council was then held with the Cherokees who were still angry and were exorbitant in their demands. In the end, they finally relinquished all their claims except those acknowledged by the Osages, Clermont's band again agreeing to pay them damages out of the balance of the annuities due that year.²³

22. The Cherokees and Creeks, living in the vicinity of the Three Forks, were able to furnish 50,000 bushels of corn to the U. S. agents for the migrating Indians, in the autumn of 1831. Senate Document 512, "Indian Removals, op. cit., Vol. II, p. 773.

23. *Ibid.*, pp. 457-59 and 498-506.

The first treaty was signed by sixty Creek leaders, including Chilley McIntosh, Thomas Stidham, and Benjamin Perryman, and sixty-eight Osages; the second was signed by twenty-one Cherokees with Black Coat as chief, and thirty Osages. The signers on the part of the Osages in both cases, included Clermont, Pawhuska, and Tally. It is also interesting to note that the noted Sam Houston,²⁴ who was living among the Cherokees at that time, attached his signature to both treaties, as a witness, along with the commanding officers at Fort Gibson and the agents of the Government.

While these treaties were not ratified as treaties of cession, yet they were important, serving as the basis of local law during a disturbed, though short, period in the region of the Three Forks, the contracting parties declaring solemnly "that there shall be peace and friendship between them forever as nations." The terms of both treaties included provisions for the method of trial and for punishment in cases of theft or murder; also, stipulated conditions in cases of horse trading. The Cherokee treaty contained certain articles with reference to the conduct of that part of the tribe who were known as the Cherokees of Red River;²⁵ it further made provisions for "an annual council of the chiefs of both nations at Cantonment Gibson on the 1st day of May, for the purpose of affecting an amicable adjustment of all matters, and renewing and perpetuating this bond of peace and friendship."

When the act of 1830 was passed, setting aside a portion of the public

24. General Houston signed himself as "Samuel Houston of Neosho." Upon his resignation as Governor of Tennessee, the following appeared as a news item in Niles' "Register" (Baltimore, Maryland), for May 16, 1829, Vol. XXXVI, p. 179:

"Public curiosity has been much excited because of the singular manner in which this gentleman retired from his place, as Governor of Tennessee. The papers published in that State rather increase than dissolve the seeming mystery of the proceeding, by saying that Gen. H. has left Nashville, and that his destination is to the Cherokee Indians, in Arkansas. It is probable, therefore, that he has suffered some grievous private misfortune, for which the public sympathy is shewn in the silence observed, concerning it. We have had the pleasure of much friendly communication with Gen. H. and always thought that, though the ardency of his feelings sometimes overbalanced his judgment, he was a high-spirited and worthy gentleman, a truly honest man and sound patriot."

General Houston came to Oklahoma with the Western Cherokees in about 1829, being adopted as a member of the tribe through the influence of his friend, Chief John Jolly. After his wife in Tennessee divorced him, he married Tiana Rogers, reported to have been the sister of John Rogers, who lived near Fort Gibson, and, also, a niece of Chief John Jolly. Within three miles of Fort Gibson, on the Grand River, General Houston and a Mr. Drenan, a merchant of Nashville, purchased a trading establishment from Colonel Auguste P. Chouteau. There General Houston lived the life of a trader, claiming the right to trade within the limits of the Cherokee country without a license as a member of the tribe, under his certificate of adoption. He went to Washington as a representative of the Western Cherokees in 1832, where, dressed in Indian costume, he called upon President Jackson, who received him with much cordiality. A few months later, after his return to the Cherokee Nation, he went to Texas, where he took up the cause of the Texans against Mexico.

25. Dissatisfied with the terms of the treaty of 1828, a number of Western Cherokees under the leadership of Tahchee, or "Dutch," who had been one of the first of his tribe to settle in Arkansas, crossed the Red River into Texas to join a colony of Cherokees who had located in Mexican territory, under the leadership of the Cherokee chief, "The Bowl," not long after the treaty of 1817. Tahchee made himself so conspicuous by crossing the Red River and making raids upon the Osages, that a reward of \$500 was offered for his capture by Colonel Matthew Arbuckle.—James Mooney in "Myths of the Cherokee," Historical Sketch, p. 142, said:

"To show his defiance of the proclamation, he [Tahchee] deliberately journeyed to Fort Gibson, attacked a party of Osage at a trading post nearby, and scalped one of them within hearing of drums of the fort. With rifle in one hand and the bleeding scalp in the other, he leaped a precipice and made his escape, although a bullet grazed his cheek. On promise of amnesty and the withdrawal of the reward, he afterward returned and settled, with his followers, on the Canadian, southwest of Fort Gibson, establishing a reputation among army officers as a valuable scout and guide."



REV. ISAAC McCOY,
Missionary to the Indians

domain for the Indians, little was known by Government officials, concerning the topography of the country west of Missouri and Arkansas. Therefore it was necessary to ascertain through surveys what part of it was timber, and where was prairie land. It was at this point in the history of Oklahoma, that Rev. Isaac McCoy,²⁶ a missionary of the Baptist Convention, figured prominently. Having begun his missionary labors among the Indians north of the Ohio in 1817, he had become impressed with the belief that the hope of elevating the Indians could be best achieved by removing them from the contaminating influence of certain vicious elements that were found in many of the frontier white settlements, and had consulted with the Secretary of War, John C. Calhoun, as early as 1825, with reference to the matter. He first visited Oklahoma with the Choctaw and Chickasaw exploring party in 1828. From that time until his death, he was constantly engaged in aiding various Indian tribes to select new reservations in the West. Due to his influence and tactful suggestion as a missionary and as a representative of the Government, the boundaries of various reservations were surveyed, and the harmonious settlement of difficulties arising between various Indian tribes was accomplished.

Because of his knowledge of the country west of Missouri and Arkansas, Mr. McCoy was appointed on March 31, 1831, by the Secretary of War, John H. Eaton, to survey the boundaries of the Creek and Cherokee reservations north of the Choctaw cession in Oklahoma. The lines of the Cherokee Nation were to be run in such a way as to include 7,000,000 acres, aside from the outlet to the West, taking the Arkansas River as the southern boundary and the line between Fort Smith, on the Choctaw boundary, and the southwestern corner of Missouri as the eastern boundary. However, it was found that the wording of the treaty of 1828 with reference to this eastern boundary was ambiguous, so that the matter became a question of "parole proof" on the part of Mr. McCoy. For this reason, hardly had the difficulties been settled with the Osages in the spring of 1831, when the Creeks and Cherokees

26. Isaac McCoy was born near Uniontown, Pennsylvania, June 13, 1784, his boyhood being spent in Kentucky. In 1817, he became a missionary of the Baptist Convention, among the Miami Indians in the Valley of the Wabash, and subsequently labored among the Pottawatomies and Ottawas. In 1830, he was appointed by Thomas L. McKenney, Commissioner of Indian Affairs, to survey the Delaware Reservation west of Missouri, at the same time being requested to furnish a description of the country in that region, preliminary to the negotiations for the settlement of the Osages, Kansas, Shawnees, Omahas, and Otoes. Under instructions from the War Department in 1831, he was appointed to survey the boundaries of the Cherokee cession of 1828 and a reservation for the Creeks; at the same time he was called upon to assist in suggesting a suitable location for the Chickasaws, and to examine thoroughly the Osage Reservation as to the quality of land, etc. At this time he brought his family to live at the Union Mission, being on the best of terms with the missionaries of the Presbyterian denomination. One of his children died and was buried at the Union Mission. In 1832, he was under instructions from the Commissioner of Indian Affairs to survey reservations for the mixed band of Shawnees and Senecas, and, also, for the Ottawas, in extreme northeastern Oklahoma. In 1837, he took the contract to survey the Cherokee Outlet, the actual work being done by his son, John C. McCoy. He was author of "A History of the Baptist Indian Missions," and of a number of pamphlets, including the several numbers of his "Annual Register of Indian Affairs Within the Indian Territory." He was held in high esteem by Government officials through more than one administration, for his personal integrity and "minute and accurate information respecting the topography of the country, and the dispositions and habits of the natives" of the country west of Missouri and Arkansas; the Board of Indian Commissioners, appointed in 1832, were advised to consult with Mr. McCoy in order to facilitate their work at Fort Gibson. He probably did more traveling than any other man ever engaged in Indian mission work, with the possible exception of Father DeSmet, of the Roman Catholic Church. He died at Louisville, Kentucky, June 21, 1846.

were again called into council to meet Mr. McCoy to consider the matter of the survey of the Cherokee lines. Much to their dismay and dissatisfaction,²⁷ the Creeks found that the Cherokee cession of 1828 overlapped the region south of the Arkansas River where they had settled under the advice and promises of Government officials. The Cherokees on their part were reticent, but, through the diplomacy of Mr. McCoy, they agreed that the northeastern corner of their nation should be established on the Missouri boundary "immediately after crossing the first considerable stream north of the corner of Missouri, which runs into the Neosho."²⁸

In addition to the worry of settling these matters with the Indians in their council, Mr. McCoy had arrived at Fort Gibson to find that no means for carrying out his survey had been provided, though money and men had been promised in his letter of instructions from the War Department. Yet in spite of these trying circumstances, he undertook the task of getting his surveying party together, and set out across country to the southwestern corner of Missouri, accompanied by two Cherokees, who represented the interests of their tribe, and two surveyors, Dr. Rice McCoy and Mr. John Donelson.²⁹ Arriving at their destination, Mr. Donelson and his party ran the line south to Fort Smith on the Arkansas River, the first survey of the eastern boundary of Oklahoma north of that river. Mr. McCoy and Doctor McCoy continued the survey north on the western boundary of Missouri, eight miles and ninety-nine chains, to Elk Creek, the first large branch of the Neosho (or Grand) River, from the east. On the north bank of this stream, a large mound and other marks were set up to designate the northeastern corner of the Cherokee Nation.³⁰ The establishment of this corner made it possible to run subsequent surveys that more or less affected the settlement of nine Indian tribes.³¹ On account of their overlapping claims, it was necessary to make new treaties with the Creeks and the Western Cherokees two years later, but with the setting up of the mound on the north bank of Elk Creek, the essential step was taken in solving the intricate puzzle that included verbal promises, treaty stipulations, and fair treatment of the Indians. It was largely due to the self-sacrifice, honesty, and foresightedness of Rev. Isaac McCoy, that the way was opened for the peaceful settlement of Oklahoma.

27. A communication, dated Western Creek Nation, October 25, 1831, addressed to the President of the United States, and signed by twenty-seven Creek leaders, said in part: "Our people have already settled the country, and do not intend to be removed without it is done by force. We have always taken the advice of our father [the President]. When he told us to come to this country, we came with the promise of having an unmolested home, having left behind us a country that we loved, and where lay the bones of our fathers, and then to be driven into the open prairie, out of sight of timber and there to perish, it is enough to make our hearts bleed at the thought of it." Senate Document 512, *Indian Removals*, op. cit., Vol. II, pp. 633-35.

28. Immediately after the council, the Cherokee chiefs and principal men had addressed a written request to the agent of the Creeks, in care of the Cherokee agent, demanding the removal of all the Creeks who had located between the Canadian and the Arkansas rivers. Mr. McCoy asked that the request be delayed until he could receive further word from the War Department, in order to avoid difficulty between the two tribes. Letter dated August 18, 1831, from Isaac McCoy to Hon. Secretary of War. *Ibid.*, pp. 561-66.

29. Dr. Rice McCoy was a son of Mr. McCoy. He died at the Shawnee Mission, Kansas, in May, 1832. John Donelson was the nephew of Mrs. Andrew Jackson. He surveyed the Arkansas-Oklahoma boundary north of the Arkansas River, between September 19, 1831, and January 28, 1832.

30. Senate Document 512, *Indian Removals*, Vol. II, pp. 561-66.

31. These were the Cherokees, Creeks, Seminoles, Chickasaws, Choctaws, Osages, Senecas, Quapaws, and Ottawas.

CHAPTER XIII

REMOVAL TREATIES WITH THE FIVE TRIBES

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Although, geographically speaking, the scene of action surrounding the removal treaties with each of the five tribes, living in the southern part of the United States, is a part of the history of other states, yet the direct results of these treaties deeply affected the history of Oklahoma, on account of the removal of the southern Indians to this section of the West. A brief review of the circumstances surrounding the making of the treaties and the removal of the tribes is therefore pertinent in recounting the history of Oklahoma.

The election of Andrew Jackson, as President of the United States, turned the tide, in the question of ownership of Indian lands, in favor of the southern planters and settlers who had for many years coveted the fertile tracts claimed and occupied by the Indians. When the states of Georgia, Alabama, and Mississippi began extending their laws over the lands occupied by the Indian nations from time immemorial and guaranteed to them by treaties with the Federal Government, which had assumed the position of protector over them, the tribal organizations were no longer recognized as separate governments. Under the new State laws, the Indians not only had no agency in executing these laws but they had neither voice nor influence in making any further laws. There was, therefore, no surety on their part as to what measures might be framed in the future by the State Legislatures, bodies that had little responsibility to any human tribunal for the treatment prescribed and the limitations imposed upon the Indians by the white people. Some states had already made laws declaring no Indian or descendant of an Indian could be a witness in a court of justice. In this anomalous condition, President Jackson took the position that he had no authority to interfere with the sovereign rights of the states in the management of lands within their borders, and was therefore unable to protect the Indians in the rights heretofore recognized and guaranteed by the Federal Government.

Negotiations with the Choctaws and Chickasaws—One month before the inauguration of President Jackson, February 4, 1829, the Legislature of Mississippi extended the laws of the State over all white persons living within the limits of the Choctaw and Chickasaw nations¹ and attached a portion of the tribal lands to the adjacent counties of the state.² A year later, the Legislature further extended its laws over the Indians and abolished all their rights to any government of their own within the borders of Mississippi. This meant a clash of interests between the Indians, who had been recognized by the United States Government as owners of the lands in question,

1. At this time the Choctaw county lay in east central Mississippi and west central Alabama, between the Tombigbee and the Pearl rivers. The Chickasaw country lay in northern Mississippi, extending into the northwestern corner of Alabama.

2. Letter of F. E. Plummer, M. C., to the Secretary of War, dated May 22, 1832. Senate Document 512, Indian Removals, 1st Session 23d Congress, Vol. III, pp. 361-63.

and the white settlers, who would become owners of these same lands through force.

Although the two treaties of Doak's Stand and of Washington made with the Choctaws, in 1820 and 1825, respectively, had sought to induce these people to move from Mississippi to the new country assigned to them between the Arkansas and Canadian and Red rivers, in an exchange for a large portion of their richest lands in Mississippi, few members of the tribe had availed themselves of the privileges set forth in these treaties.³ At a meeting of the Choctaw council at Yok-nok-cha-ya, in September, 1829, William Ward, United States agent to the Choctaws, presented a communication purported to be from President Jackson, setting forth the advantages of removal, and, also, the lack of power on the part of the President to protect the independence of the Choctaws, especially ascribing the unwillingness of these people to remove to the West as being due to the influence of white men who were living among them. In answer to these statements, the Choctaws remained unalterably opposed to the idea of removal and to the sale of their Mississippi lands.⁴

With the extension of the State laws over the Choctaws, in 1830, and in view of the fact that the white settlements were crowding more thickly about the remnant of their tribal lands, some of the Choctaw leaders began to believe that the removal of their people was inevitable if it was to be hoped to save them from annihilation. These leaders with a small portion of the tribe met in council on March 15, 1830, and drew up the draft of a removal treaty which was submitted to the authorities at Washington. This treaty, however, was not ratified by the Senate, because of the protests of the majority of the Choctaws who had had no part in its making and who charged selfishness on the part of its framers.⁵

Several weeks later, within a few days after the act creating an Indian Territory west of the Mississippi River was passed by Congress, in May, 1830 (q. v.), word was sent the Choctaws that President Jackson would soon visit Tennessee, when he would meet the Choctaws and their neighbors, the Chickasaws, to consider negotiations for a treaty with each tribe.⁶ On August 23, the President and his two commissioners, Hon. John H. Eaton, Secretary of War, and Gen. John Coffee, arrived at Franklin, Tennessee. Here they

3. The fifth article of the Treaty of Doak's Stand, 1820, stipulated: "For the purpose of aiding and assisting the poor Indians, who wish to remove to the country hereby ceded on the part of the United States, and to enable them to do well and support their families, the commissioners of the United States engage, in behalf of said States, to give each warrior a blanket, kettle, rifle gun, bullet moulds and nippers, and ammunition sufficient for hunting and defense, for one year. Said warrior shall also be supplied corn to support him and his family, for the same period, and whilst travelling to the country above ceded to the Choctaw Nation." The sixth article stipulated that a blacksmith and an agent would be sent to the new western country in behalf of the tribe. These latter provisions were reiterated in the ninth article of the treaty at Washington, in 1825.—Treaty with the Choctaw, 1825. Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 211-14.

4. *Missionary Herald* for December, 1829, Vol. 25, p. 378.

5. Appendix XIII-1. Notes on the government and chiefs of the Choctaws in Mississippi.

6. Letter of John H. Eaton, Secretary of War, addressed to the Principal Chiefs and Head-men of the Choctaw Nation, dated June 1, 1830.—Senate Document 512, op. cit., Vol. II, pp. 3-5.

met a delegation of the chiefs and headmen of the Chickasaws,⁷ the Choctaws refusing to appear at the meeting.

During the conference, a communication from President Jackson, addressed to the Chickasaws, pointed out the advantages, even the dire necessity, of removal to the West, unless they wished to surrender themselves—their own laws and their own customs—and be placed in a position over which he had no authority as President. He said if the Chickasaws rejected this opportunity to provide a home for their people, in the West, the time would soon come when this advantage would be beyond their reach.⁸ The Commissioners, also, emphasized these statements which practically forced the Chickasaws to accept the conditions offered. The chiefs and head-men signed the draft of the proposed treaty, henceforth known as the Treaty of Franklin, on August 31, 1830, with the express provision "that a country of equal climate, soil, and extent shall be laid off" in the West, to which the tribe might remove; it being tacitly understood that they would treat with the Choctaws and make provisions for such a home within the Choctaw country north of the Red River.

Before the council at Franklin adjourned, a memorial from two of the districts in the Choctaw Nation was sent, asking the President to send the commissioners to treat with the Choctaws in their own country.⁹ Accordingly, under no further instructions from the President than "fail not to make a treaty," Secretary Eaton and General Coffee met the chiefs and captains¹⁰ of the Choctaws at their council house on Dancing Rabbit Creek, in what is now Noxubee County, Mississippi.

When the commissioners alighted from their carriages at the council house, on September 15, two important tasks confronted them: first, the fears and discord brewing among the dissatisfied Choctaws had to be allayed so that the meeting could be carried on as amicably as possible; second, an immediate answer had to be sent to a communication from four leading missionaries¹¹ of the American Board, which had large sums invested in the

7. At the time the removal treaties were negotiated, the Chickasaw country was divided into four districts; namely, Ishtehotopa District, with Ishtehotopa as chief; Tishomingo District, with Tishu Miko, or Tishomingo, as chief; the Sealy District, with Samuel Sealy as chief, and McGilvery District, with William McGilvery as chief. The three latter were all sub-chiefs to the ruling miko (mico) or king, as he was commonly called in English. At the time of the removal treaties, Ishtehotopa was the miko, or king of the Chickasaws. Though the title of king would lead one to suppose that this ruler was hereditary, such was not originally the case, according to early authorities, who stated that the king attained his station through his own personality and prowess with the consent of the people. Next in order to the chiefs were the head-men.

8. A portion of the address to the Chickasaws at this meeting was as follows: "By an act of Congress it was placed in his [the President's] power to extend justice to the Indians; to pay expenses of their removal; to support them for twelve months; to give them a grant of lands which should endure 'as long as grass grows and water runs.'" (The words, "as long as grass grows and water runs" does not appear in any treaty between the Federal Government and the Choctaw or the Chickasaw nations. However, the words do appear in the treaty made between the Confederate states and the two nations in 1861.) Communication to the Chickasaw delegation, dated Franklin, Tennessee, Monday, August 23, 1830.—*Ibid.*, Vol. II, pp. 240-51.

9. Address to the "Mingoes, Chiefs, Captains and Warriors of the Choctaw Nation," signed by J. H. Eaton and Jno. Coffee. *Ibid.*, pp. 255-58.

10. The title of "captain" was given to a head-man of the Choctaws, without any significance in its military sense in English. So, also, the title of "colonel" usually applied to a chief or ex-chief bearing an English name.

11. These were Cyrus Kingsbury, Cyrus Byington, Loring S. Williams, and Calvin Cushman. The three former saw many years of service as missionaries to the Choctaws, in Oklahoma.

missions among the Choctaws, asking that they be allowed to be present at the council meeting; and, also, seeking permission to carry on religious instruction and meetings among the Choctaws who had gathered for the council. A positive refusal of these requests was forwarded to the missionaries, and their presence at the making of the treaty was denied.

Fully six thousand Choctaws, including men, women, and children, came to the council grounds, and set up their camps on Big Rabbit Creek. The great gathering was not lacking in the picturesque, for Nitakechi and the leading captains could be distinguished from the crowd, dressed in Indian costumes of fringed hunting shirts and leggins, decorated with beadwork and silver ornaments, and wearing bright colored turbans. Musholatubbee appeared in a blue military uniform sent him by President Jackson. Colonel Greenwood LeFlore was noticeable in citizen's clothes, a circumstance that led some of the full-bloods to suspicion that he was in sympathy with, if not in collusion with, the United States commissioners. The white people were numerous, too—a great many of them being gamblers and whiskey peddlers who had made their camps along one side of the creek and who kept a demoralizing revelry going on, night and day, throughout the negotiations, near the treaty grounds.¹²

The scene during the treaty negotiations, which lasted for nearly two weeks, was a dramatic one. About noon of Saturday, September 18, the actual parleying began between the commissioners and the Choctaw chiefs and captains who had gathered for the council in the shade of the forest near the council house. Then commenced the contest for the control of the meeting, the keen rivalry between the factions of the Choctaws themselves being heightened by the tense excitement of the occasion.¹³ They listened, as was always their custom, in respectful silence to the commissioners, who put forth every argument to gain acquiescence to the Government's policy, which was the relinquishment of the tribal lands in Mississippi and the removal of the people to the West. The commissioners stressed the same conditions that confronted the Chickasaws, namely, the Indians would have to give up their tribal governments and submit to State laws, placing themselves in a position where they would no longer have the Federal Government as a protector. Their arguments closed with the statement, "After the present time

12. "The dissipation and revelry at Dancing Rabbit Creek was not confined to the day time alone, for every night somewhere on the ground there was a big Indian dance which was always protracted to a very late hour. By a strange paradox in the nature of the Choctaws, than whom no more chaste race ever existed, there was no licentiousness whatever at Dancing Rabbit. It is also pleasing to record that amid all the scenes of Indian amusement, gambling, and revelry at Dancing Rabbit, there was a notable exception in the conduct of the Christian Indians who lived under the jurisdiction of Captain David Folsom. This Christian party, with their captain, kept up religious services, preaching, praying and singing every night until a late hour."—H. S. Halbert in the "Story of the Treaty of Dancing Rabbit." Publications of the Mississippi Historical Society, Vol. VI., p. 373.

13. "A dispute arose between the chief LeFlore and some of the captains, upon the subject of referring all matters first to a committee of twenty persons to be selected from each district. LeFlore insisted that, having the most men present, and within the bounds of his district, he should have the largest number on the committee. A quarrel was likely to ensue, when the Secretary addressed them, etc. . . ." (As a matter of fact the negotiations for the treaty were held at the Council House in Musholatubbee's district.)—Journal of the proceedings for the Choctaw treaty at Dancing Rabbit Creek, Senate Document 512, op. cit., Vol. II, pp. 251-63.

we will no more offer to treat with you. You have commissioners in your country for the last time. Hereafter you will be left to yourselves, and the laws of the states within which you reside; and, when weary of them, your nation must remove as it can, and at its own expense."

The great majority of the Choctaws remained bitterly opposed to these offers, so that more than a week later, some of them began leaving the council grounds to return to their homes in distant parts of the Nation. At this point, through the efforts of Colonel Greenwood LeFlore and others, who deemed it a matter of expediency, a treaty was drafted and placed before the Council. Partly on account of the representations of the commissioners and partly because of the express provisions in the 14th article of the treaty, which allowed those Choctaws who did not wish to emigrate the privilege of taking an allotment of lands in Mississippi, the chiefs and captains—totaling 171 in all—signed the document at one o'clock, September 27, 1830, amidst an excited throng of tribesmen.

With the ratification of the Treaty of Dancing Rabbit Creek, by the United States Senate, on February 24, 1831, the first final removal treaty with any of the five tribes of the South was consummated. Under its terms the Choctaws relinquished the last of their holdings east of the Mississippi; namely, 10,421,139 acres of land was given up to the United States. In return, the tribal reservation set aside in 1820, in Oklahoma, was to be granted in fee simple to the tribe.¹⁴ The head of any Choctaw family was granted the right to select one section of land for himself and a lesser stipulated amount for other members of his family, from the Mississippi lands, preparatory to becoming a citizen of the State, provided he made known his intentions to the United States agent within six months after the date of the treaty. Removal of the Choctaws and subsistence for one year was to be at the expense of the United States. Among other provisions were those setting aside a special sum for the education of forty Choctaw youths, the support of schools in the Nation, the appraisement and the sale of all cattle and farm implements for the benefit of the individual Choctaw owner, the payment of annuities due from former treaties and so forth.¹⁵

The ratification of the Chickasaw Treaty of Franklin by the United States Senate was contingent upon the condition that a settlement of the Chickasaws could be effected within the limits of the Choctaw country, west of the Mississippi. In the late fall of 1830, a delegation of Chickasaws met an exploring party of Choctaws on the Canadian River, but all efforts at the proposed settlement were ineffectual, the Chickasaws returning to Mississippi still dissatisfied with the proposition.¹⁶ However, they expressed themselves

14. By the Treaty of Doak's Stand, the Choctaws relinquished 4,150,000 acres of land in the Delta region of the Mississippi, comprising some of the richest cotton country in the South.

15. Treaty with the Choctaw, 1830. Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 310-19.

16. Among the leading men of the Chickasaw Nation were the sons of Levi Colbert, a white man, whose wife was a Chickasaw. Major Levi Colbert was the most prominent of the family. At the time of the meeting of the Choctaw and Chickasaw exploring parties on the Canadian, in 1830-31, Benjamin Reynolds, the United States agent for the Chickasaws, made the following statement with reference to the settlement of the tribe in the Choctaw country: "But I fear the plan will not receive the willing coöperation of Major Colbert.

pleased with the country south of Red River, lying between that river and the Sabine River, and west of Louisiana line, but since this was Mexican territory, the United States could not provide a country for them in that region.¹⁷ For these reasons the Treaty of Franklin never went into effect, all efforts of Government officials toward securing a settlement of the tribe remaining ineffectual during 1831.¹⁸

In the meantime, the State of Alabama extended its laws over that portion of the Chickasaw country within its borders; also, under the direction of the Governors of Mississippi and Tennessee, surveys of the northern portion of the Chickasaw country was commenced, and white settlers began making their homes within the limits of the Nation. Having taken advantage of every opportunity to put off a final removal treaty, the Chickasaws now found themselves pressed to take some action.¹⁹ General John Coffee, again being duly authorized by President Jackson to act as United States Commissioner, met them at the tribal council house on Pontotoc Creek, Mississippi, where a treaty was drawn up and signed on October 20, 1832. During the negotiations, the chiefs representing the full-blood faction of the Nation refused to concede the half-breed members any right to remain east of the Mississippi in possession of their individual improvements or grant them any special allotments of land. It was expressly stipulated that the tribe would procure a home in the West. The terms of the treaty provided that all tribal lands east of the Mississippi were to be sold, under the general regulations of the United States, within a period of five years, the net proceeds to remain in trust for the whole tribe under the control of the Federal Government. To this last provision some of the leaders seriously objected, desiring that the control of this property be left in the hands of the tribal authorities.²⁰ In view of this fact, another treaty was made with a Chickasaw delegation at Washington, on May 24, 1834, the terms of which provided for further regulations for the sale of the eastern lands and for the trust funds arising therefrom, a sum necessary for purchasing a home in the West to be set aside from this amount. Also, the tribe should pay all its own expenses in

He has been heard to observe, that he would not like to live under Leflore, etc.; and I know his thirst for power is such as to form an obstacle in his mind adverse to an union. I have almost been forced to the conclusion, that he was not sincere in his profession on the subject of the treaty; for he was heard to observe, on our way out, that he knew there was no country in the west for his people, and that he was traveling to humor the President."—Communication of Benj. Reynolds to the Secretary of War, dated March 27, 1831. Senate Document 512, *op. cit.*, Vol. II, pp. 419-22.

17. Major Levi Colbert with four other members of the exploring party in 1830-31, examined the country south of the Red River and reported favorably upon the settlement of the Chickasaws in that region. In a communication, dated Chickasaw Agency, July 14, 1833, and signed by William K. Hill, appears the following statement: "The subscriber has a power of attorney, duly and properly authenticated from Chambers and Padilla, to sell and dispose of four million acres of land, in the province of Texas, lying between the one hundred and one hundred and second degrees of west longitude from London, etc."—For reference see, respectively, the communication addressed to General Jackson by the chiefs and warriors of the Chickasaw Nation, dated May 28, 1831. *Ibid.*, Vol. II, pp. 469-71; also, Letter of William K. Hill, *Ibid.*, Vol. IV, pp. 489-90.

18. Letter of J. H. Eaton and Jno. Coffee to the Secretary of War, Lewis Cass, dated Choctaw Agency, December 11, 1831. *Ibid.*, Vol. II, pp. 700-01.

19. Letter of Benj. Reynolds, U. S. agent to the Chickasaws, addressed to the Secretary of War, dated Chickasaw Agency, February 4, 1832. *Ibid.*, Vol. III, pp. 189-90.

20. Letter of J. H. Eaton, addressed to the Secretary of War, dated Washington City, January 21, 1833. *Ibid.*, Vol. IV, pp. 22-23.

the removal to the West. A Chickasaw commission of seven members of the tribe was named to have the power of giving approval to all tribal land sales in the country east of the Mississippi, thus nominally granting the tribe control over its own affairs.²¹

Three years later, at the end of the five-year period stipulated in the Treaty of Pontotoc and the Treaty of Washington, the Chickasaws finally entered into an agreement with the Choctaws at Doaksville, Choctaw Nation, January 7, 1837, providing for the settlement of their people within the limits of the Choctaw Nation. A district to be known as the Chickasaw District, was set aside for them, covering the western part of the Choctaw country, west of a general but irregular line from the mouth of Brushy Creek on the Canadian to the mouth of Island Bayou on the Red River. The Chickasaws paid the Choctaws the sum of \$500,000 for the rights of incorporation, all rights and privileges of the citizens of both tribes to be equal, the citizens of either tribe being allowed to settle anywhere within the limits of their respective districts. The annuities of each tribe were to be kept entirely separate and under the management of the respective tribes.²²

Removal Treaties with the Creeks and Seminoles—In anticipation of the administration's policy of removing the Indians to the West, together with the ratification of the removal treaty with the Choctaws and the extension of the laws of Alabama over the Indians within its borders, white settlers began to cross over into the Creek Nation, which at that time covered practically all the eastern part of Alabama between the Chatahoochee and the Coosa rivers.²³ Unable to protect themselves in the condition confronting them, the Eastern Creeks sent a delegation of their chiefs to Washington, in January, 1832, with full powers to consult with Government officials and to take any steps necessary for the protection and welfare of the tribe.²⁴

In due time a communication from Secretary of War Lewis Cass was addressed to the Creek chiefs, urging the necessity of the removal of that portion of the tribe living in Alabama to the country west of the Mississippi River. He stressed the disadvantages to the Indians if they should be forced to live under State laws of which they were ignorant; he drew particular attention to the prosperous condition of the Western Creeks, saying that every liberality would be extended to the eastern portion of the tribe, "money, provision, agricultural instruments, domestic animals, schools, teachers, in short everything which can enable you to sit down with an assurance of permanent prosperity, and to sit down where no bad white men will trouble you,

21. Treaty with the Chickasaw, 1834. Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 418-25.

22. Treaty with the Choctaws and Chickasaws, 1837. *Ibid.*, Vol. II, pp. 486-89.

23. After cursory review of the number of white persons who were intruders in the Creek Nation, it was found that approximately 1,480 were staking claims there. Most of these were farmers and merchants, while blacksmiths, wagonmakers, millers, bricklayers, and carpenters were also listed. In addition there were a number of persons who were classed as thieves and counterfeits. For example, in one instance, the census list stated that eight persons were "Gold diggers, with eight others, roving about the mountains: say they are in search of gold: supposed by others to be horse thieves."—Census report of white persons living in the Creek Nation. Senate Document 512, op. cit., Vol. II, pp. 709-13.

24. Credential of the Creek deputation to Washington, signed by the head chiefs of the Upper and Lower towns of the Creek Nation.—*Ibid.*, Vol. II, p. 714.

where no ardent spirits will tempt or debauch you, and where the land will be yours as long as the grass grows and rivers run.”²⁵

The delegation of Creeks represented the conservative element of the tribe, headed by Opothleyahola (afterward a prominent figure among the Creeks in Oklahoma) who had always been opposed to the sale of the Creek country and the removal to the West. It was specifically stated by the delegation that it had come to Washington with the power only to negotiate an agreement with the Government for the removal of intruders from the Nation, for the Creek people were opposed to the sale of the remaining tribal lands. Feeling that they were unauthorized to make a treaty involving the latter question, part of the delegation returned to their Nation to explain the situation to the people.²⁶

Confronted by no other alternative, pressed as they were by continued intrusion of settlers on the tribal lands, and being cajoled and urged by Government officials, a treaty was concluded with the Creeks at Washington, on March 24, 1832, and ratified by the Senate within a period of two weeks. Under the provisions of this treaty the Eastern Creeks were to remove to the country west of the Mississippi and rejoin the Western Creeks, all expenses of removal and subsistence for one year to be at the expense of the United States. However, no Creek was to be forced to emigrate, but he was “free to go or stay” as he chose. A survey of all tribal lands was to be made, and a census of the tribe taken, with the view of granting ninety principal chiefs of the Nation one section of land each, and the head of every Creek family one half section to be reserved from sale for the period of five years. At the end of this time all Creeks who were entitled to such reservation and who desired to remain in Alabama were to be granted a title in fee simple to their individual land holdings. The 5th article of the treaty expressly provided for the removal of all intruders from the Creek country for the period of five years.²⁷

During the negotiations with the Creek delegation at Washington, orders from the War Department, dated January 30, 1832, were sent to Colonel James Gadsden, appointing him commissioner on the part of the United States, to effect an immediate arrangement with the Seminoles for their removal from Florida.²⁸ Two months after concluding the treaty with the Creeks, which provided for the settlement of the Seminoles, their kinsmen, in the western part of the Creek country, Colonel Gadsden²⁹ met the Seminoles

25. Communication of Lewis Cass to the chiefs of the Creek Tribe, in Washington, dated January 16, 1832.—*Ibid.*, Vol. II, pp. 742-43.

26. Appendix XIII-2. A Creek protest to the Secretary of War.

27. Treaty with the Creeks, 1832. Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 341-43.

28. Letter of Lewis Cass to James Gadsden, Senate Document 512, Indian Removals, 1st Session 23d Congress, Vol. II, pp. 752-54.

29. James Gadsden, an American soldier and diplomat, was born at Charleston, South Carolina, on May 15, 1788. He graduated from Yale in 1806, at which time he became a merchant in Charleston. In the War of 1812, he served as a lieutenant of engineers in the regular U. S. Army; six years later he served in the war against the Seminoles, with the rank of captain, as an aide on the staff of General Andrew Jackson. After the acquisition of Florida, he became inspector-general of the Southern Division, with the rank of colonel, and assisted in the establishment of posts in that territory. He left the army, in 1822, and became a planter in Florida. The following year he superintended the removal of the

at Payne's Landing, on the Ocklawaha River, in Florida, where a treaty was concluded on May 9, 1832. During the council, the Seminoles were reluctant to bind themselves to a removal from Florida before they had any knowledge of the size and nature of the country being offered them. Therefore, the treaty provided that a delegation of seven Seminole chiefs should be sent, at the expense of the United States, to examine the Western Creek country; upon their approval of the new reservation, the treaty of Payne's Landing would be binding upon the whole Seminole tribe, the removal from Florida to take place within a period of three years. All cost of emigration and subsistence for one year was to be at the expense of the United States.

One of the principal objections of the Seminoles to removal was the fact that their people might be unable to withstand the severe winter weather of the Indian Territory in contrast to the warm climate of their country in Florida.³⁰ To overcome his objection, it was stipulated in the 3d article of the treaty that "The United States agree to distribute as they arrive in their new homes in the Creek territory, west of the Mississippi river, a blanket and homespun frock to each of the warriors, women, and children, of the Seminole tribe of Indians." Other terms of the treaty included the payment of \$15,400 and an annuity of \$3,000 for fifteen years to the chiefs and headmen, beginning after the removal of the tribe; also, the valuation of all cattle belonging to the Seminoles and the sale of the same for their benefit. In addition, the United States was to settle all claims against the tribe for depredations to the amount of \$7,000.³¹

Cherokee Removal Treaties—The main body of the Cherokee tribe³² still remained in the old Cherokee country, lying in the southern Appalachian region, of the states of North Carolina, Georgia, Tennessee, and Alabama. Practically all of these people were unalterably opposed to selling their lands or moving to the land granted the tribe, west of the Mississippi. As the citizens of Georgia were anxious to secure the cession of all Indian lands within the limits of their State, not only for agricultural purposes but more for the reason that gold had been discovered in the Cherokee country,³³ the pressure exerted by the Georgia interests caused the Government to redouble its efforts to gain the consent of the Cherokees to the cession of their remaining lands and to their removal beyond the Mississippi River.

Within a few weeks after the election of Andrew Jackson as President of the United States (December 20, 1828), the Georgia Legislature passed an act annexing and extending the State's jurisdiction over a part of the Chero-

Seminole to south Florida, as Federal Commissioner. During the second Seminole War, he served as quartermaster-general of the Florida Volunteers in the early spring of 1836. He was appointed as minister to Mexico by President Pierce, in 1853, when he negotiated the "Gadsden Treaty" with that country, under the terms of which the United States acquired 45,535 square miles of land, known as the "Gadsden Purchase," in what is now New Mexico and Arizona. Colonel Gadsden died at Charleston, December 25, 1858.

30. Letter of James Gadsden to Secretary of War, Lewis Cass, dated June 2, 1832. *Ibid.*, Vol. III, pp. 368-70.

31. Treaty with the Seminoles, 1832. Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 344-45.

32. Appendix XIII-3. Notes on the government of the Cherokees.

33. Appendix XIII-4. Gold in the Cherokee country.

kee Nation, declaring the Cherokee laws null and void and rendering all persons of Indian blood or descent living in the Indian country incompetent to serve as a witness or as party to any suit in which the defendant was a white man.³⁴ It was impossible for an Indian property owner to defend his rights in any court. Other laws equally as arbitrary were also enacted.³⁵

Nor were the rigors of the Georgia policy visited on the Indians alone, for one of the most drastic laws required that all white men living among the Cherokees should take a special oath of allegiance to the State of Georgia, the penalty for failing to comply with this being imprisonment in the State penitentiary for the term of four years. As the purpose of this act was to drive out the friends of the Cherokees who would strive to protect them in the exercise of their natural rights, many missionaries and teachers were arrested for failing to comply and take the oath of allegiance. While some of those who were placed under arrest reluctantly took the oath of allegiance or agreed to leave the Cherokee country, Rev. Samuel W. Worcester and Dr. Elizur Butler, two of the missionaries, refused to take either step. They were held without bail, tried, convicted, and sentenced to hard labor in the penitentiary for the full term of four years. The case of Rev. Worcester was appealed to the Supreme Court of the United States, which decided in his favor and ordered his release. The Georgia authorities defied this mandate of the Supreme Court.³⁶

Meanwhile, repeated attempts were being made to induce the Cherokees to relinquish their lands and move to the West. Early in 1831, some of the principal men of the Cherokees considered the removal of their people to the Oregon country on the Pacific Coast, under the impression that the Choctaws and Creeks could be induced to unite with them, but the Government promptly refused to consider the proposition.³⁷ During the winter of 1832-33, the Cherokees sent to Washington a strong delegation, headed by Chief John Ross,³⁸ which used every influence upon the President and Congress to

34. After the formation of the Federal Government, both the United States and the State of Georgia claimed the tract of country which is now within the boundaries of Alabama and Mississippi. In the settlement of the controversy growing out of the Yazoo land frauds, Georgia, in 1802, agreed to cede all claims to her western country to the United States in consideration for \$1,250,000 and the express stipulation that the Federal Government would extinguish the Indian title to all lands within the State. When the Cherokees established a constitutional government in 1827, and declared themselves an independent nation, which included their lands in northwestern Georgia, the State asserted its title to this country, claiming the Indians were only "tenants at will"; and contended that the United States was acting in bad faith by dilatory tactics in extinguishing the Indian title, that had been agreed upon in 1802.

35. Proclamations of Governor George R. Gilmer, of Georgia. Senate Document 512, op. cit., Vol. II, pp. 231-36.

36. Charles C. Royce, "The Cherokee Nation of Indians," Fifth Annual Report of the Bureau of Ethnology, 1883-84, pp. 264-66.

"According to the statement of Hon. Geo. N. Briggs, a member of Congress from Massachusetts, President Jackson remarked, after the case of Worcester vs. State of Georgia was decided, 'Well, John Marshall has made his decision, now let him enforce it.'" Ibid., footnote, p. 266.

37. Letters of Elisha Chester to Hon. Lewis Cass, dated July 7 and 12, 1832. Senate Document 512, Indian Removals, 1st Session 23d Congress, Vol. III, pp. 391-92 and 397. For reply, see letter of John Robb, Acting Secretary of War, to Elisha Chester, dated July 18, 1832. Ibid., Vol. II, p. 880.

38. John Ross was born October 3, 1793, near Lookout Mountain, Tennessee. His father, Daniel Ross, was a Scotchman and his mother, Mary McDonald, was also of Scotch descent and one-fourth Cherokee. Daniel Ross, decidedly aristocratic in his sympathies,

secure some amelioration of the hard condition in which their nation was placed. To this plea was given the firm answer that it was only by removing to the Indian Territory, far from such surroundings, that the Cherokees could hope to escape the fate which had already befallen so many Indian tribes.

In January, 1834, the Cherokee delegation returned to Washington, reiterating the determination of the Cherokees never to sell their lands and move to the West voluntarily. This time the members of the delegation offered a suggestion on the basis that the Cherokee Nation would cede a portion of its Georgia lands, provided that the United States would guarantee protection to the tribal government, under the terms of former treaties, to the remainder of the tribal territory for a definite period, at the end of which time the Cherokees were to become citizens of the States within whose borders they might be living. The Cherokees were also to be given the liberty of disposing of their surplus tribal lands at the end of this period, in a manner which might be determined by mutual agreement with the Federal Government. In response to this offer, it was again stated that the President saw no hope of ending the embarrassments under which the Cherokees labored unless they removed to the country west of the Mississippi.

By this time some of the Cherokees began to conclude that opposition to the removal was hopeless. A few of these were called together by Andrew Ross, a member of the Washington delegation, for the purpose of seeing what could be done in the way of securing a treaty. A new delegation was selected and sent to Washington, and, in due course of time, a treaty was negotiated and signed on June 19, 1834, providing for the removal of the Cherokees. This treaty was not ratified by the Senate, Chief John Ross having not only made a personal protest but also filed a written protest which was said to have been signed by 13,000 members of the tribe.³⁹ Chief Ross and his dele-

was a Tory, who settled among the Cherokees at the close of the American Revolution. He was a man of more than ordinary character and possessed a good education, besides extensive general information. Since he took particular interest in the instruction and education of his children, his son, John, received every benefit of advantages during his youth. The public career of John Ross began when he was but nineteen years old. At that time the tribal agent sent him on a mission to the Western Cherokees, who had moved to the wilderness of Arkansas. During the War of 1812, he served as adjutant of a Cherokee regiment in the army of General Andrew Jackson in his campaign against the hostile Creek Indians. In 1817 he became a member of the National Committee, or Council, of the Cherokee People. A year later he was made president of that body, in which capacity he continued to serve until 1826. In 1827 he was elected assistant chief of the Cherokees. The following year he was elected principal chief of the Eastern Cherokees, serving as such until their removal to the West in 1838, when he became chief of the united tribe. He continued to fill that position until his death, which occurred in Washington, D. C., August 1, 1866. His first wife, Quatie, to whom he was married in 1813, was a full-blood Cherokee. She died in 1839, at Little Rock, Arkansas, while the tribe was on the way to the new country in the West. In 1845 he was married to Miss Mary Bryan Stapler, a Quakeress, of Wilmington, Delaware, who was many years his junior. She died in 1865. John Ross had four sons and one daughter. His critics, of whom there were many, especially among the authorities of Georgia and certain officials of the United States Government, who encountered the force of his character in their work to secure the removal of the Eastern Cherokees to the Indian Territory, claimed that his actions were guided by his personal ambitions. It has been said that his long administration of nearly forty years as principal chief of the Cherokee Nation was imperial and autocratic rather than republican and representative. On the other hand, a tribute to his character and work stated, "Blessed with a fine constitution and a vigorous mind, John Ross had the physical ability to follow the path of duty wherever it led. No danger appalled him. He never faltered in supporting what he believed to be right, but clung to it with a steadiness of purpose which alone could have sprung from the clearest convictions of rectitude."

39. Charles C. Royce, "The Cherokee Nation of Indians," Fifth Annual Report of the Bureau of Ethnology, 1883-84, pp. 272-75.

gation then presented a memorial to Congress, stating their case plainly and candidly.⁴⁰

The next winter, 1834-35, there were two rival delegations in Washington, one headed by Chief John Ross and the other by John Ridge.⁴¹ The Ross delegation was still firmly opposed to emigration to the West, while the Ridge delegation was composed of men who had become convinced that further resistance to the policy of the administration at Washington would be futile, and they were therefore willing to enter into negotiations for removal. Rev. John Schermerhorn, who had been a member of the Indian Commission West, in 1832-33, was appointed by the President to meet the Ridge delegation and begin the arrangement for terms of such a treaty. In the meantime the Ross delegation submitted an offer to accept a treaty of removal if the consideration for the eastern lands amounted to the payment of \$20,000,000 to the tribe. The Senate promptly considered this matter, but indicated by a resolution that "a sum not exceeding \$5,000,000" be paid the Cherokees. After a few weeks a treaty was formulated and signed by the Ridge delegation, March 14, 1835, providing for the relinquishment of the tribal lands in the East and the removal of the people to the West. This treaty especially provided that it should not become effective unless ratified by the Cherokee people in general council. A full council of the people was held at Red Clay, on the northern border line of Georgia, in October, 1835, where the Ridge treaty was rejected by practically a unanimous vote.

During the session at Red Clay, a Ross delegation of twenty was authorized by the council to conclude a treaty either in the Cherokee Nation or at Washington. At the same time, notice was given by the United States officials who were present that commissioners would meet the Cherokees at New Echota, in December, in order to secure another treaty. Although it was planned to be a popular gathering of the Cherokees, less than five hundred people of a total population of over 17,000 were present at New Echota, and of this meagre representation many were women and children. None of the principal officers of the Cherokee Nation attended, but the few members of the tribe who were present resolved that a committee enter into negotiations with Commissioner Schermerhorn.⁴² On December 29, 1835, the treaty was finally presented and signed by twenty Cherokees, of whom Major Ridge and his nephew, Elias Boudinot, were the most prominent and influential. John Ridge, son of Major Ridge, and Stand Watie, brother of Elias Boudinot, signed the treaty two months after it had been concluded. James Rogers and John Smith, who were present at the council as representatives of the Western Cherokees, signed their names to a statement attached to the treaty, whereby the formal consent of that portion of the tribe was granted.⁴³

40. Full text of the Memorial of the Cherokees, *ibid.*, pp. 276-77.

41. "The Ross delegation was composed of John Ross, R. Taylor, Daniel McCoy, Samuel Gunter, and William Rogers. The Ridge delegation consisted of John Ridge, William A. Davis, Elias Boudinot, A. Smith, S. W. Bell, and J. West."—"The Cherokee Nation of Indians," *op. cit.*, footnote, p. 278.

42. Governor William Carroll, of Tennessee, was also appointed by the President to serve as commissioner with Rev. Schermerhorn, but on account of ill health was not present at the negotiations at Red Clay or New Echota.

43. "The Cherokee Nation of Indians," *op. cit.*, pp. 278-84.

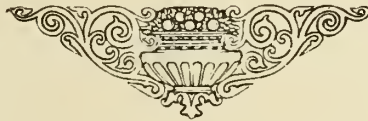


ELIAS BOUDINOT, CHEROKEE INDIAN LEADER

The New Echota treaty relinquished all of the lands then held by the Cherokees in the states east of the Mississippi and agreed to accept in return the sum of \$5,000,000; also, the lands granted the Western Cherokees, in 1828 and 1833, were "to be conveyed by patent to the Cherokee nation of Indians." In addition a tract of 800,000 acres in what is now Southeastern Kansas, known later as the "Neutral Lands," was ceded to the tribe by the United States in consideration of \$500,000. The cost of removal of the people and subsistence for one year was to be paid by the United States. The valuation and sale of all improvements for the benefit of the individual owners of such property was also to be made under the direction of the Government, the 17th article of the treaty providing for the appointment of commissioners by the President, whose decisions should be final in adjudicating all claims. The 12th article also stipulated that a committee of twelve Cherokees, named in the treaty, should be "fully empowered and authorized to transact all business on the part of the Indians, which may arise in carrying into effect the provisions of this treaty, and settling the same with the United States."⁴⁴ An effort was made to provide that some of the Cherokees who were educated and progressive might remain and become citizens of the states in which they were at that time living, but this clause was eliminated at the express command of President Jackson.⁴⁵

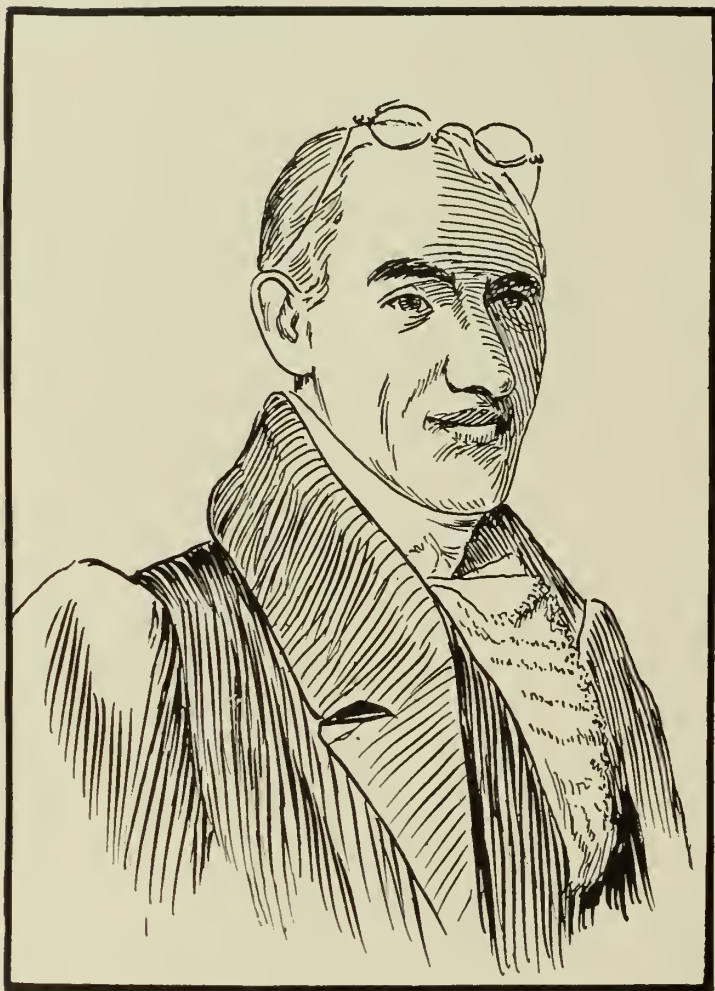
44. Under the seventeenth article, the commission as finally appointed by the President, consisted of Gov. Wilson Lumpkin, of Georgia, Judge; John Kennedy, of Tennessee, and James W. Gwinn, of North Carolina. The names of the Cherokee committee were given in the twelfth article, and were as follows: John Ross, James Starr, George Hicks, John Gunter, Geo. Chambers, John Ridge, Elias Boudinot, George Sanders, John Martin, William Rogers, Roman Nose Situwake, and John Timpson.

45. Treaty with the Cherokees, 1835. Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, p. 439-49. (Article 20, stricken out by the Senate.)



CHAPTER XIV

THE UNITED STATES COMMISSION TO THE
INDIAN TERRITORY



GOVERNOR MONTFORT STOKES,
Agent for the Cherokees, only veteran of the American Revolution to be
buried in the soil of Oklahoma. 1760-1842

CHAPTER XIV.

THE UNITED STATES COMMISSION TO THE INDIAN TERRITORY.

In a letter dated February 16, 1832, accompanying the presentation of a memorial¹ addressed to President Jackson, by the Western Creeks, suggesting the appointment of a commission from the United States to consider their affairs, Secretary of War Lewis Cass took occasion to review the whole situation of administering Indian affairs, pointing out the necessity of adjusting the boundary disputes between the Western Cherokees and the Creeks, and of deciding certain questions that had arisen in connection with the removal of approximately 100,000 eastern Indians, then in progress. This task was proving difficult business, for officials were hampered in promoting the plans of the Government on account of lack of information concerning the condition of the various tribes and the topography of the country where they were to be settled. Secretary Cass particularly recommended that the Government's system of general superintendence over the Indians should be centralized in the hands of a few officials, and that a commission of three men, "of elevated character and firm principles," should be appointed to examine the country west of Missouri and Arkansas, where it was necessary, to assign reservations, to settle boundary disputes, and to make further treaties with any of the tribes.²

In compliance with the plans of centralization of the power of Indian administration, as set forth by Secretary Cass, Congress passed an act on July 9, 1832, creating the office of Commissioner of Indian Affairs, who should have "the direction and management of all Indian affairs and all matters arising out of Indian relations," subject only to the Secretary of War and the President.³

On July 14, 1832, an act was also passed, "to provide for the appointment of three commissioners to treat with the Indians and for other purposes." To carry out these provisions, the names of Governor Montfort Stokes,⁴ of

1. Appendix XIV-1.—Memorial of the Creek Indians.

2. Letter of Secretary Lewis Cass to the President, dated February 16, 1832. Senate Document 512, Indian Removals, 23d Congress, 1st Session, Vol. II, pp. 767-81.

3. A Bureau of Indian Affairs had been organized as a part of the War Department in 1824, with Colonel Thomas L. McKenney as chief. Colonel McKenney had had heavy responsibility as superintendent of all Indian trade from 1816-22. He remained as the head of the Indian Bureau until 1830, when he was succeeded in office by Samuel S. Hamilton. The latter held his position for about a year, and in turn was succeeded by Elbert Herring. Mr. Herring was appointed the first Commissioner of Indian Affairs on July 10, 1832. The Bureau of Indian Affairs was transferred from the War Department to the newly-created Department of the Interior, under the Congressional Act of March 3, 1849, by which the administration of all Indian affairs passed from military to civilian control.

4. Montfort Stokes was born in Wilkes County, North Carolina, in 1760. He served in the American Navy during the Revolutionary War, later holding a number of positions of trust and honor in his native State, from which he was a member of the United States Senate for one term—1817-23. In 1830-31 he was Governor of North Carolina, which office he resigned to accept the appointment as one of the three commissioners to treat with the Indians, west of the Mississippi. Subsequently he was appointed tribal agent for the

North Carolina, Hon. Henry L. Ellsworth,⁵ of Connecticut, and Rev. John F. Schermerhorn, of Utica, New York, were finally recommended to the President, by the Secretary of War, for appointment as members of the commission, along with the name of Colonel Samuel C. Stambaugh, of Harrisburg, Pennsylvania, who was selected to act as secretary.⁶ The first meeting of the commissioners was to be held at Fort Gibson.

Washington Irving's Tour—It was in company with Commissioner Ellsworth that Washington Irving, the noted American author, visited Oklahoma in the autumn of 1832. Mr. Irving and his two friends, Charles Joseph Latrobe,⁷ of London, England, and Count Albert de Portales,⁸ of Geneva,

Cherokees by President Jackson, a position which he continued to hold until 1841. He died at Fort Gibson, November 4, 1842, and is said to have been buried at the agency. He was the only veteran of the American Revolution who is known to have died in the State of Oklahoma.

5. Henry L. Ellsworth was born at Windsor, Connecticut, November 10, 1791. His father, Oliver Ellsworth, served as a member of the Continental Congress during the Revolutionary War, and was afterward appointed as Chief Justice of the United States Supreme Court by President Washington, in 1796. His twin brother, William Wolcott Ellsworth, was Governor of Connecticut. He graduated from Yale College in 1810, studied law under Judge Gould, of Litchfield, and subsequently settled in the practice of his profession at Windsor. However, he did not confine his efforts to the practice of law entirely, for he also engaged in farming and commercial operations at Hartford from 1821-32. Upon his appointment as one of the three commissioners to treat with the Indians west of the Mississippi, in 1832, he established his headquarters at Fort Gibson. In 1836, he was appointed Commissioner of Pensions, serving in this position until 1845. At that time he settled at Lafayette, Indiana, as a Land Commissioner of the United States. Here he bought up large tracts from the Government, becoming the most extensive landholder and farmer of that western country. He is said to have held ideas that were far in advance of his times, even prophesying that in years to come the lands in the West would be tilled by means of steam ploughs and other machines. After his death, these views were cited as proofs of his mental weakness in a contest over his will. On account of poor health, he returned to his native State in 1857, and died at Fairhaven, Connecticut, December 27, 1859.

6. "Rev. J. F. Schermerhorn passed up on the Steamboat Spy, on Monday morning, bound for Fort Gibson. This gentleman, we understand, has recently been appointed by the President one of the three commissioners to the tribes west of the Mississippi for the purpose of settling all matters of dispute between them, etc., in pursuance of an act passed by the last session of Congress. This commission now consists of Judge Ellsworth, who has been at Fort Gibson for some time past, Mr. Schermerhorn and Gov. Stokes, of North Carolina, who has not yet arrived. Col. S. C. Stambaugh, secretary of the commission, passed up in the Volant, last week, on his way to Fort Gibson."—*Arkansas Gazette*, December 19, 1832. (Several weeks previous to the above notice, the following news item appeared in the columns of the same paper for October 31, 1832: "Washington Irving, the accomplished author of the Sketch Book, etc., and Judge Ellsworth, one of commissioners for treating with the Indian tribes of the West, left Fort Gibson on the 11th inst. under the protection of Capt. Bean's company of rangers, for the southwest, and intend proceeding as far as the Cross Timbers, an extensive tract of country 200 to 300 miles west of this Territory, stretching from Red River to the waters of the Arkansas. It is Mr. Irving's intention, we understand, to return this winter and, as he will probably descend the Arkansas, we hope the citizens of Little Rock may be honored with a visit from this distinguished American novelist.")

7. Charles Joseph Latrobe was born in London, England, March 20, 1801. He was of Huguenot extraction and belonged to the Moravian community, of which his father and grandfather were ministers. His father, Christian Ignatius Latrobe, was also a musician of considerable note. As a young man, Charles J. Latrobe was a well-known mountaineer, making a number of difficult ascents in the Swiss Alps, in 1824-26. In 1832-33, he toured the United States east of the Mississippi, during which time he also came as far West as Oklahoma with the party of Washington Irving. Five years later he was appointed to an official position in the West Indies, and in 1839 was commissioned superintendent of the Port Philip District of New South Wales. When Port Philip was organized as a separate colony, in 1851, called Victoria, Mr. Latrobe was its first lieutenant-governor. Because of the discovery of gold in that year, the great immigration to that country brought about difficult administrative problems which Mr. Latrobe discharged with great success. He retired in 1854, became a Companion of the Bath, in 1858, and died in London December 2, 1875.

8. Count Albert de Portales, born in 1812, was a member of a prominent French Huguenot family of Geneva, the ancestor of whom had sought refuge in Switzerland on account of political and religious persecution. From his mother he inherited an estate in



CHARLES JOSEPH LATROBE

1836

Switzerland, while on a sight-seeing trip through New York State, met Commissioner Ellsworth between Buffalo and Detroit, who was en route to undertake his official duties at Fort Gibson, and were persuaded to accompany him as visitors to this country.⁹ The story of an expedition to the prairies of Central Oklahoma with a party of Rangers from the Fort, as told by Washington Irving in his "A Tour on the Prairies," will always be the classic in Oklahoma's earliest historical literature. Equally as interesting is Mr. Latrobe's book, "The Rambler in North America," which, though giving different details, not only tells of the expedition to the prairies, but also covers the story of the journey from St. Louis to Fort Gibson under the leadership of Colonel Auguste P. Chouteau. The two accounts contain incomparable descriptions of Oklahoma in the early 'thirties.

After crossing what is now Southeastern Kansas, Colonel Chouteau led the party southward along the valley of the Neosho (or Grand) River. On Saturday the 6th of October, they broke camp in a soft morning mist and rode through a beautiful forest; as the mist gradually lifted, a wide prairie stretched before them "with a distant line of green woods and hills that looked like a cultivated country." By noon, the party reached the Hopefield Mission, located in the southeastern corner of present Craig County, and on the bank of the Grand River, where this stream ran in a broad, clear current. Here they met William C. Requa, who was in charge of the mission to the Osages, and his wife (née Susan Comstock, of Connecticut), who, according to Mr. Irving, was a fine looking woman, evidently enjoying her experiences on the frontier.

Late in the afternoon of the same day, the party reached Colonel Chouteau's trading post, or as Latrobe called it, "the Saline." The colonel's house, itself typical of the home of the well-to-do trader and slaveholder living in the Indian Territory at that time, was a double log house of two stories, with whitewashed walls; there was an open hall in the center, with a stairway leading to the upper floor, and a long piazza built across the front. Mr. Irving remarked in his journal, "In these establishments the world is turned upside down—the slave the master, the master the slave. The slave has no idea of property—the latter of reality; the former owns—the latter enjoys it; the former has to plan, scheme, guard and economize—the latter thinks only of living, enjoying—cares nothing how it comes or how it goes."¹⁰

Mr. Latrobe gave a more detailed account of their welcome and brief stay at "the Saline." He wrote in the following words:

"This was an estate situated on the romantic bank of the Neosho, about fifty miles above Fort Gibson. It was the property of the colonel, whose welcome home amid a crowd of Negroes, Indians of divers tribes and of both sexes, dogs, pigs, cats, turkies, horses, ducks, all looking fat and happy, was an extremely amusing sight.

Prussia and, upon attaining his majority, he elected to become a subject of the Prussian crown. After serving as a court chamberlain, he became a member of the diplomatic corps of the kingdom, in which he reached the rank of minister plenipotentiary. He died in 1861.

9. Charles Joseph Latrobe, "The Rambler in North America," published in London, 1835, Vol. I, p. 81.

10. "The Irving Journals," published in three volumes by the Bibliophile Society, Boston, Massachusetts, in 1919, Vol. III, p. 132.

"We were his guests for a day or two, long enough to see that we were on a fine estate, producing but little surplus after feeding the biped and quaruped 'varmint' living upon it. . . . We then proceeded by way of Union (Mission) to the Western Creek Agency on the River Verdigris, not far distant from the Fort (Gibson)."¹¹

In order that he might reach his headquarters and receive information as to the arrival of his two colleagues on the commission. Commissioner Ellsworth, accompanied by Mr. Irving, pushed ahead of the party to Fort Gibson. Arriving on the banks of the Grand River, opposite the neat looking, whitewashed fortifications and blockhouses of the post, they crossed in a skow and landed at the gate of the garrison where stood the cleanly dressed guard and their sergeant (who spoke with rich Irish brogue). They were conducted past "culprits in pillory and riding a wooden horse," to Colonel Arbuckle's log-walled quarters. Learning that the other members of the Commission had not yet arrived and that a company of Rangers¹² had left a few days before to explore the country between the Arkansas and the Red rivers, the commissioner promptly decided to overtake them in order that he might personally explore that region preparatory to settling some of the immigrating Indians thereon.

Leaving Fort Gibson on October 10, accompanied by Colonel Arbuckle and General Sam Houston, Mr. Ellsworth and Mr. Irving returned to the Western Creek Agency, a cluster of log cabins erected on the left bank of the Verdigris, in the midst of a forest of stately trees hung with Virginia creeper. An Indian runner had been sent after the Rangers to detain them until Commissioner Ellsworth could arrive in company with Messrs. Irving and Latrobe and Count Portales, whom he had invited to join him on the expedition.¹³

Setting out at noon of the same day, under an escort from Fort Gibson, the party overtook the company of Rangers in camp, at a distance of two days' journey from the garrison, in a northwestern direction. The route followed led them across the present counties of Wagoner and Tulsa to the mouth of the Cimarron, a mile or two above which the party crossed the Arkansas River. The expedition then proceeded in a general southwest direction across the present counties of Pawnee, Payne, and Logan, where elk and buffalo were brought into camp by the hunters. Somewhere near the boundary line between Logan and Oklahoma counties, the direction of the line of march was changed to the south. In his chapter, "Ringing the Wild Horse," Mr. Irving described the lively scene of an attempt to capture some

11. "The Rambler in North America," op. cit., Vol. I, pp. 171-72.

12. The Rangers were mounted men enlisted in companies for short terms of service, as authorized by an act of Congress during the Black Hawk War, which had occurred shortly before Mr. Irving's visit to the West. Each recruit of the Rangers provided his own weapons and his own horse. There were no uniforms furnished, and discipline generally was very lax. Organizations similar to the Rangers had previously existed in several of the western states during the War of 1812. The Arkansas Gazette for December 19, 1832, contains a news item to the effect that the entire 7th Regiment of Infantry and three full companies of Rangers were stationed at Fort Gibson, during the winter of 1832-33. For an account of the organization of the Rangers by Captain Jesse Bean, of Arkansas, see Appendix XIV-2.

13. "The Irving Journals," published by the Bibliophile Society, op. cit., pp. 134-35; Latrobe, "Rambler in North America," op. cit., pp. 173-76; Irving, "Tour on the Prairies," pp. 28-33.

wild horses overtaken in the valley of the North Canadian River, about eighteen miles northeast of the present site of Oklahoma City. Coming out of the "Cross Timbers"¹⁴ onto "the Great Prairie," not far distant from the present site of the village of Moore, he and his friends took part in a hot chase after buffalo.

As the season was growing late and the weather was bad, the expedition headed back for Fort Gibson on the last day of October, abandoning the plans of visiting the Red River country. They reached the Fort eight days later, just a month after Mr. Irving and his companions had arrived in that vicinity from the North. Two days after their return, a steamboat came up the river loaded with supplies for the Post. When it left for the down-stream voyage, after unloading its cargo, Mr. Irving took passage for his departure to his home in the East. Mr. Latrobe and Count Portales remained two weeks longer. On November 23, 1832, they purchased a dug-out canoe, loaded their baggage in the center, and, with two discharged soldiers as paddlers, set out down-stream toward the Arkansas, bidding "adieu to Fort Gibson."

Commissioner Ellsworth remained at the Post, awaiting the arrival of Mr. Schermerhorn. Having been unfavorably impressed by the character of the country over which the recent expedition had travelled, he reported against the idea of settling any of the immigrating Indians in that region.¹⁵

Negotiations of the Commissioners—Of all of the Indian tribes that inhabited the Atlantic slope at the time of the establishment of the thirteen Colonies, the only surviving tribes worthy of the name, still living in the United States, are those that migrated toward the west, before the increasing and advancing settlements of the white people. Most of the Iroquois settled in Canada after the close of the Revolution. Of the tribes of Southern New England, Long Island, Virginia, and the Southern Colonies, but few remain and most of these are not only fragmentary but also much mixed, not only with white blood but also with that of less desirable races. The Eastern Cherokees, of which about two thousand are left in Western North Carolina, should be mentioned as an exception. The recently identified descendants of the Croatan Indians, who form most of the population in one county in North Carolina, might be listed as another exception.

Many of the tribes of the Atlantic coast region have been listed as extinct for from one to two centuries past, though doubtless in these instances some surviving remnants were absorbed by other tribes. The Delaware tribe is

14. According to much of the early descriptive literature of the Southwest, the "Cross Timbers" were the bane to the weary, west-bound travellers in central and southern Oklahoma and northern Texas. The "Cross Timbers" were generally described as being a belt of rough, sandy country from five to fifty miles wide, covered with a thick growth of black-jack and post-oak; this almost impenetrable belt was reputed to lay along the eastern edge of the Great Plains from the Brazos to the Cimarron River. As a matter of fact, there was no continuous belt of rough and heavily timbered country in this region; however, there were areas of such description, irregular in size and form, but they were far from being continuous in any given direction. The best description of the "Cross Timbers," as given in early days, is found in Josiah Gregg's "Commerce of the Prairies," Vol. II, p. 200.

15. Commissioner Ellsworth established his quarters at Fort Gibson, attended by Antoine or "Tonish," who was so graphically described by both Irving and Latrobe as the cook and "factotum" of their expedition.—"The Rambler of North America," op. cit., Vol. I, pp. 243-45.

known to have absorbed the remnants of a number of closely related tribes, including the Mahican, Wappinger, Nanticoke, Munsee, Stockbridge, and possibly others.

Of the tribes that moved westward before the advancing colonial settlements, the Delaware and Shawnee were the first and possibly most notable. The Delaware people had moved from the region of the Delaware River to the Susquehanna and from thence to the head of the Ohio in Western Pennsylvania, where most of them were living at the close of the French and Indian War. The end of the American Revolution found them in Central and Western Ohio, in the land of the Shawnees, migrating west of the Mississippi, where they lived for a time in Missouri, afterward drifting southward into Oklahoma and Texas. By the time of the War of 1812, the main bodies of both the Delaware and Shawnee tribes were living in the Wabash River country and ranging well over into Illinois. From thence the people of these two tribes were removed to reservations west of the Missouri River, in the present state of Kansas, about the same time that the Choctaws were being moved from the southern states to their lands west of Arkansas Territory, in what is now the state of Oklahoma.

In addition to the treaties which had been made with the Indians in the southern part of the United States, beginning with 1830, a number of treaties were negotiated with other tribes. Some of these, such as those which were entered into with the wild tribes of the Plains Region, were merely treaties of peace and friendship. Others, made with the tribes which were still living in the East, principally in the country immediately north of the Ohio River, were made for the purpose of bringing about the removal of such tribes to new reservations in the Indian Territory.

The Senecas of Sandusky were known as such only after they settled on the Sandusky River, about 1785. Prior to that time, when they were living in the region of the Upper Ohio, they were known as Mingoes. In reality they were probably descendants of a remnant of the ancient Erie and Conestoga tribes, augmented later by a few Mohawks and Cayugas. A part of the Senecas of Sandusky withdrew from the main body of the tribe and became confederated with a small band of Shawnees and were thereafter known as the Mixed Senecas and Shawnees.

A delegation representing the Senecas of Sandusky visited Washington City, early in 1831. While there the members of this delegation entered into a treaty with James B. Gardiner, commissioner representing the Government, on February 28, by the terms of which they ceded all of their lands in Ohio and agreed to accept a reservation in the Indian Territory. The lands thus relinquished in Ohio amounted in all to 40,000 acres and it was stipulated that the new reservation should consist of 67,000 acres, located west of the state of Missouri and north of the Cherokee country. The Government was to defray the expenses of removal, furnish food and supplies for one year, erect and equip a gristmill, sawmill and blacksmith shop on the new reservation.¹⁶

16. Treaty with the Seneca, 1831. Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 325-27.

On July 20, 1831, the chiefs and headmen of the Mixed Senecas and Shawnees signed a treaty at Pleasant Plains, near Lewistown, Ohio, relinquishing all of their lands in Ohio, embracing two small reservations aggregating about 46,000 acres in all and agreeing to accept in exchange therefor a new reservation of 60,000 acres adjoining that which had already been assigned to the Senecas of Sandusky. James B. Gardiner was the Government's representative in the negotiations of this treaty. The stipulations as to expense of removal, supplies and equipment were practically identical with those of most of the removal treaties of that period.¹⁷

Both the Senecas of Sandusky and the Mixed Senecas and Shawnees emigrated to their new reservations in 1832. Like the other Indian tribes, they suffered many hardships during the journey to the Indian Territory, a number of their people dying on the way. Upon their arrival, the Seneca Agency was established on Clark's Prairie, about three-fourths of a mile west of the western boundary of Missouri on Buffalo Creek, a branch of the Cowskin River.¹⁸

Between December, 1832, and May, 1833, the "Commissioners of Indian Affairs West," namely, Messrs. Ellsworth, Stokes, and Schermerhorn, negotiated treaties affecting six Indian tribes, under the terms of which permanent reservations were finally assigned them within the present bounds of Oklahoma. The first of these treaties was concluded at the Seneca Agency, on December 29, between the chiefs and headmen of the "United Nation" of the Seneca and Shawnee Indians in behalf of their people, and Commissioners Ellsworth and Schermerhorn on the part of the United States. On account of complaint by the Senecas that the country where they had first located was not suitable for settlement, a reservation was assigned them, under the terms of the new treaty, beginning at the northeast corner of the Cherokee cession of 1828, and lying between the Neosho, or Grand River and the western boundary of Missouri.¹⁹

Negotiations of the Commissioners—On February 14, 1833, a treaty was concluded at Fort Gibson, between John Jolly, Black Coat, and Walter Weller [Webber], Principal Chiefs of the Western Cherokees, on behalf of the whole tribe, and Commissioners Stokes, Ellsworth, and Schermerhorn, on the part of the United States.²⁰ Under the terms of this treaty, the boundaries of the Cherokee Nation, in Oklahoma, were finally established, the old western territorial line of Arkansas being taken as a part of the western bound-

17. Treaty with the mixed band of Seneca and Shawnee Indians, 1831, *ibid.*, pp. 327-31.

18. "This agency is situated three-fourths of a mile from the Missouri line in Clark's Prairie on Buffalo Creek, a branch of the Cowskin, which latter river (a tributary of Grand River) is two miles distant. It is nine miles from here to the southwest corner of Missouri."—Letter of J. Van Horne, disbursing agent for removal and subsistence of the Indians, to General George Gibson, Commissary-General of Subsistence, Washington City, —Senate Document 512, *op. cit.*, Vol. I, p. 925.

19. Treaty with the "United Nation" of the Seneca and Shawnee Indians, 1832.—Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 383-85.

20. Treaty with the Western Cherokees, 1833, *ibid.*, Vol. II, pp. 385-88. (In the winter of 1832, a delegation from the Western Cherokees had visited Washington City and insisted upon the literal fulfillment of the treaty of 1828. They had especially demanded that they be possessed of all lands and improvements within the bounds of their country, as certain reserves of land were still being held by the Osages. The Western Cherokee delegation was composed of Alexander Sanders, Rain Crow, James Starr, John Drew, Andrew M. Vann, and John Walker, jr.)

ary.²¹ Thus the lands north of the Arkansas, occupied by the Creeks since 1828, were left out of the Cherokee cession.

On the same day, February 14, a treaty was also concluded at Fort Gibson with the Creek chiefs, in behalf of the whole tribe, assigning a reservation to that nation, between the Arkansas and the Canadian rivers as far west as the Mexico (now Texas) line.²² Soon after completing the negotiations with the Cherokees and the Creeks, the Commissioners secured the services of Captain Nathan Boone (q. v.), a son of Daniel Boone, to survey the boundary line between the two nations. Beginning his survey on the 28th of March, Captain Boone completed the line "from the Mouth of the north fork of the Canadian River to a point on the South side of Arkansas, opposite the mouth of Grand River" by April 9. When he had submitted his field notes of this survey, accompanied with a map, to Colonel Stambaugh, Secretary to the Commissioners, the vexing dispute that had continued for nearly five years over the Cherokee and Creek reservations was at last settled.²³

Provision had been made in the Creek treaty, granting the Seminoles, of Florida, a separate district in the Creek country, with the idea that the Seminoles should be incorporated under the Creek government, with equal privileges accorded members of both tribes. A delegation of seven Seminoles having come from Florida to examine the country allotted the Creeks in the Indian Territory, and being favorably impressed with the character of this region, a treaty was concluded with them at Fort Gibson, on March 28, 1833, providing for the removal of their people to the West.²⁴ The district assigned them lay between the main stream of the Canadian and the North Fork, to extend not farther than twenty-five miles west of the mouth of Little River. The Seminoles were to leave their homes in Florida as soon as satisfactory arrangements could be made by the Government for their emigration, which was not accomplished until some years later.

Under the terms of the treaty signed at Harrington's, Arkansas Territory, on November 15, 1824, the Quapaws relinquished all their claims to any lands in that Territory, and obligated themselves to move to the country inhabited by the Caddoes, in Northern Louisiana, and to become a part of that tribe. Immediately after signing the treaty, the Quapaws emigrated and settled on Bayou Treache, in the valley of the Red River, where their lands, assigned them by the Caddoes; proved to be subject to frequent inundations on account of the Great Raft on Red River; their crops were destroyed year after year, and many of their people died on account of the unhealthful location. The

21. The old western territorial line of Arkansas, as established under the Congressional Act of March 26, 1824, began on Red River on the east bank of the mouth of Boggy River, and ran due north to a point forty miles west of the southwest corner of Missouri. This line began at the mouth of the Kiamichi River and ran due north a few miles east of the present site of the City of Muskogee, Oklahoma. This western boundary of Arkansas was surveyed by Joseph C. Brown, in 1824.

22. Treaty with the Creeks.—Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 388-91.

23. "Captain Boone's Report of Survey of Boundary Line Between the Creeks and Cherokees," with introduction by Grant Foreman in *Chronicles of Oklahoma*, published by the Oklahoma Historical Society for December, 1926, Vol. IV, No. 4, pp. 357-65.

24. Treaty with the Seminoles.—Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 394-95.

Quapaws therefore returned to their old homes on the Arkansas and appealed to the Government for relief from their distressed condition.²⁵

Commissioner John F. Schermerhorn accordingly visited the Quapaws and held a council with them at New Gascony, Arkansas Territory. As a result, a new treaty was signed by them on May 13, 1833, under the terms of which they relinquished their right to live in the Caddo country and agreed to accept a new reservation of one hundred and fifty sections to be located north of the reservations of the Senecas and Shawnees in the Indian Territory.²⁶

The Quapaws emigrated to the Indian Territory in 1834, but through error they settled on the reservation belonging to the Senecas of Sandusky. Four years later they moved to their own reservation north of the mixed band of Senecas and Shawnees. Though they had formerly lived in villages, at this time each family was induced to establish itself on a farm which was worked under the instruction of a farmer employed by the Government, under the terms of the Quapaw treaty negotiated at New Gascony.²⁷

Under the Act of Congress of June 30, 1834, providing for the organization of the department of Indian affairs, Governor Montfort Stokes was appointed sub-agent of the Cherokees, in 1836 and subsequently, was also placed in charge of the Senecas and the Mixed Band of Senecas and Shawnees.²⁸ Governor Stokes pointed out the inconveniences of this arrangement, since these people were located nearly one hundred miles from the Cherokee Agency near Fort Gibson. For this reason a new arrangement was effected whereby the Neosho Sub-Agency (in later years known as the Quapaw Agency) was established in 1837, but the death of the sub-agent soon after assuming his duties, delayed the work of the agency until 1838, when Robert A. Callaway was placed in charge.²⁹

One of the results of the Leavenworth-Dodge Expedition (q. v.) in 1834, was the appointment of General Matthew Arbuckle, Major Francis W. Armstrong³⁰ and Governor Montfort Stokes, as commissioners on the part of the

25. Senate Document 512, op. cit., Vol. II. Letters of J. Brooks, Indian Agent, to Secretary of War, p. 210; of John Pope, Governor of Arkansas Territory, to the Secretary of War, pp. 690-91, and of Elbert Herring, Commissioner of Indian Affairs, to Governor John Pope, p. 754.

26. Treaty with the Quapaw, 1833.—Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 395-97.

27. Report of the Commissioner of Indian Affairs for 1837, pp. 582, 583 and 586. Also, Report for 1839, p. 474.

28. In the Arkansas Gazette for March 29, 1836, appears the notice of the appointment of Governor Montfort Stokes, of North Carolina, as sub-agent for the Cherokees in the West.

29. "Perhaps none of the tribes possess a finer country, according to the size, than that of the Neosho sub-agency. The country is well watered, with many good springs, is free from fevers, so prevalent in other nations, is well adapted to raising corn, beans, pumpkins, melons, and wheat. At the Seneca mills, within the nation, wheat is manufactured [into flour]. As yet but small quantities have been raised, but the soil and climate being so well adapted to its cultivation, the quantity will no doubt be enlarged. A ready market can be obtained, thereby affording the means of profit to the natives, as well as an incentive to labor. The Seneca mills are not only of advantage to the nation, but are so to a portion of the people of Missouri. There is also a good sawmill connected with the gristmill. There are three blacksmiths, a farmer, and miller, in the Neosho sub-agency. The blacksmith are all-sufficient to furnish agricultural implements for the nation; with a good farmer to instruct, a rich and fertile country, interspersed with rich prairies, there seems but little doubt that this tribe, with industry, will be enabled to possess all the substantial of life as abundantly as they can be procured in the most favored section of our country."—"Report of Commissioner of Indian Affairs for 1838," p. 486.

30. Major Francis W. Armstrong was associated in the commission with the above-named gentlemen (Arbuckle and Stokes). He had left home to attend the council, but

Government to negotiate a treaty with the Comanches and Wichitas of the Great Plains. A peace council was held with the representatives of these two tribes at Camp Holmes, on the Canadian River in August, 1835. Some of the chiefs and large delegations from the Choctaws, Creeks (Muscogees), Cherokees, Osages, Senecas, and Quapaws also attended the council and signed the treaty that was drawn up—the first that was ever entered into between the United States and the Comanches and Wichitas. The various clauses of this treaty related to the establishment of friendly relations between these tribes and the Government, and the right of passage of United States citizens through the country occupied by the Comanches and Wichitas, with simple provisions for regulating intercourse between their people and those of the United States.³¹

Early in 1837, the War Department received information from the officers in command at Fort Gibson and Fort Towson and, also, from Captain William Armstrong, the acting superintendent of Indian affairs in the Western Territory, to the effect that war threatened on the Plains, between the Comanches and the Delawares, Shawnees, and Osages. It was also reported that the Comanches had murdered some United States citizens and members of other Indian tribes in the Territory. When Captain Armstrong had received this news, he had immediately directed Major P. L. Chouteau, sub-agent for the Osages, to proceed to the Plains and learn about the movements and intentions of the Comanches. Major Chouteau visited Camp Mason³² where a council was held with the Comanche chief and some of his warriors, who expressed the determination of their people to be revenged upon the white people for injuries which they claimed they had suffered since the time of the Camp Holmes treaty in 1835.³³

When this information had been received by the War Department, Colonel Auguste P. Chouteau was appointed as a special agent to visit the Comanches and travel around among them, in order that he might talk to them and regain their good-will. He was also authorized to conclude treaties with

was suddenly arrested by disease, which ended in his death before he could reach his destination. By this unhappy event, the Government lost a meritorious and efficient officer, and the Choctaws were deprived of a faithful, able, and devoted agent. See Appendix XIV-3 for sketch of Francis W. and William Armstrong.

31. Treaty with the Comanches, 1835, Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 435-39.

32. Camp Mason had been established by Colonel Richard B. Mason a short time previous to Major P. L. Chouteau's visit and council with the Comanches. The camp was only occupied for a short period. Its site was on a hill overlooking the Canadian River, about four miles northwest of the site of Colonel Chouteau's trading post, which was established in the latter part of the same year, several miles south of Noble, in Cleveland County.

33. "Major P. L. Chouteau, who has visited Camp Mason, by direction of Captain Armstrong, with a view to observe the movements of the wild tribes of the prairie, has reported that the principal chief of the Comanches had expressed a determination to be revenged on the whites for many supposed injuries, from the time of the treaty with them in 1835. What has been the nature of these injuries does not appear from the papers before me. It will be a just cause for regret if the union then formed between the indigent and emigrated tribes and the United States has been impaired by the acts of any of its citizens. I enclose a copy of the treaty, all the stipulations of which have been fulfilled on the part of this Government. You will avail yourself of every opportunity to learn if these Indians have any well-founded complaints to make of violations of any of its provisions by our own citizens, and collect the facts in each particular instance. You may give them the strongest assurances that ample reparation shall be made for all injuries, if they will refrain from aggressions on our own people, and rely upon the ability and disposition of the government to redress their wrongs."—Report of the Commissioner of Indian Affairs for 1837, Special Report No. 10, p. 597.

those tribes of the Plains, who as yet had not entered into any covenant with the United States.³⁴ As a result of Colonel Chouteau's efforts, delegations of the Kiowa, Kataka (Plains Apache), and Tawakaro tribes proceeded to Fort Gibson, where a treaty was signed by them on May 26, 1837, Colonel Chouteau and Governor Montfort Stokes serving as commissioners on the part of the United States. The terms of this treaty were practically identical with those of the treaty made with the Comanches and Wichitas in 1835, and, like it, was also the first treaty ever made between these tribes and the Government.³⁵

34. "A treaty of amity and peace was negotiated by General Stokes and Colonel Chouteau, on the 26th of May last [1837], with the Kioways, Ka-ta-kas and Ta-wa-ka-ros, of the Western prairie, who have manifested a desire to be on friendly terms with the United States, and have taken no part with the hostile portion of the Camanches. In January last, the acting superintendent of the Western Territory communicated the first authentic intelligence of the probable hostilities between the Comanches and the Shawnees, Delawares, and Osages. The reports of Major P. L. Chouteau, who passed into the Indian country, of subsequent dates to the middle of April, confirmed this intelligence. The great importance of preventing these aggressions upon each other induced the appointment of Colonel A. P. Chouteau, a gentleman well acquainted with these Indians, and in all respects qualified for a duty of so delicate a character, as special agent, to travel among them, and, by making proper explanations and representations, and by other means, to endeavor to effect a reconciliation. It is believed that his exertions have been productive of much good, and that, aided by other measures taken by the Government, they will be eventually successful."—Report of the Commissioner of Indian Affairs for 1837, Special Report No. 16, p. 567.

35. Treaty with the Kiowas, etc., 1837, Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 489-91.



CHAPTER XV

REMOVAL OF THE FIVE TRIBES TO THE INDIAN TERRITORY, 1830-42

CHAPTER XV.

REMOVAL OF THE FIVE TRIBES TO THE INDIAN TERRITORY

1830-42

Although subsequent events have proven that the establishment of a country for the Indians in the West was not a tragedy, inasmuch as they escaped the probable annihilation threatening them east of the Mississippi River, a century ago, yet their removal in itself is one of the tragic chapters in American History. Since they were compelled to leave their former homes after they had been coerced into making removal treaties with the Government, their forced emigration cannot be compared to the emigration of settlers who came to the West of their own free will, buoyed up by the thrill of adventure and by hope in the future. In the past, the Indians had found themselves the losers in their agreements with the Government.

As the Choctaws were the first of the southern tribe to consent to a final removal treaty, the successful promotion of their emigration was of paramount importance to the United States for if they could be conducted safely to the West and established contentedly in new homes, such a result would have great weight in encouraging the other tribes of the South, also, to consent to an exchange of lands for a country beyond the Mississippi River.¹ It would put an end to the solicitude and the possible interference of many citizens in the older states, who were opposed to and criticized the policy pledged by the administration at Washington.² In addition, the removal of the Indians from within their borders would surely satisfy the political pressure from the Western and Southern states, a situation urged on by economic

1. "Vigilance in the discharge of the duties confided to your assistants, and kindness towards the Indians, are especially recommended, that the reports returned from the first emigrants may encourage rather than retard the spirit of emigration."—Letter of J. H. Hook, Acting C. G. S., to Captain John B. Clark, U. S. A., Agent in Removal, etc., Indians, Little Rock, dated June 21, 1831. Senate Document 512, Indian Removals, 1st Session 23d Congress, Vol. I, pp. 14-15.

"The utmost consequence is attached by this department to a conciliatory course towards the Indians on the part of the gentlemen who are on this duty. No opportunity should be lost of enlisting their good feelings in the enterprise about to be undertaken, and no effort unused to make them happy and contented in their change of situation. Such a course would not only be perfectly consistent with the interests of the Government, but would tend materially to forward its views." Letter of J. H. Hook, A. G. C. S., to Mr. William S. Colquhoun, Special Indian Agent, Washington City, dated July 5, 1831.—*Ibid.*, Vol. I, pp. 22-23.

2. As a member of the Indian Committee in Congress, Hon. Wilson Lumpkin, of Georgia, championed the cause of the State in furthering the removal of the Indians to the West. In a speech, delivered before Congress in May, 1830, he bitterly assailed those who would oppose the policy of Indian removal, and, especially, those writers "who condemn all their brethren who will not unite with them in all their machinery of societies and schemes for governing public opinion in this land of freedom." To illustrate his point, he quoted from an article in the *American Monthly Magazine*, printed in Boston, as being particularly fallacious:

"The Indians had better stand to their arms and be exterminated than march further onwards to the Pacific, in the faith that the coming tide of civilized population will not sweep them forever till they mingle in its depths. . . . We would take up arms for the Indians, in such a war, with as much confidence of our duty as we would stand with our bayonets on the shores of the Atlantic, to repel the assaults of the most barbarous invader."—Wilson Lumpkin, in "The Removal of the Cherokee Indians from Georgia," Vol. I, p. 72.

demand—as much by covetousness as by necessity—which was the force in the adoption of such a policy.

Removal of the Choctaws—Consternation reigned among the Choctaws, when word spread throughout their country that a treaty had been signed at Dancing Rabbit Creek, for the removal of the tribe to the land that had been assigned them ten years previous to this time. Factions arose among the people, making the removal to the West no easy matter. In each of the three districts of the Choctaw Nation, new chiefs were elected and attempts were made to send protests against the treaty to Congress, but the administration at Washington refused to recognize any demonstration of opposition or protest from these factional sources.³

When the laws of Mississippi were extended over the Choctaw country by the state legislature, and a removal treaty had been negotiated with the tribe, many persons took the position that the Federal laws regulating Indian trade were superseded by the state laws. Since the old tribal laws and the former authority of the chiefs and captains over their people had been annulled, evil influences were unrestrained, the liquor traffic flourished, and the country was overrun with speculators.⁴

On account of the general confusion in their country and in anticipation of their final removal, bands of Choctaws began emigrating to the West as early as November, 1830. The first parties were made up of those members of the tribe who had come under the influence of the Methodist missionaries. After much suffering from lack of food and exposure to severe winter weather during the journey from the Mississippi River, they arrived in the vicinity of old Fort Towson in the latter part of the winter. Here they quartered themselves in some of the abandoned cabins of the old post, and lived on meagre supplies of corn brought on pack-horses from the settlements in Southern Arkansas, many miles away. Reverend Alexander Talley, the leading Methodist missionary among the Choctaws in Mississippi, had preceded the parties and made contracts for the corn before the immigrants had reached Fort Towson.⁵

In the meantime, word having reached Washington that several hundred Choctaws were on the way to their new country in the Indian Territory, Brigadier-General George Gibson, Commissary General of Subsistence, at Washington, ordered Lieutenant J. R. Stephenson, of the 7th Infantry, to proceed from Fort Gibson to the mouth of the Kiamichi River, there to take charge of distributing supplies to the immigrants. Arriving at Fort Towson early in March, Lieutenant Stephenson found the first party of destitute

3. Letter Sec. John H. Eaton to William Ward, Choctaw agent, Senate Document 512, op. cit., Vol. II, pp. 46-47; letter Greenwood LeFlore, chief N. W. Dist., C. N., to S. S. Hamilton, *ibid.*, pp. 580-81.

4. Letter Samuel S. Hamilton to William Ward, Indian agent, *ibid.*, Vol. II, pp. 354-55.

5. Rev. Alexander Talley remained as a missionary among the Choctaws in their new country until 1833, when he was forced to retire on account of exhaustion from labor and fatigue. During his sojourn in the Indian Territory he translated a portion of the Scripture into the Choctaw language, which was published by the Methodist board for use in the mission work. Mr. Talley died, in 1834, a victim of the cholera, while in charge of the La Fayette Mission near New Orleans. For his work during the emigration of the Choctaws, see copy of his letter to the Secretary of War.—*Ibid.*, Vol. II, pp. 463-64. Appendix XV-1.

Choctaws, mostly women and children, living in some of the abandoned cabins of the old post.⁶ After an agreement with Mr. Talley, he assumed responsibility for all the corn that had been contracted for and made further arrangements to supply beef, also, to the Choctaws who would continue to immigrate. By the fall of 1831, more than four hundred and twenty-seven members of the tribe had emigrated from Mississippi of their own accord and were being subsisted at the Kiamichi station under the supervision of Lieutenant Stephenson. He continued in charge of the subsistence stations in the region of Red River, until after the last year of the Choctaw removal period, in 1833.

Under the terms of the treaty, the Choctaws were to be removed from Mississippi to the Indian Territory in steamboats and wagons; they were to be supplied with beef, or pork and corn en route and for one year thereafter in their new country, all at the expense of the United States. They were to emigrate during a period of three years, beginning with 1831, the first emigration to equal about one third of the people, or between 5,000 and 8,000 persons. The President approved of a commutation plan in the summer of 1831, by which those Choctaws who paid their own expenses in removing were allowed ten dollars upon their arrival in the Indian Territory.⁷

In preparation for the removal of the Choctaws, by the Government, it was determined that the War Department should have charge of the important duty of starting the emigration parties and conducting them to the western bank of the Mississippi River. From that point the commissary general of subsistence of the Army should take charge of the parties, conduct them to the Indian Territory, and have supervision of the subsistence depots. It was planned that the first emigrants would begin their journey early in September, so that, upon their arrival in the new country, they could immediately build cabins and clear fields for cultivation the next year.⁸

Perfecting plans for the removal of the Choctaws proved a greater task for the Government than had been contemplated by those who urged the policy, since there was no information at Washington upon which definite orders could be based for carrying out the promises of the United States to furnish transportation and supplies for thousands of emigrants. On account of the slow means of travel and lack of prompt communication with the West, it required months to secure the necessary details concerning conditions in the country that lay between the old Choctaw Nation in Mississippi and the new nation in the Indian Territory, a distance of five hundred and fifty miles over which the Choctaws would have to pass.⁹ In 1830, vast and dangerous

6. The number of Choctaws who had arrived by March 7, 1831, was given as eighty-eight by Lieutenant Stephenson. Mr. Talley reported a total of ninety-two to the Conference of the Methodist Episcopal Church.—*Ibid.*, Vol. I, p. 852, and Rev. Enoch Mudge, "History of the Missions of the Methodist Episcopal Church," in "History of the American Missions to the Heathen," published by Spooner & Howland, 1840, Chap. III.

7. Circular issued by George Gibson, C. G. S., on August 12, 1831.—Senate Document 512, op. cit., Vol. I, p. 30.

8. *Ibid.*, see note, Vol. I, p. 32.

9. The first orders looking toward the organization for the removal and subsistence of the Choctaws west of the Mississippi River, were sent out by General Gibson to Lieutenant L. F. Carter, assistant commissary of subsistence at Cantonment Gibson, on November 30, 1831. Lieutenant Carter received this communication on January 15, 1831. He carried out General Gibson's orders, involving a journey of several hundred miles, on horseback, to Cantonment Towson and Southern Arkansas, and rendered his report on February 17. This report was received at headquarters and answered April 2, four months after the first communication had been sent from Washington.

swamps, averaging fifty miles in width, were on either side of the Mississippi River. Northern Louisiana and all of Arkansas Territory were a part of the western frontier, regions of heavy forests, unfordable streams, impenetrable swamps, and dense canebrakes. The few white settlements were scattered along the larger streams which were the highways of travel for canoes and keel-boats. During high water, small steamboats ascended the Arkansas as far as Fort Smith, less often to Fort Gibson, and up the Ouachita River as far as *Ecore de Fabre*.¹⁰ Overland travel was generally on horseback and pack animals along rough trails.

The organization for starting the removal east of the Mississippi was delayed awaiting the ratification of the treaty by the Senate and the subsequent carrying out of the provision granting the "cultivation claims" under the 19th article. On August 12, 1831, the Secretary of War appointed George S. Gaines, a licensed trader of the old Choctaw Nation, as superintendent of the removal east of the Mississippi. With his appointment a request was forwarded that he make his reports to the office of the commissary general of subsistence instead of directly to the War Department. By the change, the former was given supervision of the whole eastern organization in the removal, in addition to the western organization, practically at the last moment.¹¹

On the other hand, the organization for the removal in the West was begun immediately after the ratification of the treaty by the Senate, on February 24, 1831, with the appointment of Captain J. B. Clark of the 3d Infantry, United States Army, as superintendent of the removal west of the Mississippi. On September 7, Major Francis W. Armstrong, of Tennessee, was made Choctaw agent in the West, his agency headquarters to be established near Fort Smith in the Choctaw country.¹² The village that afterward sprang up around the agency was known in later years as "Skullyville," the name being derived from the Choctaw word, "iskuli," meaning "a dime, or bit," and referring to the fact that the tribal annuities were paid out there.

Throughout the summer, Captain Clark was deterred from making definite contracts for furnishing rations or establishing stations for the Choctaws en route through Arkansas Territory, since he was unable to secure any information from the eastern organization as to how many emigrants there would be and which routes they would be apt to travel through Arkansas. Realizing that insurmountable difficulties lay in store for those in charge of the removal in the West, Captain Clark asked to be relieved from his position as

10. "While there are several cities in Arkansas larger than Camden, there are few that have a more interesting history. Back in the days when Arkansas was a part of the Province of Louisiana, a Frenchman named Fabre settled upon the site where the city now stands and the place became known as 'Ecore Fabre,' or Fabre's Bluff. How long the Frenchman remained there is not certain, but the name was retained long after the Territory of Arkansas was created."—Herndon's Centennial History of Arkansas, p. 873.

11. Appointment of George S. Gaines as superintendent of the removal of the Choctaws, by Lewis Cass, Secretary of War, Senate Document 512, op. cit., Vol. I, p. 334.

12. With the view of carrying out the terms of the nineteenth article of the treaty, Major Armstrong was appointed by the War Department on April 26, 1831, to take a census of the Choctaws. He began his work by the first week in July, completing the census on September 7. It was found that the number of Choctaws approximated 18,880. The total population of the nation was given as 19,554, which included whites and negro slaves, the latter amounting to about 512. Census Returns of the Choctaws, 1831.—Ibid., Vol. III, pp. 27-149.

superintendent.¹³ With his resignation, Captain Jacob Brown, of the 6th Infantry United States Army, was appointed to succeed him in his duties at Little Rock.

On October 19, Captain Brown was assuming his duties as superintendent of the western organization. At the same time, a hasty, almost incoherent message had just been received at Little Rock, to the effect that upward of five thousand Choctaws would begin crossing the Mississippi by November 1, at three points; namely, at Memphis, at Blanton's Ferry opposite Point Chicot, Arkansas and at Vicksburg. Assistant agents were immediately sent to these places for duty.¹⁴ Even then, the western superintendent was not definitely informed how the parties would be separated, though he supposed the emigrants would be divided into an equal number at each point of crossing the river.

Colonel Gaines and his assistants were making final arrangements for the first season's removal, by September 21, for it took many weeks to gather the Choctaws.¹⁵ Upward of a thousand decided to go West in self-emigrating parties, under the commutation plan of the Government, generally choosing a leader from their number to act as guide along the route. Those who preferred emigrating under the supervision of the Government agents were gathered in wagons sent throughout the three districts of the nation and brought to concentration camps. Not only the white settlers living in Mississippi, near the Choctaw line, but also a number of Choctaws themselves contracted with the agents to hire their teams and wagons and to furnish corn for use in the emigration as far as the Mississippi. Others among the Choctaws helped to enroll their people or acted as conductors of the Government parties.

13. Shortly after the appointment of Captain Clark, the Secretary of War received a hastily written report from Benjamin Reynolds and George S. Gaines, the United States agents, who had accompanied the Choctaw and the Chickasaw exploring parties to the Choctaw country in the fall of 1830. Writing from Little Rock, on February 7, upon their return trip, they advised that it would be cheaper and more advantageous to remove the Choctaws in wagons from the old Nation to the Indian Territory. Since, in their opinion, most of the Choctaws would settle in the Red River country of the new Nation, they suggested that the best route would be to cross the Mississippi at Helena, Arkansas, thence to continue by way of Little Rock, and Washington, in Hempstead County, to the vicinity of Fort Towson. When this report was received, the War Department held in abeyance the original plan of transporting the Choctaws to the West in steamboats, and a total of forty wagons was requisitioned from Captain J. P. Taylor, commissary of subsistence, at Louisville, to be sent to the mouth of White River or to Arkansas Post. Captain Clark was also ordered to change his headquarters from Fort Smith to Little Rock, this word being received by him on May 17, 1831.—*Ibid.*, Vol. I and Vol. II. See Appendix XV-2, for letter from Captain Clark to General Gibson. *Ibid.*, Vol. I, p. 567.

14. Acting as assistant agents under the western organization, Dr. J. T. Fulton was sent to Memphis; William McK. Ball, to Point Chicot; and Wharton Rector, to Vicksburg. Lieutenant S. V. R. Ryan, 1st Regiment Artillery, was placed in charge of the Depot at Arkansas Post. Lieutenant Stephenson remained in charge of the subsistence depot at Fort Towson. Lieutenant G. J. Rains, of the 7th Infantry, had been stationed at Fort Smith, in April. At the time of the removal of the Choctaws, Fort Smith was unoccupied by a garrison, having been abandoned as a U. S. military post in 1824.

15. William S. Colquhoun, of Dumfries, Virginia, had been appointed as an assistant agent in the removal of the Choctaws, on June 29, 1831. He was ordered to proceed to the Choctaw Nation, Mississippi, there to gather information with reference to conditions and report to the Commissary-General of Subsistence. His letter of instructions was amended with a postscript under order of the Acting Secretary of War, to the effect that he proceed first to Little Rock to deliver \$5,000 in money to Captain Clark. Colonel Colquhoun arrived at the Choctaw Agency in Mississippi, on August 28, and subsequently acted as special agent under Colonel Gaines. Other assistant agents of the eastern organization included: Samuel T. Cross, of Madison, Indiana; Thomas McGhee, of Demopolis, Alabama; A. W. Everitt, of Gainesville, Alabama; Alexander H. Sommerville, of Tuscaloosa, Alabama.

By the first week in November, four thousand Choctaws—some in wagons, some on horseback, some on foot—were on their way to the Mississippi River. Five hundred emigrants took the trail north to Memphis where they embarked by steamboat for Arkansas Post. The rest set out for Vicksburg. After much difficulty on the part of the agents, steamboats were secured for transporting the Choctaws from that point. Two thousand emigrants started up the river for Arkansas Post and Little Rock; one thousand went down stream to the mouth of Red River, thence by way of that stream and the Ouachita to Ecure de Fabre.¹⁶

The Choctaws had no more than begun their voyages along the Mississippi than a fierce winter storm began, and there followed one of the worst blizzards ever experienced in the South and West. On account of conflicting orders, all the emigrants up the Arkansas, from Vicksburg and Memphis, were landed at Arkansas Post from November 26 to December 8. At this desolate place, 2,500 Choctaws—men and women, the aged and infirm, and little children—huddled in open camps throughout the terrible storm. Few blankets and moccasins or shoes were seen among them; the women generally were barefoot and the young children naked, especially those from the extreme southern part of the nation in Mississippi. Sixty common army tents which had been distributed to these parties at Vicksburg was practically all the shelter they had from the heavy snow and sleet and the high winds that raged down from the North. For a time rations were short.¹⁷ Want of food and exposure to zero weather were followed by sickness and death. Many of the parties were compelled to remain in camps for weeks, awaiting their horses which were being driven overland from northern Louisiana.

Amid these miserable conditions, the suffering of the Choctaws only exceeded the great strain upon the officers and the agents in charge, for the success of the removal rested upon their shoulders. On his part, Captain Brown was unprepared to care for the 2,500 emigrants at Arkansas Post, no previous notice of such a number having been sent to the superintendent's headquarters at Little Rock. Navigation of the Arkansas was impossible for days, since the river was low and blocked with ice. There were only forty wagons belonging to the Government ready for use in transporting the emigrants overland, a distance of three hundred and fifty miles to the Kiamisha. The road between Arkansas Post and Little Rock called for heavy repairs after the storm. The new road between Little Rock and Washington, in Southern Arkansas, which had been cleared and causewayed much of the distance during the previous summer, was also impassable because of the long spell of freezing weather. In the face of these difficulties, Captain Brown was short of funds with which to purchase supplies and hire wagons and teams from the citizens of Arkansas, some of whom came with their teams from settlements two hundred miles away.¹⁸ It was not until January 22,

16. Appendix XV-3.

17. The ration per day to each emigrant and each of his negro slaves, was one and a half pounds of beef or pork, one pint of corn, or an equivalent of corn-meal or flour, with two quarts of salt to the hundred rations. The pint of corn was increased to one quart per day during the fall of 1831.

18. Letters Captain Brown to General Gibson.—Senate Document 512, op. cit., Vol. I, pp. 425-39. For excerpts, see Appendix XV-4.

that the last of the Choctaws from Arkansas Post passed Little Rock. A party of five hundred on board a steamboat was bound up the Arkansas for the country near the Choctaw Agency. Up to that time, more than two thousand emigrants had started overland in wagons for the Kiamisha by way of Washington, in Hempstead County.

In the meantime more than eleven hundred emigrants were concentrated at Ecure de Fabre, in Southern Arkansas, those who had been transported by the way of the Ouachita River having been joined by a large commutation party that had been rescued from the swamps of Northern Louisiana, in a perishing condition.¹⁹ At Ecure de Fabre, also, it was necessary to hire wagons and teams during the winter storm, and travel over impossible roads, a distance of one hundred and sixty-five miles to Fort Towson. Prices for corn and team and wagon hire were exorbitant, resulting in complaints and scandals and charges of corruption against those who contracted to supply provision to the Choctaws by way of Ecure de Fabre, which were not settled for more than two years.²⁰

The last of the emigrating parties of 1831 reached their destination in the region of Red River during the first week in March, 1832. On April 30, Lieutenant Stephenson recorded 3,749 rations being issued at four stations; namely Horse Prairie, Fort Towson, old Miller Court House, and Mountain Fork. In the vicinity of the agency near Fort Smith, five hundred and thirty-six rations were being issued under the direction of Lieutenant G. J. Rains, assistant agent.²¹

Profiting by the experiences during the first year's emigration of the Choctaws, a new set of regulations was issued by the War Department in May, 1832, according to which the commissary general of subsistence would have entire supervision of all Indian emigrations. Special agents appointed under this department were to have charge of the general operations connected with the emigrating parties. All disbursements were to be made by officers of the Army assigned for that duty. No transportation overland was to be provided for the Choctaw emigrants, except for those who were too young or infirm to walk.²²

Under the new plan, Captain Jacob Brown was made principal disbursing agent of the removal, with headquarters at Little Rock. Major Francis W. Armstrong, in addition to his duties as Choctaw agent, was appointed special agent for the removal and subsistence of the Choctaws, west of the Mississippi. His brother, William Armstrong, of Tennessee, was appointed superintendent for the removal east of the river; to him was left the selection of the routes to be followed by the emigrating parties in their journey to the West. By agreement between Major Armstrong and his brother, all assistant agents were to continue with the same parties from the old nation to the Indian Territory, thus avoiding confusion by changing agents at the river. Memphis and Vicksburg were selected as the points of embarkation on the

19. Appendix XV-5.

20. Appendix XV-6.

21. Lieut. G. J. Rains to Gen. George Gibson, Senate Document 512, *op. cit.*, Vol. I, pp. 829 and 864.

22. Regulations concerning the Removal of the Indians, issued by the War Department on May 15, 1832.—*Ibid.*, Vol. I, pp. 343-49.

Mississippi, all the parties in charge of the Government to be landed either at Rock Row, on White River, or at Arkansas Post, thence to proceed in relays to the new Nation.

The second season's emigration was under way toward the Mississippi River by the middle of October, 1832. However, an unforeseen obstacle arose to hinder the sanguine prospects of a successful journey as the parties started for the West. Early in the fall, the epidemic of cholera, at that time prevalent in many parts of the United States, swept down the Mississippi. There was great mortality among the passengers of all steamboats from the cities of the North, a number of dead being left at every landing. Inhabitants fled from the towns along the river toward the interior of the country, trying to escape the terrible epidemic.

