

FEDERAL REFUGEES FROM INDIAN TERRITORY, 1861-1867

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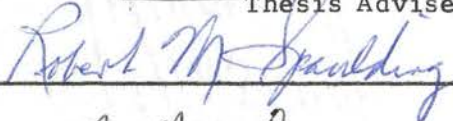
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PREFACE

This study is concerned with the influence of the Civil War on the Indian tribes residing in Indian Territory who chose to remain loyal to the United States government during the conflict. Emphasis is placed on the Cherokee, Creek, Chickasaw, and Seminole Indians, but all tribes and portions of Indian Territory tribes loyal to the United States during the Civil War are included in the study.

Confederate military control of Indian Territory early in the Civil War forced the Indians loyal to the United States to flee north from Indian Territory. Before the war had ended, approximately 10,500 Federal refugee Indians had scattered across Arkansas, Missouri, Kansas, Colorado, and Mexico. The reasons why these Indians remained loyal to the United States, their exodus from Indian Territory, their exile, and their return to Indian Territory are documented and evaluated in this study.

The suffering and death experienced by these refugees are unique in Civil War history, and far surpassed the deprivation and sacrifices made by other civilian populations. Hundreds of non-combatants, including women and children, died through hostile enemy action, starvation, or disease during the exodus and exile.

Several people helped make possible the research and writing of this study. Invaluable research assistance was provided by the staff of the Kansas State Historical Society, Topeka, Kansas, and especially Forrest Blackburn. Dr. Muriel H. Wright and Mrs. Rella Looney were

unusually helpful in providing archival material at the Oklahoma Historical Society, Oklahoma City, Oklahoma. Jack Haley, Assistant Curator of the Western History Collections at The University of Oklahoma, Norman, Oklahoma, also gave freely of his time and knowledge in providing archival materials.

I am especially indebted to the staff of the Oklahoma State University Library for their patience and generous assistance: Mrs. Heather McAlpine Lloyd, Reference Librarian, spent hours ordering and returning National Archives microfilm and obtaining other research material through interlibrary loan; the late Mrs. Marguerite Howland, Documents Librarian, helped locate obscure and little used information; and Mrs. Betty Jo Jobes, Head Librarian on the Fifth Floor, rendered invaluable assistance.

A debt of gratitude that can never be repaid is owed Dr. LeRoy H. Fischer, who shared his academic talents and professional research and writing skills freely. His guidance and criticism are indelibly printed on every page of this study, which probably would never have been completed without his encouragement, personal concern, and at times, prodding. Appreciation is also extended to Dr. Norbert R. Mahnken and Dr. Odie B. Faulk for critically evaluating this study.

My apologies and appreciation go to my wife, Susan, and our children, Derek, Lance, and Andrea, who at times found themselves for endless hours without a husband and father because of this study. Heartfelt thanks also go to my mother, who opened to me at an early age a world of books, people, and places.

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CHAPTER I

FEDERAL REFUGEE ORIGINS

In the winter of 1861-1862, Opothleyahola must have suffered from bitter frustration and tragic disillusionment as he reflected upon the pathetic condition of his Federal refugee band which had been driven from Indian Territory by Confederate forces in December of 1861. His moroseness was well-founded, for these 7,600 refugee Indians were scattered over an area 200 miles in extent on the bleak plains of southwest Kansas between the Verdigris and Fall rivers, Walnut Creek, and the Arkansas River. The winter was the most severe that had occurred in that part of the country for many years.¹

These Federal refugees were obliged to feed upon their ponies and dogs, while their scanty clothing was reduced to threads, and in some cases to absolute nakedness. Women and children suffered severely from frozen limbs, as did also the men, and this caused nearly 100 amputations during the winter of 1861-1862. Women gave birth to their offspring upon the snow, without shelter or covering, and newborn infants died for want of clothing. The most common diseases, brought on by exposure, were pneumonia and other respiratory infections.²

¹Coffin to Dole, October 15, 1862, Department of the Interior, Annual Report of the Commissioner of Indian Affairs for 1862 (Washington: Government Printing Office, 1863), p. 136.

²Collamore to Dole, April 21, 1862, *ibid.*, pp. 155-158; Collamore to Dole, April 21, 1862, United States Department of War, War of the

The great majority of the refugees in these wretched camps were former members of the powerful and wealthy nations of the Five Civilized Tribes--the Cherokees, Creeks, Seminoles, Chickasaws, and the Choctaws--of Indian Territory. In their abject poverty and intense suffering these refugees must have often reflected on their former prosperity and advanced culture glowingly affirmed by a Texas delegation that had visited Indian Territory only a few months earlier. These Texans felt that the Five Civilized Tribes were

...in a rapid state of improvement.... They are pursuing with good success agriculture and stock raising. Their homes are well built and comfortable, some of them costly They are well supplied with schools of learning, extensively patronized. They have many churches and a large membership.... They have written constitutions, laws, etc., modeled after those of the Southern States.

Commissioner of Indian Affairs Daniel N. Cooley viewed the Five Civilized Tribes similarly: "They were rich in real and personal property, living in the enjoyment of everything needed for their comfort; and considerable wealth had accumulated in the hands of some of them...so that they lived in a style of luxury."³

In the brief time span of the Civil War the semi-independent, industrious, powerful, wealthy, and proud Five Civilized Tribes were reduced to wards of the Federal government for all of their support. The Civil War forced these Indians for political and military reasons to align themselves with either the United States or the Confederate States, destroyed the tribal unity of the Cherokees, Creeks, and

Rebellion: A Compilation of the Official Records of the Union and Confederate Armies (four series, 128 books, Washington: Government Printing Office, 1880-1901), Ser. ii, Vol. IV, pp. 11-13.

³ Harrison, Bourland, and Hamilton to Clark, April 23, 1861, *ibid.*, Ser. iv, Vol. I, pp. 322-325.

Seminoles, and blighted the bright future prophesied for the Indian nations.

The adverse effects of the Civil War on the Five Civilized Tribes were most pronounced and best illustrated in the inhuman hardships suffered by the members of the tribes who remained loyal to the Federal government. Being a minority, most were forced to flee into pro-Union southeast Kansas and the others into southwest Missouri in 1861 and 1862; there they resided until some were able to return to Indian Territory near the end of the war. Even then their exile was not concluded because most were forced to live in refugee camps surrounding Fort Gibson and Fort Smith, where military protection from Confederate raiders was provided. Most of the remaining refugees returned to Indian Territory at the close of the war.