Fear of the cholera had its demoralizing effects on the whole Indian emigration. The Choctaws and their agents, also, grew much alarmed when reports continued to reach them that the disease was spreading throughout the country. As the first emigrants neared Memphis, the cholera broke out in their ranks, and sickness and death were now hourly among them. Upon reaching Memphis during the first week in November, many of the Choctaws, especially the women and children, were panic stricken and refused to go on board a steamboat. For this reason, a large party was ferried across the Mississippi and allowed to travel overland. On December 2, 1832, the last emigrants in charge of the Government's agents had passed Little Rock. Major Armstrong reported that extra wagons had been hired to haul those who were sick, at the rate of five wagons to every one thousand persons, adding, "Fortunately they are a people that will walk to the last, or I do not know how we could get on."²³

By the middle of January, 1833, more than 3,000 Choctaws had arrived in the vicinity of Fort Towson, and over 2,000 near Fort Smith. Small, self-emigrating parties straggled in throughout the winter making the second season's emigration from Mississippi amount to between 6,000 and 7,000 persons.

In the fall of 1833, something over 6,000 Choctaws remained in the old Nation to follow their kinsmen over the "Trail of Tears," as the tribe now called the road to the West. Most of those remaining refused to have anything to do with the enrolling agents of the Government, only about nine hundred being finally persuaded to emigrate.²⁴ These set out by the middle of November overland for Memphis, arriving in the Indian Territory early in the winter. Small, self-emigrating parties continued to arrive for some months during the first part of 1834, but owing to their tardiness, many failed to receive the benefits of commutation from the Government. The number of Choctaws who had come to live in the Indian Territory now amounted to about 12,500, between 5,000 and 6,000 still remaining in Mississippi in 1834. All of these people or their descendants—with the exception of 1,200 who live in Mississippi today, 1928—came to the Indian Territory throughout the succeeding years, some of them as late as 1902.²⁵

23. *Ibid.*, Vol. I, pp. 101-02.

24. *Ibid.*, Vol. I, pp. 412-17 and 812.

25. Appendix XV-7.

Removal of the Chickasaws—The Government took steps to further the migration of the Chickasaws to the Indian Territory, immediately after the agreement between the Choctaws and the Chickasaws in 1837, by which the latter tribe was to settle in the western part of the Choctaw country. Under the provisions of the treaties of 1832 and 1834 with the United States, the Chickasaws were to pay all their expenses of removal out of the trust fund belonging to the tribe. Since they were rich in tribal annuities and many individual citizens owned numbers of negro slaves, the Chickasaws were better prepared than any of the Indian tribes to undertake the journey to the West in as comfortable circumstances as those early days had to offer, although, even at that, some of the parties suffered from exposure and sickness along the route.²⁶

By recommendation of Captain William Armstrong, Acting Superintendent of the removal of the Indians in the West, the chiefs and head-men of the Chickasaws expressed their wishes to the President, in February, 1837, to the effect that steamboats loaded with supplies be on hand by May 1, at the most convenient landing on the Mississippi River, to transport their people up the Arkansas to the mouth of the Canadian.²⁷ Enrollment for the emigration under the Government agents was carried on during the spring, however, it was not until July 4, that the first party numbering between four and five hundred, crossed the Mississippi at Memphis. Since its members refused to be transported in steamboats, they journeyed overland by way of Little Rock, Washington, and Fort Towson toward their new country.²⁸

At the Chickasaw Council held on Pontotoc Creek, Mississippi, early in September, 1837, the chiefs and head-men reiterated their approval of migration to the new nation in steamboats. In compliance with this request, A. M. M. Upshaw, United States agent for the removal of the Chickasaws, chartered several steamboats at Memphis to be used in the emigration.²⁹ Approximately 3,000 Chickasaws were transported by water to Fort Coffee, between November 23, 1837, and May 5, 1838. Between 2,000 and 3,000 members of the tribe traveled overland, some of them by way of Fort Coffee (q. v.), others by way of Fort Towson. Among these were many small parties that paid all their own expenses and took their own time in hunting game along the way. One of the last parties, under supervision of the Government's agents, passed Little Rock en route to Fort Towson, in August, 1838; of its one hundred and thirty emigrants, seventy were prostrated with fever at one

26. The population of the Chickasaw Nation, listed on the muster rolls of the emigrating parties, was given as 6,070, of which 4,914 were Chickasaws and 1,156 were negro slaves belonging to them. From the returns of the land locations in Mississippi, under the provisions of the treaties of 1832 and 1834, there was total of 6,080 individuals, of whom 5,265 were Chickasaws and 803 were negro slaves.—Part I, Return of the Interior Department, filed July and September, 1885, in connection with Department Case No. 2, "The Chickasaw Nation vs. The United States," U. S. Court of Claims, Brief of Argument, p. 57.

27. Communication of the Chickasaw chiefs and head-men to the President, February 7, 1837.—*Ibid.*, p. 7.

28. *Ibid.* See Appendix XV-8.

29. The river steamers, Fox, Itaska, Cinderella, Cavalier, Mount Pleasant, Kentuckian, and De Kalb, were listed on the expense accounts of the Chickasaw removal, as having seen service during that time. Messrs. Clarke and Buckner, merchants of Memphis, were the owners and operators.

time. One of these was the Chickasaw queen Pakali, who died and was buried by the roadside.³⁰

By January 1, 1839, practically the whole tribe had arrived in the Indian Territory. Early in the spring, the first party that had emigrated in 1837 and had been living in the vicinity of Fort Towson, settled at Boggy Depot, where a special agent of the United States was soon located. There the first council house of the Chickasaws in Oklahoma was located until 1843.³¹ Owing to the fact that it was considered unsafe for the people to settle extensively in their new country on account of the possibility of attacks from the Plain Indians, most of the Chickasaws continued to live among the Choctaws for a few years after the emigration in 1837-38. From 1843, a regular garrison of United States troops was stationed at Fort Washita, in order to afford protection to the people in that part of the country.

No unusual incidents arose to mark the removal of the Chickasaws en route to the Indian Territory. However, though the most scrupulous care had been taken in the expenditure of the funds of the Federal Government during the emigration of the Choctaws, such was not the case in the expenditure of Chickasaw funds. In computing the cost of the removal of the tribe, it was found that in many instances exorbitant sums for expenses had been presented by some of those who took part in the emigration, which had been paid by Government officials out of the tribal trust fund.³²

Removal of the Cherokees—After the treaty of New Echota had been ratified by the Senate (by a bare majority of one vote), the Cherokees gathered in many places and denounced the means to which the Government had resorted in order to secure such a pretended agreement, declaring the same to be null and void. A copy of the resolutions of some of these councils was forwarded to President Jackson by General Wool, who had been sent to the Cherokee country in command of the troops stationed there to overawe the people of that tribe. The President reprimanded General Wool for forwarding it and gave directions that a copy of his letter should be transmitted to John Ross and that, thereafter, there should be no further communications, either verbal or written, with the latter concerning the treaty.³³

President Jackson's proclamation of the treaty of New Echota was issued

30. Small-pox had been raging between Fort Coffee and Boggy Depot. For this reason Agent Upshaw had the party conducted by way of Fort Towson.

31. William H. Goode, in "Outposts of Zion," p. 207, mentioned that a new council house for the Chickasaws had been erected in sight of Fort Wichita, in 1844; also, see letter of Kenton Harper, U. S. agent for Chickasaws, Report of Commissioner of Indian Affairs for 1851, p. 400.

32. Brief of Argument for the Chickasaw Nation by Halbert E. Paine, Department Case No. 2, "The Chickasaw Nation vs. The United States," U. S. Court of Claims.

33. The officials of the Government, both civil and military, who were sent into the Cherokee country to arrange for the removal of the Cherokees, soon found that their task was not only a delicate one, but an extremely unpleasant one as well. Some of these, acting, as they were, under authority of commissioners granted by the President, wrote letters describing conditions then existing among the Cherokees, which were scarcely less pointed than the protests of Ross. Even Major Ridge, who had been the head of the treaty party, found it expedient to write to President Jackson and enter a vigorous protest against the excesses of land grabbers and speculators who were overrunning the Cherokee country and treating the Cherokee people to all sorts of indignities and abuses.—James Mooney, in a historical sketch included with his "Myths of the Cherokee," 19th Annual Report, Bureau of American Ethnology, 1897-98, pp. 125-28.

May 23, 1836. By its terms, the Cherokees were to be allowed two years from that date in which to remove to the West. In February, 1837, General John E. Wool was placed in command of enforcing the terms of the treaty and to prevent any opposition thereto. Vague rumors gained currency to the effect that the Cherokees were planning an uprising and a force of Tennessee militia was called out, only to discover that the story was a baseless fabrication. General Wool asked to be relieved of the command of the troops in the Cherokee country, in May, 1837, and was succeeded by Colonel William Lindsey. The latter was ordered to arrest John Ross and turn him over to the civil authorities if he gave further evidence of opposing the enforcement of the treaty.³⁴ John M. Mason, Jr., was sent into the Cherokee country as a confidential agent of the Secretary of War and in September he wrote that the Cherokee people, with the exception of three hundred who belonged to the Treaty Party, were practically a unit in support of Ross and his policy of opposition to removal.³⁵

The end of President Jackson's administration and the accession of Martin Van Buren to the presidency seemed to augur favorably to the Cherokees. The new President expressed a willingness to postpone the enforced removal to the West. At this juncture, however, Governor Gilmer, of Georgia, interposed with a threat that there would be a collision between the military forces of that state and those of the Federal Government if the treaty was not promptly enforced by the latter. The matter attracted a great deal of attention in Congress, and among those who denounced the palpable injustice of the treaty of New Echota in scathing terms were Daniel Webster, Henry Clay, Henry A. Wise and David Crockett. The Cherokees sent their final protesting memorial to Congress in the spring of 1838, only to have it laid on the table by a vote of the Senate.³⁶

General Winfield Scott had been ordered to take command of the troops in the Cherokee country and to superintend the preparations for their removal. Immediately after his arrival he issued a proclamation calling upon the Cherokee people to abide by the terms of the treaty and enroll themselves for removal. Chief Ross, finding the President was evidently determined to enforce the terms of the treaty, then proposed a new treaty. In reply, he was informed that the Government could not consider the negotiation of any substitute for the treaty, though it was prepared to construe with the utmost liberality the terms already proclaimed. Having thus exhausted every expedient and every means of peaceable resistance, most of the Cherokees still

34. Charles C. Royce, "Cherokee Nation of Indians," 5th Annual Report, Bureau of Ethnology, p. 289.

35. In his report to the War Department, Mr. Mason wrote, in part, as follows: "The officers say that, with all his power, Ross cannot, if he would, change the course he has heretofore pursued and to which he is held by the fixed determination of his people. He dislikes being seen in conversation with white men, and particularly with agents of the Government. Were he, as matters now stand, to advise the Indians to acknowledge the treaty, he would at once forfeit their confidence and probably his life. Yet though unwavering in his opposition to the treaty, Ross's influence has constantly been exerted to preserve the peace of the country, and Colonel Lindsey says that he (Ross) alone stands at this time between the whites and bloodshed. The opposition to the treaty on the part of the Indians is unanimous and sincere, and it is now a mere political game played by Ross for the maintenance of ascendancy in the tribe."—*Ibid.*, pp. 286-87.

36. Appendix XV-9.

remaining in the East bowed to the inevitable and gave up hope of remaining in their old homes.

With about 7,000 troops, composed of infantry, cavalry, and artillery—regulars, militia, and volunteers—under his command, General Scott began the work of assembling the Cherokees for transportation to the West. Under his orders, the troops were distributed in small detachments throughout the Cherokee country and every cabin and copse and cove in the mountain valleys was searched for Indians who were supposed to be in hiding. As fast as they were apprehended they were driven in and confined in stockaded enclosures, where they were held until caravans could be organized to start to the West. Most of them submitted quietly, though with evident reluctance. A few offered violent resistance and these were dealt with very sternly. The looting rabble was seldom far behind the arresting soldiery. Often, indeed, as the saddened exiles turned to take a last view of their homes, it was to behold them in flames, while their stock was being driven away by the despoilers.³⁷

During the summer of 1838 several parties of Cherokees, aggregating in all about 6,000 persons, were started on their westward journey under the supervision of army officers.³⁸ Most of these made the journey by boat down the Tennessee and Ohio rivers to the far side of the Mississippi, whence they finished the trip overland to the Indian Territory. Much of the sickness and suffering being due to the effect of traveling in the hottest season of the year, the Cherokee council submitted a proposition to General Scott to remove themselves in the fall, after the sickly season had ended. This was accepted conditionally and the remainder, which numbered about 13,000 (including negro slaves) set out on their long journey late in the fall. There were six hundred and forty-five wagons, in which the sick, the aged, and the smaller children rode with the baggage and other belongings; all the rest walked or rode on horses.

The route followed by the emigrating Cherokees was overland through Tennessee and Kentucky to the mouth of the Cumberland River, where the Ohio was crossed by ferry; from there the parties traveled through Southern Illinois to a point on the Mississippi, opposite Cape Girardeau, Missouri. Here many of the Cherokees were detained in the middle of winter as the river was choked with ice. When a crossing was finally made, they proceeded overland through Missouri to their destination in the Indian Territory, arriving in March, 1839, six months after they had begun the long, toilsome journey to the West.³⁹

37. Appendix XV-10.

38. On September 1, 1831, Secretary Cass had appointed Benjamin F. Currey, of McMinnville, Georgia, as superintendent of the removal of those Cherokees who would be willing to accept the terms of the treaty negotiated in 1828 and emigrate to the West. During the following winter and spring, 628 Cherokees, including a few negro slaves belonging to them, were enrolled and removed to the vicinity of Fort Gibson. Several hundred Cherokees enrolled and emigrated in 1832 and 1833. Mr. Currey was actively employed in furthering the treaty of New Echota, and was subsequently given charge of the supervision of valuing all Cherokee improvements under the terms of the treaty. He died during the spring of 1837; it was reported that had he lived, he would surely have been killed by the Indians. In the late winter and early spring of 1837, 500 Cherokees departed by boats for the West; 600 traveled in another party, overland.

39. Appendix XV-11.

Removal of the Creeks and the Seminoles—In December following the Creek treaty at Washington, in April, 1832, the legislature of Alabama passed the necessary legislation for laying off the Creek cession into nine counties and provided for their organization under both local and state laws.⁴⁰ This was before the survey of the tribal lands was completed and the stipulated reservations of land were assigned the individual Creeks by the Federal Government. Under the new laws of the state, hundreds of citizens of Alabama continued to make settlements in the Creek country.⁴¹ As this was a violation of the 5th article of the Creek treaty of 1832, the Federal Government took decisive steps in the matter, which brought about a clash with the state's authorities.⁴² Surrounded by these disquieting circumstances and being handicapped in protecting their property interests even before the end of the five-year period for removal, the Creeks were virtually forced to emigrate. In the meantime, the Government did not hurry the emigration, waiting for the members of the tribe to realize the inevitableness of their situation, so that all of them might be removed to the West at one time.⁴³ The final removal of the Creeks from Alabama took place in 1836 and 1837 under the agents of the Government.

The Seminole Removals—The Seminoles were the last of the five southern tribes to remove to the Indian Territory. Not only the treaty at Payne's Landing, but also a supplementary treaty negotiated between the exploring delegation of the Seminoles and the Commissioners of the United States, at Fort Gibson, was repudiated by the greater part of the Seminole tribe. When attempts were made to force their removal from Florida by means of Federal troops, war followed, lasting from 1835 to 1842, which cost the United States the lives of nearly fifteen hundred officers and soldiers and the sum of \$20,000,000.⁴⁴

About two thousand Seminoles immigrated to the Indian Territory early in 1838, among whom was the chief, Alligator.⁴⁵ When they arrived in this country, they found Opothleyahola and a band of his followers living in the region between the Canadian and the North Canadian rivers, which had been set aside for the Seminole tribe according to the provisions made in

40. "Annals of 1830-40," by Thomas Owen, Pickett's History of Alabama (edition of 1900, p. 686).

41. Appendix XV-12.

42. In the summer of 1833, orders were issued by the Secretary of War to the marshal of southern Alabama, for the removal of all intruders from the Creek country. However, those persons who conducted themselves in a peaceable manner toward the Creeks were to be allowed to remain until their crops were gathered. In August, after these orders were issued, much excitement was aroused among the citizens of Alabama over the killing of Hardeman Owen by some United States soldiers. For references with regard to the removal of the intruders from the Creek Nation and the subsequent killing of Owen, see Senate Document 512, op. cit., Vol. III, pp. 758, 770, 794-804, and Vol. IV, pp. 616-23.

43. Ibid., Vol. I, p. 324, and Vol. IV, pp. 661-64.

44. Handbook of American Indians, Bulletin 30, Part II, Bureau of American Ethnology, p. 500.

45. Alligator, who was friendly to Chief John Ross, and about one hundred of his followers, settled in the Cherokee Nation late in the summer of 1838. (Report of Commissioner of Indian Affairs for 1839, p. 423.) Considerable difficulty was subsequently experienced in inducing the Seminoles to move to the Creek country. Governor Pierce M. Butler, the agent of the Cherokees, and Chief Ross held a council with four hundred of these people, in March, 1845—since they were considered intruders—for the purpose of inducing them to leave the Cherokee Nation and go to the tract which had been assigned to them in the Creek country.—Niles' Register, April 26, 1845.

the Creek treaty at Fort Gibson, in 1833. For this reason, the Seminoles refused to settle on the tract assigned them, a new district being granted them by the Creeks, between the Arkansas and the Deep Fork.⁴⁶ With the defeat of the tribe in 1842, the remaining bands with the exception of a few refugees,⁴⁷ were removed to the Indian Territory.⁴⁸

46. Report of William Armstrong, Agent for the Choctaws and Acting Superintendent Western Territory, listed as Report No. 43, accompanying the Report of the Commissioner of Indian Affairs for 1839, p. 472.

47. The last band of Seminoles that came to the Indian Territory, that of Billy Bowlegs, did not leave Florida until about fifteen years after the close of the Florida War. The tribal agent of the Seminoles, Samuel M. Rutherford, and the superintendent of Indian affairs for the southern superintendency, Major Elias Rector, went to Florida in person and persuaded Billy Bowlegs and his people to consent to the removal. They took with them a delegation of prominent Seminoles who had been living in the Indian Territory and who were the kinsmen and friends of many of those in Bowlegs' band. These succeeded in persuading the still defiant Indians to come in and meet Superintendent Rector in council. The commissary of his camp was not only very liberally provided with food, but was also supplied with fine liquors, wines and choice cigars. At every session of the council, champagne flowed like water and the "talks" were made in the midst of a cloud of smoke from fragrant Havanas. The Indian Territory was fully described and explained to the Seminoles by their friends who had lived there for some years and thus much of the prejudice was removed. Some were inclined to be stubborn, but in the end the pleas and arguments of their friends and relatives on the visiting delegation and the hospitality so liberally dispensed by Major Rector had its effect and they all prepared to move to the Indian Territory.—Personal information from J. F. Weaver, of Fort Smith, who secured it from the Rector family.

48. Appendix XV-13.



CHAPTER XVI

THE LEAVENWORTH-DODGE EXPEDITION

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During a period of twenty years following the expedition of Major Stephen H. Long, there were no Government exploring expeditions in Oklahoma, though the Leavenworth-Dodge Expedition, of 1834, which was primarily undertaken for a very different purpose, really resulted in the exploration of portions of the lower valley of the Washita and of the Arbuckle and Wichita mountain systems. All of Oklahoma east of the 100th Meridian had been a part of the public domain of the United States for nearly a third of a century, yet no official effort had ever been made to cultivate friendly relations with the Indian tribes of the southern plains, whose members lived in and ranged over the western half of the present state. Nominally, at least, the people of the Comanche and Kiowa Indian tribes had been friendly toward the people of the United States with whom they had come into contact, including especially the overland freighters and traders who were engaged in traffic with the Spanish-Mexican settlements of the upper Rio Grande Valley.

While the people of the tribes above mentioned professed to be friendly toward the people of the United States, they were bitter in their spirit of enmity toward those of the pioneer commonwealth of Texas. Hence, when American citizens found themselves as far south as the Canadian or Red rivers, they were apt to find themselves regarded by these Indians as Tejanos (i. e., "Texans") and treated with hostility in consequence of such a confusion of identity. Within the preceding two or three years, several tragic incidents had served to emphasize the wisdom of attempting to establish a friendly understanding with the people of these wild tribes. Among these incidents might be mentioned (a) the killing of Jedediah Strong Smith,¹ the noted trapper and explorer, who fell a victim of predatory Comanches, in the valley of the Cimarron River, near the Santa Fe Trail, in the autumn of 1831; (b) the attack on a party of traders returning to the states, in the valley of the Canadian River, in the winter of 1832-33;² (c) the destruction of a Kiowa village on the head of Otter Creek, in the Wichita Mountains, in the early spring of 1833, by an Osage war party, a large number of Kiowas being killed and several children carried into captivity;³ (d) the killing of Judge G. M. Martin, of Arkansas, at his hunting camp, west of the Washita and near Red River, by hostile Indians who also carried his young son into captivity.⁴

1. John G. Neihardt's "The Splendid Wayfaring," pp. 285-86; also, Kansas Historical Society "Collections," Vol. XII, pp. 258-59.

2. Mooney's "Calendar History of the Kiowa" (17th Annual Report, Bureau of American Ethnology, Part I), pp. 254-57.

3. Ibid., pp. 257-60.

4. "The Journal of Sergeant Hugh Evans," *Chronicles of Oklahoma*, Vol. III, No. 3, pp. 194-97; also, "The Dragoon Campaigns to the Rocky Mountains." The authorship of this last cited book (sometimes credited to James Hildreth) was anonymous. The possible identity of the real author will be found in Appendix XVI-1.

In addition to these distracting tragedies, the Government authorities had another reason to be deeply interested in establishing permanent peace in such a quarter. This was due to the fact that it had but recently caused several of the large Indian tribes to be removed from states east of the Mississippi to the eastern part of the present State of Oklahoma and it was almost certain that two of these—the Choctaw and the Creek, or Muscogee—would sooner or later come into contact with the people of the untamed tribes of the southern plains. Whether such contact was to end in friendship or in hostility, was a question in which the Government was very deeply concerned, for it was bound by treaty stipulations to protect the people of these immigrant tribes. It was therefore evident that the establishment of treaty relations between the Federal Government and the people of the tribes of the region in question was greatly to be desired.

Fortunately, just about this time, it was discovered that there were several captives from the Kiowa and Wichita tribes among the Osage people,⁵ in the valleys of the Neosho, or Grand, and Verdigris rivers. The presence of these, in such convenient proximity to the tribal agencies near the Three Forks, furnished a plausible pretext for an effort to open negotiations with the tribes to which such captives belonged. The Kiowa and Wichita prisoners were therefore ransomed and rescued from captivity and the project of organizing an expedition to return them to their homeland for the purpose of restoring them to their relatives and friends was initiated.

The proposition to send out such an expedition seems to have originated with Governor Montfort Stokes, United States Indian agent for the Cherokees, and Colonel Matthew Arbuckle, commandant of the garrison at Fort Gibson, but it was finally organized by Colonel Henry Leavenworth,⁶ of the 3d United States Infantry. The expeditionary force consisted of detachments of the 3d and 7th regiments of infantry and nearly the whole of the then recently organized 1st Regiment of United States Dragoons. The expedition was organized and outfitted at Fort Gibson, though part of the troops did not join it until after its arrival at the mouth of the Washita, having been detached from the garrison at Fort Towson.

From the crossing of the Arkansas River, between Fort Gibson and Muskogee, the expedition marched to the valley of the North Canadian River,

5. "Calendar History of the Kiowa," *op cit.*, pp. 261 and 269; also, "Dragoon Campaigns," *op. cit.*, p. 143.

6. Henry Leavenworth was born near New Haven, Connecticut, in 1783. His parents settled in Delaware County, New York, during his childhood. After securing a good common school education, he took up the study of law. When the call came for volunteers, at the outbreak of the War of 1812, he recruited a company of which he was commissioned captain. His company was assigned to the 9th U. S. Infantry, just then being organized. He won special recognition in the campaigns in northern New York and the vicinity of Niagara. In 1813, he was promoted to the rank of major, with the brevet rank of lieutenant-colonel. He was promoted to the grade of lieutenant-colonel of the 5th Infantry, in 1818, and to that of colonel of the 3d Infantry in 1825. He had but recently been assigned to supersede Colonel Arbuckle in command of the Southwestern Military District and was exercising the authority of a brigadier-general by virtue of his brevet rank as such, when he took the field as the organizer and commander of the expedition to visit the Indians of the Southwest. During his long and highly creditable career as an officer, he had been almost constantly on frontier service. His death occurred July 21, 1834. His remains were buried at his old home in New York with impressive ceremonies. In 1902, they were disinterred and removed to the National Cemetery at Fort Leavenworth, Kansas, which post he had established in 1827, and which was subsequently named in his honor.



GEN. HENRY LEAVENWORTH, UNITED STATES ARMY

which was crossed just below the mouth of the Deep Fork, in McIntosh County. Thence the course was westward to the mouth of the Little River, in the present Hughes County, where a two-company military post was being erected by a company of the 7th Infantry,⁷ under the command of Lieutenant T. H. Holmes.⁸ Forging the Canadian River at that place, the expedition set out for the mouth of the Washita River, or the "False Washita,"⁹ as it was then more commonly called. During the course of this march, the expedition traversed portions of Hughes, Coal, Johnston and Bryan counties. It arrived on the Washita, July 1—eleven days after leaving Arkansas. George Catlin, the artist, who had accompanied the expedition and who had painted a picture of the mouth of the Washita, wrote of this place in part as follows:

We are, at this place, on the banks of the Red River, having Texas under our eye on the opposite bank. Our encampment is on the point of land between the Red and False Washita rivers, at their junction; and the country about us is a panorama too beautiful to be painted with a pen; it is, like most of the country in these regions, composed of prairie and timber, alternating in the most delightful shapes and proportions that the eye of a connoisseur could desire. The verdure is everywhere of the deepest green and the plains about us are literally speckled with buffalo.

The weather had been excessively warm. There had been much sickness among the officers and men of the command, a malady in the nature of a bilious fever having become epidemic among them. After crossing the Washita and marching a few miles, a hospital camp was established in the southeastern part of the present Marshall County, where all of the sick officers and men were left, with the effective infantry troops to care for the sick and guard the camp, with Lieutenant-Colonel Kearney in command of the

7. The new post at the mouth of Little River was designated as Camp Canadian, and but little is known of its history except that it was occupied but a short time. It later came to be known as Camp Holmes (from Lieutenant T. H. Holmes, under whose immediate supervision it was built), Fort Holmes and Fort Edwards. Subsequently, it became a center for the operations of several traders, including Colonel A. P. Chouteau, Edwards and Chisholm. It is mentioned in the writings of Gregg, Marcy, Whipple and other travelers of the period before the outbreak of the Civil War. Gregg ("Commerce of the Prairies," Vol. I, p. 18) made the following statement concerning it:

"On the same evening we had the pleasure of encamping together at a place known as Camp Holmes, a wild, romantic spot in latitude 35° 5', and but a mile north of the Canadian River. Just at hand there was a beautiful spring, where, in 1835, Colonel Mason, with a force of U. S. troops, had a 'big talk' and a still bigger 'smoke' with a party of Wichita and Comanche Indians. Upon the same site, Col. Chouteau had also caused to be erected, not long after, a little stockade fort, where considerable trade was subsequently carried on with the Comanches of the southwestern prairies. The place had now been abandoned since the preceding winter [1838-39]."

The abandonment thus mentioned was but temporary, as the trading post was later occupied by other traders—Edwards, Aird and, still later, Jesse Chisholm.

8. Theophilus H. Holmes was born in North Carolina, in 1804, entered the U. S. Military Academy in 1825, graduating in 1829, and being commissioned a second lieutenant in the 7th Infantry. He was successively promoted through the various grades, reaching the rank of major of the 8th Infantry, in 1855. He resigned his commission in April, 1861, to enter the Confederate military service with the rank of brigadier-general. In 1862, he was promoted to the grade of major-general and, in September of that year, was assigned to the command of the Trans-Mississippi Department of the Confederate Army, a position which he held for six months. Failing health led to his retirement from active service before the end of the war. After the war he settled on his farm in North Carolina, where he died in 1880.

9. The "False Washita," so-called, was undoubtedly thus named to distinguish it from the true Ouachita, of Arkansas and Louisiana, which is one of the lower tributaries of Red River, the name being a literal translation of the earlier French form, *Faux Ouachita*. This stream continued to be referred to as the False Washita as late as the outbreak of the Civil War.

same. Colonel Leavenworth, who was numbered among the sick, directed Colonel Dodge to select a picked force of 250 officers and men of the Dragoon regiment and proceed with the same to complete the object of the expedition. Thus reduced to little more than half its strength, including a few civilians and employees, with all members mounted, the expedition marched in a northwest direction, across portions of the present counties of Marshall, Carter, Stephens, Comanche and Kiowa, to a point on the North Fork of Red River (Mobeeteh Hono) now known as the Devil's Canyon, where the principal village of the Wichita people was located and where councils were to be held with them and with other tribes. All wagons and most of the camp equipage were left behind and limited baggage and commissary supplies were carried on pack animals.

The first Comanche warriors were met in the northwestern part of what is now Carter County. The meeting was a friendly one and, as a result, the Comanches guided the command to the encampment of their band, which proved to be a large one and which was located in the valley of Chandler Creek, about ten miles north of the site of Fort Sill.¹⁰ The expedition was welcomed by the Comanches with every evidence of friendship and good will. They also volunteered to furnish guides to lead the command to the Pawnee Pique (Toyash, or Wichita) village, which was distant about sixty-five miles to the westward by a somewhat circuitous route.

Because of the number of sick men and disabled horses, another hospital camp was established, about fifteen miles west of the Comanche camp. Seventy-five officers and men were left there, thirty-nine being on the sick list and the others being detailed for duty as guards and nurses.¹¹ Three days later, on July 21st, the rest of the expeditionary force arrived at the Toyash (Wichita) village, which was located in the western part of Kiowa County.¹² It was found to consist of about 200 timber-framed, dome-shaped, grass-thatched huts or lodges and was partially surrounded by fields of corn, beans, pumpkins, squashes and melons.¹³

10. "Calendar History of the Kiowa," op. cit., p. 265.

11. "Journal of Sergeant Hugh Evans," op. cit., p. 190.

12. The name, Toyash, or Tawehash, was doubtless an American corruption of the French, Towiache, or of the Spanish names, Tejas, or Taovayas. The Toyash, or Wichita, of 1834, represented the merged remnants of the closely related Taovayas and the Paniouassa (Southern, or Lower Pawnee) Confederacy. At the time of this expedition, these people were also known as the Pawnee Picts, which term was an American corruption of the French tribal designation, Pani Pique, i. e., "tattooed Pawnee." (Nearly all Indian names were subject to orthographic variations and corruptions as the result of the attempts of white men to pronounce and spell the same. In this instance, the results were unusually varied because of the efforts of white men speaking no less than three distinct languages.) Prior to the expedition of 1834, these people were commonly referred to as Pawnees and Pawnee Picts by the English-speaking frontier settlers of the Lower Arkansas Valley. The Comanches, whom Colonel Dodge first met, were puzzled when he made inquiry concerning the Pawnee, but finally comprehending, informed him that they were called Toyash. A year later, when they participated in the peace council at Camp Holmes, along with the Comanche, they became known as the Witchetaw, under which name, slightly modified in spelling, they have ever since been known.

13. The Wichitas were described as an agricultural people, who engaged in the cultivation of brush-fenced fields of corn, pumpkins, squashes, melons and beans. They lived in commodious lodges, the framework of which was fashioned of wooden poles into a dome-shaped structure, which was then neatly thatched with coarse grass. While they had some horses, these were few in number as compared with those of the roving people of other tribes. One of the oldest men in the village informed the officers of the expedition that it had occupied that site for seventy years—virtually, since 1765. A few years after

Four days were spent at this village, during the course of which lengthy councils were held with the chiefs and head-men of the Toyash or Wichita, Comanche and Kiowa tribes. The captive Wichita and Kiowa girls were restored to their relatives and friends, who were overjoyed to receive them. The captive white boy, Matthew Wright Martin,¹⁴ son of Judge G. M. Martin previously mentioned, and a negro slave who had been held in captivity by the Indians, were delivered to Colonel Dodge to be returned to their homes. Presents were distributed among the Indian chiefs and head-men. Having thus won the good will and friendship of the people of these tribes, Colonel Dodge¹⁵ availed himself of the opportune occasion to urge them to be at peace, not only with the white people but also with the people of other Indian tribes with whom their own had long been at enmity.

When they first came into the council, the Comanches were inclined to be very suspicious of the white men and their motives. The Wichitas were very timid when the white soldiers suddenly appeared among them. When the Kiowa warriors first came to the Dragoon camp, it was in a very warlike spirit, with their bows strung and ready for battle, for they had heard that some of their deadly enemies, the Osages, were there. But, when Colonel Dodge brought forward the Kiowa girl, who had been a prisoner among the Osages, and restored her to her family, without payment or ransom of any kind, the Kiowa leaders were quickly calmed and were quite ready to talk of peace, even with the Osages. The representatives of the other tribes—Cherokee, Delaware and Seneca—who had accompanied the expedition, all played the part of peacemakers.¹⁶

Colonel Dodge strongly urged that the Comanche, Kiowa and Toyash (Wichita) tribes should arrange to send delegations with the expedition when it set out on its return to Fort Gibson. The Kiowas evinced a willingness to send such a delegation, selecting fifteen chiefs (including Dohausen, their head chief),¹⁷ head-men and warriors for that purpose. Both the

the visit of the expedition, the site for a new village was selected on Cache Creek, near the one selected for the location of Fort Sill, thirty years later, and this, in turn, was abandoned within a few years, for one on Rush Creek.

14. The captive white boy, Matthew Wright Martin, was restored to his mother and grew to manhood. Forty years later, he was reported to be living on the Washita, in the vicinity of Paul's Valley.

15. Henry Dodge was born at Vincennes, Indiana, October 12, 1782. His father, who had been an officer in a Connecticut regiment in the American army during the Revolutionary War, settled in Kentucky, in 1784. The son settled in Missouri, shortly after the cession of the Louisiana Province to the United States. During the War of 1812, he served as captain of a company of mounted riflemen and as major of mounted infantry from Missouri. He settled in Wisconsin, in 1827. In 1832, he was commissioned as colonel of a regiment of volunteers from Michigan, for service during the Black Hawk War. He also received a commission from President Jackson as major of U. S. Rangers. In 1833, he was commissioned as colonel of the 1st U. S. Dragoons, at the organization of that regiment, with which he was in the active service, largely on field campaigns, until he resigned, in 1836, to accept the territorial governorship of Wisconsin. He was reappointed in 1839, but was removed in 1841. During the next four years he served as territorial delegate in Congress. In 1845, he was reappointed territorial governor. Upon the admission of Wisconsin into the Union as a State, he was elected as one of its first United States senators, serving until 1857. His son, Augustus C. Dodge, was elected to the United States Senate from the new State of Iowa, shortly after his own election, and the two served together in that body for six years. Colonel Dodge died at Burlington, Iowa, in 1867.

16. "Dragoon Campaigns," op. cit., p. 167-68; also, "Journal of Sergeant Hugh Evans," op. cit., pp. 201-02.

17. Dohausen had but recently been made head chief of the Kiowa tribe, superseding Adate, who was deposed because of his failure to protect the Kiowa village from the surprise attack by the Osages, the preceding year. Dohausen remained head chief of the Kiowa until his death, nearly thirty-three years later.

Comanche and the Wichita appeared to be much more reluctant to enter into such an agreement. The Comanche head chief, Taw-we-que-nah, expressed fear lest he might not be able to find his way back through the timber to his own country and people. Finally, a Comanche chief, four warriors and a woman, the Waco chief, We-ter-ra-shah-ro (of a tribe very closely related and affiliated with the Toyash, or Wichita) and two Wichita warriors agreed to accompany the expedition to Fort Gibson. The second day of the return march, however, all of the Comanches except one warrior changed their minds and turned back in the trail toward their home range. The representatives of these tribes accompanied the Dragoons to the end of the homeward journey.

The march back to Fort Gibson was made by the shortest practicable route, across the counties of Kiowa, Comanche, Grady, McLain, Cleveland, Pottawatomie, Seminole, Hughes, McIntosh and Muskogee. Great anxiety was felt because no word of any kind had been received from Colonel Leavenworth. After several days, however, a courier arrived with a message from Lieutenant-Colonel Kearney,¹⁸ announcing the death of Colonel Leavenworth. Colonel Dodge thereupon sent an order to Colonel Kearney, directing him to abandon the hospital camp and march back to Fort Gibson. When the expedition returned to the last hospital camp, its members were gratified to learn that the number of men who had been incapacitated for active service by sickness had been greatly reduced by recovery. The return route led past the new post at the mouth of Little River, on the Canadian. There, the expedition was supplied with rations of flour, pork and coffee which afforded a welcome change in diet. Since the command had left the camp near the Washita, more than a month before, with only ten days' rations, its members had subsisted largely upon buffalo meat and venison,¹⁹ except during its sojourn at the Wichita village, when it was fairly well supplied with green corn and other fresh vegetables.

The latter part of the homeward march was made under very great difficulties, many of the officers and men being very ill. Moreover, most of the horses were badly jaded. The expedition arrived at the crossing of the Arkansas on August 16th—after an absence of eight weeks. Colonel Kearney, with the rest of the command—all of whom either were or had been ill of the prevailing malady, reputed to have been a very malignant bilious fever—arrived nine days later. A large number of deaths had occurred, including that of the commander of the expedition, Colonel and Brevet Brigadier General Henry Leavenworth. While the immediate results of this expedition

18. Stephen Watts Kearney was born at Vincennes, Indiana, in 1782. He was appointed a first lieutenant of infantry in March, 1812, and was promoted to a captaincy a year later. In the reorganization of the army, in 1815, he was retained as captain of the 2d Infantry. He was promoted to major of the 3d Infantry, in May, 1829, and to lieutenant-colonel of the 1st Dragoons, in March, 1833. He became colonel of the same regiment, July 4, 1836, and ten years later was promoted to the grade of brigadier-general. During the Mexican War he commanded the small army that took possession of New Mexico. His death occurred October 31, 1848.

19. The expedition passed through many herds of buffalo. Numerous bands of wild horses were also seen. George Catlin, the artist, who accompanied the expedition, made many sketches, not only of the Indians, but also of these splendid wild animals, as he saw them on the open ranges of the Great Plains.

had been physically disastrous to men and horses, it might otherwise be regarded as having been far from unsuccessful. A favorable contact had been established with the people of three Indian tribes which had hitherto been beyond the reach and influence of the white man's government. Representative delegations of two of these had been induced to accompany the expedition back to Fort Gibson for conference with Government officials and with representatives of other and more tractable tribes. In addition to this, there had been gained much accurate knowledge concerning portions of the country of which but little had been previously known. Moreover, the prospects of trade expansion among the people of the roving tribes of the southern plains region had been greatly enhanced and, since trade expansion ultimately made for peace and the acquisition of still more extensive geographic knowledge, the net result of the expedition was decidedly beneficial.

Incidentally, the Dragoon Regiment had passed through its first campaign, the first of a long series of campaigns on the western frontier, in the Seminole War in Florida (where some of the officers and men who had served in this first campaign were destined to find soldiers' graves), in those of the Mexican War, and in those of the great Civil War, in all of which this famous organization and the names of many of its officers and men were due to win distinction.²⁰ As soon as practicable after the return of the expedition, several detachments of the Dragoon Regiment²¹ were sent to other posts for garrison duty.²²

Immediately after the return of the expedition to Fort Gibson, invitations were sent to the tribal authorities and leaders of various tribes, living in the eastern part of the Indian Territory, to send representatives to that post to attend an inter-tribal peace council, for the purpose of meeting and welcoming the Kiowa and Wichita delegations. There followed a really notable gathering, at which delegations of Cherokee, Choctaw, Creek, Delaware,

20. Among the officers of the 1st Dragoons, who afterward attained distinction, were the following: Major Richard B. Mason, who reached the rank of brigadier-general, in 1848, and died two years later; Captains David Hunter and Edwin V. Sumner, and First Lieutenant Philip St. George Cooke, all of whom became general officers in the Federal Army, during the Civil War, and First Lieutenant Jefferson Davis, who was subsequently a colonel of Mississippi Volunteers in the war with Mexico, a Representative and Senator in Congress, Secretary of War, and who, from 1861 to 1865, served as President of the Confederate States.

21. The 1st Dragoons took an active part in every phase of frontier military service throughout the western half of the United States, as well as in the Seminole and Mexican wars, during the ensuing quarter of a century. In 1861, it was reorganized and its official designation was changed to the 1st U. S. Cavalry, which, while possibly less distinctive, has not been less honorably borne.

22. Among the best known of the civilians who accompanied the expedition was Commissioner Montfort Stokes, of North Carolina, former Governor and former United States Senator from that State, a veteran of the American Revolution who, at the age of seventy-four, made the entire trip with the expedition without falling victim to the prevailing epidemic which sent so many younger and stronger men to their graves; Major F. W. Armstrong, Indian agent, who had helped the Choctaws get settled in their new homes; and George Catlin, the noted traveler and painter of Indian portraits. Captain Dutch (Tah-chee) was the leader of the Cherokee delegation which had accompanied the expedition. The leader of the Osage braves was Pierre Beatte, the Creole French guide and hunter, who had accompanied the Washington Irving party on its tour through the western wilderness, less than two years before. George Bullett, equally well known on the frontier, was the leader of the Delawares. Jesse Chisholm, destined to be long known as a trader, guide, pathfinder and peacemaker, made his first appearance as a factor in the public life of the Indian Territory when he played the part of an interpreter in the council at the Wichita village.

Seneca, Osage and other tribes were in attendance. While no formal treaties were entered into at this Fort Gibson council, it served to open the way for the peace council at Camp Holmes, in August, 1835, at which treaties were entered into with the Comanche and Wichita tribes, and for the council at Fort Gibson, in May, 1837, when treaties were negotiated and signed with the Kiowa, Ka-ta-ka (Plains Apache) and Ta-wa-ka-ros (Towakony) tribes. While it is true that forty years were destined to pass before the dawn of permanent peace between the people of these tribes and the white people, yet the Leavenworth-Dodge expedition of 1834 marked the beginning as well as a measure of substantial progress toward the attainment of such a worthy end.

The mysterious epidemic, which so seriously interfered with the movements of this expedition, is believed to have been largely due to the fact that it was undertaken in the midsummer season. Had it set forth six or eight weeks later, it might have been possible to have avoided all sickness except a few cases of minor ailment. As it was, with epidemic conditions prevailing and with an unusually heavy mortality, the expedition was a costly one when measured in human lives. A number of the men died at Fort Gibson, after the expedition had returned to that base.²³

23. Several accounts of this expedition have been published. Of these, that of Lieutenant T. B. Wheelock and that of George Catlin, the artist, have been most widely circulated. In 1836, there was published in New York City a small volume, entitled "The Dragoon Campaigns to the Rocky Mountains." Its authorship was anonymous at the time, though afterward assumed by a party who was plainly unable to live up to the literary reputation thus acquired. The subject matter of this volume was largely devoted to the story of the organization of the 1st Dragoon Regiment and of its service to and through this expedition. Its real authorship was evidently concealed for discretionary reasons. That its author was an enlisted man who had seen active service throughout the entire course of the expedition, there can be no doubt. A brief discussion of the probable authorship of "the Dragoon Campaigns" will be found in the appendix of this work. The diary or journal which was kept by Sergeant Hugh Evans during this expedition, of which it gives a detailed account, having only recently come to light, was first published by the Oklahoma Historical Society in its quarterly magazine, in 1925, after having been edited and annotated by Mr. Fred S. Perrine, of Portland, Oregon, and Mr. Grant Foreman, of Muskogee, Oklahoma.



CHAPTER XVII

EARLY MISSIONS AND MISSIONARIES IN OKLAHOMA

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The zealous efforts of the Christian missionaries in the 17th and 18th centuries among the Indians of the New England colonies were practically suspended during the time of the American Revolution. As the new Nation began to recover from the effects of the war, the work of evangelizing the Indians in this country was begun with renewed vigor. Of the number of mission societies formed in America, beginning with the year 1787, the New York, the Northern, and the Western missionary societies sent missionaries to the Indians of Central and Western New York and of the country north of the Ohio River. These three societies were at length combined into one called the United Foreign Missionary Society, the organization being effected in New York City in 1817 by representatives of the Presbyterian and Dutch Reformed churches.¹ This missionary society was the first to begin Christian work among any of the native tribes within the present bounds of Oklahoma.

As a result of attempts to arouse a missionary spirit among the students in the eastern colleges, Gordon Hall, Adoniram Judson, Jr., Samuel Nott, Jr., Samuel J. Mills and Samuel Newell, who were attending Andover Theological Seminary (Massachusetts) in 1810, agreed to unite their efforts to establish a mission among the heathen people in some foreign land. Accordingly, in carrying out their plans, they presented their application to the "Reverend Fathers" of the General Association of Massachusetts, which met at Bradford, Massachusetts, late in June. This application was given due consideration by a special committee, composed of Reverends Samuel Spring, Samuel Worcester, and Enoch Hale, who returned a favorable report, resulting in the organization of the American Board of Commissioners for Foreign Missions on June 29, 1810. The work of this organization was jointly supported by the Congregational and Presbyterian denominations. In later years, after it had extended its field of labor among the Indians, it played a great part in early missionary efforts in Oklahoma.²

First Missions in Oklahoma—Two years after the organization of the United Foreign Missionary Society, plans were formulated to plant a mission among the Indians of the Arkansas region. Accordingly on May 5, 1819, the society sent Reverend Epaphras Chapman and Mr. Job Vinal as its representatives to select a site for the proposed station.³ The Society's original intention

1. "History of American Board of Commissioners for Foreign Missions," by Joseph Tracy in the *History of American Missions*, Spooner & Howland (1840), p. 26.

2. *Ibid.*, pp. 27-33.

3. Rev. Epaphras Chapman was from East Haddam, Connecticut. He died June 7, 1825, of typhus fever, and was buried near the site of Union Mission. Mr. Job Vinal was a layman who accompanied Rev. Epaphras Chapman on his prospecting trip to the Arkansas River country in 1819. Both were very ill at Fort Smith, Thomas Nuttall being a fellow-patient. Nuttall, in his "Journal," p. 213, says: "In consequence of sickness and extreme debility, which deprived me of the pleasure of my usual excursions, I remained at the garrison until the 16th of October. A nervous fever had now forever separated me from

had been to locate a mission among the Western Cherokees, but finding that the American Board of Commissioners for Foreign Missions had planned to occupy that field, Messrs. Chapman and Vinal pushed on up the Arkansas River to the Osage country, in the vicinity of the "Three Forks," where they visited the Osage people. There through the influence of Captain Nathaniel Pryor and some of the mixed blood French-Osage employees in the fur trade, who had formed a settlement near the mouth of Chouteau Creek, a site was selected for the mission station. This site was located on the west bank of the Neosho, or Grand River, about seven miles southeast of the present town of Chouteau, in Mayes County. The station that was established there was called Union, and was the first mission planted within the borders of Oklahoma.⁴

The following spring, April 20, 1820, the Union Mission family, including the missionaries, their wives and children, and assistants, numbering twenty-one persons in all, set out from New York City for the Osage country.⁵ Travelling by way of Philadelphia to Pittsburgh, Pennsylvania, they continued the rest of the journey by boat down the Ohio and Mississippi rivers and up the Arkansas.⁶ During ten months of travel, especially wearisome in ascending the Arkansas, on account of the low stage of the river and the lack of boats, nearly every one of the party suffered from attacks of fever; two of the young women assistants (Miss Lines and Miss Hoyt) died and were buried on the banks of the Arkansas, not far from Little Rock. After suffering every deprivation and discomfort, the Mission family arrived at the Neosho, or Grand River, Sunday, February 18, 1821.⁷

They immediately began their missionary labors among the Indians of the Osage villages near at hand. In addition, the establishment of the mission was

the agreeable company of Dr. Russell [post surgeon at Fort Smith] and, amongst my associates in affliction were numbered two missionaries who had intended to proceed to the Osages. One of them (Mr. Viner [Vinal]), after the attacks of a lingering fever, paid the debt of nature."

4. Tracy's History of American Board, op. cit., p. 170.

5. "The members of the Union Mission consisted of the following: Rev. William F. Vaill, wife and four children, North Guilford, Connecticut; Rev. Epaphras Chapman and wife, East Haddam, Connecticut; Dr. Marcus Palmer, Greenwich, Connecticut; Stephen Fuller, East Haddam, Connecticut; Abraham Redfield, Orange County, New York; Alexander Woodruff, Newark, New Jersey; John M. Spaulding, Colchester, Connecticut; George and William Requa, Winchester, New York; Miss Clarissa Johnston, Colchester, New York; Miss Susan Lines, Redding, Connecticut; Miss Mary Foster, New York City; Miss Dollie E. White, Danbury, Connecticut; Miss Eliza Cleaver, Litchfield, Connecticut; Miss Phoebe Beach, Newburgh, New York."—Arkansas Gazette, July 8, 1820. (Copied from the New York Advertiser.) (Note: Dollie E. White should read Dollie E. Hoyt.)

"In addition to the foregoing, there were seven hired men, one of whom (Jacob Gatch) died a day or two before reaching Little Rock, Arkansas. Miss Hoyt died a day or two before the party arrived at Little Rock (probably of malaria) and a long stop was made at that place awaiting a general recovery of the rest. The journey from Pittsburgh had been made by means of two keel-boats."

Major Stephen H. Long met a party of missionaries (nine men, eight women and four children) at Little Rock, as he passed down the river in the autumn of 1820. They were then detained by low water and by sickness. As that party was bound for the country of the Osages it must have been the one destined for Union Mission.

6. "Contributions of money and goods were liberally donated for the support of the mission by those interested in the work. The total of something over \$13,000, included \$10,000 from the New York Board and the United States Government, \$700 in cash and \$1,200 in goods at Philadelphia, \$100 from a merchant of Pittsburgh, besides \$1,200 in goods from other citizens of that city, and \$500 in cash from the citizens of Cincinnati."—MS. of the Journal of the Union Mission in the Oklahoma Historical Society.

7. "Union, Lord's Day, February 18th, about ten o'clock this morning reached the long looked for station after a journey of nearly ten months attended by many delays and disappointments."—Ibid., entry of February 18, 1821.



REV. WILLIAM F. VAILL
of Union Mission, 1820-32

begun—a prodigious task, for this meant securing timber from the forest, erecting the necessary shelter, breaking the sod, planting and cultivating the first crops, besides purchasing and caring for a herd of horses and cattle. All the stock fed upon the open range, often wandering miles away where the animals were liable to the depredations of the Indians.⁸

Upon the completion of the log schoolhouse at Union, the first school was opened in Oklahoma on September 1, 1821. Reverend Epaphras Chapman remained in active charge of the mission until his death in 1825. From that time, Reverend William F. Vaill,⁹ who had been associated with Mr. Chapman in the management of Union, remained in charge until 1834.¹⁰

In 1823, an out-station or agricultural settlement, called Hopefield, was begun four miles from Union, under the charge of William Montgomery¹¹ and W. C. Requa¹² and their wives. A number of Osage families soon settled near Hopefield and made their first attempts at farming under the supervision of the mission workers. Late in the summer of their first year there, the Indians loaded their melons and corn in dug-out canoes and travelled down to Cantonment Gibson, recently established, where they found a ready market for their produce.¹³ This was an event in the lives of these people, for they now began to realize the practical benefits of what the missionaries were attempting to do for them, and their encouragement soon led other Indian families to join the community.

The war between the Osages and the Cherokees, which was being waged at

8. "Scarce any of the comforts of civilization, or even of the necessities of life, could be obtained amongst them [the Osages]. Somewhat extensive farming operations were therefore indispensable. After excessive labor and privations, about 140 acres of land had been subdued by the plough, the produce of which, in 1825, was 900 bushels of wheat, and 1600 of corn."—Tracy's "History of the American Board, Etc.," op. cit., p. 171.

9. William F. Vaill was born at Hadlyme, Connecticut, June 7, 1783. He graduated from Yale College in 1806. He was appointed as a missionary of the United Mission, from North Guilford, Connecticut, leaving his station April 14, 1820, and arriving at Union February 18, 1821. He was absent from Union, visiting the states, March, 1826-April, 1827. Mrs. Vaill was Miss Asenath Selden Selden, of Hadlyme, Connecticut. Mr. and Mrs. Vaill were released from their service as missionaries September 30, 1834.

10. The second mission for the Osages, called the Harmony Mission, was established by the United Foreign Society, in 1821, its location being on the Marias de Cygne River, in Missouri. In 1824, Boudinot Mission was opened for the Osages by the same society, on the Neosho River, in southeastern Kansas, one hundred miles north of Union.

11. William B. Montgomery was born at Danville, Pennsylvania. He left New York March 7, 1821, arriving at Harmony Mission, August 8. He was transferred to Union Mission in September, 1830, and died at Hopefield, August 17, 1834. Mrs. Montgomery was Miss Harriet Woolley, of New York City, who came to Harmony in the same party with Mr. Montgomery. They were married, in October, 1827. She died at Union Mission, September 5, 1834.

12. William C. Requa was born at Mount Pleasant, New York, in 1796. He left New York City, April 20, 1820, arriving at Union, February 18, 1821. He was transferred to Hopefield in 1823; visited the states from June to December, 1834, and from May to December, 1836. His first wife was Susan Comstock, of Wilton, Connecticut, who arrived at Harmony, August 8, 1821, and married on October 30, 1822. She died June 5, 1833. His second wife was Jane Montgomery, of Danville, Pennsylvania, who arrived at Hopefield on December 20, 1834, and died October 30, 1835. Mr. Requa was released from the mission service May 22, 1837.

13. "This settlement was nearly ruined by the floods of 1826, when the settlers were reduced to extreme suffering for want of food; but in the spring of 1827 they resumed their labors with alacrity, and with good prospects of success." This same flood, in 1826, washed away the fences, ruined the corn crop and destroyed property to the amount of \$2,000 at Union Mission.—Tracy's "History of the American Board," op. cit., p. 171.

the time of the establishment of Union Mission,¹⁴ coupled with the fact that the Osages were absent from their villages more than half the year on hunting and war expeditions in the West, seriously handicapped the efforts of the missionaries among them;¹⁵ yet the attempts at Union were not entirely barren of results because of the zeal, self-sacrifice and indefatigable labor of the mission workers. It was not due to any unfriendly feeling on the part of the Osages toward the missionaries that these people did not manifest more interest in the Mission,¹⁶ but rather on account of the disturbed condition of the tribe. The Osages had been one of the first Indian tribes west of the Mississippi to experience the effects of the white settlements in Missouri during the latter half of the 18th century; as the years passed, continued white immigration and the Indian immigrations from the East, pushed the Osages against their Indian opponents of the Plains region. Thus, with enemies on one side and people who were at least not friendly on the other, they were restless and perturbed, life for them becoming a matter of self-preservation and living as they could.

After 1825, at which time the Osages relinquished all their lands in Missouri and in what is now Oklahoma to the United States,¹⁷ there was constant talk of their removal to the Osage lands within the present boundaries of Kansas. Under the terms of the treaty with the Western Cherokees in 1828, both Union and Hopefield missions were found to be far from the Osage country and within the limits of the territory granted the Cherokees. These circumstances brought about serious discouragement in the affairs at Union Mission. In 1830, Hopefield was moved thirty miles north to a new site in the southeastern part of present Craig County, near the mouth of Cabin Creek.¹⁸ In 1832, the school at Union was closed owing to the fact that only 154 Indian children had been received during the twelve years since its establishment¹⁹ When the last of the Osage people had departed for the north in 1836, Union Mission was discontinued altogether,²⁰ upon the recommendations of the American Board of Commissioners for Foreign Missions under

14. In 1826, the Osages at Hopefield were in constant terror for fear of war with the Cherokees; many times they fled to Union and rushed into the houses, seeking safety. —*Ibid.*, p. 171.

15. *Missionary Herald*, Vol. 29, December, 1833, pp. 465-66.

16. Claremore, the first chief of the Osages, though not unfriendly, gave little encouragement to the mission. On the other hand, Tally, the second chief, was always interested, leaving his son, Woh-sis-tu, with the missionaries to be educated. The entry of the *Journal of the Union Mission* for May 13, 1821, stated: "The subject was again introduced this morning, when Tally, after some minutes of deep thought, inquired, 'How long do you wish to have him tarry?' We replied 'Till he becomes a man and learns what we know.' He then said, 'Take him, he is your son. I will not take him from you.'" Woh-sis-tu was given the English name of Philip Milledoler, in honor of Rev. Philip Milledoler, corresponding secretary for the first board of officers of the United Foreign Missionary Society.

17. Treaty with the Osage, Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 119-20.

18. Tracy's "History of the American Board, Etc.," op. cit., p. 206. (Hopefield Mission in its second location was visited by Washington Irving and Charles J. Latrobe when they were en route to Fort Gibson, in 1832.)

19. Of the 154 children received, 54 were Creeks, 29 were Cherokees, and 71 were Osages. This number included those children who lived at Union during several school terms.—*Missionary Herald*, Vol. 29, December, 1833, pp. 465-66.

20. A short time before its final abandonment, the buildings at Union were used as a printing establishment for books and tracts in the Cherokee, Choctaw, Creek, and Osage languages, being the temporary location of the printing establishment later set up at the

the administration of which both Union and Hopefield had been operated since 1826. In that year the American Board had consolidated with and taken over the work of the United Missionary Society among the Indians.²¹

The Work of the American Board of Commissioners for Foreign Missions—The American Board of Commissioners for Foreign Missions established missions among the Cherokees in the East in 1817; among the Choctaws in 1818; and among the Chickasaws in 1821.²² It also established a mission among the Western Cherokees in 1821. In that year when Tahlonteeskee, chief of the Western Cherokees, was visiting his old friends in the East, he met an official of the American Board and asked that a mission be established among his people living in Arkansas Territory.²³ Two years later, Rev. Cephas Washburn²⁴ and Rev. Alfred Finney²⁵ representatives of the Amer-

Park Hill Mission (q. v.). The site of Union Mission is known and identified, but the last vestiges of its buildings have almost disappeared. Upon a wooded summit, near the site of the mission, there are several graves. At one of these is a headstone, neatly chiselled from native stone, upon which appears the following inscription:

In Memory of
EPAPHRAS CHAPMAN

Who Died 7 June, 1825

Aged 32

First Missionary to the Osages

Say Among the Heathen the Lord Reigneth

Beside the grave of Epaphras Chapman are the graves of four children of David Redfield, the carpenter of the mission. They died of cholera, in 1834. A small, rough sandstone, uncut and uninscribed, stands at the head of each little grave. Not far distant are the graves of several members of the French-Osage settlement. The inscriptions chiselled on the carefully cut stones at the last mentioned graves indicate that they were made by skilled workmen—probably by one of those who had been brought to Fort Smith to work on the construction of the new post, along about 1839, or by one of those employed during the course of the erection of the Cherokee seminaries, ten or a dozen years later.

21. Tracy's "History of the American Board," op. cit., pp. 137-42. (In 1825, the United Foreign Missionary Society made overtures to the American Board of Commissioners for Foreign Missions with a view to consolidating the work of the two agencies. After negotiations extending over more than a year, the two missionary societies were formally merged, in July 1826, under the name of the latter, and, from that time on, the missions at Union and Hopefield were listed as stations of the American Board. No change was made in the mission staff, but the same were merely transferred to the administrative control of the American Board and the two missions continued to be operated under such auspices until they were both abandoned, in 1836, as the result of the removal of the Osages from that region. An epidemic of Asiatic cholera prevailed at these two missions in the summer and autumn of 1834. At Hopefield, there were sixteen deaths, including that of Rev. William B. Montgomery, who was in charge of the mission.)

22. Ibid., pp. 62-68, 72, 78, and 173-74.

23. James Mooney, "Myths of the Cherokee," 19th Annual Report Bureau of Ethnology, Part I, p. 136.

24. Rev. Cephas Washburn was born at Randolph, Vermont, July 25, 1793. The year after his graduation from the University of Vermont, in 1817, he was ordained as a minister of the gospel at Braintree, Vermont. In the autumn of 1818, he was appointed as a missionary, leaving Randolph, October 7, 1819, and arriving at the Eliot Mission, among the Cherokees of Georgia, where he remained a year. Just before departing for his missionary labors, Mr. Washburn was married to Miss Abigail Woodward, of his native home, on October 6, 1818. He labored among the Arkansas Cherokees, when he selected the site of Dwight Mission. Returning to the states, he led the Dwight Mission family to the new station, arriving May 10, 1821. Mr. Washburn labored at the Dwight Mission, in Arkansas, continuing his service during and after its removal to the new site in Oklahoma. With the exception of his visit to the states, in 1835, he remained at Dwight until released from the service, in 1842, at his own request. He made his home in Arkansas thereafter, his death occurring at Little Rock, March 17, 1860. Some of his descendants still live in Oklahoma.

25. Rev. Alfred Finney was born at Harvard, Massachusetts, in 1790. He graduated from Dartmouth College in 1815, subsequently entering the ministry. In 1819, he was

ican Board, arrived in the country of the Western Cherokees in response to this invitation and were cordially received by the tribal council. A site for the mission was selected near the Cherokee agency at the mouth of Illinois Creek,²⁶ in what is now Pope County, Arkansas, the mission being named in honor of Reverend Timothy Dwight, president of Yale College, and one of the organizers of the American Board. The first school at Dwight Mission was opened on January 1, 1822, and continued to flourish until the Western Cherokees moved to their new country in Oklahoma, under the terms of the treaty of 1828. In 1829, the entire missionary establishment was moved to a new site on Sallisaw Creek, about twelve miles above its confluence with the Arkansas River, within the present limits of Sequoyah County. At that time, Dwight, or New Dwight as it was sometimes called, was rebuilt. The new station consisted of a number of hewn log houses surrounding about an acre of ground in an oval shape, beautifully shaded²⁷ by a grove of locust trees.

The school at Dwight, like the most of those connected with the larger missions to the Indians in early days, was conducted as a boarding school on the manual labor principle. In nearly all the mission schools the Lancastrian system of teaching was adopted, with much time being spent on the religious aspect and on the study of the Bible. Reverend Cephas Washburn, who had helped to found Dwight Mission in Arkansas, continued as its superintendent after it was transplanted in the Indian Territory. Doctor Elizur Butler²⁸, a medical missionary who had entered the work among the Cherokees in Georgia in 1821, and who was one of the missionaries that suffered imprisonment in the Georgia penitentiary for the technical violation of the arbitrary laws of that

appointed as a missionary to the Cherokees in Georgia. He married Susanna Washburn, sister of Rev. Cephas Washburn, with whom he labored in the establishment and operation of Dwight Mission. His death occurred June 13, 1829. Mrs. Finney died in January, 1833.

26. The assistant missionaries, Jacob Hitchcock and James Orr, had remained at Dwight the first winter after the site of the mission had been selected. When the mission family arrived on May 10, 1821, they found two log houses, with stone chimneys, nearly completed; three acres of land planted, twelve acres ready for the plough, and six acres more cleared of trees. At the end of June, twenty-two acres had been planted, and the whole farm was well fenced within a short time. Mr. Hitchcock served as steward of Dwight Mission for forty years, his work as such terminating only as the result of the outbreak of the Civil War, which caused the abandonment of the mission. Mr. Orr labored faithfully as the farmer and superintendent of secular affairs at Dwight until 1841, when he was honorably released. He joined the mission again in 1846 and continued with some interruptions until 1861.

27. "Letters written by Mrs. Cassandra Sawyer Lockwood," MSS. in the Oklahoma Historical Society, pp. 18-19. Mrs. Lockwood was the wife of Rev. Jesse Lockwood, of North Salem, New York. He graduated from the Divinity School of Yale College in 1833, after which he sought and secured an appointment from the American Board of Commissioners of Foreign Missions, as a missionary to the Western Cherokees. Shortly before his departure he was married to Miss Cassandra Sawyer, of Gloucester, Massachusetts. They arrived at Dwight Mission, January 25, 1834. Mr. Lockwood died there, July 11 following, at the age of thirty-two years. Mrs. Lockwood died at Ipswich, Massachusetts, in 1840. For early description of Dwight Mission in the Indian Territory, see Appendix XVII-1.

28. Elizur Butler, M. D., was born at Norfolk, Connecticut, June 11, 1794; professed religion, January, 1816; educated at no college; departed for the mission field in October, 1820; arriving at Brainard, January 10, 1821; stationed at Creek Path; there till May 7, 1824; then at Haws, till May 1, 1826; arrested by Georgia Guard, July 7, 1831; sentenced to the penitentiary, September 16, 1832; released by the Governor, January 14, 1833; went back to Brainard, February 14, 1834; visited the United States April 16, 1834; returned October 13, 1834; stationed at Red Clay, September, 1835; ordained at Kingston, Tennessee, April 4, 1838; arrived at Dwight Mission, July 10, 1839; was released August 17, 1852; died in 1857. He was married twice, first to Miss Esther Post, who died in 1829, then to Miss Lucy Ames, in 1830. For description of visit to Dwight and Fairfield Missions, by Rev Henry C. Benson, see Appendix XVII-3.

State, came west with the migration of the main body of the Cherokees in 1838-39, and was thereafter stationed at Dwight.²⁹

Two other missions were established at an early date among the Western Cherokees by the American Board, one of these was the Mulberry Mission, opened as a branch station to Dwight, in 1828, and located on Mulberry Creek in Polk County, Arkansas. Mulberry was transferred to within the bounds of Oklahoma in 1829. It was located about fifteen miles north of Dwight, within the limits of present Adair County. From this time it was known as Fairfield, Doctor Marcus Palmer and his wife³⁰ being in charge for a number of years. The second one of these missions was established in 1830 and was known as the Mission at the Forks of the Illinois, with Reverend Samuel Newton and wife in charge.

Missionaries had been laboring among the Indians of all the tribes of the South before they were removed to the Indian Territory. Throughout all the time of trouble which preceded the movement to the West, these missionaries had remained the firm friends and faithful counselors of the Indians among whom they had chosen to spend their lives in unselfish service. When the Indians moved westward, the missionaries moved with them and strove to encourage them in their afflictions and to help them in the hour of adversity. As soon as possible after their arrival in the Indian Territory, new mission stations were established and schools were opened for the Indian children and youth. The mission stations in the old Indian nations east of the Mississippi were supported by several missionary societies, namely, the American Board of Commissioners for Foreign Missions (Congregational and Presbyterian), the Missionary Society of the Methodist Episcopal Church and that of the Baptist General Convention. Of these, the work of the American Board was first in the point of priority of establishment as it was also the strongest and most abundantly supported, though the Baptist missions were organized shortly afterward.

During the period beginning with 1840 and ending with 1860, there was more missionary activity in the Indian Territory than during that of any other era in its history. The influence of the missions and of the mission schools in

29. One of the interesting pupils at old Dwight Mission was Marla James, an Osage, who had been captured by the Cherokees, as a small child, during the Cherokee-Osage War, about 1821. For a story of Marla James, see Appendix XVII-2.

30. Marcus Palmer, M. D., of White Plains, New York, was born at Greenwich, Connecticut, April 24, 1795. He joined the Union Mission family upon their departure for the Osage country, April 20, 1820, arriving at Union, February 18, 1821. He subsequently was stationed at the Harmony Mission, in Missouri, being transferred to the work among the Western Cherokees. He took charge of the founding and of the operation of the Fairfield Mission, in November, 1829, being ordained in 1830. He visited the states in 1839. His first wife was Miss Clarissa Johnson, of Colchester, Connecticut, who came with the first mission family to Union, in 1821. She died at Granville, Ohio, September 8, 1835. Dr. Palmer's second wife was Miss Jerusha Johnson, of Colchester, Connecticut, who had arrived at Fairfield in 1833. Reverend Samuel Newton was also a co-worker with Dr. Palmer, for a period, at Harmony. Mr. Newton was born at Woodbridge, Connecticut, January 1, 1792. He was appointed assistant missionary to the Harmony Mission, by the United States Foreign Missionary Society, departing February 19, 1821, and arriving at Harmony, August 8. He was transferred to the Dwight Mission in February, 1828, and subsequently took charge of the mission at the Forks of the Illinois, February 2, 1830. He was honorably released from the service on October 9, 1838. His first wife was Mrs. Mary McCarthy Seely, of Rockaway, New Jersey, who arrived at Harmony in the same party with Mr. Newton. She died at the Forks of the Illinois Mission, March 30, 1835. Mr. Newton's second wife was Mrs. Sophia Palmer Joslyn, of Thetford, Vermont, who had formerly been connected with mission work among the Choctaws.

aiding the Indians to adapt themselves to the ways of civilization was an important factor in the life of the period. Many of the missionaries who came West with the Indians from their old homes east of the Mississippi, continued to live and labor almost if not quite through this entire period, and some of them survived until several years after its close.

Practically all of the work was done by the missionaries of the American Board of Commissioners for Foreign Missions (Congregational-Presbyterian), and the Baptist and Methodist churches, though the Moravians³¹ had small but efficient missions among the Cherokees. Farther north in Kansas, the Roman Catholic Church planted missions among the Osages and the Pottawatomies. In the Cherokee Nation, most of the work of the missionaries of the American Board and of the Methodist Church was done among the people of mixed Indian and white descent. The work of the Baptists, on the other hand, was almost entirely among the full-blood element of the Cherokee Nation. In the other Indian nations—Creek, Choctaw, and Chickasaw—the representatives of the Methodist and Presbyterian bodies labored effectively among the full-blood Indians. The work of the missionaries of the American Board was largely carried on from certain fixed centers, in which schools usually played an important part. The Methodists carried on their work, as was their wont in those days, largely by a system of house to house visitation and through the medium of preachers who were circuit riders in the truest sense of the word; they gave comparatively little attention to the establishment of schools other than those of the most primary character, and there were no academies or secondary schools conducted under their auspices during the first years of their work in the Indian Territory. Although the work of the American Board was jointly supported by the Congregational and Presbyterian denominations, a large percentage of the missionaries sent to the Indian Territory were from the Congregational denomination, but eventually all the work passed into the hands of the Mission Board of the Presbyterian Church.

While the missions of the American Board were perhaps less mobile than those of the Baptist and Methodist bodies, and therefore not so well adapted to the wilderness conditions, yet the excellence of their schools and the relatively larger amount of work done, in the way of translating and publishing books, tracts and papers in the several tribal languages, gave it an influence and beneficent value that extended far beyond denominational lines. There may have been a few of the workers that were found wanting in stamina or other essential qualities, yet, in the main, it may be said that the missionaries of the American Board in the Indian Territory were a heroic band of men and women, devoted to their calling, patient and self-sacrificing and, considering the difficulties under which they had to labor, they were remarkably efficient. More than half the missionaries sent to the Indian Territory by the American Board were natives of Massachusetts. Vermont and Connecticut were also well represented.³² The states of New Hampshire, Maine, New York, New Jersey, Pennsylvania and Ohio were also represented by a few workers in this

31. For report of the Moravian Missions among the Cherokees, see Appendix XVII-4.

32. For details concerning the establishment of the missions among the Five Civilized Tribes, see the "Missionary Herald," 1817 to 1860.

field. In all, from first to last, the American Board sent over three hundred missionaries, lay and clerical, to labor among the Indians of the tribes that came to Oklahoma from the East. Although some of the earlier missionaries were employed only while the Indians were still living in their old home-lands, east of the Mississippi, by far most of them saw service in the Indian Territory.

Among the most prominent missionaries of the American Board, to the Choctaws were Reverends Cyrus Kingsbury,³³ Cyrus Byington,³⁴ Alfred Wright,³⁵ and Loring S. Williams,³⁶ all of whom came west at the time of the main migration of the nation to the Indian Territory, beginning with 1831. The last three mentioned were especially noted as close students and scholarly translators of the Choctaw language. One of the earliest of these was Reverend Cyrus Byington, who entered the mission field among the Choctaws in 1819, and who, from his arrival among them, devoted himself assiduously to

33. Cyrus Kingsbury was born at Alstead, New Hampshire, November 22, 1786. He graduated from Brown College in 1812 and from Andover Theological Seminary in 1815. He entered the mission field at Brainard, among the Cherokees, in 1817. The following year he opened the work of the American Board among the Choctaws, establishing the Mayhew Mission. In 1836 he came to the Indian Territory with the migrating Choctaws and established the mission at Pine Ridge. He occupied a large place in the religious and educational uplift of the Choctaw people, among whom he continued to live and labor even after the sustaining missionary society had withdrawn its support and patronage because of the existence of slavery among the Choctaws. He died June 27, 1870, and was buried at Boggy Depot.

34. Cyrus Byington was born at Stockbridge, Massachusetts, March 11, 1793. His early educational advantages were limited, but in his youth he was taken into the home of Mr. Joseph Woodbridge, in his native town, under whose tuition he studied Latin and Greek, and with whom he afterward read law. He was admitted to the bar in 1814 and began to practice with bright prospects. Becoming impressed with the belief that it was his duty to prepare himself for missionary service, he entered the theological seminary at Andover, Massachusetts, from which he graduated in 1819. A year later he was sent to the Choctaw country, in Mississippi, journeying from Massachusetts to Pittsburgh by land and thence by flatboat down the Ohio and Mississippi rivers, to the point nearest their destination. When he came West with the Choctaws at the time of their migration, he opened up a mission near Eagletown, in the southeastern part of the Choctaw Nation, which he named in honor of his native town—Stockbridge. His health failing, he went to New York in 1851, but later returned and resumed his work in the Choctaw Nation. The outbreak of the Civil War having put an end to practically all missionary work for the time being, he again returned to the East. He died at Belpre, Ohio, December 31, 1868.

35. Alfred Wright was born at Columbia, Connecticut, March 1, 1788; graduated from Williams College in 1812, and Andover Seminary in 1814; went to North Carolina in 1815, resided three years in Raleigh, ordained as an evangelist with Jonas King in Charleston, South Carolina, December 17, 1819; shortly after received an appointment from the board as a missionary among the Choctaws; returned to New England in 1820, stationed at Goshen, August 1, 1823. Missionary operations were interrupted by the removal of the Choctaws across the Mississippi, so he left that region October 27, 1830, visited New England and continued in the North till 1831; he then went to Little Rock, Arkansas, February 18, 1832; on September 14, 1832, he went to Wheelock, where he died March 31, 1858. He married Miss Harriet Bunce in 1825. Mrs. Wright was of great assistance to her husband in his work of preparing translations in the Choctaw. Dr. Wright's grave is located at the old Wheelock Church, near Millerton, Oklahoma.

36. Loring S. Williams was born at Pownal, Vermont, June 28, 1796. He removed to Salisbury, New York, from whence he departed December 18, 1816, for work in the mission field among the Indians. He arrived at Brainard among the Cherokees, on March 7, 1817. In June of the following year he was transferred to the Choctaw mission at Eliot, Mississippi. He was subsequently stationed at Bethel and Aikhunnah missions among the Choctaws. He was ordained as a minister of the Gospel March 27, 1830. After a visit to the United States from April to November, 1831, he took his departure for the Indian Territory, arriving at Bethabara on July 12, 1832. He was released on August 1, 1837, but returned in September of the same year. His wife was Matilda Loomis, of Salisbury, New York, a native of Winchester, Connecticut. The following appears in the *Missionary Herald* for 1835, Vol. XXXI, pp. 25-26: "Translations—A small tract on the Sabbath has been composed in the Choctaw language by Mr. Williams, and 3,000 copies of it printed. A new edition of the Choctaw spelling-book, together with an elementary book on arithmetic, and another on geography and astronomy, and a tract on the Christian doctrines and duties are in a state of preparation. Mr. Byington hopes to complete his dictionary and grammar during the approaching winter."

the study of their language. He prepared a grammar of the native language, the first draft of which appeared in 1834; he was at work upon the seventh revision at the time of his death, nearly fifty years after he first entered the mission field. He also prepared a Choctaw-English dictionary, which has been published within recent years by the Bureau of American Ethnology.³⁷ Reverend Alfred Wright was noted for his many fine translations in the Choctaw language, especially of the Scriptures, chief of which were the books of Joshua, Judges, and Ruth, published in 1852. Reverend Cyrus Kingsbury, who was the founder of the Choctaw Mission in Mississippi, and Reverend Byington were the last to leave the Choctaw country for the new country west of the Mississippi, being detained in the settlement of the secular affairs of the missions which had been abandoned there when the Choctaws moved west. Another devoted missionary to the Choctaws, was Reverend Ebenezer Hotchkin who moved to the Indian Territory from Mississippi in 1833.³⁸

Between 1832 and 1837, inclusive, no less than ten mission stations were located in the Choctaw Nation by the American Board. When the Chickasaws came west in 1837, they settled among the Choctaws, so they were included thereafter among the Choctaw missions of the American Board, and not as a separate people. Of the missions in the Choctaw Nation, Bethabara (1832), Clear Creek (1833), Bethel (1834), and Bok Tuklo (1834) did not prove permanent (probably because of the temporary settlements of the Choctaws who had but recently immigrated), the periods of their existence varying from two to five years each. Wheelock (1832), Pine Ridge (1835), Greenfield—also known as Lukfata, or White Clay—(1837), Mountain Fork (1837), and Good Water (1837), were all in operation in 1840. At this time, seven mission schools were being conducted at these stations, under the auspices of the American Board, with a total of 213 pupils in attendance during the term.³⁹

While there were more mission stations and a larger force of workers in the Choctaw Nation than in any other part of the Indian Territory before the Civil War, yet after 1842, practically every school in connection with them, especially the boarding schools, were largely supported out of the Choctaw national funds. An annual appropriation of \$26,000, which was considered a large sum by everyone in early days, was provided for education in the Choctaw Nation, by its General Council, beginning with 1842.⁴⁰ Of this sum,

37. Bulletin 46 of the Bureau of American Ethnology, entitled "A Dictionary of the Choctaw Language."

38. Rev. Ebenezer Hotchkin was born at Richmond, Massachusetts, in 1803. He had a good common school education but never had the benefit of college or seminary training. He entered the missionary service as a teacher, at Goshen, in the old Choctaw country, in 1828, where he remained until the removal of the Choctaws to the West, in 1832, during which year he was licensed to preach. He was stationed at Clear Creek for a time after reaching the new Choctaw country in 1833, but removed to Good Water in 1837. In 1841, he was ordained as minister. He continued to labor in the Choctaw Nation until the discontinuance of the missions in that section, in 1859, and, subsequently, under the auspices of the Presbyterian Board of Missions. His death occurred at Lenox, Massachusetts, October 28, 1867. His wife, Philena Thatcher, to whom he had been married in 1831, died less than a month after the death of her husband. Most of Mr. Hotchkin's children continued deeply interested in the mission work among the Choctaws. His grandson, Rev. Ebenezer Hotchkin, of Durant, is still giving devoted service to mission work in Southeastern Oklahoma.

39. Missionary Herald for 1840, Vol. 36, pp. 14-15.

40. Laws of the Choctaw Nation, compiled by Joseph P. Fulsom, 1869, pp. 78-81.



NEW SPENCER ACADEMY FOR BOYS, NEAR PRESENT TOWN OF SOPER,
CHOCTAW NATION, 1893



CHEROKEE MALE SEMINARY, BUILT IN 1850. BURNED IN 1910

\$7,800 was to be expended under the direction of American Board, in helping to maintain four boarding schools for girls in the nation. These schools began operation in connection with the mission stations (with the exception of Wheelock) in 1844, and were as follows: Chuahla Female Seminary (Pine Ridge), Reverend Cyrus Kingsbury, as superintendent; Iyahnobí (or Ianub-bee) Female Seminary (Stockbridge), Reverend Cyrus Byington, as superintendent; Kunsha Female Seminary (Good Water), Reverend Ebenezer Hotchkin, as superintendent; Wheelock Female Seminary (Wheelock), Reverend Alfred Wright, as superintendent. During the same year a small boarding school for boys was opened at Norwalk, located five miles west by north from Wheelock, with Reverend Jared Olmstead, as superintendent.⁴¹

In 1845, Spencer Academy, which had been established as a national academy for boys in 1841, was placed in charge of the Presbyterian Board of Foreign Missions, the Board to contribute \$2,000 to help maintain the institution otherwise provided for by an annual appropriation of \$6,000 out of the Choctaw funds.⁴² In 1852, Wapanucka Female Institute was opened in the Chickasaw Nation, under the charge of the Presbyterian Board of Foreign Missions, with Reverend Henry Ballentine, as superintendent. This boarding school was also largely supported by Chickasaw national funds.

Under the regulations of the Department of Indian Affairs, all missionaries in the Indian Territory were required to report to the United States agent, within whose agency they were located, in regard to their school work, the value of the school establishments, and their location, and the names of teachers. In the Choctaw Nation, a board of trustees for public schools was appointed by the General Council, its duty being to inspect and report annually to the Council with regard to all schools within the nation.⁴³ Under

41. *Missionary Herald* for 1844, Vol. 40, p. 11. (In 1852 the number of church members listed by the American Board in the Choctaw Nation was 1,235. In 1852 it was stated that the five boarding schools—four for girls and one for boys—had enjoyed prosperity. One hundred and eighty-two enrolled pupils were reported. The day school at Goodland Mission established in 1849 was also well sustained, Rev. O. P. Stark and Mrs. Stark being in charge. Jared Olmstead was born at Ridgefield, Connecticut, August 19, 1811. He departed from Homer, New York, December 12, 1836 for the mission field among the Choctaws. He entered the mission school at Wheelock as a teacher. In 1843, he opened the school for boys at Norwalk where he died two years later. At this time, Rev. Charles C. Copeland was placed in charge at Norwalk. Mr. Copeland had entered the mission field as a teacher at Stockbridge in 1843. He was married to Miss Cornelia Ladd, in 1845. He and his wife remained at Norwalk until 1849, when they took charge of a mission field in the western part of the Choctaw Nation, with their station at Mt. Pleasant.)

42. *Laws of the Choctaw Nation*, op. cit., p. 89. Among the teachers employed at Spencer Academy in 1858-59 was Sheldon Jackson, who afterward became famous as a Presbyterian missionary leader, pioneer, educational director and publicist in Alaska. Spencer Academy was in charge of Rev. Alexander Reid from 1849 to 1861. Mr. Reid was a native of Scotland, and came to this country in his boyhood. He graduated from Princeton College in 1845 and from Princeton Theological Seminary in 1848. Under his superintendency, Spencer Academy flourished. In his annual report for 1853, Rev. Reid said: "In every part of the Choctaw Nation where there is a settlement of people, there is an urgent cry for a missionary and a school; but their entire wants can only be supplied by their own educated sons and daughters, hence the vital importance of religious education, and especially the importance of Spencer Academy, which receives scholars from every part of the nation."

43. *The Annual Register of Indian Affairs within the Indian Territory* by Isaac McCoy (1838), pp. 34-35. Captain William Armstrong in his report to the Commissioner of Indian Affairs for 1837 (see Report for 1837, pp. 604-05) made the following statement: "The missionaries in the Choctaw nation are certainly more useful than they are in other nations. It is owing to the fact, that they are well impressed that they have no more privileges than other white men in the nation, and are therefore compelled to deport themselves toward the Indians in a manner to conciliate their good-will, and to render them-

the plan of leaving the actual supervision of their schools in charge of the various mission boards, the Choctaws had a system of elementary education that was equal to the best to be found in any of the eastern States before the Civil War. While the maintenance of these schools was largely provided for by Choctaw national funds, yet the mission teachers were supported in nearly all instances by the various boards under which they had entered the mission field. The men and women who had regularly enlisted as missionary teachers, especially those under the American Board of Commissioners for Foreign Missions, were generally persons who had received the best educational advantages that the East had to offer in their day. They were men and women of high ideals and most of them were especially loved and respected by the Indians among whom they carried on missionary efforts.

Missionary work under the auspices of the American Board was begun among the Creeks in 1832 by the medical missionary, Doctor George S. Weed, and his wife. The following year they were joined by Mr. John Fleming,⁴⁴ missionary, and Mrs. Fleming, who began active missionary labor in the Creek Nation, a regular mission station being established seven miles west of Fort Gibson. On account of his failing health, Doctor Weed was released from service in the spring of 1835, his place being filled by Roderick Lathrop Dodge, M. D. This early mission was continued until 1836, when owing to the hostile attitude of the recent immigrants among the Creeks who were opposed to any missionary work among them, the station was discontinued by the American Board. However, the establishment of the mission had not been in vain, for besides carrying on Christian work among the Creeks, Mr. Fleming engaged in a close study of the native language and was the first person to reduce this language to writing. Through his efforts an elementary book which also contained portions of the Scripture, amounting in all to about one hundred pages, was published in the Creek language in 1835. This little volume was printed on the press at Union Mission, a total of five hundred copies making up the first edition. This was the first book written, published, and used in Oklahoma.

Under a call from the Creek (or Muscogee) leaders who expressed their desire for religious work among their people in 1842, the Presbyterian Board of Foreign Missions established the Creek Mission at Coweta, Reverend Robert M. Loughridge and his wife taking charge in the following year.⁴⁵ By the

selves useful to the Indians to be allowed to live among them, and are held themselves responsible to this office for their conduct. If this were the case in other nations, they would be useful and efficient auxiliaries in carrying out the policy of the Government, instead of being the cause of so many complaints."

44. Mission work had been carried on among the Western Creeks by Rev. William F. Vaill and Mr. William Montgomery of the Union Mission previous to the arrival of Dr. Weed. John Fleming was a native of Mifflin County, Pennsylvania. He graduated from New Jersey College in 1829 and from Princeton in 1832. He arrived among the Western Creeks in the Indian Territory, January 2, 1832, at which time he began his missionary work. He was released from service March 7, 1837. His wife was Margaret Scudder, of New York City. For the reference to the first book published in the Creek language by Mr. Fleming, see *Missionary Herald*, Vol. 31, p. 25.

45. Robert M. Loughridge was born at Laurensville, South Carolina, December 24, 1809. His education was completed at Miami University and at Princeton Theological Seminary. He served as a stated supply at Paynesville, Oxford and Elizabeth, Alabama, in 1841-42, and had visited the Creek Nation, in the Indian Territory, in the fall of 1841. In the following winter, the Creek Council gave him permission to establish a mission and school



MRS. A. E. W. ROBERTSON,
Missionary and Translator Creek Nation

terms of the Creek and Seminole Treaty of 1845, the funds for education in the Creek Nation were increased, by means of which two manual labor boarding schools were to be erected in the nation.⁴⁶ One of these was established at Tallahassee⁴⁷ and was placed under the supervision of the Presbyterian Board, with Reverend Loughridge, as superintendent. This boarding school went into operation in 1849, receiving both boys and girls as students, the principal being Mr. W. S. Robertson. In 1850, Mr. Robertson married Anne Eliza Worcester, the daughter of Reverend Samuel Worcester, who was formerly connected with the Cherokee missions. Both Mr. and Mrs. Robertson were close students of the Creek language, Mrs. Robertson, especially, becoming noted in later years for her accurate translations. Mr. Robertson, with the aid of David Winsett (later Reverend), a native, prepared a first reader which, it is said, did more to aid the Creeks and Seminoles to read and write in their own language than any other agency.⁴⁸

In 1848, Reverend John Lilley began mission work among the Seminoles, under the auspices of the Presbyterian Board of Foreign Missions.⁴⁹ The following year a mission school was opened at Oak Ridge by Mr. Lilley. Closely associated with him in this work was Rev. James Ross Ramsey,

in their nation. He was ordained as an evangelist by the Presbytery of Tuscaloosa, October 15, 1842, and, in June, 1843, he opened a day school at Coweta, the boarding department of which was established two years later. With the agreement that on the part of the Creek National authorities that a portion of their annuities should be applied to educational purposes, a larger mission station was erected at Tallahassee, in 1848. There he labored until 1862, when the work had to be abandoned because of the war, in 1862. During the next fourteen years, he was engaged in pastoral supply work at various points in Texas. Then followed four years of similar work in North Carolina. He then returned to the Indian Territory, where he served six years as a stated supply at Wealaka and Okmulgee, 1880-86, and six years more of the same sort of service at Tulsa and Red Fork, 1886-92. His last ministerial work was at Waco, Texas, 1892-94. He died at Waco, July 8, 1900.

46. Treaty with the Creeks and Seminoles.—Kappler's Laws and Treaties, (Indian Affairs), Vol. II, pp. 550-52.

47. "Kowetah, Creek Nation, August 28, 1848. . . . Preparation for the erection of a large brick building, for the manual labor boarding school, at Tallahassee, which, from various causes, has been much hindered, is now going on vigorously. Some of the out-buildings have been completed, viz: a double log house, two rooms below, 18 by 16 feet, each, one and half stories high, and hewed inside and cut. This will be used temporarily for a dwelling-house, but it is intended finally for a work-shop; also a hewed log meat-house, 20 feet square; good crib, cutting room and stable; a well has been dug and walled up with stone; and other improvements are being made, which will be needed for the successful operation of the school as soon as the main building is completed."—Report of R. M. Loughridge, Report of Commissioners of Indian Affairs, August 28, 1848, p. 511. For letter of Rev. Loughridge written September 21, 1848, concerning further details with reference to the Tallahassee Mission, see Appendix XVII-5.

48. Rev. William S. Robertson was a graduate of Union College, Schenectady, New York. He entered the mission field among the Creeks in 1849, being made principal of the new manual labor boarding school at Tallahassee. Mr. Robertson withdrew from the mission field at the beginning of the Civil War. Late in 1866, at the urgent petition of the Creek and Seminole Indians, he returned to the Indian Territory. While awaiting the opening of the school at Tallahassee, he devoted himself to the translation of the Scripture into the Creek language. The buildings at Tallahassee were burned in 1880, but temporary buildings being provided, school was continued until 1882, when it was removed to Weleetka. Mr. Robertson died in June, 1881, after thirty years of devoted service among the Creeks. Mr. Loughridge wrote of him, "His whole heart seemed to be devoted to the education of the Indian youth, and he has done a good work which shows itself everywhere throughout the Creek Nation. His influence will doubtless be felt for generations to come." Mrs. Robertson remained in the mission work among the Creeks after the death of her husband, to which she devoted her life. She completed the translation of the New Testament which had already been begun by Mr. Robertson. For her scholarly work as a translator, the degree of Ph. D. was conferred upon her in 1892, by Wooster University, Ohio. On account of failing health, in 1888, she had retired from the mission work, going to live with her daughter, Miss Alice Robertson, in Muskogee, where she died in 1905.

49. Report of Commissioner of Indian Affairs for 1858, pp. 155-56.

who entered the mission field among the Seminoles in 1856. Mr. Ramsey had first been connected with the work at Tallahassee, having come to the Indian Territory in 1849.⁵⁰

Of all the mission stations of the American Board in the Indian Territory, those at Park Hill and Dwight have always been the most noted—Park Hill because it was the center of the publishing interest of all the missions of this board in the Indian Territory, and Dwight because it was the first mission to be established after the Indians began moving to the Territory. The Park Hill Mission was the largest institution of its class in the Indian Territory; it included the buildings of the mission and schools, the homes of several missionaries, teachers and employees, a boarding hall, a gristmill, shops, stables, barns (for an extensive farm was conducted in conjunction with the mission station) and a printing office and book bindery. Much of the mission printing, not only for the Cherokees but also for the Choctaws and the Creeks, was done at the Park Hill Mission press—the first printing press in Oklahoma. Rev. Samuel A. Worcester,⁵¹ who had suffered imprisonment in the Georgia penitentiary because of his devotion to duty and his refusal to take an oath of allegiance which seemed to conflict therewith, came West in 1835 and assumed the superintendency of the Park Hill Mission at the time of its establishment. Rev. Charles C. Torrey,⁵² who was transferred thither from the Fairfield Mission a few months before Doctor Worcester's death in 1859, and who succeeded the latter as superintendent, left a detailed account of the work of the mission publishing house at Park Hill.⁵³

It was chiefly through the efforts of the missionaries of the American

50. Rev. John Lilley and Rev. James Ross Ramsey were natives of Pennsylvania and were closely associated in their missionary efforts both among the Creeks and the Seminoles. Mr. Lilley was an assistant at Tallahassee with Mr. Loughridge, when he first entered the mission field in 1846. Two years later he took charge of the Presbyterian mission work among the Seminoles who, when he died in 1870, "mourned him as a nation and laid him to rest within their borders." His work for a period of more than twenty years, was chiefly connected with the Oak Ridge and the Wewoka missions. Mr. Ramsey, who was a graduate of Princeton Seminary in 1846, was a close student of the Muscogee (Creek and Seminole) language and in due course of time was able to speak and write it. He was associated with the Coweta, Oak Ridge, Pond Creek, and Wewoka missions, for many years after the Civil War, teaching, preaching, translating, as well as carrying on schools. He died at Newton, New Jersey, in 1911.

51. Samuel A. Worcester was born at Worcester, Massachusetts, January 18, 1798; professed religion September, 1817; graduated from the University of Vermont in 1819, and Andover Seminary in 1823; ordained in Park Street Church, Boston, August 25, 1825; departed from Boston for the mission field, August 31, 1825, arriving at Brainerd, October 21, 1825; arrived at New Echota, November, 1827; arrested July 7, 1831; sentenced to the penitentiary, September 16, 1832; released by the governor, January 14, 1833; arrived at Brainerd, March, 1834; Union Mission, May 29, 1835; at Park Hill, December 2, 1836; died April 20, 1859. He married Miss Anna Orr, July 19, 1829.

52. Charles Cutler Torrey was born at Salem, Massachusetts, January 4, 1827. Most of his early life was spent in Vermont and he graduated from the University of Vermont in 1849. He also took a course in Andover Theological Seminary, graduating in 1854. In 1855, he was ordained as a missionary under the American Board shortly after his marriage to Miss Adelaide L. Damon, and accepted an appointment to one of the mission stations in the Choctaw Nation (Wheelock). Their goods were shipped by steamboat, down the Ohio and Mississippi and up the Red River, while they, traveling a more direct route, paused for a season at Fairfield, and finally decided to remain in the Cherokee country. Most of their effects, including a portion of Mr. Torrey's valuable library, were lost when the steamboat was "snagged" on the way up Red River. After his return to New York in 1861, he filled various pastorates in Vermont, New Hampshire and Massachusetts, remaining in the active ministry until his eightieth year. He remained a scholar until the end, daily reading the New Testament in the Greek until within a few weeks of his death, which occurred at Andover, Massachusetts, August 14, 1914.

53. For description of the mission publishing house at Park Hill, see Appendix XVII-6.



REV. SAMUEL A. WORCESTER
Mission Superintendent Park Hill Mission, 1836-59

Board, though they were aided by the members of all denominations working in the Indian Territory, that temperance societies were organized among the Choctaws and Cherokees, soon after the immigration of these people. Many leaders among the Indians themselves, who were not church members had long fought the sale of whiskey in their nations, with the result that among the first laws passed by both the Choctaws and the Cherokees in the Indian Territory, were those against the introduction and the sale of liquor in their nations. The Federal Government also made it an offense to sell liquor to the Indians anywhere in the Territory. Notwithstanding the laws, however, whiskey shops along the borders in Arkansas and Texas made it difficult to keep down the liquor traffic, since it was very easy to smuggle whiskey across the line into the Territory. It was largely due to the efforts of the temperance societies, together with those persons who were in sympathy with this work, that intemperance was considered disreputable by a majority of the people in the nations of the Indian Territory.⁵⁴

Another interesting organization among the Cherokees, was the Cherokee Bible Society which was first organized in 1841 through the efforts of Dr. Samuel A. Worcester. During the eighteen years of its active work before the Civil War, the Society contributed a total of \$2,500 for the distribution of more than 5,225 volumes of the Scriptures in the native language, among the Cherokees.⁵⁵

The American Board closed its work in the Indian Territory in 1860, during the forty-fourth year of its efficient Christian service among the Indians of the Five Civilized Tribes.⁵⁶

54. The Cherokee Temperance Society was organized in 1836 through the efforts of Rev. Samuel A. Worcester. Its officers in 1840, were: Young Wolf, president; vice-presidents: Alexander Sanders, Aaron Price, Looney Price, John Huss, Jesse Bushyhead and Eagle; Rev. S. A. Worcester, secretary.—Cherokee Almanac for 1840, pp. 20-21.

55. The officers for the Cherokee Bible Society at the annual meeting at Tahlequah, October 16, 1861, were: John Thorn, president; Jesse Russell Crabgrass, Allen Ratley, Walker Carey, Lewis Melton, Lewis Downing, James V. Hilderbrand, John T. Foster, Thomas Pegg, vice-presidents; David Carter, John C. Cunningham, Riley Keys, executive committee; John W. Stapler, treasurer; Stephen Foreman, secretary; Edwin Archer, corresponding secretary.—For letter of Stephen Foreman, secretary of the Cherokee Bible Society, dated August 18, 1852, see Appendix XVII-7.

56. "The Cherokee Almanac for 1861 is the last that will be printed by the American Board. This Board commenced its Mission to the Cherokees in 1817, and discontinued it in 1860. During this period of nearly 43 years it has employed at different times, 113 persons, besides Cherokee helpers, in the missionary work among this people, at an expense of THREE HUNDRED AND FIFTY-SIX THOUSAND, FOUR HUNDRED AND TWENTY-ONE DOLLARS (\$356,421.) Seven stations were sustained in the old nation, and, after the removal, five in this country; including two large and several small boarding schools. A printing office was established early in the history of the Mission, and in 1829 the Gospel of Matthew and some Hymns were printed in the Cherokee characters, invented by Se-quo-yah, or George Guess. Since that time large editions of hymn books and of different parts of Scripture have been printed and circulated among the people. The Cherokee Almanac was commenced in this country in 1836. The Cherokee books now in print are as follows:—The whole New Testament. Genesis, Exodus, and portions of Psalms, Proverbs and Isaiah, of the Old Testament. Cherokee Hymn Book, Church Litany of the United Brethren (not at the expense of the American Board), Poor Sarah, Catechism, Cherokee Primer, Tract on Marriage, Tract on Temperance, Address on Intemperance, Discipline of Methodist Church (not at the expense of the American Board), Constitution and Laws of Cherokee Nation (not at the expense of the American Board), Miscellaneous Pieces, Sermon and Tract David Rouge (not at the expense of the American Board), Dairyman's Daughter and Bob the Cabin Boy, The Swiss Peasant, The One Thing Needful, The Negro Servant. These books, excepting the Cherokee Almanac, are still in print. About nine thousand copies of the Hymn Book are ready for binding, and the American Bible Society are reprinting the New Testament, carefully revised, in new and beautiful type, with capital letters, which have never before been used in Cherokee printing. We have

The Work of the Methodist Missions—The first missionary work of the Methodist Episcopal Church among the Indians of the tribes that immigrated to the Indian Territory from the South was done by preachers who had been laboring among them in their old homes. This work seems to have been started by some of the conferences adjoining the Indian land holdings rather than at the instance of the mission board of the Methodist denomination. The efforts of the Methodist missionaries among the people of these tribes seem to have been very successful, hundreds of Indians affiliating with the church, including a number of leaders, among whom were John Ross, principal chief of the Cherokees, and Greenwood LeFlore, a chief of the Choctaws. In the migration of 1831, Rev. Alexander Talley,⁵⁷ a devoted missionary, accompanied the Choctaws to the Indian Territory. Early in the same year John Fletcher Boot and several others came with the Cherokees and several preachers came with the Creeks. In those days, the Missouri Conference of the Methodist Episcopal Church included not only all of the present State of Missouri but also the present State of Arkansas and the inhabited portions of Eastern Kansas and Eastern Oklahoma as well. In 1831, Rev. John Harrell⁵⁸ was transferred from the Tennessee Conference to the Missouri Conference and was assigned to the "Washington and the Cherokee Mission," an appointment which was the beginning of a ministerial career of more than forty years of service among the Indians. During the earlier years, the work of the Methodist missionaries in the Indian Territory consisted largely of itinerant preaching at certain stated places and occasions rather than a concentration of effort in a particular locality. An appointment, or station, therefore, meant a given district in which there might be as many as twenty or more preaching places. The Methodist camp meeting, as a form of evangelistic effort, also appealed strongly to the Indians

thus on hand a supply of Hymn Books and other religious books for a numbers of years; and we may hope for a supply of the New Testament from the Bible Society at New York, as long as it shall be needed by the Cherokee people."—*The Cherokee Almanac* for 1861, p. 31.

57. Rev. Alexander Talley's story is told in connection with the chapter on the removal of the Choctaws to the Indian Territory.

58. John Harrell was born in Perquimans County, North Carolina, October 21, 1806. In 1823 when only seventeen years old he was licensed to preach. Four years later, when only twenty-one he joined the Tennessee Conference of the Methodist Episcopal Church. In 1831 he was transferred to the Missouri Conference, which then included not only the State of Missouri but also the settled portions of Arkansas, Oklahoma and Kansas. His first appointment was Washington (Arkansas) and the Cherokee Mission. Until 1836 his pastoral work was on both sides of the State line, when he became a member of the newly formed Arkansas Conference. Still his work remained on the border and he was deeply interested in the work of the new mission conference. In 1850 he was formally transferred to the Indian Mission Conference, where he continued to labor until the end of his life. After serving four years as superintendent of Fort Coffee Academy he was made presiding elder of the Choctaw District in 1854, and from that time on he was either presiding elder or mission superintendent (except during the war in which he served as chaplain, first of Gordons Regiment of Arkansas Volunteers and afterwards in a similar capacity with the brigades of General W. L. Cabell and General Stand Watie) until the appointment which was made shortly before his death, which was that of superintendent of Asbury Manual Labor School, at Eufaula, with a monthly preaching appointment at Vinita. His death occurred December 8, 1876, at Vinita, whither he had gone to fill a preaching appointment, so he literally died in the harness. A man of magnetic personality and of imposing physical presence, he was always humble and unassuming, yet possessed of a courage that was daunted at nothing, and was therefore a splendid type of all that was best in the frontier mission worker. He was a delegate in the Louisville convention which resulted in the organization of the Methodist Episcopal Church, South, and was a delegate to the general conference of that church three times. His remains were buried by the side of his wife (who had died but a few weeks before) at the Asbury Manual Labor School.

who loved to gather in assemblages. The Indian Mission Conference of the Methodist Episcopal Church was not organized until after the beginning of the next period but the work seems to have prospered from the beginning in spite of the demoralization due to the enforced removal to the West.

In May, 1840, Rev. Dr. Edward R. S. Ames, secretary of the Mission Board of the Methodist Episcopal Church (and afterward one of the bishops of that denomination) set forth from his home at Greencastle, Indiana, on a tour of investigation of the possible mission fields along the western frontier. He visited the various tribes along the frontier, from the British dominions southward. When he reached the limits of the present State of Oklahoma, he first visited the Senecas, Shawnees and Quapaws, in the north-eastern corner of the State; then he went to Tahlequah, in the Cherokee country. He pursued his course leisurely, visited the missionaries of his own and other denominations, took time to form an acquaintance with the chiefs and leading men of the various tribes and to thoroughly inform himself of the conditions and prospects of each tribe. When he reached the Choctaw Nation in 1842 he first went to the tribal agency at Skullyville, and sought an introduction to the agent, Captain William Armstrong, from whom he secured a great deal of information. Afterward he visited the national council, while it was in session, and there met the chiefs and representative leaders of the Choctaw Nation.

During the session of the General Council, its members carrying out the ideas which many of the Choctaws had long sought, and, also following out the suggestions made by both T. Hartley Crawford, the Commissioner of the Indian Affairs, and Doctor Ames, passed an act providing for the establishment of two additional academies for boys (Spencer Academy having been established in 1841) and five schools for girls. The management of these schools was to be placed in the hands of the various mission boards carrying on work among the Choctaws. The Mission Board of the Methodist Episcopal Church, through the offices of Doctor Ames, entered into a contract to conduct two of the schools for boys and one for girls, namely, Nunih Waya Academy to be located in Pushmataha District, and Fort Coffee Academy in Mosholetubbee District, the site of the school for girls to be selected later, and to be run in connection with the Fort Coffee Academy. An annual appropriation of \$6,000 was provided by the General Council to each academy, the Methodist Mission Board to make an annual appropriation of \$1,000 to each. The church authorities were to choose the teachers for the academies, but the Choctaw school trustees were authorized to select the pupils, who were to be chosen from the whole nation without respect to any particular district. The trustees also had the power to abolish the charters granted the mission boards, upon proper recommendations made to the General Council, to which body they rendered an annual report after a thorough examination and inspection of all schools within the bounds of the nation.

Nunih Waya Academy was placed in charge of Rev. Wesley Browning, as superintendent, but on account of difficulties encountered in arriving at Nunih Waya, because of high waters, the academy never went into operation, the national funds provided for its maintenance being later diverted to

the erection of Armstrong Academy, which was placed in charge of the Baptist Convention. In March, 1843, Rev. William H. Goode,⁵⁹ a presiding elder in the Indiana Conference, was appointed as superintendent of the Fort Coffee Academy for Choctaw boys and, at the same time, Rev. Henry C. Benson,⁶⁰ a junior circuit preacher in the same conference, was appointed to the position of principal teacher. Both were transferred to the Arkansas Conference. The journey to their new field of labor by steamboat from Cincinnati, the distance of the river being fifteen hundred miles, was a tedious one in those days, requiring nearly two weeks. The log buildings of old Fort Coffee, which had been abandoned as a government military post five years before, were occupied temporarily until new buildings could be erected. Several fields had to be cleared and a farm opened up. The furniture for the school rooms and dormitories was delayed by low water on the river, so the school was not opened up for the reception of pupils until February, 1844.⁶¹ The school for girls was located subsequently at New Hope, five miles distant from Fort Coffee.

The General Conference of the Methodist Episcopal Church, which met in 1844, resulted in such strained relations between the delegates from the free states and those from the slave states that it ultimately led to a division, the Methodist Episcopal Church, South, being organized during the following year. The General Conference of 1844, among other business transacted, authorized the organization of the Indian Mission Conference. Previous to that time all of the Methodist missionaries laboring in the Indian Territory had belonged to (1) the Missouri Conference and, more recently (2) to the

59. Rev. William H. Goode was a former presiding elder of the South Bend District, Indiana. In 1845, at the time of the division in the ranks of the Methodist Church over the slavery question, Mr. Goode remained with the northern division. Upon leaving his mission charge at Fort Coffee and New Hope, in the same year, he was again stationed in Indiana. Several years later, he responded for the second time to the call of his Church to enter the western mission field, when he assumed the responsibilities of pioneer superintendent in establishing churches in Kansas and Nebraska territories. Still later, just before the Civil War, he was stationed in the mission field among the mining people, in the vicinity of Pike's Peak, Colorado. Before leaving the Choctaw mission field he had contracted for the erection of the buildings for New Hope Female Seminary, which opened for its first session in the fall of 1845. Mr. Benson described the buildings at New Hope in his "Life Among the Choctaws," p. 207, as follows: "The buildings of the female institute were substantial frames, one story high, with porches in front and rear. They were planned with special reference to the manual-labor system, as it was intended that the girls should be instructed in plain and fancy sewing, the duties of the kitchen, the dairy, the laundry, and the mysteries of housekeeping in general. Mr. Goode had put the buildings under contract before leaving, and, when at Cincinnati, had purchased the articles for furnishing that department of the school." Four years after the publication of "Life Among the Choctaws," by his fellow-worker, Rev. William H. Benson, Mr. Goode published almost a companion volume, entitled "Outposts of Zion," which contains descriptions of his sojourn among the Indian people of the Indian Territory, from 1843-45.

60. Henry C. Benson was born near Xenia, Ohio, in 1815. He worked his way through college, graduating from Indiana Asbury University (now DePauw), in 1842, and was admitted to the Indiana Conference of the Methodist Episcopal Church the same year. He was sent as a missionary to the Choctaw Indians in 1843. Because of the division of the Methodist Episcopal Church over the slavery question, he returned to the North in 1845, continuing in the pastoral work of the North Indiana Conference until 1850, when he became a member of the faculty of Indiana Asbury University, which position he retained for two years. In 1852 he landed in California, where he served as pastor, presiding elder and editor of church periodicals for many years. In the winter of 1858-59, while he was detained at home, in Placerville, by an unusually heavy fall of snow, he resurrected the diary or journal, which he had kept while he was stationed at Fort Coffee and, using it as his principal source of material, wrote his book entitled "Life Among the Choctaws," which was published in 1860. He remained a student to the end of his life. He died at Santa Clara, California, January 15, 1897.

61. Henry C. Benson's *Life Among the Choctaws*, pp. 63-69.

Arkansas Conference. The Indian Mission Conference was organized at Riley's Chapel, near Tahlequah, October 23, 1844, Bishop Thomas A. Morris presiding. The conference was divided into three districts and superintending elders were respectively as follows: Kansas River District, Reverend N. M. Talbott; Cherokee District, Reverend David B. Cumming; Choctaw District, Reverend Learner B. Stateler. Rev. J. C. Berryman was superintendent of the Mission Conference. The three districts embraced seventeen charges or stations and there were twenty-four preachers assigned to work. The Cherokee and Choctaw districts were in Oklahoma; they embraced eleven charges or stations and employed the services of eighteen preachers. Each of these charges was in reality a circuit, with from six to a dozen or more places at which religious services were regularly held. The conference statistics showed a membership of 2,992 Indians, eighty-five white people and one hundred and thirty-three negroes.⁶²

The conference carefully considered the impending division in the church and, by resolution, voted to side with the southern wing, by approving the course of the minority in the General Conference which had been in session several months before. It also elected two delegates to attend the convention which was to meet at Louisville, Kentucky, during the month of May, 1845, and which afterward resulted in the organization of the Methodist Episcopal Church, South. This division of the church on account of differences of opinion and policy concerning the slavery question led to the withdrawal of Messrs. Goode and Benson, who returned to Indiana in 1845. Subsequent superintendents of the Fort Coffee Academy between 1845 and 1860 were W. L. McAlester, John Harrell, T. W. Mitchell and F. M. Paine. The superintendency of the New Hope Academy for girls, jointly with that of the Fort Coffee Academy for boys was the assignment of Rev. John Harrell, in 1850, immediately after his transfer from the Arkansas Conference to the Indian Mission Conference. Both of these schools were operated under the auspices of the conference until after the outbreak of the Civil War.

Methodist missionary work was begun among the Chickasaws in the Indian Territory, in 1843, with the appointment of Reverend W. A. Duncan by the Indian Mission Conference. The mission station was to have been the farthest west of any other mission station between the Mississippi River and the Rocky Mountains. It was called "Pleasant Grove," and was located near the present site of Emet, in Johnston County. Reverend William H. Goode visited a meeting of the Chickasaw Council at Fort Washita, in 1844, when an act was drawn up and approved by the members of the council, providing the sum of \$12,000 for the building of the Chickasaw Manual Labor Academy and an annual appropriation of \$6,000 for twenty years for its maintenance. The management of the school was placed in charge of the Methodist Episcopal Church.⁶³ The Chickasaw Academy was opened in 1850.

62. F. M. Moore's *A Brief History of the Missionary Work in the Indian Territory of the Indian Mission Conference*.—(Phoenix Printing Company, Muskogee, 1899, pp. 23-25.)

63. William H. Goode's *Outposts of Zion*, pp. 206-11. (The Chickasaw Academy was first called the McKendree Academy, but it was generally known as Chickasaw Manual Labor School. It was located southeast of Tishomingo, in what is now Johnston County. Some years later it was moved to a new site north of Tishomingo, when it was renamed

The Creek Nation remained as a part of the Cherokee District of the Indian Conference of the Methodist Episcopal Church, South, until 1847. In that year it was made a separate charge and divided into three mission stations with Rev. Thomas B. Ruble as presiding elder. He was also made superintendent of the Asbury Manual Labor School which was erected and principally maintained by funds appropriated by the Creek Nation, under the treaty of 1845.⁶⁴

The second annual session of the Indian Conference was held at the Shawnee Mission in Johnson County, Kansas. Thereafter, all sessions met at designated points in the Indian Territory, proper. In 1850, the Kansas River District, which was geographically separated from the rest of the conference, was detached and added to one of the conferences in Missouri.⁶⁵

In 1852 there appeared among the appointments, superintendents for three additional schools, namely, the Choctaw Academy (in the Choctaw Nation), Bloomfield Academy and Colbert Institute,⁶⁶ the last two being in the Chickasaw Nation. Crawford Seminary, situated among the Quapaws, was another school which was operated under the patronage and control of the conference; it dated from 1842.⁶⁷

Twelve of the first seventeen sessions of the conference were presided over by bishops of the church and some of the most noted leaders of Southern Methodism thus visited the Indian Territory. At each of the other sessions, the conference elected its own presiding officer, the choice falling on Rev. John Harrell more often than anyone else.

Work of the Baptist Missions Under the Indian Territory—In 1832, about eighty Cherokee families who had become affiliated with the Baptist Church in their old homes in the East, immigrated to the West and were accompanied by Rev. Duncan O'Briant, who organized the work of that denomination in the new Cherokee country. They formed a settlement about seventy miles north of Fort Smith, within the limits of the present county of Delaware. A sawmill and a gristmill were erected on a stream which furnished abundant water power. A church was also built and a school was opened. Mr. O'Briant, who was a zealous missionary and who possessed

Harley Institute. Its first superintendent was Rev. Wesley Browning, who had charge of the construction of its first buildings. Rev. John C. Robinson was made superintendent in 1850, remaining in this capacity for several terms. For letter concerning the erection of the Chickasaw Academy, see Appendix XVII-8.

64. Letters written by T. B. Ruble, presiding elder (1) of the Cherokee district, October 6, 1847, and (2) while presiding elder of the Muskogee district in September, 1848, see Appendix XVII-9.

65. The successive annual sessions during the remainder of the period were held as follows: 1846, Beatie's Prairie (Choctaw Nation); 1847, Doaksville (Choctaw Nation); 1848, Muddy Springs (Cherokee Nation); 1849, Riley's Chapel (Cherokee Nation); 1850, Skullyville; 1851, Muddy Springs; 1852, Clear Springs Camp Ground; 1853, Creek Agency; 1854, Riley's Chapel; 1855, Asbury Manual Labor School, Eufaula; 1856, Chickasaw Academy; 1857, Riley's Chapel; 1858, Skullyville; 1859, Creek Agency; 1860, Riley's Chapel.—Moore's History of Indian Mission Conference. *Op. cit.* pp. 23-50.

66. Rev. John H. Carr was the first superintendent of Bloomfield Academy: Colbert Institute was originally located at Ferryville under the charge of Rev. Ezekiel Couch. The school was moved in 1857 to near the present site of Stonewall in Pontotoc County.

67. Crawford Seminary was named in honor of T. Hartley Crawford, Commissioner of Indian Affairs, from 1838 to 1844. For description of Crawford Seminary, see letter of Samuel G. Patterson, superintendent, September, 1848, in Appendix XVII-10.



ORIGINAL BUILDINGS OF BLOOMFIELD ACADEMY, IN THE CHICKASAW NATION

the confidence of all who knew him, died August 25, 1834. He was succeeded by Rev. Samuel Aldrich, who came from Cincinnati. He died within a year after his arrival. His successor, Rev. Chandler Curtiss, was obliged to abandon the mission in 1836 because of the hostility of several influential white people who lived in the vicinity.⁶⁸ In the great Cherokee migration of 1838-39, Rev. Jesse Bushyhead, one of the most active of the Cherokees who had been ordained to the ministry of the Baptist Church, was captain of one of the caravans that was organized to make the trip under the direction of the Cherokee National Council.⁶⁹

The first Baptist missionary in the Creek Nation, in the Indian Territory, was Rev. John Davis, who, as a member of the tribe, had been converted under the preaching of the missionaries in the old Creek country east of the Mississippi and who had accompanied one of the earlier parties of Creek immigrants who came to the Indian Territory in 1829. In December, 1830, the Baptist Board of Missions took him under its patronage and paid him a small salary to assist him in mission work among his own people. In 1832 David Lewis was ordained in New York as a missionary to the Creeks. In coöperation with John Davis, he selected a site for a mission station which was called Ebenezer and which was located about fifteen miles west of Fort Gibson and three miles north of the Arkansas River. A church, schoolhouse, and other buildings for the use of this mission were erected during the year 1833. David B. Rollin was sent from Cincinnati, in 1834, to supersede David Lewis as missionary in charge. In September, 1835, matters were complicated by the arrival of a body of 2,300 immigrants from the old Creek country in the East, it being reported that 8,000 more, under the leadership of Opothleyahola would soon start for the West. The factional jealousies between the Upper Creeks and the Lower Creeks due to the difference in opinion and desire concerning removal to the West, led to trouble. Those who were opposed to the work of the missionaries openly charged that the latter had meddled in the affairs of the Creeks. As a result, Major Armstrong, the superintendent of Indian affairs in the Indian Territory, requested all missionaries in the Creek Nation to leave. Afterward, the charges were refuted in a session of the Creek Council, by vote of which the missionaries were exonerated. Rev. Charles R. Kellam was sent out from Vermont, in 1836, to succeed Mr. Rollin.⁷⁰ Several

68. History of the Missions of the Baptist General Convention, by Solomon Peck, in History of American Missions, (Spooner & Howland) 1840, p. 494.

69. *Ibid.*, p. 507.

70. *Ibid.*, pp. 547-49. (John Davis was a full-blood Muscogee [Creek]. He had been converted under the work of Rev. Lee Compere of Charleston, South Carolina, who had begun missionary labors among the Creeks of Georgia, in 1822. For three years after his arrival in the Indian Territory, Mr. Davis, not being ordained, made no attempts to found a church but held regular meetings at four different places, taught school three days during the week and visited and talked with the Creeks in their own homes. In the absence of Methodist and Baptist preachers, the few members of his tribe belonging to these two denominations attended the services of a small Presbyterian congregation which had been organized by Reverends Vail and Montgomery, of Union Mission, Mr. Davis taking an active part in these services. He attended all the meetings held by these missionaries in the Creek country, and at times served them as an interpreter. In 1831 he married a Creek woman, who had been educated at Union Mission, after which he settled permanently among his people, where, according to Rev. Isaac McCoy, "his good sense, piety and devotion to the welfare of his people entitled him to great respect." [Isaac McCoy:

efforts were made to reestablish the work among the Creeks between that time and 1840, and a number of additional mission workers were assigned to that field by the Mission Board of the Baptist Church, but the internal disturbances within the tribe were such that efforts to that end seemed almost futile.

Rev. Charles E. Wilson, of Philadelphia, was the first Baptist missionary assigned to work among the Choctaws after their removal to the West. He labored in the vicinity of the Choctaw Agency, at Skullyville, where he conducted a school for a time, but his work in educational lines was seriously inconvenienced by prevailing sickness among the Indians. He withdrew from the work in 1835 and was succeeded by Rev. Joseph Smedley, who established his work at Pheasant Bluff, on the Canadian River, thirty miles west of Skullyville. Rev. Eben Tucker and Rev. Alanson Allen also came to work in the same region shortly afterward. Ramsey D. Potts, a Baptist layman, who had been employed in the service of one of the missions in the old Choctaw country, came with the migrating Choctaws to the Red River region, where he opened a school and gave religious instruction to the people. The location of this school, which he called Providence, was six miles north of the Red River and twelve miles west of Fort Towson. Mr. Potts was ordained to the ministry of the Baptist Church in 1837. In the same year, Miss Lucy H. Taylor joined the station at Providence, where she opened a school for Choctaw girls.⁷¹

Among the prominent mixed-blood Cherokees who came West with the migration of the main body of their tribe in 1838-39, was Rev. Jesse Bushyhead, a Baptist minister, who, as previously stated, was the leader of one division of immigrants, numbering about one thousand persons. In collaboration with Rev. Evan Jones,⁷² he had been engaged in making a translation of the New Testament into the Cherokee language before leaving the old home in the East. With other adherents of the Baptist faith, he formed a settlement which was named Baptist, and which was located near

"History of Baptist Indian Missions," p. 426.] After the establishment of the Baptist missions in the Indian Territory, Mr. Davis was placed in charge of the Canadian River station, where he was assisted by Sehehche, a Christian Creek. In 1840 Mr. Davis served as the government teacher at the North Fork Station, Creek Nation.)

71. Pecks, "Missions of the Baptist Convention," *op. cit.*, pp. 552-53.

72. Evan Jones was born in Wales in 1788 and migrated to America in 1821, settling in Pennsylvania, where he affiliated with the Baptist Church shortly afterward and was sent almost immediately to a mission station among the Cherokees in North Carolina. He was employed as a teacher at first, but was subsequently ordained to the ministry. He continued to labor among the Cherokees in the East until the migration of the main body of the tribe to Indian Territory, in 1839, when he joined the movement and established a mission in the new Cherokee Nation. His son, John B. Jones was born at the Baptist mission at Valley Town, North Carolina, December 24, 1824. He mastered the Cherokee language in boyhood. He was educated at the University of Rochester, New York, where he graduated in 1855. He was ordained to the ministry and also married immediately afterward and came at once to the Baptist Mission in the Cherokee Nation. Dr. Emmet Starr, the Cherokee historian, says of Evan Jones and John B. Jones: "No man or men were ever able to sway the minds and policies of the full-blood Cherokees as did this father and son. They were the real dictators of the Cherokee Nation, from 1839 to 1867, through the numerically dominant full-bloods who, as a body, were always swayed by impulse rather than reason. As ministers of the Gospel they were apparently meek and humble, but the sentiments which they powerfully and insidiously engendered among the full bloods were perforce the government, al policies of Chief Ross." Dr. Starr also describes the father and son as "men of magnificent and sympathetic presences, splendid acquisitive minds and rare executive abilities." Reverend Evan Jones died in August, 1873, and his son, Reverend John B. Jones, died in June, 1876.

the present town of Westville, in Adair County. There he opened up a farm, planted an orchard and built a house. When Rev. Evan Jones arrived from the old Cherokee country several years later, Jesse Bushyhead presented his home to the former and proceeded to build a new one for himself. The place he had first opened up and improved thus became the center of Baptist missionary activities in the Cherokee Nation for many years following. Jesse Bushyhead was a justice of the Cherokee Supreme Court and was the first president of the Cherokee Temperance Society. He was distinguished for his earnestness and activity as well as for his goodness. He died July 14, 1844. He was supposed to have been born about the year 1800.

The mission at Baptist (Cherokee Nation) of which Evan Jones was the real founder and the administrative head, engaged in educational and industrial activities as well as pushing its evangelistic propaganda. The Cherokee Female Seminary, a well equipped school, which was established and operated in conjunction with this mission, was opened for the reception of pupils in 1842 and was conducted regularly thereafter for nearly twenty years. In 1843 Mr. Jones induced the Mission Board at Boston to furnish his mission station with a press and type. H. Upham, a printer, came with it and was thereafter the manager of the publishing interests of the mission. In August, 1844, there was published the first number of the "Cherokee Messenger," a sixteen-page octavo publication. This was the month before the appearance of the initial number of the "Cherokee Advocate." So the "Cherokee Messenger" was really the first paper ever printed in the Indian Territory. Most of its contents were printed in the Cherokee language and text, with occasional articles or items in English, and consisted principally of translations from the Bible, "Pilgrim's Progress" and "Parley's Universal History," together with a selection of local news items. The mission press also printed parts of the Bible, hymn books, tracts, etc. By far the greater part of the work of the mission under the direction of Evan Jones was among the full-blood Cherokees who could be reached only through the medium of their own language. There were several very effective preachers among the Cherokee Baptists, Rev. Jesse Bushyhead, who has already been mentioned, and Rev. Lewis Downing (who was lieutenant-colonel of the Third Indian Home Guard Regiment in the Union Army during the Civil War and, still later, principal chief of the Cherokee Nation) being among the most noted. In 1855 Rev. John B. Jones, the son of Evan Jones, became the principal assistant of his father in the Baptist mission work among the Cherokees. His strong personality and brilliant mind made him a leader, especially among the full-bloods in the Cherokee Nation for many years.

In 1842 there was organized the American Indian Mission Association, a missionary society of people of the Baptist faith, which was to be devoted entirely to the evangelization of the people of the American Indians. Rev. Isaac McCoy was the corresponding secretary and active executive agent of this society, the headquarters of which were established at Louisville, Kentucky.

A Creek Indian named Joseph Island, from studying the Bible, began to preach in 1842, without baptism and without ordination. There was still much open and aggressive hostility toward the preaching of the Christian religion

among the Creek people at that time. Rev. Sidney Dyer, who was sent out as a missionary to the Creeks by the American Baptist Missionary Association, came into the vicinity where Joseph Island was preaching. The latter welcomed him, gave his own home for a church, moving into a small cabin until he could build a new one, and affiliated with the Baptist denomination in which he became a zealous and devoted worker. There was much persecution. Many of Island's converts were whipped and he was often threatened. He attended the session of the American Baptist Missionary Association which was held at Nashville, Tennessee, in 1847, where his personality and his masterly appeals for the uplift of the people of his race made a most profound impression. He died soon afterward.⁷³

Rev. Evan Jones visited the Creek Nation in 1842, and Rev. Charles R. Kellam did likewise during the following year, for the purpose of inspecting the work and its prospects. About that time the nonprogressive element which was in control in the Creek Council, passed a law forbidding white men to preach and prescribing severe punishment for any Indian or negro in the nation, who should be caught either preaching or praying. Then Rev. Eben Tucker was appointed a missionary to the Creek Indians. He counselled the faithful Creek Baptists to assemble for worship at convenient points just across the line in the Cherokee Nation. Taking the hint, some who lived in the southern part of the Creek Nation likewise went across into the Choctaw country to attend religious services. Also, among the Seminoles (who were then included as a part of the Creek Nation) there were many who declined to recognize the binding force of such a tribal law, so the persecuted Creek Christians were not without friends among the other tribes.

The usual punishment for the violation of this law was the application of fifty lashes on the bare back. "The progress of religion in the Nation," wrote Mr. Tucker, "is cheering. Five individuals have been scourged and remain faithful." Indeed, though many (not only Baptists, but Presbyterians and Methodists as well) were whipped, there was no report that any ever recanted or denied their faith.⁷⁴ The powerful and influential McIntosh family was

73. "Indian Mission Association—From the ninth annual report of this society it appears that its receipts from all sources during the year ending April 1, 1852, were \$15,380.03. Of this amount, \$7,468.91 were received from the United States and the Choctaws for educational purposes. The expenditures of the year were as follows:—\$11,756.25 for the missions; Secretary's salary, \$1,000; agencies, \$1,202.90; miscellaneous expenses, \$1,007.56. Four missions are sustained by the society, one of which is among the Choctaws, and one among the Creeks. The laborers at the different stations are as follows: Choctaws, Armstrong Academy—Rev. R. D. Potts, Rev. A. Moffat, Missionaries; Mrs. Potts, Mrs. Moffat, Miss Chenoweth, Miss Davis, Female Assistants; Rev. Henry Graves, B. M. Worcester, Native Assistants. Canadian River—Rev. Joseph Smedley, Missionary; Peter Folsom, Native Assistant. Creeks—North Fork Town—Rev. S. Wallace, Missionary; Mrs. Wallace, Female Assistant; Rev. Chilly McIntosh, William McIntosh, Native Assistants. Creek Agency—Rev. H. F. Buckner, Missionary; Mrs. Buckner, Female Assistant; Rev. D. N. McIntosh, Rev. Lewis McIntosh, Rev. J. Perryman, and Rev. Mr. Jacob, Native Assistants."—For the Report of the Baptist Mission, under patronage of the American Indian Mission, see *Missionary Herald* for the year 1852, Vol. 48, p. 246; also, see Appendix XVII-11.

74. Several years ago, there still lived at her home near Eufaula, an old Creek Indian woman, who was affectionately known as Aunt Sallie Logan, and who was said to have been the last Indian in the Creek Nation who was whipped for praying. As the lash was laid on with unmerciful severity, she fainted under the cruel torture thus inflicted. Wounded and bleeding she crept to a spring of water nearby, where she bathed her lacerated back and, thus refreshed and comforted, she walked ten miles to attend Divine services a few hours later. She carried the scars of the whiplash on her back the rest of her life.

strong in its opposition to the work of the missionaries but, eventually, the whole clan united with the Baptist Church and three of the sons of General William McIntosh (who had suffered the death penalty at the hands of the Creeks in 1825), became Baptist preachers.

Other Baptist missionaries were sent into the Creek country from time to time, though some did not tarry long. Of those who came and remained to find their life work in that field, two were most notable. One of these was Rev. H. F. Buckner,⁷⁵ who came to the Creek Nation in 1847, and the other was Rev. Joseph S. Murrow,⁷⁶ who came to the same people ten years later. Mr. Buckner was in some respects one of the most remarkable missionaries of any denomination who came into the Indian Territory during the period of its greatest missionary activity. He was a powerful and persuasive preacher of very marked personality. He came into the Creek Nation while yet there was much hostility to preaching and preachers. The Creek Council did not consent to his presence, though it suffered him to remain. Slowly and patiently at first, and then in his own more natural and impulsive way, he won the confidence and esteem of the Creek people until his influence among them became powerful and widely felt.

75. H. F. Buckner was born in Pulaski County, Kentucky, in 1820. His education was such as could be obtained in the common schools of the day. He was married in 1842 to Lucy Ann Dogan. He began preaching in Kentucky and served as a missionary in the mountainous region in the eastern part of that State from 1846 to 1850. In the last-mentioned year he accepted an appointment as missionary to the Creek Indians. He first came to the Ebenezer Mission, near the old Creek Agency. At first the Indians overtaxed his hospitality and it looked for a time as if his scant allowance by the sustaining mission board would not be equal to the strain thus put upon it. His first appointment was for the term of two years but long before it had expired he knew that he had found his life work. His striking individuality was such as might have been expected of one coming from a family which has produced gallant soldiers as well as militant preachers. When his work was broken up by the outbreak of the Civil War, he went to Texas where he engaged in pastoral work until its end. He then returned to his desolated field in the Indian Territory and sought to help the Creek people in their efforts to again get settled and resume their peaceful avocations. He remained in the work until his death, which occurred in 1880.

76. Joseph Samuel Murrow was born at Louisville, Richmond County, Georgia, June 7, 1835, the son of a Baptist minister. He was educated at Mercer University. In September, 1857, he was ordained to the ministry and was appointed by the Domestic Indian Mission Board as a missionary to the Creek Indians. The next month he was married and set forth for the Indian Territory, arriving November 11. He was associated with Dr. Buckner of the Creek Mission during his first two years in the territory, after which he went to open up a work among the Seminoles. At the outbreak of the Civil War, the Seminole tribe was divided, part adhering to the Union and the rest taking sides with the seceding states. Those siding with the South asked the Confederate Government to appoint Mr. Murrow as their tribal agent, which request was granted. Eventually all of these people had to leave their homes and take refuge near the Red River, in the southern part of the Choctaw Nation. Thither their young agent followed them and, incidentally, refugees from other tribes—Osage, Caddo, Comanche and Wichita—were attached to his agency. Although he handled much money and large amounts of supplies, he accounted satisfactorily for the expenditure or distribution of every item and, when the war ended, was ready to turn the affairs of his agency over to the Federal authorities, which was something none of the other Confederate tribal agents made even a pretense of doing. After the war, he settled at Atoka, where he has ever since made his home. He organized the Choctaw-Chickasaw Baptist Association in 1872, and it is the oldest association of its kind in the State in the matter of continuous organization. In 1881 he withdrew from the service of the Mission Board of the Southern Baptist Association and accepted the superintendency of the Indian Missions in the Indian Territory, for the Baptist Home Mission Society of New York. In 1884 he established the Indian Missionary, a monthly denominational periodical, which he edited and published at Atoka for a number of years. He also founded and for many years actively superintended the Murrow Baptist Indian Orphan Asylum. He is sometimes called the "father of Free Masonry in Oklahoma," being one of the founders of the work of that fraternity in the Indian Territory and having filled many of its most important offices. Several years ago he was advanced to the thirty-third degree. At the advanced age of ninety-four (1929), he is passing the evening of his life at Atoka, where, amid the scenes and associations of his active career, he holds the esteem and good will of friends whose names are legion.

Rev. J. S. Murrow came to the Indian Territory in 1857. Passing through the Choctaw country, he entered the Creek Nation, where he became associated with Rev. H. F. Buckner. With the aid of a negro interpreter, he began preaching to the Indians almost at once. Within a year after his arrival in the mission field, his young wife and child were taken from him by death and his own health was seriously impaired. But soon he had a field of his own, among the Seminole Indians, with whom he was living and working when the great war broke out in 1861. The greater part of his ministry among the Indians of Oklahoma has been performed since then, but he still lives (1929), the last surviving veteran of the noble band of men and women who labored among the Indians of the old Indian Territory in its halcyon days, to link the present with the long gone and almost forgotten past, to whose knightly manhood and moral worth a later generation yields a due measure of sincere respect and veneration.

In 1844 Armstrong Academy was established in the southwestern part of the Choctaw Nation. It was a tribal school but was conducted under contract with the Choctaw authorities by missionaries of the Baptist Church.⁷⁷ Its first superintendent was Ramsey D. Potts, who had formerly been conducting the Baptist mission school at Providence, near Fort Towson. Associated with him were Reverends P. P. Brown and H. W. Jones, who were under appointment from the American Indian Mission Association. Superintendent Potts, who was ordained as a minister several years after coming to the territory, remained at the head of Armstrong Academy for ten years. In 1854 he was succeeded by Rev. A. G. Moffatt, who was under appointment of the Baptist Home Mission Board. The following year, Armstrong Academy was transferred to the Cumberland Presbyterian Board of Foreign and Domestic Missions, under the auspices of which it was conducted until it was abandoned at the outbreak of the war, in 1861.⁷⁸

77. In his report for 1844 (Report of Commissioner of Indian Affairs, 1844, p. 370-71), Captain Armstrong made the following statement with reference to the Choctaw schools established by the act of the council in 1842: "A third [school] that was to have been established at Nannawaya, has been abandoned on account of objections to the location. Of \$4,200 provided for its use, the council have recently directed that \$2,900 shall be applied to a new institution, which it has done me the honor to call 'Armstrong Academy,' to be superintended by the Rev. R. D. Potts, under the general direction of the Baptist society, who are to contribute \$1,000 annually for its benefit. The remaining \$1,300 is to be paid out in small sums, to aid in supporting various neighborhood and Sabbath schools which have sprung up in different quarters under native teachers." Two years later, Captain Armstrong gave the location of Armstrong Academy as follows: [This Academy] is located two miles south of the road leading from Fort Towson to Fort Washita, fifty-five miles west of the former and thirty miles east of the latter. It is near the dividing ridge of the waters of Boggy and Blue rivers, and twenty miles northwest of the nearest point of Red River. The country around is the best quality of up-land, and will admit of a dense population." The Academy opened for operation on December 2, 1845; the average attendance was thirty-three the first term. On July 27, 1845, the first examination of the school took place in the presence of Captain Robert M. Jones, and Colonel Silas D. Fisher, Choctaw school trustees.—Report of Commissioner of Indian Affairs for 1846, pp. 342-44.

78. In a letter dated Armstrong Academy, July 27, 1859, the following statements by W. R. Baker, first superintendent of Armstrong Academy, under the Cumberland Presbyterian Board, appear: "We reopened the school on the first Monday in February; the school did well till its close. My annual examination came off on the 1st of July, in the presence of Captain Robert W. Nail, superintendent trustee; Colonel George Polson, district trustee, with a number of spectators and parents of boys, and I flatter myself gave general satisfaction. Under the blessings of a kind and merciful Creator, we enjoyed good health during the session. . . . Employees—W. R. Baker, superintendent; age, forty-five years; place of birth, Tennessee; salary, \$600. Mr. J. W. Connelly; place of birth, Kentucky; age, twenty-five years; principal teacher, \$270 for the session of nine months. Mrs. Clary N.



ARMSTRONG ACADEMY, CHOCTAW NATION, 1859



FIRST SCHOOL HOUSE AT THE COMANCHE-KIOWA AGENCY, NEAR FORT SILL, 1871

The Muskogee Baptist Association was organized in 1851. (The organization of this association lapsed between the years 1860 and 1874, however, so it has not been in continuous existence all these years.) In 1860 a Baptist association, known as the Ramsey Association (in honor of Ramsey D. Potts, the pioneer mission teacher and preacher), was organized. It was composed of the churches in the Choctaw Nation and its organization ceased to exist during the Civil War. Rev. Willis Burns was sent by the Home Mission Board as a missionary to the Choctaws in 1859. He opened his work at Skullyville. About the same time Rev. R. J. Hogue⁷⁹ was also sent out by the Home Mission Board as a missionary to the Chickasaw Indians. He organized a congregation at Panola, where a church was built.

In closing the brief sketch of mission work in the Indian Territory, beginning with the removal of the Eastern Indians, and ending with the outbreak of the Civil War, a period covering little more than thirty years, particular tribute should be paid to the Indian preachers and teachers who devoted their lives to the work of the missions among their own people. It was some of these native workers who taught the Indian languages to the first missionaries among them; who assisted in the first translations and who served as the interpreters for the missionaries, until they themselves could carry on services in the language of the Indians among whom they were laboring. The Indian men, connected with the work in the missions, were generally consecrated Christians, who were ordained and licensed to preach the gospel at regular stations among their people. As the years passed many of the young men and women, upon completing their education, returned to become teachers and assistant teachers in the schools and the missions in their respective nations. It was in a large measure due to their character, and to their devotion to the cause of Christianity and education among their own people, that made mission work a success among the Five Civilized Tribes in the Indian Territory.⁸⁰

Baker, assistant teacher; place of birth, Missouri; salary \$25 per month for four months; age, twenty-two years. Mr. Robert Morrison, farmer; age thirty-two years; place of birth, Georgia; salary, \$300 per annum. Miss Harriet Folsom, seamstress; place of birth, Choctaw Nation; age, twenty-three years; salary, \$100. Five colored women, at a cost of \$100 each. . . . The amount appropriated for the support of the school is \$2,900 by the nation, and \$1,000 by the board. . . . I have erected a new brick building, at a cost of about \$10,000, at the expense of the nation.—Report of the Commissioner of Indian Affairs, for the year 1859, pp. 201-02.

79. Rev. R. J. Hogue was born in Georgia, March 8, 1820. He was licensed to preach the Gospel in 1847, and in the same year was married to Miss Clarissa Jenkins. In 1858, he was sent from Americus, Georgia, as a missionary to the Choctaws by the Indian Missionary Society of the Southern Baptist Board. He and his family settled in the locality of Armstrong, where he served several Baptist churches. He remained until late in the fall of 1865, when due to the critical condition at the end of the Civil War, causing a lack of means for the support of the missionaries, he located at Linden, Texas, for nearly two years. He returned to the mission field among the Choctaws in 1868, where he remained until his death which occurred at Atoka, in 1906. For a sketch of his life, see "An Early Day Baptist Missionary," by Baxter Taylor, in *Chronicles of Oklahoma*, publication of the Oklahoma Historical Society, Vol. IV, No. 3, pp. 296-98.

80. In addition to the Indian preachers and missionaries already mentioned in the text and footnotes of this chapter, the following were among others: Of the American Board and the Presbyterian organizations were Pliny Fisk, Joseph Dukes, Jonathan Dwight, Israel Folsom, George Folsom, Sylvester Durant, and Allen Wright, Choctaws; Stephen Foreman, John Candy, and John Huss, Cherokees; J. D. Bemo, Seminole. Of the Methodist Indian Conference were William Oakchiah, John Page, Dixon W. Lewis, Willis Folsom, Isaac Chuckmubbee, Simon P. Willis, and Harvey Bacon, Choctaws; Isaac Sanders, Elisha G. Smith, Dick Hider, John B. Forester, William Lastly, Charles Delana, William Carey, Tussawatki, and Standing Man, Cherokees; Daniel B. Asbury, Samuel Checote, Jacob Lanus, Yartoochee, and Andrew Frazier, Creeks.

CHAPTER XVIII

THE SETTLEMENT OF THE FIVE CIVILIZED TRIBES

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Even though the removal treaties, beginning with 1830, were practically forced upon the Indians whose subsequent emigration from the southern states was accompanied by tragic circumstances, yet the fact that the Choctaws, Creeks, and Cherokees acquired large property holdings in the Indian Territory, was an evidence that the dignity and wisdom of their leaders had had some weight in negotiating these treaties. Their feeling of independence and self-respect received renewed vigor with the acquisition of property in the west, under patents from the United States.¹ Each tribal patent being accompanied by the right of self-government, steps were immediately taken by the Choctaws, Creeks, and the Western and Eastern Cherokees, upon their arrival in the Indian Territory, to establish their own governments. The stories of the Indian peoples as they lived within the bounds of their own republics, make the history of Oklahoma a century old in the matter of political organizations within its borders. These stories give Oklahoma history a background of romance that few other states possess.

The Choctaws and Chickasaws—Early in the summer of 1831, before the main emigration of the Choctaws from Mississippi began, the chiefs agreed where the people of each of the old districts should locate in their new country in the Indian Territory. All the Choctaws from Greenwood LeFlore's district, or the Western District of the Mississippi country, were to settle on the east side of the Kiamichi River; those from Nitakechi's district, or the Southern District, were to settle west of the Kiamichi River; and those from Mosholeetubbee's district were to locate on the Arkansas and Canadian rivers. At the first meeting of the whole Choctaw council in the Indian Territory, which took place at the end of the main immigration in 1834, the new country was divided politically into three districts: namely, Mosholeetubbee District, on the north, bordering the Arkansas and the Canadian rivers; Pushmataha District, on the southwest, bordering the Kiamichi and the Red River; Oklafalaya (or Red River) District, on the southeast, bordering the state of Arkansas and the Red River.²

1. One of the most valuable documents on exhibition in the collection of the Oklahoma Historical Society is the original patent to all the lands in Oklahoma, south of the Arkansas and Canadian rivers, between the western boundary of Arkansas and the 100th meridian. It was issued to the Choctaw Nation in 1842, in conformity with the provisions of the treaty concluded at Dancing Rabbit Creek, Mississippi, nearly a dozen years earlier. It is signed by President John Tyler and by Daniel Webster, as Secretary of State; it also bears the signature of John C. Spencer, as Secretary of War; T. Hartley Crawford, as Commissioner of Indian Affairs, and William J. Williamson, as Recorder of the General Land Office. It was designed and executed with pen and ink, water color, and gold leaf, in the office of the Chief of the Corps of Topographical Engineers of the United States Army. Its pen text is a model of its class, and bears the marginal signature of Colonel J. J. Abert, as chief of the corps. It is still the property of the Choctaw people, by whom it has been deposited with the Oklahoma Historical Society.

2. At the time of the Treaty of Dancing Rabbit Creek, the Choctaws occupied all of east-central Mississippi. Their country was divided into three political districts, which were

The Choctaws based their new government upon republican principles, adopting a written constitution that provided for the regular organization of legislative, executive, judicial and military departments. Under this constitution, each of the three districts was governed by a chief, who was elected every four years by the people of his district and who was eligible to succeed himself for an additional term. The legislative body, called the General Council of the Choctaw Nation, was composed of the three chiefs and twenty-seven council members (afterward increased to thirty) chosen in annual election by the people. The General Council met each year on the first Monday in October, the elections having been held late in the previous summer. The qualified voters of the nation included all male citizens of twenty-one years and over. The signatures of the chiefs were required before a law became effective, two of the chiefs having the power of vetoing any measure, however, with a two-thirds vote of the General Council the vetoed act became a law. Upon the convening of the General Council, which usually remained in session from ten days to two weeks, a speaker was elected, who presided over the deliberations of the legislative body, and, also, a clerk who kept a journal of the proceedings. The chiefs were accorded a seat of honor in the Council, and each delivered a message to the members at the beginning of the session, advising them with reference to the condition of the people, and the measures he considered necessary for their welfare.³

The fourth or military department was placed in control of a general,

partially analogous to the parts of the country formerly inhabited by the old clan divisions of the tribe. In the Western District lived the people of the Oklafalaya clan; in the North-eastern District lived the people of the Haiyip Tuklo clan; in the Southern District lived the Kunsha, the Okla-hunnali, the Chickashahay, and other small clans. The line of descent was traced through the clan to which the mother belonged. Persons of the same clan were not allowed to intermarry. Although the chieftaincy of each one of the tribal divisions was hereditary in ancient times, yet it was largely due to the personality of a chief as to whether he attained prominence among his people. Up to 1826, the office of chief was held during the lifetime of the incumbent. In that year, a constitutional form of government was established, the position of district chief being made elective every four years. Between that time and 1830, conditions among the Choctaws were chaotic, due to the policy of removal being urgently advocated by the Federal Government, so that before the signing of the Treaty of 1830, two of the chiefs regained their positions under the old form of government; namely, Mosholeetubbee, in the Northeastern District, and Nitakechi, in the Southern District. Greenwood LeFlore, who had been elected as district chief shortly after the adoption of the constitution in 1826, remained chief of the Western District. When the Choctaws began to move west, the emigration parties in charge of the Government were not formed according to any particular tribal division at the beginning of the journey. This resulted in the breaking up of the old clan system upon the arrival and settlement of the Choctaws in the West, for the people of the same clan were scattered in different parts of the new country. However, in organizing their tribal government in the Indian Territory, the Choctaws established three political districts, which were named from some association with each of the old districts in Mississippi. As some of the people of Mosholeetubbee's district settled in the northern part of the country and he himself located there, the district bordering on the Arkansas and Canadian rivers was called Mosholeetubbee District. The people of the old Western District mostly settled east of the Kiamichi, that section of the new country being named the Oklafalaya District. The country west of the Kiamichi, bordering Red River, was named Pushmataha District, after the famous chief of the old Southern District, Nitakechi, his nephew still retaining his position as its chief. Since Greenwood LeFlore never came to the Indian Territory to live, his nephew, Thomas LeFlore, took his place during the removal; he was thus the first chief of the Oklafalaya District in the Indian Territory. Although Mosholeetubbee came to the Indian Territory, he was never active as chief of his district, his nephew, Joseph Kincaid, taking his place. As the line of descent was traced through the female line under the old clan system of the Choctaws, the nephew of the ruling chief (i. e., his sister's son) succeeded to the chieftaincy at his resignation or death.

3. Isaac McCoy in "The Annual Register of Indian Affairs" for 1837, p. 9; Report of Captain William Armstrong, Report of Commissioner of Indian Affairs, 1838, p. 481.

elected by the people, and thirty-two captains from each district, the captains among the Choctaws having been appointed under the terms of the Treaty of Dancing Rabbit Creek.

The Choctaw constitution provided a bill of rights and guaranteed trial by jury for all capital offences. Court was held at stated intervals in each district, being presided over by a district judge who was elected by the people. All the laws were carried out with a fair degree of efficiency by eighteen light-horsemen selected throughout the three districts. Punishment for the violation of laws in the Choctaw Nation consisted of fines, whipping (which ranged all the way from nine to fifty lashes on the bare back—one hundred lashes being given in rare instances), and death by shooting. No jails were erected until in the early 'fifties, their use never being common among the Choctaw people, for it was a matter of honor on the part of an accused Choctaw to appear for his trial and to suffer the punishment that was meted out to him. The culprit would have been thought a coward—nothing being considered more degraded among the Choctaws—if he refused to receive or tried to escape his punishment, either of a whipping in public or of baring his breast to the ball of the rifle.⁴

Under the terms of the Treaty of Dancing Rabbit Creek, in 1830, a council house for the meeting of the General Council was to be erected at some convenient location in the western country; also, a house was to be built for each chief and a church for each of the three districts, the latter to be used as schoolhouses until others were provided by the decision of the council. These were all to be erected out of an appropriation of \$10,000. The site for the council house or capitol was selected by a committee of Choctaws, in the central part of the nation, about two and a half miles northwest of the present site of Tuskahoma, in Pushmataha County. The new capitol was called "Nanih Waya," after the sacred mound of the Choctaws, in Mississippi, which was closely associated with their ancient tribal religion.⁵ The capitol building itself was erected from huge pine logs carefully hewn and fitted together; it consisted of a large room for the meeting of the General Council, with a fireplace in one end, and two smaller rooms for committee meetings.⁶

4. Henry C. Benson in "Life Among the Choctaws," p. 215.

5. The name Nanih Waya is from nanih, meaning "mountain," and waya, meaning "that which brings forth or produces." According to their creation legend, the Choctaws were said to have come forth from a high mountain to which they commonly referred as "mother"; that is, something sacred or revered. Another tribal legend existed to the effect that the Choctaws, many centuries ago, migrated from a far western country. When they reached the region now included within the boundaries of the states of Alabama and Mississippi, they set up their tribal laws and remained in that country. During the long journey from the West, they had carried with them the bones of their ancestors and of those persons who had died on the way. Upon settling in their new country, they buried these remains in a huge mound which they called "Nanih Waya." It was also said that the wise leaders or medicine men first proclaimed the new laws from Nanih Waya. In keeping with these old traditions, it was but fitting that the Choctaws named the first capital of their new country in the Indian Territory, "Nanih Waya."

6. "A large and commodious council-house for the nation [Choctaw] has just been completed, and occupied for the first time this year by the council. The room in which the council meets is large and spacious, sufficiently for the accommodation of all the members, and a railing around, with seats for spectators. There is a separate room adjoining, for each of the three districts, in which their committees meet. They usually remain in council from ten to twenty days, elect a president and secretary. The strictest order prevails; everything is recorded; and, in fact, it would hardly be credited, but in few deliberative bodies is more order and propriety observed."—Letter of Captain William Armstrong, Agt.

The year following the agreement between the Choctaws and Chickasaws, signed in 1837, whereby the latter purchased the right of settlement in the Choctaw Nation, the constitution was changed in order to provide for proper representation of the newcomers in the tribal government. Accordingly, the number of districts was changed to four; namely, Mosholeetubbee, or First District; Apuckshenubbe (formerly Oklafalaya, or Red River), or Second District; Pushmataha, or Third District; and Chickasaw, or Fourth District.⁷ The General Council was now composed of four chiefs, one elected from each district every four years; and forty members of the council, the first three districts electing annually nine members each, and the fourth district thirteen members. A year or two later, the forty members of the council were apportioned and elected according to the population of each district. The number of light-horsemen was increased to ten in each district.⁸ In 1843, still further changes were made in the constitution of the Choctaw Nation. From that time, instead of having one legislative body, the general council consisted of a senate and a house of representatives, their joint concurrence being necessary for the passage of all laws.⁹

Under further revision of the Choctaw constitution in 1850, the capitol was thenceforth to be located at Doaksville.¹⁰ At this time the three districts were divided into the following counties: Skullyville, Sugarloaf, Gaines, and Sans Bois counties were in Mosholeetubbee District; Red River, Eagle, Nash-

for the Choctaws, and Acting Superintendent, Western Territory, Rep. Com. of Indian Affairs for 1838, p. 482. (In his report for 1840, Captain Armstrong said, "the general council-house is a large and commodious building, fitted up with seats for spectators and rooms for committees." This latter statement corresponds with the description given by old-timers, who remember the Nunih Waya council-house. The building was composed of one large room and two small rooms for committee meetings, etc.)

7. McCoy's Annual Register, op. cit., 1838, p. 41.

8. "In passing through different tribes the traveler is surprised to find so many titular dignitaries. Captains and colonels abounded in the Choctaw tribe, but there seemed to be no majors and generals; the same was true of all the border Indians, so far as we could learn. . . . With the Choctaws the sheriff's, or 'light-horsemen,' as they were styled, were all captains, while the chiefs and ex-chiefs were all colonels; and perhaps others were permitted to assume such titles."—"Life Among the Choctaws," op. cit., p. 105.

9. The reason for this change in the legislative body was due to the fact that Apuckshenubbee District had the largest population, and thus had a greater influence in the council. Captain Armstrong, in his report for 1844 (p. 452), said: "Experience satisfied them that the interests of the two smaller districts were likely to suffer in the general council from the preponderating influence of the larger one. To remedy, therefore, an actual practical inconvenience, a new body was organized, somewhat resembling the Congress of the United States in its structure. What is chiefly remarkable in this, is the fact that the most populous district, which could have prevented the change, had the wisdom to foresee the bad consequences that might result from resistance, by arousing local and hereditary prejudices."

10. "The Choctaws have organized for themselves a regular government under a written constitution. The powers of the government are divided into three separate and distinct departments—the legislative, judicial, and executive. The laws are enacted in the name of the 'General Council of the Choctaw Nation,' and are regularly printed and published. The legislative branch is divided into a 'Senate and House of Representatives.' The nation consists of four districts (including the Chickasaws), from each of which are chosen four Senators every two years. The House of Representatives consists of one member for every thousand inhabitants in each district, and one Representative from each district having a fractional number exceeding five hundred. The judicial consists of a Supreme National Court, district courts, and county courts. The judges are elected for the Supreme and District courts by the council, and hold their offices, the former for four and the latter for two years. The judges of the county courts are elected by the people. The executive consists of four district chiefs elected by the people. The people evince great interest in the courts, and their judgments are promptly carried into effect by the 'light-horse' or sheriff's of the district."—Rep. Com. Ind. Affairs, 1853, p. 407.

oba, Bok Tuklo, Towson, Cedar, and Wade counties were in Apuckshenubbee District; Kiamichi, Jacks Fork, Tiger Spring, and Shappaway counties were in Pushmataha District; Panola, Wichita, Kulolachi, and Pali counties were in Chickasaw District.¹¹ In 1854, the name of Tiger Spring was changed to Blue County. Shappaway County was renamed Atoka County, with somewhat different boundaries, on account of the change in the eastern boundary of the Chickasaw District, under the provisions of the treaty signed at Doaksville in 1854. In the following year, Tobaksi County was organized in the western part of Mosholetubbee District.¹²

Throughout the early records and descriptions of conditions in the Indian Territory appear frequent comments upon the praiseworthy character and steady advancement of the Choctaw people.¹³ They were especially interested in education, with the result that before the close of the period, beginning with the end of the main immigration to the Indian Territory in 1834 and ending with the outbreak of the Civil War, the Choctaw Nation had evolved a system of elementary education that compared well with that offered even in the eastern states. Under the terms of the Treaty of 1830, provision had been made for the employment of three teachers for schools that were to be established in the new country west of the Mississippi, with an annual appropriation of \$2,500. This amount, together with other sums provided under former treaties, was used in the establishment and maintenance of ten public schools which were in operation in 1837.¹⁴ These schools were maintained by tribal funds, and were entirely separate from the six day schools conducted at that time, in connection with the mission stations among the Choctaws.

The Treaty of Dancing Rabbit Creek (1830) had also provided for the education of forty Choctaw youths annually, at the expense of the United States. These boys were sent to the Choctaw Academy, which had been established at Blue Springs Crossing, Kentucky, in 1825.¹⁵ However, with

11. Constitution and Laws of the Choctaw Nation, printed at Doakesville, C. N., 1852.

12. Constitution and Laws of the Choctaw Nation printed in 1869, p. 131. (In 1886, Jackson County was organized in Pushmataha District, as the seventeenth county of the Choctaw Nation at that time.)

13. "There [among the Choctaws] we see that savage customs have been abolished, and civil institutions adopted in their place; and this, too, has been done by themselves. It is true, there have long been labouring among them devoted missionaries, whose salutary influence has been felt in moulding the character of society in general; but the direct operations of these men have been chiefly limited to religion and literature. And, moreover, the amount of missionary labour among the Choctaws has always been so small, that it can, at best, be esteemed only an auxiliary in improvement."—(Isaac McCoy, "History of Baptist Indian Missions," 1840, p. 579.)

"The Choctaws have long since justly acquired for themselves, not only from the Government of the United States, but from the citizens with whom they have intercourse, a name of honesty and fidelity at least not surpassed by any of our Indian tribes. They have, by a steady attention to their own business since they emigrated to their present homes, greatly increased in wealth. They have not been unmindful, at the same time, of educating the rising generation; and they have, by these means, added to the general intelligence and standing of the nation."—(William Armstrong, Act. Supt., in Rept. Com. Ind. Affrs., 1842, p. 438.)

14. Appendix XVIII-1. Description of the Choctaw Nation in 1838.

15. Colonel Richard M. Johnson, member of Congress from Kentucky, 1825, was the founder of the Choctaw Academy. The school was patronized not only by the Choctaws, but also by Cherokees, Chickasaws, Creeks, Seminoles, Pottawatomies, and other tribes. The Choctaws, however, had the largest enrollment among its students until 1843, when the funds were withdrawn to support the national academies and schools in the Choctaw Nation, in the Indian Territory. Carolyn Thomas Foreman, in her story "The Choctaw Academy," gives an interesting description of this school in the *Chronicles of Oklahoma*, publication of the Oklahoma Historical Society, Vol. VI, No. 4, pp. 453-80.

the settlement of the Choctaws and the establishment of their organized government in the Indian Territory, the people expressed themselves to the effect that the money being used for education could be expended to better advantage by the establishment of boarding schools for both boys and girls in their own country. Accordingly, in 1841, the General Council passed an act providing for the erection of buildings for a national academy for boys, the site for which was chosen about ten miles northwest of Doaksville, the school being named "Spencer Academy," in honor of Secretary of War, John C. Spencer, who manifested much interest in its establishment. Spencer Academy was opened in the winter of 1844 with Reverend Edward McKinney as superintendent, and was conducted for two terms entirely as a national institution. However, under this plan, the teaching and discipline were not considered as successful as it might have been, therefore, by an act of the General Council, in 1845, it was placed in charge of the Presbyterian Board of Foreign Missions, the institution being transferred to Reverend James B. Ramsey, as superintendent, in May, 1846, though it was always principally maintained by tribal funds. Spencer Academy was continuously and successfully operated until the outbreak of the Civil War.¹⁶

In 1842, the General Council made further provision for the establishment and maintenance of two additional boarding schools for boys, and five schools for girls; namely, Fort Coffee Male Academy; Nunih Waya Academy, Kunsha Female Seminary; Ianubbee Female Seminary; Chuahla Female Seminary; Wheelock Female Seminary, and another school for girls, which was later located about five miles from Fort Coffee, and named New Hope. The management of these boarding schools was left in charge of the various Mission Boards that were carrying on their work among the Choctaws.¹⁷

In 1847, the General Council passed an act providing that a portion of the "Forty Youth Fund," arising from the Treaty of 1830, should be used to complete the education of those boys who finished their schooling at Spencer Academy, and had proved efficient students, by sending them to some eastern college of standing. Under this provision, a number of Choctaws were later graduated at such colleges as Dartmouth, Union, and Yale. The selection of the boys and girls who were to attend the academies in the nation and the colleges in the states, was left to the decision of a Board of Trustees composed of leading Choctaw citizens, who were appointed with the approval of the Council. This Board of Trustees inspected the various schools throughout the nation and rendered an annual report, not only to the tribal agent but

16. Major William Armstrong, in his report of September, 1842 (p. 490), wrote: "The last general council appointed a committee of seven (myself being one) to select a site and to erect buildings, to take the place of the Choctaw Academy, in Kentucky, so far as the Choctaws are concerned. The committee met at Doaksville, organized, and proceeded to select the site. This created some feeling, as different sections of the nation thought they had some claims. The committee, however, selected a site within ten miles of Fort Towson, combining good water, a fine elevated situation, and good land." (A total sum of \$6,600 was appropriated for the new building. Spencer Academy was reopened about 1872 and was continuously operated until the buildings burned in 1896. The location of Spencer Academy had been changed in 1883 and new buildings erected on a site about seven miles north of the present town of Soper, in Choctaw County.)

17. Constitution and Laws of the Choctaw Nation, compiled by J. P. Folsom, 1869, pp. 78-81. (The Nunih Waya Academy never went into operation. Benson's, *Life Among the Choctaws*, op. cit., pp. 198-201. The funds appropriated for it were used to establish Armstrong Academy in 1844.)

also to the General Council. Neighborhood schools, many of which were taught by native teachers, who had either received their schooling at the mission schools and academies in the Choctaw Nation or had spent several terms in the state schools, were being conducted successfully in many localities when the outbreak of the Civil War terminated all educational efforts in the Indian Territory.

Another class of schools that accomplished much good among the full-blood Choctaws, were the "Saturday and Sabbath" schools. These schools were generally taught by native teachers, reading, writing, spelling and arithmetic being taught in the Choctaw language. The pupils ranged from children to grown men and women, all of whom gathered for the week-ends and camped near the local church or schoolhouse for a period of instruction. As a result, it was not many years before practically all the full-blood Choctaws could read the Bible, their tribal laws, religious literature, and columns in the local newspapers, which were printed in the native language. Above all, the mass of people learned to write letters in their own language, most of them being noted for their beautiful, clear handwriting. The "Saturday and Sabbath" schools were closely associated with the work of the churches (Presbyterian-Congregational), but they also received aid from appropriations made by the General Council, besides individual contributions from the Choctaws themselves.¹⁸

Among some of the earliest laws of the Choctaws were those relating to marriage, the making of wills, and punishment for theft and for murder. The Choctaw Nation was the first of any of the tribes in the Indian Territory to pass a law (1834) prohibiting the introduction of liquor into their country. There was no law for the collection of debts, credit (sometimes incurred at the trading establishments) resting upon the honor of the debtor who in nearly every instance fulfilled his contracts punctually.¹⁹ The Choctaws were noted for their truthfulness and honesty;²⁰ the intercourse between neighbors and acquaintances was always marked by kindness, good-fellowship and thoughtfulness for the comfort and convenience of others. The General

18. *Missionary Herald* for 1852, Vol. XLII, p. 14.

19. "Their national council, which is now in session, has before it a proposition to pass laws for the collection of debts, which heretofore has not been done, though their courts frequently try the right of property in cases of some magnitude. At this time a suit is pending in one of them involving an estate valued at \$20,000. These courts are regularly organized, with judges and juries, and the suits are conducted on both sides by professional advocates, of which there is a large number."—Report of Commissioner of Indian Affairs for 1848, p. 268.

20. As an instance of this trait, it is related that upon one occasion, Col. Samuel M. Rutherford, who was agent for the Choctaws and Chickasaws during the years 1845 to 1849, once brought the annuity money for those tribes, amounting to many thousands of dollars, to the agency at Skullyville. There the money was placed in a small, one-roomed, log office building. At night the agent's fourteen-year-old son slept in the room with the money and there was no guard stationed to ward and watch against possible theft. Several thousand Indians were encamped in the immediate vicinity and all knew that the money was there, yet it was unmolested. Benson, in his "Life Among the Choctaws," pp. 172-75, tells of an emergency under which Major William Armstrong left a similar large amount under his care at Fort Coffee over night. Major Armstrong also made the following statement: "In no country are the laws more respected, or more certainly enforced when violated; an instance of robbery, or murder, by a Choctaw, of an American citizen, while traveling through the nation, is not within my recollection."—Report of Commissioner of Indian Affairs for 1843, p. 417.

Council also passed acts to prohibit the needless waste of timber and to maintain public roads, and granted charters to individual Choctaw citizens for the erection of toll bridges and for the maintenance of ferries across the larger streams. In 1854 a committee of citizens was appointed by the council to look into the matter of railroad construction through the Choctaw Nation. In 1859 a charter was granted to a citizen for the erection of a telegraph line from Fort Smith to the border of Texas; however, the erection of the line was never undertaken on account of the Civil War, in which all the Five Civilized Tribes were active participants.²¹

By agreement with the Choctaws, the Chickasaws were to form a fourth district in the southwestern part of the Choctaw Nation, to be governed by the same laws and to have proportional representation in the General Council. However, the members of either tribe had the privilege of settling anywhere in the four districts. The Chickasaws retained full control of their own tribal funds derived from the sale of their lands east of the Mississippi.²² All affairs with reference to the disposition of tribal funds were in charge of the tribal commissioners appointed under the terms of the Chickasaw treaty of 1834 and the "king" (or hereditary chief), Ishtahotepa, who had remained the ruler of his people in name only.

With the arrival of the parties that came west with Benjamin and Henry Love in the spring of 1844, the migration of the Chickasaws from Mississippi, which had begun in 1838, practically ended.²³ At first most of these people settled in the eastern part of the Indian Territory, where they either purchased improvements from the earlier Choctaw settlers or opened up plantations in the region of Red River. An epidemic of smallpox, which had been contracted during the journey of some of the immigrants in 1838 and spread after their arrival in the West, caused many deaths not only among the newcomers but also among the Choctaw people.²⁴ The Chickasaws also suffered severely from malaria, which was always prevalent for a number of years after the opening up of a new country with a temperate climate similar to that of the Indian Territory. All of these circumstances, together with the fact that the district assigned the Chickasaws was subject to depredations of some of the Plains Indians, detained the immigrants from settling in their own district. With the establishment of Fort Washita in 1842, they began to move west, a number of families soon afterward locating in several settlements, the principal ones of which were in the vicinity of Boggy Depot, near Nail's Crossing on Blue River, and on the Washita River in the neighbor-

21. Constitution and Laws of the Choctaw Nation, printed 1869, pp. 131-32 and 208-09.

22. Treaty with the Choctaw and Chickasaw, 1837. Kappler's "Laws and Treaties," Vol. II, pp. 486-88. ("The Chickasaws, as already stated, are by treaty amalgamated with the Choctaws; they speak the same language, and have intermarried with each other for many years past; they lived adjoining previous to their emigration. The Chickasaws have a separate fund, arising from the proceeds of the sale of their valuable country. This is under the control of the Chickasaw chiefs [i. e., commission appointed under the treaty of 1834], separate and distinct from any supervision of the Choctaws. In every other respect they enjoy equal rights and privileges, except as to the funds owned by each.")—Letter of Major William Armstrong, September, 1841, in Report of Commissioner of Indian Affairs, 1841, p. 314.)

23. Ibid., Report for 1844, pp. 452-53.

24. Ibid., Report for 1838, p. 480.

hood of Fort Washita. The United States agent to the Chickasaws, A. M. M. Upshaw, was instructed to establish his agency in their district, in 1840. The agency building, erected in 1842-43, was located about six hundred yards west of Fort Washita.²⁵ Its site was pleasantly located in a grove of trees at the edge of the prairie, near a fine spring of water.²⁶ The agency building was also used as the tribal council house, for a number of years, when special matters concerning their funds were to be considered by the Chickasaws' chiefs and council.

The Chickasaws participated for the first time in the General Council with the Choctaws in the fall of 1841, having elected their quota of council members from the Fourth District.²⁷ While some of the Chickasaws, especially the younger and more progressive element, were in favor of the change in their form of government and were agreeable to the union with the Choctaws, many of the old people were opposed to giving up their ancient laws and customs. They still kept up a semblance of their old tribal government, even though a district chief, captains, and members of the General Council were elected as the authorized government under the agreement with the Choctaws in 1837.

In planning their school system it was suggested that the Choctaws and Chickasaws join in creating a common fund to be used for educational purposes and for building schools throughout the nation. Late in the summer of 1842, the Chickasaw Commissioners and other Chickasaw leaders met in council at the Boiling Spring Council ground (in what is now Murray County) and addressed a vigorous protest to Agent Upshaw against the combination of their funds with those of the Choctaws. From this time, the sentiment against their union with the Choctaws grew stronger from year to year.

The basis of this discontent grew out of the disposition of the large sums of money due the Chickasaws from the sale of their country in Mississippi and Alabama. As late as 1845 the majority of the Chickasaws still lived throughout the three Choctaw districts. During July of that year, the five tribal commissioners who had been appointed under the provisions made in the treaty of 1834 resigned, since the eastern land sales were completed, and they believed with other Chickasaw leaders that any further tribal business could be administered by the regularly elected authorities of the Chickasaw district. Under the constitution of the Choctaw Nation the chief, the members of the general council, the captains and other officers were all required to live in the Chickasaw District. Since these officers were elected by the people for stipulated periods, the United States agents and other officials looked upon them as the legal representatives of the Chickasaws, who were to

25. "Many of the Chickasaws still reside out of the district allotted to them—settling, as it is their right and privilege, promiscuously among the Choctaws. Their district is, however, filling up. Their interests require that they should be brought together, as, with their large means, they cannot receive the same benefits in schools and the mechanic arts that they could do were they more densely together. The Chickasaws are but little over 5,000 in number; they have invested near \$2,000,000, from which they will soon be receiving the interest. This fund will enable them to educate every individual in their nation, and to extend the arts of civilized life among them."—*Ibid.*, Report for 1843, p. 417.

26. Letter of Kenton Harper, U. S. Agent for the Chickasaws, September 1, 1851, *Ibid.*, 1851, p. 400.

27. Letter of Major William Armstrong, September, 1841. *Ibid.*, Report 1841, p. 313.

transact any necessary business and pay out the annuities upon the resignation of the regular tribal commissioners.

It so happened that at the end of the same council, during which the commissioners resigned, and after most of the leading Chickasaws had returned to their homes, a few designing members of the tribe who were under the influence of some traders that had settled at Boggy Depot about 1838, leagued themselves with some of the Chickasaws who were in favor of retaining the old form of government. They proceeded to appoint new commissioners, who were to receive high salaries out of the Chickasaw national funds, and who were supposed to take charge of tribal affairs even though they had been appointed under no legal authority, and, at the time, did not represent all the members of the tribe. Thus two factions arose, the first of which stood for the disposal of tribal funds and annuities according to the intentions of the treaty of 1834 and was also more amenable to the new order of government as provided under the agreement with the Choctaws in 1837. The opposing faction stood for the reestablishment of the old form of government, with the idea of controlling the tribal funds and annuity payments. It entered the plea for a separate government and country for the Chickasaws, striking a chord of sympathy with all members of the tribe, since none of them had ever been heartily in favor of the union with the Choctaws.²⁸ For this reason the second faction became the dominant party, especially since practically all of the Chickasaws moved to their own district.

The dissatisfaction of the Chickasaws was wholly along political lines for they were personally friendly with the Choctaws among whom they had settled. Since they only represented about one-fourth of the total number of citizens in the Choctaw Nation they claimed they were always out-voted by the Choctaws, who thus retained full control of the tribal government.²⁹ On their part, the Choctaws refused to give their assent to the request of the Chickasaws for separate government, maintaining that under the agreement of 1837 they had only granted the Chickasaws the right to incorporate themselves as a part of the Choctaw Nation, with equal rights and privileges with all other citizens within its borders. They claimed they had not sold any part of their country; therefore, they could not suspend jurisdiction and operation of their own laws over any portion of it. They looked upon such action as a sacrifice of their national interests, which they refused to make.

A settlement of matters pertaining to the personal affairs of the Chickasaw was consummated in a treaty negotiated at Washington, on August 22, 1852, between Kenton Harper, as commissioner on the part of the United States and Edmond Pickens, Benjamin S. Love, and Sampson Folsom as the authorized commissioners on the part of the Chickasaws. Under the terms of this treaty all remnants of land in Mississippi and Tennessee belonging to the Chickasaws, which were not unsold, were to be appraised and paid for by the United States. All losses, due to the management and disbursement of tribal funds arising under the removal treaties of 1832 and 1834 were to be

28. *Ibid.*, Report 1845, pp. 505 and 526.

29. *Ibid.*, Report 1846, pp. 266-67. For Report on the Chickasaws for 1848, see Appendix XVIII-2.

submitted to and adjudicated by the Secretary of the Interior. All powers and duties of the Chickasaw commissioners who had been appointed under the treaty of 1834 were to be vested in the general council of the tribe.³⁰

The first step in settling the contentions that had arisen between the Choctaws and Chickasaws, because of the demand of the latter for a separate country, was considered in the treaty negotiated at Doaksville on January 17, 1854. The Choctaw Commission consisted of Robert M. Jones, Daniel Folsom, and Samuel Garland; the Chickasaw Commission, of Edmond Pickens, Benjamin S. Love, James T. Gaines, Sampson Folsom, and Edmond Perry. Under the terms of this new agreement the eastern boundary of the Chickasaw district was moved farther west. It was to be surveyed under the direction of commissioners appointed from each of the districts of the Choctaw Nation, each mile of this new land was to be clearly marked on trees and by monuments of stone before the first day of August, 1855.³¹ This line remained the permanent boundary between the two nations.

In the meantime a full settlement of affairs with the Choctaws arising under the treaty of Dancing Rabbit Creek (1830) had never been made by the United States, though a period of more than twenty years had passed since its negotiation. In addition to payment due many individual Choctaws for farm improvements, live stock and individual allotments of land which they had been forced to abandon at the time of the removal, the nation claimed that its citizens were due the net proceeds from the sale made by the Government of lands which they had relinquished in Mississippi in 1830.³² In November, 1853, the General Council appointed Peter P. Pitchlynn, Israel Folsom, Dickson W. Lewis and Samuel Garland, as delegates to represent the Choctaw Nation at Washington, with full power to settle all claims of the Choctaw people.³³ However, Government officials continued to refuse any recognition of the Net Proceeds Claim until two years later. At that time the United States Government was contemplating the removal of the Indians of Texas, Nebraska, and Kansas, to permanent reservations in the western part of the Indian Territory. The fact that the region south of the Canadian in the western part of the Choctaw Nation, was practically uninhabited with the exception of roving bands of the Plains tribes and some of

30. Treaty with the Chickasaw, 1852. Kappler, *op. cit.*, pp. 596-98.

31. Treaty with the Choctaw and Chickasaw, 1854. *Ibid.*, pp. 652-53.

32. Under the terms of the Treaty of Dancing Rabbit Creek, the Choctaws relinquished to the United States the last of their holdings east of the Mississippi River, amounting to 10,421,139 acres of land. In return, the country west of Arkansas Territory, lying between the Arkansas and Canadian rivers on the north and the Red River on the south, in what is now Oklahoma, was to be granted with a title in fee simple. This country had been previously ceded to the tribe in 1820, at the treaty of Doak's Stand, Mississippi, in consideration of 4,150,000 acres of Choctaw land in the Delta region—the richest cotton lands in the South—relinquished to the United States at that time. The new proposal in the treaty at Dancing Rabbit Creek was the clause granting the Choctaw Nation a patent to their country in the West. The United States received \$8,095,614.89 for the sale of these Choctaw lands in Mississippi. Since the Government commissioners during negotiations of the Dancing Rabbit Creek treaty emphatically denied "the idea that the United States sought any pecuniary profit from their [i. e., the Choctaws] lands, or desired anything beyond a mere jurisdiction over the country," the Choctaws claimed the net proceeds of the above sum. This amount came to \$2,981,247.39, after deducting all expenses of the Choctaw removal, which totalled \$5,097,367.50. The treaty of 1830 had provided that the United States would pay all expenses of the removal of the Choctaws. See Appendix XVIII-b for basis of argument for the net proceeds claimed by the Choctaw delegation.

33. Constitution and Laws of the Choctaw Nation, *op. cit.*, 1869, pp. 123-25.

the Wichitas, whose villages had been located there since time immemorial, led the Government to consider securing this country from the Choctaws for the purpose of Indian reservations.

In 1855 the Chickasaws appointed Sampson Folsom and Edward Pickens as delegates to proceed to Washington to urge that the Chickasaws be granted a separate country from the Choctaws, where they might organize their own government, that they might live under their own laws and institutions. The Choctaw council also reappointed the members of the delegation of 1853 to remain in Washington and secure a "final and satisfactory settlement of all unadjusted Choctaw matters."³⁴ Upon arrival of the Chickasaws, George W. Mannypenny, as commissioner on the part of the United States, entered into a discussion of these affairs with them and with the Choctaw delegation.³⁵ A settlement of four leading issues was involved in the negotiations; namely (1) the Chickasaws asked that a separate district be granted them to be organized under their own government; (2) the United States sought the relinquishment by the Choctaws of all claims to any territory west of the one hundredth meridian;³⁶ (3) it also sought from the Choctaws and the Chickasaws, a lease of all the country lying between ninety-eighth and the one hundredth meridians, west longitude, for the settlement of other Indian tribes; (4) the Choctaws held out for a settlement of the Net Proceeds Claim from the United States.

As a result of the negotiations, which continued for a period of almost three months, a treaty was drawn up and signed on June 22, 1855. Upon the payment of \$150,000 at this time, the Chickasaws were assigned the country lying between the eastern boundary of the old Chickasaw District, as defined under the terms of the treaty of 1854, and the ninety-eighth meridian, west longitude, to be organized under their own laws. The Choctaws relinquished all claims to any territory west of the one hundredth meridian in favor of the United States. All the country lying between the ninety-eighth and the one hundredth meridians, thenceforth known as the "Leased District," was leased to the United States for the settlement of the Wichitas and other Indians thereon, the Choctaws and Chickasaws retaining the right to settle anywhere within the limits of the said district. In consideration for the above relinquishment and lease, the United States paid \$800,000, three-fourths of the amount to the Choctaws and one-fourth to the Chickasaws.

34. *Ibid.*, pp. 133-34.

35. Appendix XVIII-3. Proposition submitted by the Chickasaws and reply of the Choctaws.

36. . . . "In the next place, we can no longer consent to be almoners of the government for all the small and poor tribes in our neighborhood, or who may wish to come into our country. We shall, therefore, have to demand the immediate removal of the several bands of Texas and other Indians who have settled within our limits; and if this demand be not complied with, we will remove them ourselves, using force, if necessary. The government must look to the consequences, whatever that may be. Our country extends west to the headwaters of the Canadian, about the 103d degree of west longitude, and we are prepared to maintain our rights to a boundary that far west, by facts and evidence which cannot be disputed. In the compromise with Texas in 1850, that portion of our country west of the 100th degree of west longitude, was assigned to that State, in direct and palpable violation of our rights. We must demand to be repossessed of this portion of our country; and, if this is not done, our people will take possession of it, and leave the government to settle with Texas and the Indians upon it, for such damages as they may claim."
—"Correspondence of the Choctaw Delegation with Reference to the Negotiations of the Choctaw-Chickasaw Treaty of 1855, p. 41."

The Net Proceeds Claim of the Choctaws was to be submitted for adjudication to the United States Senate, whose decision was to be final. In addition, any Chickasaw or Choctaw had the right to settle within the jurisdiction of either of the two nations, with all rights as a citizen of the nation. With the exception of the Chickasaw District, all the country between the western boundary of Arkansas and the hundredth meridian, was assigned the Choctaws, the Leased District being later organized and called the Hotubbe District, though it was never regularly settled by any of the Choctaws. All lands held under patent by the terms of the Choctaw Treaty of 1830, were held in common by the two nations. As was previously the case, the annuities and funds, arising under former treaties between the United States and each of the two nations, were kept separate.³⁷

The Choctaws and Chickasaws having separated as the result of the agreement entered into by the Treaty of 1855, the Chickasaws proceeded to establish their own government under the style and title of "The Chickasaw Nation." Accordingly, at a convention held at the old tribal council house at Tishomingo, a constitution was drafted and signed on August 30, 1856, with Jackson Kemp acting as president of the convention, George D. James, as vice-president, and A. V. Brown, as secretary. The new constitution was republican in form, contained a bill of rights, and guaranteed trial by jury. The chief executive, to be called the "governor," was elected by the qualified voters of the nation for a term of two years, being eligible to hold office for only four years out of six. The legislative branch was called the "legislature," and was composed of a senate and house of representatives. The Chickasaw country was divided into four senatorial districts, corresponding to the four counties of Panola, Pickens, Pontotoc and Tishomingo, respectively, each to elect three senators every two years. The members of the house were elected annually, by the people, four representatives each from Pickens and Tishomingo counties; and five each from Panola and Pontotoc counties. The judicial branch was made up of a supreme court, circuit courts, and county courts, the judges of the two higher courts being elected by the legislature. A sheriff and the necessary number of constables were elected every two years in each county. The constitution also provided for a superintendent of public instruction to be elected by the Legislature for a term of four years. The superintendent, in turn, appointed school trustees for the various neighborhood schools throughout the nation, a number of such schools being opened up before the outbreak of the Civil War.³⁸

37. Treaty with the Choctaw and Chickasaw, 1855. Kappler, op. cit., pp. 706-14. (The Chickasaws assented to the new treaty by an act of the general council assembled at Tishomingo on October 3, 1855, with Joel Kemp as president of the council, Dougherty Colbert, F. C., and Cyrus Harris, clerk of the council. However, two months later, during another session of the council at Tishomingo, the Chickasaws rescinded their former action, thus refusing to ratify the new treaty. This was done because the Choctaws had not considered an amendment to the 19th Article proposed by the Chickasaws, providing for the appointment of commissioners on the part of each tribe to supervise the new survey of the boundary of the Chickasaw district, stipulated under the treaty. The Choctaws had ratified the new treaty at a council held at Fort Towson on November 16. The Senate of the United States ratified the Choctaw-Chickasaw treaty on February 21, 1856. It was signed by President Franklin Pierce, March 4.)

38. Constitution, Laws and Treaties of the Chickasaws, printed in 1860. (After the adoption of the Chickasaw constitution, the tribal legislature met and enacted a number of laws. A young man, who was a member of the tribe, was sent into Texas with the original

Even though a majority of the Chickasaws were early in favor of following out a similar plan to that which had been adopted by the Choctaws, in regard to their own schools, provisions for the opening of such schools had been delayed because so many of the people continued to live in the Choctaw districts. In addition, some of their leaders were opposed to surrendering their individual claims in the tribal funds to be used for the benefit of all the people, and were inclined to disregard the value of education generally. The first school opened in the Chickasaw District was a day school, in connection with the Methodist Mission station at Pleasant Grove near Fort Washita, in 1844. Many Chickasaw families living in the Choctaw districts sent their children to the Choctaw schools conducted in connection with the various mission stations. From fifteen to twenty-five boys were also sent each year to the Choctaw Academy in Kentucky.³⁹ After that time, a number of boys were sent away to eastern academies, some of whom later entered colleges of standing. In each instance, unless an individual boy's expenses were paid by his parents, which happened in a few cases, all education was paid for out of the tribal funds.

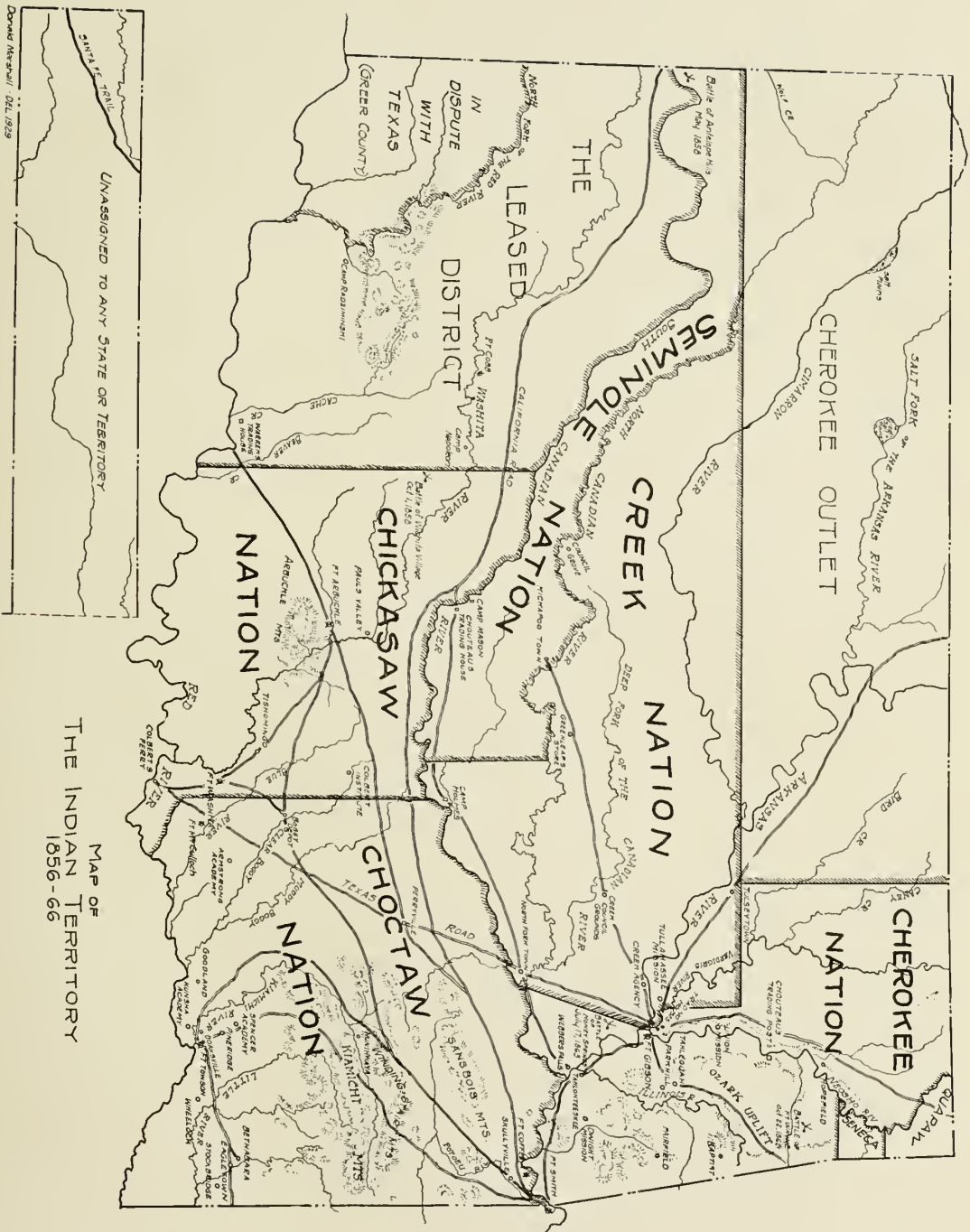
The first provisions for their own tribal academies were made by the Chickasaws in 1845, upon the occasion of the visit of Rev. William H. Goode to the Chickasaw sub-agency at the Boiling Spring Council Ground, near Fort Washita. At that time, the Chickasaw Council appropriated a substantial amount for the erection of buildings and an annual sum for maintenance of a tribal academy, to be conducted under the auspices of the Mission Board of the Methodist Episcopal Church, South.⁴⁰ Rev. Wesley Browning, appointed as its first superintendent, supervised the construction of the building and the establishment of the farming operations in connection with the institution, which was opened in 1851. Subsequent appropriations up to 1858, provided for the erection and maintenance of Wapanucka Female Institute, Bloomfield Seminary, Burney Institute, and Colbert Institute.⁴¹

copies of the statutes [no duplicates being retained] for the purpose of having them printed. The young man who had been entrusted with this important mission disappeared very mysteriously and the newly-enacted laws with him. As a result of this condition, it became necessary to reconvene the tribal legislature in a special session for the purpose of reenacting the laws which had been thus lost.

39. "The Chickasaws have great anxiety to have their children educated, and what is most astonishing, the full-bloods show as great a desire as the half-breeds; but they are all very anxious on this all-important subject, and I am in hopes, in a few years, to see at least three large institutions of learning in the Chickasaw district."—Letter of A. M. M. Upshaw, U. S. Agent for Chickasaws, in Rep. Com. of Indian Affairs, 1847, pp. 884-85; also, *Ibid.*, Report of 1844, p. 465. Under the Chickasaw treaty of 1834, the United States agreed to pay \$3,000 annually for fifteen years for the education of the Chickasaw boys and girls in the states.

40. William H. Goode, in "Outposts of Zion," p. 210.

41. The Chickasaw Academy was opened with Reverend John Robinson as superintendent. Its site was two miles east of the present town of Tishomingo in Johnson County. The first name given it by the Indian Mission Conference in its report of 1847 (the Methodist Church, South), was McKendree Manual Labor School; it was also known as the Chickasaw Manual Labor Academy, and some years after the Civil War, as Harley Institute. In 1848 the Chickasaw Council made further appropriation of \$12,000 for the erection of two additional schools, with an annual allowance of \$6,000 each, for maintenance. One of these schools, known as the Wapanucka Female Institute, was placed in charge of the Presbyterian Board of Missions (Old School), its location being about four miles northwest of the present town of Wapanucka in Johnson County. The second of these schools known as Bloomfield Female Seminary, was under the supervision of the Methodist Mission



In a convention held at Skullyville in January, 1857, the Choctaws, also, drafted a new constitution. Tandy Walker was elected president of the convention and S. S. Fisher, William B. Pitchlynn, and S. P. Willis as clerks. The new constitution was commonly called the "Skullyville Constitution," being patterned largely after those of the neighboring states. Among some of the changes in the old laws, was that providing for the election of one chief executive to be called the "governor," thus doing away with the offices of the three district chiefs, which had long been the old tribal custom before the adoption of the first constitution of the Choctaws in 1826. Boggy Depot was to be the capital of the nation until otherwise provided by law. All officials holding office at the time of the Skullyville convention were to remain in office until superseded by the election of other officials as provided under the new constitution.⁴²

The Skullyville Constitution was not regarded with favor by a large faction of the Choctaws, and was the occasion of intense political excitement, which for a time threatened to lead to violence. Those who were opposed to the new constitution contended that the action of Skullyville Convention had been arbitrary and that any contemplated changes in the laws of the nation should be submitted to the vote of the Choctaw people for approval. It was also claimed that the Skullyville Constitution had been largely drafted by designing lawyers, who were paving the way for the organization of the Choctaw Nation as a regular territory under the laws of the United States. To any such change, the Choctaw people had been unalterably opposed. The opponents of the Skullyville Constitution held a convention in Blue County, at which sundry objections were enumerated. The tribal officers, who had been elected in accordance with the provisions of the constitution and who had been recognized as the lawful authorities of the Choctaw Nation by the Federal Government, promptly submitted amendments to the constitution to remedy the alleged defects. Still discontented, the opposition held a convention at Doaksville, framed another constitution and proceeded to hold an election for a legislature and new chiefs.⁴³

Although the condition was described as having nearly reached "the brink of anarchy," the conciliatory attitude of the de facto government ultimately

Board. It was located about two miles south of Achille, in Bryan County. Both Bloomfield and Wapanucka seminaries were opened in 1852. Colbert Institute was established about 1854 at Perryville, under the charge of Rev. Ezekiel Couch. In 1857, its site was moved to a new location near the present town of Stonewall, in Pontotoc County. Appropriation for the erection of Burney Institute, to be under the supervision of the Cumberland Presbyterian Church, was provided by the Chickasaw Council in 1857. Its location was near the present site of Lebanon, in Marshall County. Some years after the Civil War, Burney Institute was placed in the hands of the Methodists.

42. DELEGATES OF THE SKULLYVILLE CONVENTION.

Robert Kincaid	James Thompson	L. D. Garland	J. E. Dwight
E. W. Folsom	John Page	Bushpo Tuppah	Daniel Folsom
Kennedy McCurtain	James Garland	Coleman Cole	Jacob Folsom
William Cass	Mitchell LeFlore	Swinney Frazier	John McIntosh
Mishoman Tubbee	William James	Alfred Wade	William K. Stuart
McKee King	John Lewis	William Roebuck	Franca Battiest

—Session Laws of the Choctaw Council for 1858.

43. Annual Report of the Commissioner of Indian Affairs for 1858, letters of Elias Rector, superintendent, pp. 130-31; letter of Douglas H. Cooper, Choctaw agent, pp. 156-57, and letter of Charles E. Mix, commissioner, pp. 135-36; also, *Ibid.*, 1859, letter of Elias Rector, superintendent, pp. 160-61, and letter of Douglas H. Cooper, Choctaw agent, *Ibid.*, p. 188.

led to a subsidence of the agitation and quiet was eventually restored. Under a resolution of the Choctaw Council, on October 26, 1858, the governor of the Choctaw Nation was authorized to call an election for submitting to the vote of the people, the question with regard to holding a convention to alter or amend the Skullyville Constitution, or to frame a new one. Under a proclamation of Ex-Governor Tandy Walker, on September 28, 1859, it was found that the returns of the election, provided for the previous year, had been almost unanimous in favor of a convention to amend the constitution or adopt a new one.⁴⁴ Accordingly, on January 11, 1860, the convention was held at Doaksville where a new constitution was drafted, which remained in full force and effect in the Choctaw Nation until the abolishment of its national government in 1906.

The new constitution declared a bill of rights, and guaranteed trial by jury, and provided for the distribution of powers of government in the regular legislative, executive and judicial departments. The chief executive was to be called the "principal chief." He was to be assisted by three district chiefs, all of whom were to be elected by the people for a term of two years, being only eligible to two terms in succession. Doaksville was designated as the capital of the nation. The legislative department acted under the style of the "General Council of the Choctaw Nation," and was composed of a senate and house of representatives. Four senators were elected every two years for each of the three districts in the nation; namely, Mosholubbee, or first district; Apukshunubbee, or second district; and Pushmataha, or third district. Members of the House of Representatives were chosen each year by the electors of the several counties at the ratio of one representative to every one thousand citizens, or fractional part of five hundred or more citizens. The names of the counties continued as they were organized, in 1850.⁴⁵

Creeks and Seminoles—During the spring of 1836, the Creeks in Alabama were subjugated as a hostile people by the United States Army, and were subsequently removed to the Indian Territory. The first party consisting of 2,300 immigrants arrived on the Verdigris River on September 7, 1836, most of the chiefs, old and young alike, having been chained together in couples until they reached the Indian Territory. Their arrival was viewed with distrust by the Western Creeks, who had already established themselves in the Indian Territory. Thinking that serious consequences might result from the situation, General Matthew Arbuckle, the commanding officer at Fort Gibson, made a requisition for ten companies of volunteers from the Governor of Arkansas. The Western Creeks led by the McIntosh family claimed that they, themselves, had endured the hardships and the deprivations of pioneer life nearly ten years previous to the coming of the immigrants. Now since they had established their own laws, and were living in comfort,

44. Constitution and Laws of the Choctaw Nation, printed 1869, pp. 194-97, and 218-21.

45. Towson, Cedar, Wade, Red River, Boktuklo, Eagle, and Nashoba counties were in Apukshanubbee District; Kiamichi, Blue, Atoka, and Jack's Fork counties were in Pushmataha District, and Sugar-loaf, Skullyville, Sans Bois, Gaines, and Tobaksi counties were in Mosholubbee District. The "Leased District" west of the ninety-eighth meridian was named "Hotubbee District," but was never regularly organized.

they did not feel called upon to admit so many people into their midst, "who by their hostile acts, had reduced themselves to beggary and want." The members of the McIntosh family were especially jealous of any possibility of losing the balance of power as leaders in the Creek Nation. At a council held at Fort Gibson, the views of both the Western Creeks and the newcomers were freely expressed. Roley McIntosh, as principal chief of the Western Creeks, said that he and his people would be friends to the immigrants if they would be willing to submit to the laws already in force. Even though Ne-a-mathla, the principal chief of the immigrants, was inclined at first to contend for his authority as leader, he finally yielded his views, saying that since the laws of the Western Creeks had been passed for their own good, and since they seemed to have prospered under them, he and his people would unite with them and try to live in peace. When the news that eight thousand more Creeks under the leadership of Opothleyahola, who had been one of the leaders in the killing of William McIntosh in 1825, were about to arrive in the Indian Territory, affairs among the Creeks became tense again, especially as the sons of McIntosh avowed revenge and immediate death for Opothleyahola.⁴⁶ However, the attitude of conciliation which was furthered through the efforts of General Arbuckle and Captain William Armstrong, as acting superintendent of the Western Territory, the Creeks, or Muscogeas, as they preferred to call themselves, eventually settled amicably in their new country in the Indian Territory.

In 1833, the Western Creeks lived in fifteen settlements, located on the banks of the Verdigris River and extending westward along the Arkansas.⁴⁷ The Eastern Creeks, who immigrated in 1836-37, generally belonged to the old tribal division known as the Upper Towns, while the Western Creeks belonged to the old division of the Lower Towns. The people of the Upper Towns located in settlements which were separated from those of the Lower Towns by a long prairie region, extending for about forty miles from the Arkansas River bottoms, south to those of the North Fork of the Canadian. These latter settlements lay west of this prairie on the Deep Fork, the North Fork and the Canadian, and between these streams to Little River, covering a section of country about eighty miles long and sixty miles wide. About

46. Report of the Commissioner of Indian Affairs for December, 1836, p. 369; also, Solomon Peck, "History of the Baptist General Convention" in *History of American Missions to the Heathen* (Spooner & Howard, 1840), p. 549.

47. The following was a list of the towns in the Creek Nation West, in 1833, together with the population of each:

"Coweta Town	423	Cosada	100
Broken Arrow	326	Hichita	177
Talladega	251	Goiga	120
Eufaula	131	Big Springs	300
Chow-wockolee	95	Oakelta Ockney	206
New York	50	Lowocolo	75
Wockokoy	117	Hatchee Chubbee	27
Sandtown	77		

"This part of the Creek Nation numbered near three thousand three years ago; and they are on the decline ever since their arrival here from the prevailing diseases of the country. There are not more than a fourth of the Indian children that were born in this country now living. There is a great want of medical assistance here for the first two or three years after the emigrants reach this country, that they might receive all the necessary medical aid, until their constitutions became formed and assimilated to the climate."—Senate Document 512 (*Indian Removals*), 239 Con. 1st Session, Vol. IV, p. 722.

two hundred of the immigrants died on the road, and during the winter and spring of 1837, after their arrival in the Indian Territory, thirty-five hundred died from bilious fever and its effects. This condition caused dissatisfaction among the Creeks, so that they were restless and discontented, which hindered many of them from attempting to make improvements in their new country, for a time. A number of them went so far as to try to purchase land in Texas, but these plans never materialized, owing to the fact that their business agent (said to have been a member of the tribe) with whom they had entrusted funds for the purchase of the new lands never returned and accounted for his transactions.⁴⁸

The Creek, or Muscogee Nation, after the migration of 1836-37, numbered about twenty thousand. The two tribal divisions (Upper and Lower Creeks) continued to live in settlements, which made the old town system the basis of their tribal government. Each of these divisions had a council house and was governed by a principal chief and assistant chiefs; each town also had its council house where the citizens of the community met in council with the town chiefs and head-men annually, the latter in turn representing the town in the General Council of the whole nation, which convened whenever called by the principal chiefs. The whole nation was governed by written laws enacted only by the General Council. As time passed most offenses were tried and punishment inflicted by the general council. However, each district could also hold council, or court, to try and to punish offenders of the law. The laws were executed by the light-horsemen appointed to office, who carried out the decisions of the council and the judges, of whom there were two, one for each district. A log council house for the meeting of the General Council was erected in 1840. Its location, known for many years as the Creek Council Grounds, was at Council Hill or High Spring, one and one-half miles north of Hitchita, in McIntosh County. With the adjustment of the difficulties between the two divisions among the Creeks, Roley McIntosh was recognized as the principal chief of the Lower Creeks in 1837, while Opothleyahola became principal chief of the Upper Creeks, the office of all the chieftancies being hereditary according to old tribal custom.⁴⁹

The first democratic elections for chiefs occurred in 1859. At that time, both Roley McIntosh and Tuckabatche Micco, retired from office. Motey Kinnard, formerly second chief, was elected principal chief of the Lower Creeks, with Jacob Duerryson (Derrisaw?), as second chief. At the same time Echo Harjo, formerly second chief, was elected principal chief of the Upper Creeks, with Oak-tar-sars-Harjo, as second chief. Under this plan, the principal chiefs and their assistants were elected every four years by the General Council, which body was made up of all the officials of the nation besides the chiefs and head-men from the different towns. The chiefs were paid salaries from the different towns; each town also elected a town chief

48. McCoy's Annual Register of Indian Affairs within the Indian Territory for 1838, pp. 49-50.

49. McCoy (*Ibid.*, Register for 1837 and 1838, pp. 18 and 51, respectively), also includes Neamahtla, Tuckabatche Micco, Kauchehtustuneege, Ufalahache, and Neaneeko as chiefs of the Creeks. Fushachemeko was commanding general of the militia; Chilly McIntosh and Jacob Derrisaw were judges. For description of Upper and Lower Creeks in 1845, see Appendix XVIII-4.

and two subordinates. In 1860, still further changes in the laws of the Creeks were made by the adoption of a constitution, under which the country was divided into four political districts. It provided for the election by the people of one principal chief and one assistant chief; also, a district judge was appointed for each district, who tried all cases within his respective district. In addition, five supreme judges were appointed for the whole nation.⁵⁰

Under the terms of the treaty with the Creeks made in 1832, a government day school was opened at the agency a short time after the main migration to the Indian Territory. Though the demands for education among them increased from year to year and additional day schools were established in a few of the settlements or towns, it was not until the treaty with the Creeks and Seminoles in 1845, that any considerable amount of tribal funds was set aside for education. After that time, appropriations were made by the General Council, for the erection of two manual labor schools in the Creek Nation. These two institutions, later known as the Tallahassee and the Asbury manual labor schools, were placed in charge of the Presbyterian and Methodist mission boards, respectively. Before 1860 there were a number of neighborhood schools throughout the Creek Nation, attended by an average of five hundred children each year.⁵¹

The terms of the treaties with the Creeks and Seminoles, in 1833 respectively, made provisions for the Seminoles to settle in the Creek country and where they were to become a constituent part of the Creek Nation. The first immigration took place in 1836, when four hundred members of the tribe arrived in the Indian Territory.⁵² As different parties arrived from time to time, even as late as 1844, there was a tendency on the part of each of the chiefs to settle the people of his particular band in a settlement some distance from that of the other members of the tribe, that he might the better retain his power, since each was jealous of his prerogatives as chief. Thus the Seminoles settled at first in scattered settlements in the Creek and the Cherokee nations, though they eventually moved to the country assigned them on the Deep Fork of the Canadian.⁵³ One of the leading chiefs, Micco-

50. Letter W. H. Garrett, U. S. Agent for the Creeks, September, 1859, Report of Commissioner of Indian Affairs for 1859, pp. 178-80; also, *Ibid.*, Report 1860, pp. 123-25.

51. Appendix XVIII-5—Educational interest among the Creeks.

52. "In the spring of 1836, about four hundred Seminoles emigrated from the East, and settled on the North Fork of Canadian River. In October, 1837, they were reduced by sickness nearly one-half. During these awful times of mortality among the Creeks and Seminoles, the dead were frequently deposited in hollow standing or fallen trees, and the opening closed by billets of wood. A hollow standing tree frequently has an opening near the root; through this opening the corpse was inserted, and extended up the hollow of the trunk of the tree, so that it was left standing on the feet. Many abandoned their houses, after having deposited some of their dead in a temporary enclosure of boards above the ground. Guns and other articles of property were often buried with the corpse, according to Indian custom. Subsequent to the arrival of the four hundred of whom we have spoken, and prior to October, 1838, one thousand six hundred and thirty-three had reached their new homes. Total number of emigrants, two thousand and thirty-three. Of these perhaps not more than one thousand six hundred remain alive."—McCoy in Annual Register for 1838, *op. cit.*, p. 52.

53. Under the treaty made with the Seminoles at Fort Gibson in March, 1833, they were assigned the country lying between the North Fork and the Canadian rivers, extending west twenty-five miles beyond the mouth of Little River. Subsequent to their arrival in the Indian Territory, however, they were assigned the country between the Deep Fork and Arkansas rivers, owing to the fact that Opothleyahola and his party of Creeks, who had arrived before the Seminoles, had settled between the North Fork and the Canadian rivers. —Letter Major William Armstrong, September, 1841, Rep. Ind. Com. Affairs, p. 316; *Ibid.*, Rep. for 1845, p. 506.

nuppe, and his followers located there, under the direction of the United States agent to the Seminoles, who acted under the advice of the Indian Office in 1838. However, among the last bands that settled in this location were those of the two chiefs, "Wild Cat," or "Coa Cooche," and "Alligator," both of whom remained in the Cherokee country, in the vicinity of Fort Gibson, as late as 1845.⁵⁴

Even though the Creek chiefs were friendly to the Seminoles and were willing to accept them as a part of their people, they were inclined to favor keeping the newcomers in the scattered settlements, saying that the Seminoles were not ready "to settle in a body and become orderly neighbors." On the other hand, the Seminoles were dissatisfied, claiming that they could never submit to the laws of the Creeks and complaining that they had no country which they could call their own. One of the principal causes for much dissension between the members of the two tribes arose from controversies of the ownership of negro slaves. In many instances, the Creeks claimed negroes that were in the possession of the Seminoles, saying that they had run away from their owners among the Creeks, during the Creek wars. This tended to produce a bad state of feeling between some of the members of the two tribes.⁵⁵

This state of affairs led to the negotiation of a treaty between the Creeks and Seminoles, at the Creek Agency on January 4, 1845, Captain William Armstrong, acting superintendent of Indian affairs in the Western Territory, and the three agents of the Cherokees, the Creeks and the Seminoles, representing the United States. Under the provisions of the treaty, the Seminoles were to settle in one body anywhere they might choose in the Creek Nation, and separate from any other settlement. They were to make their own "town" regulations, but were subject to the control of the Creek General Council, there being no distinction between the members of the two tribes, except with reference to their financial interests.

Immediately after the treaty, the greater part of the Seminoles located north of the Canadian between the North Fork and Little River. The tribe was divided into twenty-five "towns" or bands, each having its own headman, or chief, and laws, subject to a general council of all the Seminoles, which passed laws for the whole tribe, provided that they did not conflict with the laws of the General Council of the Creeks. The chiefs and headmen of the towns were members of the council of the Seminoles, a majority of the members being necessary for the passage of any law with the approval of the governor, or "king." In 1846, Micco-nuppe was the "king" (chief or governor), and Wild Cat "Coa Cooche," his counsellor, who was said to have assisted by telling the king what he "ought to do." There were also

54. "Many of the Seminoles are still remaining among the Creeks, and some few among the Cherokees. Those among the Creeks are on or near North Fork of Canadian, about fifty miles from Little River—on Deep Fork, about sixty miles, and on Elm Creek, about seventy-five miles—many of whom probably will remove hereafter. The great body is about eight miles north from Little River, where they have lately finished their council house, and may be considered a permanent location. They have made considerable improvements, clearing the fields for next year's crop, and making cabins, &c., to shelter them during the coming winter."—M. Duval, Seminole Agent, *Ibid.*, 1845, p. 530.

55. Letter of Major William Armstrong, September, 1842, *Ibid.*, pp. 443-44.

five other chiefs; namely, Tusse Krai, Octi-archee, Pascofar, Echo-emathla, and Passuckee-yahola, who made up an executive council.⁵⁶ The establishment of regular tribal school system was not considered for some years, no funds for that purpose having been set aside by the treaties with the Seminoles. The first day school among the members of the tribe in the Indian Territory was taught by John D. Bemo,⁵⁷ a native, who also assisted Rev. John Lilley in the Presbyterian mission work at Oak Ridge for a number of years.

The terms of the Treaty of 1845 did not lead to the harmonious settlement of the controversies between the Creeks and Seminoles that had been hoped for, since the latter refused to submit to the laws of the Creek General Council. Coa Coochee, or Wild Cat, the counsellor of the "king," was particularly recalcitrant in his attitude. In 1854, under the leadership of John Jumper, who had been made the "king," or principal chief (as the office had come to be called), the Seminoles asked that a separate country be assigned them where they could have their own government and laws, without any interference on the part of the Creeks.⁵⁸ This condition continued to exist until 1856, when a new treaty was negotiated at Washington, between the Creeks and Seminoles through the efforts of George W. Mannypenny, as commissioner on the part of the United States. The first article of the new treaty provided that the Creek Nation cede to the Seminoles all the country lying between the North Canadian and the Canadian rivers, and west of line (a few miles east of the ninety-seventh parallel) drawn due north from the mouth of Ockhiappo, or Pond Creek (on the Canadian) to the North Canadian River. Other provisions included the right of the Seminoles and Creeks to settle in one another's country with all immunities and rights under the laws of the said nations; all funds due the Creeks "for educational, mechanical, and agricultural purposes," to be paid over to the treasurer of the Creek Nation; and the extradition of criminals between the two nations and, also, the United States.⁵⁹ The Seminoles removed to their new location soon after the treaty, continuing under their old tribal government, since funds had not been provided in the treaty for the establishment of a constitutional form of government like those adopted by the other nations in the Indian Territory.⁶⁰

56. Letter M. Duval, Seminole Agent, October, 1846, *Ibid.*, pp. 278-82. For treaty with the Creeks and Seminoles, 1845, see Kappler's *Laws and Treaties*, op. cit., pp. 550-52.

57. For the story of John Bemo, see Appendix XVIII-6.

58. Appendix XVIII-7 for controversy between Creeks and Seminoles.

59. Treaty with the Creeks and Seminoles, 1856, *Kappler's Laws and Treaties*, op. cit., pp. 756-63.

60. "At a general council, recently held by all the chiefs and head-men of the nation [Seminole] it was unanimously agreed that they would make application, through you, to the department, or President, to permit such a sum as they might find necessary to defray the expenses of their government, to be withheld or withdrawn from their annuity, and turned over to the nation, to enable them to defray the expenses of their government. They want an efficient light-horse to execute their laws. If they expect them to perform their duty, they must be paid. Their chiefs and law-makers expect some remuneration. Means are wanting for many other purposes in the administration of a government, however limited. I fully concur with them in the necessity of allowing such a sum as may be found necessary to defray the expenses of a government to be withdrawn from their annuity and turned over to the nation for the object above stated. It is a fact well known to all conversant with the disposition and habits of Indians, that per capita payments do not advance the interest or prosperity of Indians, but, to the contrary, is generally a disad-

The Cherokees—At the end of the migration of the Eastern Cherokees in 1839, their settlement among the Western Cherokees in the Indian Territory was involved in the trouble that arose in connection with the bitter tribal feud, the story of which is told in another chapter. At a convention held between representatives of both the Western and Eastern Cherokees held at Tahlequah, in September, 1839, a constitution for the Cherokee Nation was drawn up and adopted. Under this new constitution, the Cherokee government was republican in form, with the regular legislative, executive and judicial departments. The nation continued divided according to the old political districts of the Western Cherokees; namely, Neosho, Salisaw, Illinois, and Lee's Creek districts. In 1841, the nation was redistricted into eight districts; namely, Canadian, Illinois, Skin Bayou (in 1851 changed to Sequoyah), Flint, Delaware, Going-Snake, Tahlequah, and Saline. After 1842, a ninth district was added, called Coowescoowe.⁶¹

The supreme executive power was vested in a principal chief, to be elected every four years by the people of the whole nation, the election in the several districts being carried out in meeting *viva voce*. The legislative power was vested in two branches, an upper and a lower house, known as the National Committee and the Council, respectively, acting under the style of the National Council. The National Committee consisted of two members from each district, and the Council, of three members from each district, all to be elected by the people every two years. The meetings were held annually on the first Monday in October, at Tahlequah, the designated seat of the government.⁶² The judicial powers were vested in a supreme court, and such circuit and inferior courts as the National Council established from time to time.⁶³

Under the sixth article of the Cherokee Constitution of 1839, schools and education were to be encouraged throughout the nation. By an act of the National Council, passed on December 16, 1841, eleven public schools were established in the eight districts. This act also provided that a superintendent of public instruction was to be elected every two years by the National Council, the superintendent, in turn, to appoint a board of directors for each school. The treaty of New Echota (1835) especially stipulated that a system of high schools be established in the new Cherokee country. In 1846, the National Council provided for the erection of two

vantage and an injury. I hope, therefore, this subject may meet with your approbation and that of the department. As soon as I shall be furnished with the amount considered necessary, it will be specially reported."—Letter of Samuel M. Rutherford, Agent to the Seminoles, in Report of Commissioner of Indian Affairs, 1859, p. 183-85.

61. Constitution and Laws of the Cherokee Nation for 1839-51, printed 1852, pp. 39-41.

62. Under an act of the Cherokee National Council, in 1842, a quarter section of land at Tahlequah was ordered to be surveyed as a townsite. The council grounds or public square was to be the center of the townsite from north to south, and all lots were to be sold at public sale for the benefit of the Cherokee Nation. In 1847, the National Council appropriated \$500 for the erection of two hewed log buildings, twenty by twenty feet, on the public square, for the use of the committee and the council. Each building had a brick chimney, one door, four windows, shingle roof, all chinks stopped inside and out with lime mortar, plank floor and ceiling, and was underpinned with stone. In 1851, by resolution of the National Council, R. D. Ross and Jay Hicks were appointed as a committee to contract for the improvement and guarding of the "National Square." Shade trees and blue grass were ordered to be planted, and the grounds to be kept clean, free from trespassers, and in readiness for "national use at all times."—*Ibid.*, pp. 82, 155, and 225.

63. Appendix XVIII-8. Description of the Cherokees in 1842 and 1853.

seminaries or high schools, one for boys and one for girls, to have a capacity of caring for one hundred students each.⁶⁴ The erection of the two seminaries was begun in 1847; they were opened for the reception of students in 1851 and the first classes were graduated in 1855. Two years later their doors were closed, because of the lack of funds for their maintenance and operation, and they were not re-opened until more than fifteen years later. Although they were operated for such a comparatively short time, they exerted great influence in the Cherokee Nation.⁶⁵

Social and Domestic Conditions Among the Five Civilized Tribes—Although the background of life in the Indian Territory was rural in environment and association, yet the stamp of the Indian character—proud, original, and very often inscrutable—gave it a fascination that could not be found elsewhere on the frontier of the United States. There was wide diversity in the composition of the population, varying as it did from the educated, enlightened and thoroughly aggressive mixed-blood tribesmen or inter-married white man on the one extreme, to the conservative full-blood Indian, the majority of whom lived more primitively and were the last to give up the old tribal customs.⁶⁶ While there was a wealthy class, most of the people

64. Constitution and Laws of the Cherokee Nation for 1839-51, printed 1852, pp. 146-47, and 157-62.

65. The establishment of the Cherokee Male and Female seminaries is said to have been a pet scheme of Chief John Ross. After they were closed for lack of means for their support, the empty buildings were derisively referred to as "Ross' Folly." Yet the Cherokees builded better than they knew when they erected the two national seminaries. The atmosphere of dependence which clung so tenaciously to the mission school, even though built and largely supported at tribal expense, did not hover over these two higher schools, which were built and wholly directed and managed by the tribal authorities. The more perfect development of an independent, self-reliant manhood and womanhood, which added much to the well-being and happiness of the Cherokee people, was the unquestioned result of the establishment and operation of the two seminaries. Closed, first because of lack of proper support, and remaining unopened because of the Civil War and the poverty which followed in its wake for many years, the two seminaries left their impress upon the sentiments and institutions of the Cherokee Nation because of the personalities of their graduates, both of the earlier and more recent periods. The Male Seminary was located about a mile south and west of Tahlequah. The Female Seminary was located just northeast of the present town of Park Hill, and about a mile north of the old Park Hill Mission. The two institutions were about three and one-half or four miles distant from each other. The two buildings were originally nearly duplicates in plan and construction and were built of brick with stone trimmings. The Female Seminary was destroyed by fire in 1887. When it was rebuilt (1889-91) it was upon a new site, just north of Tahlequah; the new building is now occupied by the Northeastern State Normal School. Both of the seminaries were in regular operation from 1875 to 1907. The Male Seminary Building was used as a hospital during the Civil War and as the home of the Cherokee Orphan Asylum in 1873-74-75. After statehood it was reorganized as a co-educational institution. It was destroyed by fire, March 20, 1910. For Public School Report in the Cherokee Nation for 1859, see Appendix XVIII-9.

66. "The border Indians, so far as we could learn, all lived in families, recognizing the marriage relation, with its duties and obligations. Polygamy was tolerated in most, perhaps all the tribes, yet it did not exist to much extent. The Cherokees had enacted laws to prohibit it, but they had not been very rigorously enforced. The Choctaws tolerated the practice, yet under such restrictions as were well calculated to discourage and finally to suppress it. If a man should separate from, or abandon his wife, his property was liable to be seized by the light-horsemen and appropriated to the benefit of the divorced woman. I remember but one man in our district who had two wives, and they resided fifteen or twenty miles distant from each other, and each had one or two servants to serve as housekeeper. One of these wives united with the church, after which she did not live with her man. She felt justified in her course, as she was the one last taken, and, hence, could not be his lawful wife. Separations and desertions were of rare occurrence. So far as we could judge they were faithful to their vows, and lived happily together, in most instances, till separated by death. The husband and wife usually kept their property distinct; this was true

were in comfortable and moderate circumstances, even the poor man being independent in those days.

All lands were held in common in each one of the five nations,⁶⁷ the titles under patents from the United States never being surrendered until allotment is severalty to the Indian citizens of the respective tribes just before statehood in 1906. At that time the original bounds of the nations made under the removal treaties were not as extensive as they were originally, due to results of the Civil War and the policy of the Government in concentrating the Indian tribes from Texas, Nebraska, and Kansas, in the Indian Territory. An Indian citizen in any of the five nations could improve and cultivate as much land as he wished, provided he did not encroach upon the claim of his neighbor who had previously settled in the vicinity. Every piece of cultivated land had to be securely fenced with rails to a certain height, generally under the laws of the nations, for all stock ran at large.

Most of the mixed-blood citizens and inter-married whites and even some of the full-bloods had large farms with several fields, a few years after their settlement in the Indian Territory. The largest farms or plantations were found in the Choctaw and Chickasaw nations in the Red River region, cotton being grown extensively as the principal money crop. Cotton gins were in use in this section as early as 1836, being common among both the Choctaws and Chickasaws by 1848.⁶⁸ Corn was a leading crop everywhere, and oats, wheat, barley and rye were also grown in smaller quantities. A

so far as annuities and stock were concerned, but the wife, in case of necessity, had a right to live upon the property of her husband; and this right still pertained to the abandoned or divorced wife as long as she remained in a single state."—Benson's "Life Among the Choctaws," *op. cit.*, pp. 31-32.

67. "The people were scattered over their entire territory, and engaged in agriculture and the raising of stock. The land all belonged to the Commonwealth, no one being permitted to possess, in fee-simple, any real estate whatever. The unoccupied lands were alike free to all for occupancy, improvement, and private uses, without molestation or encroachment from others, and without taxation; but possession was only retained by occupancy or residence upon the land. If a man should vacate a house or farm, any one had a right to take possession and hold it henceforth without dispute. His title was considered just as valid as if he had been the original owner, and had made the improvements. It was proper, however, for one to sell his improvements, if he could find a purchaser before vacating the premises. None of the tribe [applied to each of the five tribes] lived in tents or wigwams, but in log-cabins, after the style of the white people on the frontiers. We occasionally saw a family occupying a good frame house, finished and furnished with reference to taste and comfort."—*Ibid.*, p. 32-33.