The sectional loyalties which disastrously split the Cherokees, Creeks, and Seminoles on the eve of the Civil War and sent Opothleyahola's band into Kansas and Chief John Ross' Cherokees into Missouri upon its outbreak, had their origins in the removal controversy. The removal of the Five Civilized Tribes from their homes in the southeastern United States to Indian Territory from 1820 through 1859 was a tragic event in the history of the Five Civilized Tribes.⁴ The horrors of the "Trail of Tears," as their westward journeys were called, were

⁴The area west of the Mississippi River reserved in 1830 for the resettlement of Indian tribes was officially designated "Indian Territory" in 1834 and included most of present Oklahoma, Kansas, and Nebraska. The Kansas-Nebraska Act excluded those two states from Indian Territory in 1854. In this study Indian Territory will refer to its Civil War geographic dimensions, which included present Oklahoma, except the panhandle. Joseph B. Thoburn and Muriel H. Wright, Oklahoma: A History of the State and Its People (4 vols., New York: Lewis Historical Publishing Co., Inc., 1929), Vol. I, p. 126, explains the inception and metamorphosis of Indian Territory.

twofold. Nearly one-fourth of the Creek and Cherokee Indians died en-route to Indian Territory or shortly after arrival. Subjugation, loss of property, and, in some instances, death were the immediate effects of removal. But the more far-reaching consequence was the division of the full bloods and mixed bloods of the Cherokees, Creeks, and Seminoles into two antagonistic factions. The Choctaws and Chickasaws were fortunate enough to maintain a large degree of tribal unity and escape its later consequences.

From 1828 through 1838, pressure by the Federal and state governments on the Cherokees to move west had increased, and many Cherokees, realizing the futility of attempting to remain in their homeland, resigned themselves to removal. Leaders of this group, referred to as the Treaty Party (also the Ridge Party or Removal Party), were Major Ridge, John Ridge, Stand Watie, Elias Boudinot, and Elias (E. C.) Boudinot. The Treaty Party, composed mostly of mixed bloods, was opposed by the full blood Ross Party, which was against removal. Chief John Ross, William P. Ross, and John Drew were the most influential Ross Party leaders. After attempting unsuccessfully to buy tribal land from the Ross Party, government negotiators turned to the Treaty Party, and on December 29, 1835, formalized the Treaty of New Echota with Treaty Party leaders. Among the signers of this treaty were Major Ridge, John Ridge, Elias Boudinot, and Stand Watie, but none of the Ross Party adherents attached their names to the document. Two thousand Cherokees, mostly from the Ridge Party, migrated peacefully to the West under the terms of this treaty, but the Ross Party remained adamant. In 1838, Federal troops under Major General Winfield Scott and the Georgia militia forcibly rounded up the remaining Cherokees and

began moving them west. The Cherokees then agreed to remove voluntarily, and by 1839 nearly all Cherokees were residing in Indian Territory.⁵

The economic adjustment in their new home was much easier for the Cherokees than their social and political adaptations. Cherokee factional strife in Indian Territory and reconciliation was never completely effected before the Civil War. The Ross Party full bloods had been the ruling party in the Cherokee Nation before removal because of their numerical superiority, and when they finally moved west they expected to remain the ruling party with John Ross continuing as chief. However, the Cherokees who had migrated west as early as 1820 combined with the Removal Party to dispute the claim of political ascendancy of the latecomers.

Political rivalry reignited the smouldering fires of hatred between the Ross Party and the Treaty Party, and caused them to relive real and imagined injustices done them during removal. On June 22, 1839, Major Ridge, John Ridge, and Elias Boudinot, leaders of the Treaty Party, were simultaneously assassinated at three different locations by unidentified groups. Stand Watie was the only important leader of the mixed blood Treaty Party who escaped the assassins' grasp, even though his death had also been planned. These bloody acts frightened the

⁵ Indian removal, which is necessary to the understanding of the development of factions among the Five Civilized Tribes, is well covered in Thoburn and Wright, Oklahoma: A History of the State and Its People, Vol. I, pp. 163-176; and Grant Foreman, Indian Removal: The Immigration of the Five Civilized Tribes of Indians (Norman: University of Oklahoma Press, 1953), pp. 19-386. For Cherokee removal only, see Morris L. Wardell, A Political History of the Cherokee Nation, 1838-1907 (Norman: University of Oklahoma Press, 1938), pp. 3-94, and Grace Steele Woodward, The Cherokees (Norman: University of Oklahoma Press, 1963), pp. 157-218.

remaining Cherokees into cooperating with the Ross Party. A Cherokee national convention was held in September, 1839, at Tahlequah, and a constitution was adopted for the Cherokee Nation. This prefabricated unity was patched by a treaty in 1846 between the leaders of the Ross and Watie factions, and from 1846 until 1861 the hatred and bloody heritage of removal was submerged but not forgotten in the Cherokee Nation.⁶

Creek removal to the West followed a similar pattern. The Creeks, like the Cherokees, were loosely divided into two groups: the Upper Creeks, mostly full bloods, and the Lower Creeks, largely mixed bloods.⁷ The Lower Creeks, led by William McIntosh, chief of the Creek Nation, came to the same conclusion--the futility of trying to remain in the East--as did the Cherokee Removal Party. In 1825, William McIntosh, Roley McIntosh, Chilly McIntosh, and thirty-nine other Lower Creek chiefs and headmen signed the Treaty of Indian Springs, ceding "to the United States all the [Creek tribal] lands lying within the boundaries of the State of Georgia," after the Upper Creek chiefs had

⁶ Ibid., pp. 219-237; Wardell, A Political History of the Cherokee Nation, 1838-1907, pp. 12-75; Thoburn and Wright, Oklahoma: A History of the State and Its People, Vol. I, pp. 253-263.

⁷ The demographic division of the Creeks had its inception as early as the first half of the eighteenth century when Scottish immigrants of the McIntosh clan began intermarrying in Georgia with Creek women. Differences in habit, thought, and dress developed. The mixed blood or McIntosh Creeks and their descendants, under the leadership of Chief William McIntosh, sided with the United States and General Andrew Jackson against the full blood Creeks and the British in the Creek War of 1813-1814. These tribal differences were unresolved through the Civil War. For further information on the McIntosh Creeks and history of Creek feuds, read John B. Meserve, "The McIntoshes," Chronicles of Oklahoma, Vol. X, No. 3 (September, 1932), pp. 310-325, and Thoburn and Wright, Oklahoma: A History of the State and Its People, Vol. I, pp. 234-236, and Vol. II, pp. 810-811.

walked out of the council. Enraged, the Creek National Council, with only full bloods in attendance, passed a death sentence on Chief McIntosh, which was carried out April 29, 1825.