68. Among the large plantation owners in the Choctaw and Chickasaw nations were Robert M. Jones, David Folsom, Sampson Folsom, Pittman Colbert, Jackson Kemp, Benjamin and Henry and Sloan Love, and Joel H. Nail. Major William Armstrong, in a letter dated September 30, 1843 (Report for 1843, p. 416), wrote: "It affords me great pleasure to state to you that a progressive improvement in the arts generally of civilized life is visible throughout the Choctaw country. They are an industrious and frugal people; many of them are enterprising and intelligent citizens; they are more favorably located for cultivating than any of the tribes. Their lands extend from the Arkansas to Red River, embracing on the latter an extensive and productive cotton-growing country. There are some ten or a dozen cotton-gins now erected. Heretofore stock-raising had been the general pursuit of the Choctaws; but their location and interest will make them turn their attention more to the cultivation of cotton. Their country on Red River is not only suited to raising this valuable staple, but also the various necessities of life. Their large and extensive prairies afford them abundant range for stock. Many farmers exhibit a neatness altogether unlooked for in the Indian country. They may be truly classed as an agricultural people." In the same year, P. M. Butler, U. S. Agent for the Chickasaws, reported (*Ibid.*, p. 418): "This spring and summer I have visited a greater part of the country, and find the Chickasaws improving in the cultivation of the soil; not only improving in the mode and manner of cultivation, but they are extending their fields. Some of the Chickasaws have five or six hundred acres of corn in cultivation this year, besides cotton, wheat, oats, and rye; in fact, every Indian family in the nation are raising enough corn to subsist them for a year, but the crops of corn will be cut short one-fourth by the drought."

good quality of up-land rice was also raised by the Creeks and Seminoles to some extent.⁶⁹

The homes of the people in moderate circumstances were generally of the double log cabin type, with an open gallery or passage between the two sections and with spacious porches in front and rear.⁷⁰ The domestic establishments of the wealthier class were still more pretentious. In some instances the amount of land fenced in was equal to that of an old-time manor or estate. The home of the owner was generally plain and simple in its architectural design, but roomy, well-built, well-appointed and homelike. The "quarters," where dwelt the negro slaves, formed a picturesque feature of plantation life which disappeared, in the Indian Territory at least, with the Civil War. There was also an occasional cabin on such places, where the "poor white" tenants or employees were housed. There were numerous outbuildings, including the smokehouse (where meats and other provisions were kept), the stable (in which might be found several well-bred saddle horses) and the kennel, in which was the pack of hounds and possibly several other hunting dogs.

The farms of the poorer citizens in the Cherokee, Choctaw, and Chickasaw nations were unpretentious. The fields which they had cleared and fenced were small, commonly from three to ten acres in extent. In such fields they raised crops of corn, beans, squash, melons, sweet potatoes and a few other vegetables. In the Creek Nation,⁷¹ the people attached to a particular chief, lived near together and cultivated what was termed a "town field." It was the duty of all to assist in clearing up and cultivating these fields.⁷² This system of farming, however, was not common among the Creeks and Seminoles, by the outbreak of the Civil War. This class of citizens lived in cabins having log walls, chinked and daubed with stones and clay.

Corn was the staple article of feed, especially among the full-bloods of the Five Civilized Tribes, as it had been, for ages, among their ancestors. The various forms of hominy were made by "beating" corn in the wooden

69. Annual Report of the Commissioner of Indian Affairs for 1841, p. 315, and *Ibid.*, for 1844, 466 and 471.

70. The logs used in the walls of these cabins were of hardwood timber (pine, post-oak, walnut, or cedar) and usually were carefully hewed down to six or eight inches in thickness, and left from two feet to two feet and a half in width. The roofs were covered with hand-rived boards nailed on the supporting rafters of poles, carefully barked and trimmed. The floors were either of the puncheon type or sawed timber, if the dwelling was erected within hauling distance (forty to fifty miles) of a sawmill. Glass windows were not uncommon, the casements, as were also the doors of the building, being hand dressed from timber worked up in the vicinity. Well-built stone chimneys were commonly erected at either end of this type of dwelling.

71. "The crops which for some time were expected to be cut short by an excessive drought which prevailed throughout the [Creek] nation, will, it is said, yet prove amply sufficient to satisfy the calculations made for their application; the farms of the Indians, though in most instances of small extent, now usually contain different crops; the corn is most common. Wheat, oats and rice are raised in considerable quantities. I was surprised in traveling through the nation lately to observe the many fine orchards, the neatness and regularity of the fences around the farms, and the improvements in their houses, and to see in many instances the furniture in them neat, cleanly, and appropriate; the spinning wheel and loom are in common use; but that which struck me most, was the introduction of Yankee clocks, an article not in general use among Indians."—Letter James Logan, U. S. Agent to the Creeks. *Ibid.*, for 1848, p. 520.

72. *Ibid.*, Report for 1841, p. 315, and for 1842, p. 442.

mortar with pestle and then boiling. Sometimes beans, the green leaves of certain herbs, or meat was added to make various dishes. Hominy among the Choctaws was called "tah-fula" (corrupted in the English to "tom fuller"). The Creeks had a similar preparation known as "sof-ky." Likewise the Cherokee hominy was called "conna-hana." Green corn was also roasted in the ear, shelled, and put away for winter use. The ripened grain was often pounded into meal in the mortar and made into bread. Corn was also prepared for use on hunting expeditions and long journeys, by being carefully parched and then ground into a fine powder, which was called "cold flour." A quart of this food could be carried by a hunter in his belt pouch; a tablespoonful, when used in a pint of water, was said to satisfy the hunger for one meal, but it was always left as a last resort, when no other food could be had.

Orchards of apples, peaches, and plums were by no means uncommon. The use of pecans, hickory nuts, and walnuts was quite common in preparing certain native dishes in all the nations. In fact, there was a considerable trade in pecans along the Arkansas and some of the upper branches of Red River. Both the Cherokees and Choctaws, the former as early as 1834, made laws against cutting down pecan trees to obtain the nuts.

Most of the citizens of the Five Civilized Tribes owned a great deal of livestock, many horses and ponies, and large herds of cattle were to be found in all parts of the country. Half-wild "razor-back" hogs were everywhere common, and fattened on the "mast" that was abundant in the river bottoms during the fall of the year. Flocks of sheep were less common but by no means unknown. Generally, all stock ran at large and grazed at will on the range on the open prairies in the summer and in the canebrakes along the streams in the winter. Sheep, which would otherwise have been subjected to the ravages of wolves and other predatory animals, and the better class of saddle horses, were the exception, well built pens and stables being erected for them. Under such circumstances, meat was plentiful and cheap so that every well-appointed plantation and farm had its smokehouse, which hung full of cured pork and "jerked" beef. Wild game was also abundant. This included deer, bear, raccoon, opossum, wild turkeys, prairie chickens, partridges, wild ducks and geese, and fish of several species abounded in every stream. In the fall of the year, hunting parties were wont to go west to the Plains, where the buffalo, elk and antelope were so plentiful that the pack animals on the return trip were sure to be heavily laden with dried meat, robes and skins.

There was a great variation in the styles of wearing apparel. Most of the well-to-do people dressed according to the styles prevailing in the eastern states, except that, in many instances, among the women, hats and bonnets were not worn. Women were often seen dressed in rich silks and in the best taste, but instead of a hat or bonnet, there would be a beautiful shawl, a handkerchief or a parasol used over the head—nothing more would be tolerated. Among the more primitive costumes of the men, especially among the full-bloods, was the one composed of the hunting shirt of the fron-

tier, a handkerchief or small shawl, worn wound around the head in the shape of a turban, a pair of moccasins, and, if not a pair of pants, long leggings of buckskin, fringed on the sides. In the winter a blanket was added for warmth by the men of some of the tribes. The women wore dark skirts of wool, bright colored cotton waists, bright shawls and moccasins or shoes. They carded, spun, dyed and wove a home-made fabric, usually in a striped or cross-barred design from which neat and becoming gowns were made for everyday wear. For Sundays and holidays, however, all who could afford to do so, wore garments made from bright-colored calicoes and prints which were purchased from the traders. The hunting shirts which were commonly worn by the men were also home spun. All of the wool that was shorn from sheep in the Territory was used locally, being carded, spun, dyed and woven into blankets or other fabrics. The spinning wheel and hand loom were therefore a part of the equipment of every well-ordered household among the Five Civilized Tribes.

The Indians who owned slaves seldom did much if any manual labor themselves. Among those who did not own slaves, however, the men did all of the heavy outdoor work, such as clearing and fencing the fields, plowing, planting, cultivating and harvesting the crops. The women did the housework, such as cooking, sewing, spinning, weaving, and washing, and also attended the garden. They were not burdened with any of the heavy work such as is usually reputed to have fallen to the lot of the Indian women among the uncivilized tribes.

Social conditions among the better class or mixed-blood Indians did not differ materially from those which prevailed in localities which were similarly isolated in other parts of the country. Evidences of culture and refinement were not lacking. Many of the young people of the well-to-do families were sent to the "States" for further scholastic training, after having finished the course in the mission school or the tribal academy or seminary. A number of young men of this class graduated with creditable records from various eastern colleges and universities before the Civil War. As a class, nearly all the people of the Five Civilized Tribes were honest and trustworthy. All of them were opposed to the introduction and sale of liquor within the limits of their countries, but whiskey was sold along the borders of Arkansas, Texas, and Missouri, making it difficult to stop the smuggling of this contraband across the boundaries of the Indian Territory.⁷³

The people of mixed Indian and white blood were very hospitable and much given to entertaining and visiting. A visit to kinsfolk or friends at a distance was always a notable event, especially for the young folks of the family. Part of the members of the family traveled in the carriage, the rest on horseback. Sometimes a wagon, containing baggage, camping equipment, and provisions for the journey and carrying a groom, cook, maid and other servants, was taken also, especially if the weather were pleasant and the journey of several days' duration.⁷⁴

73. Threatened trouble with the Creeks, see Appendix XVIII-10.

74. "The Honorable Peter Folsom was the chief of the Pushmataha District. He was a stout man, in the meridian of life, about five feet and eight inches in height, with a

Nearly all the citizens of the Five Civilized Tribes, whether mixed or full-blood, were keenly interested in sports. There was no game of such widespread interest as the ball play. The young men of a certain locality would challenge those of another, the number generally being around forty, though as high as one hundred played sometimes. Each player carried two ball sticks of hickory about three feet in length. These were looped at one end and laced at the back with buckskin thongs, forming a sort of cup at the end of the stick. The hard ball made of buckskin with lead or stone center was a little larger than a golf ball. Goal posts (split logs usually) was set up at either end of a field which was three hundred yards long. The object of the game was to strike the goal posts with the ball. After great ceremony, a conjuror, standing at the center of the field, would toss up the ball between the players who had lined up opposite each other. With a wild whoop the players, nude except for breech-clouts and belts, the latter sometimes decorated with the tails of squirrels or foxes, were off, trying to catch the balls with their ball sticks; running, dodging, wrestling, and striking with the sticks—mere blood was no consideration. The men, women and children for miles around were gathered and camped near at hand. As the game progressed, the onlookers would bet excitedly, laying their most treasured belongings in a pile near a choice pony and staking everything they owned, on their chosen players. Often the women would join the gambling, even running upon the field itself and beating the bare backs of the men with quirts and whips, to urge them on. In later days, sometimes whiskey was brought to the camp by peddlers, aiding to the wildness of the excitement. Drunkenness and fighting on the part of the crowd brought the Indian ball games into disrepute so that the Indian governments in some cases passed laws against the game.

Horse-racing was another form of sport, which, with fox-chasing furnished the most exhilarating amusement of the mixed-blood Indians and the intermarried whites. In the days when steamboats ran regularly on the western rivers, it was not uncommon for the man with a racing stable in Kentucky or elsewhere east of the Mississippi, to embark a string of fast horses aboard a boat and go in search of a chance to match their speed against the fastest horses in some field as yet unknown to the world of sport in the land of blue grass and clover. The circuit on the Arkansas River included Little Rock, Fort Smith and Fort Gibson, army officers as well as citizens being interested in the sport. Some exciting races for big stakes are said to have been run at Fort Gibson.

bright complexion for a full-blood Indian. He was a dignified man, evidently regarding himself as a ruler of the people, and not unwilling to receive the attention and homage which are due to one who has been promoted by the people to a post of influence and power. Folsom's reputation was good; he was a man of wealth and character, but uneducated. He was the most aristocratic lord I saw in the Choctaw tribe, and the most ostentatious in all respects. He made a visit across the territory to the agency, bringing his family; he had an elegant barouche in which his family traveled; a black coachman sat out in front and a well-dressed servant sat in the boot, while the lady within had one or two maids to give her attention; the old chief rode in front upon the back of a splendid saddle-horse. Folsom was a friend to the schools, and did not fail to use his influence, personal and official, to advance the interests of his people and to promote their prosperity in all things. He was a true and patriotic man."—Benson's "Life Among the Choctaws," op. cit., p. 104.

In describing the life of the people of the Indian Territory in the years immediately following the settlement of the Five Civilized Tribes, the inter-tribal peace councils in the Creek and Cherokee nations held during the early 'forties should not be omitted. Although they added a picturesque note to the life of the people, yet the causes and the results of these councils were more important in that they deeply affected the life of the Indian people on the frontier. Although the first peace council with the Plains tribes was held at Camp Holmes in 1835, yet these later councils did much in helping the cause of peace between these people and the immigrant tribes. The principal trouble was caused by the depredations of the Osages upon the stock of all the other tribes, and especially the tribes of the Plains, so that there was threatened trouble on more than one occasion.

Among the first of these inter-tribal peace councils was that called by the Creeks which convened on May 15, 1842. Delegates from seventeen different tribes were present at the council, all of whom were entertained at the expense of the Creeks. The council was conducted in an orderly manner and closed with the best feeling among the delegates who departed as friends.⁷⁵ In 1843, another inter-tribal council was called by the Cherokees to meet at Tahlequah. At that time the capital of the Cherokees was a cluster of about thirty cabins surrounding a central square, where the national council held its sessions. All of the tribes from the Southwest and several from the North were invited to send delegates. Representatives from twenty-three tribes gathered by June 5, but it was two weeks before the council really opened. During the whole time the Cherokees spent \$250 a day for beef and other food to entertain the three or four thousand guests. On the day set for the opening "talk," a large horn was blown in the morning as a signal for the meeting. No one heeded the signal, but all who were to gather for the meeting continued smoking and talking in quiet groups. Another blast of the horn was sounded in the afternoon when the delegates slowly congregated beneath a large, open shed. Each speaker delivered his address in his native language which was interpreted in English. Then each of the several tribal interpreters interpreted from English to the delegates of his own tribe, that were grouped before him.

The gathering at Tahlequah made a varied picture in the matter of dress, showing the Indian in every stage of advancement. Among the men, women and children were those dressed like people from the East, some in a quiet manner, others even fashionably. Some of the men wore the frontier hunting shirts, and turbans, and moccasins. Those who still wore their native dress adorned themselves with silver earrings, head bands, and bracelets, and sometimes they wore a single plume or feather in their hair. Throughout the crowd were sashes, handkerchiefs, shawls, and blankets of bright colors, especially red, that made a gay and fantastic scene. John M. Stanley, a noted portrait painter in the United States, was visiting the Cherokee Nation at the time of the inter-tribal council, during which he painted many por-

75. Annual Report of the Commissioner of Indian Affairs for 1842, p. 381. For story of an attack by the Pawnees on the Creeks, see Appendix XVIII-11.

traits of the Indians who were present, including those of several well known Cherokees.⁷⁶

Chief John Ross told the purpose of the meeting in the opening address, saying that the tribes had been invited to the council to establish peace and friendship among themselves. Many other speeches were made during the council. In one of these some remark was made to which the Osages took exception. An old Osage chief limped forward to make a reply the next day. After referring to the remark, he added, as he pointed to the United States flag floating from a flag staff at one side of the council ground, "When I come out of my lodge I look upon that flag—that wipes out all past stains." This remark from an old Indian was worthy of the most patriotic citizen in the Union.

After continuing the "talks" for several weeks, the inter-tribal council at Tahlequah resulted in a compact of the Cherokees, the Creeks, and the Osages. Furthermore another real benefit from the meeting was the "mutual interchange of thought and feelings," between the Indians who had had better advantages of modern life and those who still clung to their primitive ways.⁷⁷

Another gathering among the Indians, that had a unique place in the life of the Territory, was the annuity payment, money due from the sales of their eastern lands,—or by the terms of the treaties,—to the different tribes, principally the Creeks, Choctaws, and Chickasaws. This event was almost like a fair in its character, a brisk trade being carried on by traders who brought their goods to the place where the annuity payment was to be made. Each erected a booth, tent, or other temporary covering, in which he displayed merchandise of all kinds,—cotton and woolen materials, silks, bright colored shawls and blankets, men's hats, ribbons, ostrich feathers, watches and jewelry, shoes, saddlery, and other goods of lesser value, besides a line of groceries, including sugar and coffee. Whiskey was contraband, and, when it was smuggled in, became the object of a raid on the part of the light-horsemen who were always at hand, so that the payments were usually carried on in a quiet and orderly manner in each one of the nations. The Indians themselves, gathered and camped on all sides within a radius of a mile of the annuity grounds, where they remained sometimes four or five days, since paying out the money was a slow process and called for considerable book-keeping on the part of the Government agent and his clerks. The payment was made in gold shipped in boxes to the nearest landing on the Arkansas and transported overland in wagons. The per capita amount

76. Mr. Stanley spent some months—possibly the greater part of the year—at Tahlequah and Fort Gibson and in the surrounding region. He not only painted numerous portraits for his collection, but also accepted sittings from members of the prominent Cherokee families who wished to pay for and retain the same. He subsequently crossed the Plains and visited the Pacific Coast for the purpose of increasing his gallery of Indian portraits. In 1851, he deposited the collection, amounting to 140 in all, with the Smithsonian Institution in Washington. He then offered to sell the collection for \$12,500. Although art commissions and congressional committees made favorable recommendations for the proposed purchase, no appropriation was ever made. In January, 1865, a disastrous fire occurred in the building of the Institution, almost totally destroying this priceless collection. There are several of the Stanley portraits in the possession of some of the old Cherokee families residing in the vicinity of Tahlequah and Fort Gibson—each one of which is not only a work of art, but also a treasured heirloom and a faithful picture of the olden times in the Cherokee Nation.

77. Appendix XVIII-12. Inter-tribal Council at Tahlequah.

varied from \$14—considered a large sum—to \$2. However, the payment of tribal funds in the form of annuities was discouraged not only by Government agents, but also by the Indian leaders themselves, since there was a tendency for the masses of the people to become dependent upon such a source as an income. The sums due the different nations were practically absorbed before many years had passed in making appropriations, through the tribal councils, for the erection and maintenance of schools in each of the nations.

Although the Indian Territory seemed to be isolated from the rest of the world, the people, even in the early part of this period, kept informed as to what was transpiring elsewhere and evinced by their action a keen interest in affairs that concerned other peoples in other parts of the world. In 1847, when there was a great famine in Ireland, the sympathies of the people in the Indian Territory were touched, as was evidenced by the collection of a considerable sum of money (for those early days) at Skullyville, to which the Indians were the principal subscribers.⁷⁸ It is also interesting to note in connection with this incident, that in the same year, the Creeks produced a surplus of 100,000 bushels of corn for exportation, a considerable portion of which was purchased for shipment to Ireland.⁷⁹

The first newspaper printed and published in Oklahoma was the "Cherokee Advocate," which was established and conducted under the auspices of the tribal government. Its publication office was at Tahlequah, the first number appearing on September 26, 1844. William P. Ross, a nephew of Chief John Ross and a graduate of Princeton University, was its first editor, and James D. Wofford was translator. It was issued weekly and consisted of four pages of seven columns each. One page, sometimes more and sometimes less, was generally printed in the Cherokee (Sequoyah) text, the rest being in English. David Carter and James S. Vann were subsequent editors. The publication of the "Cherokee Advocate" was discontinued several years before the outbreak of the Civil War because of the scarcity of funds. Like the national seminaries, the "Advocate" exerted a profound influence upon the Cherokees as a people.⁸⁰

The first paper in the Choctaw Nation was the "Choctaw Telegraph," printed at Doaksville and edited by Daniel Folsom, a citizen of the Choctaw

78. "A meeting for the relief of the starving poor of Ireland was held at the Choctaw Agency (Skullyville) on the 23d ultimo. Major William Armstrong was called to the chair and J. B. Luce was appointed secretary. A circular of the 'Memphis Committee' was read by Major Armstrong, after which the meeting contributed \$710.00. All subscribed, agent, missionaries, traders and Indians, a considerable portion of which fund was made up by the latter. The 'poor Indian' sending his mite to the 'poor Irish.'"—Van Buren (Arkansas) *Intelligencer*, March 23, 1847.

79. Letter of James Logan, U. S. Agent to the Creeks, Report of the Commissioner of Indian Affairs for 1847, p. 887.

80. The publication of the *Advocate* was not resumed until 1870. The columns of the *Cherokee Advocate*, during this first period of its existence, would have compared very favorably with the best weekly papers of the time in the states east of the Mississippi. Executive proclamations, official notices, legislative council proceedings and enactments and news of the Cherokee Nation and neighboring Indian tribes were printed in both English and Cherokee. In addition, there were timely editorials upon pertinent themes, a good selection from the news of the day (both domestic and foreign), with some space devoted to agriculture, industrial development, and education, and a miscellaneous assortment of short stories, poems and other literary products of the time.

Nation. In 1850, the "Telegraph" was succeeded by the "Choctaw Intelligencer," published by D. D. Alsobrook at Doaksville, and edited by John P. Kingsbury and Jonathan E. Dwight, a Choctaw citizen.⁸¹

81. "Chatah Holisso"—"We have received the first number of the 'Choctaw,' printed in Doaksville, Choctaw Nation, edited by Daniel Folsom, a native, and published by D. G. Ball. It is neatly printed on a super-royal sheet and is well edited. We extend to them the right hand of fellowship. May it prosper."—Fort Smith Herald, November 8, 1848.

"New Paper"—"The first number of the Choctaw Intelligencer came to hand this week, printed in English and Choctaw, Doaksville, Choctaw Nation, D. D. Alsobrook, publisher, J. P. Kingsbury and J. E. Dwight, editors. It is neatly printed and bids fair to excel its predecessor, the Choctaw Telegraph. Price \$2 in advance."—Fort Smith Herald, June 15, 1850.



CHAPTER XIX

THE CHEROKEE FEUD

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The hardships experienced by the Eastern Cherokees at the time of their removal from the East, their resentment against the terms of the Treaty of New Echota, and, especially, the feeling of enmity which was aroused in their hearts against those who had signed the treaty,¹ resulted in a bitter feud, after their arrival in the Indian Territory, that cast a shadow over affairs in the Cherokee Nation for many years. The ambiguity of the terms of the Treaty of New Echota had laid the basis for all the troubles that ensued. Even though the United States Senate had ratified this document, when the officials, who later assumed responsibility of carrying out its provisions, sought an interpretation of its terms, there was no one person who could give its real meaning, or, what was more likely, there was no one person who cared to shoulder the responsibility of a document which by this time had become odious in the estimation of the public.

When the Cherokees from the East arrived, they were welcomed by the Western Cherokees who had been living in the new country for nearly ten years, during which time they had set up a regularly organized government, republican in form, similar to the one that had been established by the nation east of the Mississippi.² Soon after the Treaty of New Echota had been ratified, most of the members of the Ridge or Treaty Party had come to the Indian Territory where they had built their new homes and accepted the government of their western kinsmen, seeking no changes except such as might be found necessary in the future through the regular course of legislation.³

1. In his book, "The Removal of the Cherokees from Georgia, 1827-38," Vol. I, pp. 190-191, Governor Wilson Lumpkin, of Georgia, made the following statement concerning the character of these leaders of the Cherokees and their motives for signing the Treaty of New Echota:

"Finally, I gained the confidence, as well as the ear, of the wisest and best men of the Cherokee people. The Ridges, Boudinot, the Rogerses, Gunter, Bill, Sanders, Starr, Fields, Foreman, Waters, and many others fully embraced my views and became convinced that their only hope of salvation to the Cherokees was to be found in their removal to the West. No patriotic men can be found on the pages of history who were more sincerely devoted to the best interest of their people than were these men. Neither Ross nor any of his followers ever more ardently desired to carry out and sustain their attempt at independent self-government in the land of their fathers than did these men. And they, with great zeal and ability, defended the ground which they had assumed on this subject, until they were completely convinced that the force of circumstances, and the salvation of their people, required them to yield. They accordingly did so, with great reluctance, but with a clear conviction that they could do nothing better for their people."

2. The government of the Western Cherokees was regularly organized with executive, legislative, and judicial departments. The Cherokee country in the Indian Territory was divided by law into four districts, namely, the Neosho District, the Sallisaw District, the Illinois District, and the Lee's Creek District. Every two years, each district elected two members of the National Committee, two members of the National Council, two light-horse (mounted police), and two district judges; voting was viva voce, each vote being called out one at a time before the judges of the district, who presided at the voting precincts. Every four years, the National Council elected three chiefs for the whole nation. At the time of the removal, 1838-39, the three chiefs of the Western Cherokees were John Brown, John Rogers, and John Looney. The capitol of the nation was called Tahlonteeskee. It was located on the south bank of the Illinois River, near its mouth, and on a southern branch of that river, known as Deep Creek. The council house itself was a two-story log building, with a hall through the center and a large stone chimney at either end.

3. Appendix XIX-1. Letter of John Ridge.

On the other hand, the great majority of the Eastern Cherokees had maintained their national organization, with John Ross at the head, throughout all of the troubles experienced at the time of their expulsion from their old homes. Just before their departure for the West, a resolution was adopted in the Cherokee general council at Camp Aquohee,⁴ on August 1, 1838, which declared "the inherent sovereignty of the Cherokee Nation," together with its "constitution, laws and usages," to be in full force and effect and should continue so in perpetuity. This resolution repudiated the Treaty of New Echota, referring to it as "the pretended Treaty," and authorized the Principal Chief (John Ross) to select the persons who should collect and register all claims of individual members of the nation against the United States in the settlement of "a full and satisfactory indemnification" for their country and all personal losses, which the Eastern Cherokees claimed was due them.⁵ Thus they stoutly maintained their attitude toward the action of the United States Government and voiced their intentions of retaining control over their own tribal affairs. Neither the Western Cherokees nor those who had already departed from the East directly after the treaty were parties to the Aquohee resolution; in fact, it was said, they knew nothing of its provisions until more than a year later when it was first published in the records of the United States War Department.⁶

On the first Monday in June, 1839, after the arrival of the immigrants in the Indian Territory, a convention of all the Cherokees was held at Tukattokah,⁷ at which the members of the Ross faction, or National Party, numbering nearly two-thirds of the whole tribe, sought to draft a new constitution that should be submitted to the people of the whole nation for adoption.⁸ The Western chiefs, John Brown, John Looney, and John Rogers, refused to assent to this proposition, taking the position that the existing laws under the Western Cherokee constitution should remain in force until the October session of the tribal council when any necessary changes could be made by authoritative procedure; also, the recent immigrants could take part when the new elections were in order, since they had come to live in the Western country. The Western chiefs further claimed that the council at Tukatt-

4. Aquohee was the name of the eighth district of the Cherokee Nation, East, as laid off by the National Committee and Council in 1820. Camp Aquohee seems to have been a temporary camp, where the people met with their National Committee and Council before their departure for the West, in 1838.

5. Appendix XIX-2. The Aquohee Resolution.

6. In his "History of the Cherokee Indians" (which was published in 1921), p. 107, Dr. Emmet Starr calls particular attention to the fact that the Western Cherokees did not know of the Aquohee Resolution until 1840. Chief John Ross referred to the "set of resolutions" (i. e., Aquohee Resolution) in his letter addressed to the Western chiefs, dated June 10, 1839.

7. Tukattokah, or Double Springs, was located on the stream, Fourteen Mile Creek, an eastern branch of the Grand River, about ten miles north of the site of Fort Gibson. During the convention at Tukattokah, the Eastern Cherokees had their meeting place some distance from that of the Old Settlers, both gatherings making deliberations entirely separate from one another.

8. Resolutions adopted by the Eastern Cherokees at Tukattokah and submitted to the chiefs of the Western Cherokees.—Starr's "History of the Cherokees," op. cit., pp. 108-09. In December, 1836, John Ross had visited the Western Cherokees, during which time at a meeting with their National Council, at Tahlonteskee, he had prevailed upon them to unite with the Eastern Cherokees to secure a new treaty. See also "The Cherokee Indians," by Thomas Valentine Parker, p. 43.

tokah could not arbitrarily abandon the government that was already established by the Western Cherokees, nor could it wilfully depose the duly elected officers of the nation. In this contention, the members of the Ridge or Treaty Party threw the weight of their influence into the scale in favor of the Western Cherokees, or "Old Settlers," as they were then called.⁹ This course on the part of the Ridge Party further exasperated some of the members of the National Party, who sought revenge against those leaders who had already incurred their wrath by signing the treaty.¹⁰

On the morning of June 22, 1839, three days after the adjournment of the council at Tukattokah, Major Ridge, John Ridge, and Elias Boudinot were almost simultaneously assassinated in different parts of the country.¹¹ Chief Ross was charged with having instigated the killing, by friends of these prominent men, though he vigorously denied any knowledge of the conspiracy. His assertions were very probably true as far as he personally was concerned, but there can be no doubt that all of those connected with the murders were numbered among his followers. Feeling ran high in the Cherokee Nation and civil war within the tribe seemed imminent.

The tribal agent, Governor Montfort Stokes, and Colonel Matthew Arbuckle, the commander at Fort Gibson, were very active in trying to preserve the peace. Members of the Ridge Party, who had signed the Treaty of New Echota and had escaped assassination, sought safety at Fort Gibson, having been offered protection by the military authorities there. The life of John Ross was also threatened, in retaliation for the assassinations, by Stand Watie, a younger brother of Elias Boudinot. Ross was likewise offered protection at Fort Gibson by Colonel Arbuckle, but he declined, though more than five hundred of his friends acted as his body guard around his home at Park Hill. Reports kept coming to Fort Gibson that the followers of Ross were banding together to kill others among the Cherokees for their political offenses.¹²

In the midst of the excitement the Eastern Cherokees went ahead with their plans for organizing a new government. Under a call for a convention of all the Cherokees, issued by the leaders of the National Party, June 20, a national convention was convened at the Illinois camp ground, on July 1.¹³ The Western chiefs refused to appear, saying that the convention was not legally called by the joint action of the two factions. Among the two thousand Cherokees who were in attendance five persons were Old

9. Report of the Commissioner of Indian Affairs, accompanying the Report of the Secretary of War for 1839, p. 358.

10. Such ill feeling could be sensed beneath the surface of affairs at Tukattokah that Major Ridge, John Ridge, and Elias Boudinot left the council grounds before the adjournment of the convention, under apprehension of danger.—Letter of Governor Montfort Stokes to Hon. J. R. Poinsett, Secretary of War, June 24, 1839. *Ibid.*, pp. 354-55.

11. Appendix XIX-3. Biographical sketches of Major Ridge, John Ridge, and Elias Boudinot.

12. Letter of General Matthew Arbuckle to Brigadier-General R. Jones, Adjutant-General, dated Headquarters, 2d Dept., W. Division, Fort Gibson, June 26, 1839. *Ibid.*, p. 358.

13. When they arrived in the Indian Territory, a number of Eastern Cherokees camped near Park Hill, not far from the residence of John Ross. This camping place became known as the Illinois Camp Ground.

Settlers. Of these George Guess, or Sequoyah, was made one of the presidents of the convention.¹⁴

One of the first decrees adopted by the National Convention was that which declared John Ridge, Major Ridge, and Elias Boudinot "together with others in connection with them, had by their acts unhappily exposed and laid themselves liable to the pains and penalties and forfeitures of outlawry." Though not by a specific statement the "acts" referred to were those of having signed the Treaty of New Echota and of having forced the removal of all the Cherokees to the West.¹⁵ However, this same decree offered amnesty to the survivors who had signed the Treaty upon certain conditions. The time stipulated for complying with the terms of the Amnesty Decree was afterward extended.¹⁶ A second decree, later referred to as the Decree of Oblivion, pardoned all those who had committed crimes in the past, and especially declared the slayers of the Ridges and Boudinot to be guiltless of murder.¹⁷

In the meantime, a communication from the Western chiefs on June 28, called upon John Ross and his friends to meet them at Fort Gibson on July 22, in order to settle their contentions and form a new constitution, but expressly stipulated that no individual Cherokee was to be killed for his former political acts or opinions. The reply, signed by John Ross, George Lowry, Edward Gunter, and Lewis Ross, refused to accede to the request on the grounds that the Eastern Cherokees were not to be treated as suppliants.¹⁸ In August, the Western chiefs issued an invitation a second time to meet at Fort Gibson, only again to meet with a refusal on the part of the Ross followers. At subsequent meetings of the Old Settlers and of members of the Treaty Party, during the month of August, resolutions were addressed by them to the Secretary of War appealing to the United States to punish the murderers of the Ridges and Boudinot, and to sustain the Cherokees in the enjoyment of rights under the treaty.¹⁹

During this time the National Convention had continued to meet at the

14. The five Old Settlers were George Guess, Tobacco Will, David Melton, Looney Price, and William Shorey Coody.—Starr, "History of the Cherokee Indians," op. cit., p. 118.

15. Appendix XIX-4. Amnesty Decree. (Under an old tribal law, the sale or disposal of any of the tribal lands by any Cherokee, without the consent of the National Council, was a crime punishable by death. This law was similar to that of the Creeks, under which William McIntosh had suffered the death penalty. A careful reading of the Aquohee Resolution will show that this law was still in full force and effect upon the arrival of the Eastern Cherokees.)

16. Appendix XIX-5. Acceptance of the Amnesty Act. (It will be noted that this pledge is sufficiently humiliating. The surviving signers of the Treaty of New Echota steadily refused to sign such a document, since they would not admit that they had been guilty of any crime under the present Cherokee laws, nor had they been connected with the murders of the Ridges and Boudinot.)

17. Appendix XIX-6. Decree of Oblivion.

18. Communication addressed to General Matthew Arbuckle and Governor Stokes, dated Park Hill, June 30, 1839.—Report of the Commissioner of Indian Affairs for 1839, op. cit., pp. 367-68.

19. The Old Settlers met at Tahlonteeskee on August 9.—Ibid., p. 394. Members of the Treaty Party met at Price's Prairie on August 20. George W. Adair acted as president and Thomas Wilson as secretary of the latter meeting. A resolution authorized John A. Bell and Stand Watie to repair to Washington to apprise the Secretary of War on conditions among the Cherokees, a course which was afterward discouraged by Government officials. Charles Reese, John Field, James Starr, Thomas Wilson, William Roling, and William Lassley were appointed as the committee to draft the address to the Secretary of War.—Ibid., pp. 406-09.

Illinois Camp Ground, where the Old Settlers in attendance and the followers of Ross had begun to compose the differences between the two factions, which at first seemed so irreconcilable. A set of resolutions embodying a formal "Act of Union," was adopted on July 12, 1839, whereby the Eastern and Western Cherokees were declared to be "one body politic, under the style and title of the Cherokee Nation," thus succeeding both of the tribal organizations. The resolutions also contained the following express provision: "And also the delegation authorized by the Eastern Cherokees to make arrangements with Major General Scott for their removal to this country shall continue in charge of that business with their present powers until it shall be finally closed."²⁰ This last provision was very important to John Ross and those who had made the contract with the Government for the removal of the Eastern Cherokees, for any changes due to politics or factional troubles in the nation would assuredly interfere with any settlement out of the common funds due the Cherokees.²¹

On August 23, in repudiation of the action of those Cherokees who had met elsewhere and appealed to the United States for aid in the existing difficulties, the National Convention formally deposed John Brown and John Rogers as Western chiefs, John Looney escaping by having recently transferred his fealty to the followers of the Ross or National Party and the course it was pursuing.²² A few days later, a vigorous protest was also addressed to Captain Armstrong, Acting Superintendent in the West, against the interference of the Government with internal affairs in the Cherokee Nation. The convention at the same time passed a third decree with reference to outlawry under the old tribal laws, ordering those guilty of this crime to appear immediately and answer for their conduct.

In accordance with the provisions of the "Act of Union," Tahlequah was chosen as the meeting place for a national convention from the 6th to the 10th of September, when a new constitution was framed for the Cherokee Nation.²³ Most of the delegates were the followers of John Ross, but the

20. *Ibid.*, p. 389.

21. According to the original contract with John Ross, an estimated total cost allowed for the removal of each individual Cherokee would be \$66.24, and a period of eighty days allowed for travel. These were only estimates subject to later agreement with General Scott to be settled on the actual expense and the time required for removal. The rolls of John Ross gave a total of 13,149 Cherokees removed in 1838. The rolls of Captain J. F. Stephenson, U. S. Army, receiving agent in the West, gave a total of 11,504; while the record of Captain John Page, U. S. Army, disbursing officer in the East, gave the number of Cherokees departing as 11,721. In his settlement with Captain Page during the removal, in November, 1838, Ross received \$776,393.98. Owing to the difficulties encountered during the journey, which required more expense and more time for travel, Ross filed an additional claim for \$486,939.50. This amount was not paid by the Government until September, 1841, bringing the total sum paid Ross as \$1,263,338.38, or a total cost of \$103.25 per head. This sum was deducted from the \$5,000,000 due the Cherokees under the terms of the treaty of New Echota. The amount of money paid to John Ross for the removal was considered exorbitant by the Old Settlers, who had moved to the Indian Territory at their own expense, and the members of the Ridge Party, who received only \$20 for expenses in their removal. These objections, together with the fact that the whole subject of finances was so ambiguous under the terms of the treaty, brought about a great deal of trouble and confusion, covering a period of many years, before final settlements were made between the Cherokees and the United States.—Charles C. Royce, "The Cherokee Nation of Indians," *Fifth Annual Report of the Bureau of Ethnology*, p. 292. Also Starr, "History of the Cherokee Indians," *op. cit.*, pp. 103-04 and 143.

22. Report of the Commissioner of Indian Affairs, accompanying the Report of the Secretary of War for 1839, pp. 386-88 and 412-13.

23. The constitution written and submitted by William Shorey Coody was adopted, and elections of officers were held under its provisions. A communication from the Cherokee

constitution adopted at that time was accepted by a convention of Old Settlers, held at Fort Gibson on June 26, 1840. Thenceforth the history of the Cherokees is that of the one reunited tribe.

As for the apprehension and punishment of the assassins of the Ridges and Boudinot, General Arbuckle and Captain Armstrong were ordered by the War Department "to adopt prompt and energetic measures to discover, arrest, and bring to condign punishment the murderers." However, owing to the fact that the dragoons at Fort Gibson were not mounted properly and a great number of them were sick, prompt action on the part of the military forces was impossible. Then, too, as each day passed it was very clear that Ross and his followers had control of the situation in the Cherokee Nation.²⁴ Since the President recognized the right of the majority to make a constitution and since the War Department "would maintain peace rather than punish the guilty," no steps were taken to carry out the first orders of the Government.²⁵ Throughout the trouble among the Cherokees during the summer, General Arbuckle proved to be thoroughly in sympathy with the contentions of the Old Settlers. When the convention at Tahlequah was about to convene, he wrote the War Department, deprecating the course of the Ross Party with the statement, "the means that have been employed to establish that government will no doubt long disturb the harmony of the Cherokee Nation, and be the cause of frequent quarrels and violence between individuals, or small parties."²⁶ As the years passed, this statement proved to be prophetic of the real situation among the Cherokees, in spite of the fact that John Ross continued to be reëlected as chief of the nation for nearly twenty-five years afterward.

The Cherokee Treaty of 1846—The reign of terror that prevailed among the Cherokees in the summer of 1839, constituted but the beginning of the internal troubles of the Cherokee Nation. The Ross, or National Party contended that it was the real Cherokee Nation, transported against its will from its homeland in the East to a new country in the Western wilderness; that the Western Cherokees, or Old Settlers, who had moved from Arkansas to the Indian Territory in 1829, were but a mere part of the original tribe, the temporary tribal government of which should and did cease to exist when the whole tribe was reunited by the removal of the main body from the East in 1838-39. This party was also insisting that the Federal Government should reopen the question of compensation for the lands which had been relinquished in the East and allow for the same a sum equal to their real value. This sum was undoubtedly far in excess of the \$5,000,000 that had been allowed by the Treaty of New Echota.

Council, dated at Tahlequah, October 13, to Montfort Stokes, Agent of the Cherokees, and signed by William Shorey Coody, President of the National Committee; Young Wolf, Speaker of the Council; John Ross, Principal Chief, and John Vann, Assistant Chief, stated, "The National Council, which has been for some time in session at this place, adjourned yesterday; the two communities of the Cherokee people having by their act of union become one, and such measures for the preservation of order and the advancement of the general welfare as seemed to have been required adopted."—*Ibid.*, p. 427.

24. Appendix XIX-7. Letter from General Arbuckle to Brigadier-General R. Jones, Adjutant-General.

25. *Ibid.*, pp. 414-15 and 425-26.

26. Appendix XIX-8. Letter from General Arbuckle to Brigadier-General R. Jones, Adjutant-General.

The Ridge, or Treaty Party claimed that most of its members had migrated in advance of the main body of the tribe and largely at their own expense for which they had not been reimbursed; that they were subject to wicked persecution at the hands of the dominant faction, i. e., the Ross Party, and that the tribal authorities were guilty of extravagance and corruption in the administration of affairs that were of common concern.

The Western Cherokees, or Old Settler Party, asserted that the new country in the Indian Territory had been granted to its members alone and not to the whole tribe; that they had been forced to divide their tribal domain with the more numerous and powerful part of the tribe without consultation or consent; that their tribal government had been supplanted by that of the newcomers; that the holdings of some of their leaders had been forcibly appropriated by some of the latter, and that the tribal authorities of the dominant faction were guilty of tyranny and usurpation.²⁷

The leaders of all three parties continued to memorialize authorities at Washington and Congress. Even though the council called by General Arbuckle at Fort Gibson in 1840, resulted in the signing of the "Act of Union of the Cherokee People," most of the Old Settler representatives subsequently repudiated their part in the matter, claiming they had acted personally and without delegated authority. A protest of the Old Settlers, which was filed in the form of a memorial to Congress, signed by John Rogers, James Carey, and Thomas L. Rogers, and dated Washington, District of Columbia, March 30, 1844, stated their position in an able manner.²⁸ Simultaneously with the filing of the memorial of the Old Settlers, J. A. Bell and Ezekial Starr, on behalf of the Treaty Party, filed a memorial reciting certain grievances, including not only the turbulent and demoralized condition prevailing in the Cherokee Nation, but also alleging extravagance and overcharges for the removal of the late immigrants and the dissipation of tribal funds and demanding an accounting for the same.²⁹

In the autumn of 1844, the Government appointed a commission, consisting of Colonel Roger Jones, Adjutant General of the United States Army, Lieutenant Colonel R. B. Mason, of the Dragoons, and Governor Pierce M. Butler, the Government tribal agent, to investigate the causes to which the unhappy conditions prevailing in the Cherokee Nation were due and to try to secure some sort of an agreement for the settlement of the questions at issue. This commission began its sessions at Fort Gibson in November, 1844. John Ross, the Principal Chief, was absent in the East and the

27. John Rogers, one of the chiefs of the Western Cherokees in 1839, had held the concession for operating the salt works at the big saline springs near the old Chouteau Trading Post. Of this he was dispossessed and Lewis Ross, brother of the principal chief, John Ross, received the concession. Rogers left the Cherokee Nation and never afterward returned to live within its limits, claiming his life was not safe. Ross asserted that the saline springs were the property of the Cherokee Nation and that they might be leased to a new party if deemed expedient. Nevertheless, Rogers was never reimbursed for his improvements on the property and he and his friends always regarded the transaction as virtual confiscation. John Rogers was a mixed-blood Cherokee, the son of a Tory captain, who was noted as one of the most daring in the British service in the Carolinas during the American Revolution, at the close of which he settled among the Cherokees, married, and reared a family. A sister of John Rogers, Tiana, was the Cherokee wife of Samuel Houston. John Rogers died at Washington, June 12, 1846, aged about seventy years.

28. Document No. 235, House of Representatives, 28th Congress, 1st Session.

29. House Document No. 234, 28th Congress, 1st Session.

Assistant Principal Chief, Major George Lowry, was acting in his stead.³⁰ The correspondence of Ross and Lowry with Government officials, concerning the disturbed condition of affairs in the Cherokee Nation, displays diplomatic skill of no mean ability. In effect, they claimed to represent the Cherokee Nation and not a mere faction; they asserted that the disturbed conditions were due to the activity of misguided agitators and to persons who were in a state of open defiance of the constituted authority of the Cherokee Nation, and they expressed their willingness to do all that was possible to restore harmony and peace among the Cherokee people, thus making it plain that any concessions or compromises must be made by the representatives of the other parties.

At this time, and, indeed, ever since the assassination of the leaders of the Treaty Party, in June, 1839, scenes of violence were numerous in the Cherokee Nation. Assassinations and murders were so common that scarcely an issue of the "Cherokee Advocate," during its first two years of publication, beginning with September 26, 1844, appeared without chronicling some violent event. The majority of the crimes were due to the spirit of bitter hatred which had been engendered by the clash of political factionalism, though some of the crimes were due to whiskey and other causes that were all too frequent along the whole western frontier of the United States at that day. Some of the most active and implacable partisans of the Treaty Party, defying the authority and laws of the Cherokee Nation as administered by the dominant faction, took refuge across the boundary in Arkansas, from whence they conducted lawless raids across the line, burning, plundering and killing at will. These had their friends and sympathizers in many places and this did not make it any easier for the tribal authorities to apprehend or punish the guilty parties.³¹

Matters seemed to be going from bad to worse. In April, 1846, President

30. Threats against the life of principal chief, John Ross, were so numerous that he found it convenient to spend much of his time in the East, far from the Cherokee Nation and its internal troubles. When he returned home, a company of Cherokee light-horse (mounted police) met him at the border and escorted him to Park Hill, where a guard was maintained as long as he remained and, on his departure, he was again escorted to the Arkansas line by the light-horse. New delegates, representing each of the factions, were sent to Washington each year. After the Jones-Mason-Butler commission was appointed, Acting Principal Chief George Lowry issued a proclamation to the Cherokee people, appointing a day of fasting and prayer in behalf of the distracted nation in its hour of strife and struggle. Exasperated by the atrocities of some of the outlaw partisans of the other factions, some of the tribal light-horse harried the kinsmen of the former and even summarily executed several. Fleeing from this persecution, large numbers of Cherokee people took refuge across the line in Arkansas. Stand Watie, the younger brother of Elias Boudinot, and an acknowledged leader of the Treaty Party, gathered a strong party of followers and encamped at the abandoned military post of Fort Wayne, on the Spavinaw, throughout the winter of 1845-46.

31. In the spring of 1842, Stand Watie killed James Foreman, a member of the Ross Party, claiming that, to his certain knowledge, Foreman had made threats against his life. Added to this was the fact that Foreman had been one of the culprits in the assassinations of 1839, Stand Watie thus becoming the avenger for the death of his brother, Elias Boudinot. Early in November, 1845, an attack was made upon Return Jonathan Meigs, son-in-law of John Ross, when his house was burned by Thomas Starr and his band, noted as desperate characters. This was the beginning of a virtual reign of terror in the Cherokee Nation, during which James Starr, the father of Thomas, was among the first killed in retaliation. (James Starr was a signer of the treaty of New Echota and a member of the Cherokee Committee [Senate] from 1841-43.) In the events that followed, other members of the Starr family were either wounded or killed, besides a number of other prominent leaders from all three factions among the Cherokees. Before the end of July, 1846, Agent McKissick reported thirty-three murders were committed within the year, all of which, with the exception of about twelve, were political in character.

Polk sent a special message to Congress, discussing conditions in the Cherokee Nation (apparently from the viewpoint of General Arbuckle) and suggesting that the country assigned the Cherokees be divided among the several factions of the nation, the feasibility of such an expedient having been advised by James McKissick, who had succeeded Pierce M. Butler as tribal agent.³² The "Cherokee Advocate" of May 28, 1846, contained an appeal to the Christian people of the United States for prayers in behalf of the Cherokee Nation in its distracted and demoralized condition and for their moral support in the efforts that were being put forth for the settlement of its troubles. This appeal was signed by Acting Principal Chief George Lowry.

Finally, in the summer of 1846, the delegations representing each of the three parties were brought together in council at Washington, where, after due deliberation and consultation with the three members of the Government commission, a new treaty was drawn up and signed.³³ By its terms the lands occupied by the Cherokee Nation were secured to the whole Cherokee people for their common use and benefit, and a patent issued to include the 800,000 acres known as the Neutral Lands (subsequently included within the bounds of Kansas) and, also, for the Western Outlet.³⁴ All the difficulties theretofore existing were declared to be adjusted and, as far as possible, "forgotten and forever buried in oblivion." All past offenses were made subject to a general amnesty. Provision was also made for the adjudication of certain claims, especially those of the members of the Treaty Party and the Old Settlers. A number of other matters which had long been held in abeyance were also included in the stipulations.

In theory, at least, this put an end to the troubles of the Cherokees, and the council ended in apparent harmony, Stand Watie even shaking hands with John Ross, as he said, "for the sake of his people." If there were further troubles among them, they certainly were not made a matter of continuous appeal to the Government. So, also, the leaders of the different parties became more passive in their spirit of opposition to one another. But among the masses of the people the spirit of hatred which had been fanned into flames by repeated atrocities and excesses, first by the partisans of one side and then by those of the other, was not to be so easily lulled. So there were acts of violence, due in many instances to the old political feud, from time to time,

32. Appendix XIX-9. A delegation of Old Settlers and Treaty Party men explore the country bordering on Mexico, in search for a new home.

33. The Government commissioners in the treaty council at Washington, in 1846, were: Edmund Burke, a former member of Congress and at that time Commissioner of Pensions; Captain William Armstrong, Acting Superintendent in the West, and Albion K. Parris, a former United States Senator and at that time Comptroller of the Treasury. John Ross, principal chief; David Vann, William Shorey Coody, Richard Taylor, T. H. Walker, Clement V. McNair, Stephen Foreman, John Drew, and Richard Fields were the "delegates duly appointed by the regularly constituted authorities of the Cherokee Nation"—which is to say that they represented the dominant faction, or Ross Party. George W. Adair, John A. Bell, Stand Watie, Joseph M. Lynch, John Huss, and Brice Martin were members of the delegation representing the Ridge or Treaty Party. The Old Settler delegates were John Brown, Captain Dutch, John L. McCoy, Richard Drew, and Ellis Phillips. For a discussion of the negotiation for the treaty of 1846 and its results, see Charles C. Royce, "The Cherokee Nation of Indians," Fifth Annual Report of the Bureau of Ethnology, pp. 298-333.

34. The boundaries of the Cherokee Outlet, popularly known in recent times as the "Cherokee Strip," were surveyed in 1837 by John C. McCoy, son of Rev. Isaac McCoy, the noted Baptist missionary, who had the contract for the work of the survey. Senate Document No. 120, 25th Congress, 2d Session, contains the report of Isaac McCoy and Surveyor John C. McCoy, with map and field notes of the Cherokee Outlet.

even down to the outbreak of the Civil War, in which the line of cleavage was destined to be parallel if not identical with that of the feud which grew out of the difference of opinion concerning the Treaty of New Echota.³⁵

The Texas Cherokees—At the same time that the Eastern Cherokees were experiencing all the hardships of their removal to the Indian Territory, another band of their kinsmen were enduring trouble in the new republic of Texas. In consequence of the delay of Congress in making the necessary appropriations for compliance with the treaty made with the Western Cherokees in 1817, a part of these people under the leadership of the chief known as Bowles (who had led a party westward to the Arkansas country more than twenty years before), left Arkansas and journeyed to Texas, which was then a Spanish-American province.³⁶ After the treaty of 1828, by the terms of which the Western Cherokees were to relinquish their lands in Arkansas and move still farther west, another party of these same people, who were dissatisfied with the proposed change, moved to Texas and joined their kinsmen who had previously migrated under the leadership of Bowles.³⁷

The Cherokees in Texas sought to secure a title to their lands from the Mexican authorities, however, the Texas Revolution put a new aspect on affairs.³⁸ The Cherokees had one staunch friend in the Texan councils in the person of General Sam Houston, who had lived among their fellow

35. For briefs of argument with reference to the claims of the Old Settler Cherokees, see volume of Indian Documents in the Emmet Starr collection, at the Oklahoma Historical Society, Oklahoma City, library number E 91 In39 v.2.

36. John Bowles was born in 1756, the son of a Scotch trader and a full-blood Cherokee woman. In appearance he resembled his Scottish ancestry, in that he had fair complexion and auburn hair. In 1758, the father was killed by two men from North Carolina, when he was returning from Charleston with goods for his trading post. Two years later, though only fourteen years of age, his son, John, avenged his death by killing the two slayers. John Bowles later went to live at Runningwater Town, a Chickamauga settlement, near Lookout Mountain, where he became chief. In 1794, he and some of his Cherokee warriors were involved in a fight at Muscle Shoals with a party of traders who were descending the Tennessee River in boats with their families, their slaves, and their goods, bound for Natchez. Though it was said that the Cherokees were provoked into the fight with the traders, Bowles and his followers set out in boats for the Saint Francis River in Spanish territory to await the outcome of the affair. Upon arriving at their destination, they allowed the white women and children of the trading party—whom they had brought with them from the Muscle Shoals' fight—to take some of the boats loaded with furniture and slaves belonging to the traders and descend the Mississippi River to New Orleans. Bowles and his followers joined a party of Cherokees already living in the Saint Francis country, where he later became their chief. On account of an earthquake that occurred in that region in 1811-12, Bowles and some of the Cherokees moved to Petit Jean Creek, south of the Arkansas River. Under provisions of the Cherokee treaty of 1817, the country assigned the Western Cherokees, between the Saint Francis and White rivers, was surveyed in 1819 by William Rector, surveyor-general of Arkansas. This survey did not include the site of Bowles' village, which was located about twenty miles northwest of the present town of Perryville, Arkansas, whereupon he and about sixty Cherokees and their families moved to the country between the Trinity and Angelina rivers, in the Spanish colony of Texas.

37. These Cherokees were lead by Tahchee, or Dutch, who had been one of the first of the Cherokee tribesmen to settle in the Arkansas country. Settled with the Cherokees in eastern Texas were several Caddoan tribes and also bands of Delawares, Shawnees, Kickapoos and other tribes from the Northeast, who had voluntarily migrated from the territory of the United States to escape the annoyances by which they were surrounded. The Cherokee contingent being the strongest and most influential, its chief, Bowles, was regarded as the leader of the confederation.

38. According to James Mooney (Nineteenth Annual Report, Bureau of American Ethnology, pp. 146-48) the Cherokees who returned to the main body of the tribe, after being driven from Texas, brought with them a blood-stained canister which contained the patent for their Texas lands. This document was said to have been carried about by Bowles ever since the treaty with Houston and it was on his person when he was killed. The canister and the deed to the Cherokee lands in Texas were said to be still in existence in the Cherokee country, in eastern Oklahoma, at a recent date.

tribesmen in Tennessee and also in the new Cherokee country in the Indian Territory. Largely through his influence, the Texan convention authorized the holding of a council with the Cherokees and the affiliated tribes and he was named as one of the treaty commissioners. The treaty thus negotiated met with many objections and, ultimately, in 1837, was rejected by the Texas Senate, though General Houston, who was then president of the Texas Republic, used all of his influence to secure its ratification. The Cherokees were accused of having conspired with the Mexicans to drive the Americans out of Texas, though it is doubtful if the accusation had any foundation in fact. But public sentiment is not always so discerning as it should be and there is no doubt but that it was adversely influenced by the story of the Cherokees being in league with the Mexicans. Then, General Houston was succeeded by Mirabeau B. Lamar, a Georgian, who seemed to have brought with him a full measure of the antipathy toward the Cherokees which had been so manifest in his native state. One of the first acts of President Lamar was to carry into execution the policy which he announced in his inaugural address (December, 1838), namely the forcible expulsion of every Indian tribe from the dominion of the new republic.³⁹

The Cherokees were notified that they must prepare to abandon their farms in the valleys of the Angelina and Neches rivers and leave the country in the following autumn. While facing this dire extremity, they received an invitation from certain Mexicans, who were dissatisfied with Texan rule, to join them in an uprising against the authorities of the republic. When the latter were informed of this, a commission, consisting of the secretary of war and the vice-president of the republic, was sent to demand the immediate removal of the Cherokees from the dominions of the Texan republic. When the Cherokees declined to comply to this demand they were immediately attacked by a superior force of Texas troops and, in two engagements (July 14 and 15, 1838), they were defeated and dispersed with the loss of a large number of killed and wounded, Bowles and Hard-Mush, the two leading chiefs at this time, being among the number killed.⁴⁰

Although some of the Cherokees who were thus driven from their homes scattered and remained for a time in Texas, eventually most of them rejoined the main body of the tribe in the new country in the Indian Territory.⁴¹ A small band crossed the Rio Grande and took refuge in Mexico, where their descendants still live.⁴²

39. Dr. Emmet Starr in "History of the Cherokee Indians," pp. 187-224.

40. For an account of the tragic death of Chief Bowles and the story of the Texas Cherokees, which covers much personal research and contains detailed maps as illustrations, see "The Last of the Cherokees in Texas, and the Life and Death of Chief Bowles," by Albert Woldert, M. D., of Tyler, Texas, appearing in the *Chronicles of Oklahoma*, Oklahoma Historical Society Publication, Vol. I, No. 3, pp. 179-226.

41. "Note—In November, 1921, the Texas Cherokees filed with the Supreme Court of the United States at Washington, a petition for leave to file an original bill against the State of Texas for recovery of 1,500,000 acres of land described in the above contribution. It was the contention of the Cherokees that what was known as the 'Western Cherokees' was a foreign State, and thus had the right to sue the State of Texas for recovery of these lands. After hearing counsel for the petitioners the court refused to grant the right to file the petition asked for, and at the same time declaring that the Cherokee Nation was not a foreign State in the sense in which the term, 'foreign State,' as used in the Constitution, and basing its decision on the case of the State of Georgia against the Cherokees."—*Ibid.*, p. 224.

42. An account of the expulsion of the Cherokees from Texas is given in a "History of Texas," by H. Yoakum, published in 1856, Vol. II, pp. 263-71.

CHAPTER XX

PROPOSALS TO ORGANIZE THE INDIAN TERRITORY

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A bill having for its object the organization of the Indian Territory was prepared by the Committee on Indian Affairs and introduced into the House of Representatives in 1834. Briefly stated, it provided for the confederation of the Indian tribes in the region west of the State of Missouri and Arkansas Territory, with the understanding that such confederation should not become effective until ratified by the Choctaw, Creek and Cherokee nations. It provided that the President should have the power to appoint a governor and secretary of the proposed territory, such officers being subject to confirmation by the Senate. The proposed territory was to have an inter-tribal legislative body to be known as a general council, the members of which were to be elected by the tribes or selected by the chiefs. Each tribe was to have full control of its own internal and domestic affairs. The measure was briefly discussed on June 25, 1834, and also during the short session of the same Congress, but no definite action was taken in regard to it.¹

The fourth section of the act of June 30, 1834, for the organization of the Department of Indian Affairs, designated the tribes for which full agents should be appointed. The Western Creeks, Western Cherokees and Osages were not included, sub-agents being appointed for them. The agent for the Choctaws was the acting superintendent for all the Indians residing south of the northern line of the Osage reservation, which was within the bounds of the present state of Kansas. The agent was assigned to this duty under the thirtieth section of the Act of June 30, 1834, for Regulating Trade and Inter-course with the Indian Tribes. Major Francis W. Armstrong was the Choctaw agent at that time, and in addition to his duties in this capacity, was also appointed acting superintendent, the business thus devolving upon him being extensive and complicated. This arrangement whereby the agent of the Choctaws was ex officio superintendent of all the tribes living south of the northern boundary of the Osage reservation was continued for more than fifteen years.²

In February, 1836, a new bill was introduced, "to provide for the security and protection of the emigrant and other Indians west of the State of Missouri and of the Territory of Arkansas." This bill reserved the lands described in the preceding one for the use of various Indian tribes who have or may have a right to the same. It was to be called "the Indian Territory," and to be secured to the tribes forever. A superintendent of Indian affairs and a secretary were

1. Annual Report, Commissioner Indian Affairs for 1836, pp. 374-75.

2. Ibid., pp. 388-89; also, "Report of W. Medill," in Commissioner of Indian Affairs, 1848, p. 391, states the following: "The agent of the Choctaws, who resides in the Choctaw country, is the acting superintendent for what is called in the Organization Act of June 30, 1834, the 'Western Territory'—a designation much more appropriate than now. This superintendency, which might more properly be denominated the Southwestern Superintendency, embraces the following tribes, viz.: The Chickasaws, the Choctaws, the Quapaws, and the Osages. The last mentioned tribe, the three immediately preceding, together, and the Seminoles, are respectively in charge of sub-agents, whose salaries are seven hundred and fifty dollars per annum, while the other tribes mentioned are in charge of agents whose salaries are fifteen hundred dollars."

to be appointed by the President, with the advice and consent of the Senate. To each tribe was reserved the right to establish such government and laws for the regulation of its internal affairs as it might see fit and proper. Any three or more tribes might form a confederation with each other, for the purpose of regulating the intercourse and preserving peace among such tribes, and of defending themselves from the aggression of other tribes.

It provided further that the Choctaw, Creek, and Cherokee tribes should be invited by the superintendent to unite in a general council, to form such confederation; and that any other of the tribes might become parties to it. After its formation a general council should be held annually, the members to be chosen in the manner that might be pointed out in the articles of confederation. The powers of this council were to be the same with those indicated in the former bill, although it was not organized to raise a force to support the Government, nor could the troops of the United States be employed to give effect to its regulations and laws. Only in the event of "an aggression having been, or about to be committed by a foreign tribe, or by one of the tribes in said territory on a tribe therein," might the superintendent call upon the other tribes or the troops of the United States for military aid. This bill likewise failed to become a law.

By the bill of 1834, it was made "competent for the council of confederated tribes to elect, in such manner as the general council may prescribe, a delegate to Congress, who shall have the same power, privileges, and compensation as possessed by the delegates of the respective Territories." In the bill of 1836, the phraseology in reference to this subject was changed, so as to provide for the residence of a delegate "at the seat of Government during the session of Congress, who should be entitled to the same compensation as that of a delegate from a Territory".

Another bill for the organization of the Indian Territory was introduced in the Senate during the 31st Congress. This bill was passed the latter part of April, 1838, by a vote of thirty-nine to six. Some very enthusiastic speeches were made in favor of this measure. For some reason which has never been explained, the member of the House Committee on Indian Affairs, who had charge of this bill in the other branch of Congress, never called it up for consideration.³

In 1844, the Secretary of War, Honorable William Wilkins, recommended the organization of a territorial government for that part of the Indian Territory lying west of Missouri. Representative Stephen A. Douglas, of Illinois, who was a member of the House Committee on Territories, introduced a bill proposing the establishment of the Territory of Nebraska, on December 17, 1844. This bill was referred to the committee, which reported it back amended January 7, 1845. It was then referred to the Committee of the Whole on the State of Union, but no further action was taken in regard to it. The region embraced in the proposed Territory of Nebraska, extended from the south line of the present State of Kansas to the north line of the present State of Nebraska.⁴

3. Isaac McCoy's *History of Baptist Indian Missions*, p. 542; also, *Niles' Register*, Vol. 54, p. 172. According to the latter, the bill as reported, proposed to name the new territory Neosho, but the Senate objected to this and fought to call it Indian Territory.

4. Annual Report, Commissioner of Indian Affairs for 1839, p. 474. In commenting upon the proposed territorial organization, the commissioner said: "The bill for the organ-

No further effort was made to organize a territory from the "Platte Country," as it was then called, until 1848. Meanwhile, Mr. Douglas had been elected to the Senate from Illinois. There he introduced a bill for the organization of the proposed Territory of Nebraska, April 24, 1848, but no action was taken in regard to the matter. He introduced another Nebraska bill during the following session—December 20, 1848—but no action was ever taken in regard to it. The introduction of these bills had the effect of stimulating popular interest in the subject, however. This was especially true of some of the immigrant tribes from the East, whose lands were in that part of the then Indian Territory lying on or near the Missouri River. Particularly did it interest a number of the leading members of the Wyandotte tribe, practically all of whom were more white than Indian, and who were recognized as men of education and intelligence.

The people of Missouri were naturally much more interested in the organization of the territory immediately adjacent to the western boundary of their own state than were those of other states more distantly situated. The organization of the new territory, embracing the region immediately west of Missouri, soon became a political issue in that State. Missouri was a slave State and, though the Missouri Compromise of 1820 had provided that none of the National domain located west of the state of Missouri and north of the southern boundary thereof should ever be included within the bounds of a slave state, sentiment in favor of the repeal of the Missouri Compromise and the admission of another slave state immediately west of Missouri, began to develop from that time.

Missouri was then represented in the Senate by Thomas H. Benton and David R. Atchison. Benton was one of the great senators of his time. He had continually represented Missouri in the upper house of Congress ever since its admission into the Union, nearly thirty years before. A native of a southern state, he had always favored slavery but, with the passage of years, his views on the slavery question had been materially modified. When the Democratic party became the recognized exponent of a pro-slavery issue, Senator Benton was decidedly out of harmony with such a program. When this issue led to the development of two factions in the Democratic party in Missouri, Senator Benton became the recognized leader of the moderate or conservative faction, while Senator Atchison was likewise recognized as the leader of the radical pro-slavery faction. In consequence, the General Assembly of Missouri adopted what was known as the "Jackson Resolutions," in December, 1848, which had the effect of reading Senator Benton out of the party and virtually hinting that his resignation from the Senate was desired. This resolution declared that the attitude of the northern states on the subject of slavery had, in effect, released the slave-holding states from all obligation to recognize the binding force of the Missouri Compromise. The final resolution instructed

ization of the Indian Territory does not meet with that favor from those for whose benefit it was intended, that its importance and salutary provisions entitle it. They look upon it with great distrust and jealousy; the uneducated and common portion view it as the first step towards extending our laws over them; and even the intelligent and educated, who would be expected to welcome the measure as one every way calculated to advance the true interest and prosperity of the people, manifest the deepest hostility to it."

all Congressional representatives of Missouri to act in consonance with the spirit of the declaration thus adopted.⁵

Senator Benton was not a man of the type to submit tamely to dictation in regard to any matter whatsoever. It was, therefore, plain that the next General Assembly would be called upon by the people of Missouri to either reëlect Senator Benton or to choose his successor. On the 26th of May, 1849, he delivered a speech at Jefferson City in which he denounced the Jackson Resolutions and appealed to the people of Missouri to support his policy. The campaign which followed was one of great bitterness and was so closely contested that the result was in doubt. The Democratic party was in the majority but was hopelessly divided into two very hostile factions, between which no compromise was possible. When the joint session of the two Houses of the Missouri Assembly convened January 10, 1851, it was to enter upon a protracted struggle. The outcome of which was that, on the fortieth ballot, Henry S. Geyer, a Whig, was elected to the United States Senate to succeed Thomas H. Benton.⁶

It had been supposed by the pro-slavery faction of the Democratic party in Missouri that his defeat would mean the permanent retirement of Senator Benton from public life. Instead, at the succeeding election in 1852, he became a candidate for representative in Congress. In his candidacy for member of the Lower House, the organization of Nebraska Territory became an issue in Missouri. With his vision of the future development of the vast regions extending westward from Missouri to the Pacific Coast, he made the most of the opportunity in the course of that campaign. Meanwhile, before the end of his term in the Senate, he had introduced a bill proposing the construction of a "Central National Highway to the Pacific Ocean," which was to begin at the Mississippi River in Missouri and end at the Bay of San Francisco.⁷ During his canvass for election to the House of Representatives, the construction of such proposed highway was connected with his advocacy of Nebraska Territory.

The continued agitation of the proposed organization of the Territory of Nebraska finally had the effect of causing the Indian tribes living in the Platte Country to take the initiative in favor of early action. The "Great Council Fires" of the Northwest Indian Confederacy had been rekindled by the immigrant Indian tribes at Fort Leavenworth, in 1848. The people of the Wyandotte tribe had been keepers of the "sacred fire" for generations, and they were then continued in that responsible office, which meant virtually that they were recognized as the head of a renewed confederacy. They petitioned Congress to establish a territory of Nebraska. To this petition, which was forwarded in the winter of 1851-52, no attention was paid by Congress. Accordingly, October 12, 1852, an election for delegate to Congress was held in the Council House at Wyandotte, now Kansas City, Kansas; Abelard Guthrie received the entire vote polled. A rival demonstration was staged at Fort Leavenworth by some of the military officers, but was unsuccessful. Mr. Guthrie went to Washington, where he gave his entire time and attention to the movement for

5. William F. Switzler's "History of Missouri," pp. 264-69.

6. *Ibid.*, 273.

7. *Congregational Globe*, Vol. XX, pp. 470-72.

the organization of Nebraska Territory. Two bills were introduced in the House of Representatives, one of which was passed February 10, 1853. In the Senate it was referred to the Committee on Territories, from which the chairman, Senator Douglas, reported it without amendments. No action had been taken by the end of the session.⁸

The Wyandotte people then decided to call a Territorial Convention for the purpose of organizing provisional government for Nebraska Territory, to be held on the day of their annual festival, known as the Green Corn Feast. This convention was held on July 26, 1853, in the Council House of the Wyandotte tribe. All other immigrant tribes were invited to be present, as well as responsible white men then resident in the proposed territory. William Walker was named as provisional governor of the proposed territory; a territorial secretary and a Council of four members were also selected.⁹

A dignified and statesmanlike declaration or set of resolutions, reputed to have been written by William Gilpin, was adopted. In this declaration the course of Senator Benton and Representative Willard P. Hall, both of Missouri, was specifically mentioned and endorsed. It is needless to add that this movement had the cordial support and coöperation of the followers of Benton in Missouri. On the other hand, the Atchison wing of the Democratic party of Missouri brought out a rival aspirant for election as delegate to Congress, in the person of Reverend Thomas Johnson, superintendent of the Shawnee Mission of the Methodist Church. The Atchison faction also brought all possible political pressure to bear in support of the Johnson candidacy. George W. Mannypenny, Commissioner of Indian Affairs, came all the way from Washington and remained more than a month, personally visiting all Indian Agency employees and many of the immigrant Indians, virtually adding official coercion to the balance on the side of the candidacy of the Atchison faction. The election was held November 7, 1853. Thomas Johnson receiving the highest number of votes cast, was declared duly elected as delegate to the 33d Congress.¹⁰

The officious action of the Commissioner of Indian Affairs was made a matter of protest, but it was a bootless effort. Former delegate Guthrie spent part of the winter in Washington only to learn that two territories would be organized instead of one, and that the program in Congress would be to have one of these admitted as a free state and the other as a slave state. The movement for a Nebraska Territory therefore, while barren of direct results, really paved the way for the passage of the Kansas-Nebraska Act. The passage of this measure is of pertinent interest in the history of Oklahoma for two reasons, namely, (1) the reduction of the old Indian Territory in area, and (2) the ultimate removal of the Indian tribes of Kansas and Nebraska to new reservations within the limits of the present state of Oklahoma, with the citizenship of which the survivors and descendants of the same are now incorporated.¹¹

During the preceding decade the question of organizing the Indian Terri-

8. *Ibid.*, Vol. XXVI, pp. 475, 539, 542, 556, 567, 581, 658, 1020, 1111 and 1113.

9. Kansas Historical Society "Collections," Vol. XV, pp. 189-90.

10. Nebraska Historical Society "Proceedings and Collections," Second Series, Vol. III, pp. 32-37.

11. Congressional Globe, Vol. XXVIII, p. 1321.

tory had received but little attention. Popular interest was largely centered on the successful conclusion of the Texas Revolution, the annexation of Texas, both proposed and accomplished, and the Mexican War. The acquisition of New Mexico and California and the discovery of gold, which followed logically in the train of these events, had the effect of making and transforming the hitherto seemingly impossible dream of a railroad to the Pacific Coast into a very practical problem. All of the leading cities of the Mississippi Valley and the western shores of the Great Lakes immediately became interested. That some of these proposed railway routes traversed the Indian Territory as it then existed, presaged its early dismemberment or reduction in area. This fact, taken in conjunction with the slavery issue, led first to the repeal of the Missouri Compromise of 1820 by the 37th Congress, and the passage of the Kansas-Nebraska Act by the 39th Congress, in 1854. It not only led to the passage of the Kansas-Nebraska Act as well, but also caused the serious consideration of the organization of the Indian Territory.

Senator Robert W. Johnson, of Arkansas, introduced a bill on February 20, 1854, proposing the passage of an organic act for the creation of three territories, to be known respectively as Chelokee (Cherokee), Muscogee (Muskogee or Creek), Chahta (Choctaw). The capitals of these three territories were to be located at Tahlequah, at the Creek Agency, and at Doaksville, respectively. It was provided that neither of these territories should be organized without the consent of the tribe or tribes directly concerned. The officers of each of these territories were to be chosen by the citizens and each was to have control of its own lands and citizenship. Federal courts were to be established with both civil and criminal jurisdiction, in addition to which there were to be local or territorial courts which were to have jurisdiction over all cases involving only citizens or Indians. White intruders guilty of infraction of territorial laws were also subject to punishment by the territorial courts.¹²

Tribal lands were to be surveyed only upon application of territorial governments. Reservations were to be made for two sections of land in each township for common school purposes with suitable reservations of lands, for the endowment of higher institutions of learning. The allotment of lands was made possible as also the sale of surplus lands to settlement.

The plan of organization was a far-sighted one, in that it contemplated the merging of the three territories into one whenever the people of all the tribes involved voted to thus consolidate. It was also provided that this united territory might then apply for admission into the Union, as the State of Neosho. There was also a proviso that before this action could be taken the territories must open their country for immigration and settlement, though each Indian tribe was to retain control of its own lands, in case the three territories were thus to be united. The territory of Chahta was to consist of the entire Choctaw and Chickasaw country, including all the land between the Arkansas boundary on the east and the 100th meridian on the west, and between the Canadian River on the north and Red River on the south. The territory of Muskogee was to include all of the land west of the Cherokee Nation between the Canadian River and the Cherokee Outlet. The territory of Chelokee was

12. *Ibid.*, p. 449.

to include not only the Cherokee Nation and the Cherokee Outlet, but also all the land ceded by Texas in 1850 in compliance with the provisions of the Missouri Compromise, lying south of the Kansas boundary and extending from the 100th to the 103d meridian, later known as No Man's Land, and now commonly called the Oklahoma Panhandle.

This bill never came up for consideration in the Senate. Although it was introduced a full generation before the passage of the Oklahoma Enabling Act, it was really a step in the same direction. It was possibly premature, however, since the Indian people of that period would have been very loath to agree to a white citizenship in their commonwealth, as indeed many of them still were half a century afterward, when the two territories were to be united into one state.

The enactment of the Kansas-Nebraska law gave to the Indian Territory the same geographical limits as the present State of Oklahoma, with the exception of the Panhandle strip of public land which remained unattached to any state or territory.

That this proposition was not renewed in subsequent Congressional sessions may have been due, in part at least, to impending changes in the Indian Territory, is not improbable. The Chickasaw people constituted one-fourth of the citizenship of what was then known as the Choctaw Nation. Politically, they were so much in the minority as compared to the Choctaw people, that they were much dissatisfied in consequence. The result was that delegations representing each of these two tribes, which had virtually formed one people for nearly two decades, entered into a treaty with the United States in June, 1855, under the terms of which a separate district was set aside for the Chickasaw people, who thereupon organized their own national government. Likewise, the Seminole people had been settled in the Creek Nation, of which they were citizens, in name if not in spirit. The Seminole people probably did not constitute much more, if any, than ten per cent. of the population of the Creek Nation at that time, yet they, too, were greatly dissatisfied because they preferred an independent government of their own. Consequently, in 1856, Creek and Seminole delegations, in a council with representatives of the Federal Government, entered into a treaty whereby all lands of the Creek Nation lying west of 96° 30', between the Canadian and North Canadian rivers were ceded to the people of the Seminole tribe, while the lands of the Creek Nation east of that boundary and lying between the North Canadian River and the Cherokee Outlet remained the domain of the Creek Nation. The changes thus made in the tribal and political map of the Indian Territory were due to continue until the new treaties, negotiated in 1866, went into effect.



CHAPTER XXI

EXPLORATIONS, SURVEYS AND TRAILS

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Some of the earlier explorations and surveys of the region now included in Oklahoma would be very difficult to differentiate from the military expeditions of the same period. Practically all of the military expeditions in the unexplored or partially unexplored portions of the West were necessarily exploring expeditions as well, although undertaken primarily as military movements, which were also more or less geographical reconnoissances. Of course there were other expeditions which were undertaken solely for the purpose of geographical and topographical explorations.

The Emigrant Roads to Texas—The outbreak of the war for Texan independence had the effect of arousing popular interest in that dissatisfied portion of the Mexican Republic, with the result that emigration from the states of the South and the upper Mississippi Valley region greatly increased. Much, if not most of the earlier migration from the United States to Texas, had been by way of New Orleans; however, as emigration increased from various parts of the country, other means of approach were sought and found. There were two points from which emigrants bound toward Texas entered Oklahoma, namely, (1) via Springfield, Missouri, and (2) via Fort Smith, Arkansas. The road from Springfield followed the course taken by the Dragoons on their march from Jefferson barracks to Fort Gibson. The road from Springfield to Fort Gibson was already fairly well marked. The Arkansas River was crossed near Fort Gibson, at the mouth of the Neosho, or Grand River, and thence took a course west of south to a crossing of Red River, a few miles below the mouth of the Washita.

Emigrants coming by way of Fort Smith followed a trail which joined the road from Springfield to Fort Gibson, near the site of Stringtown, in the present Atoka County. The road from the crossing of the Arkansas River near the site of Muskogee, to the crossing of Red River, near Choctaw County, was commonly known as the Texas Road. More than thirty years after it began to be used, the first railway line built across the Indian Territory followed the course of this immigrant thoroughfare, so that all towns between Muskogee and Durant owe their location, indirectly at least, to this trail which originally traversed a wilderness.

Captain Boone's Expedition—In the summer of 1843, Captain Nathan Boone made an expedition northwestward from Fort Gibson into what is now central Kansas. This expedition which consisted of a troop of the 1st United States Dragoons, traversed Wagoner and Tulsa counties and a part of Osage County, crossing thence into Pawnee and traversing portions of Noble, Kay and Grant counties. A brief side trip took it to the Salt Plain of the Nescatunga, in the present Alfalfa County. Thence the course of the expedition led northwestward to the region of the Little Arkansas River and the great bend of the Arkansas proper.

Captain Boone's expedition reëntered Oklahoma in the western part of the present Woods County, where the Salt Plain of the Cimarron was also visited, then passing near the Glass Mountains, and thence turning southward across Major County, the Canadian River was crossed some miles above Taloga, in Dewey County. Thence the expedition traversed portions of Custer, Blaine, Caddo, Grady and McLain counties, recrossing the Canadian below Newcastle and marching down to the Chouteau Trading Post in the southern part of Cleveland County, whence a broken trail was followed back to the Texas Road in McIntosh County.¹

In 1845 Captain John C. Fremont, on his third western expedition, detached a party under Lieutenants James W. Abert and William G. Peck, near Bent's Fort, on the Upper Arkansas, and sent it southward to explore the Canadian River region. This party followed the course of the Canadian from its source to the central part of the Texas Panhandle, whence it crossed over to the headwaters of the North Fork of the Red River, which was descended to a point near the State line, and from thence northeastward across the valley of the Washita to that of the Canadian, which was descended to Chouteau's Trading Post, from which a road led to the settlements.¹

The California Trails—As early as 1846 small parties of adventurous emigrants traversed Oklahoma on the way to California. In the late summer and early autumn of 1848, Lieutenant Abraham Buford, in command of a company of the 1st United States Dragoons, journeyed to Santa Fe from Fort Gibson over a new route, namely, by following the Arkansas River to the mouth of the Cimarron; thence, following the course of the last mentioned stream to the Salt Plain near the Kansas line; thence, crossing to the valley of Beaver Creek (North Canadian) and following the same to a point on the Santa Fe Trail in the present County of Cimarron. Although the route was reported to be a practicable one for a wagon road, it was not used as such.²

In the great rush of gold seekers who crossed the continent to California in 1849 and the years immediately following, many passed through Oklahoma from east to west. During the early part of 1849 hundreds of people gathered at Fort Smith and Van Buren, on the eastern border of the territory, prepared to start on the long journey through the wilderness as soon as spring should open. There was great excitement and many unwarranted rumors as to the most available routes. There was also not a little confusion in the councils of the emigrants. The value of a good road westward from the head of navigation on the Arkansas River, seemed to be fully appreciated. As early as August 23, 1848, the Fort Smith people were suggesting the survey of such a road and a month later a public meeting was held there for the purpose of planning definitely to that end.³ After the rush of emigration began, the construction of a railroad from Memphis, Tennessee, to California, was seriously proposed. Indeed, a Pacific railroad had been suggested several years before that. Asa Whitney, manufacturer, merchant and traveler, first

1. Senate Document No. 438, 29th Congress, 1st Session.

2. Niles' Register, Vol. LXXIV, p. 258.

3. Fort Smith Herald, August 23 and September 27, 1849.

proposed the construction of a railway line from Lake Michigan to the Pacific Coast in a communication which was laid before the United States Senate, in January, 1845. During the course of the two following years, he expended much time and money in seeking to promote an intelligent understanding of the subject in Congressional circles. A Senate committee, to which the matter had been referred, finally approved of his proposition, but it did not get beyond a committee report.⁴

Captain Randolph B. Marcy, 5th United States Infantry, was ordered to assume command of a military escort and accompany the overland emigrants to Santa Fe. Those who gathered at Fort Smith represented a great many states, but most of them were from the South. As they could not all agree concerning the road to be followed, those on the north side of the Arkansas (at Van Buren) followed the river and crossed above the mouth of the Canadian, the north bank of which was then followed to a point in the southern part of Cleveland County, where a crossing was effected. Those encamped on the south side of the Arkansas (at Fort Smith), with the military escort, marched westward on the south side of the Canadian, and the two parties were united at a point in McLain County, west of the Canadian crossing. From thence the caravan followed the divide between the Canadian and Washita rivers most of the way to the Texas line, in Roger Mills County. Lieutenant James H. Simpson, of the corps of Topographical Engineers, accompanied the escort and surveyed the road from Fort Smith to the Rio Grande.⁵ Among the people who went to California in the caravan which crossed the Indian Territory in 1849, was a party of about 150 Cherokees, mostly mixed-bloods, but including some full-bloods and white men.

In returning to Fort Smith, instead of retracing his course directly from Santa Fe, Captain Marcy followed the Rio Grande to Doña Ana, in Southern New Mexico, from whence he chose a new route leading in a northeastern direction, across the Pecos, Colorado, Brazos and Red Rivers, and forming a junction with the Canadian River Road in the eastern part of McLain County. Captain Marcy arrived, on his return, at Fort Smith about the middle of November.⁶ As this new route to California was 300 miles shorter than the one by way of Santa Fe, it was highly recommended.⁷

The discovery of gold in California resulted in a flood of rumors of similar discoveries elsewhere—in New Mexico and on the Gila River, in what later became the territory and state of Arizona. Curiously enough, among the other places in which gold was rumored to have been found in 1849, was a reputed discovery of the yellow metal in the Wichita Mountains, in South-western Oklahoma. A party was organized at Fort Smith to go to Wichita range and prospect for gold. The results of the investigation, like those of

4. Senate Document No. 466, 29th Congress, 1st Session.

5. Senate Document No. 64, 31st Congress, 1st Session.

6. Senate Executive Document No. 12, 31st Congress, 1st Session.

7. Lieutenant Montgomery Pike Harrison, one of the officers of Captain Marcy's command, was enticed away from the encampment one morning while on the march across Texas and was treacherously slain by a party of Kiowa Indians, in whose apparent friendliness he placed too much confidence. Lieutenant Harrison was a nephew of President William Henry Harrison.

similar efforts made in the same region more than fifty years later, were never heralded to the world.

Exploration of Source of Red River—In the spring of 1852, Captain Randolph B. Marcy was ordered to organize and take command of an expedition for the exploration of the sources of the Red River, Lieutenant George B. McClellan, of the Corps of Engineers, being attached to the expedition.⁸ The expedition entered Oklahoma from the south, crossing the Red River near the mouth of Cache Creek, and thence marching up the valley on the north side of the river to a point near the mouth of the North Fork of Red River (called by the Comanches Mobeeteh Hono). The course of the last mentioned stream was followed, through the western spurs of the Wichita range of mountains. During the course of the march up the valley of the North Fork, Otter Creek, Elk Creek, Sweetwater Creek and several smaller streams received the names by which they are still known.⁹

After reaching the source of the North Fork, the course of the expedition was changed to the south. Reaching the valley of the Red River, proper, a smaller party, including Captain Marcy and Lieutenant McClellan, attempted to follow the course of the stream to its source. Unfortunately for the success of the expedition, they mistook the tributary for the main stream and turned out of the Palo Duro Canyon (through which Red River descends from the high plains to the lower plains) into Tulia Canyon to the left, which they ascended to its head. Thus, the source of Red River which Captain Richard Sparks had been ordered to explore forty-eight years before, and which Major Stephen H. Long had also planned to explore thirty-four years before, only to fail as the result of mistaking the Canadian River for Red River, was due to remain unexplored for several years longer. It will be recalled that the same year that Major Long marched down the valley of the Canadian, Pushmataha, a Choctaw chieftain, told General Andrew Jackson that the source of Red River was much farther east than that of the Canadian, though the true source of Red River, unlike that of the Canadian, was in the open plain instead of in the mountains.

The narrative of the Marcy expedition, which was written in the form of a daily journal, is even yet a splendid description of the natural features of the country through which it passed, though of course, great changes have taken place since that time. The report of the expedition, with accompanying papers, was issued in the form of a bound volume with a separate atlas containing maps, in 1854. An odd mistake was made by the draughtsman who drew the maps of the country through which the expedition passed, the location of the Wichita Mountains and of the principal tributaries of the Upper Red River being indicated one degree farther west than they actually were. This mistake complicated if it did not cause the celebrated Greer County dispute between Texas and the Federal Government. Marcy's map also indicated the Red River under the name of Ke-chee-ah-que Hono, which

8. Both of these officers became generals in the Union Army during the Civil War, General McClellan being the organizer and first commander of the Army of the Potomac. General Marcy was inspector-general of the army, when retired, in 1881.

9. Senate Executive Document No. 54, 32d Congress, 2d Session.

literally means Prairie Dog Town Creek in the Comanche language. It was not until forty years later that the white man learned that such was the Comanche name of the stream now known as Pease River, in Northern Texas. The designation of the main stream as Prairie Dog Town Creek, doubtless also had its effect in complicating the question as to which was the principal stream.

The return march of Marcy's Red River expedition was made through the Wichita Mountains, past the site of Fort Sill, to Fort Arbuckle.

Pacific Railroad Survey—The Mexican cession of California, followed soon afterward by the discovery of gold in that region, had had the effect of causing a heavy emigration to the Pacific Coast, not only by the several overland routes but also by way of the Isthmus of Panama and around Cape Horn. The agitation for the exploration and survey of suitable wagon roads was followed almost immediately by the then seemingly chimerical suggestion of a transcontinental railroad. As early as 1849 the building of a railroad from Memphis, Tennessee, to the Pacific Coast was proposed. Continued agitation eventually brought the matter to the attention of Congress and, finally, by a clause contained in the Army Appropriation Act of March 3, 1853, it was provided that a systematic survey of the several proposed routes for the construction of railway lines between the valley of the Mississippi River and the coast of the Pacific Ocean should be made under Government auspices. The work of organizing and equipping surveying parties under the direction of army engineers was promptly taken up and the surveys were mostly made during the course of the ensuing two years.

Of the five Pacific railway routes which were surveyed by the Government in 1853-54, one, beginning at Fort Smith and following a general westward course to the vicinity of Albuquerque, New Mexico, crossed Oklahoma from east to west for a distance of about 400 miles. Lieutenant Amiel W. Whipple, of the Corps of Topographical Engineers, was in command and the scientific staff of the expedition, including engineers, surveyors, astronomers, topographers, biologists, physicians, surgeons, etc., numbering a dozen men. Besides these and the civilian employees, there were Lieutenants Joseph C. Ives, of the Topographical Engineers, and David S. Stanley, of the Dragoons, and a military escort from Fort Gibson, under the command of Lieutenant John M. Jones, of the 7th Infantry.

Lieutenant Whipple's expedition left Fort Smith, July 14, 1853, and was nearly eight weeks in traversing the State of Oklahoma, leaving its bounds west of the Antelope Hills, September 6. The narrative of this journey, published in Volume III, of the Pacific Railway Survey Reports (Executive Document No. 78, Senate, Thirty-third Congress, Second Session), pp. 1-29, makes interesting reading seventy years after it was printed. There are also a number of pages of supplemental matter, mostly pertaining to Indians, civilized, semi-civilized and savage, who lived in Oklahoma at that time. Lieutenant Whipple met Black Beaver, the Delaware leader, whose people were then living at old Camp Arbuckle, in the eastern part of McLain County, Jesse Chisholm, who had a trading post in the southern part of

Cleveland County, and John Bushman, a noted Delaware guide and scout. He endeavored to persuade one or each of these men to accompany him as a guide but did not succeed. In relating his interview with Chisholm, Lieutenant Whipple wrote as follows:

He is a man of considerable wealth, and extensively engaged in trade. In the prosecution of his regular business, he could realize twice the amount the Government would be willing to pay for his services. His determination [not to accompany the expedition] is to be regretted the more, from the influence he possesses with wild tribes westward. He is a man of excellent judgment, and has traveled much among the western savages. At the great Indian council, held about six weeks since, he was selected as the general interpreter for all: Comanches, Kioways, Kichais, Creeks, Delawares, Shawnees, Chickasaws and Choctaws. He has traded with, and been much among the Comanches, and understands not only their language, but their manners, customs and ceremonies, probably better than any one not belonging to their tribe.¹⁰

The route surveyed by Lieutenant Whipple's party passed westward from Fort Smith, proceeding up the valley to Sans Bois Creek, keeping to the south of the Shawnee Hills and around the headwaters of the Boggy; it closely paralleled the valley of the Canadian across part of the present McLain County, whence it kept on the divide between the Canadian and Wichita rivers to a point in what is now Washita County, where it entered the valley of the Washita, which it followed for a distance of sixty miles to a point in Roger Mills County, where it diverged and recrossed the divide to the valley of the Canadian, a few miles below the Antelope Hills. In general, its course across Oklahoma was practically the same as that of the emigrant road which had been surveyed by Lieutenant Simpson, five years before.

Beale's Road Survey—In the autumn and early winter of 1858, a wagon road was surveyed westward across the Indian Territory from Fort Smith by Edward F. Beale, a former officer of the navy, who had been appointed superintendent of Indian affairs for California and Arizona, and who was directed to survey a road from Fort Smith to the Colorado River. The expedition left Fort Smith, October 28, 1858. The Canadian River was crossed at North Fork Town (Eufaula), from whence the route followed the course of that river, on the north side, to the old California Crossing, near Chouteau's Trading Post, in the southern part of Cleveland County. He had endeavored to secure the services of either or both Jesse Chisholm and Black Beaver as guides and interpreters, but both refused. Chisholm finally joined him and accompanied the expedition part of the way. The military escort, consisting of a dragoon company and a detachment of artillery, was under the command of Lieutenant Steen. The route followed from the Canadian, crossing westward, was substantially the same as those which had been previously surveyed by Lieutenants Simpson and Whipple. The narrative of the expedition is given in interesting detail, even to the number of deer and wild

10. Although Chisholm could not accompany the Whipple survey himself, he permitted the Mexican lad named Vincente, whom he had ransomed from captivity among the Comanches, four or five years before, and whom he had adopted as a son, to go with the expedition as a scout, herder and interpreter. A brief sketch of the life and career of Vincente, who was also called George Chisholm (and was also known as Caboon), will be found in Appendix XXI-1.

turkeys killed each day by Delaware Dick and Little Ax, the Delaware and Shawnee hunters. The western boundary line was passed December 10.¹¹

There were several boundary line surveys made during this period, including (1) the north line of the Creek and Seminole reservation, which had been previously surveyed by John C. McCoy, was resurveyed in 1850 and 1851 by Captain L. Sitgraves and Lieutenant I. C. Woodruff;¹² (2) the Kansas-Oklahoma boundary line, surveyed by a party under the command of Lieutenant Colonel Joseph E. Johnston, in 1857;¹³ (3) the Oklahoma-Texas boundary (one hundredth meridian) from the Red River northward, by Daniel Major, in 1859; and (4) the Oklahoma-Texas boundary, on the line of thirty-six degrees, thirty minutes, north latitude.¹⁴

During the closing years of this period, two railroads were projected and chartered to be built into or through the Indian Territory. One of these, called the Southern Pacific Railroad, was to extend from St. Louis, Missouri, to the vicinity of Albuquerque, New Mexico. Its line, as marked on the military maps of the Civil War period,¹⁵ was substantially the same as that of the St. Louis and San Francisco Railway from the northeastern part of the State to the central part of the State near the town of Chandler. The other projected railway line was that of the Little Rock & Fort Smith Railroad, which entered the State at Fort Smith, where it crossed the Arkansas River and followed a general northwesterly course to a point above the mouth of the Canadian, where the Arkansas was to be recrossed; thence it turned to the southwest and west, crossing the North Canadian and above North Fork Town (Eufaula) and following the divide between the two Canadians.¹⁶

The Butterfield Stage Line—The Thirty-fourth Congress made an appropriation for a stage line to carry the mails between the Mississippi River and the Pacific Coast. The contract called for the transportation of letter mail to San Francisco. The service was to be performed in four-horse stages or spring wagons, suitable for the conveyance of passengers, the schedule not to exceed twenty-five days. The appropriating act authorized the payment annually, of not to exceed \$300,000 if the service was semi-monthly; \$450,000 if weekly service were furnished, and \$600,000 if the service was semi-weekly.

When it came time to award the contract, there were two bidders in the field; namely, (1) James Birch, as president of the California Stage Company, which was then carrying, under contract, the mail between Los Angeles and San Francisco, and (2) the other and successful bidder, the Southern Overland Mail Company. The contract was let, September 16, 1857, and called for semi-weekly service. The president of the company was John Butterfield, of New York. The company soon became known as "the Butter-

11. House Document No. 42, 36th Congress, 1st Session.

12. House Executive Document No. 104, 35th Congress, 1st Session. Captain Sitgraves surveyed about seventy-nine miles in 1850; Lieutenant Woodruff surveyed 120 miles in 1851. This survey did not extend west of the 99th meridian.

13. Senate Executive Document No. 78, Vol. XI, p. 86.

14. House Miscellaneous Documents, Vol. II, Plate 119.

15. *Ibid.*, Plate 160.

16. *Ibid.*, Plates 159 and 160.

field," and the route as "the Butterfield Route." Memphis and St. Louis were chosen as the eastern termini of the line.

The Southern Overland Mail line went into operation about the middle of September, 1858. Stations were established at intervals of twenty miles and eating houses at suitable intervals. A depot with blacksmith shop, stables, and tavern for the accommodation of passengers, was established at Los Angeles. Troy and Concord coaches were used, accommodating, in addition to the driver and guard, nine passengers inside and five on top. The guard rode on top in the rear where, in a boot, the mail was carried. In passing through hostile Indian country, the coaches were accompanied by a number of armed guards.

The regulation team consisted of four horses, but where the road was sandy or the grade was heavy, others would be added up to as many as twelve on the stage. The heaviest stretch on the route was between Springfield, Missouri, and Fort Smith, Arkansas, through the Ozark and Boston Mountains.

The first stage left St. Louis, September 19, 1858, though the eastern starting point was at Tipton, Missouri, which was the end of the railroad. The first stage was followed by a second the next day, the latter being necessary to handle the accumulation of mail. Both arrived in San Francisco October 10, twenty-five days out in the one case and twenty-four in the other. During the eighteen months that the line was in operation, the stage arrived in San Francisco behind schedule but three times. The best time made from one terminus to the other was twenty-one days and twenty-three hours.

From Fort Smith to Colbert's Ferry across the Red River, a distance of 192 miles, this stage line was on Oklahoma soil. Hostile Indians and white outlaws occasioned considerable loss of life and property. The line was changed by act of Congress, March 2, 1861, to a more northern route, by way of the South Pass and Salt Lake, occasioning heavy loss to the contracting company. It was later sold to Ben Holliday and the Wells Fargo Express Company.



CHAPTER XXII

THE EXILE OF THE CADDOES AND OTHER
TRIBES FROM TEXAS

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THE EXILE OF THE CADDOES AND OTHER TRIBES FROM TEXAS

Near the end of this period, in 1859, a number of small tribes and fragments and remnants of tribes of Indians were removed rather hastily from Texas to the valley of the Washita River, in Southwestern Oklahoma, to save them from extermination at the hands of certain unruly elements in the Lone Star State. These included Caddoes, Anadarkoes, Keechis, Wacoes, Towakonys, Tonkawas, the Absentee Shawnees, a small band of the Delawares and the Penateka Comanches.

The story of the treatment of the Indians of various tribes which had settled in Eastern Texas prior to the close of the Texas Revolution has been recounted in the history of the previous period. After they had been driven from their lands, their homes destroyed and their fields laid waste, the people of these smaller tribes led a precarious existence under semi-nomadic conditions. Some of them, at least, spent some time in the Indian Territory. Finally, ten years after the annexation of Texas, the United States Government secured, from the State of Texas, the privilege of establishing two reservations on the Brazos River, where the people of these tribes were brought together and settled in 1855. Most of the tribes mentioned were settled on the Lower Reserve, as it was known, near Fort Belknap. Captain Shapley P. Ross, a well-known Texas pioneer and patriot, was appointed as the agent for the tribes on the Lower Reserve. Most of the Indians on the Upper Reserve were members of the Penateka Comanche Band, who were peaceably disposed and less given to roaming than the other Comanche bands. John R. Baylor was the Government agent of the Upper Reserve.

In the spring of 1858, Captain John S. Ford's expedition against the wild Comanches was accompanied by a strong body of friendly Indian auxiliaries from the Lower Reserve, under the command of their agent, Captain Ross. Again, in the following autumn, a similar force of scouts and trailers from the Lower Reserve, under the command of Lawrence Sullivan Ross, a younger son of Agent Ross, accompanied the command of Major Earl Van Dorn when it marched northward across the Red River into the Indian Territory. The Indians of the Upper Reserve thereupon expressed a desire that they should also be given an opportunity to prove their friendship for Washington (i. e., the Government) by being sent out to aid the troops in campaigning against the hostile Indians. This offer was declined for the very good reason that the Government authorities could not endorse any policy which would employ a part of the people of a given tribe to make war on their kinsmen of the remainder. Whether or not the Penateka Comanches taunted their agent with having less influence at Washington than the agent of the Lower Reserve, is not known, though it is not improbable that such was the case. If so, it must have added to the friction already existing between.

Agent Baylor and the superintendent or supervising agent, Major Robert S. Neighbors, who was next above him in authority. At any rate Agent Baylor was dismissed from the service for cause and Matthew Leeper was appointed to succeed him.¹

Up to that time there never had been any trouble between the Indians of the Lower Reserve and the white settlers living in the immediate vicinity thereof. From that time on, however, troubles came so thick and in such rapid succession as to warrant the inference that they were the result of systematic instigation at the hands of some malevolent party or parties who were seemingly determined to bring the Indians and their agent into disrepute. A series of depredations upon the property of citizens of neighboring counties, usually at a considerable distance from the borders of the Reserve and generally in the theft of horses or other live stock, was begun, evidently by irresponsible white men who were willing to act as the instruments of the real conspirators. In order to more certainly fix the guilt for such lawless acts upon the Indians, an occasional arrow or moccasin (which had been previously purchased for the purpose from unsuspecting Indians or from traders) was dropped along the trail. The irate owners, in hot pursuit, picked up these seemingly incriminating evidences and then found the stolen stock, where it had been purposely abandoned, near the edge of the Reserve. In all such cases, complaints were promptly made to Agent Ross, who, with equal promptness, investigated the same only to find that the blame for such acts could not be justly charged against any of the Indians of his agency.² The frequent repetition of such depredations, throughout the counties of Bosque, Comanche, Coryell, Erath, Jack and Palo Pinto, had the certain effect of not only exasperating the settlers against the Indians who lived on the Reserve but also embittered them against Superintendent Neighbors and Agent Ross.³

Rumors and threats of an organized attack upon the Indians of the Lower Reserve were frequent during the spring of 1859.⁴ Superintendent Neighbors had already written (February 14, 1859) to the Commissioner of Indian Affairs, suggesting the advisability of the removal of the Indians of the Brazos Reserves to lands on the other side of the Red River, and the Interior Department had taken the matter under advisement.⁵ Finally, in May, a force was organized for the express purpose of exterminating the Indians of the Lower Reserve. It is significant that the leader of the force thus organized in defiance of constituted authority was none other than the former Government agent of the Upper Reserve. Superintendent Neighbors and

1. Letter of Superintendent Robert S. Neighbors to the commission appointed by the Governor of Texas, Report of Commissioner of Indian Affairs for 1859, p. 293.

2. Personal information secured from Captain Robert S. Ross, son of Agent S. P. Ross, in 1910.

3. Resolutions of certain citizens of Jack County, Texas, in mass meeting, December 25, 1858. Report of Commissioner of Indian Affairs for 1859, pp. 254-55; also, letter addressed by certain citizens of Texas to Messrs. Neighbors, Ross and Leeper, April 25, 1859, demanding the "immediate resignation" of these officials. Report of the Commissioner of Indian Affairs, op. cit., pp. 273-74.

4. Letters of S. P. Ross and F. M. Harris, *Ibid.*, pp. 260-63; letter of Robert S. Neighbors, pp. 269-71; letters of S. P. Ross, *Ibid.*, pp. 271-72.

5. Letters of Robert S. Neighbors, *Ibid.*, pp. 235-37, 252-53, 257, 266-71; letters of Charles E. Mix, acting commissioner of Indian affairs, *Ibid.*, pp. 263-66.

Agent Ross, who had been keeping themselves well informed concerning such hostilities, appealed to the officer in command of the Government troops stationed at Fort Belknap (Major George H. Thomas, 2d United States Cavalry—afterward famous as the commander of the Federal Army of the Cumberland, during part of the Civil War), for assistance in defending the people of the various tribes and bands on the Reserve, who abandoned their villages and gathered at the agency. Major Thomas promptly responded by dispatching a detachment of cavalry which was subsequently reinforced by one of infantry and one of artillery.

On the morning of May 23 a force of about 250 "filibusters," as the assembled settlers were called (having rendezvoused at Loving's Valley, in Parker County), invaded the Lower Reserve, under the leadership of former Agent John R. Baylor. Captain J. B. Plummer, 1st United States Infantry, who was in command of the Government troops stationed at the Agency, promptly sent a demand to know "for what purpose he had come upon the Reservation with an armed body of men?" To this Baylor replied that his force "had come to assail certain Indians of this Reserve, but not to attack any whites, but should the troops fire upon his men during the fight, he would attack them also, or any other whites who did the same thing, and treat all alike." To this Captain Plummer responded that his orders were to protect the Indians of the Reserve from attacks of armed bands of citizens and that he would do so to the best of his ability and closed by warning the invaders, in the name of the Government of the United States, to leave the Reservation. To this Baylor rejoined that his determination was not altered; that he had come to attack the Indians on the Reserve and that he would attend to leaving it when he was ready; that he "regretted the necessity of coming into collision with the United States troops, but was determined to destroy the Indians on this and the Upper Reserve, if it cost him the life of every man of his command." However, finding that bluster and bravado did not daunt the commander of the troops, Baylor withdrew his force, capturing and killing an inoffensive Waco Indian, eighty years old. (Previous to that, while approaching the agency, they had killed an old Indian woman who was working in her garden in another village).⁶

The invaders having thus begun hostilities, a number of Indians, variously estimated at from fifty to one hundred and belonging to several different tribes, attacked them on the flank and rear and accelerated the retrograde movements until it became a running fight. After being thus pursued by a band of Indians inferior in number to that of their own force, the "filibusters" took refuge in the buildings of a ranch outside the limits of the reservation and about eight miles from the Agency. There they remained in the defensive until nightfall, when the Indians withdrew. During the course of the fight at the ranch, Jim Pock-Mark, second chief of the Anadarkoes, rode up to the house and called for Baylor to come forth and give him single combat, but the latter, who came to exterminate whole tribes, did not see fit to try his martial prowess in any such venturesome manner.⁷

6. Letters of Captain J. B. Plummer and Agent S. P. Ross, *Ibid.*, pp. 276-78.

7. For letter disclosing disposition of John R. Baylor, see Appendix, Chapter XXII-2.

The civil authorities of Texas were either unable or unwilling to cope with the situation. Governor H. R. Runnels issued a proclamation, shortly after the trouble began, in which he counseled the people to refrain from violence, but it had little if any appreciable effect.⁸ Later on, when the situation became more serious, he appointed a commission to adjust the matter.⁹ This commission met and organized and went through the form of investigating the matter, but its report was far from being impartial.¹⁰ The Governor could have used the Rangers but he did not make any effort to do so. An effort to procure protection for the Indians on the Reserve from the Rangers was negatived by their commander, Captain John S. Ford, who declined to take any action because of alleged legal technicalities.¹¹ Meanwhile, Major Neighbors was urging the removal of the Indians from the State at the earliest possible date. The Interior Department, which has never been noted for precipitate haste in matters of policy, made fairly good time in effecting arrangements for the removal of the tribes from the reserves to the valley of the Washita, considering the distance from Washington to the Indian Territory and the lack of facilities for rapid communication. However, the details of preliminary negotiation and preparation for removal lengthened from weeks into months before they were completed.¹²

During the interval of over two months that elapsed between the invasion of the Reserve by the force under Baylor, and the final departure of the Indians for their new places of abode on the Washita River, constant vigilance had to be exercised in order to avoid further attempts at violence.¹³ Although the Government authorities had promised to remove the Indians from the two reserves on the Brazos to some place outside the State of Texas as soon as the necessary arrangements could be effected, the malevolence of the Indian haters remained unabated and unappeased. No effort was spared in an endeavor to play upon their fears, and arouse the passions of the people of the neighboring counties. Public meetings were held at various places and inflammatory resolutions were adopted.¹⁴ The few newspapers published in the frontier counties did their full part in keeping up the agitation. And, to the last, the same evil spirits who had first conceived and planned the conspiracy remained implacably active.

8. Proclamation of H. R. Runnels, Governor of the State of Texas, Annual Report of the Commissioner of Indian Affairs, op. cit., p. 223.

9. Letter of Governor Runnels to Allison Nelson and others, *Ibid.*, pp. 287-88; also, appointment of members of commission to "represent the State of Texas in the peaceable and lawful adjustment of said difficulties," pp. 288-89; also, instructions issued by the Governor to the members of the commission, *Ibid.*, pp. 289-90.

10. Report of the commission appointed by Governor Runnels, *Ibid.*, pp. 297-303.

11. Letter of Captain John S. Ford, of the Texas Rangers, *Ibid.*, p. 238.

12. The principal correspondence relating to the troubles of the Indians on the Lower Reserve on the Brazos, and the arrangement for their removal to the Valley of the Washita in the Indian Territory fills 112 pages of the Annual Report of the Commissioner of Indian Affairs for 1859 (pp. 222-334). In addition to material information contained therein, the writer (J. B. T.) has secured other data from members of the families of officials in the Indian service and from one of the army officers who personally witnessed some of the incidents narrated.

13. Letters of J. M. Smith and G. B. Erath, Annual Report of the Commissioner of Indian Affairs, op. cit., p. 295.

14. For resolution adopted by mass meeting of Parker County, Appendix, Chapter XXII-2.

As the removal of the Indians from the reservations on the Brazos would have the effect of transferring them to the jurisdiction of the southern superintendency, which had its headquarters at Fort Smith, Arkansas, Superintendent Elias Rector was directed to select locations for the people of the tribes on the lands of the Leased District, west of the ninety-eighth meridian and between the Canadian and Red rivers. Superintendent Rector promptly addressed himself to the performance of this duty and also sent a message to Supervising Agent Neighbors, asking that the latter should meet him for conference at Fort Arbuckle at the conclusion of the tour of personal inspection and investigation upon which the former was setting forth.¹⁵ The two superintendents met at Fort Arbuckle at the end of June and agreed as to details of the plans for the removal of the Indians and their settlement in the valleys of the Washita and some of its small tributaries. The Wichita Indians were to be settled with the tribes from Texas.

During the last month that the Indians were on the Lower Reserve, and while they were all encamped at the Agency, where several companies of United States troops were stationed on guard and for the purpose of preventing disturbances, the Governor of Texas organized a company of one hundred volunteers, which were placed under the command of Captain John Henry Brown, who had been a member of the commission previously appointed by the Governor to investigate and adjust the disturbed conditions existing at the Indian Reservations. Ostensibly the company of volunteers thus placed in the service was for the purpose of preventing a further clash between Indians and settlers. Practically, it was to prevent any of the Indians from leaving the reservation. The Indians owned a great many horses and cattle, which ran at large, just as the stock belonging to all of the neighbors did. The Indians were therefore unable to secure the stock that had wandered off the reservation, Superintendent Neighbors estimating that they lost half of their cattle in consequence.¹⁶

On the first day of August, 1859, the migration of 1,430 Indians, representing nearly a dozen tribes, began. A military escort, two troops of cavalry and two companies of infantry, under the personal command of Major George H. Thomas, accompanied the Indians. That there should have been an escort of such strength was deemed expedient for the reason that threats had been made that the Indians would not be permitted to leave the State alive.¹⁷ The picturesque cavalcade moved slowly northward, under the intense heat of the August sun, crossed the Red River at the end of one week and reached their destination on the Washita at the end of another. The various tribes were settled at different points within the limits of the present county of Caddo. The selection of a site for a new agency, and the

15. Letters of Elias Rector to the Commissioner of Indian Affairs, *Ibid.*, 284-86 and 305-14; also, letter of Robert S. Neighbors to the same, pp. 315-16. Superintendent Neighbors was accompanied by a number of the chiefs and head-men of several of the tribes from the reservations on the Brazos, who were fully informed as to the purpose of the conference and its effect upon the interests of their people. For a brief story of Superintendent Rector's exploration, see Appendix XXII-3.

16. Letters of Robert S. Neighbors, Report of the Commissioner of Indian Affairs, *op. cit.*, pp. 319-20 and 328.

17. Letter of E. J. Gurley, *Ibid.*, pp. 274-75; also, letters of Robert S. Neighbors, *Ibid.*, pp. 320 and 328.

delay occasioned by having to wait for some duly authorized representative of the southern superintendency, to whom the custody of the Indians and the Government property could be relinquished, required considerable time. Major Thomas and the cavalry troops left on the return march to Texas within two or three days after arriving, and the infantry detachment, under Captain Plummer, departed a few days later, thus leaving the new agency and its charges without military protection. The site chosen for the agency was on Leeper Creek, near Fort Cobb, though the military post was not located and established (by Lieutenant Colonel William H. Emory, Second U. S. Cavalry), until a few weeks afterward. Samuel A. Blain, agent for the Wichita Indians, finally took over the records and property of the two agencies from Texas and assumed charge of the Indians of the tribes which had been attached to it. Superintendent Neighbors discharged the old agency employees and directed Agents Ross and Leeper to return to their homes and await instructions.¹⁸

When Messrs. Neighbors, Ross and Leeper were ready to start on their return to Texas, there were no troops available for escort. The two young sons of Agent Ross (Peter F. and Robert S.) were with him and Agent Leeper had with him his family. There were a number of teamsters and other former employees of the two agencies who were also to return to their homes. In all there were about twenty men who could bear arms in case of an emergency. As some of the wild Indians (Kiowas) had been troublesome around the new Agency, there was considerable apprehension lest the party might be attacked on the way home. Thus prepared, with one wagon and two ambulances, the party made ready to leave for home.¹⁹ A careful watch was maintained lest the party be attacked by a band of hostile warriors. For several days there were no signs. One day, after the Red River had been crossed, Captain Ross (who had had extensive experience in campaigning against hostile Indians) became suspicious of the signs and, when the noonday halt was made, he directed that the mules be tied to the wagons and fed and that the horses should be picketed with short ropes. Even with these precautions, however, an effort was made to steal their horses. In the fight which followed, Mr. Leeper was severely wounded (and would have been killed had not a despised Mexican whom the other men of the party regarded as a coward, rushed to his relief). The attacking party was finally put to flight with the loss of several of its members.²⁰

Arriving at the Brazos River, Major Neighbors insisted upon going to the little town of Belknap (located close to the military post of the same name)

18. Matthew Leeper was subsequently appointed to succeed Mr. Blain as agent for the tribes on the Washita and was continued in that position under the Confederate régime.

19. The parting between the Indians and their former superintendent and agents was probably not without mutual feelings of sadness and regret. Even fifty years later there were old people among the Caddo, Waco and other tribes who remembered Neighbors and Ross with feelings of grateful appreciation.

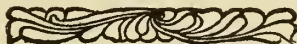
20. After the marauders had disappeared, one of the men, Frank Harris by name, took a canteen of water and remarked to Captain Ross: "That Indian I shot had short hair. I am going to wash off the paint from his face and see if he is not some old acquaintance of ours." Suiting the action to his word he found that the body of the supposed dead Indian was in reality that of a red-headed white man. No one present was able to identify the body, however, and so the fate of another renegade was found in a justly deserved oblivion. Whether the other "Indians" of the party were of the same variety was not known.—Personal information from Mrs. Jeanne B. Harrison, daughter of Agent Leeper.

to transact some business, though warned that his life would be endangered if he did so. He proceeded, however, and, after finishing his errand, was about to return to camp when a desperado stepped out from a chimney corner at the end of a building and shot him in the back with a load of buckshot. No one was allowed to approach the body of the fallen man, under threats of instant death. Although it is probable that death was almost instantaneous, the body of Major Neighbors lay untouched in the sandy street from early morning until late in the afternoon, when it was taken up and buried by a negro servant belonging to Mr. Leeper. Thus had the spirit of human envy and hatred found its fruition, not alone in the woes of the unoffending Indians but also in the untimely taking off of as gallant a knight as any that ever poised a lance or drew a sword in behalf of the oppressed.²¹ It is not improbable that the two agents would have shared in the fate of their superintendent had similar opportunity been afforded the assassin and his partners in crime.²²

Such is the story of the exile of the Caddoes and affiliated tribes from Texas to Oklahoma. Less than two years later, a Governor of Texas sent a special envoy to the people of these same tribes, inviting them to return to that state to live and to be assured of its protection. When the great war between the states began and the men of Texas were called to arms, the people of that State were reminded of the red trail of the raiding Comanches and Kiowas, aye, then they were willing and even anxious to have the Reserve Indians return and be what they had been before, namely, a buffer between the settlements and the untamed warriors of the plains. But though they loved and trusted young "Sul" Ross, the boy captain, whom the Governor of Texas had selected as his messenger to bear the invitation to return, they shook their heads in refusal and later on fled in the opposite direction. For a decade and a half thereafter, the people of the Texas frontier paid most dearly for the blundering policy which had driven these peaceably disposed bands of Indians beyond the borders of the state and thus gave to the wild Indians an unobstructed path to the settlements and stock ranges of that state.

21. For biographical sketch of Major Robert S. Neighbors, see Appendix, Chapter XXII-4.

22. The assassin and his associates remained around the town of Belknap until the arrival of a company of Rangers under Captain Tom Johnson. When the latter had located and overtaken them, he gave them the same chance for life that they had given Major Neighbors—they were shot down and left where they fell.—Personal information secured from Mrs. Katherine Darden, sister-in-law of Major Neighbors.



CHAPTER XXIII

NEGRO SLAVERY IN THE INDIAN TERRITORY

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Though the early American traders in this region of the west were generally owners of a few negro slaves,¹ yet negro slavery did not become established as an institution in this section until the Indian tribes from the states of the South immigrated to the Indian Territory and established their own tribal governments. Although comparatively few of the full-blood Indians were slave owners, many of the people of mixed Indian and white descent, as well as some of the intermarried whites, were slave owners and these brought their slaves with them to the new country in the West, where they would be useful in the work of opening up farms and plantations.²

Both the Choctaws and the Chickasaws had come from Mississippi and Alabama where the culture of cotton made negro slavery profitable. Among the Choctaws who settled in the Red River region from the mouth of Boggy to the east, were a number of owners of many slaves, who opened up extensive plantations along the river and grew wealthy, principally from the cultivation of cotton which became commercially important not only because of the rich bottom lands in this section, but also on account of the shipping facilities of the Red River.³ Few of the full-blood Choctaws owned slaves, for most of these people settled in the woods and on the edges of the prairies of the uplands, depending upon their stock for a livelihood. Likewise among the Chickasaws, a few of the mixed-bloods were well known for their wealth in slaves, but because they were rich in tribal annuities, the proportion of slave holders in this tribe was large, so that nearly every Chickasaw family owned a few slaves even if for nothing more than personal servants.⁴

1. An example is that of the Chouteau brothers, who established a trading post in the region of the Three Forks in 1802. Washington Irving made particular mention of the treatment of slaves at these frontier posts, in his journal kept while on his visit to this country, from which he wrote his well-known "Tour of the Prairies."—See reference to this in Chapter XIV, "The United States Commission to the Indian Territory," of this volume.

2. The census of the Choctaws, taken by Major Francis W. Armstrong, in 1831, showed 512 negro slaves in the nation before the removal to the Indian Territory. The census of the Creek chiefs and heads of families east of the Mississippi, in 1832, showed 457 negro slaves. The following year a census of the Western Creeks living in the Indian Territory showed 498 slaves. The Eastern Cherokee census taken in 1835 showed 1,592 slaves among these people. The Western Cherokees, who had settled in the Indian Territory in 1829, also included some that were slave owners. The emigration rolls of the Chickasaws, prepared in 1837-38, showed 1,156 slaves. Thus at the end of the Cherokee and the Chickasaw emigrations, in 1839, there were between 4,500 and 5,000 negro slaves in the Indian Territory. The number of slaves in the Choctaw Nation increased to about 2,000 by 1847, so that the ratio of the number of slaves to the number of Choctaws was 1:10 or 12; in the same year the ratio of the number of slaves owned by the Chickasaws was 1:5 or 6.

3. Among the owners of many slaves were Peter P. Pitchlynn, David Folsom, and Col. Robert M. Jones, in the Choctaw country. These men, and other persons, also, bought more slaves when they came to the West in the early 'thirties, out of the proceeds of the land claims allowed them individually in Mississippi, by the terms of the Treaty of removal. Colonel Jones became noted as the wealthiest Choctaw in later years, amassing what was considered a fortune even in the states. He owned from five hundred to six hundred slaves and operated five large plantations on Red River. There were several cotton-gins in the Choctaw Nation as early as 1837, and a number of steamboats were loaded with cotton bales each year at landings a few miles above the mouth of the Kiamichi on Red River.

4. Among the Chickasaws, Robert Love, Jackson Kemp, and Pittman Colbert were wealthy slave owners. The country from the Washita River to the mouth of Island Bayou

Many of the mixed-blood Cherokees were also slave owners.⁵ However, as the Cherokees were a race of mountaineers, and as negro slavery never flourished in mountain regions, comparatively few of the full-blood members of the tribe became slave owners, especially since the cultivation of cotton was not commercially important north of the Arkansas River. The Creeks owned many slaves, though they did not engage largely in the culture of cotton.⁶ In their removal to the West, the Seminoles, some of whom were slave owners, were accompanied by a number of free (or refugee) negroes who had fled from bondage in the states and had been adopted as members of the tribe while it was located in Florida.

The presence of free negroes was the cause for apprehension in the Indian Territory upon two occasions some years before the Civil War. One of these incidents occurred in 1841, when it was reported that some free negroes from the Seminole and Creek nations, who were unruly and impatient of any restraints, were the instigators of an uprising of slaves, with the center of the plot at Webbers Falls and extending up into the lower valleys of the Grand and Verdigris rivers. They had heard in some way that there was a settlement of free negroes on the Rio Grande, in what was still Mexican territory. The plans were carefully laid and a day was set for making a way for the escape of more than two hundred slaves. Early one morning before the overseers had awakened, the negroes locked them in their cabins and placed guards over them. Then taking all the horses, mules, firearms, and provisions they could find, the runaways set out toward Mexico.

They pursued their journey to a point in the Red River country where buffalo might be found. There they fortified themselves in a defensive work composed of earth and logs. As they did not succeed in keeping supplied with game, they soon began a series of predatory raids against the flocks and herds and corn cribs of the Choctaws and Chickasaws. Three troops of Dragoons were sent after them but as the commander of the detachment found them well armed and strongly intrenched, he sent to Fort Towson for reinforcements, which came in the form of a company of infantry and two pieces of artillery. The fugitives soon deserted their fort and a number of them were killed and some wounded; the rest being captured by the Dragoons were soon headed back for the settlements. A few of the ring-leaders were hanged; others were whipped, which ended the only negro uprising of any importance during the days of slavery in the Indian Territory.⁷

on Red River became well known for its cotton farms. At the time of the organization of the Chickasaw Nation under its own constitution in 1856, this section was included in Panola County (the word panola meaning cotton in Chickasaw).

5. Among the Cherokees, Joseph Vann, of Webber's Falls, and John and Lewis Ross owned many slaves. Lewis Ross, who operated the salt works at the old Chouteau trading post (Salina), had upward of two hundred slaves and worked several shifts of forty-five men each. Joe Vann's steamboat, the Lucy Walker, which was destroyed by an explosion on the Ohio River, near Louisville, Kentucky, in 1844, was entirely manned by negro slaves from his own plantation in the Indian Territory.

6. Among the owners of many slaves in the Creek Nation were Daniel N. McIntosh and Hopoithla Yahola (or Opotheyaholay). Though a considerable number of free negroes were citizens of the Creek Nation, after the removal of the Creeks to the Indian Territory, these free negroes and their families lived in several separate settlements to themselves. Locally there was a sharp line of distinction between these people and other members of the tribe. This was also the case among the Seminoles after they migrated to the Indian Territory.

7. Niles' Register for August 7, 1841, gives an account of this negro uprising. William J. Weaver, also, wrote a story in the Fort Smith Elevator for February 12, 1897, concerning

In 1853, a band of free negroes built themselves a fortification of earth and logs in the region around the headwaters of Boggy River. Attention was called to their position by George Folsom, a district chief of the Choctaws, who reported the matter to the tribal agent at Skullyville. He in turn called upon Brevet Major Holmes at Fort Washita for a military force to be sent to disperse the negroes under the provisions of the Federal intercourse law.⁸

Treatment of slaves in the Indian Territory was mild as compared with that in the states.⁹ The brutal, cruel type of owner among the people in this country was an exception, for in most cases slaves were well treated, well clothed and fed. There were marked instances of servile devotion and fidelity, for as a rule the slaves were devoted to their Indian masters.¹⁰ Among the Choctaws and Chickasaws and Cherokees, no person with negro blood was considered socially equal to any citizen of these nations.¹¹

Anti-Slavery Agitation in the Indian Territory—Before the removal of all the Indian tribes from the southern states to the country west of the Mississippi was completed, the activities of anti-slavery agitators were being carried on with the borders of the southern part of what was at that time the Indian

a negro uprising which he said occurred in 1842. It is more than likely that the two accounts, though published many years apart, were really about the same event. Niles' Register stated that the negroes went to the valley of the Red River; Weaver wrote that they went West on the Canadian River Road. There is also a discrepancy as to the number of negroes that took part in the movement. Weaver stated it at 250, while Niles' Register places the estimate as high as 600.

8. Annie Heloise Abel, Ph. D., in "The American Indian as Slaveholder and Secessionist," pp. 23-27.

9. "Although slavery had existed for some generations among the Cherokees, Choctaws, Chickasaws, and Creeks [negro slaves had been brought among these people by white men who had married into the nations during the latter half of the eighteenth century], it was well known to those familiar with the institution that it never existed in the form that characterized it in the slave states of the Union, particularly the Southern States. The worst features of slavery, such as the hard treatment imposed upon the slaves of the South, was hardly known to the slaves of these Indians prior to the war. Indeed, the negroes brought up among the Indians were under such feeble restraint from infancy up that the owners and dealers in slaves in Missouri and Arkansas did not hesitate to acknowledge that Indian negroes were undesirable because of the difficulty of controlling them."—Wiley Britton in "The Civil War on the Border," Vol. II, pp. 24-25.

10. Rev. Henry C. Benson, in his book, "Life Among the Choctaws," Chapter XVIII, mentions the loyal devotion of a slave who belonged to one of the immigrant Choctaws, who settled between Skullyville and Fort Smith. This Choctaw established a ferry across the Poteau River, a few miles above its mouth, the ferry boat being operated by his slave, called Uncle Phil, whom he had brought from Mississippi. In 1843, the Choctaw and his wife died, leaving four orphaned children, whose ages ranged from four to ten years. There seemed to be no near relatives, neither was there as yet any law providing for the appointment of a guardian for the children (a law providing for the appointment of guardians for orphans was passed by the General Council in 1847). Uncle Phil, instead of seeking his liberty as he might have done, remained with the helpless children of his deceased Indian master, provided them with clothes and food, worked the little farm and kept the ferry as faithfully as when the master and mistress were alive, and seemingly was as careful of every interest involved as a guardian could have been.

11. For some of the laws in force in the Choctaw Nation from the first session of its General Council in the Indian Territory, in 1834, to just prior to the Civil War, see "Constitution and Laws of the Choctaw Nation," printed at Doaksville, 1852. Under this constitution, Article VII, Section 16, stipulated, "No person who is any part negro shall ever be allowed to hold any office under this Government." Section 17, following, gave the council power to naturalize and adopt Indians from other tribes as citizens of the nation, expressly stating, "except a negro or descendant of a negro." The General Council also passed a law, in 1838, prohibiting the co-habitation of any member of the nation with a negro slave.

Under the Cherokee constitution adopted in 1839, Article III, Section 5, provided that, "No person who is of negro or mulatto parentage, either by the father or the mother's side, shall be eligible to hold any office of profit, honor, or trust under this Government." In the same year the National Council of the Cherokees passed a law prohibiting the marriage of any member of the nation with a negro.

Territory. This work was early allied with that of some of the mission workers of the different church boards in this country. The first public expression arose in the Choctaw Nation in 1836, when its General Council passed a law compelling any missionary or preacher or person, "whatever his occupation may be," who was found "favoring the most fatal and destructive doctrines of abolitionism," to leave "the Nation and forever stay out of it." The teaching of slaves how to read, to write or sing, without the consent of the owner, or allowing a slave to sit at the table with them was "sufficient ground to convict persons of favoring the principles and notions of abolitionism."¹²

Since the economic interests of the Choctaw Nation depended more and more upon the culture of its cotton, its Council subsequently passed a number of other laws with reference to slavery. These acts show how closely life in that nation was allied with southern institutions.¹³ Though public sentiment with reference to slavery among the Choctaws was certainly a matter that was fostered by influences within the slave states bordering upon the Indian Territory, and though the prosperous slave holders among the Choctaws, both mixed-blood and inter-married whites, undoubtedly had their weight in any expression with reference to negro slavery, yet something must be said with regard to the solidarity of feeling in the Choctaw Nation, since these forces were backed up in their views and expressions by the leading full-bloods who were not owners of slaves. The conservatism of the Choctaw National character, always a matter for comment by outsiders even to the point of being blamed for selfishness, made the Choctaws jealous of their tribal community; they wanted to keep their country strictly for their own people, under their own laws, without interference of anyone except those persons whom they might choose.¹⁴

A great majority of the mission workers of the American Board of Commissioners of Foreign Missions (Congregational-Presbyterian), which was the strongest religious organization in the Indian Territory, as well as all of the moral influence of the sustaining society, under whose auspices they were working, was known to be opposed to slavery.¹⁵ In the course of time, pressure from headquarters at Boston was put upon these men to openly oppose

12. An act prohibiting the teaching of slaves to read, write or sing without the consent of the owner:

Sec. 2 Be it enacted &c., That from and after the passage of this act, if any citizen of the United States, acting as a missionary or preacher or whatever his occupation may be, is found to take an active part in favoring the principles and notions of the most fatal and destructive doctrines of abolitionism, he shall be compelled to leave the nation and forever stay out of it.

And be it further enacted, That teaching slaves how to read, write or sing in meeting-houses or schools or in any open place, without the consent of the owner, or allowing them to sit at the table with him, shall be sufficient grounds to convict persons of favoring the principles and notions of abolitionism.

Approved October 5, 1836.—Constitution and Laws of the Choctaw Nation, printed at Doaksville, 1852, p. 20.

13. These acts included prohibiting slaves from owning property or arms, except a "good honest slave," with a written pass from his master or mistress; detention of runaway slaves; prohibiting emancipation of slaves without the consent of the General Council, in which case emancipated slaves should leave the nation; not allowing negroes from the United States, or neighboring tribes of Indians, to remain in the nation.—*Ibid.*, pp. 20, 28, 45, 46.

14. *Ibid.*, pp. 21, 22, 27, 69.

15. Appendix XXIII-1. Missionaries blamed with instigating a slave to run away from the Cherokee Nation.

slave holding by the Indian people among whom they were working. In 1847, Rev. S. B. Treat, corresponding secretary for the American Board of Commissioners of Foreign Missions, visited the Indian Territory for the special purpose of inspecting the mission work and the attitude of the workers toward slavery.¹⁶ During his stay the question of owning slaves or the hiring of slaves for labor by the missionaries of the American Board was made the subject of discussion which was afterward mentioned in his report.¹⁷ Some of the missionaries defended their course in these matters which hung fire until 1855.¹⁸ In that year, after a visit of Rev. G. W. Wood, of the Prudential Committee of the American Board, some of the missionaries among Choctaws championed the cause of the slave owners and withdrew from connection with the patronizing society.¹⁹ Others became so outspoken in their anti-slavery sentiments that it became expedient for them to leave the country.²⁰ Finally the American Board of Commissioners of Foreign Missions withdrew its support from the missions, first in the Choctaw Nation in 1859, and then in the Cherokee Nation in 1860, because of the embarrassments growing out of the slavery question, though some other reasons were also assigned.

With the division of the Methodist Episcopal Church along sectional lines in 1844-45 because of the slavery issue, there was no contention among the Methodist missionaries in the Indian Territory after that time, for the reason that they all belonged to the southern branch of the church. Though there were Southern Baptists as well as Northern Baptists in this country, the mission work of this denomination under the direction of Rev. Evan Jones and his son, Rev. John B. Jones, confined as it was largely to the full-blood Cherokees, made no secret of its propaganda for the cause of abolition.²¹

In 1859, Rev. John B. Jones was the dominant spirit in the inception of the secret society, known as the Keetoowah Society, organized among the full-blood Cherokees and reputed to be hostile in its designs concerning the mixed-

16. Appendix XXIII-2. Songs of the Jubilee Singers.

17. *Missionary Herald*, Vol. XLIV, pp. 28 and 346.

18. Among those missionaries who were not in harmony with the attitude of the American Board of Commissioners for Foreign Missions in regard to slavery question was Rev. Dr. Elizur Butler, one of the veteran mission workers, who had suffered imprisonment in the Georgia Penitentiary because of his devotion to the Cherokees when they were being persecuted for the purpose of inducing them to emigrate. When he was directed to withhold the ordinances of the church from those who owned slaves, he is said to have written in response: "I have members, who are slaveholders, who are nearer the Kingdom than I am and I hereby tender my resignation." He was shortly afterward commissioned as superintendent of education for the Cherokee Nation by Chief John Ross.

19. These missionaries were Cyrus Kingsbury, Cyrus Byington, Ebenezer Hotchkin, C. C. Copeland, and O. P. Stark.—Letter addressed to Rev. S. B. Treat, corresponding secretary of the A. B. C. F. M., and signed by the above missionaries, dated Pine Ridge, Choctaw Nation, November 15, 1855, reprinted in Abel's "The Indian as Slaveholder and Secessionist," pp. 43-45.

20. Appendix XXIII-3. A Missionary's Attitude Toward Slavery.

21. Under the head of "Something for Abolitionists to Read," the *Fort Smith Herald* of January 17, 1852, printed the following story of the return of a runaway slave:

"About four years ago, two negro men belonging to Mrs. Ridge, now dead, and the widow of Major Ridge, of the Cherokee Nation, ran away. Nothing had been heard from them since they left until a few days ago, when one of them, a large, likely fellow by the name of William, stepped into the house where he had left his mistress and voluntarily surrendered to Mr. Stand Watie, its present occupant, and administrator of the estate of Mrs. Ridge. Mr. W. was very much surprised to see him, nor did he know that he was in the neighborhood until he had walked into the house and fell upon his knees. It appears that he had been a part of the time in Iowa, a free State, and came immediately from that place home. Here is an instance of a negro preferring slavery to freedom in a free State."

blood members of the tribe, as well as strongly in favor of abolition.²² There was considerable excitement over the matter, not only in the Indian Territory, but also in the neighboring State of Arkansas.²³

The tribal Indian agents appointed by the Government during the years immediately preceding the Civil War, were all from the South and several of them were keenly apprehensive of the influence of the anti-slavery missionaries working among the Indians.²⁴ At the same time, it was charged that a secret society, known as the Knights of the Golden Circle, was actively pushing its propaganda in the Indian Territory, though this is doubted by some historical authorities.²⁵

22. The following, under the caption of "Secret Society Among the Cherokees," was published in the Fort Smith Times of April 26, 1860:

"We learn from good authority that between 100 and 150 full-blood Cherokee Indians, in the Flint District, a few days ago held a meeting on a high mountain, where they could see any approach from a distance, to initiate a number of Indians into their secret society. The full-bloods appear to be banding themselves together for some purpose and many half-breeds are becoming uneasy. This new society is somewhat on the plan of the Kansas Aid Society and perhaps came from that country. The half-breeds say that John Jones, son of Evan Jones, is at the head of it. There is trouble brewing among these Indians, and there is no telling where and when the first blow will be struck. The abolitionists are at work among the Cherokees." For further reference to the purposes and the work of the Keetoowah Society, see article by J. W. Duncan, for many years its English secretary, in *Chronicles of Oklahoma*, published by the Oklahoma Historical Society, September, 1926, Vol. IV, No. 3, p. 251.

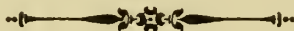
23. The Fort Smith Times mentioned the same matter again in its issue for May 4, 1860, under the heading of "Trouble Brewing Among the Cherokees—What Does It Mean?" as follows:

"We noticed a week or two ago that there was a secret organization going on in the Cherokee Nation and that it was among the full-blood Indians alone. We are informed by good authority that the organization is growing and extending daily and that no half or mixed-blood Indian is taken into this secret organization. The strictest secrecy is observed, and it is death by the order to divulge the object of the society. They hold meetings in the thickets and in every secret place to initiate members. We are told that the mixed-bloods are becoming alarmed, and every attempt to find out the object of this secret cabal has thus far proved abortive. The Joneses are said to be the leaders in this work, and what those things are said to be no one can predict. We fear that something horrible is to be enacted on this frontier, and this secret work will not stop among the Cherokees, but will extend to the other tribes on this frontier. The Government should examine into this matter before it becomes too formidable."

A résumé of the work of the abolitionists and their opponents in the Indian Territory during the period before the Civil War is given in Annie Heloise Abel's "The Indian as Slaveholder and Secessionist," pp. 37-48.

24. Letter of Agent Douglas H. Cooper, Choctaw and Chickasaw Agency, Report of the Commissioner of Indian Affairs for 1859, pp. 190-91, and in the report of the same office for 1860, pp. 129-30; also, the letter of Major Elias Rector, Superintendent of Indian Affairs for the Southern Superintendency, *Ibid.*, pp. 115-16.

25. The charge that the organization known as the Knights of the Golden Circle (its members were Northern or "Peace" Democrats, later called "Copperheads," favored letting the South secede, and later opposed the War) was active in the Indian Territory was made by some of the Federal officials. Anna Heloise Abel in her "The Indian as Slaveholder and Secessionist," p. 68, calls attention to the statement in Albert Webb Bishop's "Loyalty on the Frontier," with reference to the influence of the Knights of the Golden Circle on the Arkansas Legislature in 1860.



CHAPTER XXIV

BEGINNING OF THE CIVIL WAR IN THE INDIAN TERRITORY

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During the era immediately preceding the outbreak of the Civil War, the people of the Five Civilized Tribes were at peace with the world. Their farms and plantations were productive and their flocks and herds had increased until they were a source of wealth in the surplus that was sold and driven out of their territory into the states to the east and the north. Some of the more enterprising tribesmen became well-to-do, and even the poorest could provide themselves with the necessities of life. Thus they were practically self-supporting and the interest on their trust funds arising under treaty provisions was largely expended in the support of schools and education. The several tribal governments were conducted with a fair degree of efficiency, most of them proving progressive and comparing well with any of the states on the southwestern frontier. Seemingly, there was little to disturb the people of the five civilized tribes under these circumstances. There can be no doubt but that they would have preferred to continue to live in peace.

Although we may like to dwell upon these idealistic conditions among the Five Civilized Tribes, yet there was a disturbing factor that was the cause for deep anxiety to them. Time had proven that they were merely the van of the great westward movement in the United States. They had been told to move on once, would they be told to move on again? Hardly was the removal of the Indians to the Indian Territory begun, when efforts were made in Congress looking toward the territorial organization of the country, which had been guaranteed to the Indians, as a part of the Federal Union.¹ Since the final results of such efforts could only mean the dissolution of their tribal integrity, the people of the Five Civilized Tribes, especially, were exceedingly wary of any attempt to organize a territory or state that would include their lands. The sorrows and miseries of the migration of the tribes to the Indian Territory had become less poignant to the younger people who could not remember the old homes in the country east of the Mississippi, but those who had grown old and those who were now in the prime of life could never forget that terrible experience. Their whole intelligence and all their resourcefulness would be against the repetition of such an event. Added to these circumstances, one finds that each of the Five Civilized Tribes had produced capable leaders, some of them brilliant men, who could match their wits and their personalities with the best in the United States at the beginning of the Civil War.

The same year that had seen the organization of Kansas and Nebraska, in 1854, another bill had been introduced in Congress providing for the organization of the territories of Chelokee, Muscogee, and Chahta (each being synonymous with the Cherokee, the Creek and the Choctaw nations, respectively), with the idea of paving the way for the subsequent formation of the State of

1. House Bill No. 490, House Journal, 23d Congress, 1st Session, p. 472.

Neosho.² Though this measure never came up for final consideration in Congress, yet it was significant of the trend of affairs as far as the Indians of the Five Civilized Tribes were concerned.

In order to frame a code of international laws in the Indian Territory, thus promoting unity of action in the situation confronting them, the "legally constituted authorities" of the Creek Nation requested the neighboring tribes to send delegations to attend an "International Council of Nations," to meet in November, 1859, at the Asbury Mission near North Fork Town. On November 14, a compact of harmony and good feeling was established by the delegations that were present.³

The following year—1860—was one of distress and threatened calamity to the people of the Indian Territory. In the first place, the Southwest experienced the worst drought within a period of thirty years; corn crops were a total failure and thousands of Indians were faced with famine as winter approached, so that a special appropriation for the purchase of corn and food supplies was solicited from Congress by the Commissioner of Indian Affairs. The unprecedented season had even killed the grass for many miles around the Wichita Agency. The agents for the Creeks and Seminoles reported that all crops had been destroyed, leaving the people in the region north of the Arkansas River in a destitute condition. Among the Choctaws and Chickasaws grain crops had failed to such an extent that the purchase of a large supply of corn was necessary for distribution among these people.⁴

The same year also saw the presidential campaign in progress, with partisan feeling flaming high in the bordering states. Although neither railroad nor telegraph had penetrated as far as the borders of the Indian Territory and news was tardy in arriving "from the states," the people of the Five Civilized Tribes were deeply interested in the developments which portended the coming of the storm of civil strife. News from Washington, Charleston, Montgomery, and other centers of political interest, where the preliminary scenes of the great struggle were being enacted, took time to reach the Indian Territory, yet, when it was received, it was pondered and discussed with eager interest. When the report of William H. Seward's speech made at Chicago, during the campaign, finally reached the people of the Five Civilized Tribes, Southern newspapers had laid stress upon Seward's words, "The Indian Territory, also, south of Kansas, must be vacated by the Indians." Were these unfortunate words an answer to the anxious thoughts of the Indians? To many, at least, they may have tentatively augured the policy of the incoming administration.⁵

The relations of all the Five Civilized Tribes with the Government were friendly and had been for so long a time that, had it not been for the exertion of powerful influences to such an end, it may well be doubted whether the

2. Congressional Globe, 33d Congress, 1st Session, p. 1586; also, consult Roy Gittinger's "The Formation of the State of Oklahoma," pp. 44-50.

3. Acts and Resolutions of the General Council of the Choctaw Nation, for the year 1859, printed at Fort Smith, Arkansas, pp. 46-47.

4. Report of the Commissioner of Indian Affairs for 1860, pp. 18, 124, 129, 156. See Appendix XXIV-1, "The Corn Scandal" in the Choctaw Nation.

5. Congressional Globe, 33d Congress, 1st Session, Appendix, p. 155.

most of their people would have sanctioned a change. However, all of these tribes had come from states of the South. Many of the customs and habits which they had adopted were those which were peculiar to the South. Moreover, many of their people were related by ties of blood and marriage to the people of the South. The Government officials who were charged with the supervision of Indian affairs for the tribes in the Indian Territory were all men of southern birth and extraction; most of them were more or less active in their support of the secession movement, and each was in a position to exert a powerful influence in its behalf.⁶ It was for all these reasons that, despite their preference for peace rather than war, especially when the latter meant a severance of their long friendship for the United States, a great many of the Indians felt that duty seemed to call for a new alliance.

On January 5, 1861, the Chickasaws passed an act in a called session of their legislature, asking for a general convention of delegates from each of the five tribes to meet "for the purpose of entering into some compact, not inconsistent with the Laws and Treaties of the United States," and, also, "to renew the harmony and good feeling," that had been established at North Fork, in 1859. Under the provisions of this act, Jacob Derrysaw, acting chief of the Creek Nation, issued a call to the other nations to meet at North Fork on February 17. In his reply to Governor Cyrus Harris of the Chickasaw Nation, Chief John Ross, in behalf of the Cherokees, signing himself as "Elder Friend and Brother," said that he regretted "most deeply, the excitement which has arisen among our White brethren: yet *by us* it can only be regarded as a family misunderstanding among themselves." He advised caution on the part of the Indians and care in adopting any action that might be misconstrued or misrepresented. As events transpired, only a few Cherokees, Creeks, and Seminoles attended the convention, no delegation appearing from the Choctaws nor from the Chickasaws who had originally suggested the meeting.⁷

The Choctaws had also met in a called session of their General Council during January. The results of its decisions with reference to the seceding states were expressed in certain acts and resolutions approved by Chief George Hudson on February 6, 7, and 8, one of the most important being the resolution declaring in favor of an alignment with the people of the Southern states.⁸ Another provided that the Council should elect delegates to meet the Chickasaws at Boggy Depot on March 11, 1861, "to consult for the common safety of these two tribes, in event of the dissolution of the American Union."⁹

6. "Douglas H. Cooper, agent for the Choctaws and Chickasaws, was from Mississippi; William H. Garrett, agent for the Creeks, was from Alabama; Robert J. Cowart, agent for the Cherokees, was from Georgia; Matthew Leeper, agent for the Indians of the Leased District, was from Texas; and Andrew J. Dorn, agent for the Neosho River Agency, was from Arkansas. The records show that practically all of them, Cooper, Garrett, Cowart, Leeper, and Dorn, were absent from their posts, with or without leave, the first part of the new year and that every one of them became or was already an active secessionist."—Annie Heloise Abel, "The Indian as Slaveholder and Secessionist," pp. 82-83.

7. *Ibid.*, pp. 68-69.

8. Appendix XXIV-2. Resolution of the Choctaw Council with reference to the secession of the states of the South.

9. Appendix XXIV-3. (The acts and resolutions passed by the Choctaw Council may be found in the pamphlet, "Acts and Resolutions Passed at the Call Session of the General Council, January, 1861," printed at Boggy Depot, pp. 121-32.)

Secessionists of the Bordering States Take Steps, both Civil and Military, to Make Alignments with the Indians—The chaotic conditions which prevailed at Washington at the beginning of the Civil War were reflected in the uncertainties and evident demoralization which distinguished the civil and military agencies of the Government in the Indian Territory. Added to this were the suggestive and appealing overtures of the official representatives of some of the states of the South, who urged that the Indians of the Five Civilized Tribes should make common cause with the seceding states.

By February, 1861, the secessionists in Texas were perfecting their plans for withdrawing from the Federal Union.¹⁰ Realizing the importance of gaining an alignment with each of the Five Civilized Tribes, the Texans appointed three commissioners to visit the Indian Territory, who arrived at Boggy Depot the day before the Choctaw and Chickasaw convention of March 11. There the commissioners were cordially received and given assurances of the unanimous support of the two nations. They also proceeded to the Creek Nation, where in a convention on April 8, the Creeks likewise declared themselves in sympathy with the seceding states. On the other hand, the commissioners found the Cherokees divided in sentiment, Chief Ross receiving them "with courtesy, but not with cordiality," and making the declaration that the Federal Union had not been dissolved.¹¹

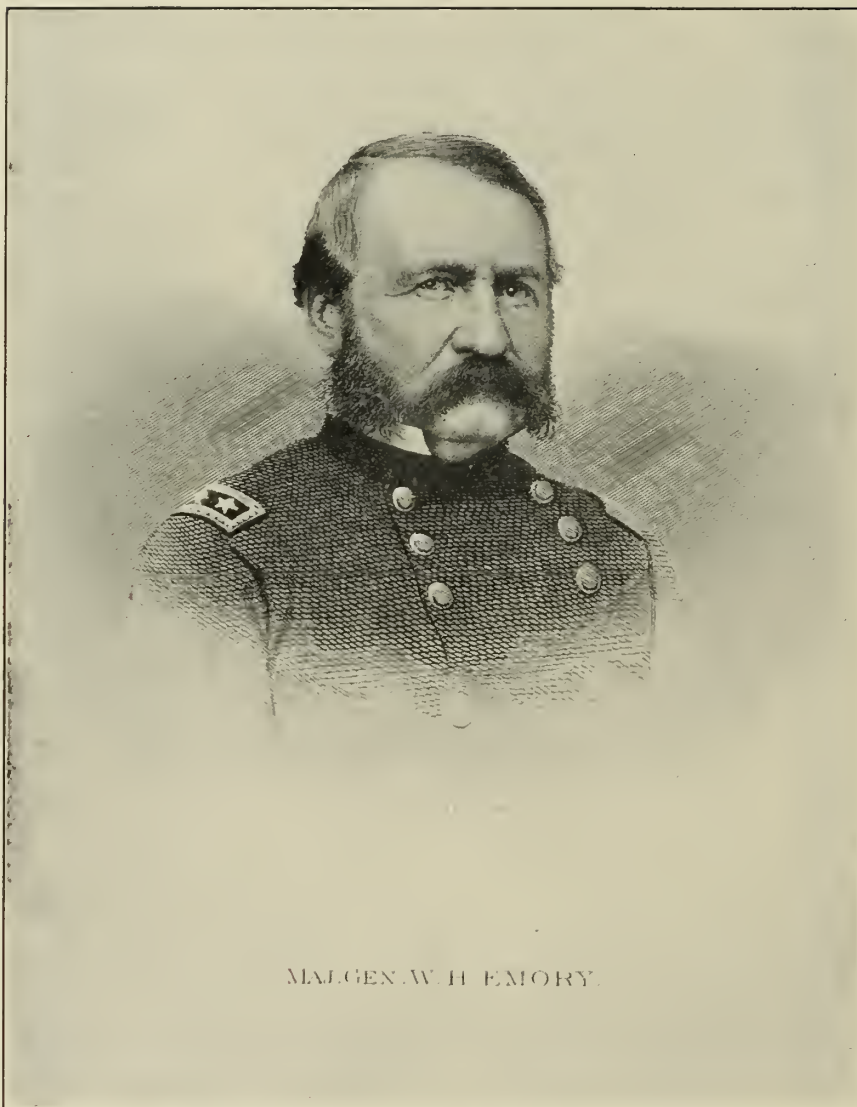
Though leaders in Arkansas realized the importance of winning all the people of the Indian Territory¹² as allies in the Southern cause,¹³ and though public excitement ran high in such centers as Little Rock, Fort Smith, and Boonesboro, there was a tendency to temporize over the situation, due to the fact that unionist and secessionist sympathizers were about evenly divided in the state convention called by the governor of Arkansas and sanctioned by the people, early in March, 1861. All the Indian funds, which were kept at Fort Smith, had been seized by the Arkansas authorities, upon the death of the United States disbursing agent in January; however, fearing the effect this action might have upon the Indians, the convention passed a resolution against diverting these funds for any purpose other than that for which they were originally intended. It was not until after the secession of Arkansas

10. Abel, *op. cit.*, "The Indian as Slaveholder and Secessionist," pp. 84-95.

11. Appendix XXIV-4. Report of the Texas commissioners, 1861. (These commissioners were James E. Harrison, James Bourland, and Charles A. Hamilton.)

12. Under date of January 29, 1861, Governor Henry M. Rector, of Arkansas, addressed a letter to Chief John Ross, of the Cherokee Nation, reviewing the conditions then existing, calling attention to the interests which the people of the Cherokee Nation held in common with those of the seceding states and urging that they should be prompt in aligning themselves on the side of the South. This letter was accompanied by another one written to Ross by Major Elias Rector, Superintendent of Indian Affairs for the Southern Superintendency, which included the Five Civilized Tribes. These letters, which are published in full in the Official Records of the Union and Confederate Armies, Series I, Vol. I, pp. 683-84, were sent to Chief Ross by a special messenger in the person of Lieutenant-Colonel J. J. Gaines, aide-de-camp on the staff of Governor Rector. To this letter, under date of February 22, Chief Ross wrote in reply, stating that the existing treaties between the Cherokee Nation and the United States had not been abrogated and expressing hope that the threatened war might be averted. Other letters written by Chief Ross in a similar vein and stating it to be his purpose and that of his people to remain neutral in the impending conflict are recorded during the course of the ensuing three or four months in the Official Records of the Union and Confederate Armies, Series I, Vol. XIII, pp. 491-99.

13. Appendix XXIV-5. Correspondence between the Confederate Commissioner of Indian Affairs and Chief Ross serves to illustrate the argument used in seeking to induce him to favor a treaty of alliance with the Confederate States and also the position which he maintained concerning the matter.



MAJ. GEN. W. H. EMORY.

MAJOR-GENERAL WILLIAM H. EMORY, U. S. A.

on May 6, that definite steps were authorized by the convention to seek an alliance with the Five Civilized Tribes, and a commission of three men was appointed to visit the Indian Territory. As this was tardy action compared with that taken by the Texans, the convention subsequently empowered N. Bart Pearce, who had been recently made "brigadier-general of Arkansas, to command the Western frontier," to coöperate with Brigadier-General Ben McCulloch.¹⁴

At the outbreak of the Civil War, there were three garrisoned military posts in the Indian Territory; namely, Forts Washita, Arbuckle, and Cobb. In addition, Fort Smith on the eastern border, the base through which the other three posts had drawn their supplies, was still occupied by Federal troops. Lieutenant-Colonel William H. Emory, 1st United States cavalry, was in command of the district embracing these posts, the garrisons of which, all told, aggregated but eleven companies (infantry and cavalry). The certainty that, in event of the secession of the State of Arkansas, supplies could no longer be transported up the Arkansas River for the maintenance of these posts, rendered the question of their continued occupancy one of great gravity and concern. Just before he left for his station in the Indian Territory, Colonel Emory, who was in Washington early in March, was ordered to concentrate the garrisons of all the posts at Fort Washita. His orders included a great deal of discretionary power, for no one in authority at Washington could form an intelligent idea as to the proper course to pursue in such distant outposts amid surroundings that were uncertain if not openly hostile.¹⁵

With the circulation of the report that the Federal troops at Little Rock were to be reinforced, the Government arsenal at that point was seized by the authorities of the State of Arkansas, February 8, 1861—nearly three months before the adoption of the ordinance of secession. A few days later, a consignment of ordnance stores, en route by steamboat to Fort Smith, was seized by the Arkansas authorities at Napoleon, Arkansas. About the middle of April, two consignments of subsistence stores, intended for the use of the garrison at Fort Smith and the posts in the Indian Territory were captured and appropriated by the forces of the State of Arkansas, at Pine Bluff. At the same time an expedition was being organized at Little Rock for the capture of Fort Smith. The post commander, Captain Samuel D. Sturgis, gave orders for the evacuation of that post, which was abandoned on April 23,

14. Abel, "The Indian as Slaveholder and Secessionist," *op. cit.*, pp. 102-25.

15. Colonel Emory's situation was a trying one, indeed. Besides the officers of the command who were absent on leave or on detached service, a number of others had resigned to enter the service of the seceding states. Several companies in his force were commanded by non-commissioned officers. In addition to the weight of responsibility devolving upon him, Colonel Emory (who afterward became a justly distinguished general in the Union Army) had personal reasons for regarding his task as an unpleasant one. Under date of April 13, he wrote from Fort Smith to Adjutant-General Townsend, at Washington, in part, as follows:

"Owing to the turn affairs have recently taken, the position of an officer from a Southern State out here on duty has become extremely embarrassing; so much so as to impair his efficiency. Therefore, I urgently request that I be allowed to turn over this command, with my instructions, to Major Sacket, or such other officer as may be selected, and that I be permitted to return to Washington City, where I can explain my reasons for the step. If these reasons should prove unsatisfactory, I am prepared to resign my commission. I respectfully suggest that it has never been the policy of any government to employ officers to operate against their own section of the country."

and none too soon, for two steamboats, bearing three hundred armed men and ten pieces of artillery, arrived an hour later. Captain Sturgis marched his command, consisting of two troops of cavalry, to the vicinity of Fort Washita, where he reported to Colonel Emory.¹⁶

Early in April, William C. Young, a former planter of Texas and then recently commissioned a colonel of state troops with a force of Texas volunteers (or militia), had entered the Indian Territory from the south, for the purpose of making an attack upon Fort Washita.¹⁷ In the meantime, Colonel Emory carrying out his orders from Washington had returned to this post. Upon learning that stores in transit to posts in the Indian Territory, on Arkansas River steamboats, had already been captured by Arkansas troops, and that the garrison was in an exposed situation, with an attack by Texas troops hourly expected, he abandoned Fort Washita on April 16. The following day Colonel Young entered Fort Washita with his troops. Colonel Emory then marched to the relief of Fort Arbuckle but did not arrive in its vicinity until after it had been surrendered (on the morning of May 5) to a strong force of Texas troops still under the command of Colonel Young. The garrison of Fort Arbuckle, which had been disarmed and released, joined Colonel Emory's column on the east side of the Washita on the evening of the same day.¹⁸

The retreating Federal troops were followed by a strong force from Fort Washita; nevertheless, by a sudden movement, Colonel Emory succeeded in capturing the advance guard of this pursuing force, without firing a shot. As a result of a parley with these captives, they were released and the pursuit was ended. Colonel Emory then put his column in motion for the purpose of relieving the garrison at Fort Cobb, the abandonment of which he had already ordered.¹⁹ He found this command at a place about thirty-five miles northeast of Fort Cobb. From that point the united command, embracing the garrisons of the four recently abandoned military posts and consisting of eleven companies of infantry and cavalry—about seven hundred and fifty officers and men in all—took up the line of march, by the most direct practicable route to Fort Leavenworth, Kansas, where it arrived three weeks later

16. Wiley Britton, "The Union Indian Brigade in the Civil War," p. 21.

17. Colonel Earl Van Dorn, who was in command of all the Confederate forces in Texas, also issued orders (May 25) to Colonel H. E. McCulloch, of the First Texas Mounted Riflemen, to take command of an expedition for the purpose of capturing the three posts (Washita, Arbuckle, and Cobb), which had already been abandoned by the retreating Federal forces and occupied by Texas Volunteers under Colonel Young. The latter seems to have acted independently of instructions or orders of Confederate military authorities, though whether upon his own initiative or not does not appear. That there was a division in the councils of this invading force from Texas, as well as a lack of military discipline, is indicated by the following extract from a letter written at Bonham, Texas, May 14, 1861, by Captain S. T. Benning, of Fannin County Company, in Colonel Young's command:

"Colonel Young has formed a treaty of peace with the Reserve Indians (i. e., Caddoes, Wichitas and affiliated tribes), conditioned that the Southern Confederacy feed and protect them, as heretofore done by the United States Government at a very heavy expense, and that, too, without the approval of but very few people in this State. It is considered by the sovereigns here as a worse than needless expense."

18. Before reaching Fort Arbuckle, Colonel Emory met Lieutenant William W. Averell, Regiment Mounted Rifles, bearing despatches to him, overland from Kansas, ordering concentration of all troops from the Indian Territory at Fort Leavenworth. Fort Arbuckle seems to have been surrendered by a first sergeant.

19. The Fort Cobb garrison probably effected a junction with Colonel Emory's column somewhere near the present town of Minco, in Grady County.

without the loss of any equipment and with but two desertions to be reported in the loss of strength. Captain Black Beaver, the noted Delaware Indian scout, was Colonel Emory's guide on this journey and he, more than any one else, was responsible for the selection of the route traversed.²⁰ Probably none of the officers and men of the command had ever been over that part of the country before, since all travel between the states and the posts recently abandoned had been from the East by way of the Arkansas River as far as Fort Smith.

On May 13, 1861, Colonel Ben McCulloch, of Texas, was commissioned a brigadier-general in the Confederate Army and was assigned to the command of a military district embracing the Indian Territory.²¹ To the command of General McCulloch were assigned three regiments which had already been recruited and mustered into the service in the states of Arkansas, Louisiana, and Texas. This force was to be augmented by three regiments of Indian troops, one of which was to be composed of Choctaws and Chickasaws, one of Creeks and Seminoles, and one of Cherokees. The instructions issued to the commander of the newly created military district emphasized especially the desirability of capturing Fort Washita and the Federal troops which were under the command of Colonel Emory. These, however, had succeeded in eluding capture, though all of the abandoned posts with some military supplies fell into the hands of the Confederates.

Shortly after the withdrawal of the Federal forces from the Indian Territory, the Chickasaw Legislature adopted a lengthy resolution in support of the Confederate States.²² The Office of Indian Affairs, in the newly organized Confederate Government, took steps to effect alliances with various tribes in the Indian Territory, and its war department was urged to encourage the organization of volunteer regiments to be recruited among the people of these tribes. Thus the Five Civilized Tribes were drawn into a war in which they had nothing to gain and much to lose, not only in life and property,²³ but also in the progress they had made.

20. The trail which was broken by this column of Federal troops in withdrawing from the Indian Territory was the one whose faint trace was followed nearly four years later by Jesse Chisholm on his trading trip southward from the mouth of the Little Arkansas. This information was obtained directly from George Chisholm, adopted son of Jesse Chisholm, who accompanied the latter on the trading trip in question. George Chisholm, who died in 1918, stated that, though the trail received its name from Jesse Chisholm, the latter merely followed the one made by the troops of Major Emory's command as it marched out of the Indian Territory in the spring of 1861. Black Beaver, who was resourceful as well as experienced in the ways of the wilderness, was prevailed upon by Colonel Emory to undertake to guide his command through the settlements in Kansas only after much persuasion. He had a fine farm on the Washita, not far from the present site of Anadarko, where he had considerable property, especially in the way of horses and cattle. Upon his return, after guiding the Federal troops out of the Territory, he found that a Confederate force had invaded the Delaware settlement and had destroyed all of his property that could not be appropriated. Although he had thus sacrificed all of his belongings in its service, the Government had not reimbursed him at the time of his death, nearly twenty years later.

21. Forts Arbuckle, Cobb, and Washita had all been abandoned by their Federal garrisons and had been occupied by Confederate troops prior to the commission and assignment of General McCulloch to the command of the Indian Territory.

22. Appendix XXIV-6. Resolution of the Chickasaw Legislature. (This pronouncement of the Chickasaws was in striking contrast to the resolution which had been adopted by the Choctaw Council on February 7. It was not only lacking in dignity and fairness which had distinguished the declaration of the Choctaws, but was very immoderate in some of its expressions.)

23. The United States Government had invested the greater part of the Indian trust funds, arising under treaties with the individual tribes, in Southern stocks.

OKLAHOMA—STATE AND PEOPLE

INDIAN TRUST FUND.

LIST OF STOCKS HELD BY THE SECRETARY OF THE INTERIOR IN
TRUST FOR INDIAN TRIBES.

State.	Per Cent.	Amount.
Arkansas	5	\$3,000.00
Florida	7	132,000.00
Georgia	6	3,500.00
Indiana	5	70,000.00
Kentucky	5	183,000.00
Louisiana	6	37,000.00
Maryland*	6	131,611.82
Missouri	5½	63,000.00
Missouri	6	484,000.00
North Carolina	6	562,000.00
Ohio	6	150,000.00
Pennsylvania*	5	96,000.00
South Carolina	6	125,000.00
Tennessee	5	218,000.00
Tennessee	6	143,000.00
United States	6	251,330.00
Virginia	6	796,800.00

—Report of the Commissioner of Indian Affairs for 1859, p. 452.

\$3,449,241.82

*Taxed by the State.



CHAPTER XXV

CONFEDERATE TREATIES WITH INDIAN TRIBES

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On May 11, 1861, William P. Dole, Commissioner of Indian Affairs, at Washington, addressed a letter to each of the chiefs of the Five Civilized Tribes,¹ asking their coöperation with William G. Coffin, the new superintendent for the Southern Superintendency, appointed in place of Elias Rector² who had entered into the service of the Confederacy. Commissioner Dole stressed the policy that had been adopted by President Lincoln toward the Indians, pointing out that all Federal officials had been urged to a "strict compliance with all treaties entered into between the United States and the Indian people, to do exact justice, and cultivate friendly relations between the red and white man."³ Before three weeks had passed, another letter from the Commissioner, addressed to the Secretary of the Interior, Caleb B. Smith, urgently asked that United States troops be stationed in the Indian Territory to secure the Indians in their allegiance to the Government, and to protect them "from the mischievous intermeddling of white persons without their borders."⁴ But the suggestions contained in these communications were already too late to aid the people of the Indian Territory in the dilemma confronting them. The secessionists, two months before this, had lost no time in winning at least a tacit alignment with the tribes on the Southwestern frontier, an alignment that now crystallized into positive agreements when the Indians found themselves seemingly deserted by their former friends and exposed to the ravages of war upon the withdrawal of the Federal troops under the command of Colonel Emory.

By the end of May, Captain Albert Pike,⁵ as special commissioner for the

1. These chiefs were Cyrus Harris, the governor of the Chickasaw Nation; George Hudson, the principal chief of the Choctaw Nation; John Ross, the principal chief of the Cherokee Nation; Motey Kennard, the principal chief of the Lower Creeks; Echo Hadjo, the principal chief of the Upper Creeks; Billy Bowlegs, the principal chief of the Seminole Indians.

2. Elias Rector was a member of a very prominent and influential family in Arkansas. He was not only a cousin, but also a close friend of Governor Henry M. Rector, the Secessionist Governor of that State.

3. Report of the Commissioner of Indian Affairs for 1861, p. 34.

4. *Ibid.*, p. 35.

5. Albert Pike was born in Boston, Massachusetts, December 29, 1809. He was educated at Harvard and, in 1831, went west to Santa Fe. In 1832 he crossed the Staked Plains with several companions. After experiencing great hardships they finally arrived at Fort Smith, Arkansas. [The story of this expedition is to be found in "A Journey Across Oklahoma Ninety Years ago," by W. B. Morrison, in *Chronicles of Oklahoma*, publication of the Oklahoma Historical Society, for December, 1926, Vol. IV, No. 4, pp. 333-37.] Remaining in Arkansas, Albert Pike first began teaching school, then took up newspaper work, and, finally, engaged in the practice of law. He was a prolific writer and was gifted with a large measure of poetic ability, even in the early part of his life. He served as a captain of volunteers during the Mexican War. He manifested great interest in public affairs and, at the outbreak of the Civil War, acted as commissioner to treat with the Indians, for the Confederate States. In November, 1861, he was commissioned a brigadier-general in the Confederate Army, but his active military career was brief, as he retired from the service in less than six months. After the war closed he practiced law at Memphis, Tennessee, and edited the *Memphis Appeal*. In 1868 he removed to Washington, where he continued to practice law until 1880. Thereafter he devoted his entire time to literary pursuits and to Freemasonry. He died in April, 1891.

Confederate States, promptly began the work of negotiating with the leaders and officials of the various Indian tribes and nations in the Indian Territory, for the purpose of persuading them to enter into treaties of alliance with the new government in the South. His efforts in this line were seconded by David Hubbard,⁶ who had been appointed as Superintendent of Indian Affairs for these tribes, under the Confederate Government, and by General Ben McCulloch,⁷ the district military commander. He personally visited the chiefs and maintained an active correspondence with them between visits.

Some of the Indians hesitated in the matter of deciding upon making common cause with the seceding states. This was particularly true of those leaders who had been unalterably opposed to the westward migration, twenty-five years before. It is not improbable that this hesitancy was due rather to a lingering resentment toward the people of Georgia, Mississippi, and other states of the South, who had forced the issue of the removal of Indians than to a feeling of unwavering attachment to the Federal Union. Thus, John Ross of the Cherokee Nation, Opothleyahola of the Creek Nation, and Peter P. Pytchlynn of the Choctaw Nation, all of whom had opposed the removal of their respective nations to the West, now held aloof from the movement to align them with the elements which had engaged in organizing the government of the Confederate States. Although a few of the Choctaws and Chickasaws were opposed to the alliance with the seceding states, they were in a hopeless minority.⁸ Among the Cherokees and Creeks, however, there was a more pronounced division of sentiment. Most of the mixed-blood members of the last-mentioned tribes were in favor of taking a decided stand on the side of the South. On the other hand, most of the full-blood Indians of these tribes who were informed with reference to what was transpiring east of the Mississippi River, regarded the impending conflict as a white man's quarrel and therefore one in which the Indians should not take part. Their logical attitude under the circumstances was that of neutrality. John Ross, although a mixed blood, was the leader of the full-blood element in the Cherokee Nation, and in his diplomatic declarations in favor of neutrality, he was but reflecting the overwhelming sentiment of his followers. Opothleyahola, the full-blood Creek leader, was more outspoken in his support of the Union.

On May 28, 1861, General McCulloch and Commissioner Pike called upon

6. United States Senate Executive Document, 58th Congress, 2d Session, No. 234, "Provisional and Permanent Constitutions of the Confederate States and Acts and Resolutions of the First Session of the Provisional Congress," pp. 133-34; *Journal of the Provisional Congress*. Vol. I, p. 154. Also, *Official Records of the Union and Confederate Armies*, Series I, Vol. III, pp. 576-78.

7. Benjamin McCulloch was born in Rutherford County, Tennessee, November 11, 1811. He was a skillful hunter and boatman and in early manhood he migrated to Texas, where he identified himself with the movement for Texan independence. He was with the army of the Republic of Texas at the Battle of San Jacinto. During the Mexican War he commanded a company of scouts under Generals Taylor and Scott. In 1853 he was appointed United States marshal for Texas. At the outbreak of the Civil War, he promptly espoused the cause of the Confederacy and was commissioned a brigadier-general. He was killed in action at Pea Ridge, Arkansas, March 6, 1862.

8. It is said that there were seventeen Choctaws who not only refused to enter the Confederate service, but made their way through the lines and enlisted in the Union Army. It was officially stated that forty families among the Chickasaws adhered to the cause of the Union.

John Ross. As leader of the dominant faction of the Cherokee Nation, as well as the recognized head of the tribal government, he diplomatically but firmly held to his determination to keep his people neutral and thus avoid being drawn into the war. General McCulloch, for the time being, agreed to respect the neutrality of the Cherokee Nation. Shortly afterward (June 12), however, he addressed a letter to Chief Ross, demanding the privilege of raising and organizing troops in the Cherokee Nation for the Confederate service. To this demand Ross refused to submit.⁹ Meanwhile Commissioner Pike had gone on a tour of the Indian Territory for the purpose of visiting the other tribes and opening negotiations with them.

John Ross had the hearty coöperation and support of Opothleyahola, the leader of the Upper Creeks, in his stand for neutrality; otherwise the situation was such as to give cause for apprehension. The activity of Commissioner Pike was fully equalled by that of General McCulloch who was marshaling a force of troops on the border of the Cherokee country. At the same time, the partisans of the Confederacy within the Cherokee Nation—mostly inter-married white men and mixed-blood Indians—were planning, under the direction of the secret organization, the Knights of the Golden Circle, to bring about an alliance with the Confederacy. In spite of the efforts and influence of Chief Ross, Stand Watie, who had always been a leader of the opposition to Ross and who from the first was an active partisan of the seceding states, had been authorized by General McCulloch to raise a force of Cherokees to assist in protecting the northern border of the Cherokee country.¹⁰

Apparently, the Federal Government had abandoned the people of the Indian Territory; its troops had been withdrawn, its former Indian agents had either resigned and left or had entered the service of the Confederate States, and, as yet, no successors had appeared. Thus, threatened and perplexed and troubled, Ross and Opothleyahola took the initiative in calling a general council of all the tribes of the Indian Territory and those of the adjacent region of the Great Plains to the westward. This council was held in July, 1861, near Antelope Hills, within the present limits of Roger Mills County.¹¹ While the delegates representing the Cherokees and the Upper Creeks were attending this council and urging that all of the tribes should

9. In his reply to General McCulloch, Chief Ross closed his letter by saying, "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 invasion from the North, is most respectfully declined. I cannot give my consent to any such organization for very obvious reasons: First, it would be a palpable violation of my position as a neutral; second, 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 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 that in case of a foreign invasion, old as I am, I would assist in repelling it. . . ."—Official Records of the Union and Confederate Armies, Series I, Vol. III, pp. 591-97.

10. Elias C. Boudinot, a rival of John Ross, and a son of Elias Boudinot, who was assassinated in 1839, was secretary of the Arkansas Convention which passed the ordinance of secession for that State on May 6, 1861. Most of Stand Watie's men were of mixed Indian and white blood and many of them were well educated. This command consisted of about three hundred men at that time. Later it was made the nucleus of a full regiment.

11. Charles C. Royce, "The Cherokee Nation of Indians," Fifth Annual Report, Bureau of Ethnology, p. 327.

join in forming a neutral confederation and have no part in the white man's war, the leaders of the Lower Creeks, in council at North Fork Town, July 10, entered into a treaty of offensive and defensive alliance with Commissioner Pike as the representative of the Confederate States. As each of these factions (*viz.*, the Lower and the Upper Creeks) professed to represent the entire Creek Nation, the result of the signing of this treaty was not only confusing but also destructive to the neutral confederation of Indian tribes as formed at Antelope Hills.¹²

In the meantime, sentiment in favor of forming an alliance with the Confederate States had been gaining ground among the Choctaws, Robert M. Jones, the wealthy planter and slaveholder, having become the leader of the secessionists in the nation. Chief George Hudson issued a call for a special session of the General Council to meet the first Monday in June, at Doaksville, when the question of forming an alliance would be considered. A short time before the meeting of the Council, however, Peter P. Pitchlynn, who had just returned from a sojourn in Washington where he had called upon President Lincoln, visited Chief Hudson and persuaded him to deliver a message favoring neutrality on the part of the Council members. Pitchlynn and Hudson set out together for Doaksville.¹³ Upon their arrival, after the course they advocated was made known, a stormy public meeting followed. Captain Jones made a particularly radical speech against any person who would dare to favor any other course for the Choctaws than an alliance with the Confederacy; a vigilance committee visited Peter P. Pitchlynn, and, it is said, also threatened Chief Hudson.¹⁴ The General Council¹⁵ itself

12. Among the signatures attached to the Confederate treaty with the Creeks are those of Motey Kennard, Echo Harjo, Samuel Checote, Chilly McIntosh, Jacob Derrysaw, G. W. Stidham (interpreter), Oktahassee Harjo, Tullissee Fixico, and Mikko Hutke. The last three signatures were afterward said to have been forged. With reference to Opothleyahola's attitude at the time of the making of the Confederate treaty, a statement was submitted by the Creek delegation after the war, which said in part:

"Hopoethle Yohola, the far-famed leader of those members of our tribe who battled against us, was not, at the time of the making of the treaty with Albert Pike, commissioner on the part of the Confederate States, a chief, counsellor or head-man in said tribe, and had no voice in the council, he was, however, present at the making of said treaty and gave said Pike to understand that he fully concurred in the result of our deliberations. After the making of the treaty Hopoethle Yohola collected together his adherents, and for reasons entirely of a domestic character, and in no wise connected with the National question then at issue, withdrew from the country and assumed a hostile attitude. With this exception the Creeks were united as one man in action and were ever united as one man in principle on the National question then agitated."—Statement of the Delegates of the Creek Nation, United States Land Files, Indian Talks, Councils, etc.—Box 4, 1865-66, quoted by Annie Heloise Abel, "The Indian as Slaveholder and Secessionist," pp. 194-95.

13. There is reason to believe that Chief George Hudson personally was against the idea of an alliance with the Confederacy. Before the North Fork meeting, called under the suggestion of the Chickasaw Legislature, in February, he had had some correspondence with Chief John Ross, with regard to the latter's views on neutrality. Peter P. Pitchlynn, who, as one of the Choctaw delegates, was furthering the interests of the Net Proceeds claim for the nation, arising under the terms of the treaty of 1830, had been in Washington during the winter and spring of 1861. Before his return to the Indian Territory, he had had occasion to call upon President Lincoln, to whom he expressed the hope that the Choctaw people might be held true to the existing treaties with the United States and promised to use his personal influence to persuade them to pursue such a course.

14. Appendix XXV-1. Activities of vigilance committee in the Choctaw Nation in 1861. (According to information obtained from certain Choctaw citizens of the Civil War period, who were still living in 1924, Peter P. Pitchlynn returned to Washington soon after the Council at Doaksville, where he remained much of his time until the close of the War. Three of his sons served in the Confederate Army. As a result of the war, he lost a large amount of property in the Indian Territory, including about one hundred slaves.)

15. The possibility of sequestration of tribal funds by the United States Government gave cause for anxiety to the Choctaw tribal officials and members of the council. It was reported at the time of the meeting of the council at Doaksville, in June, that not a dollar

went on record in favor of a definite alliance with the Confederate States, whereupon, acting in accordance with its will, Chief Hudson issued a proclamation on June 14, declaring the Choctaw Nation "free and independent," and providing for the enrollment of its citizens, between the ages of eighteen and forty-five years, for military service in the Confederate Army.¹⁶ Delegates were chosen by the Council to meet Captain Albert Pike at North Fork, where a treaty with the Confederate States was concluded and duly signed by the Choctaw and Chickasaw representatives jointly, on July 12, 1861.¹⁷

On August 1, Captain Pike completed a treaty with the Seminoles, at the Seminole Council house.¹⁸ Thus having succeeded in making alliances with four of the largest tribes in the Indian Territory, he set out for the Leased District with a force of friendly Seminoles and Creeks. Arriving at the Wichita Agency, on the Washita River some miles east of Fort Cobb, he negotiated treaties with the Wichitas, Caddoes, and federated tribes and the Comanches, on August 12.¹⁹

Two days previous to this date, the Federal forces under General Nathaniel Lyon were defeated by the Confederates under the command of General Ben

would be paid to the nation until after the war. Under an award of the United States Senate in 1859, the sum of \$500,000 had been allowed the Choctaws on the Net Proceeds claim; one-half of this amount, or \$250,000 in bonds, remained in the hands of the Federal Government, in addition to the regular tribal "Trust Fund," the "Forty Youth Fund," and the "Orphan Fund," arising under provisions of former treaties. Another matter in the process of settlement at the time of the meeting of the Council at Doaksville, was the so-called "corn scandal" (q. v.), which had arisen in connection with the purchase of corn for the destitute Choctaws by Colonel Cooper, the United States tribal agent; a resolution was passed by the council during this session, asking Cooper to submit vouchers and an accounting for the tribal funds that had been turned over to him.

16. Appendix XXV-2. Extracts from the letter of S. Orlando Lee, missionary to the Choctaws, to Commissioner William P. Dole, dated from Huntington, Long Island, March 15, 1862.

17. The commissioners representing the Choctaw Nation were Robert M. Jones, Sampson Folsom, Forbis LeFlore, George W. Harkins, Allen Wright, Alfred Wade, Solomon Cole, James Riley, Rufus Folsom, William Pitchlynn, McGee King, William King, John Turnbull, and William Bryant. The commissioners representing the Chickasaw Nation were Edmund Pickens, Holmes Colbert, James Gamble, Joel Kemp, William Kemp, Winchester Colbert, Henry C. Colbert, James M. McLish, Martin W. Allen, John M. Johnson, Samuel Colbert, Archibald Alexander, Wilson Frazier, Christopher Columbus, A-sha-lah Tribbi(tubbee), and John Anderson.—Manuscript of one of the original triplicate copies of the Confederate treaty with the Choctaws and Chickasaws, now in the custody of the Oklahoma Historical Society.

18. As a tribe the Seminoles were against any alliance with the Confederacy when Pike's mission was first made known to them. Finally, however, he induced John Jumper and his followers to sign a treaty. Among those who refused to sign were Billy Bowlegs, principal chief of the Seminoles, and John Chup-co, both of whom joined Opothleyahola's band of "Loyal Creeks" within a short time.—Report of Commissioner of Indian Affairs for 1861, pp. 46-49.

19. "The position of the Indians in the Leased District was serious in the extreme. They lived in mortal terror of the Texans and their agent [Leeper], the man placed over them by the United States Government, was now an avowed secessionist. He was a Texan and declared, as so many another Southerners did, from General Lee down, that honor and loyalty compelled him to go with his State. In February, he had been in Washington City, settling his accounts with the Government and estimating for the next two quarters in accordance with the rulings and established usage of the Indian office. On his way west and back to his agency, he was waylaid by a man by the name of 'Burrow,' very probably Colonel N. B. Burrow, acting under authority from the state of Arkansas, who despoiled him of part of his traveling equipment and then suffered him to go on his way. Leeper reached his agency to find the Indians greatly excited. He endeavored to allay their fears, assuring them that the Texans would do them no harm. Soon, however, came his own defection and he thenceforward made use of every means, either to make the way easy for the Texans or to induce the Indians to side with them against the United States."—Abel, "The Indian as Slaveholder and Secessionist," op. cit., p. 99.

McCulloch, at the Battle of Wilson's Creek, in Southwest Missouri.²⁰ It then became apparent that the pressure in favor of a new alliance could no longer be withstood by the Cherokees. Reluctantly, Chief Ross called a mass convention of his people to convene at Tahlequah on August 21, to which most of the men of the nation responded. Chief Ross faced this vast audience and in a brief address explained why the people had been called together. He reminded them of their friendly relations with the Government of the United States; he told them of the evil times which had befallen that great Government; of the war that was then raging, the duration and results of which could not be foretold; of the efforts which had been put forth to induce their tribal authorities to enter into an alliance with the Government which had been set up by the seceding states and of his own efforts to preserve the neutrality of the Cherokee Nation. He concluded by saying that he believed the time had now come for the Cherokee people to 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."²¹

Following the address of Chief John Ross, Colonel John Crawford, who had been United States agent for the Cherokees and who (being an active partisan of the secession movement) had been continued in that capacity by the Confederate Indian Commissioner, made a brief speech, after which the convention was regularly organized. The resolutions subsequently adopted were comparatively mild, favored neutrality, though by inference inclining to the side of the South, and concluded by delegating the authorities of the Cherokee Nation to enter into an alliance with the Confederate States, in case such a course might be deemed expedient or desirable.²²

General McCulloch and Commissioner Pike were promptly notified of the action of the Cherokee people assembled in general council.²³ The Cherokee authorities took immediate steps for the recruiting and organization of a regiment of mounted riflemen, of which John Drew was chosen as colonel.²⁴ Although the Cherokee Nation had been committed to an alliance with the Confederacy by the voice of its people on August 21, it was not until October 7 that a treaty was formulated and signed. A few days previous to this, Commissioner Pike had been successful in negotiating treaties with

20. For map and detailed account of the Battle of Wilson's Creek, see "The Civil War on the Border," Vol. I, by Wiley Britton, pp. 69-107.

21. The full text of the address of Chief Ross to the general council of the Cherokee people may be found in Official Records of the Union and Confederate Armies, Series I, Vol. III, pp. 673-75.

22. *Ibid.*, pp. 675-76.

23. Sometime previous to this, President Lincoln wrote a letter to Chief Ross, but it was never delivered. The story as told by the Cherokees is that President Lincoln wrote urging that the Cherokees keep out of the war and informing him that the Federal Government would come to their assistance as soon as practicable; that the letter was entrusted to a missionary or priest en route for the Indian Territory, and that the latter gave it to Joe Vann, second chief of the Cherokee Nation, to be delivered to Chief Ross. For reasons of his own Vann did not deliver the letter.—From personal information gathered in the Cherokee country from the late Captain R. W. Lindsey, by the writer (J. B. T.)

24. The regiment of Cherokee Mounted Riflemen placed under the command of Colonel John Drew was composed largely of full-blood Cherokees, who were members of the secret society known as the Keetoowha. The members of the Keetoowha society were derisively known as "Pin Indians" during the Civil War, from the fact that they wore two pins crossed upon the left coat lapel, as an insignia.

representative parts of the Osage, Quapaw, Seneca, and Shawnee tribes, whom he had met in council at Park Hill.²⁵ With the conclusion of the alliance between the Cherokee Nation and the Confederate States, the people of the entire Indian Territory became involved, directly or indirectly, in the great struggle between the Federal Union and the seceding states.²⁶

Several of the treaties that had been negotiated by Commissioner Pike were entered into by mere fragments of tribes. The Creek Treaty was never accepted by Opothleyahola²⁷ and his followers. Only a small part of the Osage tribe was represented in the meeting at Park Hill, the rest of the Osages never admitting the validity of the treaty negotiated. Most of the Reserve Indians (*viz.*, Caddoes, Delawares, Absentee Shawnees and affiliated and federated tribes living in the vicinity of the Wichita Agency) abandoned their reservation in the Leased District and fled northward after the Federal garrison had been withdrawn from Fort Cobb. The Governor of Texas had even gone to the extent of sending a special envoy in the person of their trusted friend Captain L. S. Ross, to visit these tribes on the Washita River, to reassure them and invite them to return to Texas; notwithstanding, the memory of the events of 1859 were too fresh in their minds, so they not only left for the North but persuaded their friends, the Wichitas, to do likewise. Most of the Wichitas and their kinsfolk of the Waco, Tawakony and Keechi tribes settled for the time being at the mouth of the Little Arkansas River, where they remained until after the end of the Civil War.²⁸ The Caddoes took up their abode on the Arkansas River, in Eastern Colorado. Some of these Indians did not go immediately; part of them went northward with Opothleyahola and the Creeks, in the winter of 1861-62, and others remained until later in 1862. The Penateka Comanches and the Tonkawas remained at the Wichita Agency, which was continued by the Confederate authorities.

25. The texts of the various Confederate treaties with the tribes of the Indian Territory may be found in the Official Records of the Union and Confederate Armies, Series IV, Vol. I, pp. 426-687.

26. In a résumé of the terms of the various treaties between the Indians and the Confederate States, Abel, in "The Indian as Slaveholder and Secessionist," *op. cit.*, pp. 157-180, states in one instance, "As regarded the relations between the Indian tribes and the Confederate States proper, the Pike treaties were old law in so far as they duplicated the earlier United States treaty arrangements and new law only in so far as they met conditions incident to the war. United States laws and treaties were specifically continued in force wherever possible, and, in most cases, the name of the one government was simply substituted for that of the other. Considerable emphasis was laid on the right of eminent domain. The Indians conceded to the Confederacy the power to establish agency reserves, military posts and fortifications, to maintain post and military roads, and to grant the right of way, upon payment of an indemnity, to certain corporations for purposes of internal improvement, mainly railway and telegraph lines. Most of this would have contributed very materially to the good of the Southern cause in guarding one of the approaches to Texas and in increasing the convenience of communication. The Confederate States assumed the wardship of the tribes, exacted a pledge of loyalty from the weaker and one of alliance, offensive and defensive, but without the entail of pecuniary responsibility, from the stronger. In its turn, the Confederacy promised to the Indians many things, deserving of serious mention and far too important for mere enumeration. As a matter of fact, the South paid pretty dearly, from the viewpoint of historical consistency, for its Indian alliance. In the light of Indian political history, it yielded far more than at first glance appears and, as a consequence, the great tribes gained nearly everything that they had been contending for for half a century."

27. Appendix XXV-3. Opothleyahola's attitude toward the Confederate alliance with the Creeks.

28. The site upon which the Wichitas had their village, between 1862 and 1867, is the same upon which the city of Wichita, Kansas, has since been built; hence its name.

CHAPTER XXVI

THE CAMPAIGN AGAINST OPOTHLEYAHOLA

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Actual hostilities did not begin in the Indian Territory until late in the first year of the war. After the Cherokee Nation was aligned with the Confederate States, Opothleyahola began making preparations to lead the Creeks who adhered to the Union out of the Indian Territory into Kansas. In this movement he was joined by Halek Tustenuggee, a noted Seminole leader, and his followers. Both of these chieftains had known from personal experience what war meant to a people and they proposed to take theirs to places of safety if possible. They accordingly began to assemble their followers at a point in the valley of the Deep Fork of the Canadian River. The gathering was made up of whole families—men, women, and children,—who brought not only their personal property but also much of their livestock with them, for they were abandoning their homes, at least until the war should be ended. But if they were proposing to leave the country to avoid war, they were not to be permitted to do so without tasting its bitterness before crossing the bounds of the Indian Territory into Kansas.

Colonel Douglas H. Cooper, of the First Choctaw and Chickasaw Regiment, was temporarily in command of the Confederate troops in the Indian Territory, with headquarters at Fort Gibson. Upon the organization of the Choctaw and Chickasaw troops, Tandy Walker, an ex-governor of the Choctaws, was made adjutant general of the "Army of the Choctaw Nation." Colonel Cooper marched in search of Opothleyahola's camp on November 15, 1861, with a force of fourteen hundred men, consisting of six companies of his own regiment, the Creek Regiment commanded by Colonel Daniel N. McIntosh,² the Creek and Seminole battalions, under Lieutenant-Colonel

1. The Choctaws had readily responded to Chief George Hudson's proclamation of June 19, calling for troops. By the fourth week in July, the organization of the Choctaw and Chickasaw Regiment of Mounted Rifles was completed with Colonel Cooper in command. [See letter of Tandy Walker, "Adjutant-General Army Choctaw Nation," to President Jefferson Davis, reporting the organization of the Choctaws and Chickasaws, Appendix XXVI-1.] Cooper, who had been United States agent to the Choctaws and Chickasaws for eight years previous to the war, had begun enrolling recruits from the two nations as early as May, 1861. From that time, drilling the troops continued on through June and July at Buck Creek, a few miles from Skullyville. On July 25, Colonel Cooper wrote to President Davis, "The organization of the Choctaw and Chickasaw Regiment of Mounted Rifles will be completed this week, but as yet no arms have been furnished at Fort Smith for them. [The lack of arms was the cause for considerable anxiety as late as July 30, on account of which the Indians were beginning to show signs of discouragement.] . . . The Choctaws and Chickasaws are extremely anxious to form another regiment."—Official Records of the Union and Confederate Armies, Series I, Vol. III, pp. 614, 620, and 593-94.

2. Daniel N. McIntosh was born near Columbus, Georgia, in 1820. He was the son of William McIntosh, the Creek leader, who was killed in 1825, because he had signed the treaty by which the Creek were bound to relinquish their lands in Georgia and Alabama and accept a new country in the Indian Territory instead. Young McIntosh came to the Indian Territory with his mother. When quite a young man he was elected to the office of national clerk, and afterward he served as a member of the House of Warriors (lower house) of the Creek National Council. Later he served as a member of the Supreme Court and was often called to act as the representative of the tribe at Washington. He represented the Creeks in the council which resulted in the treaty separating the Seminoles from the Creek Nation, in 1856. At the outbreak of the Civil War, he raised the first Creek company for the Confederate service and was commissioned colonel of the First Creek regi-

Chilly McIntosh (the Creek war chief) and Major John Jumper (chief of the Seminoles), and a detachment of the 9th Texas Cavalry under Lieutenant-Colonel William Quayle. The camp was found to be deserted with a well marked trail leading to the northward. The fugitives were overtaken on November 19, 1861, at a place called Round Mountain, near the mouth of the Cimarron, and an indecisive engagement ensued, severe losses being inflicted upon Opothleyahola's party.³ During the night Opothleyahola and his followers slipped away into the Cherokee country (outlet), later the Osage country.⁴

In consequence of notice received from General McCulloch that Colonel Cooper and the forces under his command might be needed on the Arkansas border, the latter withdrew and took up a position at Concharta, November 24, where his wagon train had been left. Five days later, having received word that the possible emergency in Arkansas, which had been anticipated by General McCulloch, had been averted, Colonel Cooper again set forth, with about eight hundred men to effect a junction with the 4th Texas Cavalry, under Colonel William B. Sims, and a detachment of five hundred men of the 1st Cherokee Regiment, under the command of Colonel John Drew. Opothleyahola and his followers were overtaken again on Bird Creek, north of Tulsey Town (Tulsa) at a place known as Chusto-Talasah, or Caving Banks, where a severe engagement took place on December 9.⁵ In connection with this action, Colonel Drew's Cherokee Regiment went to pieces in a single night, a number of his officers deserting with the men, who claimed that they did not wish to fight their friends and neighbors, the Creeks. Added to this was the fact that Colonel Drew's men being members of the Keetoowha Society, with its decidedly pro-Union leanings, were entirely in sympathy with Opothleyahola and his followers.⁶ Only about thirty of Colonel Drew's officers and men remained with him to participate with the other organizations of Colonel's Cooper's command in the fight that took place.

Although Colonel Cooper had the advantage at the end of this engagement, nevertheless, in view of the Cherokee defection and of his own lack of ammunition, he deemed it prudent to retire to a position near his base of supplies (Fort Gibson) until preparations for the continuance of the campaign could be made. He accordingly took up a position at Choska, twenty

ment. In October, 1864, he was placed in command of a brigade consisting of the First and Second Creek regiments and the Seminole battalion, retaining that position until the end of the War. He represented his people in the negotiation of a new treaty with the Federal Government, in 1866. Though he lost heavily by the war, having been the owner of many negro slaves, he soon retrieved his fortune. He was a successful business man, giving much of his attention to farming and stock raising. He died at his home, about ten miles southwest of Checotah (McIntosh County), in 1895.

3. One hundred and ten men were killed or wounded, a number were taken prisoners, twelve wagons and a large amount of supplies, besides many cattle and horses were lost. The loss of the attacking forces in killed and wounded was very light.—Report of Colonel D. H. Cooper in Official Records of the Union and Confederate Armies, Series I, Vol. VIII, pp. 5-14.

4. Appendix XXVI-2. Personal reminiscences of Captain June Peak, concerning the Battle of Round Mountain.

5. Report of Colonel D. H. Cooper, Official Records of the Union and Confederate Armies, Series I, Vol. VIII, pp. 7-10 and 709.

6. Appendix XXVI-3. Reported text of the address of Chief John Ross to the regiment of Colonel John Drew, December 19, 1861.



COL. DANIEL N. McINTOSH,
Creek chief and brigade commander in the Confederate Army

miles above Fort Gibson, on December 13. Colonel Drew, who had saved his wagon train, promptly recruited and reorganized his regiment. In the meantime, Colonel Cooper had appealed for reinforcements to Colonel James McIntosh,⁷ who was in command of the Confederate forces at Van Buren, Arkansas. Colonel McIntosh ordered Colonel William C. Young's Texas Cavalry Regiment, Major J. W. Whitfield's battalion and five companies of Colonel Edward Greer's 3d Texas Cavalry to join Colonel Cooper's command, and also authorized Colonel Cooper to send a requisition to Fort Smith for the needed supplies of ammunition. To the surprise of the latter, Colonel McIntosh later came in person and took command of the troops (two thousand in number) which he had ordered to reinforce Cooper.

The next engagement, known as the Battle of Chustenahlah, occurred on December 26 between Colonel McIntosh and the followers of Opothleyahola, who this time were completely overcome by being forced to retreat "to the rocky gorges amid the deep recesses of the mountains," where they were still pursued by the Confederate troops and put to further flight.⁸ The battle lasted until late in the day when Colonel McIntosh immediately put his column into motion for the return march to Arkansas. However, Colonel Cooper scouted in the rear of the fugitive Opothleyahola almost to the Kansas line but, aside from capturing a few stragglers and picking up straying cattle and horses which had been lost by the Union Indians in their demoralized flight, the expedition of Cooper's command accomplished little. His command returned to Fort Gibson for the winter.

The published reports of Colonels Cooper and McIntosh and of a number of their subordinates give accounts of the operations of this campaign in considerable detail. On the other hand, the followers of Opothleyahola were unorganized and no reports were made, so that, from the viewpoint of written history, but one side of the story is known. From the reports, it appears that most of the prisoners taken were women and children, so it is evident that not all of Opothleyahola's followers were "painted warriors." Indeed, Colonel William C. Young, of Texas, reported that the officers and men of his regiment had killed two hundred and eleven Indians, with a loss of but one man killed and five wounded (two mortally) on their own side

7. James McQueen McIntosh was born in Florida in 1828. He came of distinguished ancestry. His father, Colonel James S. McIntosh, was killed while in command of a brigade in the United States Army at the Battle of Molino del Rey, in the War with Mexico. His grandfather, General John McIntosh, was an officer in the Revolutionary Army and in the War of 1812. He graduated at West Point in 1849 and served in the regular army until he resigned to enter the Confederate service at the beginning of the Civil War. Shortly after his brief campaign in the Indian Territory he was promoted to the rank of brigadier-general. He was killed at the Battle of Pea Ridge, March 7, 1862. A younger brother, John B. McIntosh, entered the United States Army as a second lieutenant of the cavalry at the beginning of the Civil War and was successfully promoted through the various grades until he reached the rank of brigadier-general of volunteers, in July, 1864. He remained in the regular army after the end of the war and was retired with the rank of brigadier-general in 1870. As a descendant of John "Mor" McIntosh, who headed the party of one hundred Scotch Highlanders that came to Georgia with Oglethorpe, General James M. McIntosh was distantly related to Colonel Daniel N. and Chilly McIntosh, who were in the Confederate service from the Creek Nation.

8. In his report of the operations of his command in the Indian Territory, Colonel James McIntosh stated that, "on account of the scarcity of forage, it was mutually determined that either force should attack the enemy on sight."—Official Records of the Union and Confederate Armies, Series I, Vol. VIII, pp. 22-25. The Battle of Chustenahlah was fought near Hominy Creek, west of the site of the town of Skiatook.

in the Battle of Chustenahlah.⁹ Colonel Cooper claimed to have planned a joint movement against Opothleyahola's people by the forces of his own command and those under Colonel McIntosh, together with the Cherokee Regiment of Colonel Stand Watie; he was severe in his strictures on Colonel McIntosh because of what he termed the "precipitancy" of the latter in pushing ahead and attacking the enemy before the troops of either his own command or that of Colonel Stand Watie could arrive and coöperate. He intimated that if Colonel McIntosh had awaited the arrival and active coöperation of the other forces then in motion, Opothleyahola and his followers might have been captured instead of merely being driven off.¹⁰

The Indian refugees arrived in the valley, of the Verdigris River, within the bounds of Montgomery County, Kansas, where demoralized and in a state of utter destitution, they went into camp. A more heartrending picture of abject human misery can scarcely be imagined. Some families had become separated during the course of the battles which had been fought, some members being captured by the Confederate forces and taken back to the Indian Territory, while the rest, panic stricken and helpless, had struggled blindly on through the wilderness toward the place of refuge. All of their teams and wagons, bedding, blankets and extra clothing were lost as were most of their cattle and ponies also. The weather turned bitterly cold during the flight. As many of the people were afoot and without shoes, their sufferings were indescribable. A large number fell by the wayside and perished by freezing, their bodies, shrouded by the snow, being left to feed the hungry wolves. Families which, a few weeks before, had been accounted well-to-do, being able to count their horses by the hundred and their cattle by the thousand, and some, even, who had owned many slaves, were without the barest necessities of life. Exposure and privation brought on sickness and they died by scores.¹¹ Over two thousand of their ponies died of starvation and exposure in and around their camp in the valley of the Verdigris within the first few weeks after their arrival, so it became necessary to move the camp for sanitary reasons as soon as spring began to open. The camp was moved northward to Le Roy, in Coffee County, and, several weeks later, the Seminoles were moved again, pitching their camp near Neosho Falls. The officials of the Interior Department and the commander of the Military Department of the Missouri exerted every energy to alleviate the distress of the refugees but they were totally unprepared for such an emergency. The lack of food, clothing and shelter and the consequent amount of sickness was such that hundreds died before spring. William G. Coffin, Superintendent of Indian Affairs, used his private

9. *Ibid.*, p. 27.

10. It is noticeable that Colonel Cooper's report was addressed directly to the Secretary of War instead of the adjutant-general of the Confederate Army. Thus, early in the war, there appeared the evidences of friction and lack of harmony among officers of high rank, which was destined to continue to characterize its history in the Indian Territory to the end. The official reports of Colonels Cooper and McIntosh and of a number of other officers commanding battalions or companies which were engaged in the operations of the campaign against Opothleyahola are published in full.—*Ibid.*, pp. 5-33.

11. Letter of George A. Cutler, United States Indian Agent, to Hon. William G. Coffin, Superintendent Indian Affairs, dated Le Roy, Coffee County, Kansas, September 30, 1862.—Report of the Commissioner of Indian Affairs for 1862, pp. 138-40.

funds and when they were gone he was compelled to purchase supplies on credit to keep his charges from starving.¹²

About the first of November, 1861, a delegation of Creeks, Seminoles, and Chickasaws arrived at Le Roy, Kansas, for the purpose of consulting with the Federal authorities concerning the intentions of the Government relative to the performance of its treaty obligations to the people of those tribes. Dr. George A. Cutler, the Federal agent for the Creeks, took the members of this delegation to Fort Scott, where the military commander referred them to General David Hunter, the department commander at Fort Leavenworth. General Hunter and Superintendent Coffin, in turn, sent them on to Washington to interview the Commissioner of Indian Affairs and the Secretary of the Interior.¹³ Before their return, their fellow tribesmen under the leadership of Opothleyahola and Halek Tustennuggee had been driven northward across the Kansas line.

Of the Indian people who fled into Kansas at the beginning of the war, there were approximately 5,000 Creeks, 1,100 Seminoles, one hundred and forty Chickasaws, three hundred and fifteen Quapaws, five hundred and forty-four Uchees, eighty-three Keechies, one hundred and ninety-seven Delawares, and three hundred members of other tribes.¹⁴ Many of the men among the refugees were anxious to enlist as volunteer soldiers in the Union Army, which they were later permitted to do. Eleven hundred Creeks and one hundred and ninety-three Seminoles were enrolled and organized as the 1st Regiment of Indian Home Guards. Four hundred Osage warriors and eighty Quapaws formed the nucleus of the organization of the 2d Regiment of the Indian Home Guards.¹⁵ William P. Dole, United States Commissioner of Indian Affairs, came from Washington to Kansas to give his personal attention to the effort to alleviate the condition of the refugees from the Indian Territory.

12. Appendix XXVI-4. Extract of report of Superintendent Coffin to Commissioner of Indian Affairs.

13. Report of Commissioner of Indian Affairs for 1862, p. 138.

14. *Ibid.*, p. 157.

15. A brief account of the organization and service of the three Indian Home Guard regiments will be found in Appendix XXVI-5. It is based on information furnished in a letter from the chief of the Historical Section, Army War College, under date of February 12, 1929.



CHAPTER XXVII

THE FIRST FEDERAL INVASION

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The anxiety of the men of the refugee contingents of the several tribes to enlist in the volunteer military service of the Federal Government was no doubt prompted largely by a spirit of revenge—just as many a white man would have been moved to do under similar circumstances. Opothleyahola was anxious that his people should be organized, armed, drilled and permitted to fight their way back to their own country. It was apparent to the military authorities, however, that a stronger force would be necessary to reclaim even a part of the Indian Territory, which was at that time entirely under the control of the Confederate forces and influences. The organization of such a force was a matter which required considerable time.

After the immediate necessities of the refugee Indians had been supplied through the efforts of the civil and military authorities, the work of feeding and clothing them was largely turned over to contractors, some of whom, at least, were more interested in making big profits than they were in giving value received for the purchase price. Such treatment only had the effect of making the refugees the more anxious to make their way back to their own country. General James H. Lane, who was trying to hold a commission in the army while retaining his seat as a United States senator from Kansas, and who was always spectacular, had proposed that a strong expedition be organized under the command of himself for the purpose of restoring the refugee Indians to their homes. His urgent insistence upon having the privilege of personally leading such an expedition was fortified by a letter from Opothleyahola and Halek Tustennuggee, the recognized chiefs or leaders of the refugee bands, which read as if it had been written or dictated by Lane himself.¹ The desired permission was finally granted by the President, much to the regret of the commanders of the military departments of Kansas and Missouri, who unlike General Lane, were not engaged in playing politics.² While it is evident that President Lincoln wished to favor him by letting him have command of the expedition into the Indian Territory, the friction which characterized his relations with the commanders of the military departments of Kansas and Missouri, right from the beginning, must have convinced the President and his advisors that it would be safer to entrust the command of the proposed expedition to some other than General Lane.³ At any rate, General James W.

1. Official Records of the Union and Confederate Armies, Series I, Vol. VIII, p. 534.

2. Letter of General H. W. Halleck and endorsement of President Lincoln, *Ibid.*, pp. 448-50; letter of Adjutant-General L. Thomas, pp. 525-26; letter of James H. Lane, pp. 529-30; letters of President Lincoln, pp. 538 and 551; letters of General H. W. Halleck, pp. 554-55 and 641-42; letter of General George B. McClellan, p. 555; letter of Major Charles G. Halpine, pp. 615-17; letter of General David Hunter, pp. 829-31.

3. General Lane, who had been in the volunteer army during the War with Mexico and who had been a prominent figure in the free-state-proslavery troubles in Kansas during its territorial period, was entirely too liberal in his construction of military discipline to suit Generals Halleck and Hunter, who had been trained to the strict traditions of the regular army. In addition to this, however, there were ugly charges of unmilitary conduct laid at

Denver was assigned to the command of the expedition into the Indian Territory early in April, 1862.⁴ Apparently, there was considerable intriguing at Washington in opposition to General Denver, a spirit of spitefulness succeeding that of interested opposition which had previously prevailed.⁵

General Denver was superseded within a few weeks, the command of the "Indian Expedition," as it was called, being given to Colonel Charles Doubleday, 2d Ohio Cavalry. Colonel Doubleday organized his command, consisting of one regiment each of cavalry and infantry and one battery of artillery, and started southward into the Indian Territory June 1. Five days later he discovered and attacked the camp of Colonel Stand Watie's Cherokee Confederate Regiment at Cowskin Prairie, near the mouth of Spring [Elk?] River, but the Confederates escaped during the night.⁶

Meanwhile, another brigade had been added to the expeditionary forces and, also, two of the newly organized Indian regiments, Colonel William Weer, of the 10th Kansas Regiment, succeeding to the command.⁷ Thus augmented, the Indian Expedition marched down the valley of the Neosho, or Grand River, a small force of Confederates under the command of Colonel J. J. Clarkson being engaged and dispersed at Locust Grove on July 3.⁸ Colonel Weer's command then proceeded to a point about fifteen miles above Fort Gibson, where it halted July 12 while detachments were sent to Fort Gibson and Tahlequah. At Park Hill, near the last mentioned place, Chief John Ross was arrested at his home and paroled. At the same place there were found two hundred Cherokees, who had been members of Colonel Drew's Cherokee Regiment, waiting to join the Union forces. A total of fifteen hundred Cherokees asked to be allowed to enlist in the Federal service.⁹

Although the expedition had advanced to the heart of the Cherokee country

his door by responsible loyalists of Missouri and his name was a synonym for partisan vindictiveness far to the south in Arkansas and the Indian Territory.—Letter of Edward M. Samuel and others, Official Records of the Union and Confederate Armies, Series I, Vol. XIII, pp. 618-19; and letter of Lieutenant-Colonel J. R. Kanady, C. S. A., *Ibid.*, p. 492.

4. General Denver was a former territorial governor of Kansas. The city of Denver, Colorado, which was laid out in what was then a part of the Territory of Kansas, during Governor Denver's administration, was named in his honor.

5. Letter of James H. Lane to General David Hunter, Official Records of the Union and Confederate Armies, I, Vol. VIII, p. 482; letter of General David Hunter to General H. W. Halleck, *Ibid.*, pp. 829-31; and letter of General H. W. Halleck to Secretary Edwin M. Stanton, *Ibid.*, pp. 647-48.

6. Appendix XXVII-1. Activities and positions of the Confederate Indian forces in the Indian Territory. (For the report of the engagement at Cowskin Prairie, see letter of Colonel Charles Doubleday to Colonel William Weer, *Ibid.*, Vol. XIII, p. 102.)

7. Nine regiments of the Indian expedition were concentrated at Baxter Springs in the southeastern corner of Kansas. These regiments were: 10th Kansas Infantry, Colonel William Weer; 9th Wisconsin Infantry, Colonel Frederick Salomon; 2d Ohio Cavalry, Colonel Charles Doubleday; 6th Kansas Cavalry, Colonel William R. Judson; 9th Kansas Cavalry, Colonel Edward Lynde; 2d Indiana Battery, Captain J. W. Rabb; 1st Kansas Battery, Captain Norman Allen; 1st Indian Regiment (eight companies of Creeks and two of Seminoles), Colonel Robert W. Furnas; 2d Indian Regiment (miscellaneous companies of Delawares, Osages, Cherokees, Quapaws, Keechies, Caddoes, etc.), Colonel John Ritchie. While the Indian troops in their ill-fitting military suits and caps that were much too small were a ludicrous sight to the white soldiers, yet their departure for their country in the Indian Territory was momentous to the Indians, for an uncertain future lay ahead of them and they were loath to leave their families in Kansas. With it all they set forth with a show of fine spirits, many of them singing their war songs, and were earnest and attentive to the command of duty.—Wiley Britton, "The Union Brigade in the Civil War," p. 62; and Annie Heloise Abel, "The Indian as Participant in the Civil War," pp. 114-15, 123, and 126.

8. Appendix XXVII-2. The engagement at Locust Grove.

9. Report of Colonel William Weer in Official Records of the Union and Confederate Armies, Series I, Vol. XIII, pp. 487-88.

with no opposition of consequence, the disastrous effects of internal dissension were destined to do what the enemy did not do, namely, to cause it to abandon the Cherokee country and withdraw into Kansas.¹⁰ Colonel Weer, the commander of the expedition, was placed in arrest by one of his own brigade commanders, Colonel Frederick Salomon, of the 9th Wisconsin Volunteers, who then assumed command of the expedition and immediately ordered a retrograde movement,¹¹ leaving the Indian Home Guard Brigade of two regiments, under the command of Colonel Robert W. Furnas, to cover its retreat July 19.¹² As a military movement, the long talked of Indian Expedition had been almost barren of results, aside from the fact that recruits had been found for the organization of the 3d Regiment of Indian Home Guards.¹³ Chief Ross, well knowing that the day of his power had passed, left with the retreating column and remained an exile until the end of the war.

If the Confederate authorities were surprised at the sudden abandonment of the Indian Territory which had thus been invaded at such an expense, it did not take them long to avail themselves of the opportunity to reoccupy it. Not only Fort Gibson and Tahlequah were again seized and occupied but the pro-Confederate faction of the Cherokees called a council at which the office of principal chief was declared vacant and then proceeded to elect Colonel Stand Watie to fill the position. From thence on to the end of the war, the Cherokees had rival tribal governments.

The Federal expeditionary force did not have a monopoly of trouble in the way of dissension and jealousy and insubordination, however, for the Confederate troops in the Indian Territory were having their share of the same sort of affliction. Under the terms of a special order issued at Richmond, November 22, 1861, the Indian Territory was constituted a military department of the Confederate States and Albert Pike, having been com-

10. The Indian expedition had been organized and moved forward with the idea of establishing friendly relations with the tribes that had been abandoned by the military forces of the Federal Government, in the Indian Territory, and of returning the refugees to their homes. In addition to the dissensions that arose, unforeseen hardships were encountered. Commissary supplies were insufficient, and pure drinking water was next to impossible to find during the extreme heat of June and July, the latter deprivation being especially hard on the men from the Northern states. Above all, most of the horses gave out and were abandoned, since three or four thousand horses could eat the grass in a limited space faster than the inexperienced soldier had thought. In a number of instances, the horses, when picketed, had eaten each other's manes and tails off, "so that there was a marked contrast in appearance of the troopers when they marched South in the spring and when they returned in August mounted upon poor, bob-tailed, ragged-maned horses." Even the Indian scouts had to be called in, because their hardy, little ponies, in many cases, were no longer fit for use after hard travel over rough country, with unshod hoofs. —Wiley Britton, "The Civil War on the Border," Vol. I, pp. 307-08; and *Officials Records of the Union and Confederate Armies*, Series I, Vol. XIII, p. 460, cited by Annie Heloise Abel, "The Indian as Participant in the Civil War," pp. 138-39.

11. Appendix XXVII-3. Colonel F. Salomon's address "To Commanders of the Different Corps Constituting Indian Expedition," and Report to Brigadier-General James G. Blunt.

12. After the engagement at Locust Grove, the troops of the expedition encamped at Cabin Creek. Here a third Indian regiment was recruited and organized by Colonel William A. Phillips, most of its members being Cherokees. After the retrograde movement of the white troops under Colonel Salomon, the Indian troops were reorganized into the Indian Home Guard Brigade, with Colonel R. W. Furnas as brigade commander, composed of three regiments; namely, the 1st Indian Regiment, Colonel Robert W. Furnas; 2d Indian Regiment, Lieutenant-Colonel David B. Corwin; 3d Indian Regiment, Colonel William A. Phillips.

13. Appendix XXVII-4. Report of the activities of the Indian troops on the Indian expedition which was accompanied by E. H. Carruth and H. W. Martin, U. S. Indian agents.

missioned as brigadier general, was placed in command.¹⁴ General Pike was at Richmond at the time and did not return to the Indian Territory until midwinter, after the campaign against Opothleyohola had ended. Within a few weeks, early in March, 1862, he was ordered to march his command, consisting mostly of Indian troops, to join the army of General Earl Van Dorn, which was moving to attack the Federal forces at Pea Ridge, or Elkhorn Tavern. General Pike had considerable difficulty in persuading some of the Indian regiments to join in this movement, for they had enlisted with the understanding that they were not to be taken outside of the Indian Territory except with their own consent and, as they had not been paid, they were reluctant to agree to go. Making the best possible use of the funds available, General Pike succeeded in moving his column across the line and overtaking the army of General Van Dorn. The troops from the Indian Territory took an active part in the battle which followed. The two Cherokee regiments (Drew's and Watie's) charged a Federal position and captured a battery, which they were unable to take off the field for lack of horses, however. The Indian troops behaved admirably in the beginning but eventually became demoralized and unruly.¹⁵ The defeat of the Confederate forces in this battle (March 6-8, 1862,) had a disheartening effect upon the Indian troops. Colonel Drew's Cherokee regiment became especially disaffected and eventually many of its officers and most of its men deserted (after the engagement at Locust Grove on July 3) and went over to the Federal side, where they remained to the end of the war.

After returning from the Pea Ridge campaign, General Pike established his headquarters at Fort McCulloch, in the southwestern part of the Choctaw Nation;¹⁶ he continued to remain there and at Fort Washita, far from the scene of any hostilities, during the rest of his military service. He was a man of sensitive feelings and he could not overlook the seeming slight in that the part borne by his command in the Battle of Pea Ridge was not even mentioned in the report of the commanding general.¹⁷ Then, too, supplies of clothing, arms, ammunition and even public moneys, which were en route to his department, had been (because of the exigencies of the service) diverted to the use of forces in Arkansas.¹⁸ That there was just ground for complaint, there can be no doubt, for his men were unpaid, hungry, and

14. Official Records of the Union and Confederate Armies, Series I, Vol. VIII, p. 690.

15. With the deaths of Generals Ben McCulloch and James McIntosh in action at the Battle of Pea Ridge, General Pike was left the ranking officer on his part of the field. The scalping and mutilating of bodies of the Federal dead left on the battlefield were charged to the Cherokees belonging to the regiment of Colonel John Drew; these outrages were later severely condemned by a special resolution of the Cherokee National Council. While there was much comment against the "outrages" committed by the Indians, and General Pike was severely criticized by the public for allowing his Indian troops "to fight in their own fashion," it is quite probable that the blame should have fallen on certain individuals rather than a whole body of Indian troops.—*Ibid.*, Vol. VIII, pp. 286-92; also, *Ibid.*, Vol. XIII p. 826.

16. Fort McCulloch was planned and built by General Pike in the early part of 1862, on the south side of Blue River, at Nall's Crossing on the Texas Road. Traces of the fortifications are still to be seen on the site of the old fort, about ten or twelve miles northwest of the present city of Durant, Oklahoma. Major William E. Woodruff, one of General Pike's commanders of artillery, gives details of the life at Fort McCulloch in his book, entitled "With the Light Guns."

17. Letter of General Albert Pike, *Ibid.*, Vol. XIII, pp. 819-23.

18. Letter of General Albert Pike to President Jefferson Davis, Vol. XIII, *Ibid.*, pp. 860-69.

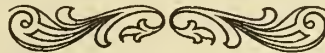
halfclad, yet, with all that, he brooded overmuch and, in the end, became sulky and ill-tempered. When he was peremptorily ordered by General T. C. Hindman, commander of the Trans-Mississippi District, to move at once to the northern part of the Indian Territory and take active command of his troops in an endeavor to repel the first Federal invasion, he resigned (July 11), following his formal letter of resignation with another that was so sarcastic as to be suggestive of insubordination.¹⁹ Strong in his regard for military punctilio and jealous of every encroachment upon his official prerogative, he carried his contentiousness beyond the limits of his correspondence with responsible military officers by airing his grievances in a proclamation addressed to the Indians and in a general order published to the troops of his command, whereupon, one of his own subordinates (Colonel Cooper), believing him to be insane, ordered his arrest.²⁰ General Pike was granted a leave of absence pending action upon his resignation.²¹

With discord and dissension among the officers who were responsible for the administration and control of military affairs in the Indian Territory, it was not strange that, poorly equipped and destitute of supplies of clothing and subsistence as they were, demoralization should have been general among the Confederate forces in the Indian Territory, or that they were totally unprepared to defend it from another Federal invasion. Yet, despite such discouraging conditions, the war was destined to last as long in the Indian Territory as it was elsewhere in the South, where the star of the Confederate States was still in its ascendancy.

19. Letter of General Albert Pike to General T. C. Hindman, *Ibid.*, pp. 857-58.

20. Proclamation of General Albert Pike to Chiefs and People of Indian Tribes, *Ibid.*, Vol. XIII, pp. 869-71; General Orders No. —, Department of Indian Territory, *Ibid.*, pp. 970-73; letter of Colonel Douglas H. Cooper, to General T. C. Hindman, *Ibid.*, p. 977.

21. Appendix XXVII-5. The part borne by General Pike in the Civil War.



CHAPTER XXVIII

THE SECOND FEDERAL INVASION

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Unlike the first Federal invasion into the Indian Territory, the second one was not undertaken as a separate campaign but was a part of the general plan of operations which included the occupation of Northwestern Arkansas, also. Although the Indian Home Guard regiments had been recruited and organized primarily for service in the Indian Territory, they were employed with other volunteer regiments of the Union Army in operations in Missouri and Arkansas for a brief period immediately preceding the second invasion. During the latter part of the summer and early fall of 1862, there was a great deal of active campaigning by both Union and Confederate forces in Southwestern Missouri and Northwestern Arkansas. As the Confederates were driven southward and southeastward, the way was opened for the Federal advance into the Indian Territory.

Late in October, a Federal force of two brigades (one of which consisted of the first and third Indian Home Guard regiments), under the command of General James G. Blunt, advanced into the northern part of the Cherokee country from Pea Ridge, Arkansas, and attacked the camp of the Confederate troops under the command of Colonel Douglas H. Cooper at old Fort Wayne, October 22, 1862.¹ The Confederate troops stubbornly resisted the attack for a time but were soon forced to give way before superior numbers, with the loss of its battery of artillery (Howell's) and a part of its transportation. The Confederates retreated by way of Tahlequah to Fort Gibson.²

Simultaneously with the second advance of the Federal forces into the Indian Territory, though probably not connected with it in any way, was the destruction of the Confederate Indian Agency³ (sometimes called the Wichita Agency) on the Washita, near Fort Cobb, and the massacre of a

1. For an account of the Battle of Fort Wayne, see Wiley Britton's "The Civil War on the Border," Vol. I, pp. 364-75.

2. There are some pronounced discrepancies between the respective reports on the battle at old Fort Wayne on the part of the Union and Confederate commanders. General Blunt (who does not state the numerical strength of his own command, though he does name the regiments of which it was composed) estimates the strength of Cooper's command at from 5,000 to 7,000; Colonel Cooper said it was actually 1,500. Blunt estimated Cooper's loss in killed and wounded at from 100 to 500; Cooper says it was actually six killed and thirty wounded. Likewise, Cooper estimates Blunt's casualties at seventy-five to 100; Blunt says it was but one killed and nine wounded (four mortally). Blunt says he captured the battery complete—guns, caissons, horses, and harness; Cooper says nearly all the horses were killed before the battery was abandoned. Records, Vol. XIII, pp. 325-28 and 331-36.