The Treaty of Indian Springs was ratified by the Senate, but President John Quincy Adams, opposed to the circumstances surrounding the signing of the treaty, asked a Creek delegation to come to Washington. This delegation, which officially represented the Creek Nation and which was headed by Opothleyahola, speaker of the National Council, signed the Treaty of Washington of 1826, by which the Creeks sold all of their tribal land east of the Mississippi River.⁸

Creek reassimilation in Indian Territory was less violent than that of the Cherokees, but removal animosities were still strong. When Opothleyahola and 8,000 full blood Creeks arrived in Indian Territory in 1836, a tense, volatile atmosphere prevailed. The sons and relatives of the assassinated Creek Chief McIntosh had vowed to kill Opothleyahola, a leader of the assassination plot. Indian agents and military officers were able to avert bloodshed, and the Upper Creeks settled apart from the older settlements of the McIntosh Creeks.⁹

The Lower Creeks in 1836 occupied fifteen towns in the northeastern part of the new Creek Nation. These settlements extend from the Verdigris River to the Red Fork, a distance of about eighty miles in length

⁸Charles Kappler, ed., Indian Affairs: Laws and Treaties (6 vols., Washington: Government Printing Office, 1904), Vol. II, pp. 214-217; Angie Debo, The Road to Disappearance (Norman: University of Oklahoma Press, 1941), pp. 88-106; Thoburn and Wright, Oklahoma: A History of the State and Its People, Vol. I, pp. 234-237.

⁹Ibid., p. 235; Muriel H. Wright, A Guide to the Indian Tribes of Oklahoma (Norman: University of Oklahoma Press, 1951), pp. 136-137; Thoburn and Wright, Oklahoma: A History of the State and Its People, Vol. II, pp. 810-811.

and fifty miles in breadth. The newly arrived Upper Creeks settled southwest of the older settlers on the opposite side of a forty mile wide prairie. Their ancient tribal towns were reestablished, "extending from the bottoms of the Arkansas, south to those of the north fork of the Canadian, a distance of about forty miles; they extend from there westward, between the Deep fork, North fork, and Main Canadian to Little River, a distance of about eighty miles, and an average breadth of about sixty."¹⁰ An 1840 pact provided for a formal union that contained a national council composed of Upper and Lower Creeks and a dual executive with Lower Creek Chief Roley McIntosh as the dominant of the two. In actuality, the feuding factions remained separate political entities, and the basic political and social institutions were the towns.

The Seminoles in 1832, under the leadership of Principal Chief John Jumper, signed the Treaty of Payne's Landing, which obligated them to move to Indian Territory when a suitable home was found. A group of seven Seminole chiefs traveled to Indian Territory to select a new home, and in February, 1833, accepted a Creek offer to live in their nation and signed the Treaty of Fort Gibson. However, many Seminoles, led by Chief Osceola, refused to move west and killed Chief Emathla, a signer of the Treaty of Fort Gibson. Osceola and his followers then massacred several civilians and soldiers, including Major Francis Dode, setting off the Seminole War which lasted until 1842. Most Seminoles accepted the Treaty of Fort Gibson and moved west in 1836. In 1845, the Creeks allowed the Seminoles to settle together on Little River and granted

¹⁰ Ibid., Vol. I, pp. 235-236.

them the right to enact their own laws; in 1856, a Seminole delegation headed by Principal Chief John Jumper, son of the former chieftain, negotiated a treaty in Washington which provided for a separate and autonomous Seminole Nation, circumscribed by the North Fork River, the Canadian River, and the ninety-seventh and one-hundredth meridians.¹¹

Following the Third Seminole War, Billy Bowlegs and many of the Seminoles still hiding in the Florida swamps were persuaded to move to the new Seminole Nation. These proud Seminoles arrived in Indian Territory in small bands from 1842 through 1859 with their fierce warrior chiefs, Billy Bowlegs, John Chupco (Long John), and Halleck (Halex) Tustenuggee. Having been participants in the Florida Seminole wars, they arrived with a bitter hatred for Southern whites and a distrust for Chief John Jumper and the other Seminoles who passively submitted to removal. This antagonism foreshadowed the factional cleavage of the Seminoles in the Civil War.

The Choctaws and Chickasaws had similar removal experiences and hardships with one notable exception; they both escaped the disunity and fratricide experienced by the other three tribes. In 1820, Pushmataha and other Choctaw chiefs signed the Treaty of Doak's Stand, in which a portion of their tribal land was ceded to the United States in return for a vast holding in Indian Territory. Finally, in September, 1830, in the Treaty of Dancing Rabbit Creek, the Choctaws ceded all their remaining land east of the Mississippi River and agreed to move west.

¹¹Edwin C. McReynolds, The Seminoles (Norman: University of Oklahoma Press, 1957), pp. 118-288; Kappler, ed., Indian Affairs: Laws and Treaties, Vol. II, pp. 344-345, 394-395, 756-763.

The Chickasaw removal was the most easily effected of all the Five Civilized Tribes. In October, 1832, Chickasaw tribal leaders signed the Treaty of Pontotoc which provided for the cession of all Chickasaw land east of the Mississippi River as soon as an acceptable home in Indian Territory was found. The Treaty of Doaksville in January, 1837, provided for removal to the western portion of the Choctaw Nation, and by 1840 nearly all the Chickasaws were relocated.¹²

The Choctaws and Chickasaws had few political problems in adjusting to their new homes. The ominous split, with its latent potential for self-destruction, that ensnared the Creeks, Cherokees, and Seminoles was avoided by the Choctaws and Chickasaws, and this accounts for the unanimity of these two tribes during the Civil War. The only thorny political problem for the Choctaws was the Chickasaw question, which was solved by the Choctaw-Chickasaw Treaty of 1855. It was approved by the United States and met both of the Chickasaw demands for political autonomy and a separate tribal domain.¹³

By the middle of the nineteenth century, the proud and powerful Five Civilized Tribes had been forcefully uprooted and evicted from their homelands in the southeastern United States and deported to a wilderness. The fratricidal split among the tribes momentarily reunited in their overwhelming tasks of nation-building. Just as each tribe was

¹²Angie Debo, The Rise and Fall of the Choctaw Republic (Norman: University of Oklahoma Press, 1934), pp. 49-79; Muriel H. Wright, "The Removal of the Choctaws to Indian Territory, 1830-1833," Chronicles of Oklahoma, Vol. VI, No. 2 (June, 1928), pp. 103-128; Thoburn and Wright, Oklahoma: A History of the State and Its People, Vol. I, pp. 219-234; Kappler, ed., Indian Affairs: Laws and Treaties, Vol. II, pp. 191-195, 310-319, 356-364, 486-488.

¹³Ibid., pp. 706-714.

beginning to enjoy the prospect of internal peace, national prosperity, and semi-autonomy from political control, the Civil War crashed upon Indian Territory like a great tidal wave. Its fury hurled the precariously anchored Indian governments upon the rocks and dashed all hopes of factional cooperation and future prosperity.