3. Matthew Leeper, who had been the Federal tribal agent for the Caddoes, Wichitas and affiliated tribes and bands at the agency on the Washita, was retained in that position by the Confederate Indian office. He narrowly escaped with his life when the agency was destroyed. Dressed only in his night robe he succeeded in making his way to a ravine, where he hid until the marauding party had gone. In the chilly weather of late autumn, he was forced to wander during the rest of the night and part of the next day, until he was found and rescued by Toshewa, a friendly Penateka Comanche chief.—Personal information furnished the writer by Mrs. Jeanne Harrison, daughter of Agent Leeper. Brief, though imperfect, information concerning this affair is contained in the letters of General T. H. Holmes and S. S. Scott, Acting Confederate Commissioner of Indian Affairs, Official Records, Vol. XIII, pp. 918-21.

large part of the people of Tonkawa tribe of Indians, on the night of October 23-24, 1862, by a band of Indians belonging to other tribes.⁴ Of all the tribes attached to that agency the Tonkawas were (with the possible exception of the Penateka Comanches) the only people who, as a whole, remained attached to it after it was taken over by the Confederate authorities, in 1861. A number of different tribes are said to have been represented in the attacking party, including practically all of those which had formerly been attached to the same agency and several others as well. The Tonkawa camp was some miles distant from the agency, on Tonkawa Creek, south of Anadarko. Had it not been that part of the Tonkawa people were absent on a hunting expedition the whole tribe would have been practically exterminated.⁵

The Federal authorities seemed to be in no haste to attempt a permanent occupation of the Cherokee country, at least not until they had secured control of the adjacent districts in Missouri and Arkansas. Throughout the winter of 1862-63, the Indian Home Guard Brigade continued to operate in Northwestern Arkansas, taking an active part in the battles of Cane Hill (November 28) and Prairie Grove (December 7), though occasional scouting expeditions were taken to the Indian Territory. One of these, under the personal command of Colonel Phillips, penetrated the Cherokee country as far as Fort Gibson, whence it crossed the Arkansas River, drove the Confederate forces from Fort Davis and destroyed that post.⁶ Colonel Phillips embraced the opportunity thus afforded to attempt to enter into negotiations with some of the Indian leaders who had been reported as inclined to waver in their attachment to the Confederacy, but was ordered by General Blunt to return toward the Arkansas line before any definite results could be secured.⁷

4. The Wichita, Waco, Tawakony, Caddo, Keechi, Delaware, Shawnee, Cherokee, Creek, and Seminole tribes are said to have been represented in the party which destroyed the agency and massacred the Tonkawas. It was reported that there were no white men with the attacking party.

5. It is generally believed that the attempt to exterminate the Tonkawas was due to the fact that they were reputed to be cannibals. While there is some dispute as to the credibility of stories to this effect, there can be no question but that the people of the other tribes believed such stories to be true. The remnant of the Tonkawa tribe, which escaped massacre, fled to Fort Arbuckle for refuge and eventually went back to Texas. About 1884, the few descendants of the Tonkawas, with a few Lipans, came back to the Indian Territory and, a year or two later, were settled on a small reservation in what is now Kay County.

6. Fort Davis was a post which had been established by General Albert Pike, who named it in honor of Jefferson Davis. It was located north of the site upon which the city of Muskogee has been built and about a mile north of Bacone College. It occupied a slightly eminence overlooking the valley of the Arkansas River opposite the mouths of the Grand and Verdigris rivers. A prehistoric Indian mound, in the form of a truncated pyramid, occupied the center of the post and the flagstaff of the garrison stood in the center of this mound. A large oaken post, to which horses and mules were tied while being shod at the post blacksmith shop, was still standing in 1914—the last visible relic of Fort Davis.

7. Colonel Phillips had been led to believe that there was a possibility of winning Colonel D. N. McIntosh, of the First Creek Regiment, over to the Union. He reported that he had talked the matter over with two intimate friends of the latter and that he had arranged to have an interview with Colonel McIntosh himself, but that the order for his immediate departure had made it impossible for him to keep the appointment, which had been made at his own request. He also stated that in the destruction of Fort Davis he had spared the home of Colonel McIntosh, which was located near by. At that time Colonel Phillips was a pronounced advocate of the policy of conciliation in dealing with the Indians, because he sincerely hoped to be able to induce them to abandon their attitude of hostility to the Union. He also urged that if the Government would offer to feed and clothe the destitute Choctaws and Creeks, which were at least nominally hostile, it would be preferable to having to fight them.—Official Records, op. cit., Vol. XXII, Part II, pp. 61-62 and 126.

On January 1, 1863, General John M. Schofield relieved General Blunt and took command of "the Army of the Frontier." Immediately afterward, General Schofield issued orders for the reorganization of his troops. Colonel Phillips was assigned to the command of the Indian Home Guard Brigade, consisting not only of the three Indian regiments, but also of a battalion of the Sixth Kansas Cavalry, under Captain John W. Orahoad, and a four-gun battery, captured at the Battle of Fort Wayne, now under the command of Captain Henry Hopkins.⁸

In the meantime, during December, 1862, General William Steele was assigned to the command of the Confederate forces in the Indian Territory. He assumed command at Fort Smith, January 8, 1863, and maintained his headquarters at that place for more than six months. The Confederate Indian Brigade remained under the command of Colonel Douglas H. Cooper. There was also a brigade of Texas troops, the regiments constituting which were changed more or less frequently as were the brigade commanders also, Colonels John Speight and Smith P. Bankhead and General William L. Cabell serving respectively in succession.

Early in February, 1863, Colonel Phillips moved his forces and encamped at Elk Mills for the purpose of protecting the (Union) Cherokee council,⁹ which was in session for some days at Cowskin Prairie, and also for the purpose of sending scouting parties into the surrounding region. From this time on until the end of the war, there was a semblance of rival Cherokee tribal governments, Thomas Pegg acting as principal chief of the Union Cherokees in the absence of John Ross.¹⁰ It was not until the spring of 1863 that the Federal forces were permanently established in the Cherokee country.¹¹ The Indian Home Guard Brigade arrived at Park Hill, on April 12.

8. Wiley Britton, "The Civil War on the Border," Vol. II, pp. 2-3.

9. On April 2, 1863, John Ross reported from Philadelphia that a special meeting of the Cherokee National Council had convened at Cowskin Prairie on February 4, with Lewis Downing as president of the council and Thomas Pegg acting as principal chief. The following legislation was enacted:

"(1). Abrogating the treaty with the Confederate States and calling a general convention of the people to approve the same.

"(2). The appointment of a delegation with suitable powers and instructions to represent the Cherokee Nation before the United States Government, consisting of John Ross, principal chief; Lieutenant-Colonel Lewis Downing, Captain James McDaniel, and Rev. Evans Jones.

"(3). Authorizing a general Indian council to be held at such time and place as the principal chief may designate.

"(4). Deposing all officers of the nation disloyal to the Government.

"(5). Approving the purchase of supplies made by the treasurer and directing their distribution.

"(6). Providing for the abolition of slavery in the Cherokee Nation."—Charles C. Royce, "Cherokee Nation of Indians," Fifth Annual Report of the Bureau of Ethnology, 1883-84, p. 332.

10. The council of the Cherokees in alliance with the Confederate States had met some months earlier and had voted to depose John Ross from the chieftainship and selected Stand Watie as his successor.—Report of Major-General Thomas C. Hindman, C. S. Army, Official Records of the Union and Confederate Armies, Vol. XIII, Part II, p. 42.

11. The recruiting and organization of the Fourth and Fifth regiments of the Indian Home Guard was authorized by the War Department at Washington, early in February, 1863. The disintegration of the Cherokee Confederate Regiment of Colonel John Drew, some of the officers and most of the men of which went over to the Union and formed the nucleus for the organization of the 3rd Indian Home Guard Regiment, had led the Federal authorities to hope that there might be similar defections among the Creek and Choctaw regiments in the Confederate service. If the consummation of such a hope was possible in the beginning, it was probably defeated through the lack of prompt and proper support to

The refugee Indians, who had been in Kansas for fifteen months, arrived at Tahlequah about the same time.¹² Within less than a week Colonel Phillips had taken up a position with most of his brigade at Fort Gibson, which was thenceforth the center of Federal military activities in the Indian Territory until the end of the war. While this post occupied a commanding position near the junctions of the Grand and Verdigris with the Arkansas, it was disadvantageously situated in that it was a long way from its base of supplies, which was at Fort Scott, Kansas. Indeed, during the two years intervening between that and the end of the war, fully half of the campaigning which was done from Fort Gibson was in protecting its line of communications and in conveying supply trains.

After the occupation of Fort Gibson there were no operations of more than minor importance on the part of either army for three months. At Fort Gibson, Colonel Phillips kept his command busily engaged in drilling and in strengthening the defensive position of that post.¹³ General Steele, on the other side, was laboring to secure supplies of arms and ammunition and to improve the morale of his command, which was at a low ebb.¹⁴ Phillips was hopefully looking forward to an opportunity to make a successful descent upon Fort Smith. Steele, on the other hand, hoped to so recruit and supply his command that, with the aid of reinforcements for which he had applied, he might drive the Federal forces out of Fort Gibson and compel them to abandon the Indian country altogether.

Among the minor movements in the spring of 1863 was that of a detachment which crossed the Arkansas River from Fort Gibson on the 24th of April and, after making a night march of thirty miles, attacked Colonel

the forces which occupied the Cherokee country for the Federal Government, for, like the Confederate forces in the Indian Territory, they were often neglected in the matter of support and supplies. A few officers were commissioned for the Fourth and Fifth regiments of the Indian Home Guard, but the work of recruiting and completing the organizations of the same was never pushed to a successful issue.—U. S. Senate Report, 41st Congress, 3d Session, No. 359.

12. Appendix XXVIII-1. The Refugee Indian families return to the Cherokee Nation. (Another brief account of the return of the refugees appears in Wiley Britton's "Some Reminiscences of the Cherokee People," in *Chronicles of Oklahoma*, publication of the Oklahoma Historical Society, Vol. VI, No. 2, pp. 163-77.)

13. The activity and energy of the Federal commander at Fort Gibson seemed tireless. He operated gristmills, sawmills, and salt works to supply his command and the dependent refugee Indians. He erected commissary buildings and built ferry boats and enclosed fifteen or sixteen acres at Fort Gibson with defensive works that made the post impregnable by any force that the enemy could hope to send against it. And, all the while, he was rigorously training a three-regiment brigade of Indians, who were careless and regardless of the restraints and responsibilities of discipline, into an efficient body of soldiers. In addition to the performance of these duties, which were either purely military or based upon military necessity, he was also the administrator of the affairs of several thousand Indian refugees who were gathered in the immediate vicinity of the post and personally directed a military intelligence bureau by means of which he kept well informed as to the movements and plans of the enemy.

14. General Steele, who had been educated at West Point, and had spent the intervening years in the regular army, was a strict disciplinarian. He found his command in the Indian Territory with little or no discipline. While his strength, on paper, was quite respectable, its actual, effective strength, owing to absences either with or without leave and to desertions, was but a mere fraction of what it should have been. The transactions of the disbursing officers of the command were loosely and extravagantly conducted. For details, see report of Major W. C. Schaumburg, assistant inspector-general, Trans-Mississippi Department of the Confederate Army, *Official Records*, op. cit., Vol. XXII, Part II, pp. 1049-53.

Stand Watie's command at Webbers Falls, where the Confederate Cherokees had planned to hold a session of their national council on the 25th. The Confederate troops were driven away and the proposed session of their legislative council was prevented.¹⁵

During the late spring and late summer of 1863, there were frequent scouting expeditions by detachments of both armies and there were severe skirmishes in the vicinity of Fort Gibson, at Cabin Creek and elsewhere, but no general engagements that could be designated as battles. On June 11, General James G. Blunt, the district commander, arrived at Fort Gibson with reinforcements and immediately prepared to take the offensive. With a force of about three thousand men, he crossed the Arkansas near Fort Gibson and marched against the Confederate command of General Douglas H. Cooper,¹⁶ which were encamped near Elk Creek, on the Texas Road, about twenty miles distant. Striking the enemy's outposts several miles from Elk Creek on the morning of July 17, they were driven back toward the Confederate camp. While the two forces were probably fairly matched as to numerical strength, they were certainly not on a parity as to discipline and equipment.¹⁷ The Federals were not only better armed, but they had three four-gun batteries of artillery to one four-gun battery which the Confederates had. But the disparity did not end even at that, for the ammunition of General Cooper's troops was practically worthless. The battle resulted in the defeat and withdrawal of the Confederate forces which sustained severe losses in killed, wounded and captured. The Confederate forces destroyed extensive com-

15. After the fight was over, two women came to the Federal lines from a plantation a mile or two below Webber's Falls, and asked that a surgeon be sent to attend a wounded Confederate soldier. Dr. Rufus Gilpatrick, a surgeon who accompanied Colonel Phillips, immediately volunteered to visit the wounded man. Colonel Phillips asked if he did not want an escort, but the offer was laughingly declined, the doctor stating that he was in no danger when going on such an errand. Nevertheless, as he approached the house where the wounded Confederate soldier lay, he was attacked and wantonly slain, before he could complete his errand of mercy, by some of the enemy who had been skulking in the brush. The women, at whose request he had gone to the aid of a wounded foeman, tried to dissuade the assassins from committing the deed, but without avail. Doctor Gilpatrick was of a most pleasing personality and his popularity among the rank and file of the command at Fort Gibson was such that his tragic death so enraged the troops composing the expeditionary force that they set fire to the village of Webber's Falls.—Personal information secured from Major B. F. Hackett by the writer (J. B. T.); also, Official Records, *Ibid.*, Vol. XXII, Part I, pp. 315-16.

16. Douglas H. Cooper was a Mississippian, and had served as a captain in the regiment of Mississippi Volunteers which was commanded by Colonel Jefferson Davis during the War with Mexico. He was United States Indian Agent for the Choctaw and Chickasaw nations at the outbreak of the Civil War, at which time he became colonel of the first Choctaw and Chickasaw regiments in the Confederate service. He was subsequently promoted to the rank of brigadier-general on May 2, 1863. He was in command of the Confederate forces in the Indian Territory at the time of the surrender. After the close of the war he continued to live at Fort Washita, where he died in April, 1879.

17. The official reports of the Union and Confederate commanders, as subsequently published, show some striking discrepancies. Blunt claimed to have less than 3,000 men in his command and that Cooper had 6,000; Cooper asserted that Blunt had 4,000 and that his force was superior to his own. Blunt reported the finding and burying of 150 Confederate dead and estimated the wounded at 400 and claimed to have captured 77 prisoners; Cooper admitted a loss of killed and wounded amounting to 134 and that 47 had been captured. Blunt reported his own loss in killed and wounded to have been 77; Cooper estimated it at 200. Cooper claimed to have saved all of his wagon train except one ambulance; Blunt reported that he had captured and destroyed 15 wagons. Blunt claimed to have remained in possession of the field; Cooper asserted that Blunt withdrew and hurriedly marched off toward Fort Gibson.—Official Records, *op. cit.*, Vol. XXII, Part I, 447-61; also, Wiley Britton, "The Civil War on the Border," Vol. I, pp. 364-75.

missary stores in retreating.¹⁸ This engagement has been known as the battle of Elk Creek or Honey Springs.¹⁹

After the battle of Honey Springs, General Steele took the field in person. His command moved up and encamped again near the place where the battle had been fought. For several weeks there was little if any apparent activity on either side. Then the Confederate forces moved down the Texas Road and took a position south of the Canadian River. On August 22, General Blunt again crossed the Arkansas River from Fort Gibson and with a force of 4,500 men, started southward for the purpose of attacking General Steele's command which the Federal commander claimed consisted of 9,000 men. Its actual effective strength probably did not exceed half that number. The Confederate forces scattered when they learned of the approach of the expedition, Colonel D. N. McIntosh and the Creek regiments going westward up the valley of the Canadian; General Cabell's brigade marched toward Fort Smith, and General Steele, with the commands of Cooper and Watie retired toward Boggy Depot²⁰ and the Red River Valley. As the latter were retreating along the well traveled Texas Road, they were promptly pursued by the Federal cavalry and light artillery. The Confederate rear guard was overtaken at Perryville where it made a strong show of resistance but was soon dislodged. The village of Perryville was a Confederate depot, well stocked with commissary stores which were all destroyed by burning.²¹ Taking the brigade of Colonel W. F. Cloud with him, General Blunt then marched against Fort Smith, which he occupied without opposition on the first of September.

It is but fair to state that the Federal successes of 1863,²² were not due to superior generalship, skill or valor so much as they were to the demoralized condition of the Confederate forces to which it had been opposed. The Confederate troops were unpaid, poorly clothed, not always well fed, and, as for arms and ammunition, utterly unfit to cope with the well equipped troops of their adversaries. The discipline was also not what it should have been especially among the Indian regiments. The latter insisted upon choosing

18. The commissary was a large building which had been used as a store or trading establishment. It contained a large amount of flour, salt pork, and other provisions and several hundred barrels of sorghum molasses were ricked up outside. All were burned to keep it from falling into the hands of the enemy. The Mexican powder which had been hauled by ox train from the Rio Grande, as a supply for Cooper's troops, absorbed moisture till it was pasty and worthless.—Personal information secured by the writer (J. B. T.) from the late Hon. W. H. Makemson, Georgetown, Texas, who was a soldier in the 5th Texas Partisan Rangers.

19. The battle began a short distance northeast of the present town of Oktaha, in the southern part of Muskogee County and ended at Honey Spring, a mile south of Elk Creek. The Confederate dead are buried in a plot of ground southeast of the spring. The site of the burial ground is unmarked except that it is not under cultivation.

20. The supplies of the Confederate Indian Department were stored at Boggy Depot, where a Confederate military station had been established at the beginning of the War.—Official Records, op. cit., Vol. XXII, Part II, pp. 972 and 977; also, a sketch of "Old Boggy Depot" by Muriel H. Wright, in *Chronicles of Oklahoma*, publication of Oklahoma Historical Society, Vol. V, pp. 4-17.

21. Perryville was a few miles south of McAlester, in what is now Pittsburg County. A historical sketch of this place is given in "Perryville at One Time Regular Military Post," by J. Y. Bryce.—*Ibid.*, Vol. IV, No. 2, pp. 184-91.

22. Sketches of life during the Civil War in the Cherokee Nation are given by Wiley Britton in "Some Reminiscences of the Cherokee People" and "A Day With Colonel W. F. Cloud."—*Ibid.*, Vol. V, No. 2, pp. 180-84, and No. 3, pp. 311-21, respectively.

their own officers and these invariably were too lenient and indulgent in the enforcement of discipline. Indeed, General Steele contrasted these organizations unfavorably with the Indian regiments in the Union service, which were partially if not principally, officered by white men. This demoralization led to numerous desertions, thus rapidly depleting the strength of the various regiments and battalions of which General Steele's force was composed.²³

During the summer of 1863, because of the activity of the Federal forces at Fort Gibson, which were constantly scouting and foraging over the surrounding country, most of the families of the Indians who had taken a stand on the side of the Confederacy left their homes and went south to the Red River country or to Texas.²⁴ From that time on until the end of the war, these refugee noncombatant Indians were an added burden to the Confederate authorities of the Trans-Mississippi Department, who were obliged to feed and clothe them with the certainty that, if they were not thus supplied, they would go over to the Union in a body and the Indian troops with them. Thus were compounded the perplexities of a serious situation, for it was known that the Federal authorities would quickly seize the opportunity to win over the Indians by such a means.

Most serious of all the influences which tended toward demoralization in the Confederate military organization in the Indian Territory, however, was a lack of harmony among officers of high rank. General Cooper, who had been rather active in some of the incidents that led to the retirement of General Albert Pike, whom he hoped to succeed, was evidently piqued at the assignment of General Steele to the command of the forces in the Indian Territory. He affected to believe that the latter was his junior in rank. When this was effectually settled by a statement from the Confederate War Department at Richmond, it developed that a seditious campaign had been entered into for the purpose of discrediting General Steele and having himself promoted to the grade of major-general and assigned to the command of a separate department to include the Indian Territory. Although the effort proved abortive, General Steele felt that his influence and usefulness had been weakened by such unfair means and he accordingly asked to be relieved from the command.²⁵ By the same order which relieved him, Brigadier-General Samuel B. Maxey was assigned to succeed him.

If selfishness and jealousy characterized the dispositions of some of those

23. Official Records, op. cit., Series I, Vol. XXII, Part II, letters of General William Steele, pp. 833-34, 862, 1048, and 1063-64.

24. A large number of Cherokees who were Confederate sympathizers lived for a considerable time at the old Choctaw Academy at Goodwater, near Red River, about fifteen miles southeast of Hugo, Oklahoma. The Choctaws held their friends, the Cherokees, in high esteem as industrious and high-minded people. On the other hand the Cherokees afterward often spoke of the kindness with which they were treated by the Choctaws, who generously gave them cattle and any other supplies on hand, during these troublous times.—Personal information obtained from Thomas E. Oakes, of Soper, Oklahoma, and Dr. Emmet Starr, the Cherokee historian. Interesting details of life in the Indian Territory during the war and experiences of the Cherokee refugees in Texas are also found in the "Letters of General Stand Watie," as presented by Edward E. Dale, in *Chronicles of Oklahoma*, publication of the Oklahoma Historical Society, Vol. I, No. 1, pp. 30-59, and No. 2, pp. 131-49.

25. Official Records, op. cit., Series I, Vol. XXII, Part II; letter of Douglass H. Cooper, pp. 1037-38; letters of William Steele, *Ibid.*, pp. 1077-78 and 1108; also, communications of John C. Robinson and others, *Ibid.*, pp. 1116-25.

who were high in rank and authority in the Confederate service, it wrought equal harm in the Union Army and, to some extent at least, affected the progress of affairs in the Indian Territory. At the outbreak of the war, with the official personnel of its army depleted by the wholesale resignation of officers of every rank and grade, who wished to cast their fortunes with the insurrectionary states, the Government appointed many officers because of political influence. Some of these were distinguished more for their zeal than for their ability or efficiency. It was inevitable that there should be a lack of harmony between officers of this class and those of the professional military class who had been trained in the service of the regular military establishment. As a rule, the regular army officer, while not less patriotic than his comrade who had been suddenly elevated to high rank, either directly from civil life or from the volunteer line, lacked in the element of fervor and sentiment so characteristic of political partisans and was therefore regarded by those of the other class as being lukewarm and half-hearted. West of the Mississippi River, where the struggle over the slavery question in Kansas during its territorial period was yet fresh in the public mind, the spirit of partisan vindictiveness rankled deeply. James H. Lane, one of the senators from the new state, eccentric and irresponsible as he was, typified this spirit in a way and, during the first year of the war, before he was thoroughly understood, exerted considerable influence with the administration at Washington because of the position which he filled.

General Samuel R. Curtis, who had commanded the Department of Missouri embracing all the Union forces in Missouri, Arkansas, and the Indian Territory in 1862, though a man of military education (having graduated from West Point in 1831), had been in civil life with the exception of the time spent in the volunteer service during the war with Mexico. He had been a civil engineer, a lawyer, a politician, and a member of Congress. When he was called upon to cope with the rampant radicalism of the followers of Senator Lane in Kansas and with the serious factional feud in Missouri, he was not able to free himself from the biased zeal of the partisan. James G. Blunt was a Kansas politician of the Lane School who had entered the volunteer service as a lieutenant-colonel and had been rapidly promoted through the intervening grades to the rank of major-general. John M. Schofield, a regular army officer, entered the volunteer service in Missouri with the rank of major and was successively promoted through the various grades to the rank of major-general. He was a type of the professional soldier, who eschewed politics and the methods of the politician. He never wrote a stump speech into a military report, did not boast, avoided bombast, and never resorted to the demagoguery of playing for the popular approval. It was but natural that he should disapprove of the plans and proposals of the partisan zealot and the vindictive factionist. That he should incur personal enmity and unpopularity in certain quarters was, under the circumstances, only to have been expected.

General Blunt and General Schofield each commanded military districts under General Curtis, who was in command of the Department of the Missouri. When the latter was relieved and General Schofield was appointed to

succeed to the command of the department, General Blunt felt aggrieved. Moreover, like General Cooper, of the Confederate Indian Brigade, he aired his grievances in a most unmilitary way, by attempting to open communications concerning the same directly with the President, who was commander-in-chief of the armies, regardless of the fact that such correspondence should have been forwarded through the regular military channels.²⁶ Such were the conditions existing in the Federal military department which included the Indian Territory during the summer and fall of 1863. General Blunt was relieved of the command of the Military District of the Frontier (which included the Indian Territory) by virtue of an order issued from the department headquarters, October 19, 1863, Brigadier-General John McNeil being assigned to the command of the district.²⁷

General Blunt had left Fort Smith, October 4, accompanied by his staff, brigade band, and a cavalry escort of two companies numbering about one hundred men, en route for Fort Scott, Kansas. At Baxter Springs, Kansas, near the state line, two days later, this little column was surprised and attacked by a Confederate guerilla band which was led by the notorious William C. Quantrill. The escort became panic stricken and fled ingloriously. About eighty-five members of the Federal command were killed, including members of the band and teamsters (all noncombatants), also two members of his staff escaped.²⁸ The guerilla band, which numbered about six hundred men, moved on toward the south after looting and burning the wagons.²⁹

26. *Ibid.*, Vol. LIII, letters of General James G. Blunt to President Lincoln, pp. 565-67 and 571-73.

27. General Blunt wrote to General Schofield from Fort Scott, Kansas, acknowledging receipt of the order relieving him of his command. Inasmuch as the order had been addressed to him at Fort Smith, he professed to believe that he should return to that post for the purpose of formally relinquishing the command of the district. He also promised to report, as directed, at Fort Leavenworth. When he reached Fort Smith he remained there under the pretext of recruiting a new regiment of negro troops under authority of the War Department and boasted of his refusal to obey the order directing him to report at Fort Leavenworth.—*Ibid.*, Vol. XXII, Part II, letter of General Blunt to Secretary E. M. Stanton, *Ibid.*, pp. 735-37, and letters of Champion Vaughan to General Schofield, pp. 738-39 and 742-43.

28. Riding in the band wagon with the members of the band was James O'Neill, who was a special artist of Frank Leslie's Weekly, whose sketch of the Battle of Honey Spring, or Elk Creek, is reproduced in this volume. Mr. O'Neill was ruthlessly killed and his body, with those of the members of the band, was thrown under the wagon, which was then set afire.

29. William C. Quantrill and his band operated throughout the Indian Territory. On one occasion during the war, he visited a farm home near Colbert's Ferry on Red River, in the Chickasaw Nation. Quantrill, wearing a high Federal hat and riding a spirited black horse, came dashing up to the house with his men. Dismounting, they stamped in and demanded dinner. Amid frightened whispers, the women of the household prepared a meal of practically all the food there was on the place. As he departed, Quantrill tossed a silk handkerchief to the wife of his host, whose hospitality was further taxed by having every head of his stock driven off as his visitors mounted their horses and rode away.—Personal information from the late Mrs. Sallie Collins, of Colbert, Oklahoma.

In his official report of the Baxter Springs affair to General Price, Quantrill concludes his narrative as follows: "So, at 5 p. m., I took up the line of march due south on the old Texas Road. We marched fifteen miles and encamped for the night. From this place to the Canadian River we caught about 150 Federal Indians and negroes in the nation gathering ponies. We brought none of them through." This report was signed "W. C. Quantrill, Colonel, Commanding."—Official Records, op. cit., Vol. XXII, Part I, pp. 700-01.

CHAPTER XXIX

THE WANE OF THE WAR IN THE INDIAN TERRITORY

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The winter of 1863-64, like both of the preceding winters, saw much suffering in the Indian Territory.¹ Indeed, it probably affected more people, because of the greater number who were living in exile in refugee camps than there had been before. True, the refugee Cherokees who had become attached to the cause of the Union had returned from Kansas and had settled under the protection of Fort Gibson in its immediate vicinity, but the Creeks and Seminoles who had followed Opothleyahola and Tustennuggee out of the Territory, and who had never been able to return to their own country, were either quartered in the refugee camps at Fort Gibson or still living in Kansas. On the other hand, the families of those Cherokees and Creeks who had chosen to side with the Confederacy, had abandoned their homes and gone to the Red River country, in the Choctaw and Chickasaw nations. Thus, although the Federal troops never penetrated very far into the Choctaw Nation with a force of much consequence, and although they never more than reached the border of the Chickasaw Nation, the most prosperous settlements in both nations (located in the Red River country) were thronged with refugee families who had to be fed regardless of the fact that they had no money with which to buy food. So, even if the war did not reach the Red River in Oklahoma in the form of actual hostilities, that region was indirectly impoverished nevertheless.

The Confederate troops in camp in the Red River country—Doaksville, Fort Washita, Boggy Depot, Fort McCulloch and Armstrong Academy—suffered great privations also, lacking as they did in the matter of camp equipage and commissary supplies. They were also deficient in the matter of hospital equipment and medical and surgical supplies. However, the loss from death in the winter encampments was probably not nearly so great as it would have been had it not been for the prevailing practice of granting large numbers of leaves of absence to the soldiers. Even as it was, however, there were many deaths and not only were the graves of such soldiers unmarked, but even the location of such burial grounds has been forgotten in some instances.²

1. Report of the Commissioner of Indian Affairs for 1863, pp. 194, 201, 204, 212, 214-15; also, *Ibid.*, for 1864, pp. 310.

2. A Confederate supply camp was also maintained about a half mile north of Middle or Muddy Boggy Creek, near the present site of Atoka, Oklahoma, for the benefit of Confederate troops passing back and forth from Fort McCulloch to Cabin Creek, Cherokee Nation. A number of Confederate dead were buried at this camp. At one time it was thought that William C. Quantrill, the notorious guerilla leader, was buried at this place, but this has been refuted by R. B. Coleman, Historian General, United Confederate Veterans, Oklahoma Division, who maintained that Quantrill was buried near Midway, Kentucky, after he and some of his men were killed while on their way to the mountains of North Carolina with the intention of surrendering with the troops of General Joseph E. Johnson. In a personal letter appearing in the "Sunday Oklahoman" for October 25, 1925, Historian General Coleman stated in part: "When the Missouri, Kansas and Texas Railway was straightening its tracks at the time the First Oklahoma Legislature was in session, some member of the body learning that the graders at this camp had uncovered some

During the winter, and, indeed during the first half of 1864, there was but little if anything in the way of military operations on either side in the Indian Territory, aside from the participation of part of its Confederate forces in an Arkansas campaign. The reasons for this must be apparent when one bears in mind that the Federal forces were a long way from their base of supplies and that the Confederate troops were lacking not only in arms, ammunition, clothing, and commissary supplies, but also that their horses were not in fit condition for active campaigning at that season of the year. On both sides, most of the troops had been mounted in the beginning—cavalry, mounted infantry or mounted rifles—but the hardships of the service through which they had gone had worn out or destroyed practically all of the horses with which they had entered the service.³

There was one diversion during the winter, however, which is worthy of recording, namely, the expedition which marched southwestward into the Creek and Seminole settlements along the Canadian River and the Little River and then southward on the Texas Road into the Choctaw country, in February, 1864. It was under the personal command of Colonel William A. Phillips, and consisted of detachments of the 1st and 3d Indian Home Guard regiments and a battalion of the 14th Kansas (cavalry) Regiment. Scouting up and down the Canadian, a great deal of corn and other forage was captured and either destroyed or appropriated; also live stock, wagons, and other property which were deemed to be of value to the enemy. After waiting vainly for some expected reinforcements, Colonel Phillips started southward on the Texas Road with four hundred and fifty mounted troops and one piece of artillery. With this small force he penetrated as far as the Middle Boggy, within thirty miles of Fort Washita. As there was a large amount of military stores—ammunition and commissary supplies—at Fort Washita, General Douglas H. Cooper, who was in command of the Confederate forces, appealed to General Henry H. McCulloch who was in command of the northern sub-district of Texas, for reinforcements.⁴ This expedition, which was daring in its conception and execution because of the smallness of the force with which it was performed, was undertaken primarily for its moral effect. There is no doubt that had there been more available mounted men, and if it had been larger, the scope and extent of its operations would have been correspondingly greater.⁵

bodies at that old camp grounds near Atoka, howled that they were Quantrill's men and all of them ought to be piled up and burned. I then advised Senator Redwine that those bodies had been soldiers from many commands, mostly from General Sam Bell Maxie's division, Texas troops, passing back and forth up and down the line from Fort McCullough, on Blue River, to the stockade on Cabin Creek south of Vinita. Several were out of the 11th Texas Cavalry, who camped there in the early part of the war; some out of the 19th Texas Cavalry, some out of the 29th Texas Cavalry, those regiments rendering service during most of the war in the Indian Territory; most of them belonged to Gano's brigade, Maxey's division, Texas troops."

3. The soldiers of the Indian Home Guard regiments had furnished their own horses and, when these were worn out or lost, it was impossible to secure remounts. Although horses were believed to have been plentiful in Texas, the Confederate troops in the northern part of that State and in the Indian Territory had almost, if not quite, as much difficulty in securing fresh horses as did the Federals.

4. Official Records, op. cit., Vol. XXXIV, Part II, letter of Colonel William A. Phillips, pp. 329-30, and letter to General D. H. Cooper, p. 370.

5. In a circular addressed to the soldiers of the expeditionary force just before its departure, Colonel Phillips said in part: "Do not kill a prisoner after he has surrendered. But I do not ask you to take prisoners. I ask you to make your footsteps severe and terrible."—*Ibid.*, p. 190.

The assignment of General Maxey to the command of the Confederate forces in the Indian Territory did not put an end to the spirit of discord and contention which had wrought such mischief while Generals Pike and Steele were in command. With utter disregard for the rules of military procedure, General Cooper wrote directly to President Davis at Richmond (ignoring the intermediate superiors) and urged his claims to an assignment to the command of the forces in the Indian Territory.⁶ Nearly five months later (July 21, 1864), by direction of the Confederate secretary of war, the Indian Territory was constituted a separate military district and General Douglas H. Cooper was assigned to the command of the same. Without putting this order into immediate effect, General Edmund Kirby Smith, commander of the Trans-Mississippi Department (whose confidence General Cooper had not gained), let the matter rest for a time and then requested that the order be revoked. In reply he was informed that the order was imperative and that it must be put into effect.⁷ General Maxey was thereupon assigned to a new command in Texas.⁸

Another incident which was embarrassing, if indeed it was not prejudicial to the discipline of the command, was the attempt of an officer of one of the regiments from Texas to secure an official ruling according precedence to white officers over Indian officers regardless of seniority or date of commission. The contention met an adverse ruling from Generals Cooper and Maxey, whereupon a protest against "subordinating" white officers to those of "an inferior race" was duly forwarded to the commander of the Trans-Mississippi Department.⁹

In official circles in the Federal forces in the Indian Territory there were also visible the effects of powerful influences which were directed toward the accomplishment of certain selfish personal ends. Colonel William A. Phillips, who had been first assigned to the command of the Indian Home Guard Brigade by General Schofield, always commanded the confidence of General Curtis, not only while the latter was in command of the Department of the Missouri but also after the Indian Territory came under his jurisdic-

6. Letter of Douglas H. Cooper to Jefferson Davis, *Ibid.*, p. 1007. General Cooper had been a captain of the regiment of Mississippi Volunteers, of which Jefferson Davis was colonel, during the War with Mexico. This fact probably accounts not only for his boldness in taking up the matter directly with the President of the Confederate States, but also for the final decision of the latter in which he had to overrule the judgment and wishes of General Edmund Kirby Smith. The expression of adverse opinions concerning the wisdom and necessity of promoting General Cooper had been made so plain in the correspondence of General Smith that there can be no doubt that the assignment of the former to the command of the district of the Indian Territory was in the nature of a personal appointment.

7. *Ibid.*, Vol. XLI, Part III, p. 971.

8. General E. Kirby Smith's respectful nonconcurrence in the new arrangement is expressed in his letter to the adjutant and inspector-general of the Confederate Army, *Ibid.*, Vol. XLVIII, Part I, pp. 1408-09. The assignment of General Cooper to the command of the district of the Indian Territory resulted in the advancement of General Stand Watie to the command of the Indian Cavalry Division and Colonel William Penn Adair to the command of the First Indian Cavalry Brigade.

9. Correspondence of Generals S. B. Maxey and D. H. Cooper and Colonel Charles De Morse, *Ibid.*, Vol. XXXIV, Part IV, pp. 698-700. While the basis of this unfortunate incident in the Confederate Army did not occur exactly on the same grounds within the Federal lines, yet the standing and efficiency of the Indian troops in the service of the Union were the causes of complaints by many Federal officers from the beginning of the war. For further discussion see Appendix XXIX-1, referring to the controversy both in the Confederate and the Federal lines.

tion as commander of the newly organized Department of Kansas. Unfortunately for Colonel Phillips, however, there was a district commander intermediate between the department and brigade commanders. After the Indian Territory was included in the Department of Kansas the command at Fort Gibson was made a part of the District of Southern Kansas, of which General James G. Blunt was in command, with headquarters at Fort Scott. As already stated, General Blunt was regarded as an active member of the radical group in Kansas politics. Colonel Phillips was a Kansas man and, although belonging to the same political party, was regarded as a conservative by the ultra radicals and, after the assignment of General Blunt to the command of the district, he was so hampered and hindered and hectored that he had good reason to know that the radicals of his own state were not very anxious for him to make a good showing. Moreover, like General Steele, in the Confederate service, he could and would not shut his eyes to the operations of dishonest contractors. It was broadly hinted that an army officer of high rank was indirectly interested in the profits of a trading venture at Fort Gibson and at Fort Smith.¹⁰

Dishonest contractors and the connivance of military officers with traders were not all that Colonel Phillips had to contend with, however. Along in the summer of 1864 the practice of organizing parties in Kansas for the purpose of stealing cattle in the Indian Territory and driving them over the line into Kansas became quite popular in certain circles. No distinction was made between the stock belonging to Indians who were in alliance with the Confederate States and that which was owned by those who adhered to the Union. Colonel Phillips naturally did not approve of such high-handed proceedings so he sent one of his officers to investigate. That such vigilance on his part was not appreciated by the interests whose freebooting prerogatives were thus jeopardized, is evident from the fact that a few days later (July 30, 1864,) Colonel Phillips was relieved of his command and ordered to report in person at Fort Smith, Fort Gibson meanwhile having been transferred to the District of the Frontier of which General John M. Thayer was in command, with headquarters at Fort Smith. Colonel Stephen H. Wattles, of the 1st Indian Home Guard Regiment, was assigned to the command of the brigade of Fort Gibson.

After being kept off duty for a month, Colonel Phillips was assigned to court-martial duty at Fort Smith, where he remained until nearly the end of the year, when he was reassigned to the command of the Indian Brigade at Fort Gibson. That his energy and alertness was missed is very evident from the several reverses suffered as well as the demoralization of affairs at Fort Gibson during the period that he was absent. General Francis J. Heron, who inspected the District of the Frontier at the instance of General Edward R. S. Canby, in command of the Military Division of the West Mississippi, openly stated that the contractors controlled matters throughout the

10. Appendix XXIX-2. Letters of Colonel William Weer, General John M. Schofield, Lieutenant-Colonel W. T. Campbell, General John McNeill, Champion Vaughan, with reference to the activities of General James G. Blunt.

District of the Frontier and strongly urged that Colonel Phillips should be restored to the command of the Indian Brigade.¹¹

When Colonel Phillips returned as post commander at Fort Gibson, he promptly decided to put an end to the cattle stealing industry, which had been so open and notorious during the preceding season. His first action in this effort was to issue General Orders No. 4, a document that was designed to terminate that particular form of freebooting. The rules, regulations and provisos which he prescribed were as carefully formulated as if these had been devised and drawn by the quartermaster general himself, with evidence of diplomacy and tact that indicated a thorough knowledge of the peculiar situation then existing in the Indian Territory. Moreover, he was fully aware that both the commander of the neighboring military district on the north (with headquarters at Fort Scott) and the commander of the Department of Kansas (with headquarters at Fort Leavenworth) were at least not unfriendly to some of the influences which were behind the illicit cattle trade, though there is no reason to believe that either of them ever personally profited by such transactions. Colonel Phillips therefore addressed letters to Major-General John Pope, commanding the Military Division of the Missouri, at St. Louis, who was the immediate superior of the department commander at Fort Leavenworth, tactfully calling his attention to the matter. He also addressed a similar letter to Major-General Edward R. S. Canby, commanding the Military Division of the West Mississippi (with headquarters at New Orleans), explaining his embarrassing situation and pointing out that unless his orders were respected by his fellow district commander of the District of South Kansas, his efforts to stop cattle stealing in the Indian Territory would be frustrated and he therefore solicited General Canby's influence and good offices in the hope that his own department commander and his fellow district commander might be induced to support him in his determination and policy.¹²

As early as 1863, with intrigues among higher army officials demoralizing the efficiency of the Confederate military organization in the Indian Territory, and with the continued failure of the Confederate Government to fulfill its solemn agreements in supplying the necessities for prosecuting the war, many of the Indians began to doubt the final success of the Confederate States. A general council of the Indian tribes that were in alliance with the Confederacy was held at Armstrong Academy, Choctaw Nation, in the latter part of November, 1863. The purpose and practical effect of this gathering was to strengthen the determination of the people of all the tribes concerned to the end that they might be held firm in their support of the Confederate

11. Letter of General Francis J. Herron, *Ibid.*, Vol. XLI, Part IV, pp. 605-06. General Herron bluntly asserted that Colonel Phillips had been removed from his command by the influence of McDonald & Company, traders and contractors, and the same firm was implicated in the business of driving Indian cattle out of the Territory. See Appendix XXIX-3, for copy of General Herron's letter.

12. Correspondence of Captain H. S. Anderson, *Ibid.*, Vol. XLI, Part II, p. 265; General Orders No. 4, *Ibid.*, Vol. XLVIII, Part I, pp. 516-19; correspondence of Colonel William A. Phillips and others, *Ibid.*, pp. 870-74; correspondence of General James G. Blunt and others, *Ibid.*, pp. 1134-36; also, the Annual Report of the Commissioner of Indian Affairs for 1865, pp. 254-294. Consult Appendix XXIX-4, for letters of Captain Anderson and of Colonel Phillips and others, and for an extract from Annie Heloise Abel's chapter on "Cattle Driving in the Indian Country."

States. After Colonel Phillips' expedition into the Choctaw country in the winter of 1864, during which he distributed copies of President Lincoln's Amnesty Proclamation and sent friendly messages to the chiefs and leaders of some of the Indian tribes, there was considerable defection among the Creeks, Seminoles, and Chickasaws in favor of the Union.¹³ Another meeting of the general Indian council was held at Armstrong Academy in February, 1864, when a few Choctaws, discouraged with the alliance with the Confederacy, met at New Hope Academy, near Skullyville, on March 14, and attempted to repudiate the stand their nation had taken in the war.¹⁴ However, this action never was recognized by the Federal Government, since the Choctaw Nation was "still de facto rebel" and was considered to be the only one of the Indian tribes that had retained any semblance of solidarity in its alignment with the Confederate States¹⁵

Simultaneous with the New Hope meeting, the general Indian council (seven delegates each from the Choctaws, Chickasaws, Creeks, Seminoles, Caddoes, and Osages) convened at Tishomingo, on March 16.¹⁶ A heated discussion of the military situation, besides the Amnesty Proclamation and Colonel Phillips' messages, was held, many of the delegates advocating submission to the Federal Government. It was reported that General Douglas H. Cooper was present, who no doubt had his influence in the results of the meeting;¹⁷ at any rate, the stand of the Choctaws¹⁸ and a majority of the Chickasaws prevailed, the council reaffirming the alliance with the Confederacy, with the immediate idea of holding the Red River country against possible Federal invasion.

13. Winchester Colbert, the governor of the Chickasaw Nation, fled to Texas, as did many other Confederate sympathizers, after hearing of the Confederate defeat at Camp Kansas.—Letter of Colonel William A. Phillips to General S. R. Curtis, *Ibid.*, Vol. XXXIV, Part I, p. 108.

14. The convention at New Hope appointed Jeremiah Ward, J. G. Ainsworth, John Hanaway, William P. Merryman, J. H. Jacobs as a Nominating Committee to select a Governor, a Secretary of State, and a delegate to Washington to act as a provisional government for the Choctaw Nation. It duly confirmed the nomination of Thomas Edwards to act as Governor; George W. Boyd, as Secretary of State, and Edward P. Perkins, as delegate. Edwards issued a proclamation to the citizens of the Choctaw Nation calling for their return to their former allegiance with the Federal Government.—Resolution of the New Hope Convention, signed by William F. Stephens, president of the convention, and proclamation signed by Thomas Edwards, Provisional Governor Choctaw Nation, both of which documents are quoted by Annie Heloise Abel in "The Indian Under Reconstruction," pp. 18-21.

15. "I presume you are aware that the Choctaw Nation, as a nation, is still de facto rebel, and about the only Indian nation that can be said to be so at the present day. In the council held above Fort Towson, I cannot learn that they even made up their minds to accept peace. That a handful of men about Scullyville would like to be the 'Choctaw Nation,' is, I think, probable, and that a portion who have not fled from the northern section might be willing to accept an assurance of Choctaw nationality, and pay for acting as militia to expel all invaders. is, I think, also probable.

"Of course, the Government understands the necessities and purposes here. The Indian nation being really the key of the southwest, makes me respectfully urge that guarantees be not given that we may have to break. Our necessities here are not of a character to force us to steps that may be prejudicial."—Extract from a letter of Colonel William A. Phillips to Commissioner W. P. Dole, Report of Commissioner of Indian Affairs for 1864, p. 328.

16. Letter of Colonel William A. Phillips to Major-General S. R. Curtis, *Ibid.*, p. 329. The "Reserve" Indians (of the Washita Agency) were represented in the General Council by George Washington, a Caddo chief, though most of the people of his own tribe and those affiliated with it were still living as refugees in Kansas and Colorado.

17. Letter of Agent John T. Cox to Superintendent W. G. Coffin, *Ibid.*, pp. 331-32.

18. Appendix XXIX-5. Position of the Choctaws at the close of the war and biographical sketch of Peter P. Pitchlynn.

After General Maxey assumed command of the Indian Territory he endorsed the suggestion previously made that three brigades should be formed from the Indian regiments in the Confederate service, provided that they could be recruited up to the proper strength. Two of these—the Cherokee Brigade and Choctaw-Chickasaw Brigade—were at least nominally ready for organization by January, 1864. The organization of a Creek and Seminole Brigade, though seriously contemplated, was not effected, the troops of the Creek and Seminole nations being finally brigaded with those of the Cherokee Nation. This brigade was commanded by Colonel Stand Watie and was designated as the 1st Indian Cavalry Brigade.¹⁹ The 2d Indian Cavalry Brigade was commanded by Colonel Tandy Walker, of the 1st Choctaw and Chickasaw Regiment.²⁰

In the latter part of March, when the Federal army of General Frederick Steele, in Arkansas, began the advance from Little Rock toward Camden, a part of the Confederate troops in the Indian Territory, namely, General Richard Gano's Texas Brigade and Colonel Tandy Walker's Choctaw Indian Brigade, under the personal command of General Samuel B. Maxey, was transferred to Arkansas for service with the army of General Sterling Price.²¹ The principal action in which the Indian Territory troops were engaged in this campaign was that known as the Battle of Poison Spring (Arkansas), which was fought April 18, 1864, and in which the Confederates were victorious. The Choctaw Brigade, under Colonel Tandy Walker, captured a Federal battery and aided in taking a large wagon train loaded with forage.²² Immediately after the close of the Camden campaign, the two brigades under General Maxey's command returned to their former stations in the Indian Territory.²³

During the spring of 1864 there was some scouting done by the Confederates behind the Union lines. Colonel William P. Adair, with a force of 325 men, crossed the Arkansas River early in April. Quantrill, the guerilla leader who had been in Northern Texas since the preceding autumn,

19. Colonel Stand Watie was promoted to the grade of brigadier-general in May, 1864. His brigade consisted of the 1st Cherokee Regiment, Colonel Robert C. Parks; the 2d Cherokee Regiment, Colonel William Penn Adair; Cherokee Battalion, Major Joseph A. Scales; the 1st Creek Regiment, Colonel Daniel N. McIntosh; the 2d Creek Regiment, Col. Chilly McIntosh; Creek Squadron, Captain R. Kenard; Osage Battalion, Major Broke Arm; and the Seminole Battalion, Lieutenant-Colonel John Jumper. The Cherokee Regiment of Col. John Drew was never effectively reorganized after its demoralization subsequent to the Battle of Pea Ridge. The 2d Cherokee Regiment, commanded by Colonel William Penn Adair, was not organized until later, its nucleus being the independent battalion that had been organized and commanded by Major J. M. Bryan, with which several independent companies were consolidated. In the election of field officers, William Penn Adair, who was a private in the ranks, was chosen as colonel of the regiment.

20. The 2d Indian Cavalry Brigade consisted of the following organizations: The 1st Chickasaw Battalion, Lieutenant-Colonel Lemuel M. Reynolds; the 1st Choctaw Battalion, Lieutenant-Colonel Jackson McCurtain; the 1st Choctaw and Chickasaw Regiment, Lieutenant-Colonel James Riley; the 2d Choctaw Regiment, Colonel Simpson Folsom, and the Reserve (Caddo) Squadron, Captain George Washington.

21. It will be recalled that under the terms of their treaty with the Confederate States, the Choctaws were not required to go beyond the bounds of the Indian Territory, so their action in thus marching to reinforce the army of General Sterling Price was voluntary on their part.

22. Appendix XXIX-6. Biographical sketch of Tandy Walker.

23. The Choctaws were complimented in orders and reports of district and department commanders, as were also the officers and men of Gano's Texas Brigade. A more detailed account of the operations of General Maxey's division in Arkansas may be found in the *Official Records*, op. cit., Vol. XXXIV, Part I, pp. 841-49.

also started north about the same time.²⁴ The activity of the Federal forces at Fort Gibson, combined with heavy rains which put all of the streams at a flood stage, seriously interfered with the success of both expeditions, however. During the remainder of the spring and the fore part of the summer most of the operations of Confederate troops in the Indian Territory were on such a scale that they would be termed scouts rather than campaigns. The Federals were not in sufficient force to do more than act on the defensive.

The most active and efficient scouting commander in the Confederate Indian service was General Stand Watie. Although he had attained the rank of brigadier-general, he could not, in the strict sense of the term, be called a military man. His command was always lacking in the essential elements of drill and discipline and he was careless in matters of form and punctilio. Regardless of his shortcomings in such matters, however, he had what some otherwise capable commanders lacked, namely, a degree of personal magnetism that made him a natural leader of men and, with it, an unwavering devotion to the cause which he had espoused and which impelled him to strive with all the earnestness of his personality for what he believed to be right. He seldom operated at the head of a large force and was seen at his best when, scouting with a mounted force of two hundred to three hundred men, he appeared suddenly at some point where his presence was not expected, to overwhelm and capture an outpost of the enemy which had not been adequately strengthened; or, mayhap, to fall upon a belated wagon train laden with much needed supplies for which the enemy had not provided sufficient escort. His operations may be compared with those of Francis Marion, who was known as "the Swamp Fox" of South Carolina, during the American Revolution. Though the names of many of the popular military idols of his day are ceasing to be household words, that of Stand Watie is still held in affectionate remembrance among the descendants of his devoted followers.²⁵

The End of the War—Five thousand more refugees arrived at Fort Gibson from Kansas, on June 15, 1864. These, with the Cherokees, Creeks, and Seminoles who had been previously located there under the protection of the military post, swelled the aggregate to sixteen thousand persons. Four hundred Chickasaws, who were included among the more recent arrivals, were sent down to Fort Smith, which was considered to be nearer their homes.²⁶ About three hundred Choctaws were also within the Federal lines

24. The military authorities as well as the people of Northern Texas and the adjacent portion of the Indian Territory had had abundant reason to be thankful for the departure of the guerilla chief and his followers. During his stay in Texas, Quantrill was not only regarded as irregular and insubordinate by the military authorities, but also as an irresponsible desperado by the civil population of that section. His men were dressed in Federal uniforms and, when marauding in a community, the inhabitants of which were all Confederate sympathizers, invariably posed as "jayhawkers" (i. e., freebooters who were supposed to be on the Union side). Under such circumstances it was small wonder that the Confederate military district commanders in Texas and the Indian Territory were anxious to facilitate the return of Quantrill to Missouri. A more detailed account of his behavior in Texas may be found in the letter of General Henry E. McCulloch, *Ibid.*, Vol. XXXIV, Part III, pp. 742-43. See also the letter of General D. H. Cooper, *Ibid.*, Vol. XXXIV, pp. 746-47, and letter of General Henry E. McCulloch, Vol. XXXIV, Part II, p. 945.

25. Appendix XXIX-7. Biographical sketch of Stand Watie.

26. "The Chickasaws, only some 400 in number, we shall take to Fort Smith, as they will be near their homes there. All the others are nearer their homes here. The expense

near Fort Smith. Since it was late in the season none of the refugees could hope to raise crops for supplying themselves during the next winter. The frequent scouting expeditions from the Confederate camps south of the Arkansas River and the demands upon the garnered crops made during the winter by those among the military, who were supposed to be friends, had had the effect of discouraging attempts at farming by the refugees who had returned from Kansas the previous year, except in the limited area which was within the range of the guns of Fort Gibson. Both of these circumstances made the prospects of supplying provisions to the refugees during the following winter of 1864-65 a serious one.²⁷

The same day that the last caravan of refugees arrived at Fort Gibson, a battery of artillery, operating with General Stand Watie's command, attacked a Federal supply steamer, the J. R. Williams, at Pheasant Bluff, just below the mouth of the Canadian. The steamboat was grounded on the opposite side of the river and its military guard, consisting of a lieutenant and twenty-five men, beat a precipitate retreat. The steamboat was captured and steered across the river, where its cargo, consisting of quartermaster supplies and goods intended for the commissary of the Indian refugees at Fort Gibson, were unloaded on a sandbar. Colonel John Ritchie with a detachment of

of subsisting here will be truly enormous, and we shall be compelled at once to put them on the shortest kind of rations, and cut off altogether coffee, sugar, pepper, vinegar, and all that can be dispensed with at all. Had you given me the amount I estimated for, instead of cutting it down as you did, we could have hoped to have got through to another crop, with the addition of accruing annuities; but as it is, a vast amount of absolute suffering must be the consequence, and is, so far as I see, utterly unavoidable. The Cherokee agent, Judge Harlan, is now furnishing a very small amount of flour and corn to over 9,000 persons, and with the refugee Creeks, Seminoles, and others here, with what we brought, will make full 16,000 to provide for, and all the money at our command will not furnish them with quarter rations of flour, corn, and beef till next spring, and they must have some clothing in some way, or we will all be disgraced; but how it is to come is more than I can tell. The prospect indeed looks gloomy, but we can only make the best possible use of all we have, and hope that some way will open up by which we may be able to prevent starvation. The military have most wonderfully changed their tune. They now say it was the worst possible policy for us to move the refugee Creeks here now; that instead, we should by all means have removed at least a part of those here back to Kansas; but I yet hope it will not turn out so disastrous as they anticipate, and as it really looks to be now."—Letter of Superintendent W. G. Coffin to Commissioner W. P. Dole, dated Fort Gibson, June 16, 1864. Report of the Commissioner of Indian Affairs for 1864, pp. 342-43.

27. In a letter to the Commissioner of Indian Affairs, dated July 16, the Creek chiefs were discouraged over the outlook. They said in part: "Last winter the refugees who were here [Fort Gibson] were reduced to almost absolute starvation, so much so that they were glad to hunt out the little corn that fell from the horses and mules of the military. Then there were large fields of corn south of this post belonging to the rebels, which our soldiers took and gathered; now there are none; the whole country is a waste, and the suffering must be much greater next winter than it was last, unless the most prompt and energetic steps are taken to procure and transport supplies to this place. It was a terrible mistake that we were not brought down here in time to raise a crop for ourselves; had this been done, we could in a great measure have supported ourselves."—*Ibid.*, pp. 343-44. On the other hand United States Agent Harlan, in a letter to Superintendent W. G. Coffin, dated September 30, was sanguine over prospects, especially commenting upon the crops of potatoes and corn that had been tended by the refugee Indian women and children near Fort Gibson, and adding, "Their industry and energy entitle them to my unqualified praise. My belief is, that the corn raised in the Cherokee nation, this season, will furnish breadstuff for all the people one-half the winter and early spring. The Indians who raised it ought to be protected in the possession of it."—*Ibid.*, p. 309. Superintendent Coffin made the following comment on the situation: "It is true, some of the Cherokee women, with their little children, have, to some extent, raised small crops of corn; but when it is considered that most of their husbands and fathers are in the ranks of the Union Army, assisting our Government to crush out this wicked war, and thus, leaving them without any male protection, and exposes what little they have raised to live upon to be plundered and stolen by the vast number of guerillas and thieves, who are infesting their country, but little dependence can be placed in saving their crops, nor allowances made to benefit them therefrom."—*Ibid.*, p. 304.

the 2d Indian Home Guard Regiment arrived the next morning from the encampment near the mouth of the Illinois River (where it was guarding the neighboring salt works and lime kiln) and by musketry fire, from the river bank, drove the Confederates from the steamboat—though not until it had been set afire—and also kept them from removing the cargo from the sandbar where it had been unloaded until a sudden rise in the river washed it away. Although, as it turned out, the Confederates did not gain much by this exploit, yet, as it crippled the enemy to that extent, it had the effect of greatly encouraging the officers and men of the Indian Division.²⁸

Individual scouts and spies were numerous in the service of both armies, the character of the country and the uncertainty of the attachment and alignment of many of its people making it comparatively easy for a commander to keep himself advised as to recent movements and contemplated plans of the enemy. The official correspondence of commanders in the service of each of the hostile forces in the Indian Territory give abundant evidence of this.²⁹ There was no telegraph within its limits in those days but there were hard-riding couriers, with relays of speedy horses, and it was surprising how far and fast news sometimes traveled. The Confederate commanders in the Red River encampments were generally posted as to the time that a Federal supply train would probably leave Fort Scott, Kansas, en route to Fort Gibson; also as to its probable size and value and as to the strength of the military escort by which it would be guarded. An expedition would then be hastily fitted out for the purpose of waylaying and capturing the wagon train before it reached Fort Gibson. As a rule such trains were reinforced by a strong detachment sent out from Fort Gibson and thus escaped capture, though several of them had to fight their way through.

One of the most picturesque events that happened in the Indian Territory during the Civil War period was the capture of a large Federal supply train

28. Reports of General D. H. Cooper and Colonel Stand Watie, Official Records, op. cit., Vol. XXXIV, Part I, pp. 1011-13; also, letters of General John M. Thayer, *Ibid.*, Part IV, pp. 503-04, and of General S. B. Moxey and Captains Greene Durbin and M. S. Adams, *Ibid.*, p. 686. In General Thayer's letter, the "J. R. Williams" is alluded to as a steam ferry boat, but it was evidently a more pretentious craft than that, as it was employed as a military transport on the Lower Arkansas and Mississippi rivers during the campaign against Vicksburg a year earlier. Although the incident was not mentioned in official reports or correspondence, it is said to be a fact that one of the guns of the Confederate battery burst during the course of the attack on the steamboat.

29. Colonel Phillips, who was accounted an expert in the matter of securing intelligence concerning the doings and the plans of the enemy, once revealed something of the zest with which he played the game. In a letter addressed to General Blunt (July 7, 1863), he said: "I have had for some time the utmost difficulty in getting information from the enemy over the river. My spies were taken or killed and many of my expedients have failed. I have opened some new leads. One is a correspondence with a man whom you commissioned last fall to raise some men south of the river. He raised a company, was enrolled by Holmes, and was offered the pleasant alternative of hanging or going back to the rebels. He, of course, chose the latter, biding his time. He is one means of communication and his company will come over when I open another. I have just had a spy of Cooper's in camp. She brought up news and dispatches from Scott and Sebastian counties and was recommended as a suitable spy for Cooper. He employed her and sent her over, giving her a good deal of information as to his *modus operandi* in getting news from my camp. She was passed over fifteen miles below here, and came in with my dispatches in her bonnet slits; also general news. Besides news [of this post] it was stipulated that she was to buy at the sutler's store a little coffee and a bottle of whiskey. Believing that his thirst for the latter would be almost as great as his thirst for news, I sent him the desired articles, as an additional incentive to keep up the channel of communication."—*Ibid.*, Vol. XXII, Part II, pp. 356-57.

at the Cabin Creek crossing on the Military Road, en route from Fort Scott to Fort Gibson, in September, 1864.³⁰ The train, which consisted of three hundred wagons—including two hundred and five loaded with Government stores and ninety-one loaded with goods for the sutlers and traders—left Fort Scott, on September 12, with an escort of two hundred and sixty cavalrymen under the command of Major Henry Hopkins, of the 2d Kansas Cavalry. At Baxter Springs, a reinforcement of fifty Cherokee cavalrymen of the 3d Indian Home Guard from Fort Gibson was received.

Just at this time General Sterling Price had started northward from the Arkansas River, in Arkansas, on his memorable raid through Missouri toward Kansas City and Leavenworth. The available Confederate forces in the Indian Territory, 1,200 men of General Richard M. Gano's Texas Brigade and 800 men of General Stand Watie's Indian Cavalry Brigade, were selected to make a demonstration up the valley of the Grand River, above Fort Gibson.³¹ Crossing the Arkansas River about six miles above the Creek Agency, this joint expedition of 2,000 men under the command of Generals Gano and Watie, took a northeastern course, crossed the Verdigris and struck the valley of the Grand about fifteen miles above Fort Gibson. There a Federal hay camp was found and attacked, all the members of its guard killed or captured, and 5,000 tons of hay burned, together with wagons and mowing machines. From some of the prisoners taken at this point, it was learned that the big supply train was expected within a few days.

Meanwhile, Major Hopkins, the commander of the Federal supply train, had learned of the presence of the enemy in superior force in the road between the train and its destination, and he hastened to the Cabin Creek Crossing, where there was a stockade post guarded by a force of one hundred and seventy Cherokee soldiers of the 2d Indian Home Guard. He had also been reinforced by another detachment of Indian troops numbering one hundred and forty men, making an aggregate force of six hundred and ten men available for the defense of the train. Just about midnight on September 18, the picket guards of the defenders were driven back to the stockade and, an hour later, a battery of artillery opened upon them, the attacking force moving forward with loud yells at the same time. The Federal position was soon partially encircled and its ranks subjected to an effective cross-fire. Mule teams became unmanageable and stampeded, breaking and overturning many of the wagons and adding to the confusion. Teamsters and wagon-masters, mounted upon mules from the wagon teams, beat a hasty retreat in the direction of Fort Scott, making it impossible to move any of the wagons to the rear. At daylight, finding it impossible to save the train, Major Hopkins withdrew the men of his command, marching eastward to Grand River.

30. The Cabin Creek fight and the capture of the Federal wagon train occurred about four miles north of the station and village of Pensacola, on the Kansas, Oklahoma & Gulf Railway, near the boundary line between Mayes and Craig counties.

31. The troops of General Watie's brigade which participated in this affair consisted of the following detachments: 1st Cherokee Regiment, 200 men, Colonel C. N. Vann; 2d Cherokee Regiment, 150 men, Major John Vann; 1st Creek Regiment, 125 men, Lieutenant-Colonel Samuel Checote; 2d Creek Regiment, 200 men, Lieutenant-Colonel T. Barnett; Seminole Battalion, 130 men, Lieutenant-Colonel John Jumper.

Gathering up the spoils of their victory, the commands of Generals Gano and Watie started southward on the road. They had captured the entire train, with all of its contents, valued at \$1,500,000. After burning the disabled wagons and killing the crippled mules, they had one hundred and thirty wagons and seven hundred and forty mules, all heavily loaded, new clothing for every man of the 2,000 in the expeditionary force—a veritable God-send, for many of them were in rags—and an abundance of commissary supplies. At Pryor Creek they met a strong force of Federal infantry and artillery, which, under the command of Colonel John M. Williams, had been making a forced march from Fort Gibson to relieve the beleaguered train. This force was engaged until evening. Under cover of the night the Confederate forces withdrew, marching westward to a crossing over the Verdigris near Claremore Mound. Thence it turned southward, crossing the Arkansas River at Tulsa.³²

The immediate effect of this achievement was to greatly encourage the Confederate forces in the Indian Territory, though it did not produce a corresponding depression on the Federal side, where the captured train was replaced in the due course of time. Though the war did not technically and formally end in the Indian Territory until ten months afterward, the fight at Cabin Creek was the last serious clash between the armed forces of the Union and of the Confederacy in Oklahoma.

While these stirring events were happening in the Indian Territory, they attracted but little attention elsewhere. The Confederacy had been sundered by the Federal occupation of the Mississippi River. General Sherman was even then cleaving it again by his march from Atlanta to Savannah, while General Grant was slowly but surely pressing the army of Northern Virginia back toward Richmond. General Sterling Price had led his spectacular raid to the Missouri River and almost to the border of Kansas, only to be turned back in defeat and utter rout. Yet a few weeks later, early in November, the general council of the Indian tribes in alliance with the Confederate States met again at Armstrong Academy and resolved to stand together to the end. Then, not long afterward, came the tidings of the disaster and demoralization of General Hood's Confederate army at Nashville. The last winter of the war was one of comparative quiet in the Indian Territory, with but little in the way of activity on either side.

The spring of 1865 had fairly opened when the news of the surrender of General Lee was received. There was talk of the war being prolonged in some quarters but not to any extent in the Indian Territory—not that the people were any less ardent in their attachment to the cause of the South than elsewhere, but rather that they had had hardships and privations of exile and want and misery until human flesh and blood could endure no more. And so, as the spring wore on, the soldiers who had followed Watie and Adair and the McIntosh brothers, and those who had ridden forth at the command of Tandy Walker and the Folsoms and Reynolds and John Jumper, waited—waited for the war to end—waited for the time when they might

32. For more detailed accounts of the Cabin Creek affair, see correspondence of various commanders in both armies, *Official Records*, op. cit., Vol. XLI, Part I, pp. 764-94.



LIEUTENANT-COLONEL ASA C. MATTHEWS
99th Illinois Volunteer Infantry, Who Received the Sur-
render of Most of the Confederate Troops in the Indian
Territory, in 1865

return to the farms that had been laid waste and for the privilege of rebuilding the homes that had been destroyed.

Meanwhile, the tribal authorities of the six allied Indian nations that had been aligned with the Confederacy had been preparing for the capitulation which was inevitable. As a result of considerable preliminary correspondence between the Confederate War Department and General E. Kirby Smith, commander of the Trans-Mississippi Department of the Confederate Army, Major Israel G. Vore, Confederate tribal agent for the Creek Nation, sent a message to the Comanches and other tribes of the Plains inviting them to meet the delegates of the allied tribes and the Confederate commissioners in council at Council Grove, on the North Canadian River, on May 15.³³ Hearing that a Federal military force was being organized in Kansas with the idea of interfering with the plans at Council Grove, the meeting was held farther south at Camp Napoleon on the Washita River, ten days later than the date that was originally proposed. No written record of the proceedings of the council at Camp Napoleon has been preserved but the compact entered into by the six allied Indian nations of the eastern part of the Indian Territory with those of the Plains gives an idea of the character of its deliberations. With the formation of "an Indian Confederacy, or Band of Brothers, having for its object the Peace, the Happiness and the Protection of all alike, and the preservation" of the Indian race, whose motto should be "An Indian shall not spill an Indian's blood," the vision of Tecumseh for uniting the Indians in a common cause, a half century before this time, had been realized in part. While the vicissitudes of fortune, the strong individualism of each Indian tribe, and the westward movement of white settlers interfered with any practical results of the new Indian Confederacy, yet inasmuch as the tribes acknowledged its principles through their delegates, it was evident that the Indians themselves realized the evil consequences of war; they had glimpsed a vision that is now becoming an ideal for all the nations in the world.³⁴

The general council of the Indian tribes in alliance with the Confederate States met once more at Armstrong Academy, or Chahta Tamaha, on June 15, 1865, at which resolutions were adopted inviting the people of the tribes and parts of tribes in alliance with the Federal Government to join in aiding them in "efforts to contract anew friendly relations with the United States Government."³⁵ Three days later, Principal Chief Pitchlynn, of the Choctaw Nation, after consultation with Lieutenant-Colonel Asa C. Matthews,³⁶ of

33. Council Grove is a growth of upland timber, six miles west of Oklahoma City.

34. Appendix XXIX-8. An account of the meeting and a copy of the compact entered into at Camp Napoleon. (The Official Records, op. cit., Vol. XLVIII, Part II, pp. 1102-03, gives the text of the compact, but omits the names of the signers. The compact as here given is taken from an original manuscript copy, containing the names of the signers, found in the personal papers of the late Allen Wright, principal chief of the Choctaw Nation, from 1866-70.)

35. *Ibid.*, Vol. XLVIII, Part II, pp. 1103-04.

36. During the progress of the war, the Indian Territory, which was included in the District of the Frontier, had formed successively a subdivision of the departments of Missouri, Kansas and Arkansas, with sometimes more or less strife between some of them as to which should have jurisdiction.—*Ibid.*, Vol. XXXIV, Part II, letter of General S. R. Cur-

the 99th Illinois Volunteer Infantry (who had been appointed as the Federal peace commissioner) issued a proclamation calling for the convening of a general council of all the tribes to be held at Armstrong Academy on the following September 1.³⁷ As a result of the conference of the Federal commissioners with Principal Chief Pitchlynn and General Stand Watie, it was agreed that all hostilities should cease pending the conclusion of formal articles of capitulation, the same being but a reiteration of a clause in the agreement previously made between General Edward R. S. Canby, of the Federal Army, and General E. Kirby Smith, on May 26.

The Union forces at Fort Gibson remained under the command of Colonel William A. Phillips³⁸ until the end of the war but, aside from occasional scouting expeditions, they were not actively engaged during the winter and spring of 1865. General Douglas H. Cooper surrendered all Confederate forces in the Indian Territory except those of the several Indian tribes. These claimed to have entered the war as independent allies of the Confederate States and they therefore reserved the right to surrender when they

tis to the Secretary of War, pp. 443-46; letter of General John M. Thayer to General U. S. Grant, *Ibid.*, p. 566; letter of General John M. Thayer to Colonel J. C. Kelton, *Ibid.*, pp. 631-32; letter of John Ross, Evan Jones, and Daniel Ross to General U. S. Grant, Vol. XLVIII, Part I, pp. 1237-38.

When the end of the struggle came, while the departments of Missouri, Kansas, and Arkansas were contending for the control of the Indian Territory, Major-General Francis J. Herron, in command of the Northern Division of Louisiana, with headquarters at Shreveport, complicated the situation still further by appointing Lieutenant-Colonel Asa C. Matthews, of the 99th Illinois Volunteer Infantry, as a commissioner to receive the surrender of the Confederate forces in the Indian Territory. General Herron apparently appointed Colonel Matthews as a commissioner to treat with the Confederate authorities in the Indian Territory because of an understanding that there was to be an inter-tribal council held at Doaksville or Fort Towson, on May 10. As he mentions General Throckmorton and Colonel Reagan, the Confederate commissioners who had been appointed to meet the Indians of the Plains tribes, it is evident that he was acting under a misapprehension, as the council with the Comanches and other tribes was to be held at Council Grove, on the North Canadian, five days after the date specified by him.—*Ibid.*, Vol. XLVIII, Part II, p. 818.

37. Chief Pitchlynn's proclamation was closed in the following language:

"The importance of a grand council of the character of the one contemplated at this juncture in our history, under the circumstances that surround us, cannot be overestimated. Our late allies in the war, the Confederate Armies, have long since ceased to resist the National authorities; they have all either been captured or surrendered to the forces of the United States. It, therefore, becomes us as a brave people to forget and lay aside our prejudices and prove ourselves equal to the occasion. Let reason obtain now that the sway of passion has passed, and let us meet in council with a proper spirit and resume our former relations with the United States Government."—*Ibid.*, Vol. XLVIII, Part II, p. 1105.

38. William Addison Phillips was born in Paisley, Renfrewshire, Scotland, January 14, 1824. He received an academic education prior to the immigration of his father's family to America, in 1839. He grew to manhood on a farm in Southern Illinois. At the age of twenty-two he was engaged in newspaper work, and a few years later began the study of law. In 1855 he moved to Kansas as the special correspondent of the New York Tribune. He volunteered for service at the outbreak of the war, was commissioned major of the 1st Indian Regiment and soon promoted to colonel. He commanded the Indian Brigade and for a time commanded a division, though he was never promoted above the grade of colonel. From 1873 to 1879 he represented the 1st Kansas District in Congress. After his retirement he served as an attorney for the Cherokee Nation. He died at Fort Gibson, Indian Territory, November 30, 1893. Colonel Phillips was easily one of the largest figures in the history of the Civil War in the Indian Territory. The position which he filled at Fort Gibson during the war was one which called for energy, tact, diplomacy, and administrative ability of a high order, as well as a large degree of military skill. It is worthy of remark in this connection that, when the great struggle for the preservation of the Federal Union had ended, and when the War Department was generous in its bestowal of commissions conferring the brevet rank of brigadier-general upon scores of colonels who had never commanded more than a regiment, the name of William A. Phillips was not included in the list. Whether this was due to the operation of malevolent influences in the Department



COL. WILLIAM A. PHILLIPS,
United States Volunteers, Commander of the Indian Brigade at
Fort Gibson

saw fit.³⁹ The military forces of the Choctaw Nation were formally surrendered by Principal Chief Pitchlynn, at Doaksville, June 19. Four days later, near the same place, General Stand Watie surrendered the Cherokee forces, together with the Creek and Seminole troops and the Osage Battalion. It was not until July 14—over three months after the surrender of General Lee's Army of Northern Virginia—that the Chickasaw troops were formally surrendered by Governor Winchester Colbert; the same day also saw the surrender of the Caddo Battalion. Thus ended the Civil War in the Indian Territory.

of Kansas or to the oversight of real friends of higher rank is not known for, while he had unquestionably earned such recognition, he never indicated that he had ever noticed either slight or oversight.

39. General Cooper stated that it was not only impracticable for him to surrender the Indian troops, but that his own life would be endangered if he were to attempt to do so.—Letter to Lieutenant S. B. Buckner, *Ibid.*, Vol. XLVIII, Part II, pp. 1097-99.



CHAPTER XXX

CONDITIONS AT THE CLOSE OF THE WAR AND THE PEACE COUNCIL AT FORT SMITH

CHAPTER XXX.

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The end of the Civil War found the Indian Territory in a chaotic condition. The Cherokee, Creek, and Seminole tribes had been sundered by the war and the bitterest hatred existed between the factions which had adhered to the Union and those which had cast their fortunes with the seceding states.¹ Most of the Indians of these tribes, who remained friendly with the Federal Government, were living in refugee camps in the immediate vicinity of Fort Gibson, though a few of them still lingered in Kansas, whither they had fled during the first year of the war. The members of these tribes, who had sided with the Confederacy, were mostly living in refugee camps in the Red River region, as comparatively little of the tribal domain belonging to the Choctaws and Chickasaws had been overrun by the Federal forces.² However, the war had been scarcely less demoralizing to the people of the last named tribes, for, their industry having been paralyzed, many whose homes had been in the northern part of the Choctaw and Chickasaw nations had fled to the refugee camps near the Red River. The presence of Cherokee, Creek, Seminole, and Osage refugees in their midst had helped to impoverish the Choctaws and Chickasaws who would have been otherwise well supplied.³

When hostilities ceased, all the Indians, as indicated by the proclamation of Principal Chief Pitchlynn, of the Choctaw Nation, were willing and even anxious for an early conference with the representatives of the Federal Government, in order that they might ascertain upon what terms they might restore their former friendly relations with that government. The peace council was called to meet on September 1, 1865, at Chahta Tamaha (Armstrong Academy), according to the decision of the Grand Council of Confederate Indian Nations, that had been held in June. After much corre-

1. "About ten thousand five hundred of the seventeen thousand Cherokees have been loyal. Of that number two thousand two hundred volunteered as soldiers in the Federal Army, and have made a creditable record for themselves in the defense of the nation's flag, and deserve commendation and consideration at the hands of a liberal government. . . . There are about six thousand Creek Indians that remained true allies of the United States; that, when efforts were made to induce them to join the rebellion and become allies of the south, following the example of that prince of patriots, Opothleyahola, persistently refused the terms offered, preferring to stand or fall by the Federal Union. . . . The loyal portion of the Seminoles, about twelve hundred, went north to Kansas, uniting their fortunes and destiny with Opothleyahola, and large numbers of both Creeks and Seminoles volunteered as soldiers in the Union Army."—Annual Report of the Commissioner of Indian Affairs for 1865, pp. 254-55.

2. "There were about two hundred and twelve Choctaws that remained true allies of the United States Government. . . . It is but an act of justice to the few brave loyalists to say that twelve of the young men among the loyal Choctaws volunteered in the Union army, and served during the war in Kansas and Arkansas regiments."—*Ibid.*, p. 257. (The writer (J. B. T.) was personally informed by a Choctaw (Willis King) that he was one of the seventeen members of the Choctaw Nation who were regularly enlisted in the Union Army. There were reported to be two hundred and twenty-five Chickasaw refugees in Kansas in 1863.—*Ibid.*, for 1863, p. 184.)

3. Six thousand Cherokees, six thousand five hundred Creeks, and nine hundred and fifty Seminoles were aligned with the South.—*Ibid.*, 1865, pp. 254-56.

spondence, however, Brigadier General Cyrus Bussey, commanding the United States Army of the Frontier District, wrote letters to all the Indian tribes east of the Rocky Mountains, asking them to send their delegations to Fort Smith, the division headquarters, as preparations had been made for the meeting and the United States Commissioners were on their way to that place. He invited the Grand Council to adjourn its meeting at Chahta Tamaha and send delegates to meet the commissioners at Fort Smith. Thus the peace council was finally convened there on Friday, September 8, 1865.⁴

In the meantime, the Indians who had been allied with the Confederacy remained in their refugee camps in the valley of the Red River. The bitter enmity existing between them and their fellow tribesmen who had continued their adherence to the Union was such that it was not safe for them to attempt to return to their old homes. All was in a state of suspense pending negotiations of new treaties and agreements whereby the intra-tribal breaches might be healed or compromised. The Indian Territory north of the Choc-taw and Chickasaw nations remained as it had been during the greater part of the war, practically uninhabited. But, if all was uncertainty and suspense among the Indians, it was a time of harvest for the men who continued to make a systematic business of cattle stealing. Stealing Indian cattle was not only popular but even a respectable calling in those days, only the men who were engaged in it being by courtesy called "cattle brokers."⁵ Congress had already passed an act imposing heavy penalties in the way of fines and imprisonment for the theft of cattle from the Indians,⁶ but powerful influences in the state of Kansas were interested in the profits which were to be made from this nefarious business. It was estimated that over 300,000 head of cattle belonging to the Indians and valued at upwards of \$4,500,000, were stolen from the Indian Territory during and immediately after the close of the Civil War.⁷ It was not a case of military confiscation of contraband property belonging to those who were at enmity with the Government but was rather a case of wholesale plundering from the Indians, regardless of whether they were friends or foes, and that, too, for private profit. Civil authorities and even courts seemed to be in league with the "cattle brokers." Since the Indian agents were powerless to cope with the conditions, the Interior Department asked for the coöperation of the War Department with the result that United States troops were sent to aid the agents in breaking up the cattle

4. Letter of Major-General Cyrus Bussey, addressed to the Grand Council of the Confederate Indian Nations, quoted by Annie Heloise Abel in "The Indian Under Reconstruction," p. 172.

5. "There are two classes of operators connected with cattle-driving from the Indian country. The first are those who take the risk of driving from their original range—the home of the owners—who are generally men of no character and wholly irresponsible. They usually drive to the southern border of Kansas, where the second class are waiting, through their agents, to receive the stolen property.

"These cattle brokers, claiming to be legitimate dealers, purchase at nominal prices, taking bills of sale, and from thence the cattle are driven to market, where enormous profits are made. These brokers have met with such unparalleled success that the mania for this profitable enterprise has become contagious. The number directly and remotely engaged is so numerous, the social standing and character of the operators secure so much power, that it is almost fatal to interpose obstacles in the way of their success."—Annual Report of the Commissioner of Indian Affairs for 1865, p. 253.

6. Letter of J. P. Usher, Secretary of the Interior, *Ibid.*, pp. 269-70.

7. *Ibid.*, p. 253.



CAPITOL OF THE CHICKASAW NATION, TISHOMINGO. BUILT SHORTLY AFTER THE CLOSE
OF THE CIVIL WAR

stealing.⁸ Although it became more risky thereafter, there is reason to believe that it was continued in a small way, on the sly, for several years after most of the thieves had been discouraged and driven out of the business.

The war had wrought many changes in the Indian Territory. Many of the men had been killed or died of disease in the camps. The mortality had also been large among the women and children who had been forced to flee from their homes and to live in the crowded, unsanitary conditions which prevailed in the refugee camps. When the war had ended there was considerable shifting from the old centers of population. Many of those who did return to their former homes found them in ruins. For a time these people, in certain sections of the country, had to be subsisted on Government rations.⁹ Some of the survivors of that time still tell how thankful they were when they could replot the fields that had been abandoned and allowed to grow up in weeds, for the bread of dependence became distasteful. In the springtime, the appearance of the herbs whose leaves could be cooked in the form of "greens" was a signal for rejoicing. Corn and other grain was planted, seasonable rains followed, and the fields which had been forced to lie fallow through the years of war yielded an abundant harvest.

While war is a stern teacher, it is a teacher none the less. Most of the men of the Five Civilized Tribes had been soldiers in one army or the other. As soldiers they had been subjected to the restraints of discipline—not always as strict as it might have been, it is true, but much more than most of them had ever experienced before. Many, if not most of these Indian soldiers, had seen service outside the Indian Territory. All of them had served with white soldiers from the states and, in the case of the Creeks, Seminoles and Cherokees of the three Indian Home Guard regiments, all had served in companies, part of the officers of which were white men. In the building of fortifications, roads and bridges, they had learned to work as some of them had never done before. With a greater degree of industry and

8. "I have been subject to untold annoyances and trouble in discharging my duties under your instructions. I do not receive the moral support of the people, in this branch of the service. On my arrival here I found writs of replevin, and orders for my arrest, awaiting my advent into this place. I pursued a conciliatory course, and by that means avoided a direct conflict of authority. I have direct and undeniable proof that my life has been threatened, time and again, for simply discharging my duties under your instructions. I have just received information that a man in Emporia, Kansas, a stranger to my friends there, but minutely described, publicly threatened to kill me on sight, because the troops, acting under my orders, had taken a lot of cattle while in transitu from the Indian country.

"If I know myself intimately I have no personal fear about me; but these things are unpleasant, and go to show that the people are in sympathy with these cattle thieves. . . .

"The people of Western Kansas [i. e., of the then western settlements of Kansas] have large herds of Indian stock, and to a great extent sympathize with cattle thieves. They all fear their turn will come next in being deprived of their stolen stock, in accordance with your wholesome instructions."—Letter of George A. Reynolds, U. S. Indian Agent, to Colonel Elijah Sellis, Superintendent of Indian Affairs.—*Ibid.*, pp. 264-65.

9. "Now their country [i. e., the Cherokees] is one vast scene of desolation; houses burned, treasury robbed, fences and agricultural implements destroyed, cattle stolen, and their former fields overgrown with weeds; and now they return to their homes, after an exile of years, destitute of almost everything to commence life anew, except personal energy, and they appeal with just expectations to the government for aid and support. They want subsistence until they can raise enough to subsist themselves. To secure that end they must have axes to build houses and fences; they must have ploughs and hoes to cultivate their lands; they must have stock, seed, &c., and I apprehend that a great and magnanimous government like ours will not permit this unfortunate people to go unclad during the inclemency of the winter months now approaching."—*Ibid.*, p. 254.

efficiency and their natural love of home, they immediately addressed themselves to the work of restoration with commendable energy.

After getting settled once more in their homes, one of the first concerns of several of the Indian tribes was the reestablishment of their schools. The religious interests were also given due attention and missionary work was resumed by the Baptist, Methodist (South), and Presbyterian churches among most of the tribes and, in the case of the Cherokees, by the Moravians also.¹⁰

At the close of the war and during the period of reconstruction, not only the citizens of the states of the South but also the people of the Indian Territory suffered from the uncompromising attitude of politicians at Washington, against all whom had been aligned with the Confederacy. In the eastern part of the Territory, individual Indian citizens who had been counted well-to-do before the war were either penniless or in the most straitened circumstances. Each of the governments of the Five Civilized Tribes, having established no regular system of finances (there was no taxation of the Indian people and tribal incomes were practically nil for a number of years), lacked the necessary funds for maintaining themselves efficiently. In each of these tribes, the ultra conservative group controlled tribal politics and remained unalterably opposed to the breaking up of the old communal system of holding the landed properties in common. The western part of the Indian Territory, on the other hand, saw the new policy of the Federal Government in establishing the reservation system for the so-called "wild tribes" or "blanket Indians" of the Plains region, besides for many small tribes and parts of tribes living in the North and the far West. For these reasons, the Indian Territory was destined to remain closed to some lines of progress for forty years longer, though it was never again as isolated and provincial as it had been before the outbreak of the Civil War.

Trouble With Negroes—One of the important questions to be decided by the new treaties with the Federal Government was the status of the former negro slaves who were in the Indian Territory. The political party in power at Washington, after the death of President Lincoln, was dominated by men who were fired with the zeal of the most radical of the abolitionists. They

10. The Missionary Society of the Methodist Episcopal Church, South, found itself in such straitened circumstances that there was talk of withdrawing support from the Indian Mission Conference, but Bishop Enoch M. Marvin personally assumed the responsibility of raising the money for its continued support. It appeared that in consultation with the members of the conference (only seven of whom were present), or it may have occurred in the cabinet, these faithful men were greatly discouraged, as there was no appropriation and no other probabilities of support. It seemed impossible to continue the work, and abandonment seemed to be the only course left for the preachers to pursue. This was the situation. It was a crisis. Either there must be a guarantee of support or the territory must be given up, abandoned by our church as a field of labor. To prevent this action, Bishop Marvin stepped into the breach and gave his personal and individual pledge to pay \$5,000 toward the support of the mission during the year, the amount as needed to be drawn on him as the year advanced. This inspired the preachers with confidence and courage and they went to their work full of hope and cheer. A few days after this I heard Bishop Marvin make in substance the statement given above. He was then taking up a collection in behalf of this mission. Some \$200 or \$300 was realized, of which the bishop gave \$50 himself. From the church papers it was learned that wherever the bishop went he presented the claims of the (mission) conference, taking collections at every place where he preached. That the \$5,000 was paid, there can be no doubt, but how much of it came out of the bishop's individual pocket will probably never be known in this world.—F. M. Moore, in "A Brief History of the Indian Mission Conference," pp. 56-57.

would have the ex-slaves adopted by the Indian nation of which their former masters were citizens and allowed not only to be on the same footing with the other Indian citizens but also to share equally in the tribal annuities and landed properties. In addition, the policy of colonizing freedmen from southern states in the Indian Territory was advocated by certain politicians in the North, backed up by leaders of southern communities in which the ex-slaves outnumbered their former masters in large numbers. On the other hand, the people of the Indian Territory realized that the wishes of the Federal Government would have to be considered in determining the status of the ex-slaves; each nation was willing to be magnanimous in the treatment of its own freedmen, but none of the nations was willing to adopt these people upon an equal footing, other than politically, nor was any one of the tribes willing to have a horde of negroes from the southern states thrust upon them. Pending the negotiations for making new treaties between the Indian nations and the Federal Government, during a period of more than a year (from the spring of 1865 to the late summer of 1866) and longer in some localities, the Indians took the matter of policing the country into their own hands, for, on its part, the Federal Government seemed to be in no haste to complete new treaties. The death of President Lincoln and the succession of a new administration, with new officials in the Indian service, doubtless helped to delay action in the matter.¹¹

For a time, immediately after the close of the Civil War, the people of the Indian Territory, and especially those of the Choctaw and Chickasaw nations, had considerable trouble with intruding negroes from adjoining states. Some of the land owners and planters, principally those of Texas, who were anxious to rid themselves of their former slaves encouraged those of a shiftless disposition to move to the Indian Territory, where there was supposed to be an abundance of unoccupied land. Along with such parties there also came others of the more unruly sort.

Most of these intruding negroes formed settlements in the southern portion of the territory, in the region of the Red River. As the Indian country was sparsely settled and as there were some settlements of the freedmen who were former slaves of the Choctaws and Chickasaws, the intruders attracted little attention at first. Since the Indians had been impoverished by the war, during which most of their live stock had been lost, and since there was little demand for labor, the intruding negroes had to secure a livelihood from some source, so resorted to stealing.¹² Each of the negro settlements had a leader who directed the operations of the rest in their depredations upon the property of the Indians who soon began to consult as to the best means to

11. James Harlan, of Iowa, succeeded John P. Usher as Secretary of the Interior; D. N. Cooley, also of Iowa, was appointed to succeed William P. Dole, also of Iowa, as Commissioner of Indian Affairs, and Elijah Sells replaced William G. Coffin as Superintendent of Indian Affairs for the Southern Superintendency. All of the tribal agents for the Five Civilized Tribes were also replaced soon after the adjournment of the council at Fort Smith, if not done before that time.

12. Corn-cribs, smoke-houses, hen roosts and small trading establishments suffered at the hands of these plundering bands of negroes. They also stole horses and killed hogs and cattle. When they wanted fresh meat they killed indiscriminately any cow or steer that they happened to find on the open range and, after removing a few choice pieces that were desired for the day, left the rest for the vultures and wolves.

put an end to an evil which threatened to destroy even the small remnant of their flocks and herds and other property that had escaped the destruction and spoliation of war.

A secret organization, known as "the Vigilance Committee," was formed, consisting of about five hundred members in the Choctaw and Chickasaw nations and being closely identified with similar organizations in the other Indian nations. The methods of operation adopted by the members of the Vigilance Committee were simple and severe.¹³ The range was constantly patrolled by mounted men who were on the lookout for suspicious characters. When one of these was found and apprehended he was required to give an account of himself. If one of the intruding negroes was found on the range, and away from his settlement, he was taken into custody and severely whipped. When he was liberated he was enjoined never to be caught away from his settlement again. If a negro was caught with a killed beef or hog, or with a stolen horse, he was summarily executed, usually by hanging.

As these incidents happened immediately after the Civil War, and early in the reconstruction era, the sympathies of the Federal authorities were entirely on the side of the negroes, thus adding to the risk and danger of the Indians who were involved in the operations of the Vigilance Committee.¹⁴ Apparently, the Vigilance Committee of the Choctaws and Chickasaws antedated by several years the organization and operation of the Ku Klux Klan, by which the aggressive political aspirations of the negroes were overawed in several of the states of the South. Though organized for a different purpose primarily, its methods greatly resembled those which were later adopted and used by the Ku Klux, and the results were quite as effective.

The work of the Vigilance Committee did not end with the expulsion of the lawless negro intruders, however. Renegade white men, fleeing from justice in the states, sought a refuge in the wilds of the Indian Territory. Like the intruding negroes, they, too sought to eke out an existence by stealing. Horse thieves and cattle rustlers were all too common, and against

13. The members of the Vigilance Committee kept constantly in touch with the organization and with each other. Meetings for the discussion of matters of interest were held in the open, usually during the day time on the prairie, with sentinels and guards so posted that no person unauthorized might approach. Communications with similar organizations among the other Indian nations were frequent, all such messages being sent by couriers, who traveled at night. These couriers or secret messengers were so organized in relays that no one of them ever had to ride far from his own neighborhood. Conditions greatly favored the development and operation of such an organization as "the Vigilance Committee" among the Indians, for not only were they very reserved and reticent by nature and prone to a certain degree of mysterious secrecy as to their own movements and intentions, but also they are said to have had in ancient times a form of Freemasonry, based upon their beliefs in the supernatural. Then, too, they had that democratic and altruistic idea of all working for the common good. When one of the settlements of intruding negroes became undesirable by reason of the predatory disposition of its residents, they were usually informed of the fact by the verbal announcement of some ghostly visitor in the dark hours of the night, though sometimes written proclamations gave notice that the settlement should be abandoned by a given time. The date set for such an exodus was final and not subject to any postponement. If no attention was paid to such a notice, on the following night a few bullets fired promiscuously at the cabins of the negro settlement added new emphasis to the warning previously given and an immediate exodus followed.—The information concerning the intrusion of lawless freedmen and the organization and operation of the Vigilance Committee, was secured by the writer (J. B. T.) from authentic sources among the members of the Choctaw Nation.

14. Appendix XXX-I. Conditions among the Freedmen of the Indian Territory After the Civil War.

these the members of the Vigilance Committee had to wage incessant war. The perfect, though simple, scheme of organization and the system of rapid transmission of intelligence by means of relays of couriers, greatly facilitated the work of the members of the Vigilance Committee in capturing and exterminating such marauders. If a horse was stolen in one part of the country, the fact, together with a description of the animal, was known in some other part of the country by the time that the thief appeared with it. In some instances, the trail of a horse thief was followed into some of the adjacent states. Sometimes, when the pursuers overtook the thieves, pitched battles followed, in the course of which there were casualties on both sides. More than one place in Oklahoma still bears the suggestive name of "Robbers' Roost," in consequence of the local traditions which date from that period when outlaws hid in the hills or followed dim paths to the rendezvous that was known only to themselves and their fellows in crime and violence. Old men sometimes tell stories of the exploits of those days, when, in their youth they rode as couriers or, as young men, they helped to chase and battle with the bandits. Tragedies were all too common under such conditions, for the work which the Vigilance Committee of the Choctaws and Chickasaws undertook to do in those days was a man's work in that it called for a high degree of courage and sometimes for the sacrifice of life itself.

Peace Council at Fort Smith—During the peace council which convened at Fort Smith, Arkansas, September 8, 1865, the Government was represented by a commission consisting of the following persons, namely, D. N. Cooley, Commissioner of Indian Affairs; Elijah Sells, Superintendent of Indian Affairs for the Southern Superintendency; Major-General William S. Harney, United States Army; Thomas Wistar, a Quaker from Pennsylvania; and Colonel Ely S. Parker,¹⁵ of General Grant's staff. The secretaries of the commission were Charles E. Mix, of the Indian Office at Washington, George L. Cook, W. R. Irwin, and John B. Garrett.

When the council first convened only the representatives of the tribes and parts of tribes which adhered to the Federal Government during the war were present. These were the Creek, Osage, Quapaw, Seneca, the federated Seneca and Shawnee, Cherokee, Seminole, Shawnee (from Kansas), Wyandotte (from Kansas), Chickasaw and Choctaw. Not all of these eleven delegations were authorized and empowered by their people to assume the responsibility of entering into new treaties. There was also a strong lobby of

15. Ely S. Parker was a full-blood Seneca Indian and a chief of the Iroquois Six Nations of New York. He was born at Tonawanda, New York, in 1828. He was educated in the common schools, and studied civil engineering, and receiving an appointment under the Rivers and Harbors Commission of the War Department, he was stationed at Galena, Illinois. There he became the personal friend of Ulysses S. Grant, who at that time was running a leather store at Galena. He served on the staff of General Grant throughout the Civil War and the end of the conflict found him holding an appointment as military secretary to the lieutenant-general, commanding the U. S. Army. While serving in this capacity, he was present at Lee's surrender and prepared the first engrossed copy of the terms of capitulation. On April 9, 1865, he was brevetted a brigadier-general of volunteers, and the following year he was commissioned as first lieutenant of cavalry in the Regular Army; on March 2, 1867, his commission was raised to captain, major, lieutenant-colonel, and colonel to brigadier-general of the U. S. Army. He resigned his commission in the army to become commissioner of Indian Affairs under President Grant, in 1869. He retired to private life in 1871 to take up his profession of civil engineering. He died on August 30, 1895.

politicians from Kansas,¹⁶ who, it proved afterward, were at the council for the purpose of securing cessions of land from the nations in the Indian Territory, to which the Indian tribes of Kansas might be removed. Back of the plans of these politicians were many expedients always to be found in the undercurrent that swept the great tide of westward migration on its way in the United States.¹⁷

The council was called to order by Commissioner Cooley, who was chairman of the Government commission, Charles E. Mix having been made head secretary. Rev. Lewis Downing, acting principal chief of the Cherokee Nation and late lieutenant-colonel of the 3d Indian Home Guard Regiment, invoked the blessing of the Great Spirit upon the deliberations of the council, after which Mr. Cooley made the opening address on behalf of the Government commissioners. This address was intended to be a formal announcement of the purpose for which the council had been convened and a brief review of the troubles and differences which it was hoped to be able to adjust and compose. It was couched in an attempt at lofty and gracious language, yet withal contained a threatening attitude that forbode further difficulties in adjusting matters of vital interest to the tribes concerned. This threatening attitude was not lost on the Indians, and it was hardly justifiable in addressing delegations who represented the loyal factions in their respective tribes—Indians who had sacrificed everything to retain their allegiance to the United States in a conflict which assuredly had not been due to any fault of theirs. The address stressed the great crime committed by "portions of the several tribes and nations" in having joined the Confederacy; it claimed that "All such had rightfully forfeited all annuities and interests in lands in the Indian Territory," and that the commission had been directed to make new treaties with those nations and tribes who "were willing to be at peace with themselves and with the United States." The delegations present at the opening of the council not only represented the loyal portion—a very small minority in most instances—of their respective tribes and were unauthorized to make new treaties, but also were powerless to compose their

16. Milton W. Reynolds, who was present at the Fort Smith peace council as a representative of the New York Tribune, in writing of the incident twenty-five years later, said: "The Indians were told that the war had ended, peace had been proclaimed; that the work of reconstruction and rehabilitation was now being carried on between the North and the South and that the former relations of the semi-civilized tribes with the Government must be restored; that they had gone into rebellion and had consequently forfeited all treaty rights. . . . But the Government, the commissioners said, was not disposed to deprive them of a home; that their red brothers who had remained loyal must be provided with homes; that the persons they had recently sold as slaves must be declared freedmen and have the same rights as themselves if they chose to remain members of the tribe; and that, consequently, their former reservations, if restored to them, must be curtailed and restricted in order that the loyal red brethren in the North, inhabiting Kansas, Nebraska, and Dakota, might have homes among them. It was largely a Kansas idea and prominent Kansas men were there to enforce it. General Blair, Hon. Ben. McDonald (brother of Senator McDonald, of Arkansas [and, also, related to the company of traders, McDonald & Fuller, who had been implicated more or less with the business of the "cattle brokers" during the war]), General Blunt, Eugene F. Ware, 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 the Indians, who owned all of her western plains and the choicest lands in Southern Kansas."—Marion Tuttle Rock in "History of Oklahoma," pp. 8-13.

17. Appendix XXX-2. Extract from Annie Heloise Abel's Chapter on "The Peace Council at Fort Smith, September, 1865," with reference to the personnel of the United States Commission to Fort Smith.

tribal differences until the delegations representing those who had joined the Confederacy had arrived at the council.¹⁸

The responses to this address by the representatives of the various tribes were very brief and informal. Most of them stated that some time would be required for consultation and deliberation before making formal replies. In the afternoon session of the first day, brief addresses were delivered by representatives of some of the tribes, but there was much confusion in their minds as to the purpose for which the council had been called.

When the council reconvened on the next day (Saturday, September 9, 1865), Chairman Cooley of the Government commission again addressed the assembled delegations. In the course of his address, he enumerated nine different tribes and federated bands which had entered into treaties with the Confederate States, and reiterated emphatically that by this action these tribes had "forfeited all right to annuities, lands and protection by the United States." Apparently, all of the people of each of these various tribes and bands were to be held to account, regardless of whether they were all or in part attached to the cause of the Union during the Civil War. He then made known the terms upon which new treaties might be made, the stipulations being as follows:

1. Each tribe must enter into a treaty for permanent peace and amity among themselves, each nation and tribe, and with the United States.
2. Those settled in the Indian Territory must bind themselves, when called upon by the Government, to aid in compelling the Indians of the plains to maintain peaceful relations with each other, with the Indians in the territory, and with the United States.
3. The institution of slavery which has existed among several of the tribes must be forthwith abolished, and measures taken for the unconditional emancipation of all persons held in bondage, and for their incorporation into the tribes on an equal footing with the original members, or suitably provided for.
4. A stipulation in the treaties that slavery, or involuntary servitude, shall never exist in the tribe or nation, except in punishment of crime.
5. A portion of the lands hitherto owned and occupied by you must be set apart for the friendly tribes now in Kansas, and elsewhere, on such terms as may be agreed upon by the parties, and approved by the Government, or such as may be fixed by the Government.
6. It is the policy of the Government, unless other arrangements be made, that all the nations and tribes in the Indian territory be formed into one consolidated Government, after the plan proposed by the Senate of the United States, in a bill for organizing the Indian territory.
7. No white person, except officers, agents, and employees of the Government, or of any internal improvement authorized by the Government, will be permitted to reside in the territory, unless formally incorporated with some tribe, according to the usages of the band.¹⁹

Printed copies of these stipulations were furnished to the agents who had accompanied the various tribal delegations and they were instructed to see that the contents of the same were duly interpreted and explained so that all of the members might understand. The delegates were told that, under the act of Congress approved July 5, 1862, their lands and annuities had been

18. "Official report of the proceedings of the council with the Indians of the West and Southwest, held at Fort Smith, Arkansas, in September, 1865," Annual Report of the Commissioner of Indian Affairs for 1865, pp. 312-53. Unfortunately for the historian who is interested in the details of the council at Fort Smith, the "official report" is meagre, in most instances, in its verbatim account of the proceedings. One may surmise that such a report would fit in well with the arts and diplomacy that best suited the plans of the lobbyist politicians and the dominating personnel of the commission at Fort Smith.

19. *Ibid.*, pp. 318-19.

forfeited. Yet, up to this time, all of the delegates present were men who had supported the cause of the Union. It was indeed small cause for wonder that these should sit silent with amazement at the ultimatum this presented, whereby, in most instances at least, it was virtually proposed to penalize all of the people of a tribe for the misdeeds or indiscretions of only a portion of the tribe.

It is to be noted that, by the terms of the seventh stipulation thus presented, no white person was to be permitted to live in the Indian Territory, except Government officials or employees, or those employed by internal improvements (i. e., railroads) authorized by the Government, but there is nothing therein that could be construed as operating to prevent the settlement or colonization of negroes in the same territory. However, some of the Indians were quick to note this apparent oversight and to call attention to it. Though they might be coerced into giving their consent to proposed tribal enfranchisement or adoption of their own freedmen (if not irreconcilably opposed to the fulfillment of such a plan), they were determined that the free slaves from the states should not be thrust upon them.

The Cherokee delegates representing that portion of the tribe which had sided with the Union took exception to the action of the Government commissioners in classing them with the tribes which had forfeited all interest in lands and annuities under the Act of July 5, 1862. Their protest against such a course was put in the form of a paper which was read to the commissioners and council during the meeting on the third day. They denied that they had ever been "bona fide rebels" against the Federal Government; they briefly reviewed the plight of their people in the spring and summer of 1861 and the "toils, privations, and hazards of the war," they had courageously endured in behalf of the Union, serving three years in the ranks of its army, participating in more than ten armed conflicts (most of which were outside the borders of the Indian Territory), and always being "obedient to orders, until regularly and honorably discharged the 31st of May, 1865."

Similar protests were presented by the Creeks and Seminoles. Statements, either written or verbal, with reference to the seven proposals offered by the commissioners, were also made by the Chickasaws, Choctaws, Osages, Senecas and Shawnees. The Government commissioners replied to the statement of the Cherokee delegation with a detailed enumeration of charges against John Ross and the course which he pursued from August, 1861, until the arrival of Colonel Weer's command in the Cherokee country in the summer of 1862, but it paid no attention to the fact that the Cherokee council had repudiated the Confederate treaty and, as an evidence of its sincerity, had also passed an act emancipating the slaves in the Cherokee Nation, in February, 1863, a number of months before President Lincoln's emancipation proclamation. The commissioners concluded by refusing to recognize the plea that had been made by the Cherokees who had fought for the Union. Although reiterating the assurance that the rights of the "loyal" Indians would be protected, the commissioners seem to have carefully avoided committing themselves as to just what was meant by that expression.

The council proved to be a tedious affair to the Government commis-

sioners who were anxious to have new treaties signed by the various delegations. Finding that several of the delegations were without authority to consider and act upon some of the stipulations, a brief protocol, providing for immediate peace and leaving all questions at issue subject to negotiation and final adjustment at some subsequent period, was substituted.²⁰ This, the "loyal" Creeks and Cherokees were willing to sign, if permitted to add a qualifying statement to which the Government commissioners would not consent at first, but the objection was later withdrawn. Finally, on the sixth and seventh days of the council, the protocol was signed by the authorized delegations present; namely, the Seneca, mixed band of Seneca and Shawnee, Quapaw, Shawnee of Kansas, Osage, Reserve Indian (Wichita Agency), and the "loyal" Seminole, Chickasaw, Creek, and Cherokee delegations, each of which made a statement, either verbal or written, before attaching their signatures.

On the afternoon of the eighth day, John Ross having joined the Cherokee delegation in the meantime, the Government commissioners issued a statement in which it was made known that they would refuse to recognize him as principal chief of the Cherokee Nation.²¹ This was not done, however, until the Union Cherokee delegates had signed the protocol or preliminary treaty, so it was evident that back of this action was some ulterior motive. The "loyal" or Union Cherokee delegates filed a protest against this action of the Government commission, averring that John Ross had never to their knowledge been an emissary of the states in rebellion; that he had not used any influence to turn the Cherokee people from their allegiance or friendship toward the United States; and that, during the three years just past he had represented the Cherokee Nation at Washington, where he had been recognized by the Government. This protest was of no avail, however.

The Cherokees, Creeks, Seminoles, and Osages who had been in alliance with the Confederate States sent in delegations from Chahta Tamaha (Armstrong Academy) where they were still encamped, as also did the Choctaws and Chickasaws who had sided with the Confederacy almost unanimously.

20. Appendix XXX-3. Protocol or preliminary treaty of the Fort Smith Council.

21. No matter what position one may take in a critical view of the domestic troubles among the Cherokees, that had long divided their nation, it cannot be denied that John Ross was always a sincere defender of the rights and the welfare of his people. His temperament was such that he had a deep understanding of the heart of the full-blood Cherokees—the people of whom he was the leader—and he had the strength of character, second to none among the Cherokees and others with whom he came in contact, and the foresight to defend them before all comers. In 1857, he had quoted from the inaugural address of Robert J. Walker, territorial governor of Kansas, in a message to the Cherokee National Council, revealing the inordinate desires and the intrigues of the Kansas politicians against the Indians of the frontier. Now, eight years later, at the Fort Smith Council, the same politicians were afraid of John Ross. Knowing that the Indian Office at Washington was in possession of material that could be turned and manipulated to advantage in any fight against him; knowing, too, that he had enemies "to the death" among his own people, and being in a position of influence and power with the peace commission at Fort Smith, these politicians began their brutal attack against the aged chief of the Cherokees. But by so doing, they made the life story of John Ross a tragedy that only reveals the sordid depths to which so-called civilized man may descend morally. In June, 1866, a pamphlet, known as "the Cherokee Question," was published under the orders of the Office of the Commissioner of Indian Affairs, the purpose of which was to discredit John Ross and the "loyal" faction of Cherokees. The text of this document was reproduced with an editorial introduction by Joseph B. Thoburn, in "Chronicles of Oklahoma," publication of the Oklahoma Historical Society, in June, 1924, Vol. II, No. 2, pp. 141-242. (For extract from the inaugural address of Robert J. Walker, territorial governor of Kansas, in 1857, as quoted by John Ross in that year, see Appendix XXX-4.)

These delegations did not arrive at Fort Smith until the council had been in session for some days. Joint committees representing both factions of some of the sundered nations met and tried to thresh out their personal and political differences. Outwardly there was apparent serenity but inwardly the fires of passion, which had so long been fanned by wrong and strife, were still smouldering and there were moments of tenseness. Many if not most of the brilliant Indian leaders of the day were there—Elias C. Boudinot and William Penn Adair, of the Southern Cherokees; John Ross and his nephew, William P. Ross, of the Northern Cherokees; Daniel N. McIntosh and Oktahars Harjo, representing the opposing factions of the Creeks; John Chupco and John Jumper, leaders of the two Seminole delegations; Winchester Colbert and Colbert Carter, leaders of the Chickasaw delegation, and Peter P. Pitchlynn and Robert M. Jones, Choctaws.