In 1861, the newly-formed Confederate States of America considered Indian Territory important enough for its Provisional Congress to pass a resolution requesting its Committee on Indian Affairs to negotiate treaties of alliance with the Indian Territory tribes; on March 5, 1861, Albert Pike of Arkansas was appointed special Indian commissioner to negotiate these treaties. Pike was greatly aided by the already agitated condition of the Indians and by the Confederate state governments of Arkansas and Texas.¹⁴

The Chickasaws and Choctaws, who lived just north of Texas across the Red River, were early subjected to secessionist propaganda, and they closely watched developments in that state.¹⁵ On January 5, 1861, the Chickasaws passed an act calling for an intertribal conference to consider the Indians' interest in the impending Civil War. It convened on

¹⁴Annie H. Abel, The American Indian as Slaveholder and Secessionist (Cleveland: Arthur H. Clark Co., 1915), pp. 127-130.

¹⁵The Texas secession convention in its first session passed an ordinance "to secure the friendship and cooperation of the Choctaw, Cherokee, Chickasaw, Creek, and Seminole Indians," and commissioned James E. Harrison, James Bourland, and Charles A. Hamilton to carry out that ordinance. The appointees traveled to Indian Territory, and in March, 1861, met with official representatives of all the Five Civilized Tribes. They were most influential among the Choctaws and Chickasaws and wrote to their superiors that the Choctaws and Chickasaws were "entirely Southern...and determined to adhere to the fortunes of the South," early prophesying their unanimity for the Southern cause. The full report of the Texas commission is in Harrison, Bourland, and Hamilton to Clark, April 23, 1861, Official Records, Ser. iv, Vol. I, pp. 322-325.

February 17 at the Creek Agency. By that time the Chickasaws and Choctaws had decided, independently, to align themselves with the South if it became necessary to take sides, and thus did not send delegates to the council, pretending that high water prevented their attendance. The council, attended by Creeks, Seminoles, and Cherokees and controlled by full bloods, simply adopted a neutral position and reapproved existing United States-Indian treaties.¹⁶

A second attempt by the full blood Creeks and Cherokees to steer a neutral course, following the intertribal council in February, 1861, was the Antelope Hills council in late June and early July, which involved all the tribes of Indian Territory. It was called by Chief Ross and Opothleyahola, who were struggling unceasingly for neutrality and adherence to existing Indian-United States treaties. The meeting proposed that all the tribes in Indian Territory align themselves in a neutral confederation. This council, the earlier intertribal conference in February, and Ross's neutrality proclamation issued on May 17, 1861, were spasmodic attempts to forestall the inevitable decision of aligning with either the Union or the Confederacy. Confederate Indian Commissioner Pike's untiring efforts from May through October in 1861 for Confederate treaty alliances with the Indians forced the unwilling neutrals to choose sides in the conflict.

At the earliest opportunity, a new council of Choctaws, Chickasaws, Creeks, and Seminoles was convened at North Fork Town in the Creek

¹⁶Dean Trickett, "The Civil War in the Indian Territory, 1861," Chronicles of Oklahoma, Vol. XVII, No. 3 (September, 1939), pp. 316-317; Wardell, A Political History of the Cherokee Nation, 1838-1907, p. 124; Thoburn and Wright, Oklahoma: A History of the State and Its People, Vol. I, p. 307.

Nation, while most of the important full blood Creek and Seminole chiefs were at the Antelope Hills council. On July 1, this council wrote a constitution for a "United Nations of the Indian Territory," which was an attempt to dignify its later treaty negotiations with an aura of unanimity and legality. On June 10, the Choctaw Council had anticipated the arrival of a Confederate emissary and had appointed commissioners, with the power to sign alliance agreements, to meet with Confederate officials. On July 12, 1861, these commissioners signed a treaty with Pike. The unanimity of the Choctaw and Chickasaw Indians in aligning themselves with the South prevented intratribal bloodshed among themselves during the Civil War.¹⁷

On August 1, Pike signed a treaty with Principal Chief John Jumper and minor officials of the Seminole Nation at the Seminole Council House. Federal Indian Agent E. H. Carruth later claimed that Jumper, working closely with four other friends, signed the treaty, but that this group did not represent the majority of sentiment among the Seminoles. This charge is partially substantiated by the fact that the Seminole Council had not authorized anyone to meet with Confederate commissioners or to sign any agreements, and the Seminole Council never officially ratified the treaty. This display of action for the Confederate cause was further supported on July 10, 1861, by a Creek-Confederate treaty of alliance, which was then ratified by the Creek

¹⁷Confederate-Choctaw and Chickasaw Treaty, July 12, 1861, Official Records, Ser. iv, Vol. I, pp. 445-466; Debo, The Rise and Fall of the Choctaw Republic, pp. 80-83.

Council on July 20.¹⁸

Pike exploited three developments in securing a treaty with the Creeks. First, was the absence of pro-Union leaders, who were at the Antelope Hills council during the early part of negotiations; second, was the active support of the Lower Creeks for the Southern cause; and third, was the bribing of Motey Canard (Kennard), principal chief of the Creeks, to sign the Confederate treaty. Chief Canard, Chilly McIntosh, Daniel McIntosh, Echo Harjo, Louis McIntosh, W. F. McIntosh, James M. C. Smith, George W. Stidham, Thomas C. Carr, John Smith, Timothy Barnard (Barnett), George Brinton, Ok-Chun Harjo, Co-As-Sat-Ti Fixico, Joseph Cornells, George W. Walker, and Samuel Checote, all wealthy and influential Lower Creeks, were the original signers of the Confederate-Creek Treaty of July 10, which was subsequently approved by most of the other Lower Creek town chiefs. Conspicuously absent were the names of important Upper Creek chiefs. The Upper Creeks immediately realized that they were again being involved in the consequences of a treaty of which they had no part, and violent opposition to the treaty was aroused by Opothleyahola, Tallise Fixico, Otkarharsars Harjo (Sands), and Micco Hutke. The latter three names were forged on the treaty.¹⁹

After Pike had secured treaties with the Choctaws, Chickasaws, and

¹⁸Confederate-Seminole Treaty, August 1, 1861, Official Records, Ser. iv, Vol. I, pp. 513-527; Thoburn and Wright, Oklahoma: A History of the State and Its People, Vol. I, p. 319; Confederate-Creek Treaty, July 10, 1861, Official Records, Ser. iv, Vol. I, pp. 426-443; Debo, The Road to Disappearance, pp. 144-146.