The Southern Cherokees presented a signed statement in which they announced that they would accept the first, second, fourth, fifth and seventh stipulations of the proposed treaty without qualification. They were willing to accept the abolition of slavery as a fact accomplished and to give it full significance by appropriate acts of the tribal legislative council but they objected most emphatically to the proposed extension of tribal rights and citizenship to the negro freedmen of the Cherokee Nation. They also questioned the practicability of the proposed territorial government. In conclusion they expressed not merely a doubt as to the possibility of reuniting the Cherokee Nation as one people, but also renewed the suggestion which had been made twenty years before, namely that the tribe and their country should both be divided as the most effective means of putting an end to the bitter feud which had been increasing in its intensity for more than a quarter of a century. The statement was a dignified one throughout and it closed in the following words:

In conclusion, we assure the United States Government that we will manifest no factious disposition in the negotiations in which we may be expected to take part. The great and powerful Government you represent will not be offended when we say that, though we may have lost our rights by the course we adopted in all honor and sincerity in the late war, we have not lost our manhood.²²

The delegations of the Chickasaw and Choctaw nations, through their respective presidents, jointly submitted a statement, in which they emphatically disclaimed that they had been "induced by the machinations of the emissaries of the Confederate States to sever their treaty relations with the United States, declaring that they had freely and of their own accord entered into the treaty of alliance with the Confederacy and presented a strong argument in support of their right to take such a course. This statement was concluded in the following language:

The Confederate States Government having ceased to exist, our relations ceased with it and we recognize the Government of the United States as having maintained its supremacy, and as offering to resume, by treaty, its former relations with us. As nations, we are ready and willing to resume such relations, and sign this treaty of peace and amity, in all sincerity, claiming no rights but those properly belonging to us. In entering into new treaty relations with the

22. Annual Report of the Commissioner of Indian Affairs for 1865, pp. 339-40.

United States Government, we have but to offer our past history as a guarantee that we will be faithful to such obligations as we may assume. Ever since 1786, when the first treaty was made by our forefathers with our white brothers of the United States, down to 1861, we have never faltered in our allegiance to that Government; although we have had sufficient cause, yet we fulfilled our every obligation to the letter, and we hope that the established relations between the sections of the United States may be lasting, and that we may never again be forced to cast our fortunes with one or the other of two contending sections.²³

However much progress may have been made by some of the other tribes which had been divided by the war, it was evident that there was small hope for reconciliation between the two hostile Cherokee factions. The Northern, or "loyal" Cherokee council had passed an act confiscating the property of the Southern Cherokees. This statute was the great obstacle which stood in the way of reconciliation. The Southern Cherokees had sought to adjust the difficulty by sending a delegation to Fort Gibson to meet the opposing faction of the nation, before the meeting of the peace council at Fort Smith, but this advance had been spurned. Now, under the spirit of the occasion, another committee was appointed by the Southern Cherokees to meet a like committee representing the Northern, or "loyal" Cherokees. The result of the conference was announced in a report, signed by the Southern Cherokee Committee, of which Richard Fields was chairman, stating that the two committees were unable to come to any settlement of the "domestic divisions" of the Cherokee Nation.

In the meantime, the signing of the protocol submitted by the Government commission had been completed by all the delegations of Indians that had come to Fort Smith. Also, terms for additional treaties with the Creeks and Osages, respectively, had been agreed upon, whereby large portions of their tribal domains were to be sold to the United States. A draft of a proposed treaty was also under consideration with the Choctaws and Chickasaws, but the tribal delegations proposed certain amendments and modifications to which the Government commissioners declined to accede. After having been in session for twelve days, the peace council adjourned on September 21, 1865.²⁴ It is significant that it was announced that the adjournment of the council and the commission was subject to meeting at the call of the Secretary of the Interior, James Harlan, former United States Senator from Iowa.²⁵

23. *Ibid.*, pp. 345-46 and 349-50. See Appendix XXX-5, for additional comment with reference to the Choctaws and Chickasaws.

24. For references on the peace council at Fort Smith, consult not only the Annual Report of Indian Affairs for 1865, but also much additional material brought to light and quoted by Annie Heloise Abel in "The American Indian Under Reconstruction."

25. As Secretary of the Interior, James Harlan had addressed a letter of instructions to the peace commission to the Indians, in August, 1865, before the commissioners had departed for Fort Smith. (For full text of the letter, see *Ibid.*, pp. 219-26.) The seven propositions submitted to the Indian delegations at the council were based upon the instructions of Harlan's letter. It is also interesting to note that James Harlan, as Senator from Iowa, and a member of the Senate Indian Committee, of which James H. Lane, of Kansas, was also a member at the same time, introduced a bill into Congress, on February 20, 1865, providing for the organization of the Indian Territory as a regular territory of the Federal Union, but which failed to pass the House of Representatives because of lack of time for consideration in that body.

Miss Abel comments on the Harlan Bill (*Ibid.*, pp. 243-44) as follows: "An understanding of the deeper meanings of the Harlan Bill can be obtained most easily and most fairly from the senatorial probings and comments in debate. [See Congressional Globe, 38th Congress, session II, pp. 1021-24, 1058, 1303-06, 1308-10.] Artfully contrived though it was and so timed as to be able to claim but scant attention, it yet did not escape censure.

Treaties With the Wild Tribes—At the same time that the Government peace commissioners were holding a council at Fort Smith, efforts were being put forth to induce the Indians of the wild tribes of the Plains to attend a peace council and cease from hostilities, in which most of them were engaged, especially the Comanches and Kiowas, who usually ranged from the Arkansas River in Kansas and Colorado, southward across Oklahoma and Texas, and the Cheyennes and Arapahoes, who had generally ranged between the valleys of the Arkansas and Platte rivers, in Kansas, Colorado, Nebraska, and Wyoming. It was with difficulty that the Indians of these tribes were induced to attend such a council. However, at the urgent insistence of men in whom they had confidence, they finally consented to meet the Government commissioners, Jesse Chisholm and Captain Black Beaver exercising more influence in the matter than anyone.

The council with the Indians of the Plains was held at the mouth of the Little Arkansas River, upon the site of the present city of Wichita, Kansas. The Government peace commissioners were General John B. Sanborn and General William S. Harney;²⁶ also, Thomas Murphy, Superintendent of Indian Affairs for the Central Superintendency; Kit Carson, the noted scout, guide, and hunter; William W. Bent, the well-known trader; Colonel Jesse H. Leavenworth, tribal agent for the Comanches and Kiowas; and James Steele. The treaty with the Cheyennes and Arapahoes was signed on October 14, 1865. It provided for the restoration of "perpetual peace" between the people of these tribes and the Government of the United States. On its part, the Government disavowed the Chivington massacre, wherein a number of Cheyennes who had surrendered to the commander of the military post of Fort Lyon were ruthlessly slain by Colorado volunteers, on Sand Creek, in the eastern part of that territory, in November, 1864. The people of these two tribes relinquished their old reservation in Colorado (which they had abandoned after the massacre of Sand Creek) and accepted one lying between the Arkansas and Cimarron rivers in Southwestern Kansas and Northwestern Oklahoma.²⁷

Three days later, a supplemental treaty was signed with the Cheyennes and Arapahoes, in which the representatives of the Apaches of the Plains also

Its perfidy was exposed by Lafayette S. Foster, a senator with universal training and wide legal knowledge, from Norwich, Connecticut, in politics, a conservative Republican. The course of the debate will here be traced by its main points only. It began on the twenty-third of February, was continued for a short time on the twenty-fourth, and was concluded on the second of March. The ulterior purposes of politicians, as likewise the lowering of the status of the Indian country that would be incident to its statutory organization, and the advantage that might so legitimately be taken on any such condition, were revealed in Pomeroy's preliminary observation that, should it be desirable at some future time to change the boundaries, the change should take place without previous consultation with the Indians. Their consent to a change should not be requisite."

26. It was originally intended to send Colonel Ely S. Parker as a member of this commission, but upon special written request of the southern delegation of the Choctaws and Chickasaws, Colonel Parker was retained at Fort Smith to help in completing negotiations there. Whereupon, General William S. Harney was selected as one of the commissioners to treat with the Plains Indians.

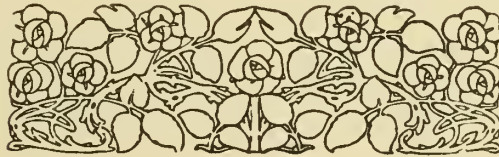
27. By the terms of the new treaty, a number of Indians who had suffered the loss of relatives in the massacre on Sand Creek, were to receive allotments of land in the valley of the Arkansas River, near their old agency at Bent's Fort. Subsequently, these beneficiaries, who were specifically named in the treaty, were beaten out of their allotments by rascally white land grabbers, but the Government has never made any effort to remedy the injustice.

joined, for the purpose of federating with the two tribes first mentioned. The Apaches of the Plains had always been federated with the Kiowas. It is not known why they left the Kiowas and sought an alliance with the Cheyennes and Arapahoes at that time. Between that time and the making of the next treaty, two years later, they returned to their former association with the Kiowas, with whom they have ever since remained.

On the same day that the last mentioned treaty was signed (October 17, 1865), the chiefs and head men of the Comanches and Kiowas also signed a treaty, providing for perpetual peace between the Government and the Indians of these tribes.²⁸ The two tribes were assigned a reservation including all those portions of Western Oklahoma and the Texas Panhandle lying between the Cimarron and Red rivers, between the 98th and 103d meridians.²⁹

28. For texts of the treaties with the Plains Indians in 1865, see Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 887-95.

29. Appendix XXX-6. "The Indian Policy of the Army, 1860-70."



CHAPTER XXXI

TREATIES OF 1866

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In the spring of 1866, the delegations from each of the Five Civilized Tribes were asked to visit Washington for the purpose of entering into new treaties with the Government, on the lines which had been proposed to them in the council held at Fort Smith during the preceding September.¹ It will be recalled that the council at Fort Smith had been adjourned by the Commissioner of Indian Affairs, who was presiding, subject to the call of the Secretary of the Interior.²

Although negotiations were begun with all of the delegations in January, 1866, the new treaties were not all concluded at once. Instead, the first treaty that was signed was the one completed with the Seminole Nation, for of all the tribes, the deplorable conditions facing both the northern and the southern factions of the Seminoles placed them in a position where they were forced to accept the peremptory directions of the Commissioner of Indian Affairs.³ At intervals of several weeks, treaties were concluded with the Choctaws and Chickasaws, who were less ready to accede to some of the terms; with the Creeks, who were divided into two factions, one of which had supported the Union while the other had been attached to the Confederacy; and with the Cherokees, who were not only divided by their alignment during the war and by the feud which dated from the days of the migration, but the situation was still further complicated by the attitude of the Government toward the Cherokees who had sided with the Union from 1862 to 1865, because of the temporary alliance of the dominant (Ross) party in the Cherokee Nation with the Confederate States.

1. The subject of making new treaties had been touched upon by W. G. Coffin, Superintendent of Indian Affairs, Southern Superintendency, in his communication to Charles E. Mix, Acting Commissioner of Indian Affairs, in 1862, p. 168. Superintendent Coffin made the following comment: "If the opportunity now or soon to present itself for making new treaties with those Indians is properly and wisely improved, great good may result to the Indians, the government, and the country generally; and I beg leave to make the following suggestions in regard to the general features of those treaties: Let the treaties provide that the Indians shall take their lands in severalty, and wholly abandon the policy of holding them in common, as what is everybody's business is nobody's business, and what is everybody's property is nobody's property, does not work well with white men, much less with Indians. . . . Let the treaties also provide for the survey of all the Indian reservations valuable for agricultural purposes, and after the Indians make their selections, open up the balance to sale and settlement by whites, and, from the fertility of the soil and the salubrity of the climate of the Indian Territory, I have no doubt but that it would settle up with great rapidity."—Report of the Commissioner of Indian Affairs for 1862, p. 168.

2. James Harlan, of Iowa, had resigned his seat in the United States Senate to accept the portfolio of the Interior Department in the cabinet of President Lincoln, a short time before the assassination of the latter. Secretary Harlan believed all of the Indians from the states east of the Rocky Mountains should be gathered in the Indian Territory. From the fact that he stressed his idea in his letter of instructions to the Government Peace Commission, before the council at Fort Smith, it is evident that it was he, rather than President Johnson, who dictated the peace terms which were proposed at Fort Smith and enforced in the treaties made in 1866 at Washington. The new Commissioner of Indian Affairs, Dennis N. Cooley, and the Superintendent of Indian Affairs for the Southern Superintendency, Elijah Sells, were both from his State and were both zealously devoted to the execution of his proposed plan.

3. Appendix XXXI-1. Condition of the Seminoles at the end of the war.

Seminoles—Though the representatives of the Union and of the Confederate Seminoles had counseled together at Fort Smith, in order that they might come to some mutual understanding, nevertheless there was strong opposition within the tribe against the acceptance of certain terms proposed by the Peace Commission, in making a new treaty with the United States Government. Since the two portions of the Seminole people had not yet returned to their country as a united nation, there was consequent delay in the matter of choosing delegates to represent them at Washington. In the meantime, the Commissioner of Indian Affairs issued instructions to the Seminole agent, in December, 1865, to select a delegation from the Northern and the Southern Seminoles and repair immediately to Washington. The resulting treaty was signed March 21, 1866, and was proclaimed August 16, following.

Among the provisions contained in the new treaty with the Seminoles were the following: Renewed pledges of peace and friendship and a complete amnesty for all offenses arising from the war; slavery was entirely abolished and the freed slaves of the Seminoles were placed upon an equal footing with the remainder of the people.⁴ The Seminoles ceded to the Government the entire domain, estimated to contain 2,169,080 acres, secured to them by the treaty of 1856, for which they were to receive \$325,362. Out of this sum, the tribe was to pay \$100,000 for a tract of country, containing 200,000 acres and lying between the Canadian River and the North Fork. The balance of the \$325,362 was apportioned as follows: \$30,000 to establish the tribe in their new country; \$20,000 to purchase stock, seeds and tools; \$15,000 for a mill; \$50,000 to be invested as a school fund; \$20,000 as a national fund; \$40,362 for temporary subsistence, and \$50,000 to reimburse the "loyal" or Union Seminoles for losses sustained during the war, to be ascertained and apportioned by a board of commissioners.⁵ The Seminoles

4. In justice to the Seminole people, it must be stated that the provision admitting the freedmen into the tribe upon an equal footing with its own members was practically forced upon them. The recognition of the negro freedmen, politically, with the privilege of sharing equally in all tribal annuities and lands, was diligently promoted by the peace commissioners both at Fort Smith and Washington. In the fall of 1865, when the time came for the selection of delegates to Washington, the Northern Seminoles were still at Fort Gibson as refugees and the Southern Seminoles were located on the Washita River, in the Chickasaw country, making it impossible for the tribe, acting as a unit, to select its delegates. Under orders from the Commissioner of Indian Affairs, Agent Reynolds compelled the selection of the delegates by both portions of the Seminoles separately, and hurried them off to Washington. It had happened that a number of free negroes had taken up their abode among certain communities of the Seminoles, while the tribe still lived in Florida, and had come West at the time of their migration to the Indian Territory. The recognition of these negroes as a component part of the tribe coincided exactly with the views of the Government commissioners, and, as a result, several of the interpreters who accompanied the Seminole delegates to Washington were said to have been men of unmixed African blood. This situation made it easier to secure the incorporation of the freedmen as full-fledged members of the tribe under the terms of the treaty at Washington, in spite of the protests of the Southern Seminole delegation. However, the social recognition of negroes or any person of negro descent never was and never has been accepted by a large portion of the Seminole people.

5. From a computation of the sums specified, it will be seen that fifteen cents an-acre was allowed the Seminoles for their land session; on the other hand, the Government charged the tribe fifty cents an acre for its new country, a region which was purchased for thirty cents an acre under the terms of the treaty with the Creeks, in 1866. Out of the clear gain in cash to the amount of \$40,000, the Government commissioners allowed the sum of \$10,000 to the Seminoles for new agency buildings, in addition to continuing the former tribal annuities. In commenting on the transactions with the Seminoles in 1866, Miss Abel in "The Indian Under Reconstruction," pp. 318-19, remarks, "Strictly-speaking the Indian

granted Congress the right to erect a territorial government with an inter-tribal legislative council; they granted a right-of-way for the construction of a railroad through the tribal lands; they were allowed 640 acres to each society which would erect a mission or school, to revert to the tribe, however, in event of abandonment. On its part the United States renewed and continued annuities arising under former treaties with the Seminoles, and allowed the sum of \$10,000 as a maximum to be expended for agency buildings, on a site to be chosen by the tribal authorities.⁶

The Seminole treaty commissioners were, John Chupco, head chief; Chocote Harjo, counsellor; Fos Harjo, chief; and John F. Brown, special delegate of the Southern Seminoles.

Prior to the outbreak of the Civil War, missionary work was carried on among the Seminole people by the Presbyterians and the Baptists. When the war began, the Presbyterian missionary went north and eventually most of the people who had become affiliated with his church found their way to Kansas as refugees. The Baptist missionary, on the other hand, was a southern man and was appointed as tribal agent of the Confederate Government to the Seminoles. The Baptist Seminoles to a man are said to have sided with the South, while the Presbyterian Seminoles who sided with the South shortly transferred their denominational affiliations to the Baptist Church. Therefore, when the war ended, the lines of partisan cleavage in the Seminole Nation were identical with those of denominational difference.

Choctaws and Chickasaws—The Choctaws and Chickasaws jointly concluded a new treaty with the Federal Government, April 28, 1866. An amendment was accepted July 2, and the treaty was proclaimed July 10, following. The Choctaws and Chickasaws were very anxious to renew treaty relations with the Government but were very loath to extend the privileges and rights of tribal citizenship to their freed slaves, and, in the end, they succeeded in securing a modification of the original stipulation of the Government in that regard. The principal provisions of the Choctaw-Chickasaw treaty of 1866 were as follows:

Peace and friendship were to be renewed between the Choctaws and Chickasaws on the one part and the Federal Government on the other; amnesty was extended for all offenses committed during the war; slavery was abolished in every form. The Choctaws and Chickasaws ceded to the Government the whole of the tract known as the "leased district," bounded by the Canadian and Red rivers and the 98th and 100th meridians;⁷ for this tract the Government agreed to pay \$300,000, to be invested at five per cent interest until laws were passed by the Choctaw and Chickasaw nations pro-

held nothing by grant or gift, as the phrase is popularly understood, and the insinuation [see preamble, Seminole Treaty, 1866] was in itself prima facie evidence of the essential unfairness of the commissioners. The existing tribal property of the Seminoles represented a series of business transactions dating back to the infamous treaty of Camp Moultrie, forced sales in which, so far as the Indians were concerned, value received had never yet balanced consideration rendered. . . . To call their western home a gift was a mockery. A grant it was only in the sense it was held by title from the United States given in exchange for a better and more ancient claim."

6. Treaty with the Seminoles, 1866. Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 910-15.

7. Appendix XXXI-2. The "Greer County" claim of the Choctaw Nation.

viding full rights, privileges and immunities and granting forty acres of land to each of their freedmen, such laws to be passed within two years, in which event the \$300,000 with accumulated interest was to be paid, three-fourths to the Choctaws and one-fourth to the Chickasaws; if such laws were not passed, however, the \$300,000 was to be kept and used by the Government for the benefit of such freedmen as the United States should remove from the territory, the United States agreeing to remove such freedmen within ninety days after the expiration of the two-year period.⁸ Rights-of-way were granted for the building of railroads through the tribal domains, upon compensation being rendered for damage done to property, with the proviso that the tribes might subscribe stock in such corporation in land, such subscriptions to be first liens on the property of the same. The provisions concerning the proposed establishment of a territorial form of government for the Indian Territory, with an inter-tribal legislative council, were defined in more detail in the Choctaw-Chickasaw treaty, it being incidentally stipulated that the proposed Commonwealth should be called the "Territory of Oklahoma." The lands belonging to the two tribes were to be surveyed and allotted when desired by the people. Indians from Kansas or elsewhere were to be welcomed to tribal citizenship with full rights and privileges, though not to share in the income of trust funds, and were to pay for land at the rate of one dollar per acre. Citizens of the Choctaw and Chickasaw nations were to be received as competent witnesses in the Federal courts.

The Choctaw-Chickasaw treaty was signed by Dennis N. Cooley, Commissioner of Indian Affairs, Elijah Sells, Superintendent of Indian Affairs, and Ely S. Parker, special commissioner, as commissioners on the part of the United States. The Choctaw commissioners or delegates were Alfred Wade, Allen Wright, James Riley, and John Page. The Chickasaw commissioners were Winchester Colbert, Edmund Pickens, Holmes Colbert, Colbert Carter, and Robert H. Love. Campbell LeFlore and E. S. Mitchell were respectively secretaries of the Choctaw and Chickasaw delegations. Those who signed as witnesses were John H. B. Latrobe, attorney for the two tribes; Peter P. Pitchlynn, principal chief of the Choctaw Nation; Douglas H. Cooper, former tribal agent and late brigadier-general in the Confederate Army; James Harlan, Secretary of the Interior; and Charles E. Mix, former Commissioner of Indian Affairs and Secretary of the Government Peace Commission.⁹

Creeks—More difficulty was experienced negotiating a new treaty with the Creeks than with the Choctaws, Chickasaws and Seminoles. The "loyal" or Union Creek delegation arrived on the ground first and readily assented

8. Within ninety days after the tribal legislatures would pass the laws admitting their freedmen as citizens, the United States was to pay \$100 per capita, out of the \$300,000 allowed on the Leased District, to all freedmen who did not wish to remain in the nations. Both the Choctaws and the Chickasaws desired the removal of the freedmen from the respective tribal domains, and steadily refused to take the necessary action with regard to the adoption of these people. On its part, Congress failed to make any appropriation for the removal of the freedmen, so that the Interior Department was powerless to act. The whole subject was for many years a matter of controversy with the Federal Government and, though the real facts in the case did not warrant the results, a contentious spirit was fostered between some of the Choctaws and the Chickasaws themselves. For further discussion of the freedmen question in the two nations, see Appendix XXXI-3.

9. Choctaw-Chickasaw Treaty of 1866. Kappler's "Laws and Treaties" (Indian Affairs). Vol. II, pp. 918-31

to a new treaty in which it provided, among other stipulations, that the freed negro slaves of the Creeks should be clothed not only with tribal citizenship but also that they should share equally in the tribal lands and funds. Then the Southern Creek delegation, representing that portion of the tribe which had joined the Confederacy, arrived and as promptly entered strenuous objections to a consummation of such an agreement. As the last mentioned delegation represented fully one-half of the Creek people, it was with difficulty that an agreement was reached after many weeks of tedious negotiation.¹⁰ Like the Cherokees, the Creeks were arrayed in two factions that dated back to the time of the removal from the East. The Government commissioners were inclined to yield to the protests of the Southern Creek delegation but the Northern Creek representatives held out so firmly for full tribal citizenship and rights for their emancipated slaves, or rather the attitude of the latter coincided so perfectly with the views of the Government commissioners, that the opposition was finally overcome.¹¹ In brief the principal provisions of the Creek Treaty of 1866, which was signed June 14, amended July 23, and proclaimed August 11, were as follows:

Peace and friendship between the Creek people and the United States was reestablished and amnesty declared for all past offenses; slavery was abolished and freed slaves granted full rights as members of the tribe, including an interest in the lands and funds of the Creek Nation.¹² The Creek Nation

10. The "Loyal" Creek delegation refused to recognize the Southern Creek delegation's right to act with them in making the new treaty. The Southern Creek delegation, led by McIntosh and Smith, thereupon addressed communications directly to the Government commissioners and the President, stating their objections, chief of which were, "their own exclusion from the treaty-making, the confiscation of property, the recognition of former negro slaves as equals of the Creeks politically, and the jurisdiction of Congress." Upon a second draft of a treaty being submitted to them, and in replying to a letter from Secretary Harlan with regard to it, McIntosh and Smith wrote: "... Our chief objection to that treaty grows out of the fact that in the title and in the body—not in the preamble—of that instrument, the majority of the Creek people are practically ignored and their rights confiscated and, as that objection, in our opinion, was paramount to all others, we considered it—and still consider it—useless to attempt to discuss minor details, until the main difficulty is disposed of by the recognition of the great body of the Nation, and of their right to be heard in the settlement of questions affecting their very existence." Miss Abel, in commenting on the making of the Creek treaty, writes: "Another attempt to re-draft the Creek treaty was made in June and completed June 14th; but, in the great essentials the old remained unaltered. In the case of the Creeks, the government had found the unionist element the more pliable and had worked with it to the undoing of the tribe. In the next few years, Creek troubles multiplied enormously and they traced themselves, upon investigation, to the reconstruction treaty of 1866."—Annie Heloise Abel, "The Indian Under Reconstruction," pp. 338-39.

11. In reporting upon the difficulties between the two delegations in making the Creek treaty, Commissioner Cooley wrote as follows (it will be noted that the commissioner displayed his sympathetic attitude toward the freedmen): "It appeared at one time as if all negotiations must fail, and the commissioners, knowing the necessity of some settlement of affairs of the people and relief for the destitute among them, were disposed to urge the National delegates [i. e., the Union delegates] to yield the point for the present, but they held out firmly for their freedmen, urging that when the brave old Opothleyaholo, resisting all the blandishments of the rebel emissaries, and of his Indian friends, stood out for the Government, and led a large number of his people out of the country, fighting as they went, abandoning their homes, they promised their slaves that if they would remain also faithful to the Government they should be free as themselves. Under these circumstances the delegates declined to yield, but insisted that that sacred pledge should be fulfilled, declaring that they would sooner go home and fight and suffer again with their faithful friends than abandon the point."—Report of Commissioner of Indian Affairs for 1866, p. 10.

12. An extract from the report of J. W. Dunn, U. S. Agent to the Creeks, dated October, 1866, not only reports the condition of the freedmen among the Creeks, but also displays Agent Dunn's radical tendency in his attitude toward these people: "As peace in its influence grows among the people, a renewed interest in education is exhibited; the freedmen, particularly, are anxious that their children shall be educated. Hitherto the customs of the country have prevented their enjoying the benefits of the schools, but now that they

agreed to cede to the Government the west half of its tribal domain, estimated to consist of 3,250,560 acres of land, for which it was to receive the sum of \$975,168 to be paid in the following manner: The sum of \$200,000 to enable the Creeks to reoccupy and restore their farms and improvements, to pay damages to mission schools, and to defray the expenses of the delegations at Washington; \$100,000 to be paid for the losses sustained by Creek soldiers in the Federal Army and by the loyal refugees and freedmen; \$400,000 to be paid per capita to the Creek people as it might accrue from the sale of lands, interest on the last two sums to be computed at five per cent. and to be expended for the Creeks at the discretion of the Secretary of the Interior; the remaining \$275,000 to be invested at five per cent. and the interest paid to the Indians annually. The new western boundary of the Creek country was to be surveyed at the expense of the Government which was also to expend a sum not exceeding \$10,000 in the erection of new agency buildings. The provisions for a territorial government for the Indian Territory, with an intertribal legislative council, were similar to those contained in the Seminole treaty; the annuities provided in previous treaties were to be renewed and continued; rights-of-way for the construction of railroads across the tribal domain were to be granted to such companies as might be authorized by act of Congress.

The commissioners who signed the treaty on the part of the Creek Nation were Ok-ta-hars Harjo, Cotch-Chochee, Daniel N. McIntosh and James M. C. Smith. A large number of witnesses also signed, including among others Charles E. Mix, Agent George A. Reynolds, General John B. Sanborn, Chief John Chupco, General Douglas H. Cooper, Richard Fields, William Penn Adair and Saladin Watie, the last three being delegates from the Southern Cherokees.¹³

Cherokees—Although difficulty was experienced in negotiating a new treaty with the Creeks, there were even greater obstacles interposed in the way of securing an agreement as to terms and details of a new treaty. The bitter enmity between the Northern and Southern, or Confederate and Union factions in the Cherokee Nation, which had been so manifest during the course of the preliminary negotiations at Fort Smith, in September preceding, remained unabated in its intensity. The Northern Cherokees, composed of members of the National, or Ross Party, had passed an act in the Cherokee

are placed on an equality with their former masters, they are determined to profit by the position. Already in the districts that have been allotted them, schools have been formed at their own advance, anticipating the assistance of the Government. They lack good teachers, and so far have, in many cases, been obliged to engage teachers of their own color, who, though working faithfully to the best of their ability, are still scarcely fit persons for the great work before them. . . . There is less prejudice towards the negroes than I had feared. The Indians generally are a people of exceedingly strong passions and prejudices, having little sympathy with new ideas that usurp their established customs, but they have taken this providential result of the war with as much calmness as our most peaceful citizens at home.

In my conversation with several intelligent Creeks, aside from active prejudice, I have never heard the opinion expressed that the negroes would prove the most capable, intelligent, and industrious citizens; . . . [The reader might have reason to think that this last statement on the part of the Indians was said in an ironical way, though Agent Dunn, of course, took it seriously!—Report of the Commissioner of Indian Affairs for 1866, p. 319.

13. Treaty with the Creeks, 1866, Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 931-37.

Council, confiscating the property of the Southern Cherokees who were followers of Stand Watie and mostly members of the old Ridge, or Treaty Party. The Southern Cherokees endeavored to make a conciliatory approach to their brethren of the opposing faction immediately after the end of the war, but their advances did not meet with any encouragement.

The Southern Cherokees evinced a willingness to accept the result of the issues, as decided by the war, in good faith and to meet the views and wishes of the Federal Government in reconstructing and readjusting the relations between it and the tribes which had been in alliance with the Confederate States. They also asked that the Federal Government should intervene to protect them from the operation of the confiscation act passed by the tribal legislative council which had been dominated by the Northern Cherokees and, in event that this could not be done, they asked that the tribal domain be divided and a part set aside for their exclusive occupancy. The Southern Cherokees pleaded in extenuation for their own course in taking up arms and joining the enemies of the Government that the responsibility rested upon Chief Ross and the national council which was controlled by his followers.¹⁴

Chief Ross and his followers on the other hand, held aloof and manifested a spirit of independence which left it in doubt if they would treat with the Government commissioners at all. They claimed that, as a thoroughly loyal people, who had been fighting the battles of the Union and as the lawfully chosen representatives of the majority of the Cherokee citizens, they were entitled to sole consideration and they questioned the right of the Federal Government to interfere with the independent action of their national council concerning those of their own people whom they chose to regard as rebellious. Both factions were represented by delegations at Washington and, moreover, each employed the most able counsel to assist them in their negotiations.

A succession of conferences, first with one party and then with the other, served to keep the Government commissioners busy without enabling them to make much if any progress toward an agreement. New drafts of proposed treaties followed each other but always some new complication arose to still further postpone final action. The Southern Cherokee delegates insisted that their people must be separated from the rest of the Cherokee people. The Northern Cherokees, on the other hand, refused to consider such a division and as their party was officially in control of the Cherokee Nation, their wishes could not be disregarded, so that the Government commissioners despaired of ever being able to induce the two irreconcilable factions to enter into any sort of an agreement.

For reasons of their own, the Government commissioners continued to refuse to recognize John Ross as principal chief of the Cherokee Nation and also sought to discredit the sincerity of his followers who had rendered valiant service to the Union cause from the summer of 1862 on until the end of

14. The claim that the whole responsibility for the Cherokees being lined up with the Confederacy should rest upon John Ross was scarcely warranted, as a considerable body of Cherokees, under the leadership of Stand Watie, had openly espoused the Confederate cause some time before John Ross showed any sign of receding from his previously announced policy of neutrality.

the war. In order to more effectively accomplish this end, a sixty-page pamphlet was compiled by the office of the Commissioner of Indian Affairs, entitled the "Cherokee Question," for the express purpose of weakening any pleas which the Northern, or "Loyal" Cherokees might make in their own behalf.¹⁵ The matter contained in this pamphlet was so one-sided as to be manifestly unfair. Whatever the underlying motive may have been, its authors were evidently not proud of it. Within a few days after it was printed, Chief Ross, who had accompanied the Northern Cherokee delegation to Washington, died,¹⁶ whereupon it is believed that most of the copies of this pamphlet were suppressed, as but few of them are known to be in existence.

A treaty was finally concluded with the Cherokees, July 19; amendment accepted on July 31, and the treaty proclaimed August 11, 1866. Although it was not signed by the members of the Southern Cherokee delegation, it was accepted by the members thereof, though it was not wholly satisfactory in all of its details. Indeed, the Cherokee treaty was not satisfactory to either of the Cherokee factions or to the Government commissioners. Stated in brief the principal terms of the new treaty with the Cherokees were as follows:

The treaty entered into with the Confederate States, in 1861, was specifically repudiated and amnesty was granted for all past offenses; the confiscation laws of the Cherokee Nation were to be repealed and the Canadian District, lying south and west of the Arkansas River, was to be set aside for the settlement of the Southern Cherokees and also for the freedmen, such district to include at least one hundred and sixty acres of land for each person, and the inhabitants thereof to have the privilege of electing their own judges and other local officials and to make and enforce their own police regulations and to elect representatives to the national legislative council; slavery was to be abolished and the full tribal rights of the freedmen were recognized under certain restrictions. Rights-of-way for railroads were to be granted through the tribal domain; the proposed intertribal legislative council, which was in effect to the organization of a territorial form of government, was assented to. It was agreed that friendly Indians might be settled on Cherokee lands by either one of two methods; namely (1) by abandoning their own tribal organization, becoming incorporated as a part of the Cherokee Nation and settling east of the 98th meridian, or (2) by retaining their tribal organization and settling west of that line in the Cherokee Outlet, in either event, paying for such lands a price to be agreed upon between the Cherokees and the Government; the Cherokee lands in Kansas, including the Neutral Lands (800,000 acres) and the Cherokee Strip,¹⁷ were to be sold

15. A reprint of "The Cherokee Question" appeared in the *Chronicles of Oklahoma*, published by the Oklahoma Historical Society, June, 1924, Vol. II, No. 2, pp. 141-242.

16. "As summer advanced, new troubles came upon the Cherokees. Their old chief, worn out with the labor of years and accumulated sorrows, was evidently dying. In April had passed away Judge Thomas Pegg of the delegation. His colleagues had mourned his loss; but infinitely more they now, in anticipation, mourned the approaching end of their outraged chief, whose daughters were interceding with President Johnson for the vindication of his honor. It came but almost too late and not even it was adequate to prevent the successful termination of Cooley's scheme."—Annie Heloise Abel, "The Indian Under Reconstruction," p. 359.

17. Appendix XXXI-4. Sketch of the history of the Neutral Land and the Cherokee Strip.

and the proceeds of the same were to be invested for the Cherokees for the purposes indicated—thirty-five per cent for education, fifteen per cent for an orphan fund, and fifty per cent for the national fund.

The introductory clause, preceding the preamble of the Cherokee Treaty of 1866, contains the names of the persons who signed the instrument. It is as follows:

"Articles of agreement and convention at the city of Washington, on the nineteenth day of July, in the Year of Our Lord One Thousand Eight Hundred and Sixty-six, between the United States, represented by Dennis N. Cooley, Commissioner of Indian Affairs, and Elijah Sells, Superintendent of Indian Affairs for the Southern Superintendency, and the Cherokee Nation of Indians, represented by its delegates, James McDaniel, Smith Christie, White Catcher, S. H. Bengé, J. B. Jones and Daniel H. Ross, John Ross, principal chief of the Cherokees, being too unwell to join these negotiations."¹⁸

From the reference to John Ross it will be seen that the Northern Cherokee delegation, or National Party won its fight in the matter of his recognition as chief of the nation. It is also to be noted that Colonel Ely S. Parker, the Seneca Indian, who, as commissioner, had signed the treaties made with the four other tribes, did not join in signing the treaty with the Cherokees.¹⁹

In conclusion, the importance of the treaties of 1866 with each of the Five Civilized Tribes cannot be over emphasized with reference to their bearing on the subsequent history of the Indian Territory and Oklahoma.

The Naming of Oklahoma—As already stated, the new treaty between the Government and the Choctaws and Chickasaws, which was signed in 1866 at Washington, provided for the regular organization of the Indian Territory to be known as the "Territory of Oklahoma." The circumstances under which this happened were not recorded at the time but enough is known to warrant a conclusive statement in regard to the matter.

One of the delegates from the Choctaw Nation was Rev. Allen Wright, a Presbyterian minister, who was also a man of classical education.²⁰ He was a skilled translator, not only in English and Choctaw, but also in the Latin, Greek and Hebrew languages. Parenthetically, it should be stated that, in most of the treaties previously entered into between the Choctaw Nation and the Government, the Choctaws were not referred to as Indians but, almost invariably, as "the Choctaw Nation of Red People." Now, in the Choc-

18. Treaty with the Cherokees, 1866. Kappler's "Laws and Treaties" (Indian Affairs), Vol. II, pp. 942-50.

19. "In all essentials, the treaty that the Ross delegation consented to, on July nineteenth, was the one finally ratified. Much had been conceded to Cooley and yet much saved to Cherokee national dignity. The Indians had secured, for instance, a recognition of John Ross as principal chief, and of the fact that the Cherokees had repudiated, on their own initiative entirely, their treaty with the Confederacy. They consented to no partition of their tribal domain; but they did agree to repeal their confiscation laws and to restore the secessionists to full rights. The Canadian District was to be established and, should occasion for arise, its boundaries to be enlarged. The freedmen were to be provided for but not to the extent of incorporation. In most other respects, the Cherokee treaty coincided almost exactly with the Choctaw and Chickasaw, previously analyzed."—Annie Heloise Abel, "The American Indian Under Reconstruction," p. 361.

20. Appendix XXXI-5. Biographical sketch of Rev. Allen Wright.

taw language, Red People would be rendered thus: Okla (people) homma, or humma (red). It is not improbable that Allen Wright (who was the scholar of the Choctaw delegation) had been engaged in translating the first draft of the proposed new treaty into the Choctaw language, so the Choctaw words for Red People were naturally in his mind. Hence, when the question of a name for the proposed new territory was presented, he instantly answered, "Oklahoma," without having to hesitate or ponder over the matter for a moment.²¹ Neither the aptness and timeliness of the suggestion, nor its appropriate significance have ever been questioned, while its euphony and musical quality aided very materially in its successful appeal to popularity.

When the Choctaw-Chickasaw treaty was finally completed and ready to sign, one clause, as already stated, by inference, if not by specific terms, was that the name of the territory thus to be organized should be Oklahoma. Later when the House Committee on Indian Affairs was preparing a bill for the organization of the Indian Territory under a territorial form of government, it took cognizance of the fact that a name had already been suggested and embodied in the Choctaw-Chickasaw treaty of 1866, and the name thus provided was incorporated as that of the proposed new territory.²² The same name was used for similar purposes in subsequent bills which were introduced into Congress, which had for their object the establishment of a territorial form of government for the Indian Territory. Thus, in time, it became so associated in the popular mind with the suggestion of an organized commonwealth that would include the Indian Territory, that it practically attached itself to the region now included in the State of Oklahoma without sanction of legislative act or resolution.

21. Appendix XXXI-6. The story of the naming of Oklahoma is from personal information furnished by Rev. Dr. J. S. Murrow, who secured it directly from Governor Allen Wright.

22. Hon. Sidney Clarke, as a Representative from Kansas, was a member of the House Committee on Indian Affairs, which drafted the Oklahoma Bill for the organization of the Indian Territory in the 41st Congress. He stated that Colonel E. C. Boudinot was present in an advisory capacity and that the latter reminded the members of the committee that, if so organized, the name of the territory had already been suggested by Allen Wright, with the full support of the Choctaw and the Chickasaw delegations, in the negotiations of the new Choctaw-Chickasaw treaty of 1866, wherein the name, Oklahoma Territory, thus suggested, had been tacitly accepted by the Government when it was embodied in one of the provisions of that instrument.—Personal information furnished the writer (J. B. T.), in 1908, by Sidney Clarke.



CHAPTER XXXII

REMOVAL AND SETTLEMENT OF ADDITIONAL TRIBES

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REMOVAL AND SETTLEMENT OF ADDITIONAL TRIBES.

As already stated in a previous chapter, strong influences were exerted in the sessions of the peace councils with the representatives of the Five Civilized Tribes, in 1866, for the purpose of securing such concessions as would make it possible to bring about the removal of other Indian tribes to the Indian Territory and the settlement of the same upon unoccupied lands to be relinquished for that purpose by the respective Five Civilized Tribes. These efforts had been successful and, immediately after the ratification of the new treaties, negotiations were initiated with a number of tribes in Kansas for the purpose of inducing them to remove to new reservations on the lands thus recently ceded in the Indian Territory. Such arrangements were completed with a number of the tribes during the ensuing twelve months and the removals were effected shortly afterward.

Without waiting to let the Government authorities assign their people to new reservations, the chiefs and head men of the Delaware tribe and those of the main body of the Shawnee tribe (commonly called the Black Bob band), entered directly into negotiations with the authorities of the Cherokee Nation, whereby each purchased an interest in the lands of the Cherokee Nation, proper, with the right of citizenship therein. The people of these two tribes removed from Kansas and settled in the Cherokee Nation, in 1867 and, thereafter, as Cherokee citizens, the outside world heard little of them under their ancient tribal names.¹

The Quapaw tribe, which had settled in the northeastern corner of the Indian Territory, under the provisions of the treaty of May 13, 1833,² entered into a new treaty with the Government, February 23, 1867,³ whereby it relinquished a large portion of its reservation for the location of other tribes thereon. This tract was subdivided into a number of small reservations for various fragmentary tribal organizations, including the Miami, the Peoria-Kaskasia-Cahokia-Piankeshaw-Wea confederation, the Ottawa, the Seneca, the Seneca-Shawnee and the Wyandotte, the people of which respectively removed to their new reservations in 1867.

The people of the Pottawatomie and Absentee Shawnee were granted a reservation which extended from the Seminole Nation westward to the Indian Meridian and from the Canadian River to the North Canadian. They were removed to this reservation from Kansas, in 1867. The same year saw the removal of the Sac and Fox tribes, also from Kansas, who were settled on a reservation, north of the Pottawatomie-Shawnee reservation, extending eighteen miles westward from the Creek boundary and from the North Canadian to the Cimarron. The Wichita, Caddo and affiliated tribes, having been

1. Kappler's "Laws and Treaties," Vol. II, pp. 937-42; also, pp. 618-23.

2. Ibid., pp. 395-97.

3. Ibid., p. 962.

assigned to a reservation extending thirty-six miles westward from the 98th meridian and from the Washita to the Canadian, returned from Kansas, where they had taken refuge during the Civil War, in the autumn of 1867.

In the autumn of 1867, a reservation, extending from the 98th meridian to the North Fork of Red River (Mobeeteh Hono) and from Red River north to the Washita, was granted to the Comanche, Kiowa and Prairie Apache tribes, as the result of the negotiations at the Medicine Lodge Peace Council. At the same council, a reservation was set aside for the people of the Arapaho and Cheyenne tribes, in the northern part of the territory, west of the Arkansas River, in the Cherokee Outlet. None of these tribes paid much attention to reservation limits, however, until after the Washita Campaign, fourteen to eighteen months later. Even then, the Cheyenne and Arapaho people declined to accept the reservation which had been assigned to them, whereupon another reservation, extending from the 98th meridian westward to the Texas boundary and from the Wichita-Caddo and Comanche-Kiowa reservations and the Greer County tract northward to the Cherokee Outlet, was assigned to them by executive order.⁴

The people of the Osage tribe having sold their large reservation in Southern Kansas, a new reservation was purchased for them in the eastern end of the Cherokee Outlet, extending from the 98th meridian westward to the Arkansas River.⁵ They removed thither in 1872. In 1873, the people of the Kansas, or Kaw, tribe, having sold their reservation on the upper Neosho River, in Kansas, were removed to the same region, a small reservation having been purchased for them in the extreme northwestern part of the new Osage reservation. In 1874, a band of Modoc Indians, who had recently been at war in Oregon, were brought to the Indian Territory and settled on a small reservation in the former Quapaw country.

The Pawnee Peace Party—About the time that these last removals were being made, it became desirable to attempt to remove the people of the Pawnee tribe, formerly the Pawnee Confederacy—consisting of the Skee-dee, Chauwi, Kitkahahki and Pitahauerat tribes—to the Indian Territory, as the neighboring Sioux tribes on the north might otherwise exterminate them. However, the adoption of such a policy was seriously complicated by the fact that the Cheyenne, Arapaho and Osage tribes were known to be hereditary enemies of the Pawnee. Naturally, the existence of such a condition between tribes which were prospective neighbors, seemed to call for some tactful readjustment before all arrangements could be completed for such a projected removal to the Indian Territory.

After the disastrous defeat of the Pawnees while on a buffalo hunt, on August 4, 1873, by an overwhelmingly superior Sioux war party, the agitation for the removal of all of the Pawnee people to the Indian Territory became very active. Part of the Pawnees were bitterly opposed to such a proposition, however. These based their objection chiefly upon the fact that certain tribes already there were known to be bitter enemies of their own people. With no prospect of an agreement in the tribal councils as to the proposed removal,

4. Eighteenth Annual Report, Bureau of American Ethnology, Part II, pp. 852-53.

5. Annual Report, Commissioner of Indian Affairs for 1872, p. 88.



ISSUING RATIONS AND SUPPLIES TO THE COMANCHE AND KIOWA INDIANS AT FORT SILL, 1869

the Pawnee chief, Roan Horse, took fifteen warriors and started to the Indian Territory in the belief that it might be possible to make peace with such tribes, notably the Osage and Cheyenne, even as peace had already been made between the Pawnee and the Kiowa.⁶ Boldly entering the hitherto forbidden precincts of the Osage reservation, the Pawnee peace party went directly to the agency, where the mission of the self-appointed embassy was made known. On their part, the Osage chiefs and headmen greeted these visitors in the same spirit in which they had come and, as the result of brief, formal negotiations, a sincere and lasting peace replaced the age-long enmity which had existed between the two peoples.

The attempt to negotiate peace with the Cheyenne tribe was regarded as a much more difficult undertaking. The Pawnees were anxious that an Osage delegation should accompany them on their proposed visit to the Cheyenne country. The Osage chiefs hesitated for the reason that they were not sure how the Cheyenne leaders would regard them as sponsors, especially for the reason that certain Osage chiefs and warriors were known to have been with Custer in the Washita Campaign, only a few years before. On the other hand, it was evident that it would be the sheerest folly for the Pawnee delegation to attempt to go to open peace negotiations directly with the Cheyenne chiefs and headmen, as Pawnee scouts had been employed in the white man's war against Cheyennes, even more recently. Hence it was evident that the Pawnees needed the presence, influence and moral support of the representatives of some other tribe as friendly intermediaries and advisors.

After several of the Osage chiefs who were at the agency had declined to undertake such a delicate mission, Kah-he-gah Ton-gah, who was the leader of the Hominy Creek Osage band, arrived to meet the visiting Pawnees. Learning of their desire to make peace with the Cheyenne and, in the belief that because of successful personal experience which he had previously had in dealing with the people of that tribe under very trying circumstances, he might succeed in such an undertaking, he voluntarily offered to accompany the Pawnees on their journey to meet their Cheyenne foemen. Thirty-six Osage warriors were to accompany him as members of the escort. His friend, John Ferguson, who was in charge of Coffey's trading establishment at the agency (Pawhuska), was to go along, accompanied by Cyprian Tayrien, who was of mixed French-Osage descent and these two were to take a wagon load of goods for trading.

This party made its way to the valley of Eagle Chief Creek, in the northern part of the present Major County, where it was planned to hunt buffalo for several days before continuing on to the Cheyenne country. Quite unexpectedly, however, a hunting party of 200 Cheyenne braves, under the leadership of Stone Calf, a war chief, was met shortly after the arrival at that point. The Cheyenne hunters were very angry when they found that the Osage chief had presumed to bring the hated Pawnee foes into their hunting range. The courage, resourcefulness, tact, diplomacy and kindness of Kah-he-gah Ton-gah were taxed to their limit but, in the end, his persuasive personality

6. A story of the beginning of peacemaking between the Pawnee and Kiowa peoples, as related jointly to the writer (J. B. T.) by James Murie (a Pawnee) and Mr. Laura Pedrick (a Kiowa) is recorded in Appendix XXXII-1.

overcame the obstinacy of the Cheyennes, who reluctantly consented to enter into a formal peace agreement with the Pawnees, which has lasted to this day.⁷ This paved the way for the removal of the Pawnees to the Indian Territory. A year later, their new reservation was selected and, in 1875, the people of the tribe removed thither and settled. This reservation consisted of about 325,000 acres, located in the angle between the Arkansas and Cimarron rivers, east of the 97th meridian, and was subsequently nearly all included with the bounds of the present Pawnee County.

Attempted Cheyenne Consolidation—After the Sioux War of 1876-77, the Government, and especially the office of the Commissioner of Indian Affairs, developed great zeal for the consolidation of the Indian population of the West on reservations in the Indian Territory. The first effort in this line was the transfer of a large body of the Northern Cheyenne people from their homeland in Montana to the reservation of their kinsmen of the Southern Cheyenne Division, with which it was planned to reunite and merge them. This was done in the summer of 1877 and others of the same tribe were brought later. Although, because of sickness, homesickness and numerous deaths which were consequent upon change of climate, this experiment gave evidence of being a failure from the start, it did not dampen the misguided ardor of the Indian Service officials nor did it deter them from attempting other experiments of the same sort.⁸

The removal of the Nez Percés from their original habitat in Idaho and Oregon, in 1878, was the second blunder of the same sort. They were located on a small reservation in the present Kay County, where they were always dissatisfied and whence the survivors were allowed to return to the Northwest, seven years afterward.⁹ Likewise, about the same time, the Ponca Indians were removed to a small reservation on the Quapaw ceded lands, in the northeastern part of the Indian Territory, professedly to place them out of reach of the predatory Sioux raiders but really to throw their reservation at the mouth of the Niobrara open to land-hungry white homesteaders. There,

7. Information secured personally from Cyprian Tayrien, in 1912. He was present as a trader's clerk at the meeting between the Osage and visiting Pawnee warriors and the Cheyenne warriors and chiefs and was a personal witness to every incident of that impromptu council. A sketch of the life of Mr. Tayrien (since deceased) may be found in Thoburn's *History of Oklahoma* (1916), Vol. IV, pp. 1624-25.

8. The Northern Cheyenne people were not all brought to the Darlington Agency at once. The first party came South during the months of June and July, arriving at Fort Reno, August 5, 1877. One of the most notable incidents of that movement, obtained from a civilian employee who accompanied the military escort, is reproduced in Appendix XXXII-2.

9. The Nez Perce Indians were indigenous to Northeastern Oregon and the adjacent parts of Washington and Idaho. They were always friendly with the whites until they were forced into hostility by various aggressions, in 1877. The campaign then conducted by their leader, Chief Joseph, was one of the most remarkable in the annals of Indian warfare, not only because of his skilful generalship but also because of his forbearance and fortitude of his followers. After they were captured, they were sent to Fort Leavenworth where they were held in an unhealthy camp for some months. In the middle of July, 1878, they were removed to the Modoc Reservation in the northeastern part of the Indian Territory, where arrangements were made to purchase a tract of 7,000 acres from the Peorias and Miamis for their occupancy. They then numbered three hundred and ninety-one souls. They were greatly dissatisfied, however, and eleven months later, they were removed to a new reservation consisting of four townships at the confluence of the Chikaski and the Salt Fork (Nescatunga) in what is now Kay County. There they remained until the spring of 1885. The climate did not agree with them and they constantly pined for their old homeland in the Northwest to which they were finally permitted to return. They decreased in numbers more than twenty-five per cent during the seven years that they were kept in the Indian Territory.

within less than three years, the tribe lost eleven per cent. of its population before President Rutherford B. Hayes ordered an investigation, in 1880, after which one-third of the tribe returned to the North while the remainder were placed on a new reservation, west of the Arkansas River, within the limits of the present Kay County.¹⁰

A band of Iowa Indians came from Nebraska to the Sac and Fox Agency, in 1879, where they remained until August, 1883, when they were assigned to a reservation adjoining the Sac and Fox Reservation on the west and lying between the Cimarron and the Deep Fork of the Canadian. In the autumn of 1884, the remnant of the Tonkawa Tribe with a fragment of the Lipan Tribe, was transferred from Fort Griffin, Texas, to the Iowa Reservation. As the Iowas objected to their presence there, these people were settled on the abandoned Nez Perce Reservation, in June, 1885.

A band of two hundred members of the affiliated Otoe and Missouri tribes came to the Sac and Fox agency in 1880, with permission. A reservation was assigned to them in the Cherokee Outlet in 1881 and their Nebraska lands having been sold, they were joined by the rest of their people.

In 1882, the people of the united Oto and Missouri tribes were brought to the Indian Territory from Nebraska and were located south of the Arkansas River, within the limits of the present Noble County. In 1883, the people of what was known as the Mexican band of the Kickapoo tribe were placed on a small reservation, between the North Canadian and the Deep Fork and extending from the Sac and Fox reservation westward to the Indian meridian.¹¹ During the same year, the Iowa Indians were transferred from North-eastern Kansas to a new reservation immediately north of the Kickapoo reservation and extending from the Deep Fork to the Cimarron. In 1884, the Tonkawa Indians, a mere remnant of a tribe, were brought and temporarily placed on the same reservation with the Iowa people. After the Nez Percés were permitted to return to the Northwest, a year later, the Tonkawa people were assigned to the reservation thus abandoned. Theirs was the last tribe brought into the Indian Territory for settlement.

First to last, no less than thirty reservation grants of assignments were made in the Indian Territory, between 1820 and 1885, inclusive, though not quite all of these were accepted and several were subsequently modified or exchanged. In all, over eighty distinct tribes and nations of Indians have been represented in the tribes and combinations of tribes which were removed from the Indian Territory, though less than half that many tribal names have been represented on the reservation maps of the State. Of the tribes whose primitive range extended into Oklahoma within the past two centuries, only one has no representative in the state today—namely a band of Utes which formerly ranged in the semi-mountainous region bordering on the Cimarron River, in the western part of Cimarron County, the people of which moved away from that section, about 1865, to join the rest of the tribe, in Colorado.

10. The pathetic story of the enforced removal of the Ponca people from their Northern home to the Indian Territory may be found in two small volumes published shortly afterward—"The Ponca Chiefs—An Indian's Attempt to Appeal from the Tomahawk to the Courts," by Thomas H. Tibbles, published in Boston, in 1879, and "Ploughed Under—The Story of an Indian Chief, Told by Himself," by Inshta Theamba (Bright Eyes, who was an educated young woman of the Omaha tribe), which was published in New York, in 1881.

11. Annual Report, Commissioner of Indian Affairs for 1883, pp. 85-86.

CHAPTER XXXIII

THE CHISHOLM TRAIL AND THE OVERLAND CATTLE TRADE



A TYPICAL OKLAHOMA COWBOY

CHAPTER XXXIII.

THE CHISHOLM TRAIL AND THE OVERLAND CATTLE TRADE.

In the spring of 1865, Jesse Chisholm, the veteran Cherokee trader, set out from his temporary residence near the mouth of the Little Arkansas River (the site upon which the city of Wichita has since been built), on a trading trip to the valleys of the Canadian and Washita rivers, in the Indian Territory.¹ Taking several wagons loaded with the usual trader's outfit, he followed the faint trace of the trail which had been left by the retreating column of Federal troops under the command of Colonel Emory, when, four years before, they had withdrawn from the posts in the Indian Territory and marched to Fort Leavenworth, with Captain Black Beaver, the Delaware leader, as their guide. Despite the fact that it was first marked by Colonel Emory's command at the outbreak of the Civil War, and that its practicability was due in great part to Captain Black Beaver, long a friend and comrade of Jesse Chisholm, this trail, used by so many other traders and travelers, soon became known as the Chisholm Trail.²

During the greater part of the Civil War, Texas had been isolated from the rest of the Confederacy. Not only were there few troops from the other states of the South serving in Texas, but a large part of the Texas troops were serving in the states east of the Mississippi River. Texas was at that time comparatively sparsely populated and pastoral conditions generally prevailed except in the eastern and southern portions. The chief industry of a large part of the then settled section of the state was that of raising cattle under range conditions. During the war, when Texas was isolated by the Federal blockade on the Gulf Coast and along the line of the Lower Mississippi, there was no market for the surplus stock from the ranches and ranges of that great state. Consequently, as the demand for local consumption was not nearly equal to the annual increase in the herds, the number of cattle on the ranges of Texas had been greatly multiplied in a comparatively short period of time.

The end of the war found high prices for all kinds of stock in the northern states, while the prices in Texas were but little more than nominal. Under such conditions, it was but natural that there should have been many efforts to sell Texas cattle in the markets of the western states. Numerous attempts were made to drive large herds overland, generally in the direction of St. Louis. Such movements passed through the Indian Territory, entering the Chickasaw country at some point on the Red River and following a generally northeast course, through the Choctaw, Creek and Cherokee nations. All usually went well (though the drovers generally had to pay tribute for the privilege of driving across the Indian reservations) until the herds began to

1. For biographical sketch of Jesse Chisholm, see Appendix XXXIII-1.

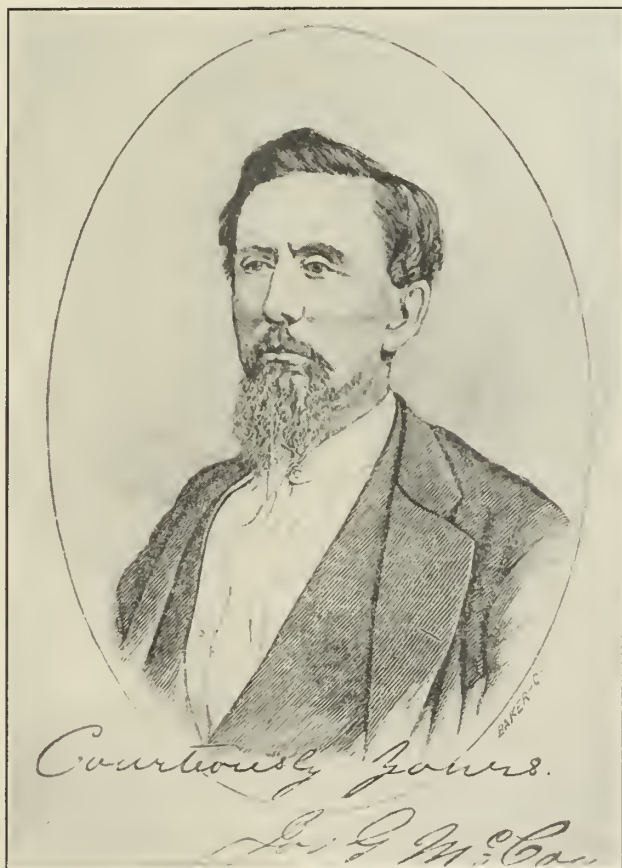
2. Information secured by the writer (J. B. T.) from George Chisholm, who was associated with Jesse Chisholm throughout that period. George Chisholm, who died in 1918, was one of the Mexican captives whom Jesse Chisholm had ransomed and rescued from the Comanche Indians and then adopted and reared him as a son.

penetrate the region where their appearance was the cause of outbreaks of the destructive Texas fever among the native cattle. Then there were armed mobs and scenes of violence which usually caused an almost total loss to the drovers. Texas cattle were also driven eastward, through Louisiana to the Mississippi River, where they were loaded on barges and towed up the river to Illinois, whence they were driven across the country to points where they were to be fattened for market, but the same disastrous results followed, for the Texas (or splenic) fever always became epidemic wherever native cattle came in contact with them. The question of disposing of the surplus cattle of Texas therefore became a serious one.

A young Illinoian, Joseph G. McCoy, of Springfield, who had had experience both as a cattle feeder and as a railroad man, became interested in the solution of the problem of transporting and marketing the surplus cattle of Texas.³ Mr. McCoy finally proposed a plan, which, though simple, was so novel that most of the railroad managers, before whom it was laid, refused to consider it seriously. In brief, his plan was to establish a shipping point upon one of the new railroads which were then being built westward from the Missouri River, across the Great Plains to the Rocky Mountains, to which the beef stock from Texas might be slowly driven during the grazing season, and from whence it might be shipped by rail to the packing houses in Chicago. He finally succeeded in inducing one of the railroad companies to back him in the enterprise and it was arranged to establish such a shipping center at Abilene, Kansas, which was on the line of the Kansas Pacific Railway, then under construction from Kansas City to Denver. Abilene was so far west that a cattle trail from Texas did not pass by or through any considerable settlements, so there was no trouble with settlers on account of the Texas fever.

Backed by a contract with the railroad company, McCoy and his associates did considerable advertising among the ranchmen of Texas, many of whom were skeptical of the feasibility of the proposed plan and suspicious of the man who was promoting it. However, after much persuasion, there were a number of ranchmen who became interested to such an extent that 35,000 head of cattle were driven northward across the west central part of the Indian Territory and into Kansas, during the spring and summer of 1867, and were sold for shipment at Abilene. In 1868, 75,000 head of cattle were driven north from Texas; in 1869 the number was increased to 150,000 and, in 1870, to 300,000. During the first ten years over 3,000,000 head of Texas cattle were driven northward across Oklahoma to the railroad shipping points in Kansas. As the settlements spread westward in Kansas, Abilene

3. Joseph G. McCoy was born at Springfield, Illinois, December 20, 1837. Of his early life comparatively little is known. During the Civil War he was engaged in feeding cattle and, at its conclusion the scarcity and high price of beef and the seeming impossibility of safely bringing the cheap cattle of Texas to the Northern markets appealed to his typically American genius for achieving that which had been reputed to be insurmountable. At first the railway company paid him a small commission on each car of cattle that was shipped from Abilene, but the arrangement did not last long. He continued his interest in the live stock business until old age caused his retirement. He was among the early settlers of El Reno, Oklahoma, and was nominated for delegate to Congress by the Democratic party in 1890. His later years were spent in Wichita and Kansas City. In 1874 he published a book, entitled "Historic Sketches of the Cattle Trade in the West and Southwest." He died at Kansas City, October 19, 1915.



JOSEPH G. McCOY, PROONENT AND PROMOTER OF THE
CATTLE TRAIL FROM THE RANGES OF WESTERN TEXAS
TO A SHIPPING POINT AT ABILENE, KANSAS, 1867

was abandoned as a shipping center in favor of points farther out from the settlements.

The main cattle trail crossed the Red River at Red River Station, near the present town of Ringgold, Texas. It followed a course almost due north across the extreme western part of the Chickasaw Nation and the Unassigned Lands, keeping well to the east of the Kiowa-Comanche and the Cheyenne-Arapaho reservations. About two miles north of the Cimarron River Crossing (on the site of the present village of Dover), in Kingfisher County, it joined the Chisholm Trail, which was followed to the crossing of the Arkansas River, at Wichita. Through the greater part of its course across the Chickasaw country and the Unassigned Lands, the trail was eight or ten miles east of the 98th meridian. It crossed the North Canadian River near the present town of Yukon, in Canadian County.

In 1871, the westward extension of the Atchison, Topeka & Santa Fe Railway enabled it to meet the Texas cattle trade at Newton. Then, in succession, Wichita, Great Bend and Dodge City each had its brief era of greatness as a "cow town." The name of the Chisholm Trail, originally a road traveled by traders from the Arkansas River (Wichita), to the Washita, was extended to include the cattle trail clear down to and beyond the Red River. So, too, in the vernacular of the cowmen, it was still the "Chisum" Trail that led to each of the successive "cow towns" in Kansas. In 1880, the Santa Fe Railway Company extended a branch line to Caldwell, near where the Chisholm Trail crossed the Kansas-Oklahoma boundary line and, from that time until the railroads were built southward across Oklahoma to the Red River, that town was the principal shipping center of the range cattle industry, though Dodge City remained an active competitor until 1884.

In recent years, since there has been a revival of popular interest in the old trails, there has been considerable tendency on the part of some uninformed persons to dispute the fact that the Chisholm Trail received its name from Jesse Chisholm, the mixed-blood Cherokee trader. Some of these disputants loudly proclaim that a Texas cattleman, one John Chisholm, of Grayson County, drove the first herd northward on the trail and that it was named for him in consequence. Always such claims are based on hearsay evidence, however. The writer hereof has had occasion to investigate this matter and has succeeded in securing conclusive evidence that should settle it beyond cavil or question. In the first place, it was called the Chisholm Trail from the time of Chisholm's trading trip in the spring of 1865, which was more than two years before the first herd of cattle was driven northward thereon. The evidence as to this is supported by the written accounts of James R. Mead, of Wichita, and by the verbal statement made to the writer by George Chisholm, both of whom accompanied Jesse Chisholm on the trip in question. In the second place, there is no evidence to prove that John Chisholm ever drove a herd of cattle up the historic Chisholm Trail, either the first year or any year thereafter. The late Mr. J. P. Addington, of Oklahoma City, who in boyhood and youth was a neighbor of John Chisholm, stated positively that, to his certain knowledge, John Chisholm never drove cattle over the trail to Abilene or elsewhere in Kansas. Mr. Addington drove cattle over

that trail for many years and was personally in a position to speak authoritatively in such a matter. The late Colonel C. C. Slaughter, of Dallas, Texas, than whom there was no better informed or more reliable authority on the history of the range cattle industry, also asserted that the Chisholm Trail was not named for John Chisholm, of Texas, but for Jesse Chisholm, the Cherokee trader. Finally, Joseph G. McCoy, who was the real pathfinder of the cattle trail, and who piloted the first season's drive, is authority for the statement that the first herd driven northward over the route thus selected was the property of a rancher by the name of Thompson, but that it was sold at some point in its progress through the Indian Territory to Smith, McCord & Chandler, who were northern men and who drove the herd on to Abilene. He then adds, "However, a herd owned by Colonel O. W. Wheeler, Wilson and Hicks, all Californians, en route for the Pacific states, was stopped about thirty miles from Abilene for rest, and finally disposed of at Abilene, really the first herd that came up from Texas and broke the trail, followed by the other herds."⁴

The picturesque trail herds, each with its foreman and its full complement of cowboys, with its cook and its "chuck-wagon" and its "hoss wrangler" with his "remuda" of extra horses (usually four or five to each man in the outfit), with its singing night herders and its sudden stampedes, ceased to come up the well-worn, dusty paths of the first and greatest of the cattle trails of the Great Plains, the very year that the first lands in Oklahoma were opened to homestead settlement—1889. Thenceforth the original Texas Cattle Trail (known also as the "Chissum" Trail and as the Abilene Trail), lived only in the memories of the men who knew it until it found its place in history. Later, it has also found a place in other forms of western literature. Andy Adams' "Reed Anthony, Cowman," for instance, will remain a classic in its field, long after most of the current fiction has been forgotten—a novel that embodies much real history and which is told only as a man who rode the trail year after year could tell it. "Cattle Brands," by the same author, is distinguished for equal fidelity and interest. "North of 36," one of Emerson Hough's last books, finds its setting on the same historic thoroughfare, though it lacks by much the accuracy and fidelity of the Adams books. The latest contribution, "Warpath and Cattle Trail," by Hubert E. Collins, is a faithful narrative of what a boy of twelve saw on the Chisholm Trail, while living with an older brother, on Red Fork Ranch (on the site of Dover, Kingfisher County), in 1883-84. That the old trail, its scenes, its associations and its memories, have the power to inspire the poet as well as the novelist, is evidenced by the lyric verses of Earl A. Brininstool, entitled "Upon the Chisholm Trail."

In many places the plough has obliterated all trace of the trail. In others, however, it was worn too deeply through the soil and into the subsoil to ever be erased. A great railway line and a well-paved, modern highway now parallel and occasionally cross its all but forgotten course.

4. "Sketches of the Cattle Trade in the West and Southwest," page 51.



A "CHUCK-WAGON" ON THE CATTLE RANGE IN OKLAHOMA, 1875-1892

CHAPTER XXXIV

PLAINS INDIANS ON NEW RESERVATIONS

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PLAINS INDIANS ON NEW RESERVATIONS.

The Indians of the tribes of the Southern Plains, including the Comanches, Kiowas, Plains Apaches, Cheyennes and Arapahoes, who ranged over the region extending from the Colorado (of Texas) and Pecos valleys, on the south and west, to those of the Republican and Platte rivers, on the north, were all forced to settle down upon the reservations in 1869, with the exception of several comparatively small bands which remained hostile and sought refuge on or around the Staked Plains. But, though they had been driven upon the reservations by the military power of the Government, they were far from being reconciled to any course which interfered with their ancient habit of roving at will. True, they were permitted to leave their reservations at stated times to hunt the buffalo herds for the purpose of securing meat and skins for tanning into robes or to be used for covering their lodges, but each time they went in search of the buffalo they found fewer of them and also found more white hunters in the field killing them, all of which had a tendency to add to the discontent and anger of the Indians. Under such conditions, it was not strange that it was difficult to control them during the first years of effort that was put forth by the Government to confine them to the reservations to which their respective tribes had been assigned. Added to this was the pernicious influence of a class of dissolute or renegade white men—fugitives from justice, gamblers, horse thieves and whiskey smugglers, who skulked on or around the Indian reservations, where they plied their nefarious avocations and spread the vices of civilization without any of its virtues.

The report of the Government Peace Commissioners, who negotiated the treaties with the various tribes of the Plains during the summer and autumn of 1867, which was submitted to the President of the United States in January, 1868, briefly reviewed the history of the relations between the Government and those tribes up to that time.¹ Certainly, no one can accuse Generals William T. Sherman, William S. Harney, Alfred H. Terry and Christopher C. Augur, and their colleagues on that commission, of being sentimentalists, yet that report is a recital of broken treaties and of aggressions by the whites that no one can deny or discount. In summing up this story of repeated injustice to the people of the Indian race and in submitting recommendations for the adoption of a rational policy for the solution of the then perplexing "Indian question," the commissioners gave expression to the following significant words:

Naturally, the Indian has many noble qualities. He is the very embodiment of courage. Indeed, at times, he seems insensible of fear. If he is cruel and revengeful, it is because he is outlawed and his companion is the wild beast. Let civilizd man be his companion, and the association warms into life virtues of the rarest worth. Civilization has driven him back from

1. Report of the Commissioner of Indian Affairs for 1868, pp. 26-50.

the home he loved; it has often tortured and killed him, but it never could make him a slave. As we have so little respect for those we did enslave, to be consistent, this element of Indian character should challenge some admiration.

The wars with the Cheyenne and other tribes of Indians which followed the Chivington massacre in Colorado, in 1864, and the arbitrary destruction of one of their villages by order of General Hancock, in 1867, had the effect of convincing the Government that it was the part of wisdom and economy to prevent further outbreaks if possible. Acting under authority conferred by the Indian Appropriation Act of April 10, 1869, President Grant appointed a commission consisting of some of the most eminent men in American civil life, to act with the Department of the Interior in an advisory capacity in supervising the administration of Indian affairs.² During the latter part of the following summer a committee consisting of members of this "Board of Indian Commissioners," as it was termed, visited the Arapahoes and Cheyennes, most of whom were then encamped near Camp Supply, and the Kiowas, Comanches and other tribes in the vicinity of Fort Sill.³ Early in the previous spring, Vincent Colyer, an agent of a voluntary association of New York philanthropists which had been formed for the betterment of the Indians, and who subsequently was appointed as a member of the Board of Indian Commissioners, visited the Cherokee, Creek and Seminole nations and the various tribes which were then gathered at Fort Sill and at the Wichita Agency, on the Washita.⁴

There was much to beget a feeling of discontent. A year after they had retired to their reservations, they not only found the buffalo decreasing and the white hunters increasing, but Congress in its wisdom had seen fit to cut the appropriation for supplies. The Indians reasoned that they had been more generously dealt with immediately after quitting the war-path than they had been after keeping the peace, hence, that, as a business proposition, going to war occasionally was more profitable than remaining at peace. Then, too, clandestine "traders" were alternately supplying them with guns and ammunition and whiskey, and, anon, stealing their horses. Meanwhile, the irreconcilable bands, such as the Quahada Comanches, were always taunting the peaceably disposed members of their respective tribes with cowardice. Under these conditions there was small cause for wonder that it was difficult to control some of the Indians. During the summer of 1870, small bands of Cheyennes, Comanches and Kiowas were engaged in hostile depredations. Several white men were killed and others wounded, in the vicinity of Fort Sill, and many horses and mules were stolen. Some of the members of the last mentioned tribes also raided the frontier settlements of Texas.

The Cheyennes were quiet during the year 1871. In the summer of that year a delegation of Indian chiefs from the Cheyenne, Arapahoe and Wichita

2. The members of the Board of Indian Commissioners first appointed were: William Welsh, of Philadelphia; John V. Farwell, of Chicago; George H. Stuart, of Philadelphia; Robert Campbell, of St. Louis; William E. Dodge, of New York; E. S. Tobey, of Boston; Felix R. Brunot, of Pittsburgh; Nathan Bishop, of New York, and Henry A. Lane, of Indiana. Vincent Colyer, of New York, was appointed later to succeed Mr. Welsh, who resigned. Messrs. Brunot, Bishop and Dodge formed the committee that visited Oklahoma.

3. Annual Report of the Commissioner of Indian Affairs for 1869, pp. 51-69.

4. *Ibid.*, pp. 70-95.

tribes visited New York and Boston, appearing in public meetings held at Cooper Union, at New York, and in Tremont Temple, at Boston, where several of them made short addresses.⁵ The Kiowas were very unruly at that time, and in the latter part of May, Agent Tatum found it expedient to request Colonel Grierson, the past commander at Fort Sill, to arrest several of the Kiowa leaders who had taken an active part in a recent raid into Texas. General Sherman, the commander of the army, was at Fort Sill at the time. Satanta, a chief who had long been distinguished for his warlike disposition, openly boasted of having led the raid, in the course of which a wagon train had been attacked and captured and seven white men killed. Together with Satank and Big Tree, he was arrested and held for trial on the charge of murder.⁶ A few days later, Colonel Ranald S. McKenzie, of the 4th United States Cavalry, with a strong military escort, prepared to remove the prisoners to Fort Richardson, Texas, near which post the Kiowas under the leadership of these chiefs had attacked the wagon train. The life and career of Satank ended in a tragedy almost at the start of the journey.⁷

In 1871, and again in 1872, the inter-tribal council at Okmulgee sent a delegation to hold a peace council with the wild tribes living in the western part of the Indian Territory. The Kiowas were very reluctant to take part in such gatherings, some of their leaders boldly proclaiming that they had no intention of giving up raiding. In the latter part of the summer of 1872, Captain Henry E. Alvord,⁸ of Virginia, and Professor Edward Parrish, of Philadelphia, were sent as special commissioners to inspect the work of the

5. Annual Report of the Commissioner of Indian Affairs for 1871, pp. 30-40. The members of the delegations of visiting chiefs were: Little Raven, Powder Face and Bird Chief, of the Arapahoes; Little Robe and Stone Calf, of the Cheyennes; and Buffalo Good, of the Wichitas. Distinguished citizens of New York City and Boston appeared on the platform with the Indians at these meetings. One of the speakers at the Boston meeting was Wendell Phillips, whose address was an eloquent tribute to the character of the Indian.

6. When Satanta came in to draw rations, Agent Tatum asked him who was responsible for the recent raid in Texas. Satanta's boasting reply was: "Yes, I led in that raid. I have repeatedly asked for arms and ammunition, which have not been furnished. I have made many other requests which have not been granted. You do not listen to my talk. The white people are preparing to build a railroad through our country, which will not be permitted. Some years ago they took us by the hair and pulled us here close to Texas, where we have to fight them. More recently I was arrested by the soldiers and kept in confinement several days. But that is played out now. There is never to be any more Kiowa Indians arrested. I want you to remember that. On account of these grievances, a short time ago I took about 100 of my warriors to Texas, whom I wished to teach how to fight. I also took the chiefs, Satank, Eagle Heart, Big Bow, Big Tree and Fast Bear. We found a mule train, which we captured and killed seven of the men. Three of our men were killed, but we are willing to call it even. It is all over now and it is not necessary to say much more about it. We don't expect to do any raiding around here this summer; but we expect to raid in Texas. If any other Indian claims the honor of leading that party, he will be lying to you. I led it myself."

7. For accounts of the death of Satank, see "Our Red Brothers," p. 121; also, Josiah Butler's paper, "The Comanche-Kiowa Agency School, 1870-73," *Chronicles of Oklahoma*, Vol. VI, No. 4, pp. 506-07. The story of this incident is reproduced in Appendix XXXIV-1.

8. Henry E. Alvord was born at Greenfield, Massachusetts, in 1844. He was educated at Norwich University and entered the volunteer military service as a private in 1862, and was rapidly promoted, being major of the 2d Massachusetts Cavalry at the close of the war. From 1866 to 1872 he was a captain in the regular army. He then engaged in farming in Virginia; became interested in agricultural education; taught agriculture in Virginia, New York, Massachusetts, New Hampshire and Maryland. He was president of the Oklahoma Agricultural and Mechanical College in 1894-95, resigning the position because of his disapproval of partisan officiousness on the part of the governing board. He was then selected by Secretary J. Sterling Morton, of the Department of Agriculture, to organize the dairy division in that department, and served as chief of the same until his death, which occurred in 1904.

agencies of the Kiowas, Comanches and Plains Apaches, of the Wichita, Caddo and affiliated tribes, and of the Cheyennes and Arapahoes, to hold councils with the peoples of those tribes and to induce each to designate representatives to join a delegation which the commissioners planned to take back with them when they returned to Washington. Unfortunately, Professor Parrish was confined to his bed with an attack of typhoid fever, soon after arriving at the Fort Sill Agency, where he died. Captain Alvord was therefore left to continue the projected negotiations alone.

Immediately after the conclusion of the council between the representatives of the tribes which had participated in the gathering at Okmulgee and their "plains brethren," the latter went into council with Captain Alvord. Most of the tribes professed to be friendly and readily consented to send representatives to Washington. In the council, which was held near Fort Cobb, on the 6th and 7th of September, Captain Alvord plainly told the Indians that the Government would effectually stop their raiding into Texas. On the second day of the council, speeches or talks were made by twenty-eight of the chiefs and head men of the various tribes, nearly all of whom entered denials on the part of their people and blamed the Kiowas and Quahada Comanches for all recent hostilities. Finally, Tabananika, the chief of one of the Comanche bands, whom Captain Alvord described as "a chief of fine physique, unmistakable talents and great power," arose and addressed the assemblage. Disclaiming all sympathy with the practice of raiding and committing atrocities in the settlements and his desire to avoid and prevent conflicts with the white people, he frankly stated his wish to roam the Plains for the present, his unwillingness to enter into closer relations with the Government, his opposition to encroachments upon or invasions of the country claimed by him and his people, and his intention, in event of hostilities, of joining any Indians who might be resisting United States troops. Then, turning to the assembled chiefs, he continued:

I am your kinsman and friend, but I cannot in silence hear you throw upon the Kiowas, the Quahadas and their associate Comanches, all the blame for depredations committed, claim innocence for yourselves and promise the good behavior of your people. I see here but three tribes, whose young men, at least, have not been present, and equally guilty with our people and the Kiowas, in more or less of the forays of the last two years, and they are the Arapahoes, the Caddoes and the Delawares. The Cheyennes and Osages have also acted with us, and, as to your promises, you could not control your young braves if you would, and you do not attempt it.

Few Kiowas were present at the council but another council was held with them two weeks later. They were induced to select delegates to go to Washington only after Captain Alvord promised that the delegates should be permitted to meet Satanta and Big Tree on their way thither. Even then, at the last hour, several of the Kiowa delegates took flight. Fearing a general stampede, Captain Alvord started immediately for Atoka (then the terminus of the Missouri, Kansas & Texas Railway) with a delegation of twenty chiefs and head men, representing the Comanches, Kiowas and Plains Apaches. Great tact and diplomacy were necessary to prevent some of them from turning back, even then, but, having secured a special car for his

charges, he landed them safely in St. Louis, whither, by previous arrangement, the imprisoned chieftains, Satanta and Big Tree, were brought to meet them. (This meeting could have been held at Atoka but it was not deemed the part of wisdom to hold it there lest some of the delegation make an attempt to escape and return to their people without completing the journey to Washington.) The meeting between the members of the delegation with Satanta and Big Tree took place at the Everett House, in St. Louis, and was described by Captain Alvord as "a most impressive and affecting occasion." The delegation contained a number of the leading chiefs, including Mow-away, of the Comanches, and Lone Wolf, of the Kiowas. Their long rides upon the railroad trains and their visits to St. Louis, Cincinnati and Washington were, of course, events which were ever memorable in their lives.

Captain Alvord's report⁹ was enlightening and his recommendations were of a decidedly practical nature. He entered into considerable detail in discussing the various phases of the problem of clothing and subsisting the Indians by the several agencies which he visited and was very severe in some of his criticisms. As an instance of his concise comments and suggestions the following, concerning the issue of beef, may be quoted:

The ration of beef will do where the Indians have access to game in abundance, but it is not sufficient for the subsistence of an active Indian. It is recommended, as a matter of justice and economy, that the agents be authorized to double the ration of beef for each quarter of the year to such bands as entirely refrain in participation in hunting parties during the last preceding quarter of the year.

The present method of issuing beef on the hoof, sometimes weighing, but commonly estimating the weight, and never giving exactly the correct amount, is the cause of much discontent. The Indians always take their allowance of beef, and, when not supplied with buffalo, none is wasted; but often a good allowance of meat is on hand, and then the beeves are killed and frequently only the hide and choice pieces are taken away. The hides are now generally lost or traded by the Indians for very little. The way they butcher the beef issued to them is revolting and must tend to foster their barbarous tastes. For these reasons it is recommended that hereafter, except in the hottest weather, all beef be properly dressed and issued from the block. This might be arranged with the contractor, as at military posts; but if not, the change need create no increase of expenditure, as the hides alone will repay the cost of the additional employees necessary.

But suggestions for improvement, and in the interest of increased efficiency, or for economy met with but scant consideration at the hands of officials who were hopelessly entangled in departmental red tape. Likewise, the mouldy flour, and half-rotten tobacco, and shoddy clothing, which he found had been furnished by dishonest contractors for issue to the Indians, gave evidence of the existence of a condition which might be challenged by such an honest and courageous investigator but the influence of crooked commercialism was too potent in congressional and departmental circles to be seriously disturbed thereby.

Ever since the establishment of the reservation for the Comanches and Kiowas, the Quahada band of Comanches had persistently refused to be governed by the treaty or to go near the tribal agency. Unprincipled white traders from New Mexico supplied them with arms and ammunition. They

9. The full text of Captain Alvord's report appears in the Annual Report of the Commissioner of Indian Affairs for 1872, pp. 128-48.

openly ridiculed those of the other bands of their own people and of other tribes which consented to settle on reservations and boasted that they would not visit the agency until the soldiers fought and conquered them. Taking them at their word, Colonel McKenzie, who was in command at Fort Richardson, Texas, marched against them in the fall of 1872, surprised their village and attacked it. Most of the warriors fled, leaving the village with the women and children to be captured. The village and its contents were burned and the women and children of the Quahada band were taken to Fort Richardson and held as prisoners. The Quahada chiefs and warriors thereupon visited the tribal agency at Fort Sill for the first time. As was suspected, members of every other Comanche band were found with the Quahadas as also some Kiowas.

The Kiowas and Comanches were all on their good behavior during the winter of 1872-73, the former because they hoped to secure the release of their imprisoned chiefs and the latter because they were anxious to secure the liberation of the captive women and children of the Quahada band. Captain Alvord had been authorized to promise the release of Satanta and Big Tree at the end of six months if the Kiowas would abstain from raids and other hostile acts during that time, but he did not deem it wise to do so under the conditions then prevailing, so he did not mention the matter at all. While Lone Wolf and three other Kiowa chiefs were in Washington, with the delegation which accompanied Captain Alvord, they were promised that Satanta and Big Tree should be released if the Kiowas remained peaceful for six months. The captivity of the women and children of the Quahada Comanches afforded Agent Tatum a splendid opportunity to bring about the surrender of white captives who had been held in bondage by the Indians. The Quahadas only surrendered four prisoners at first, and, almost immediately, began to plead for the release of their captive women and children who were held at Fort Richardson, Texas. Having learned that they still held other prisoners, Agent Tatum wrote to Colonel McKenzie, requesting the release of four of the Quahada women. As a result of his shrewdness in manipulating the matter, he was enabled to secure the release of seven white captives and twelve Mexican prisoners during the last eight months of his service at the Fort Sill Agency. Prior to the time the Comanches and Kiowas were forced to take up their abode upon the reservation which had been assigned to them, such prisoners, if rescued at all had to be ransomed at a cost varying from \$100 to \$1,500 each.

Early in June, 1873, the captive Quahada women and children were released and brought to the agency at Fort Sill. The officer in command of the escort which accompanied them had to resort to a ruse to get them past the town of Jacksboro, Texas, where a hostile demonstration had been planned by part of the citizens. The released captives reported that they had been well treated. Their friends were overjoyed by their return.

Satanta and Big Tree were to have been restored to their people about the same time that the Quahada women and children were brought to the agency, but because of the massacre of the peace commissioners who had been sent to treat with the hostile Modocs in the lava beds of Oregon, the Govern-

ment authorities at Washington decided to delay the release of the two Kiowa chiefs indefinitely. Thomas C. Battey, the Quaker school teacher who was on duty with the village of one of the Kiowa bands was at the agency when word of this decision was received and he had to be the reluctant bearer of this unwelcome message to the Kiowa people. They were out on the buffalo range, in the eastern part of the Texas Panhandle, near the headwaters of the the Washita at the time. Practically all of the Kiowas had gathered for their annual "medicine dance." Most of the Comanches were present as were many Cheyennes, Arapahoes and representatives of other tribes. The reception of the intelligence that the Government had decided not to fulfill its agreement in regard to releasing the two chiefs created a sensation and a stormy scene followed in the assembled council of chiefs. Battey, who was the only white man present in the council, thought for a time that it would result in an immediate outbreak of hostilities.¹⁰ But, in the end, calmer counsels prevailed, largely as the result of the earnest advice of the gentle-spirited Quaker teacher.

Satanta and Big Tree were brought to Fort Sill and confined in the guard-house of the post, early in October, 1873. A council was to be held with the Kiowas before their chiefs were released. Governor Edmund J. Davis, of Texas, came to Fort Sill to attend it, as did Hon. E. P. Smith, United States Commissioner of Indian Affairs. Although four months had passed since the two chiefs were to have been released to their people, the latter had been peaceable and patient as a rule, though there were some exceptions. As the chiefs were legally the prisoners of the State of Texas, Governor Davis sought to enforce certain conditions precedent to releasing them.¹¹ In brief these were that the Kiowa people should settle on farms near the agency; that the Government should place a white man in every camp to watch them and report their behavior to the agent; that they must draw their rations in person and not through the medium of their chiefs as heretofore, and answer roll-call once every three days; that they should assist the army in arresting depredators of their own tribe; dispense with the use of arms and horses and devote themselves to raising cattle, hogs and corn, like the civilized Indians. Satanta and Big Tree were to be remanded to the post guard-house and kept there until the future good behavior of the tribe should warrant their liberation. The Kiowas demanded the immediate release of their chiefs, as previously promised. The council closed with a situation that was tense with tragic possibilities.

The next day saw much subdued excitement among the Indians. Although the sun was shining brightly, both they and the white men seemed overshadowed with gloom, and though little was said much was felt. Kicking Bird, the most progressive and friendly of the Kiowa chiefs, said to Battey:

"My heart is stone. There is no soft place in it. I have taken the white

10. The Quaker teacher left a detailed account of the council to which he was a party as well as a witness and in which the assembled chieftains seriously debated the question of war and peace. Unfortunately, this thrilling chapter was not included in his book.

11. "A Quaker Among the Indians," pp. 196-204.

man by the hand, thinking him a friend, but he is not a friend; the Government has deceived us. Washington is rotten."

Lone Wolf, another chief, who was always less tractable, though he had been a member of the delegation of chiefs which had visited Washington a year before, and therefore knew of the numbers, resources and power of the white people, showed open defiance, saying:

"I want peace—have worked hard for it—kept my young men from raiding—following the instructions Washington gave me to the best of my knowledge and ability. Washington has deceived me—has failed to keep faith with me and my people—has broken his promises; and now there is nothing left but war. I know that war with Washington means the extinction of my people, but we are driven to it; we had rather die than live."

The new agent of the Kiowas and Comanches, James M. Haworth (who had succeeded Lawrie Tatum on the first of the preceding April), realized that a crisis was at hand, as indeed it was, for the Kiowas formed a plot to rescue their chiefs if they were brought into council again. However, Agent Haworth succeeded in impressing Commissioner Smith with an appreciation of the gravity of the situation and he in turn convinced Governor Davis that his conditions would have to be modified. The two chiefs were liberated on parole during good behavior and all of the Kiowas were made happy.

On the last day of January, 1874, a council was held in the office of Agent Haworth. It was attended by a number of the chiefs and headmen of the Comanches and Kiowas. Captain Black Beaver, the Delaware leader, was called from his home in the valley of the Washita to attend this council because the agent wished him to talk to the warlike Kiowas and Comanches. The latter were very intractable and loath to listen to their agent, or to the school teachers. Black Beaver, being generally respected by the Indians of all tribes, as well as the members of his own, they had to listen to his words of advice and counsel, even though they did so unwillingly. As some of them were even then planning for another war on the white people, they probably paid little heed to what he said, however.¹²

12. The substance of Black Beaver's address to the Comanche and Kiowa chiefs and head-men was recorded by Thomas C. Battey. This manuscript was found among his papers after his death. It is reproduced in Appendix XXXIV-2.



CHAPTER XXXV

WARS WITH THE TRIBES ON THE PLAINS

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The Indians of the Plains were tranquil during the winter of 1867-68, as they usually were during the winter season.¹ The Government had apparently arrived at the conclusion that it was cheaper to feed the Indians than to fight them, and its agents saw to it that they were supplied with the necessary rations for subsistence. But the appropriation for such supplies was exhausted and Congress was tardy in making provision for the continuance of the practice. When the Cheyenne Indians, who were located along the Arkansas River, in Western Kansas, were informed that they would have to shift for themselves, they were also told that they could not have the arms and ammunition for hunting buffalo which had been promised to them by the peace commissioners of the Government at Medicine Lodge.² Smarting under the implied lack of confidence on the part of higher officials of the Government, a band of Cheyennes left their camps near Fort Larned and proceeded north, beyond the Smoky Hill River, where they committed outrages and depredations in the frontier settlements along the valleys of the Saline and Solomon rivers early in August, 1868. Two months before that, a band of about eighty Cheyenne warriors, with a few Arapahoes and Kiowas, led by the Cheyenne chief, Little Robe, rode past the outlying frontier settlements and attacked the village of the Kansas, or Kaw Indians, at Council Grove, Kansas, near the headwaters of the Neosho River.³ A spectacular but bloodless battle followed, with much long range shooting, but no casualties on either side.

The Indian War of 1868 was fought chiefly along the lines of the overland trails and the frontier settlements in its earlier stages, so the most active hostilities occurred in Kansas, Nebraska, and Colorado. However, when the Kiowas and Comanches fled southward from the vicinity of their agency at Fort Larned, they were pursued by the district commander, General Alfred Sully, as far as the valleys of the Cimarron and North Canadian rivers, in Northwestern Oklahoma. There the latter was confronted by several large war parties and it was with difficulty that he succeeded in making his way back to Fort Dodge, after having three severe engagements.⁴ General George

1. The Indians of the Plains tribes could not make war in winter time for the reason that the horses and ponies had to subsist upon the suncured grasses or upon the twigs and bark of the willow and cottonwood trees, and were, therefore, not in a fit condition to stand the requirements of the raids and forays which were always incident to their hostile operations. With the coming of spring, the war ponies soon began to regain flesh and strength. It was for this reason that most of the active campaigns on the Plains took place during the late summer and autumnal months.

2. Letter of Agent E. W. Wynkoop, Annual Report of the Commissioner of Indian Affairs for 1868, pp. 81-82; also letter of Superintendent Thomas Murphy, *Ibid.*, p. 60; and letter of N. G. Taylor, Commissioner of Indian Affairs, *Ibid.*, p. 66.

3. Letter of Special Agent A. G. Boone, *Ibid.*, pp. 64-65; and letter of Agent E. W. Wynkoop, *pp.* 65-66.

4. "Personal Memoirs of Philip H. Sheridan," pp. 294-95.

A. Custer, who was destined to loom large in the military annals of that region shortly afterward, wrote an illuminating description of this brief and inglorious campaign in which he had personally participated, though in a relatively inconspicuous capacity.⁵

The Washita Campaign—In those days, when a small band of Indians was involved in such an affair as that of the Saline and Solomon valleys, the whole tribe was held to blame for it. Indeed, the Indians themselves were not more ready to blame the whole white race for the misdeeds of one scoundrelly Caucasian than were the whites to hold all Indians accountable for atrocities committed by a few individuals of the red race. Therefore, if a part of the tribe had done wrong, virtually the whole tribe might be driven to war in self defense on account of it. Moreover, if one tribe became hostile, all of the neighboring tribes, and especially those that might be affiliated or federated therewith, were also under suspicion. Hence, when an Indian war was once fairly under way on the Plains, most if not all of the tribes of that region were soon more or less involved. And so it was that, in the late summer and early autumn of 1868, war—cruel, relentless and pitiless—raged once more on the Great Plains throughout the region between the Platte and Red rivers. When autumn was waning into winter, the Indians would fain have made peace again, but this time no peace commission was sent to meet them. Instead, General Philip H. Sheridan, who was in command of the Department of the Missouri, announced that there would be a winter campaign against the Indians.

The Indians, who had been living on or near the Arkansas River, in Central and Western Kansas—Cheyenne, Arapahoe, Kiowa, and Comanche—all went south as the end of the autumn season approached, and it was believed that they had taken refuge in the Canadian River country, or south of it. Preparations for the proposed winter campaign were energetically pushed forward. The active force in the field was to consist of two regiments—the 7th United States Cavalry, commanded by its lieutenant-colonel, George A. Custer,⁶ and a regiment of volunteers to be recruited in Kansas and to be organized and equipped as cavalry. The Kansas regiment was quickly recruited and mustered into service (Governor Samuel J. Crawford, of that State, resigning his office to accept the colonelcy), and it was designated as the 19th Kansas Cavalry. The 7th Cavalry was concentrated at Fort Dodge, Kansas, where it was to be fitted out for the expedition. A military supply depot, to be established at the junction of Beaver and Wolf creeks, in the western part of the Cherokee Outlet, was a part of the plan of the campaign. The wagon

5. Extract from Custer's "My Life on the Plains," pp. 109-12, Appendix XXV-1. Sully's expedition evidently crossed the Kansas-Indian Territory boundary line near the point where it is intersected by the Cimarron River, in the northern part of Harper County, Oklahoma, and entered the valley of Beaver Creek in the southern part of the same county, some fifteen or eighteen miles above the site of Camp Supply. Then, having crossed both Beaver and Wolf creeks, the expedition proceeded in a southward course, toward the site of Woodward. It was between the sites of Supply and Woodward that the expedition encountered such determined opposition from the Indians that it was virtually forced to turn about and retrace its line of march toward Fort Dodge.

6. Custer had reached the grade of major-general in the volunteer service and had also reached the brevet ranks of colonel, brigadier-general, and major-general in the regular army. In the reorganization of the regular military establishment at the end of the Civil War, he had received a commission as lieutenant-colonel of the 7th Cavalry.

train which accompanied the expedition southward from Fort Dodge, loaded with commissary and quartermaster's supplies, forage and building material, was said to have been probably the largest ever seen on the Great Plains.⁷ Five companies of the 3d United States Infantry, under the command of Captain John H. Page, brevet major, also accompanied the expedition to act as guard or garrison of the supply depot. The 19th Kansas Cavalry was to march from Topeka, where it was organized and mustered into service (two companies of the Nineteenth were sent by rail to Fort Hays to act as escort for General Sheridan), direct to the rendezvous at the confluence of Beaver and Wolf creeks. General Alfred Sully, the district commander, had selected the site of the supply depot and named it Camp Supply. General Sheridan, the department commander, accompanied the expedition, though he did not personally assume command of the troops. Six troops of the 3d United States Cavalry, stationed at Fort Bascom, New Mexico, under the command of Colonel A. W. Evans, and the entire twelve troops of the 5th United States Cavalry from Fort Lyon, Colorado, under the command of General Eugene A. Carr, were to coöperate with the expedition from Fort Dodge by driving any scattered bands of Indians down from the upper valleys of the Cimarron and Canadian rivers toward the region which was its military objective.

Two days after the arrival of General Sheridan at Camp Supply, the rest of the Kansas regiment having failed to arrive, General Custer was directed to take the eleven troops of his regiment which were present for duty and march south in search of the camps of the hostile Indians. Leaving Camp Supply in a blinding snow storm on the morning of November 23, his command went into camp for the night in Wolf Creek Valley, fifteen miles from that post. Thence the command marched southward (the weather being clear but very cold) to the Canadian River, which was crossed with considerable difficulty. Following a dim trail on the wind-swept snow of the prairie, the Osage guides reported, on the evening of the fourth day, that there were signs of the proximity of camps of hostile Indians. As quietly as possible, and with every possible precaution to prevent detection, the march was continued into the night by the light of the moon. The wagons were left behind with a strong guard. Arriving in the valley of the Washita, its course was followed down stream for several miles until the discovery of the horse herd of the Indian village. General Custer, accompanied by several of his officers, dismounted and advanced to reconnoitre. After locating the position of the Indian village, he carefully laid his plans for an attack to be made upon it simultaneously from four different directions at daybreak.

The regiment having been divided into five squadrons and each of these assigned to a position, the sleeping village was surrounded. Some of the detachments had to make detours of several miles in order to reach the positions assigned to them without being detected. Then there was a long wait in the stinging cold of the early morning until the hour appointed for the attack. Just as the first faint streaks of dawn were lighting up the snow-clad land-

7. There were 450 wagons in the train which moved southward from Fort Dodge to Camp Supply, in November, 1868.

scape, the regimental band struck up the notes of "Garry Owen," which had been agreed upon as the signal for the advance of all the detachments. The charging squadrons swept through the village. The Indians were surprised, as they had not dreamed the troops would dare to follow them so far in the dead of winter. However, after the first confusion, the warriors of the village rallied and fought with the courage of desperation. Most of the cavalry troopers dismounted and fought on foot. The Indian warriors fought from behind such cover as they could find—logs, trees and creek banks. Many of them were killed. Most of the women and children, together with a few warriors and boys, managed to escape, some making their way down the valley to other Indian villages—Cheyenne, Arapahoe, Kiowa and Comanche—which were not far distant.⁸

From these lower villages the warriors soon came swarming around the position occupied by the troops at the captured village. Eight hundred Indian ponies had been captured in the battle of the preceding morning, and, inasmuch as it was impolitic to abandon them to the Indians, and as it was impossible to keep them, General Custer ordered them to be shot. In the meantime the warriors from the various villages below were coming in increasing numbers, so that the troops which up to this time had acted on the offensive were forced to fight on the defensive. Then their ammunition began to run low and there was grave danger that what had been a spectacular victory might end in a disastrous defeat. Just at this critical juncture, however, the regimental quartermaster, Lieutenant James M. Bell, brevet major, galloped onto the field of action from the distant wagon train with an escort of twenty-five men and an ambulance loaded with fixed ammunition. For some reason that was never explained, the cordon of surrounding warriors opened and permitted this welcome reinforcement to pass through, and thus the day was saved, at least for the time being.⁹

The position in which Custer's command was now placed was plainly a perilous one, surrounded as it was by a superior force of well armed and very hostile warriors, whose numbers were being augmented constantly by fresh arrivals from more distant villages. To attempt to withdraw under such circumstances would have been to invite destruction. In order to rid himself of such a serious menace, Custer resorted to a very bold ruse. After burning the lodges of the captured village and killing all the ponies except such as were needed for the transportation of the prisoners, he placed his wounded and dead

8. General Custer reported that he had killed 100 warriors in the village and captured fifty women and children.—"Personal Memoirs of Philip H. Sheridan," op cit., p. 316. In an interview with Vincent Colyer, a member of the Board of Indian Commissioners appointed by the President, who visited the Cheyennes and Arapahoes in the spring of 1869. Little Robe and other chiefs told him that the loss of their people in the fight with Custer on the Washita had been thirteen men, sixteen women, and nine children killed.—Report of the Board of Indian Commissioners for 1869, p. 43.

9. Lieutenant Bell, who had been left with the guard at the wagons, judged by the amount of firing that he heard at a distance that more ammunition was needed, or soon would be, and acted accordingly. He was retired from active military service, October 1, 1901, with the rank of brigadier-general, and died at his home, in Pasadena, California, September 17, 1919. A bill to grant him the Congressional Medal of Honor, in tardy recognition of his signally valorous service at the Battle of the Washita, had been introduced by Representative James V. McClintic, of Oklahoma, and was pending in Congress at the time of General Bell's death.



LOG STOCKADE BUILDING ERECTED AT CAMP SUPPLY IN 1869



PAWHUSKA, OSAGE INDIAN RESERVATION, 1900 TO 1906

in ambulances, formed his column and gave orders to take up the line of march down the valley toward the other Indian villages. The effect of this movement was instantly visible in the withdrawal of most of the warriors who had been harassing him, who rode away toward their villages by taking a short cut over the hills. They were anxious to have their villages moved and their women and children out of the way before the troops could arrive. The command continued its march down the valley until nightfall, when it went into camp, apparently as if to remain for the night. Several hours later, however, orders were given to remount and the line of march was taken up, back past the battlefield and on to the place where the wagons had been left, and thence back to Camp Supply.

The village which had been thus captured and destroyed proved to be that of a band of Cheyenne Indians who constituted the immediate or personal following of Black Kettle, then generally recognized as the leading and most prominent chief in the tribe. Other bands of the same tribe were encamped lower down in the same valley, within a few miles, each with its own chiefs and headmen. The Washita country was not within the previous range of the Cheyenne people. Hitherto, their range had been chiefly between the upper valley of the Arkansas and the Black Hills, in Western Kansas, Eastern Colorado, Western Nebraska and Southeastern Wyoming. However, the Chivington massacre, on Sand Creek, Colorado, in November, 1864, and the destruction of the Dog Soldier village, on Pawnee Fork, in Western Kansas, in April, 1867, had so far weakened the sense of security with which the Cheyenne and Arapahoe peoples rested in their winter camps that they deemed it expedient to seek a much more remote retreat. Hence, being then on the most friendly terms with the Comanche and Kiowa tribal members, who ranged southward from the valley of the Arkansas, across those of the Cimarron, Canadian, Red, Brazos, and Colorado rivers, the Cheyenne and Arapahoe peoples sought safety for their winter camps by leaving their old haunts and going to the valley of the Washita.

When General Custer's command arrived at Camp Supply after its victory on the Washita, it was to make a most spectacular entrance, with the regimental band playing "Garry Owen" and the captive women and children gracing the triumphal procession. Naturally, there was great rejoicing at the post. General Sheridan issued a congratulatory order and couriers were sent dashing off with the news that the outside world might know that the winter campaign was not a failure. Preparations were also made for its continuance, for General Sheridan did not intend to let the hostile Indians rest until they had sued for peace. Custer's command had not escaped from the conflict unscathed. Major Joel H. Elliott, with four non-commissioned officers and ten private soldiers had become separated from the main body of the command and were killed to a man. Sergeant-Major Walter Kennedy was the last man to fall and the little creek which flows nearby the place of his death is still called Sergeant-Major Creek. In addition to these, Custer's command lost one officer, Captain Louis McLane Hamilton,¹⁰ and five enlisted men killed,

10. Louis McLane Hamilton was a grandson of Alexander Hamilton. He was descended from equally distinguished stock on his maternal side, his mother's father, Louis McLane (a son of Colonel Allen McLane, of the Continental Army) having been a member of the

and three officers, Captain Albert Barnitz,¹¹ Captain Thomas W. Custer and Lieutenant T. J. March, and eleven men were wounded. On the side of the Indians the loss was a severe one in that they lost the principal chief of the entire Southern Cheyenne tribe. Not only was Black Kettle killed, but also Little Rock, who was the second chief of Black Kettle's band. Both men were said to have been peaceably disposed and neither of them had been at war the previous season.¹² The attack on the Black Kettle village, in which these two chiefs were killed, occurred within two days of the fourth anniversary of the Chivington massacre, on Sand Creek, Colorado. Indeed, the fate which seemed to follow Black Kettle, typifying the history of the American Indian, was a tragic one and the probabilities are that he was deserving of a kindlier one than that which befell him in his camp on the Washita.

Although the destruction of Black Kettle's village has been generally known and referred to as "the Battle of the Washita," it was too one-sided to be so-called. It was a surprise attack by a preponderantly superior force, in which the comparatively few warriors died fighting with the courage of desperation for the reason they were not allowed any alternative. Had a similarly superior force of Indians attacked a white settlement containing no more people than were in Black Kettle's camp, with like results, the incident would doubtless have been heralded as "a massacre."

The 19th Kansas Cavalry started out with guides who were unacquainted with the country through which they had to travel. As a consequence, they became bewildered and lost when they reached the Cimarron, fifty or sixty miles from Camp Supply, during the great snow storm. Not only did the officers and men suffer from exposure, but they lost many of their horses, so that by the time the regiment reached Camp Supply (relief parties having been sent to their rescue meanwhile), most of the men were already dismounted.

House of Representatives and later of the Senate, minister to the Court of St. James, Secretary of the Treasury and, later, Secretary of State in the cabinet of President Jackson. Louis McLane Hamilton entered the volunteer military service during the Civil War before he was eighteen years old and, a few months later, was commissioned a lieutenant in the regular army. He was in command of a company on the battle line before he was nineteen. He was commissioned captain in the 7th Cavalry at the organization of that famous corps in 1866, and was the youngest officer of his rank in the army at the time of his death. Major Joel H. Elliott served in the volunteer army during the war, having entered the service from Indiana, and was commissioned major of the 7th Cavalry at its organization.

11. Captain Albert Barnitz, brevet lieutenant-colonel, had entered the volunteer military service in the 1st Ohio Cavalry at the outbreak of the war and had won successive promotions through sheer merit and bravery. He was badly, and it was believed at first fatally, wounded at the Battle of the Washita and was placed on the retired list in 1870 because of the disability due to that wound. Captain Barnitz, who made his home in Washington, lived until the summer of 1912. The writer had frequent correspondence with him during the later years of his life. Barnitz Creek, a tributary of the Washita River, in Dewey and Custer counties, was named for him during the course of the march of the expedition down the valley of the Washita, while he was convalescing from his wound in hospital at Camp Supply. Captain Barnitz was gifted with more than ordinary taste and talent in a literary way and was the author of a volume of poems. Captain T. W. Custer was a younger brother of General Custer and, like the General, lost his life at the Battle of the Little Big Horn, in June, 1876.

12. For sketch of the life and death of Black Kettle and the controversy as to his attitude toward and responsibility for hostile Indian outbreaks, see Appendix XXXV-2. Consult also "Official Records of the Union and Confederate Armies," Series I, Vol. XLI, Part I, pp. 948-72; Part II, pp. 660, 695; Part III, pp. 195, 399, 462, and 696; also, Senate Report No. 32, 38th Congress, 2d Session, being a part of the Report of the Joint Committee on the Conduct of the War, 114 pages of which are devoted to a statement of the results of the specifically required investigation of "the Massacre of the Cheyenne Indians."

After the arrival of the Kansas regiment, the 7th Cavalry having refitted during the interval of waiting, arrangements were soon made for both to take the field. It was planned to return first to the site of the recent fight on the Washita and from thence to proceed with the further operations of the campaign. General Sheridan and several members of his staff accompanied the troops on the march this time. The valley of the Washita was entered some miles below the scene of the fight. There the troops went into camp to enable General Sheridan to visit the battlefield and also to make a systematic search for the remains of Major Elliott and the men believed to have perished with him. Two miles east of the scene of the main engagement the bodies of Major Elliott and his little band of followers were found, all within the limits of a circle not exceeding twenty yards in diameter, with one exception, with a small pile of empty cartridge shells near each body. The bodies were stripped of all clothing and had been horribly mutilated. The bodies were removed to the camp, and, with the exception of that of Major Elliott, which was taken to Fort Arbuckle for interment, all were buried in a single grave on a little knoll near the camp.

The next day the march was resumed down the valley, past the sites of the various Indian villages, which had been so hastily abandoned after the destruction of that of Black Kettle's band. All bore evidence of the haste with which the move had been made, a large part of their belongings having been abandoned and many of their extra horses and ponies killed in order to prevent them from falling into the hands of the troops. On the site of the village which had been occupied by Satanta's band of Kiowas, there were found the bodies of a young white woman and her infant son. Her name was Blinn and she had been captured from a wagon train on the Arkansas River, in Eastern Colorado, two or three months before. The mother and child had been held as captives until there was danger that she might be rescued, when she was shot and scalped and her child had its brains dashed out against a tree. The bodies of the mother and child were taken to Fort Arbuckle for interment.

The account of the finding of the bodies of Mrs. Blinn and her child is always included in the record of the Washita campaign, not merely as an incident, but also as a specific instance of brutal Indian atrocity. Yet, only four years before, when the Cheyenne village on Sand Creek, in Eastern Colorado, was attacked and destroyed by Colonel John M. Chivington's overwhelmingly superior force, not only were Indian women and children—even toddling infants—shot down in cold blood, but their bodies were so shockingly mutilated as to justify comparison with the ideals and practices of the veriest savages.