¹⁹Confederate-Creek Treaty, July 10, 1861, Official Records, Ser. iv, Vol. I, pp. 439-440; Wright, A Guide to the Indian Tribes of Oklahoma, p. 138; Debo, The Road to Disappearance, pp. 144-145.

Creeks at North Fork and the Seminoles at their agency he left for the Leased District to negotiate with the smaller tribes residing around the Wichita Agency near Fort Cobb.²⁰ There he signed two treaties with portions of these tribes. One was with the Penateka band of Comanches, and the other was a joint treaty with the Wichita, Caddo, Delaware, Absentee Shawnee, Anadarko, Tonkawa, Tawakoni, Kichai (Keechi), Hainai (Ioni), Waco, and Penateka Comanche tribes. The real intent of these treaties was neutrality, not alliance; their purpose was to protect the Confederate portions of the Five Civilized Tribes and Texans from sporadic raids by these tribes.²¹

The slavery question in the Cherokee Nation and the impending Civil War again aroused disunity and factional hatred in the Cherokee Nation. The Old Settlers and the Ross Party, both almost exclusively full bloods, had merged by the eve of the Civil War. The old Treaty Party,

²⁰The Choctaw-Chickasaw Treaty of 1855 created a new Chickasaw Nation and the Leased District from the western half of the pre-treaty Choctaw Nation. The Leased District, which lay west of the Chickasaw Nation, was jointly owned by the Choctaws and Chickasaws but was leased to the Federal government for the resettlement of other Indian tribes. The origins and purpose of the Leased District as contained in the 1855 treaty are in Kappler, ed., Indian Affairs: Laws and Treaties, Vol. II, p. 706. In 1859 a group of semi-civilized Indian tribes loosely referred to as the Texas Indians were moved from the Upper Reserve and the Lower Reserve along the Brazos River in Texas and were resettled in the Leased District near Fort Cobb to protect them from harassment, mistreatment, and genocide at the hands of unsympathetic Texas citizens. Excellent histories of these small tribes are contained in Grant Foreman, The Last Trek of the Indians (Chicago: University of Chicago Press, 1946), pp. 282-295; and Wright, A Guide to the Indian Tribes of Oklahoma, pp. 31-34, 118-128, 145-156, 164-166, 240-260.

²¹Confederate-Penateka Comanche, Wichita, Caddo, Waco, Tawakoni, Anadarko, Tonkawa, Ioni, Keechi, Absentee Shawnee, and Delaware Treaty, August 12, 1861, Confederate-Penateka Comanche Treaty, August 12, 1861, Official Records, Ser. iv, Vol. I, pp. 542-554; Abel, The American Indian as Slaveholder and Secessionist, pp. 51-57; Thoburn and Wright, Oklahoma: A History of the State and Its People, Vol. I, p. 319.

which was nearly all mixed bloods with Stand Watie as its recognized leader, had vigorous proslavery and Southern proclivities and owned much land and many slaves. The Ross coalition provided recruits for the abolition cause, which was championed by Reverend Evan Jones and his son John, who had been Baptist missionaries among the Cherokees even before removal. With the silent support of Chief Ross, the Joneses in 1859 established a secret abolition society among the full bloods known as the Keetoowah Society or the Pin Indians. For Ross, the secret order helped consolidate the political power of his party; in 1860 it politically evolved into the Loyal League, which advocated the continuance of Cherokee-United States treaties and withholding from power those suspected of secessionist inclinations.²²

The Knights of the Golden Circle was the proslavery organization formed to counter the Keetoowah Society, and it politically became the Southern Rights Party in 1861. Its leadership consisted of Stand Watie, W. P. Adair, James M. Bell, and Elias C. Boudinot, son of Elias Boudinot who was assassinated during the removal controversy in 1839. Approximately seven thousand of the eighteen thousand Cherokees were members of the Southern Rights Party, but they were a vocal, active minority; and Stand Watie, the most important leader in the party, recruited his own military organization and volunteered his services to the

²²Wardell, A Political History of the Cherokee Nation, 1838-1907, pp. 120-123; Woodward, The Cherokees, pp. 258-259; Trickett, "The Civil War in the Indian Territory, 1861," Chronicles of Oklahoma, Vol. XVII, pp. 323-325; Joseph B. Thoburn, "The Cherokee Question," Chronicles of Oklahoma, Vol. II, No. 2 (June, 1924), pp. 141-242.

Confederacy.²³ External pressure on the Ross Cherokees to join the Confederacy came from citizens of Arkansas and their governor, Henry M. Rector. Rector, who was inaugurated in November, 1860, was a cousin and close personal friend of Elias Rector, then Superintendent of the Southern Superintendency, which included the Cherokees, and worked unceasingly for the Confederate cause in Arkansas and Indian Territory. In a letter to Chief Ross dated January 29, 1861, Governor Rector asked the Cherokees to "co-operate with the South in defense of her institutions, her honor, and her firesides."²⁴ The convention which passed the Arkansas Ordinance of Secession on May 6, 1861, also voted on May 10 to send a three-man delegation to Indian Territory to solicit the support of the Five Civilized Tribes; for the remainder of 1861 the Cherokees were inundated with letters, delegations, and Southern commissioners urging them to align with the Confederate States.²⁵

²³ Wardell, A Political History of the Cherokee Nation, 1838-1907, pp. 122-123; Woodward, The Cherokees, p. 258; McCulloch to Drew, September 1, 1861, McCulloch to Walker, September 2, 1861, McCulloch to Price, October 22, 1861, Official Records, Ser. i, Vol. III, pp. 691-692, 721; LeRoy H. Fischer and Jerry Gill, "Confederate Indian Forces Outside of Indian Territory," Chronicles of Oklahoma, Vol. XLVI, No. 3 (Autumn, 1968), p. 251.

²⁴ Rector to Ross, January 29, 1861, Thirty-Eighth Congress, First Session, House Executive Document Number 1 (Washington: Government Printing Office, 1864), Vol. III, p. 345; Harry J. Lemley, "Letters of Henry M. Rector and J. R. Kannady to John Ross of the Cherokee Nation," Chronicles of Oklahoma, Vol. XLII, No. 3 (Autumn, 1964), pp. 320-329; Abel, The American Indian as Slaveholder and Secessionist, pp. 112-113.