Down the valley of the Washita marched the command, one of the officers naming the tributary streams as they were crossed or passed—Barnitz Creek for the wounded troop captain; Quartermaster Creek for the gallant officer whose courage and resourcefulness in bringing a fresh supply of ammunition had prevented a possible defeat after the destruction of Black Kettle's village; and 7th Cavalry Creek, in honor of the regiment which, though only two years old, was already famous—their valleys, then a part of the vast wilderness and for ages the grazing ground of the shaggy buffalo, but, today, con-

taining some of the most fertile and productive farms in the State of Oklahoma. On the 12th of December the command resumed its march down the valley of the Washita toward Fort Cobb and, five days later, was approached by several Kiowa Indians under a flag of truce. The Indians had a letter from General W. B. Hazen, who, though an officer of the army, was acting as a special Indian agent, and, as such, was then stationed at Fort Cobb. In this letter General Hazen stated that the Kiowas and Comanches were friendly and, though General Sheridan had positive proof to the contrary, he decided not to attack the Kiowa village as he otherwise would have done. When he informed Satanta and Lone Wolf, the Kiowa chiefs, that he would respect General Hazen's letter if all the Kiowas would go to Fort Cobb and surrender, they promptly promised to submit and offered to accompany the troops to Fort Cobb. General Sheridan had his suspicions as to the sincerity of the Kiowas, as he believed they had imposed upon General Hazen, so they were closely watched. The second day it was noted that, on one pretext or another, most of the Kiowa warriors were dropping out of the party accompanying the chiefs and disappearing. Finally Satanta attempted to make his escape, but was promptly pursued and brought back, and both he and Lone Wolf were placed under arrest to be held as hostages for the good behavior of the tribe.¹³

When the expedition arrived at Fort Cobb it was found that all of the Comanches were either already there or were on their way to that post, except the intractable Quahada band, but no Kiowas were there. Though the Kiowas had promised to come in, it was evident that they had no intention of doing so. After waiting several days, during which the captive chiefs made many excuses for the nonappearance of their people, General Sheridan, convinced of the futility of further temporizing, directed that if the Kiowas did not come in and surrender by sunset of the following day, the two chiefs, Lone Wolf and Satanta, should be hung by the neck until dead. Satanta's son was sent as messenger to the Kiowa village with this intelligence. This threat had the desired effect and most of the Kiowas arrived within the specified limit of time, the only exception being the band of the chief known as Woman's Heart, which, like the Quahada Comanches and the Cheyennes and Arapahoes, had fled to the Upper Red River region near the Staked Plains. Then followed several weeks of futile effort to induce the last mentioned tribes to come in and surrender without further hostilities. Iron Shirt, an Apache chief, was selected as a messenger to the Cheyennes and Arapahoes. He went accompanied by an old Cheyenne woman, who was one of the captives, Mah-wis-sa by name, and a sister of Black Kettle.

After an absence of three weeks, Iron Shirt returned alone. The Cheyenne and Arapahoe chiefs had rejected the overtures thus made; they made various excuses, such as the weakness of their ponies, which made traveling impossible but, in effect, it meant that they preferred war to peace and that they probably doubted the ability of the troops to follow and find them before the grass of another season should so far restore the strength of their ponies that

13. "Personal Memoirs," of Philip H. Sheridan, *op. cit.*, pp. 333-35.

they might be able to resume active hostilities. However, Iron Shirt reported that Little Robe, who was a leading chief of the Cheyennes, and Yellow Bear, second chief of the Arapahoes, were anxious for peace and that they had promised to visit Fort Cobb in person. A few days later these two chiefs came in, and spent some time in conference with Generals Sheridan and Custer. Other messengers were sent out to the Cheyennes and Arapahoes, but still they did not come in, though the two chiefs remained in camp as an evidence of good faith on their own part.

Early in January, 1869, the expedition left Fort Cobb, marching to a point near the confluence of Medicine Bluff and Cache creeks, not far from the eastern extremity of the Wichita range of mountains, where a new military post was to be established. A tentative site for such a post had been suggested by Captain Randolph B. Marcy, in his report of the exploration of the sources of the Red River, in 1852.¹⁴ This site was officially selected by General Benjamin H. Grierson, post commander at Fort Arbuckle, in the summer of 1868, and was approved by General Sheridan, while he was there with the Washita expedition, in the early part of 1869.¹⁵ When the expedition first arrived, it was temporarily called Camp Medicine Bluff. Later, after the selection of the site had been approved, it was designated as Camp Wichita. Eventually the Secretary of War directed that the permanent name of the post should be Fort Sill, named in honor of Brigadier-General Joshua Sill, who was killed at the battle of Stone River, while in command of a brigade in a division commanded by General Sheridan. As he had also been a classmate of the General's at West Point, it would seem quite likely that the choice of a permanent name for the new post was made in accordance with a suggestion from the latter. The people of the Comanche, Kiowa and Plains Apache tribes were required to move from the Washita to the valleys of the Cache and Medicine Bluff creeks, for the purpose of holding them under continued military surveillance.¹⁶ As the result of the establishment of the new Post, Fort Cobb was finally abandoned in March, 1869, and the last troops at Fort Arbuckle were likewise withdrawn in June, 1870.

General Custer finally requested permission of General Sheridan to make a personal attempt to persuade the Cheyennes and Arapahoes to come in and surrender. For this purpose he proposed to take a small escort of forty men and, accompanied by Little Robe and Yellow Bear, go in search of the villages of their respective tribes. The location of such villages was at best a matter of conjecture for, as the two chiefs explained, their people had to move more or less frequently on account of the scarcity of game and to obtain fresh pasturage. On arriving at the westernmost peak of the Wichita Mountains, the two

14. Randolph B. Marcy, "Exploration of the Sources of the Red River of Louisiana," pp. 78 and 96.

15. "Military Reminiscences of Captain Richard T. Jacob," *Chronicles of Oklahoma*, Vol. II, p. 13.

16. Lawrie Tatum's "Our Red Brothers," pp. 74-77, contains the quaint narrative of Mow-way, a Comanche chief who, with a small band of warriors, was captured by soldiers while on a raid into New Mexico and transported to Fort Leavenworth as prisoners. It is reproduced in Appendix XXXV-3.

chiefs made preparations to "call to the village," as they expressed it, by means of smoke signals. These were made from the mountain top, a thousand feet above the surrounding plain,¹⁷ which lay in an immense vista before them. Following hours, however, failed to disclose any signs of Indian villages. General Custer wrote a vivid description of the means and methods of making the smoke signal, which he then witnessed.¹⁸

Several days after the failure of the smoke signal, General Custer and his command met two Arapahoe warriors, and by them were conducted to their village, situated on a small tributary of the Red River, near the boundary of the Texas Panhandle. This village proved to be that of Little Raven's band of Arapahoes. They seemed delighted to have the white men come among them as friends and readily expressed themselves as being in favor of making peace. When asked as to the whereabouts of the Cheyennes, they were non-committal, merely stating that the Cheyennes moved frequently. Little Raven finally agreed to send two young men as guides to aid General Custer in his further effort to reach the Cheyennes. General Custer also had to send a courier back to Fort Sill, asking for supplies. Little Robe was sent on ahead to find his people and to explain the pacific character of the mission upon which General Custer hoped to visit them. Although he received a fresh stock of supplies and a reinforcement of a dozen men, his further efforts to meet the Cheyennes was not successful and he was at last compelled by the lack of food to abandon the effort for the time being and return to his base of operations at Fort Sill.

The winter was drawing to a close and, unless the hostile Indians were brought to terms before the opening of the spring season, the hope of peace on the Western Plains would have to be deferred for another six months at least. It was, therefore, important to find the Cheyennes and fight them, or else persuade them to come in and surrender without much further delay. On March 2, 1869, the effective men of the two cavalry regiments started west from Fort Sill, following the southern base of the Wichita Mountains, the men of the 19th Kansas being dismounted and marching as infantry.¹⁹ Five

17. This mountain from which the smoke signal was sent up is believed to have been Mount Walsh, located just northwest of Granite, in Greer County.

18. Custer's "My Life on the Plains," pp. 217-18. For the full text of this interesting description, see Appendix XXXV-4.

19. General Custer was in command of the expedition, by reason of his brevet rank, Major Alfred Gibbs being in immediate command of the 7th Cavalry. There had been some friction concerning the matter of rank and precedence at the outset of the campaign. As colonel of the 19th Kansas Cavalry, Samuel J. Crawford outranked Alfred Sully, lieutenant-colonel of the 3d Infantry, and George A. Custer, lieutenant-colonel of the 7th Cavalry. Sully, who was the senior of Custer in actual rank, as well as age, issued an order assuming command of the expedition by reason of his brevet rank as a brigadier-general. Custer thereupon issued an order, assuming command by reason of his brevet rank as major-general. General Sheridan settled the controversy by deciding in favor of Custer, whereupon, Colonel Crawford, who had been a regimental commander during the Civil War, resigned his commission, Lieutenant-Colonel Horace L. Moore being promoted to fill the vacancy thus created. General Edward S. Godfrey, retired, who is the last surviving officer of 7th Cavalry while Custer was its commander, in his reminiscences of the Washita campaign (Cavalry Journal, Vol. XXXVII, p. 487), states that he heard General Custer say "that, had the question not been raised, he would not have taken his stand and would have been perfectly satisfied to have served under Colonel Crawford." General Sheridan relieved General Sully from duty with the expedition and assigned him to the command of the District of the Upper Arkansas, with headquarters at Fort Harker, Captain John H. Page, of the 3d Infantry, succeeding him as the commander of the detachment of that regiment which formed a part of the expedition.

days later a force of 450 men was withdrawn and sent with a large part of the wagon train, carrying all camp equipage and all stores aside from subsistence and ammunition. The wagon train and its accompanying force was sent to the quartermaster's depot established by Major Henry Inman,²⁰ on the Washita, near the scene of the destruction of Black Kettle's village. Onward to the west Custer and his men traveled, filled with determination, despite their weariness and hunger. The mules of the wagon train, weakened by lack of grain and hay, fell by the wayside, where they were promptly slaughtered for their flesh by the half-starved troopers. The serviceable animals were put in to replace depletions of other teams, while wagons that were left teamless were burned. Day after day the march continued away to the west of the one hundredth meridian, sometimes following a dim Indian trail, sometimes without even that much of a sign. The one fact that enabled both officers and men to redouble their exertions amid all the discouragements and privations and discomforts of such a march was the knowledge that there were two young white women held captive by the Cheyennes. This intelligence had been learned in the course of General Custer's previous effort to reach the Cheyennes. Both captives had been carried away from the settlements in Kansas during the course of the raid through the valleys of the Solomon and Saline rivers seven months before. All were inspired by the hope of rescuing these captives alive rather than finding them dead and scalped as in the case of Mrs. Blinn, already mentioned. Finally, when almost to the one hundred and second meridian west, the trail of a single lodge was found and followed. Within a day its trail had joined that of others, until the deserted camp ground showed there had been a dozen lodges. A few miles further on a second camp site was disclosed, where twenty-five lodges had encamped. As the march progressed its direction changed to the northeast, and other lodges continued to join the little band first discovered, until there were over a hundred Indians in the gathering. At last, in the valley of the Sweetwater (a tributary of the North Fork of the Red River) they came upon the camp or village of the main body of the Southern Cheyenne tribe.

20. Henry Inman was born in New York City, July 3, 1837. He was of English, French Huguenot and Knickerbocker Dutch ancestry. His father, also named Henry Inman, was one of the most eminent American portrait painters of his day and, when he died, in 1846, the members of the Academy of Design raised a fund by subscription for the purchase of a small farm, near Hempstead, Long Island, and presented it to his family. Henry Inman, the son, was educated in private schools and under private tutors. At the age of twenty he enlisted in the United States Army, serving over four years as a private and non-commissioned officer in the 9th Infantry, mostly on the western frontier. He was commissioned a second lieutenant of the 17th Infantry, May 14, 1861, and promoted one grade five months later, serving for over a year as regimental quartermaster, in 1863-64. March 18, 1864, he was commissioned captain and assistant quartermaster. He subsequently received the brevet rank of major and lieutenant-colonel for gallant and meritorious services during the War and in campaigns against the Indians. Careless in his business methods, his disbursing accounts became so hopelessly involved that he was dismissed from the service, July 24, 1872. Thereafter he engaged in the newspaper business, at Larned, Kansas, and elsewhere in that state. The town of Inman, in McPherson County, Kansas, was named for him. During his later years he devoted his energies largely to the writing of books and stories of the Great Plains, the poetic and romantic spell of which held a fascination for him. Too careless in his literary methods to be accepted as an infallible authority on the history of the Plains, he is, nevertheless, regarded as one of the ablest interpreters of Plains life as it was before the building of the first railways between the Missouri River and the Rocky Mountains. He was the author of "The Old Santa Fe Trail" (1895), "The Story of the Great Highway" (1898), "Tales of the Trail" (1898), "The Great Salt Lake Trail" (1899), and several others. Colonel Inman died at Topeka, November 13, 1899.

By signs General Custer made known to the Cheyennes that he had come upon a peaceful mission and asked to meet their principal chief (Medicine Arrow), who promptly rode out and greeted him. With a single companion (Colonel Cook) the general then entered the Cheyenne village, after sending orders for the troops to take up overlooking positions, but to remain passive unless attacked. He then entered the lodge of Medicine Arrow as his guest. He told the chief that he wished to secure the release of two white girls held by the tribe, and he asked where he might find a good camp ground. Medicine Arrow went in person to show the general a place suitable for his camp, about three-quarters of a mile distant from the Indian village. General Custer was impressed with the belief that the Indians would decamp as soon as possible after nightfall, a proceeding he did not propose to permit. After he had pitched his camp he ordered a huge fire built in front of his headquarters. Around this fire many of the chiefs and headmen and some of the young men gathered. It was announced that the young men were to give a dance and serenade for the amusement of the white soldiers. But General Custer's look-outs reported that there was a commotion in the Indian village; that the herds of ponies were being driven in and that it was evident that the proposed entertainment was merely a ruse to enable the people of the village to make their escape. General Custer listened with seeming credulity to the representations of the Indians, but he passed back the word that a number of the officers of both regiments should arm themselves well and walk in apparent unconcern into the group in front of his headquarters. Suddenly Custer's tone and manner changed. He arose and ordered, "Arrest these men." There was a struggle, but in the end three chiefs were held captive. A most exciting scene followed, but General Custer remained firm against the most threatening attitude of the warriors swarming around and, in the end, the three chiefs remained prisoners after the last scowling brave had ridden away.²¹

After the arrest of their chiefs the Indians struck their camp and moved off down the valley toward a place where they said there was another camp, in which were the two white women who had been carried off as captives. When the troops followed the next morning, it was not surprising that the trail of the departing Indians soon faded out, or that the alleged existence of another camp was but a myth. However, General Custer gave himself no great concern on that account, since he held three leading Cheyenne chiefs as hostages for the safety of the two white women. He had not forgotten how the recreant Kiowa tribesmen were brought to time by General Sheridan's threat to hang Satanta and Lone Wolf. By resorting to the same sort of expedient he secured the liberation and return of the two hapless captives, Mrs. Morgan and Miss White.²²

21. James A. Hadley, who was a soldier in the 19th Kansas Cavalry, described the excitement which followed the arrest of the Cheyenne chiefs, in a paper which was published in the "Kansas Historical Society Collections," Vol. X, pp. 541-42. This description is reproduced in Appendix XXXV-5.

22. Colonel Horace L. Moore, the commander of the 19th Kansas Cavalry, in the course of an address before the Kansas Historical Society, described the rescue of the captive white women, the text of which address was published in "Kansas Historical Society Collections," Vol. VI, pp. 45-46, and the same is reproduced in Appendix XXXV-6, as also General Custer's further statement concerning the rescue of Mrs. Morgan and Miss White ("Wild Life of the Plains," pp. 320-25, Edition of 1891).

As soon as the two captives were released, the three chiefs who had been seized and held as hostages demanded their liberty in return, and a delegation from the Cheyennes came into camp from the village to reinforce their demand. But General Custer informed them that but one of the two conditions had been complied with and that the tribe would have to return to the reservation before their captive chiefs could hope for freedom. Their people thereupon promised to move to Camp Supply as soon as possible and to abandon the warpath forever. The three chiefs, Big Head, Dull Knife, and Fat Bear, were taken to Fort Hays, Kansas, for safe keeping until their people should come in and submit to the military at Camp Supply. There, when an attempt was made to transfer them from the camp of other Indian prisoners, they did not understand, apparently thinking that they were to be taken out for execution, so they determined to die then and there, if need be. They attacked the guard with knives carried beneath their blankets, stabbing the sergeant of the guard almost fatally. Big Head, the youngest of the three chiefs, was shot by the guard; Dull Knife, an old man, was fatally wounded by a bayonet thrust; and Fat Bear was disabled, but not seriously injured.²³

With the close of the Washita campaign, the 19th Kansas Cavalry was mustered out and its officers and men were discharged from military service. The 7th Cavalry also returned to the military posts in Western Kansas, leaving the new posts at Medicine Bluff and the confluence of Beaver and Wolf creeks to be garrisoned by detachments of the 10th Cavalry and the 6th Infantry. The new Government agency for Comanche, Kiowa and Plains Apache tribes was established a short distance below Fort Sill, in the valley of Cache Creek. The new agency for the Cheyenne and Arapahoe tribes was located temporarily at Camp Supply, whence it was removed, in 1870, to the intersection of the North Canadian River and the 98th Meridian.²⁴

The Last General Indian War—By the terms of the treaties with the tribes of the Southern Plains at Medicine Lodge, in 1867, the country south of the Arkansas River was reserved from settlement and was to be regarded as a hunting ground for the exclusive use of the Indians of those tribes, while the buffalo herds still ranged over the same. At the time the treaty was made, buffalo were still numbered by the million, so there was no occasion for white

23. Custer's "My Life on the Plains," p. 254.

24. It is worthy of note that the captain of Company H, of the 19th Kansas Cavalry, was none other than David L. Payne, who was destined to become the leader of the "boomer" movement on the border of Oklahoma, a dozen years later. Several of the officers of the regiment subsequently became citizens of Oklahoma, including Captain George B. Jenness, of Company F, who lived at Kingfisher; First Lieutenant Charles H. Hallett, of Company K, who lived in Kiowa County; and Second Lieutenant Winfield S. Tilton, of Company L, who was an editor of the *Anadarko Tribune* for a number of years. The literature of the Washita campaign is fairly abundant, including not only the authorities already quoted, but also "Sheridan's Troopers on the Border," by De B. Randolph Keim, who, as a press correspondent, had accompanied the expedition, which was first published in book form in 1870; "Little Pills," by Dr. Robert H. McKay, who was stationed at Fort Sill as a military surgeon for a time immediately after its establishment and whose interesting reminiscences were published in a small volume, in 1918; "Campaigning with Custer and the 19th Kansas Cavalry," a book by David L. Spotts, who was a soldier in the 19th Kansas Cavalry; "Reminiscences of the Washita Campaign," by John Murphy, who, as a boy of nineteen, was a teamster of General Sheridan's headquarters train, "Chronicles of Oklahoma," Vol. I, pp. 259-78, and, lastly, "The Military Reminiscences of Captain Richard T. Jacob," *Ibid.*, Vol. II, pp. 9-36.

hunters to enter that particular part of their range. After the Atchison, Topeka & Santa Fe Railroad was built up the valley of the Arkansas, through Western Kansas to a temporary terminus at Granada, Colorado, the slaughter of the great herds on the Southern Plains began in dead earnest. The railroad reached Dodge City in 1872; the next year its line was extended to Granada. The first year after the railroad was put into operation to Dodge City, the white hunters confined most of their buffalo killing to the north side of the Arkansas River, as it was known that the Indians would resent their intrusion on the south side. As buffalo became scarce north of the river, many of the hunters began to slip across on the south side during the course of the next year—1873. With the opening of 1874, preparations were made to extend the scope of their operations still farther south, into the Texas Panhandle country.

The intrusion of the professional buffalo hunters into the region south of the Arkansas River was bitterly resented by the Indians of the wild tribes of the reservation in Western Oklahoma, for, as before stated, they had been given to understand that the region between the Red and Arkansas rivers was to be their exclusive hunting ground. However, regardless of any promises that might have been made to the Indians in regard to this matter by peace conferences and Indian Service officials, the professional buffalo hunters did not feel bound by any such agreement or promise. Hence, when buffalo became scarce north of the Arkansas River, they did not hesitate a moment about transferring the scene of their operations to the southern side of that stream.²⁵

The Adobe Walls Fight—In order to expedite the work of the buffalo hunters, several parties from Dodge City decided to plant a trading settlement right in the heart of the southern buffalo range—at Adobe Walls,²⁶ Texas—distant 150 miles southwest of Dodge City, near the mouth of a small tributary of the Canadian River. Three Dodge City firms opened up branch trading establishments there and there was also a blacksmith shop and a saloon. A large number of buffalo hunters scattered over the surrounding country in small parties. But the Indians had long been noting the ruthless slaughter of the buffalo, merely for the sake of their hides, and they bitterly resented this new inroad upon their exclusive hunting grounds. There were other grievances in plenty and resentment still rankled in their hearts because of the wrongs which had never been righted as promised under the last treaties. However, the threatened extermination of the buffalo, presaging, as it did, either starvation for the Indian and his family, or a change in their way of

25. For description of the intrusion of buffalo-killing hide hunters in the region south of the Arkansas, see Appendix XXXV-7 for quotations from the *Reminiscences of Robert M. Wright* and "Billy" Dixon, who were personal witnesses and participants in this invasion.

26. Adobe Walls was a name given to the ruins of a trading post said to have been established on the Canadian in 1844 by the firm of Bent Brothers, who were extensively engaged in trading upon the Upper Arkansas. The post was abandoned a year or two later because of the hostility of the Kiowas. The walls of the building were built of adobe, or sun-dried bricks, hence the name. The trading settlement of 1874 was situated about a mile from the ruins of the former trading post. The buildings erected in 1874 were partly of stockade walls and partly of sod walls. All of them were roofed with poles, covered with earth. It was located in Hutchinson County, Texas.



A BUFFALO HORSE WITH A STRING OF NINE SLAIN BUFFALO TO HIS CREDIT

living, furnished a pretext, if not indeed a reason, for the outbreak which followed almost immediately after the establishment of the trading houses at Adobe Walls.

Part of the Cheyennes and part of the Comanches had been guilty of more or less raiding during 1873. The Cheyennes had killed five Government surveyors on the Cimarron, in the present limits of Woods County. The Arapahoes, though closely affiliated with the Cheyennes, refused to join them in their warlike operations. Likewise, the Kiowas, restrained by the hope of the liberation of the two chiefs who were imprisoned in Texas, had refrained from raiding or committing any other depredations. After Satanta was freed, some of the Kiowas joined the Comanche bands which went raiding among the frontier settlements of Texas. A number of young Comanche braves, who were in Texas on a raid, were killed by some of the Tonkawa warriors, who were scouting in the Government service. The Comanche women wailed for their dead and appealed to their living to revenge the death of their brethren. Plans were laid for the extermination of the remnant of the Tonkawa tribe. Learning of this, the Comanche agent, James M. Haworth, notified the post commander at Fort Griffin, Texas, who promptly caused the Tonkawas to be removed to a place under the protection of that post. When this was reported to the Comanches by some of their spies, they held a council with the hostile Cheyennes and agreed to go with the latter and exterminate the buffalo hunters in the Panhandle country.²⁷

Although the people of Adobe Walls knew that some of the Indians were on the warpath, they were not fearful of a general war and they were not afraid of an attack by small war parties. This condition led to carelessness on their part and they were totally unprepared for the attack, when it came, at daylight on the morning of June 27, 1874. Indeed, it was only by accident that they were not surprised and all killed while asleep.²⁸ There were 700 Indians in the attacking party; there were twenty-six white men and one woman in three of the buildings of the little trading settlement. Two other white men, asleep in their wagons just outside, were killed at the beginning of the fight. A Quahada (Comanche) medicine man had made his people believe that his magic was so powerful as to render the bullets of the besieged buffalo hunters harmless. This accounted for the unusual daring and recklessness of the warriors, who repeatedly rode up to the very doors of the buildings during the earlier part of the fight. Later, when they found that the buffalo hunters were expert marksmen and that their rifles were of long range,

27. Annual Report of the Commissioner of Indian Affairs for 1874, pp. 219-20.

28. About two o'clock in the morning, two men who were asleep in the saloon were awakened by a report which sounded like the discharge of a rifle, but which they decided was occasioned by the weight of the heavy earthen roof cracking the big cottonwood ridge-pole by which it was supported. They awakened several other men and proceeded to throw off some of the earth from the roof and also to secure a prop to reinforce the ridge-pole. By the time this work was completed, the break of day was at hand and fifteen men who had been awakened, either directly or indirectly, by threatened collapse of the cottonwood ridge-pole, were not asleep when the alarm of the attack by Indians was given. There was no watchman to guard against danger and all of the doors had been left open so, if it had not been for this incident, it is probable that there would have been none left to tell of the surprise and attack. Strange as it may seem, although many people examined the cottonwood ridge-pole very carefully, no one ever could find any sign of a fracture or weakness in it. The incident was regarded as being not only mysterious but providential.

the attacking warriors became more wary. Throughout the course of the fight, the Indians were guided by the calls of a bugle.²⁹ Most of the Indians who were killed or wounded were carried away by their own people, often at imminent risk to their own lives, but at the end of the fight the bodies of thirteen dead warriors were found so close to the buildings that it would have been suicidal for their fellow-tribesmen to have tried to remove them. There were fifty-six dead horses, only ten of which had belonged to the buffalo hunters, so it is certain that their rifles did great havoc in the ranks of the charging warriors.³⁰

A few days after the fight at Adobe Walls, July 3, 1874, a band of about forty warriors attacked a wagon train of three wagons and four men at Buffalo Springs, on the Chisholm Trail. Three of the men appeared to have been killed in the fight, while the fourth was captured and, apparently suffered death by slow torture, being tied to a wagon wheel and burned to death. The latter was Patrick Hennessey, who was the leader of the party. His charred remains were buried by the side of the trail, near the scene of his tragic death.³¹ A week or two later, a Cheyenne party tried to run off the stock of the friendly Wichitas and Caddoes, but were frustrated in their design.

Strong efforts were made to induce all of the tribes to join in the general uprising. Most of the Comanches went out on the warpath; the Penateka band went to the agency, however, as did most of the Yampirica band also, and others were reported as being desirous of coming in, but were prevented from doing so by force or intimidation exercised by the hostile warriors. Most of the Cheyennes also took part in the outbreak. A strong faction of the Kiowas, following the lead of Lone Wolf and Woman's Heart, left the reservation with the Cheyennes and Comanches, but the majority of the Kiowas, led by Kicking Bird, went to the agency and registered as friendly Indians, subject to frequent roll call. Because the Kiowas did not all go on the warpath, none of the Plains Apaches went. With few if any exceptions, all of the Arapahoes also remained on the reservation.³² The outbreak did not include the Indians of the Wichita Agency, all of whom remained at peace.

29. The story of the presence of the bugler with the Indians of the Southern Plains was not a new one. The troops in the command of Colonel Kit Carson, which had a battle with the Kiowas in the vicinity of Adobe Walls ten years before, heard a bugler sound "the charge," as did Forsyth's scouts in the Battle of Beecher's Island, on the Arickaree River, in September, 1868. Whether the bugler was a renegade white man, or a Mexican, or a mixed-blood Indian, is even yet a mystery, but that he was a reality, there can be no doubt. Robert M. Wright, in his book "Dodge City, the Cowboy Capital," pp. 123-24, tells of hearing the bugle in the Kiowa village.

30. The most credible account of the Battle of Adobe Walls is that contained in the "Life of 'Billy' Dixon," pp. 200-36. Dixon was one of the defenders of the settlement of buffalo hunters and was a factor in the defeat suffered by the Indians. One of the leaders of the Comanches in the attack on Adobe Walls was the young half-breed chief, Quanah, who was not yet thirty years old. A brief sketch of Quanah's life and career will be found in Appendix XXXV-8.

31. The train of freight wagons was en route from the terminus of the railroad at Wichita, Kansas, to the Wichita Agency, near Anadarko. Patrick Hennessey, who was in charge of the train, had been warned that there was danger of an attack, but he scouted the idea of danger. His grave became a landmark on the Chisholm Trail. Nearly fifteen years afterward, when Oklahoma was settled in a day, a townsite was laid out near by and the town was named Hennessey in his honor. It is situated in the northern part of Kingfisher County. It has been claimed that he was killed by white outlaws disguised as Indians, but evidence in support of this is lacking.

32. Had all of the Kiowas, with the Plains Apaches and the Arapahoes, gone out with the Cheyennes and Comanches, this last general Indian war would have been much more serious than it was. Kicking Bird, who was a man of great influence among his own

A serious fight occurred at the Wichita Agency on the 22d of August. It was believed to have been due in the beginning to a misapprehension. The Nocona Comanches, who were there to surrender, disavowed any intention or disposition to participate in the fight and it is probable that most of the fighting on the part of the Indians was done by Lone Wolf and his Kiowa followers who were present. Satanta and several others who had been registered at the Fort Sill Agency as friendly Indians were at the Wichita Agency when the fight began. Several days later they went to the Cheyenne and Arapahoe Agency, at Darlington, where they surrendered. When these men were returned to Fort Sill, they were no longer treated as friendly Indians, but were turned over to the post commander and were thereafter held as military prisoners. Satanta was considered as having violated his parole by leaving the reservation and he was returned to the Texas Penitentiary at Huntsville.³³

During the remainder of the summer and the succeeding autumn the war was continued. The friendly Indians were gathered near the agencies where it was not only possible to watch them, but also to see to it that they were not molested by the hostile elements of their own tribes.³⁴ Warriors from Darlington Agency raided as far north as the Republican River in Northern Kansas and Southern Nebraska. The buffalo hunters who had been killing the animals on a wholesale scale merely for their hides, were forced to suspend operations throughout the Southern Plains region. Numerous outrages and atrocities were committed by the hostile warriors, not only on the buffalo range, but also among the frontier settlements. But atrocities and outrages were not limited to the Indian side of the conflict. The friendly Indians who were enrolled and encamped near Fort Sill—mostly Kiowas and Plains Apaches, with several bands of Comanches—had over 1,900 head of horses stolen by white thieves from Texas during the year.³⁵ Likewise, horse thieves from Kansas stole forty-three head of horses from Little Robe, the Cheyenne chief, just before the outbreak, and they were offered for sale at Dodge City

people (the Kiowas), is believed to have been held firmly on the side of peace by the influence of Thomas C. Battey, the Quaker school teacher, who, just at that time, was leaving the Indian Territory in broken health. Kicking Bird died May 3, 1875, at which time he was leading chief and most influential counselor in the Kiowa tribe, although then of only middle age. During the last six years of his life his voice and example were always on the side of right and peace. At the time of his death permanent peace had been established between the people of his own and the neighboring tribes and the whites, and this consummation of his earnest desire, due as it was, in no small degree to his own noble example and patient efforts, was a source of great satisfaction to him. Kicking Bird's death was very sudden and it was generally believed at the time that he had been secretly poisoned by some of his less progressive rivals for the leadership of the Kiowa tribe.

33. Satanta, who was in many ways a most remarkable man, had in his own personality typified the spirit of opposition to the encroachment of the white race upon the hunting grounds of the Indian. A man of strong physique and commanding presence, he held a large place in the estimation of his own people. As a warrior he had the reputation of being both crafty and cruel. He excelled as an orator and was an adept in the ways and wiles of demagoguery. He was possessed of a keen sense of humor and could use sarcasm with telling effect, when occasion seemed to require. Four years after his reincarceration in the Texas Penitentiary, October 11, 1878, he committed suicide by throwing himself from a window in the second story of the prison hospital.

34. The friendly Indians, encamped at Fort Sill and at Darlington, suffered much privation during the course of this war because of the insufficiency of food. They were not permitted to leave their village to hunt game, yet the Government did not furnish sufficient rations to prevent hunger. Despite this, they remained at peace.

35. "A Quaker Among the Indians," *op. cit.*, pp. 316-17.

a couple of weeks later.³⁶ Little Robe's son, who went to try to recover the stolen horses, was severely wounded. One of the most flagrant and unwarranted incidents of the war was the attack upon a small Osage hunting party which was in no way concerned in the struggle. Agent Isaac T. Gibson told of it in his report to the Commissioner of Indian Affairs.³⁷

A comprehensive and aggressive campaign against the hostile Indians was planned, Colonel Nelson A. Miles (subsequently lieutenant-general commanding the United States Army), of the 5th Infantry, being placed in immediate command of the troops in the field.³⁸ The principal events of the campaign took place in the region between the Cimarron and Red rivers, in Western Oklahoma and the Texas Panhandle. The troops that were actively engaged in the campaign were composed of battalions or companies of the following regiments, namely: 5th Infantry, Colonel Nelson A. Miles; 4th Cavalry, Colonel Ranald S. McKenzie; 11th Infantry, Colonel George P. Buell; 10th Cavalry, Lieutenant-Colonel John W. Davidson; 6th Cavalry, Lieutenant-Colonel Thomas H. Neil, and 8th Cavalry, Major William R. Price. The bases from which the troops in the field were operated were: Fort Dodge, Kansas; Camp Supply and Fort Sill, Indian Territory; Fort Griffin, Texas, and Fort Bascom, New Mexico. Considerable time was required in effecting the necessary arrangements for the troops to take the field, so the campaign did not really begin until two months after the Indians first began hostilities.

August 30, 1874, Colonel Miles found and attacked a large band of hostile Indians near the headwaters of the Washita River. The Indians were defeated and retreated to the Staked Plains. A number of minor engagements followed in rapid succession and, at the end of another month, Colonel McKenzie, with a detachment of his regiment, attacked a large village near the headwaters of the Red River, in Texas, and drove the Indians (mostly Cheyennes) away, capturing and destroying over 100 lodges and taking also over 1,400 head of horses and mules. A few days later (October 9), Colonel Buell attacked a band of hostile Kiowas, encamped on the Salt Fork of the Red River, capturing and destroying their village and its contents. On October 17, Captain Adnah R. Chaffee,³⁹ 6th Cavalry, attacked and destroyed another village north of the Washita, the Indians abandoning their lodges and other property without making any attempt to defend the same.

The vigorous and relentless campaign thus inaugurated had the effect of dampening the warlike ardor of many of the Indians. The hostile Comanches

36. Annual Report of the Commissioner of Indian Affairs for 1874, p. 233.

37. *Ibid.*, pp. 226-27. Agent Gibson's report concerning the attack upon the Osage hunting party will be found in Appendix XXXV-9.

38. Colonel Miles, who had entered the service as a volunteer at the outbreak of the Civil War, had reached the rank of major-general of volunteers at the age of twenty-six. Colonels McKenzie, Buell, Davidson and Neil had also been general officers in the Federal Army during the Civil War. All of them, like scores of others, had to be content with the lower rank in the reorganization of the regular army after the close of the Civil War.

39. Twenty-six years later, after having distinguished himself in the service during the Spanish-American and Philippine wars, General Adnah R. Chaffee was selected as the commander of the American contingent in the allied army which marched to the relief of Peking, during the Boxer Rebellion in China. Eventually, General Chaffee, who had entered the military service as a private in the regular army at the outbreak of the Civil War, became chief of the general staff of the United States Army, with the rank of lieutenant-general.

were the first to show signs of wishing to quit. They sent a message asking permission to return to the agency. When this was granted, Tabinanaka, who was a leading war chief, with about four hundred of his people, started toward the agency, surrendering to a detachment of troops from Fort Still, which was met on the way. Other Comanches followed, as did small parties of Kiowas. On arriving at the agency their horses were taken from them and the men were put under military guard as prisoners of war. The Cheyennes remained recalcitrant and irreconcilably hostile, as did the Quahada Comanches also. The troops continued to harass them and thus the campaign was extended into the winter. The Indians were kept so constantly on the move that they had practically no opportunity to hunt buffalo for meat and robes. The first band of Cheyennes was captured on the North Canadian by a detachment of the 10th Cavalry, under the command of Captain A. B. Keyes. With their lodges destroyed, hungry and half clad, the main body of the Cheyennes continued the struggle with the courage of desperation. The work of supplying the troops in the field with subsistence and forage was a difficult one, nor was it an easy task to maintain communications.

Many thrilling incidents occurred during the course of the campaign. One of these which has come down to us easily equals in dramatic and tragic effect that of any of the stories of the long struggle between the red men and the white men for final supremacy throughout the region of the Great Plains, and is related in the *Life of "Billy" Dixon*.⁴⁰

With the end of winter, the Cheyennes became convinced of the futility of further opposition to the Government. They did not surrender to the troops which had been actively campaigning against them in the field, but made their way toward their tribal agency at Darlington, near which they were met by Colonel Neil, who received their surrender March 6, 1875. They were led by the chief, Stone Calf, and were in a most destitute and poverty stricken condition. They were promptly disarmed and treated as prisoners of war. Part of the Quahada Comanches went to Fort Sill, in April, where they surrendered to Colonel McKenzie, the new post commander. The remainder of the Quahada Comanches, numbering about 400, under the lead of Quanah (since known as Quanah Parker), arrived at Fort Sill and surrendered June 2, 1875. It may be remarked that the ferocity of some white men remained unappeased until the end of the war. In April, 1875, a party of six Comanches was attacked in Texas, five of them being killed, including one woman, only one Comanche man escaping. The dead Indians were beheaded and the heads carried to the nearest town, where they were said to have been preserved in alcohol.⁴¹

A small party of Northern Cheyennes who had been with their Southern brethren during the war of 1874, on their way to their home country, encamped on the Middle Fork of Sappa Creek, in Decatur County, Kansas, on the night of April 23. A small detachment of the 60th United States Cavalry, under the command of Lieutenant Austin Henely, was following their trail. Several

40. "Life of 'Billy' Dixon," pp. 254-80. Dixon's version of the Buffalo Wallow fight is reproduced in Appendix XXXV-10.

41. Annual Report of the Commissioner of Indian Affairs for 1875, p. 274.

buffalo hunters and civilians joined the Indian hunt which ended at that camp. The Indian village, consisting of twelve lodges, was attacked at daylight. In his report to his superior officers, Lieutenant Henely stated that "eighteen squaws and children were unavoidably killed by shots intended for the warriors." As a matter of fact, with one exception, every soul in the band, regardless of age or sex, was killed with as much ruthlessness as that which had distinguished the Chivington massacre in Colorado ten years before. In his account of this tragedy, the late William D. Street, of Oberlin, Kansas, related an interesting incident of the one surviving member of the band of Cheyennes.⁴²

The last great Indian war of the Southern Plains (including Western Oklahoma) was ended and thenceforth the dominion of the white man throughout that vast region could never again be seriously called into question. It only remained to reestablish the tribes lately engaged in hostilities on their respective reservations and also to punish the leaders of the outbreak and those who were known to be guilty of brutal atrocity.⁴³

For a time it was seriously proposed to deport the Indians lately engaged in hostilities from their reservations and settle them in restricted areas at points remote from their previous habitat, compelling them to labor in return for the supplies furnished.⁴⁴ This project was finally abandoned, however, and, instead, the leaders of the outbreak and those who were known to have been guilty of the most brutal outrages were to be imprisoned. They were also deprived of most of their horses, without which war was impossible. The rest were released from confinement and were turned over to their agents. Thirty-three Cheyennes, two Arapahoes, nine Comanches and twenty-six Kiowas were selected for imprisonment. These were sent to Fort Marion, at St. Augustine, Florida, where they were held until May, 1878. While there they were under the care of Captain R. H. Pratt, of the 10th Cavalry, who took great interest in their welfare. At the end of their imprisonment a number of them consented to remain in the East and continue their education, which had been begun under Captain Pratt's supervision, while they were in prison.

42. "The Cheyenne Indian Massacre on the Middle Fork of the Sappa," *Kansas Historical Society's Collections*, Vol. X, pp. 369-73. In Street's account the following statement is made: "But one Indian, and one only, made his escape. A young man without a family in the camp and another older one, made a dash for their lives toward the north, up the long, sloping hill. After getting a mile or more from the camp, and entirely out of range of the big buffalo guns the hunters were using in the fight, they halted and gazed back at the field of carnage, when the one with a family said to the other: 'You are safe now, go on. I am going back to die with my family,' then wheeled his pony and rode back into the valley, and to his death. This information came to the writer several years after the fight, through Ben Clark, an interpreter for the Cheyennes, and at one time General Custer's chief of scouts. He said to me: 'The Cheyennes continue to sing the praise of the hero who rode back to death with his family,' in that little valley far out on the Kansas frontier. Such a deed of valor deserves more than passing notice, even if enacted by a child of the prairie."

43. The accounts of the Indian War of 1874 are contained in the reports of the department and district commanders in the Annual Reports of the Secretary of War for the years 1874 and 1875; also the reports of the tribal agents of the tribes involved in the war in the Annual Reports of the Commissioner of Indian Affairs for the same years. In addition to the foregoing, other works bearing on the history of this last general outbreak would be the "Calendar History of the Kiowa," by James Mooney; 17th Annual Report of the Bureau of American Ethnology, Part 2, "The Fighting Cheyennes," by George Bird Grinnell, and "Personal Memoirs" of General Nelson A. Miles.

44. Annual Report of the Commissioner of Indian Affairs for 1875, pp. 12, 261 and 281.

They were taken to Carlisle, Pennsylvania, where a school had been organized in the abandoned cavalry barracks, which afterwards became world famous for the part it played in the education of many of the Indians until a recent date, when it was abandoned as a school.

One result of the Indian War of 1874 was the establishment of a military post just across the North Canadian River from the Cheyenne and Arapahoe Agency at Darlington. It was named Fort Reno, in honor of General Jesse L. Reno, of the Federal Army, who was killed in action at the South Mountain, Maryland, in September, 1862, while in command of the 9th Army Corps. It was continually garrisoned until after Oklahoma became a state. In recent years it has been used as a remount station for cavalry and artillery horses.

Northern Cheyenne Outbreak—The Indian War of 1874 was the last general outbreak in Oklahoma, but there were numerous disturbances during the years immediately following. Though the Cheyenne and Comanche peoples were nominally at peace, some of the more turbulent members of each of these tribes were very intractable. The Quahada band of the Comanche tribe engaged in active hostilities against the white buffalo hunters in the Texas Panhandle in the spring of 1877.⁴⁵

Like the efforts of the War Department to force a consolidation of the Chickasaw tribe with those of the Choctaw tribe and a similar union of the Seminole people with the Creek tribe, the Indian Bureau under the Hayes administration became obsessed with a well meaning but misguided zeal for the consolidation of the Northern Cheyenne people with those of the Southern Cheyenne tribe, which had been located on a reservation in the western part of the Indian Territory for nearly ten years.⁴⁶ More than forty years before, the Cheyenne people had separated into the Northern and Southern divisions. The people of the Northern Division had continued to range north of the Platte River and in the vicinity of the Black Hills of Dakota. Those of the Southern Division had drifted southward from the Platte, ranging over the headwaters of the Republican and Smoky Hill rivers and the upper valley of the Arkansas. Still later, these last had extended their range down to the valleys of the Canadian and the Washita. The people of the two divisions remained friendly with each other, visited back and forth and, at times, had acted in unison on the warpath, but otherwise they did not have much interest in common.

During the latter part of the Civil War period, and for several years thereafter, nearly all of the Indian tribes of the Plains-Sioux, Northern and Southern Cheyenne, Southern Arapahoe, Comanche, Kiowa and Prairie-Apache were engaged in active hostilities against the white people and their Government. The subsequent Indian wars of the Northern Plains and the Southern Plains were not so well synchronized, however. The last great outbreak on the Southern Plains, as already related, began in 1874 and ended in 1875, while the last general outbreak on the Northern Plains began in 1876 and

45. "Dodge City, the Cowboy Capital," pp. 192-93.

46. Annual Report of the Commissioner of Indian Affairs for 1877, p. 19.

ended in 1877. In it the Northern Cheyenne people made common cause with a number of the Sioux tribes.⁴⁷ It was at the close of this Sioux War of 1876-77 that it was determined by the Indian Bureau and the War Department to reunite the long separated sections of the Cheyenne people into one tribe on the reservation of the Southern Cheyenne Division in the Indian Territory.

On the 28th of May, 1877, a band of 937 members of the Northern Cheyenne Division left the Red Cloud Agency, in Dakota, on a long overland journey to Fort Reno, Indian Territory, under a small military escort, which was commanded by Lieutenant Henry W. Lawton, of the 4th Cavalry.⁴⁸ The cavalcade was en route for seventy days, arriving at Fort Reno on August 5. Two days later, these Northern Cheyenne people were turned over to the tribal agent, John D. Miles, at Darlington. It was evident from the start that they were far from satisfied. They proved to be much less tractable than their kinsmen of the Southern Cheyenne Division. They found fault with the regulations under which they had to draw supplies and they complained of the character, quantity and quality of their rations of subsistence. In his annual report, dated a few weeks later, Agent Miles stated that he had not "been able to fathom the undercurrent," remarking, however, that he had noticed a marked difference from the Northern Cheyennes in their manner of accepting the situation.⁴⁹ So matters drifted along for a period of thirteen months. Then, suddenly and unexpectedly, there came the outbreak of a band of these people, led by the chiefs Dull Knife, Little Wolf, Wild Hog, Old Crow, and American Horse, the results of which were of most serious import.

This first party of Northern Cheyenne people had not been at Darlington very long before many of them became ill and a number of deaths followed.⁵⁰ In addition to this, there was a shortage of rations. During thirteen months these intolerable conditions were endured, two-thirds of a thousand people having been stricken with illness during the first two months, with forty-one deaths during the following winter. There were complaints and frank protests, but these were without avail, since the tribal agent had neither sufficient subsistence supplies nor medicines, nor the funds with which the same might be purchased, because of the discriminating parsimoniousness of Congress, which was prodigal in its extravagance in the matter of appropriations for other purposes.⁵¹ Finally, when flesh and blood could endure it no longer, a band of these Northern Cheyennes left the reservation on the North Canadian and started for their old home range in the Northwest, in September, 1878.

In midsummer Little Wolf had taken a delegation of his people to the agency to discuss matters with Agent Miles and to appeal for permission to return to their old home country in the Northwest. In substance, he said that,

47. Grinnell's "The Fighting Cheyennes," pp. 316-82.

48. Annual Report of the Commissioner of Indian Affairs for 1877, pp. 19 and 85; also "The Fighting Cheyennes," p. 385.

49. *Ibid.*, 1877, p. 85.

50. Grinnell's "Fighting Cheyennes," p. 383; also Annual Report of the Commissioner of Indian Affairs for 1879, p. 58.

51. Senate Report No. 708, 46th Congress, 2d Session, p. 64; Annual Report of the Commissioner of Indian Affairs for 1879, p. 58; Grinnell's "Fighting Cheyennes," pp. 385-87.

if the agent lacked authority to grant such permission, then his people wanted the privilege of sending representatives to Washington to plead their cause. But the agent declined to accede to this proposition and closed the interview, telling them to wait another year and he would see what could be done in regard to the matter. To this Little Wolf rejoined that they could not wait, and that, before the end of another year, many of them might be dead. The members returned to their camp and continued to discuss the matter. A few days later this particular Northern Cheyenne band, consisting of eighty-nine men and two hundred and forty-six women and children, started North toward their native habitat, as they had warned their agent and the army officers that they would, breaking camp and starting in broad daylight with absolutely no effort to conceal the fact. They went in peace, announcing that if hostilities were to result, it would have to be because the white men started shooting first.⁵²

A detachment consisting of two troops of the 4th Cavalry, in garrison at Fort Reno, under the command of Captain Joseph Rendelbrock, was immediately sent after the truant band, which was overtaken and a demand sent by an Arapahoe messenger to return to the agency forthwith. The demand was refused, whereupon the messenger returned to the troops, and Little Wolf started to follow him when the troops began to advance, at the same time shooting at Little Wolf. A regular engagement ensued, lasting the rest of that day and a part of the next. Little Wolf tried to control his warriors and prevent them from harming civilians but, after one warrior was killed by a cowboy, they disregarded his injunctions and began to commit atrocities when they came in contact with ranches and exposed settlements. Troops from Fort Reno, Camp Supply, Forts Dodge, Larned, Hays and Wallace were in the field and actively employed against this one small band of Indians, encumbered with their families and all the property that they owned in the world, yet they successfully withstood every attack, slipped through every cordon and line and finally found concealment in the wilderness of Northwestern Nebraska, where they spent the winter.⁵³ Meanwhile, Little Wolf and Dull Knife had separated, each being followed by a part of the band. Dull Knife and his immediate followers were captured. In the following spring Little Wolf and his people made their way northward and were on the Little Missouri River when they surrendered as the result of friendly negotiations on the part of Lieutenant William P. Clark, 2d Cavalry. Shortly afterward, Little Wolf met General Nelson A. Miles, by whom he and his men were induced to enlist in military service as scouts.⁵⁴

About the time that Little Wolf and Dull Knife reached Nebraska, another and smaller band of Northern Cheyenne people, under the leadership of Little Chief, was started southward from Sidney Barracks, Nebraska, to the Southern Cheyenne Reservation, in the Indian Territory. A few months later, in the early spring of 1879, they were very much discontented and another out-

52. Grinnell's "Fighting Cheyennes," pp. 388-89.

53. *Ibid.*, pp. 389-98.

54. *Ibid.*, p. 398.

break was feared. Finally, in May, Little Chief and five of his followers were permitted to go to Washington to plead their cause, as Little Wolf had asked the privilege of doing the year before. Although they were very stubborn in their demand for an immediate removal to their old range in the Northwest, they were finally persuaded to return to Darlington and wait until the matter could be arranged. Little Chief held his band patiently and in peace until October, 1881, when they were permitted to return to the North. The rest of the Northern Cheyenne people left Darlington in July, 1883. The Northern Cheyennes are located in Montana.

In August, 1880, many of the Southern Cheyenne people at Darlington became greatly dissatisfied with the course of their agent and hostile demonstrations were threatened. Serious trouble was imminent, but happily the difficulty was settled without a physical clash. In his annual report to the adjutant-general of the army, General John Pope, the department commander, at Fort Leavenworth, gave a report of this affair.⁵⁵

A Threatened Outbreak—In the summer of 1885, there was evidence of great dissatisfaction among the Southern Cheyennes at the Darlington Agency, and for a long time it was believed that there was danger of a serious outbreak among them. There were probably several reasons for this spirit of unrest. Chief among these was the fact that they had been induced to lease most of their lands on their reservation to the cattlemen. The promise of the "grass money" was quite alluring, but when they found themselves cooped up on one corner of the reservation and the rest of it in the possession of the cattlemen, who held a ten-year lease on it, with the option of a renewal, they became very tired of their bargain. Fearing that an attempt might be made to disarm them, some of the young warriors began to ride to distant points on the reservation for the purpose of concealing their arms and ammunition. When an inkling of this reached Southwestern Kansas, which was filled with homesteaders that year, it soon developed into a rumor of an impending Indian war. The rumor spread with astonishing speed and grew as it spread. Sensational press correspondents then put the finishing touches to an Indian scare that was the center of a nation-wide interest in a few days.⁵⁶

The Cheyenne warriors remained silent and sullen. Their new agent, Colonel D. B. Dyer, seemed to have lost control over them. Thousands of defenseless and thoroughly frightened settlers in Southwestern Kansas implored the military authorities of the Federal Government for protection. Although the latter were skeptical of the real existence of such imminent danger, more than 3,500 soldiers were moved into the Indian Territory and to points along its northern border as fast as the railways could transport them. General Nelson A. Miles, the new department commander at Fort Leavenworth, was in immediate command of the troops thus placed in the field. Lieutenant-General P. H. Sheridan, commanding the army, was directed by President Cleveland to go to Darlington in person and investigate the cause

55. Report of the Secretary of War for 1880, Vol. I, pp. 89-90. For General Pope's report concerning the Southern Cheyennes at Darlington, see Appendix XXXV-11.

56. Annual Report Secretary of War for 1885, p. 156.

of the disturbance. General Sheridan arrived at Fort Reno July 15 and remained nearly ten days. Much time was spent in examining the chiefs and leading men of various bands of Indians in an endeavor to learn the cause of their discontent. In doing this, he refused the service of the agency interpreter, and even that of the post interpreter at Fort Reno (Ben Clark), whom he had commended for previous service, and employed instead two half-breeds (John Otterby and Mrs. Belle Belinti), in whom he said the Indians had more confidence. He first interviewed the disaffected element, which, under the leadership of Chief Stone Calf, had been opposed to leasing any lands to the cattlemen. Then he interviewed a number of leading Indians who had signed the leases, and after having finished his inquisition of the Indians, General Sheridan gave audience to two of the lessees, namely, Edward Fenton, of Leavenworth, and R. D. Hunter, of St. Louis. After listening to the presentation of their side of the matter, and briefly reviewing the same, he submitted his report to President Cleveland.⁵⁷

It has been stated upon credible authority, that General Sheridan declined to give a hearing to other cattlemen.⁵⁸ Moreover, it was charged that he had a brother who was employed at Fort Reno in some civilian capacity and whose influence was in active opposition to the interest of the ranchmen. That there was no lack of "leading questions" in the inquiries directed to the Indians would seem probable, even from General Sheridan's report. That there may have been undue influence exerted in securing the leases would seem probable yet such a severe indictment of the former agent and all of his employees, without giving them an opportunity to be heard in their own behalf, would seem to have been extra-judicial to say the least.

As a result of General Sheridan's report of the existing conditions, the cattlemen were ordered by proclamation of President Cleveland, issued July 23 to remove their herds from the Cheyenne and Arapahoe Reservation, within forty days. Against the enforcement of this order a most strenuous protest was made in the hope of obtaining some modification of the same, but without avail. Colonel Dyer was relieved as agent of the Cheyennes and Arapahoes, being succeeded by Captain Jesse M. Lee,⁵⁹ of the 9th United States Infantry. Captain Lee promptly inaugurated measures for the reformation of some of the agency policies with a view to the correction of some of the abuses. Before General Sheridan left Fort Reno, a census of the Cheyenne and Arapahoe tribes was taken for the purposes of ascertaining just how many Indians there were on the reservation. The results were astonishing. The Cheyennes were supposed to number 3,905 and the Arapahoes, 2,366, though these figures

57. The full text of General Sheridan's report to President Cleveland is found in the Annual Report of the Secretary of War for 1885, pp. 65-71. A portion of this report may be found in Appendix XXXV-12.

58. The late Major Calvin Hood, of Emporia, Kansas, who was president of the Cheyenne and Arapahoe Cattle Company, which was a heavy loser, as the result of the order to vacate the reservation, always maintained that his company was accorded no chance for a hearing by General Sheridan.

59. Jesse M. Lee, who entered the regular army from the volunteer service at the end of the Civil War, passed through all the grades and was commissioned major-general in September, 1906. He was placed upon the retired list in January, 1907. He died March 26, 1926, at his home at Greencastle, Indiana.

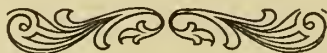
had been based upon the enrollment of 1874. Annuities and subsistence had been issued on these numbers as a basis of distribution. The Indian inspector, General Frank C. Armstrong, who made the new enrollment, found that there were but 2,169 Cheyennes and 1,300 Arapahoes. Such a state of affairs naturally tended to beget suspicion of fraud, trickery and collusion among Indian service employees, Indian supply contractors and possibly some of the leading Indians, too. If the Government appropriations had been sufficient for the subsistence of 6,271 Indians when there were but 3,469 fed, it was evident that some of them were receiving supplies far in excess of their needs or else the Government was paying for supplies that were not issued, indicating that there had been incompetency or dishonesty in the administration of affairs of the agency at Darlington. But whether it was due to wastefulness or corruption was never determined, since no further investigation seems to have been made.

Captain Lee addressed himself vigorously to the task in hand, and commanded the confidence and respect of the Indians, right from the start. The cattle were removed from the reservation rapidly as possible. Instead of trying to compel all the Indians to settle on small farms in the immediate vicinity of the agency, he encouraged them to settle in any part of the reservation, to build houses and to fence and plow fields. The establishment of the Indian colony, under the leadership of John Seger,⁶⁰ near the head of Cobb Creek, in the western part of Washita County, was one of the notable achievements of the brief administration of Captain Lee as Indian agent at Darlington. His report to the Commissioner of Indian Affairs, was in striking contrast with the stereotyped platitudes which usually characterized such reports at that period. He discussed some phases of the Indian service with a degree of frankness that was refreshing.⁶¹

It is a sad commentary on governmental conditions, to have to record the fact that the man who had the courage to submit such an opinion, was himself relieved from duty in the office of agent within less than a month after writing his report and that he was succeeded by a political appointee who had to be dismissed from office for misconduct, before the end of the administration.

60. A short sketch of the life and career of John H. Seger will be found in Appendix XXXV-13.

61. A brief sketch of Captain Lee's report to the Commissioner of Indian Affairs will be found in Appendix XXXV-14.



CHAPTER XXXVI

EVENTS IN THE INDIAN TERRITORY—1866-90

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From the establishment of the Federal Government down to 1849, when the Department of the Interior was instituted, the administration of Indian Affairs was conducted under the supervision of a bureau in the War Department. Many of the Indian agents and superintendents were men who had seen service in the army, either during the war of 1812, or in the regular military establishment. The creation of a new executive department designated as the Department of the Interior, which was organized at the beginning of the administration of Zachary Taylor, resulted in the transfer and reorganization of the office of the Commissioner of Indian Affairs and, thenceforth, partisan politics and the spoils system played a much larger part in the selection of Indian Service officials, especially the superintendents and agents. Thus, for instance, in 1853, when the national administration was changed from Whig to Democratic control, there was an almost complete change in the personnel of the Indian Service officials and employees, from commissioner and superintendents down to tribal agents and minor employees. Again in 1861, a complete change was made in the Service from top to bottom.

Politics and Politicians in the Indian Service—President Lincoln appointed as his commissioner of Indian Affairs, William P. Dole, who was a citizen of his own State—Illinois. In reorganizing the service at that particular time, it was necessary, of course, to make many changes because of the known disloyalty of some of the superintendents and tribal agents. Nevertheless, some very unwise changes were made upon very questionable pretexts, professedly in order to have men of known loyalty in such positions. An instance of this kind that might be cited was the discharge of Albert G. Boone,¹ agent for the

1. Albert Gallatin Boone was born at Greenup, Kentucky, April 7, 1803. His father, Jesse Boone, was a son of Daniel Boone, the noted pioneer of Kentucky and Missouri. Jesse Boone moved to Missouri when the subject of this sketch was a small child. His education was limited by the character and quality of the schools of the period. At the age of twenty-one he accompanied the expedition of General William Ashley to the Rocky Mountains, in 1824. After his return he became associated with his brother-in-law, Lilburn Boggs (afterward Governor of Missouri) in trading with the Indians in Southeastern Kansas and the Indian Territory. Later he engaged in business at St. Charles, Missouri, and still later he settled at Westport, where he became a member of the firm of Boone & Barnard, general outfitters for the overland trade, in which he became more or less intimately acquainted with Bent, St. Vrain, Bridger, Fitzpatrick, the Subletts and other noted figures in the Indian trade of the Plains and Rocky Mountains.

He went to the Colorado at the instance of Bent & St. Vrain, in 1858, and, a year later, was appointed to succeed the latter as agent for the Cheyennes, Arapahoes, Kiowas, Comanches and Plains Apaches. His removal from the position in 1861 by the new administration at Washington was always regarded as a regrettable blunder which excited the open displeasure of the Indians, whose confidence and respect he always commanded. Notwithstanding the slight thus placed upon him, he remained loyal to the Union (though a Southern man) and generously volunteered his services as a mediator and peacemaker during the troublous times of 1867-68, when the Indians of the Plains were on the war-path; he was restored to the Indian service as a special agent, in which capacity he had charge of the Comanches and Kiowas when they were compelled to settle on the reservation at Fort Sill, in 1869. Subsequently he served as a member of the Government Peace Commission in Dakota, at the end of the Sioux War of 1876. He died in Denver, Colorado, July 14, 1884.

Cheyenne, Arapaho, Comanche, Kiowa, and Prairie Apache Indian tribes, merely because he was from Missouri and, as he was from a slave State, he was presumed to be in sympathy with the secession movement. His successor, proceeding upon the theory that one should "make hay while the sun shines," installed a member of his own family as trader at the agency, and utterly failed to measure up to the opportunity and requisite efficiency as an agent of the Government, and consequently he was unable to gain any influence over the Indians of the tribes which were included in the agency of the Upper Arkansas.

Shortly before the death of President Lincoln, James Harlan, Senator from Iowa, was appointed to the office of Secretary of the Interior. He also continued to hold the office for more than a year in President Andrew Johnson's cabinet. After President Lincoln's death, Secretary Harlan proceeded to reorganize the Indian Service throughout. Dennis N. Cooley, of his own State, was installed as Commissioner of Indian Affairs. Elijah Sells, also of Iowa, was selected as a superintendent of Indian Affairs for the Southern Superintendency, which included the Five Civilized Tribes. These two men, it will be recalled, were the most active members of the peace council at Fort Smith, in September, 1865, and also in the negotiation of the new treaties with the same tribes at Washington, the following year. In insisting upon the most notable features of those treaties (such as the relinquishment of surplus lands for the settlement of tribes from Kansas, Nebraska, Colorado and elsewhere, the enfranchisement of tribal freedmen, consent for the establishment of a territorial government, and the granting of the right to build and operate railways), they were merely carrying out a policy which had been planned and outlined by their department chief. Whether or not he had an ulterior purpose in mind, may be open to question. However, when the administration of Andrew Johnson began to be unpopular and Secretary Harlan saw an opportunity to go back to the Senate from Iowa, he embraced it without hesitation, for, by that time, it was more than doubtful if anyone connected with the Johnson administration would be warranted in entertaining any aspirations of national political significance at the hands of the dominant party, in 1868. When he retired from the cabinet he was succeeded by Orville H. Browning, a former senator from Illinois. Apparently, Secretary Browning did not bestow as much personal attention on the Indian Affairs bureau as his predecessor had done. To be sure, there was another change in the office of the Commissioner of Indian Affairs, but, as the new commissioner, Nathaniel G. Taylor, was from East Tennessee, it is fair to presume that his appointment was a personal one on the part of President Johnson. Likewise, there was also a change in the office of the superintendent of Indian Affairs for the Southern Superintendency, the new incumbent, James Wortham, also being from Tennessee and, in due time, several minor officials, also from the same state, arrived in the Indian Territory to enter the Government service among the people of the Five Civilized Tribes.

After General Grant had been elected to the presidency, a committee representing the Society of Friends (Quakers) called upon him and urged upon his attention the expediency and propriety of selecting religious men



CHEYENNE GIRLS, 1872

for appointment as agents of the various tribes, arguing that such men would endeavor to secure sober, upright, truthful men as agency employees as far as practicable, and expressing the opinion that the effect of such a policy would be to lead to much more satisfactory results with the Indians. General Grant listened to the representations of the committee with evident interest and, when they had finished, he replied: "Gentlemen, your advice is good. I accept it. Now give me the names of some Friends for Indian agents and I will appoint them. If you can make Quakers out of the Indians, it will take the fight out of them. Let us have peace."² This was more than the members of the committee had expected. He wished them to suggest the name of a man for appointment as superintendent of the Central Superintendency and also to nominate suitable persons for appointment as agents of the several tribes still living in Kansas and also for the so-called wild tribes living in the western part of the Indian Territory. Another committee, representing the various "yearly meetings" of the Orthodox Friends of the United States, was appointed to make suitable selections and submit the nominations of such persons to the new President.

Although he had been an Indian fighter during part of his earlier career in the "Old Army," President Grant seems to have retained only the most kindly feeling toward the Indians and, as far as it was possible, he apparently wished to place them beyond reach and exploitation of corrupt politicians. Not only did he readily agree to adopt the suggestions of the committee of Quakers, or Friends, but in other instances he also sought to place them under the administrative care of officers who were detailed from the army for that purpose. Parenthetically, it may be stated that an Iroquois (Seneca) Indian, Colonel Ely S. Parker, had not only served on General Grant's staff throughout the Civil War, but he had also been chosen by the new President to fill the office of Commissioner of Indian Affairs. In January, 1868, the peace commission, which had negotiated the new treaties with the tribes of the Southern Plains, at Medicine Lodge, and with those of the Northern Plains at the mouth of the Big Cheyenne River and at Forts Sully, Thompson and Laramie, submitted a report to the President of the United States, wherein was embodied a recommendation that the Indian Bureau should be transferred from the Department of the Interior to the War Department.³ Commissioner Taylor, as the president of the peace commission, had signed this report, but, in his own personal official report to the Secretary of the Interior, for 1868, he took decided issue with his colleagues (most of whom were army officers) on the policy of such a change.⁴

General William T. Sherman gave a different version of the origin of President Grant's "Quaker" Indian policy. In his *Memoirs*, General Sherman made the following statement concerning the matter:

By act of Congress, approved March 3, 1869, the forty-five regiments of infantry (in the Regular Army) were reduced to twenty-five and provision was made for the "muster-out" of many of the surplus officers and for retaining others to be absorbed by the usual promotions

2. Lawrie Tatum's "Our Red Brothers," pp. 17-19.

3. Report of the Commissioner of Indian Affairs for 1868, pp. 26-50.

4. *Ibid.*, pp. 7-20.

and casualties. On the 7th of May, of that year, by authority of an act of Congress approved June 30, 1834, nine field officers, fifty-nine captains and subalterns were detached and ordered to report to the Commissioner of Indian Affairs to serve as Indian superintendents and agents. Thus, by an old law, surplus army officers were made to displace the usual civil appointees, undoubtedly a change for the better, but distasteful to the members of Congress, who looked upon these appointments as part of their proper patronage. The consequence was the law of July 15, 1870, which vacated the military commission of any officer who accepted or exercised the functions of a civil officer. I was then told that certain politicians called on President Grant, informing him that this law was chiefly designed to prevent his using army officers for Indian agents, "civil officers," which he believed to be both judicious and wise; army officers, as a rule, being better qualified to deal with Indians than the average political appointees. The President then quietly replied: "Gentlemen, you have defeated my plan of Indian management, but you shall not succeed in your purpose, for I will divide these appointments among the religious churches with which you dare not contend." The army officers were consequently relieved of their "civil offices," and the Indian agencies were apportioned to the several religious churches in about the proportion of their supposed strength—some to the Quakers, some to the Methodists, to the Catholics, Episcopalians, Presbyterians, etc., etc.—and thus it remains to the present time, these religious communities selecting the agents to be appointed by the Secretary of the Interior. The Quakers being first named, gave name to the policy and it is called the "Quaker" policy today.⁵

The Quaker Agents—Enoch Hoag, of Muscatine, Iowa, was selected by the Friends' Committee for the important position of superintendent of Indian Affairs for the Central Superintendency, with headquarters at Lawrence, Kansas. Nine agents were also nominated and were duly appointed and confirmed. Most of these were for tribes which were still in Kansas but which were subsequently removed to the Indian Territory. The three Quaker agents who were assigned to places in the Indian Territory at the beginning were, Brinton Darlington, Cheyenne and Arapahoe; Lawrie Tatum, Kiowa and Comanche; and Thomas Miller, Sac and Fox. The number of Quaker agents in the Indian Territory was increased to six in 1872 by the removal of the Osages from Kansas, Isaac T. Gibson, agent, by the division of the Fort Sill Agency by which the Wichitas, Caddoes and affiliated tribes were given a separate agency (the Wichita Agency) with Jonathan Richards as tribal agent, and by the appointment of Hiram W. Jones as agent of the Quapaw Agency. Jonathan Hadley succeeded Thomas Miller the same year.

The Fort Sill Agency was established by General W. B. Hazen, an army officer, who was temporarily assigned to duty in the Indian service. Agent Darlington (who was the senior in age of all the Quaker agents) founded the temporary agency of the Cheyennes and Arapahoes at Camp Supply. He removed it to a point near where the 98th Meridian intersects the North Canadian River, where his brief but faithful service as agent was ended by his death, May 5, 1872. The Cheyenne Agency was named Darlington in his honor. In more recent years it was the seat of the Masonic Home for aged Masons, their widows and orphans, for several years, but the agency is now located at Concho, on the railroad several miles to the north, and Darlington has been abandoned. The site chosen for the Osage Agency is now a part of the city of Pawhuska.

5. "Memoirs of General William T. Sherman," Vol. II, pp. 436-37. General Sherman was in error in attributing the selection of the first Quaker agents to the effect of the Act of July 15, 1870, as the first Quaker agents had entered upon the discharge of their duties nearly fifteen months prior to that date.

The Quaker agents had an important work to do in helping to tame the proud and haughty spirits of some of the wildest Indians with whom white men had ever come into contact. At least two books, filled with the observations, experiences and reminiscences of that period have helped to throw considerable light upon the incidents in the local history of the time. One of these, entitled "Our Red Brothers," was written by Lawrie Tatum, agent for the Comanches, Kiowas and Plains Apaches. It was published in 1899. The other, entitled "A Quaker among the Indians," was written by Thomas C. Battey, an employee of the Fort Sill Agency.⁶ It was first published in 1875. Both books are of thrilling interest.

Military Agents—Four officers of the regular army were assigned to duty as Indian agents among the Five Civilized Tribes, namely, Brevet Major John N. Craig, for the Cherokees, Captain G. T. Olmstead, for the Choctaws and Chickasaws, Captain F. A. Field, for the Creeks, and Captain T. A. Baldwin, for the Seminoles. The same officers were respectively in charge of these agencies in 1870, but the passage of the act of July 15, 1870, necessitated a change and civilian agents were appointed in their stead.

After 1869 the Southern Superintendency was discontinued, the tribal agents of the Five Civilized Tribes reporting directly to the commissioner of Indian Affairs at Washington.

Governments of the Five Civilized Tribes—The governments of each of the Five Civilized Tribes continued in full force and effect within their respective national domains, the boundaries of which had been defined under the terms of the treaties of 1866. The Cherokee, Chickasaw, and Choctaw nations were in reality small republics organized under their respective constitutions that had been adopted previous to the Civil War, and were similar in form to the constitutions of the surrounding states. The constitution and laws in each of these nations were codified and published in book form at regular intervals, in both the English and the native language. The annual session laws of the councils or legislative bodies were also printed in pamphlet form

6. Thomas Chester Battey was born of Quaker parents at Starksboro, Vermont, February 19, 1828. Most of his youth was spent in New York, though he attended an academy at Chester, Pennsylvania, for one year. During his early manhood he taught school in New York and Canada. In 1853, he migrated to Iowa, where he engaged in farming during the summer and teaching school during the winter. In the autumn of 1871, leaving his farm to the management of his wife and sons, he came to the Indian Territory and engaged in teaching in the agency school, near Anadarko, his pupils being mostly of the Caddo, Delaware and Wichita tribes. Near the close of the eight-month term, he became impressed with the belief that it was his duty to go out among the untamed Kiowas and attempt to conduct a school in the village of Kicking Bird's band, upon invitation of the latter. Agent Tatum favored the plan, which received the tardy approval of the commissioner of Indian Affairs. In December, 1872, equipped with a long tent, a wagon and team, he set forth to the Kiowa camps to open a school for children whose parents would not trust them at the agency school. The school moved as the Kiowas shifted their encampment from place to place. The Quaker teacher had many thrilling experiences during the ensuing eighteen months. As an educational experiment it was not a pronounced success, but the presence of the kind-hearted and peaceably disposed teacher had a most beneficial effect upon the restless and turbulent spirits of the Kiowa tribe, who were greatly influenced by his teaching and example. With his health badly broken, he left the service just as the general outbreak of 1874 began. His personal influence probably had much to do with the refusal of the major portion of the Kiowas to take part in that war. The daily journal which he kept while living with the Kiowas furnished the basis of his book, "A Quaker Among the Indians." He returned to the Fort Sill Agency as a clerk in 1876 and remained about two years. The closing years of his life were spent in Columbiana County, Ohio, where he died August 28, 1897.

in both languages, and were generally in keeping with the spirit of progress in the Indian Territory. With the coming of the railroads, politics in all the nations were indirectly affected by the industrial and commercial development which followed, especially with the cattle range industry, the opening of coal mines, and the timber and stone interests.

The Creek, or Muscogee Nation adopted its first written constitution in 1867. Its government machinery was much more simple than that of any of the nations mentioned above, following closely the old tribal form of organization. The law making power was vested in a National Council consisting of two houses, namely: the House of Kings, and the House of Warriors. Each of the forty-seven towns in the nation sent one representative to the upper house and from one to three members to the lower house in proportion to the population of the town. The constitution and laws were published in book form in both the Creek and English languages.

The executive power was vested in a principal chief and a second chief, both of whom were elected every four years by the qualified voters of the Nation. The judicial power was vested in a supreme court and six district courts. The supreme court was composed of five "competent, recognized citizens," each of whom were chosen by the National Council for a term of four years. The Creek Nation was divided into six districts, namely: Cowetah, Okmulgee, Muskogee, Eufaula, Deep Fork, and Wewoka. Each district had a judge, a prosecuting attorney, and a company of light-horsemen. The judge was chosen by the National Council every two years, who tried all cases both civil and criminal, where the amount involved did not exceed one hundred dollars. The prosecuting attorney was appointed by the principal chief with the consent of the National Council. The light horse company consisted of a captain and four privates, who were elected by popular vote in each district every two years, and were under the command of the district judge.

The government of the Seminole Nation remained more nearly like the old tribal organization than that of any of the other Indian nations. For judicial and legislative purposes the Seminoles were divided into fourteen bands, each electing a band chief and two lawmakers who represented it in the national council. There was only one legislative body. In addition to its power as lawmaker, it also sat in judgment upon all criminal cases. The Seminole laws were few but were rigorously enforced. They were written in manuscript form, but were never published for general use. The chief executive of the Seminoles was given the courtesy title of "Governor of the Seminole Nation," in the latter part of the 'eighties.⁷

7. In the Choctaw Nation, also, the principal chief was addressed with the courtesy title of "governor," from the custom established under the Skullyville constitution of 1857, even though this constitution was succeeded by a new one in 1860. In the Chickasaw Nation, the chief executive was styled "The Governor of the Chickasaw Nation," by provisions made in its constitution. In the Cherokee and Creek nations the executive was always addressed as "chief." An exception in the latter nation, occurred in the case of Pleasant Porter, who was sometimes addressed with the courtesy title of "governor." The capitals of the Cherokee and Chickasaw nations still remained at Tahlequah and Tishomingo, respectively. The Choctaw capital was changed from Chahta Tamaha (Armstrong Academy) to Tushkahoma, in 1884. Okmulgee became the capital of the Creek Nation in 1868. Wewoka was the capital of the Seminole Nation. For a list of the chiefs in these nations see Appendix XXXVI-1.

New Partisan Alignments Among the Cherokees—Since the removal of the main body of the Cherokees to the West, there had been always two, and a part of the time three, political parties in the Cherokee Nation, namely, the Ross, or Anti-Treaty Party; the Ridge, or Treaty Party, and the Western Cherokees, or Old Settler Party. The line of difference between the Ross and Ridge parties was almost identical with those of cleavage between the Union and Confederate Cherokees during the Civil War. At the time of the internal troubles in the Cherokee Nation, prior to the treaty of 1846, Chief Ross always maintained a dignified attitude, claiming that his party constituted the vast majority of the Cherokee people, and that the party which was opposing him and his policy was weak and irresponsible and not at all representative. During the course of the Civil War, the Cherokee Legislative Council, which was dominated by the Ross Party, had passed an act confiscating the property of those Cherokees which were allied with the Confederate States. When the war was ended, the Southern Cherokees made overtures for a reconciliation but were refused recognition. The Government commissioners almost despaired of being able to secure any treaty or agreement whereby a semblance of order and peace might be restored in the Cherokee Nation. On the other hand, the very harshness of the conditions stipulated by the Government commissioners, whereby it was virtually proposed to penalize the innocent with the guilty and the "loyal" with the "disloyal," had the effect of liberalizing some of the leaders of the full-blood element which had always supported Ross. These were the same men who were largely subject to the influences of the Baptist missionary, John B. Jones, who did not approve of the unforgiving attitude of the leaders of the Ross Party. The result was the formation of a new party, composed of the surviving members of the old Ridge, or Treaty, party and a part of a former full-blood supporters of the Ross Party. The two elements united in the support of a common ticket in a national election, held in 1867. One of the terms of the agreement between the two elements was that the nominee for the principal chief should always come from the full-blood contingent. The candidate thus chosen for the race for principal chief in 1867 was Lewis Downing,⁸ who was an ordained minister of the Baptist Church and who had been lieutenant-colonel of the 3d Indian Home Guard Regiment. He was triumphantly elected and the party thus organized was thenceforth known as the Downing Party. It was uniformly successful in the national elections of the Cherokees, except in one instance, a dozen years after its organization, when it was temporarily put out of power by a new-party movement.

8. Lewis Downing was born in the old Cherokee Nation in the East. He was classed as a full-blood Cherokee, though he was directly descended from a Major Downing, a British officer, who married a Cherokee woman prior to the American Revolution. He was numbered among the early converts of the Baptist missionary efforts of Evan Jones and his son, John B. Jones, and was himself an ordained minister in the Baptist Church. He had served as a member of the upper house of the Cherokee tribal council. In 1861, he was commissioned chaplain of the Cherokee regiment commanded by Colonel John Drew. When this regiment abandoned the Confederate cause and went over to the Union, almost in a body, in 1862, Lewis Downing went with it. He was subsequently commissioned lieutenant-colonel of the 3d Indian Home Guard (Phillips') Regiment. He was elected principal chief of the Cherokee Nation in 1867 and reelected in 1871. The fact that he had been the ranking Cherokee officer in the Union Home Guard gave him added political prominence. He died November 9, 1872.

Aside from the fact that the organization of the Downing Party resulted in ending the protracted ascendancy of the Ross Party, its effect was noticeable in a cessation of the violence which had so long characterized the bitter rivalry and personal hatred between some of the members of the opposing factions. Although the treaty of 1846 was supposed to have restored tranquillity to the Cherokee people, yet, as a matter of fact, political assassinations and murders were scarcely less frequent from that time on until 1861 than they had been before. Although it seemed doubtful, even to the Government Peace Commissioners, if it would be possible for the people of the different factions so long at bitter enmity ever to dwell in peace again, it is evident that the formation of the Downing Party actually did much to lay the feud which was then a generation old. To be sure, like the Highland clansmen of Scotland, it takes the Cherokees several generations to forget, as it were. Indeed, the old spirit of bitterness still hardens the heart of many a Cherokee in both factions, now removed three generations from the beginning of the feud, all of the original parties to which have long since been dead. But, for all that, though there have been many scenes of violence in the Cherokee Nation since the inception of the Downing Party, they have in the great majority of instances been due to some cause other than the old Treaty and Anti-Treaty feud.

The work of Evan Jones and his son, John B. Jones, the Baptist missionary leaders, was principally among the full-blooded Cherokees, while the missionary efforts of the Congregational, Presbyterian and Methodist bodies were largely confined to the Cherokees of mixed Indian and white descent. For this reason, the Baptist Church became indeed the state church of the full-blood Cherokee people, though comparatively few of them followed the Joneses and Downing into the new party in 1867. When the main bodies of the Delaware and Shawnee tribes moved to the Cherokee Nation and became incorporated with its citizenship, most of them were affiliated with either one or the other of two church denominations, namely, Baptists and Methodists. Although they were utter strangers to Cherokee politics and differences of opinion relating thereto, the new-comers immediately aligned themselves politically, the cleavage in each tribe coinciding with the lines of denominational difference. Thus, the Baptist Delawares and Shawnees allied themselves with the full-blood Cherokee element in the National Party, while the Methodist Delawares and Shawnees became equally ardent supporters of the Downing Party. In 1879, when dissatisfied elements in both parties withdrew and fused in the formation of the Union Party, nearly 2,000 full-blood Cherokees withdrew from the Baptist Church and united with the Methodist Church. Two years later, having swung back to their old political moorings in the National Party, they returned in a body to the Baptist faith and fold.

Trouble Among the Creeks—A considerable element in the Creek Nation, composed of those members of the tribe who had remained firm in their adherence to the Federal Government at the outbreak of the Civil War, and who had followed Opothleyahola into exile into Kansas, were never satisfied with the reconstruction measures which had been adopted by the Government, chiefly because they were not yet ready to forgive the people of their

own tribe with whom they had been at enmity during the war. Moreover, the Creeks had adopted a tribal constitution in 1867. This reduced the number of tribal officers.⁹

Oktahars Harjo, who claimed to have been the legitimate successor of Opothleyahola, was an unsuccessful candidate for principal chief of the nation. Disappointed in his aspirations, he organized his followers for the purpose of restoring the old order of tribal institutions by force. All of the malcontents in the tribe joined the party of Oktahars Harjo, or Sands, as he was called by the white people.

The Government agent for the Creeks, F. S. Lyon, found two hostile parties encamped near the Creek Council Grounds, at Okmulgee. Sands had about three hundred armed followers, while the force which had been gathered in defense of the tribal government consisted of about seven hundred armed men. When Agent Lyon found the seriousness of the situation, for each side was determined to stand for what it believed to be right at all hazard, he first arranged a truce between the two parties and then maneuvered to secure a council between representative men from both sides. The result was that he succeeded in getting both sides to agree upon a settlement of the dispute, as he hoped, for all time. In this he was disappointed, as the trouble soon broke out afresh. The tribal authorities were then compelled to overawe the malcontents with a superior force and the Government was obliged to send a commission to the Creek Nation for the purpose of adjusting the matter.¹⁰

Factional War in the Creek Nation—The old trouble between the two Creek factions broke out anew in the autumn of 1882. Samuel Checote, who belonged to the Lower Creek, or McIntosh party, was principal chief at the time. Speichee, or Isparhechar, was the leader of the other faction. A company of Creek Lighthorse (militia), while scouting west of Okmulgee a few miles on December 24, found and attacked the camp of Speichee and his followers. The lighthorse company lost seven men. A force of 600 men was then organized by the Creek national authorities and placed under the command of Pleasant Porter. When this force took the field to begin an offensive campaign, the Speichee camp was found to have been deserted. Speichee and his band had retreated toward the West, passing across the Sac and Fox Reservation and the Kickapoo country to the unassigned lands and thence to the Indian agency on the Washita at Anadarko.

The followers of Speichee had abandoned their farms, taking their families

9. Before the adoption of the tribal constitution in 1867, the Creek Nation was divided as of old into the Upper Creeks and the Lower Creeks, each of which had its own chiefs and its own council. There were "civil chiefs" and "war chiefs" and numerous other honorary positions, all of which had been abandoned or abolished under the constitution. When (as has sometimes been the case in more enlightened communities) there were not honors enough to go around, it was regarded by some of the more conservative and untutored Muskogees as a just cause for grievance.

10. Reports of the Commissioner of Indian Affairs for 1871 (pp. 573-75) and 1872 (pp. 35-36 and 329); also, J. H. Beadle's "Undeveloped West, or Five Years in the Territories," p. 390. Beadle's discussion of conditions in the Indian Territory, as he found and observed the same, is reprinted in Appendix XXXVI-2. (It opens with a report of a conversation with Jeff Parks, a mixed-blood Cherokee, who had migrated from Tennessee several years before and settled near Vinita.)

with them. As they were poorly equipped for a winter campaign, there was considerable suffering among them. When spring came they did not return and it was finally necessary for the Government to remove them, which was done by a military escort under the command of Captain John C. Bates.¹¹ A Government commission was appointed to visit the Indian Territory and seek to adjust the differences between the Creek leaders and factions. Of these, but two members came, namely, General Clinton B. Fisk, of New Jersey, and General Eliphalet Whittlesey, of Washington, D. C.

The Government commissioners met the representatives of the contending factions in council at Muskogee, August 6, 1883. There were fifteen delegates or representatives from each of the two parties. Each side submitted a written statement of its position, after which all delegates had an opportunity to freely express their personal views. A sub-committee from each delegation was then appointed to try to compose the differences. In reporting the result of this conference, or council, the Commissioner of Indian Affairs made the following statement as to the temper of those in attendance.¹²

A full and free discussion of all matters of disagreement between them was solicited, and was participated in by the various chiefs and other specially invited. The discussion was ably and intelligently conducted by both sides, and was characterized by a spirit of kindness and conciliation which was highly commendable, and reflected great credit upon the various participants. Both sides appeared to be anxious to reach an amicable solution of existing difficulties, with a view to having the supremacy of civil law restored and firmly established throughout their nation; and this sentiment was promptly seconded by the commissioners.

The followers of Speichee¹³ belonged to the party which had adhered to the Federal Government during the Civil War and they professed to feel aggrieved that they had been called upon to sacrifice and surrender a large part of the original Creek country because of the fact that a part of the Creek people had espoused the cause of the Confederacy. By way of compensation for this and other grievances, they demanded that the Creek Nation should be divided into two separate tribes and that the reservation should be divided into equal parts by a line running east and west. This proposition was rejected and, after some days in negotiation, an agreement of peace was duly signed by the members of both delegations.

Principal Chief Checote manifested a most pacific disposition, resigning his position and calling a special election to be held in September to fill the vacancy thus created. Three tickets were placed in the field, the candidates being, respectively, Checote,¹⁴ J. M. Perryman, and Speichee. Speichee had a

11. Captain Bates reached the grade of lieutenant-general and chief of the general staff of the United States Army before his retirement from the active service.

12. Annual Report of the Commissioner of Indian Affairs for 1883, xlix-li.

13. Isparhechar was a full-blood Muskogee. He was born in the old Creek country, in Alabama, about the year 1828. In 1836, his parents migrated to the Indian Territory, where both of them died soon afterward. He received but scant education. At the outbreak of the Civil War he enlisted in a Creek regiment which entered the Confederate service, but later he joined the Union Army as a volunteer, and was mustered out of the service in 1865. He became a leader of what was still called the Loyal Creek party and was several times placed in nomination for the office of principal chief of the Creek Nation. He was elected to that position in 1895 and served four years. He also represented the Creek people as a delegate at Washington. His death occurred in December, 1902.

14. A statement concerning Principal Chief Samuel Checote, and also a sketch of his life and career, will be found in Appendix XXXVI-3.

plurality in the election and he assumed the position and authority of principal chief, but Perryman contested his right to the position, carrying his contention to the Department of the Interior, which decided in his favor, virtually deposing Speichee.

Proposed Territorial Organization—A bill had been introduced in the United States Senate before the end of the Civil War for the purpose of providing for the organization of a territorial form of government for the Indian Territory. When the Fort Smith Peace Council convened, in September, 1865, the sixth stipulation of the schedule submitted by the Government Peace Commissioners was stated in the following words:

It is the policy of the Government, unless other arrangements be made, that all the nations and tribes in the Indian Territory be formed into one consolidated government, after the plan proposed by the Senate of the United States, in a bill organizing the Indian Territory.

Again, when negotiations were resumed in Washington, six months later, a more definite and detailed proposition for the organic federation of all the tribes and nations in the territory was included in the tentative drafts of the treaties which were submitted to the several tribal delegations. While this proposed organization of the several tribes under an inter-tribal territorial form of government did not meet with the approbation of many, if any, of the delegates from the various tribes and nations, it was one of the conditions which were insisted upon as essential by the Government commissioners, and it was included in all of the treaties, though in more specific detail in one, namely that of the Choctaws and Chickasaws.

Bills for the organization of the Indian Territory were introduced during the Thirty-ninth and Fortieth Congresses but did not reach the stage of a committee report in either instance. In the Forty-first Congress, a bill for the organization of the Indian Territory was introduced by Representative Robert T. Van Horn, of Kansas City, in the House of Representatives. In this bill it was proposed to call the new territory "Oklahoma." The Van Horn bill was referred to the Committee on Indian Affairs, of which Sidney Clarke, of Kansas, was chairman. In due course of time, the measure was favorably reported to the House of Representatives. Representative Shelby M. Cullom (afterward Senator from Illinois), who was chairman of the Committee on Territories, raised a question as to the jurisdiction of the Committee on Indian Affairs in the premises. After an extended debate, the matter was referred to a joint committee composed of the members of both committees. No further action was taken in regard to the matter, however, during the remaining sessions of the Fifty-first Congress.¹⁵

Although the "Oklahoma" bill did not come up for consideration and action in Congress, the fact that it had been reported to the House of Representatives by the Committee on Indian Affairs created a feeling of consternation in the Indian Territory. True, it had failed of consideration for the time being, but it was practically certain to be reintroduced during the next Congress and it might easily meet with a more favorable reception the next

15. Personal Information secured from Sidney Clarke, who was a member of the House Committee on Indian Affairs throughout his Congressional career, 1865-71.

time. Plainly, it was a time for conference among the leaders of the Five Civilized Tribes, in order that ways and means for the defeat of further attempts in the same line might be devised. The result was the calling of a conference or council to convene at Okmulgee in the latter part of September, 1870. The first meeting of this Inter-Tribal Council was held September 27. Delegates were present from the following tribes: Cherokee, Muskogeas or Creeks, Ottawas, Eastern Shawnees, Quapaws, Senecas, Wyandottes, Sacs and Foxes, Confederated Peorias, and Absentee Shawnees. Superintendent Enoch Hoag, of the Central Superintendency, acted as president of the council.¹⁶ Rules for the government of the council and its order of business were adopted and standing committees were appointed to report on the following subjects: Relations with the United States, International Relations, Judiciary, Finances, Education and Agriculture, and on Enrolled Bills.¹⁷ By resolution it was determined that when the council adjourned it would be to meet again on the first Monday in December. A resolution was also adopted, extending an invitation to the Comanches, Kiowas, Arapahoes, Cheyennes, Caddoes, Wichitas and other tribes living in the western part of the territory to send representatives to the next meeting of the council.

The Inter-Tribal Council reconvened at Okmulgee, on Monday, December 5, as provided by resolution. In addition to the tribes which were represented by delegates in the previous session, the Choctaws, Chickasaws, Seminoles and Great and Little Osages also had delegations present. Additional rules for the government of the council were adopted and the standing committees were enlarged. Three members of the Board of Indian Commissioners, namely, Robert Campbell, John V. Farwell and John D. Lang, were present and, upon invitation, each addressed the council. Some days were spent in preliminary consultation and committee work. On December 10 Campbell LeFlore, of the Choctaw Nation, from the Committee on Permanent Organization, submitted the following report:

The special committee to whom was assigned the duty of making a report upon a resolution of the General Council regarding the permanent organization, respectfully state that they have given the subject such consideration as was in their power. They regard the organization of the Indian Territory under any form of government as of the gravest importance to all the people who inhabit it. The large and invaluable interest in lands and money which belong to the nations and tribes therein; the provisions of their several treaties with the United States; their distinct forms of government and franchises arising under them; their different languages and diversified conditions, present, severally and combined, interests not to be too lightly estimated, nor to be too hastily disposed of, in arranging the terms of any organization that may be designed to blend in one harmonious system the whole of them, at the same time that it preserves a just and impartial regard for their respective rights. The opposition of all Indians to any form of territorial government that has been proposed by the Congress of the United States is too notorious to require any comment; it is firmly and ineradicably imbedded in their very nature. They cling to their homes, to their laws, to their customs, to their national and territorial and personal independence, with a tenacity of life

16. As there was no longer a superintendent for the old Southern Superintendency, the calling of Superintendent Hoag to preside over the deliberations, in apparent conformity with the inter-tribal council clause of the treaties of 1866, was a very shrewd move to forestall further action on the part of Congress for the purpose of giving vital force and effect to such treaty provisions.

17. A report of the proceedings of the sessions of the Inter-Tribal Council held at Okmulgee, in September and December, 1870, was printed in the Report of the Board of Indian Commissioners for 1870, pp. 114-36.

itself. In their sentiments your committee fully concur. And while the leading powers invested in this general council pervade all the treaties negotiated in 1866 by the United States with the different nations here represented, each one of them grants some important concessions, or retains some important right not found in the others.

In some respects they merely shadow dimly the duties of this council, instead of clearly defining its powers and authority. The responsibilities of inexperienced legislation, instead of being simplified by them, is made more difficult and complex. As the best means of removing these obstacles, of observing a fair deference to the sentiment of our people and, at the same time, preserving our race and perpetuating unimpaired the rights of all—the weak, the strong, the less advanced, and those who have made further progress toward civilization—your committee are of the opinion that the organization of the people here represented, and such as may hereafter unite with them, should be a government of their own choice. It should be republican in forms, with its power clearly defined, and full guarantees given for all the powers, rights and privileges respectively now reserved to them by their treaties. They, therefore, respectfully recommend that the Council proceed to form a constitution for the Indian Territory, which shall conform to existing treaty stipulations, provide for executive, legislative and judicial departments, and vested with such powers only as have been conceded to this General Council, and not inconsistent with all rights reserved to each nation and tribe who were parties to the treaties of 1866, and also with the final provision that such constitution shall be obligatory and binding only upon such nations and tribes as hereafter may duly approve and adopt the same.

After several days of deliberation, during which the council received a visit from Colonel Ely S. Parker, Commissioner of Indian Affairs, a committee of twelve members was appointed by the president of the council (Superintendent Hoag) to draft a constitution. The members of this committee were William P. Ross,¹⁸ Cherokee, chairman; Campbell LeFlore, Choctaw; Colbert Carter, Chickasaw; John F. Brown, Seminole; Francis King, Ottawa; J. F. Folsom, Choctaw; G. W. Johnson, Cherokee; C. P. H. Percy, Chickasaw; Oktahars Harjo, Creek or Muskogee; G. W. Stidham, Creek or Muskogee; Riley Keys, Cherokee; Augustus Captain, Osage. This committee promptly began its work and in due time submitted its report in the form of a brief constitution which was to be submitted to the people of each of the tribes for approval.

The proposed constitution of the Indian Territory was a model of brevity and conciseness, consisting of a preamble and forty-six sections which were grouped into six articles. There was also a declaration of rights containing thirteen sections. The government of the territory was to be divided into three branches, namely, legislative, executive and judicial. The legislative branch, which was to be styled the general assembly, was to consist of a senate and a house of representatives, members of both branches to be ap-

18. William Potter Ross was born at the foot of Lookout Mountain, in Tennessee, August 28, 1820. His father was a native of Scotland and his mother was of mixed Cherokee and white descent. His early education was obtained in the Presbyterian Mission School at Will's Valley, Alabama, and at the Greenville (Tennessee) Academy. He prepared for college at the Hamli School, Lawrenceville, New Jersey. He then entered Princeton College, whence he graduated with honor in 1842. In 1843 he was elected clerk of the Cherokee Senate. In 1844, he became the first editor of the Cherokee Advocate. He subsequently served in other public positions. He was a man of remarkably versatile attainments, eminent as a lawyer, interested in agriculture and horticulture and in the cause of education, a talented writer and an orator of power. He was chosen to succeed John Ross as principal chief of the Cherokee Nation, after the death of the latter, in 1866, serving for a year. In 1872, he was again chosen to fill a vacancy in the same office, occasioned by the death of Principal Chief Lewis Downing. He represented the Cherokee people as a delegate to Washington upon several occasions. He died at his home in Fort Gibson, July 20, 1891.

portioned among the several tribes according to the population. The executive power was to be vested in the governor of the territory, whose duties were similar to those of other territories and states. He was to be clothed with power to appoint the secretary-treasurer, court judges, attorney-general and district attorneys. The judicial department was to consist of a supreme court, district courts and such inferior courts as might be provided by law. There were to be three supreme court judges, each of whom was to serve as judge of a district court also. The constitution was subject to amendment, for which due provision was made. The declaration of rights was very similar to that contained in most of the state constitutions.

The Okmulgee Constitution, as this instrument was popularly called, was submitted to and passed upon first by the Chickasaw people.¹⁹ A special session of their tribal legislature having been called shortly after the adjournment of the General Council at Okmulgee, the question of accepting or rejecting the constitution was submitted to a vote and was almost unanimously rejected, professedly because it did not provide for equal representation on the part of all of the tribes. Possibly the Chickasaws may have been influenced by the recollection of always being politically in the minority while they were embodied in the citizenship of the Choctaw Nation prior to 1856. At any rate, this reverse put a damper on the popular interest in the Okmulgee Constitution, though it continued to be a theme of discussion in the Indian Territory for several years.

The Inter-Tribal Council continued to meet annually at Okmulgee for several years. Most of the delegates in the council of 1870 were men who were prominent in their day. Two of the last surviving delegates in the Council which formulated the Okmulgee Constitution, were the late Captain George W. Grayson,^{19a} of Eufaula, who was its permanent secretary, and who was principal chief of the Creek Nation at the time of his death, and the late John F. Brown,²⁰ of Sapulpa, who was principal chief of the Seminole Nation for many years and who died while an incumbent of that office. The council manifested great interest in the Indians of the wild tribes then living in the western part of the Territory, to whom fraternal greetings were several times extended, being personally conveyed by delegated representatives. The sentiment of the people of the Indian Territory with regard to the issues then before them was fairly reflected by the following resolution which was adopted by the first meeting of the council, in 1870.

Resolved by the General Council of the Indian Territory, that the committee on relations with the United States be instructed to report a memorial to the President of the same, setting forth our relations with the General Government, as defined by treaty stipulations, and protesting against any legislation by Congress impairing the obligations of any treaty provision, and especially against the creation of any government over the Indian Territory other than that of the General Council; also against the sale or grant of any lands, directing or contingent upon the extinguishment of the Indian title, to any railroad company or corporation now chartered for the purpose of constructing a railroad from a point north to any point south,

19. Report of the Commissioner of Indian Affairs for 1871, p. 571. The Okmulgee Constitution was reprinted in *Chronicles of Oklahoma*, Vol. III, No. 2, pp. 218-28.

19a. A sketch of the life and career of George W. Grayson appears in Appendix XXXVI-4.

20. A biographical sketch of John F. Brown may be found in Appendix XXXVI-5.



GROUP OF KIOWA WARRIORS, 1871

or from any point east to any point west, through the Indian Territory, or the construction of any railroads other than those authorized by existing treaties.

About a month before the close of the Forty-second Congress the House Committee on Territories reported favorably a bill to provide for the organization of the Indian Territory as the Territory of Oklahoma. Railroad land-grant influences were undoubtedly behind this measure, as they had been the real agitators for previous efforts to the same end. Against this bill, delegations representing the Cherokee and Creek nations filed a vigorous protest.²¹ As long as there was a shadow of possibility of securing railroad land grants through the Indian Territory, just so long did the Indians have to maintain constant vigilance to prevent the depletion of their tribal domains through the medium of this species of legislative favoritism. The Osages were tricked into selling their Kansas lands to a railroad corporation for a song; a bill was slipped through Congress legalizing the deal, and would have become effective, had it not been for the intervention of President Grant.

Churches and Schools—The Methodist, Presbyterian, and Baptist denominations had promptly resumed their work in the Indian Territory after the Civil War, even though they had scarcely recovered from the demoralization which was the logical outcome of that struggle in both spiritual and secular affairs. The Catholic missions among the Osage, Pottawatomie, and Quapaw tribes, the first to be planted by that denomination in the Indian Territory, were a continuation of the work started among the people of those tribes a decade or two before the War. Mission schools and academies, in addition to tribal district schools, academies, and seminaries were maintained among each of the Five Civilized Tribes. Government schools were also carried on at the agencies of each of the other tribes.

The male and female seminaries of the Cherokee Nation, which had been closed for lack of funds several years before the outbreak of the Civil War, were not reopened until 1875. They were operated regularly thereafter until the spring of 1887, when the building of the Cherokee Female Seminary, located at Park Hill, was burned. A year later, the corner-stone of a new edifice was laid at Tahlequah, the building being completed and dedicated in May, 1889. The two Cherokee seminaries were of higher grade than that of any other tribal schools in the Territory and, being wholly under the administrative control of the Cherokee authorities, instead of largely if not altogether under that of some one of the various mission boards, they contributed greatly to the spirit of independence and enterprise which made the Cherokee Nation a leader among the Indian nations.

The first educational convention in the Indian Territory was held in Muskogee, on September 29, 1884, during which many important matters relating to educational interests in the Territory were discussed. A constitution and by-laws were adopted and a regular association organized, the following officers being elected: President, Rev. W. A. Duncan; vice-presidents, Rev.

²¹ A copy of the protest of the Cherokee and Creek delegates may be found in Appendix XXXVI-6.

Theodore F. Brewer for the Creek Nation, Rev. Allen Wright for the Choctaw Nation, Hon. B. C. Burney for the Chickasaw Nation, Gov. John F. Brown for the Seminole Nation, and Miss Ada Archer for the Cherokee Nation; treasurer, Robert L. Owen; secretary, Miss Alice Robertson; executive council, S. S. Stephens for the Cherokee Nation, David M. Hodge for the Creek Nation, Rev. John Edwards for the Choctaw Nation, B. W. Carter for the Chickasaw Nation, and Rev. J. R. Ramsey for the Seminole Nation.

The convention passed a resolution requesting the councils of each of the Five Civilized Tribes to aid in procuring the establishment of an industrial and mechanical school in the Indian Territory, like that established at Carlisle, Pennsylvania. A similar resolution was addressed to the Congress of the United States. It was especially urged that the military post at Fort Gibson be abandoned and the Government buildings be used for the proposed school.²²

The Press—The press of the Indian Territory began a new period of development with the construction of the first railway lines within its boundaries. The "Cherokee Advocate," which had been reestablished in 1870, was burned in 1876 and, when equipped with a new plant a few months later, again started with a new volume and number. As before, it was printed partly in English and partly in Cherokee, and was the official organ of the Cherokee Nation. The "Indian Journal" was established at Muskogee in 1876. A number of years later it was moved to Eufaula, where it is still published and, since the discontinuance of the "Cherokee Advocate" with the advent of statehood, has been the oldest journal in Oklahoma. Other periodicals established during the 'seventies and 'eighties were: The "Indian Chieftain," at Vinita; the "Indian Champion," at Atoka; the "Telephone," at Tahlequah; the "Indian Arrow," at Fort Gibson; "Our Brother in Red" (Methodist), at Muskogee; the "Indian Missionary" (Baptist), at Atoka; the "Enterprise," at Pauls Valley; the "Indian Citizen," at Atoka; the "Register," at Purcell, and the "Courier," at Ardmore.

The newspapers published in the Indian Territory during this period carried columns of advertising from ranchmen who thus made known their respective brands. The news items contained in the local columns reflected faithfully the life of the period. Editorially, they were outspoken and frank without exception, often bitterly biased, in the denunciation of persons and of policies that did not meet with their approval in the conduct of national and tribal affairs. The lack of spirit of fraternity between the editors of the papers published at that time in the Territory was also strikingly apparent. Sarcasm was cultivated, seemingly, as a fine art, while in some instances, at least, a propensity for resorting to the use of epithet was freely indulged. Argumentative correspondents were numerous, usually contributing their communications over a *nom-de-plume*. In most cases, instead of "Veritas," "Pro Bono Publico," and "Vox Populi," the pen names adopted were such as "Red Bird," "Raven," "Black Fox," "Woodpecker," "Sapsucker," "Sleeping Rabbit," etc.

22. "Our Brother in Red," for October, 1884.

In the western part of the Indian Territory, at different times between 1870 and 1890, there were newspapers published at no less than three places, namely: Darlington, Beaver, and Mangum. The "Cheyenne Transporter" was originally established as a school paper, but in time it became independent of the agency school and was published for a number of years as a general newspaper and organ of the range cattle interests. The newspapers at Beaver and Mangum were the organs of two of the unique "sooner" settlements of Oklahoma, No-Man's-Land and the Greer County section, respectively. The "Oklahoma War Chief" was also published at Rock Falls, in the Cherokee Outlet, for a few weeks in the summer of 1884, but, of course, lacked a permanent circulation within the limits of the territory as well as a permanent place of publication.²³

The Indian International Fair—Few, if any, of the institutions of the Indian Territory reflected greater credit upon its people than the Indian International Fair, which was held annually at Muskogee for about twelve years, beginning with 1873. Its exhibits included agricultural products and live stock—horses, cattle, sheep, and hogs—equal to those grown in any of the neighboring states. There were also exhibits of fine needle work and of products of the loom and the machine shop. In addition to such representative and praiseworthy displays of the arts and crafts of the Five Civilized Tribes, there were programs of sports and speeches and music, thus making the Indian Fair of great educational and recreational value to the people of the Indian Territory.²⁴

The First Coal Mining—The first coal mining in the Indian Territory was in the Choctaw Nation, where the largest coal beds were located. Before the Civil War the Choctaws had used coal in some of their blacksmith shops, gathering it in small quantities where there were outcroppings. A geologist who had passed through this country with a Government exploring party, some years before the War, left records to the effect that the best coal was to be found at the "Cross Roads," the point where the California Trail crossed the Texas Road. A few years after the War these records fell into the hands of James J. McAlester, who, as an intermarried citizen of the Chickasaw Nation proceeded with some of his Chickasaw friends to develop the first mines at the "Cross Roads." This place afterward grew into a thriving town on the Missouri, Kansas & Texas Railway, and was named McAlester. At that time, according to the laws of the Choctaw Nation, any Choctaw or Chickasaw who discovered a mineral or any other valuable product, had the right to lay claim to the particular locality where the discovery was made; he

23. As the result of extensive research in the files of the Oklahoma Historical Society, Miss Grace E. Ray, of the faculty of the School of Journalism in the University of Oklahoma, compiled a historical sketch of the newspapers of the Indian Territory prior to the opening of the Oklahoma lands. This sketch has been published by the University of Oklahoma.

24. For a description of the Indian Territory in 1870, see Second Annual Report of the Board of Indian Commissioners for 1870, a portion of which was reprinted in the *Chronicles of Oklahoma* under the title of "Appendix—37," in Vol. V, No. 1, pp. 79-94. An extract of a speech made by William Penn Adair at the International Fair in October, 1878, is to be found in Appendix XXXVI-7.

could develop and sell the product but he could not sell the land. After Mr. McAlester and his friends had their claims duly recognized by the Choctaw Council and approved by the Secretary of the Interior, they formed the Oklahoma Mining Company. Within a few years, these claims were sold to the Osage Coal & Mining Company, and the shipping of coal over the Missouri, Kansas & Texas Railroad increased rapidly, and was soon of more importance than all the Texas cattle shipped over the same line.²⁵

The First Steps in the Oil Industry—The outcroppings of fine green oil on numerous water springs and streams in the Indian Territory attracted considerable attention many years before the Civil War. Among the well-known springs in early days, was one at New Spring Place, north of Tahlequah, in Going Snake District, Cherokee Nation; and another called Boyd Springs, northeast of the present site of Ardmore, in the Chickasaw Nation. A third, known as the Maytubby Springs about six miles northwest of the present town of Caddo, in Bryan County, became popular as a resort during the latter part of the 'eighties. Years before the Civil War, the medicinal value of these oil springs, especially Boyd Springs, was considered of such importance that people from both Arkansas and Texas, besides the Indians, visited them every season. It was thought that this surface oil was a remedy for all chronic diseases, the statement appearing in 1853 to the effect that "Rheumatism stands no chance at all, and the worst cases of dropsy yield to its effects. The fact is that it cures anything that has been tried."

These natural outcroppings of petroleum throughout the country, together with the continued development of oil in Pennsylvania, aroused interest to such an extent among the Chickasaws and Choctaws that it resulted in the organization of the first oil company within the present boundaries of Oklahoma, in 1872. This company was known as the Chickasaw Oil Company, incorporated under the laws of the State of Missouri. A contract was entered into between a number of Chickasaw and Choctaw citizens and Robert M. Darden, of Missouri, as president of the Chickasaw Oil Company. Each individual citizen represented a lease of a certain number of acres of their national domain. Each was to receive half of the oil produced at the well, in barrels, the company to pay all expenses of boring and barreling. Stock certificates were printed and issued during the spring and summer of 1872. As it happened, this was the year that the first railroad was built through the Indian Territory. There followed a great demand for coal and the opening of coal mines along the Missouri, Kansas & Texas Railroad. For this reason, commercial interests centered on the coal industry, and the Chickasaw Oil Company undertook no real development.

Interest in the development of oil in the Indian Territory again extended into this country, as the result of prospecting for oil and gas in Kansas in 1882. In that year, Dr. H. W. Faucett, of New York, who had been identified with the oil industry since its beginning in Pennsylvania, came into the Cher-

²⁵. For a story of pioneer coal mining in the Indian Territory by Colonel James J. McAlester, see Appendix XXXVI-8.

okee and Choctaw nations and attempted to stimulate development. He succeeded in securing franchises from the national councils of both nations. The concessions granted were assigned to Doctor Faucett, and covered the exclusive right to produce, transport by pipe line, and refine petroleum throughout the Cherokee Nation east of the 96th Meridian, and in the Choctaw Nation from the Arkansas and Canadian rivers to the Red River, making a total of nearly 20,000 square miles, or about 13,000,000 acres.

In 1888 Doctor Faucett sunk the first oil well in the Indian Territory, twelve miles west of Atoka, on Boggy River. He also had a rig erected at Alum Bluff, on the Illinois River, in the Going Snake District, Cherokee Nation. Because of some difficulty in renewing the franchise with the Cherokee Nation, no drilling was done at the last-mentioned place, however. The Boggy well was drilled to a depth of several hundred feet and traces of oil were found. Doctor Faucett was taken sick and died, and his company's franchise from the Choctaw Council expiring soon afterward, the well was never completed. A log of this well was preserved and to it oil prospectors had recourse many years afterward.²⁶

26. For a historical sketch concerning the early attempts to develop the oil industry in the Indian Territory, see "First Oklahoma Oil was Produced in 1859," by Muriel H. Wright, appearing in the *Chronicles of Oklahoma* for December, 1926, Vol. IV, No. 4, pp. 322-28.



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