²⁵ Bean, Welch, MacClure, Spencer, McCulloch, Lacy, Carnahan, and others to Ross, May 9, 1861, Kannady to Ross, May 15, 1861, McCulloch to Ross, June 12, 1861, Official Records, Ser. i, Vol. XIII, pp. 492-495; Burroughs to Harris, May 8, 1861, *ibid.*, Ser. i, Vol. I, p. 691; Kannady to Ross, May 15, 1861, Thirty-Eighth Congress, First Session, House Executive Document Number 1, Vol. III, p. 347; Abel, The American Indian as Slaveholder and Secessionist, pp. 111-112 n. 175, 120-121, 125, 149-152; Lemley, "Letters of Henry M. Rector and J. R. Kannady to John Ross of the Cherokee Nation," Chronicles of Oklahoma, Vol. XLII,

Under these circumstances, Pike and McCulloch visited Chief Ross around June 1, 1861, but were rebuffed in their efforts to negotiate a treaty of alliance. Pike, realizing there was little chance for a treaty, wanted to treat with the heads of the Southern Rights Party, including Watie and others, indicating the easily recognizable fracture between the Cherokees. However, three months later the Cherokees under the leadership of Ross signed a treaty with the Confederate States because the military and political situation in Indian Territory had altered drastically. The treaty, grudgingly accepted by the full bloods, was a desperate attempt by Ross to prevent a Cherokee civil war. He knew that the Southern Rights Party would sign a treaty with the Confederates independently if the Ross Party refused to align with the South; he already had the military might of Texas, Arkansas, and the other Five Civilized Tribes arrayed against him. Although he brought his nation undivided into the Civil War, Ross was unable to prevent long the inevitable rupture of the Cherokee Nation.²⁶

Pike included in his brilliant diplomatic feat three other treaties in October with the Great Osages residing in southeast Kansas, the

pp.320-329; Harry J. Lemley, "Historic Letters of General Ben McCulloch and Chief John Ross in the Civil War," Chronicles of Oklahoma, Vol. XL, No. 3 (Autumn, 1962), pp. 286-294.

²⁶Confederate-Cherokee Treaty, October 7, 1861, Official Records, Ser. iv, Vol. I, pp. 669-686; Thoburn, "The Cherokee Question," Chronicles of Oklahoma, Vol. II, pp. 172-175; Kinneth McNeil, "Confederate Treaties with the Tribes of Indian Territory," Chronicles of Oklahoma, Vol. XLII, No. 4 (Winter, 1964-1965), pp. 408-420; Edward E. Dale, "The Cherokees in the Confederacy," Journal of Southern History, Vol. XIII, No. 2 (May, 1947), pp. 160-185; Abel, The American Indian as Slaveholder and Secessionist, pp. 134-140; and Charles R. Francis, "Confederate Ascendancy in Indian Territory, 1860-1861," (Unpublished Master of Arts Thesis, Oklahoma State University, Stillwater, Oklahoma, 1963), pp. 42-48.

Quapaws, and the mixed band of Senecas and Shawnees living in the northeast corner of the Cherokee Nation. These were formal treaties of alliance, and thus differed from those signed by the Wichita Agency Indians in that they promised specific military aid.²⁷

Treaties officially bound all five governments of the Civilized Tribes to the Confederacy, but the treaties did not bind the hearts and loyalties of a large minority of the Five Civilized Tribes to the South. When the Creek and Cherokee delegations, consisting of full blood chiefs and leading proponents of neutrality, returned to their respective nations from the extended peace mission in western Indian Territory, they were shocked to find that the Creeks, Seminoles, Choctaws, and Chickasaws had signed treaties of alliance with Pike. The delegates had just spent two months visiting with other Indians, urging a neutral stand in the pending crisis. They had left in May, 1861, and had conferred first with the Seminoles at their council house; next, they talked with the Delawares at old Camp Arbuckle and then they conversed with the Kickapoos at Council Grove on the Canadian River just west of present Oklahoma City. The pacifists next met with the Comanches on the Canadian River near Antelope Hills; and, finally, other Comanche and Kiowa villages near the Salt Plains were visited by the neutral Indians. These smaller meetings occurred before and after the general council of all these

²⁷These treaties and accounts of negotiations are in the Confederate-Osage Treaty, October 2, 1861, Confederate-Seneca and Shawnee Treaty, October 4, 1861, and Confederate-Quapaw Treaty, October 4, 1861, Official Records, Ser. iv, Vol. I, pp. 636-661, and Abel, The American Indian as Slaveholder and Secessionist, pp. 235-241. A history of these tribes and an account of their removal to Indian Territory are in Wright, A Guide to the Indian Tribes of Oklahoma, pp. 189-198, 218-221, 237-244, Foreman, The Last Trek of the Indians, pp. 61-85, 166-168, 266-277, 308-314, and John J. Mathews, The Osages: Children of the Middle Waters (Norman: University of Oklahoma Press, 1961), pp. 634-638.

tribes and others at Antelope Hills.²⁸

The Creek delegates were indignant and immediately formed plans to arrest the disastrous train of events. Opothleyahola, the sagacious elder warrior of the Creeks, had earlier withdrawn from the Confederate treaty negotiations at North Fork Town to a camp near the junction of the North Fork and Deep Fork of the Canadian River, and was followed by many chiefs and most of the full bloods. Simultaneously, Presbyterian missionaries W. S. Robertson and Alice Robertson were ordered by Principal Chief Motey Canard to vacate their schools and missionary buildings; thus the children attending the boarding schools became the first victims of dislocation, along with Opothleyahola's followers.²⁹

On August 5, the loyal Creeks, consisting of Opothleyahola's supporters and the former Antelope Hills' delegates met at Opothleyahola's home on Brush Hill, declared the Confederate-Creek treaty illegal, and stated that Principal Chief Motey Canard and Echo Harjo, chief of the Lower Creeks, had forfeited their right to lead the Creek Nation because they had signed a treaty without approval by the Creek National Council. The loyal Creeks then filled the vacant office of principal chief by electing Sands as acting principal chief. The recent treaty was then repudiated and denounced in much the same manner as was the removal

²⁸Muriel H. Wright, "Colonel Cooper's Civil War Report on the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, No. 4 (Winter, 1961-1962), p. 383; Thoburn and Wright, Oklahoma: A History of the State and Its People, Vol. I, pp. 317-318; Abel, The American Indian as Slaveholder and Secessionist, p. 136, n. 228; Thoburn, "The Cherokee Question," Chronicles of Oklahoma, Vol. II, pp. 174-175; Debo, The Road to Disappearance, p. 144; Peoria to Colton, June 30, 1862, Commissioner of Indian Affairs Report for 1862, p. 173.

²⁹Ibid., pp. 146-147; John B. Meserve, "Chief Opothleyahola," Chronicles of Oklahoma, Vol. IX, No. 4 (December, 1931), p. 446.

treaty years before, and the full bloods' rejection of it was to have even more dire consequences. There existed after August 5, 1861, and continued throughout the Civil War, two separate Creek governments--one being recognized by the United States, and the other by the Confederacy. These antagonistic governments could not exist peacefully in Indian Territory.³⁰

The loyal Creeks, having separated themselves geographically and politically from the Confederate Creeks, began immediately to seek recognition and aid from the Federal government. Although these loyal Indians had their own elected chiefs and headmen, actual responsibility for organization and leadership fell to Opothleyahola.³¹ An understanding of Opothleyahola's motives and his subsequent actions in seeking United States government support before and during the exodus into Kansas can best be obtained by first reviewing correspondence and meetings in 1861 between officers of the Office of Indian Affairs and the military on the one hand and the loyal Indians on the other.

Commissioner of Indian Affairs William P. Dole, who had earlier vigorously protested the withdrawal of Federal troops from Indian

³⁰Creek delegation to the Fort Smith Commission, Annual Report of the Commission of Indian Affairs for 1865 (Washington: Government Printing Office, 1866), pp. 328-329; Debo, The Road to Disappearance, p. 147; McReynolds, The Seminoles, pp. 292-293.

³¹Opothleyahola is often referred to by writers and historians as "Chief" or "Old Chief," but no known evidence supports this claim. That he was a great orator and statesman is certain. At one time, before removal, he was the official Speaker of the Creek National Council for Little Chief, principal chief of the Creek Nation, and on at least one occasion he headed a Creek delegation to Washington which met with President John Quincy Adams. He was also a highly successful trader and businessman, which accounted for his nickname, "Old Gouge," and on the eve of the Civil War he was reputed to be the wealthiest citizen of the Creek Nation.

Territory, wrote to Secretary of the Interior Caleb B. Smith on May 30, 1861, that loyalty to the United States government "would be produced in the Indian Country...as they can have no inducement to unite with the enemies of the United States unless we fail as a nation to give them that protection guaranteed by our treaty stipulation." He urged that a strong military force be sent into Indian Territory. Dole dispatched letters to the chiefs and headmen of all the tribes in the Southern Superintendency informing them that they would be provided with "competent and discreet" agents who would observe all treaty obligations and would "promote a good understanding between the red and white races."³²

In his first report to Commissioner Dole, Superintendent Coffin bemoaned his inability to assist the Indians in Indian Territory under his charge because it was "unsafe...to visit them, or for any person at all suspected of entertaining Union sentiments to remain among them." In this same letter, Coffin reiterated his desire for a council with delegates from the Southern tribes at Humboldt, Kansas.³³

The plight of the officers assigned to the Southern Indians was amply demonstrated. All the Office of Indian Affairs could offer the factions of the Five Civilized Tribes remaining loyal to the Federal government was hollow-sounding words of encouragement and reassurance, for the military was both unprepared and unwilling to reoccupy Indian

³²Dole to Smith, May 30, 1861, Dole to Ross, Harris, Kennard (Canard), Harjo, and Hudson, May 11, 1861, Thirty-Seventh Congress, Second Session, Senate Executive Document Number 1, Vol. I, pp. 651-752, 750-751; Abel, The American Indian as Slaveholder and Secessionist, pp. 241-242.

³³Coffin to Dole, October 2, 1861, *ibid.*, pp. 654-655.

Territory in 1861. Coffin's vague plans for a meeting between representatives of the Indian Office and the Five Civilized Tribes, together with his letters of encouragement sent to tribal leaders, were indicative of the fact that the military power of the Federal government did not extend below the southern border of Kansas; these implications did not go unheeded by the wavering Indians.

The most successful attempt to communicate with Indians wishing to remain faithful to the United States government in Indian Territory was promulgated by a controversial Kansas figure, James M. Lane. In the summer of 1861 Lane was pursuing two careers--one political and the other military. He was a United States Senator from Kansas, which had recently been admitted to the Union, and he had been recently appointed general in charge of Kansas militia.³⁴ While functioning in the latter capacity, Lane recruited enlisted men and officers for his Kansas brigade from all possible sources, and the possibility of the Indian as a recruit was not overlooked. Lane began to approach officers of the Indian Office and chiefs of the various tribes concerning the use of Indians as a home guard or auxiliary force, and in the summer of 1861 commissioned E. H. Carruth, who had served as an educator among the Cherokees, Greeks, and Seminoles, to write to the various tribes and to invite representatives of those loyal to the United States government to a conference with Lane at Fort Lincoln. However, before Carruth could write any letters and before Dole could arrange his Humboldt conference,

³⁴Lane to Lincoln, October, October 9, 1861, Official Records, Ser. i, Vol. III, pp. 529-530.

the pro-Northern Indians initiated action themselves.³⁵

Opothleyahola and other Creek and Seminole leaders realized that they would not be allowed to remain in their tribal nations and at the same time espouse neutrality; it became necessary for them to seek refuge elsewhere. Opothleyahola, a skillful diplomat, knew that he must rely on two conditions for the successful completion of the migration: continuing neutrality of the Cherokees, and active intervention on behalf of the loyal Indians by the United States government. If Chief Ross continued to resist Cherokee-Confederate alignment, then the displaced Union Indians could resettle in the Cherokee Outlet or at least have free access across Cherokee land into the Union state of Kansas until Indian Territory was once again brought under United States government control. The need for Federal government support was twofold: the Indian refugees would need protection from the Confederate army being raised in Indian Territory; more importantly, the refugee families would have to be fed, at least through the winter, until they could raise enough crops to feed the hundreds of women and children.³⁶

In August, 1861, Opothleyahola was sure that Chief Ross would follow a course of neutrality because of the Cherokee leadership in the February intertribal council and the Antelope Hills conference, both of

³⁵ Abel, The American Indian as Slaveholder and Secessionist, pp. 242-243, n. 485; Coffin to Dole, September 26, 1861, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives, Washington, D. C.

³⁶ Wright, "Colonel Cooper's Civil War Report on the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, pp. 366-369; "Statement relative to the Exodus of Ho-Poith-la-yo-ho-la and his followers from the Creek and Cherokee Country in the fall and winter of 1861 and '62," Letters Received by the Office of Indian Affairs, Choctaw Agency, Department of the Interior, National Archives.

which advocated neutrality, and because of Ross's Neutrality Proclamation earlier in the spring. Opothleyahola was, however, uncertain of the support he could expect from the Federal government. In order to obtain this assistance and ensure the success of the planned exodus, Opothleyahola and Sands drafted a letter on August 15, 1861, to President Abraham Lincoln. In it they reminded him of his promise "that no white people in the world should ever molest us," and explained that "the wolf has come...our children are frightened and the mother can not sleep from fear," and requested "his help to keep off the intruder and make our homes again happy."³⁷

This letter was most likely written in Opothleyahola's camp and approved by the Creek chiefs and warriors present. A postscript approving the letter gives evidence of growing unity among the anti-Confederate Indians: "The Seminoles also sent word & the full [blood] Indians of the Chickasaw too.... Pascofar the Chief (2) [2nd chief] of the Seminoles was present. He was not able to come with us but sent word."

Significantly, the body of the letter is signed by Opothleyahola and Sands, but the concluding remarks about the Seminoles and Chickasaws are signed by Micco Hutke (White Chief), Bob Deer, and Jo Ellis, the delegates entrusted to carry the letter to Kansas and Washington. These emissaries first made contact with government officials when they spoke with Indian Agent James B. Abbott at the Shawnee Agency in Lexington, Kansas, around the first of September, 1861. Abbott wrote his immediate

³⁷ Abel, The American Indian as Slaveholder and Secessionist, pp. 245-246, n. 491; Opothleyahola and Sands to Lincoln, August 15, 1861, Abbott to Branch, September 18, 1861, Letters Received by the Office of Indian Affairs, Creek Agency, Department of the Interior, National Archives.

superior, Superintendent Harrison B. Branch, on September 18, explaining the meeting, and he enclosed the two letters which the Indians requested be forwarded to President Lincoln.³⁸

One was the Opothleyahola letter, and the other was an explanation of worsening conditions in Indian Territory and a request for a council with government officials. This second letter, signed by Hutke, Deer, and Ellis, and dated September 18, indirectly indicates the close collaboration of the Creeks, Seminoles, and Chickasaws. It would have been necessary to read the Opothleyahola and Sands letter in the presence of Pascofa, other Seminoles, and the Chickasaws, before receiving their approval and post script. This indicates that the letter was carried from North Fork Town to an area near the Creek-Seminole border, probably along Little River.³⁹ Hutke, Deer, and Ellis must have been given the authority to transcribe this approval onto the letter and to carry an oral message. This message then became the basis of the Hutke-Deer-Ellis letter to Abbott and accounts for its September 18 heading. Abbott dated this letter and his letter to Branch on the same day, even

³⁸ Ibid.; Hutke, Deer, and Ellis to Lincoln, September 18, 1861, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives; Abbott to the Fort Smith Commission, September 12, 1865, Annual Report of the Commissioner of Indian Affairs for 1865, p. 330; Abel, The American Indian as Slaveholder and Secessionist, pp. 244-245, n. 489.

³⁹ Jones to Dole, October 31, 1861, Thirty-Seventh Congress, Second Session, Senate Executive Document Number 1, Vol. I, pp. 658-659; Wright, "Colonel Cooper's Report on the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, pp. 384-386; McReynolds, The Seminoles, pp. 293-295; Orpha Russell, "EKVN-HV-LWUCE: Site of Oklahoma's First Civil War Battle," Chronicles of Oklahoma, Vol. XXIX, No. 4 (Winter, 1951-1952), pp. 404-406.

though the Indian delegation had deposited it over a week before.⁴⁰

The rest of the delegates' journey must be pieced together from fragmentary sources. The next confirmed stop of the messages was at Iola, Kansas, where they met E. H. Carruth.⁴¹ The exact date of their arrival is uncertain, but by September 10, Carruth and the Indians were at Brigadier General Lane's headquarters at Barnesville, Kansas. Whether or not the delegates were able to see Lane in person is difficult to discern, but they probably did. No record can be found of any correspondence between them, but Coffin in a letter to Dole stated that "there were three Creek Indians came up to se [sic] General Lane who came to Iola for Caruth [sic] to go with them to General Lane."⁴² Why would Carruth have traveled on to Barnesville if he did not expect the general to be there? Carruth, in an answer to the two Creek chiefs' letter,

⁴⁰ Abbott to Branch, September 18, 1861, Letters Received by the Office of Indian Affairs, Creek Agency, Department of the Interior, National Archives; Hutke, Deer, and Ellis to Lincoln, September 18, 1861, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives; Abbott to Fort Smith Commission, September 12, 1865, Annual Report of the Commissioner of Indian Affairs for 1865, p. 330; Abel, The American Indian as Slaveholder and Secessionist, pp. 244-245, n. 489, n. 490.

⁴¹ E. H. Carruth was well known to the loyal Creeks, for he had been an educator among the Cherokees and Creeks before the outbreak of the Civil War. Carruth left the Creek Nation in June of 1861 but promised that "he would give a true statement of the condition of himself and loyal Creek people" to government officials. When Carruth reached Kansas he contacted James Lane, United States Senator and self-styled military man. Knowing of Lane's interest in enrolling Indians for the protection of Kansas, Carruth alerted Lane to the possible use of the loyal Indians as Union soldiers. He was rewarded with a commission, dated Fort Scott, August 30, 1861, issued by the authority of "J. H. Lane, Commanding the Kansas Brigade." See Abel, The American Indian as Slaveholder and Secessionist, pp. 242-243, nn. 485-487.

⁴² Ibid., n. 485; Coffin to Dole, September 26, 1861, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

stated that he was "authorized to inform you that the President will not forget you." Who except Lane, who had commissioned Carruth, could have "authorized" him?

This Barnesville visitation was most fruitful and gratifying for both parties. Carruth, seeing a chance to promote Lane's idea for a council with the Indians, exchanged the delegates' two letters for five of his own addressed to Chief Ross, the two Creek chiefs, Chief Tusaquach of the Wichitas, the Seminole chiefs and headmen, and the loyal Choctaws and Chickasaws.⁴³ Carruth, in his letters, asked the tribes to send "a delegation of your best men to meet the commissioner of the United States Government in Kansas," and declared that "our army will soon go south and those of your people who are true and loyal to the Government will be treated as friends." He added that "the President is still alive. His soldiers will soon drive these men who have violated your homes from the land they have treacherously entered," and concluded "you will learn that the people who are true to the Government, which so long protected you are your friends."⁴⁴ Carruth also gave the Indians verbal reassurances that they would "receive assistance within a few weeks."⁴⁵

⁴³ James McIntosh to Cooper, September 10, 1861, Carruth to Opothleyahola and Oktarharsars Harjo, September 10, 1861, Carruth to the Chickasaws and Choctaws, September 11, 1861, Carruth to Tusaquach, September 11, 1861, Official Records, Ser. i, Vol. VIII, pp. 25-26; Carruth to Ross, September 11, 1861, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives. Abel, The American Indian as Slaveholder and Secessionist, pp. 246-247.

⁴⁴ Carruth to Opothleyahola and Oktarharsars Harjo, September 10, 1861, Official Records, Ser. i, Vol. VIII, p. 25.

⁴⁵ Creek, Seminole, and Chickasaw chiefs to Lincoln, March 31, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

The delegates next visited Reverend Evan Jones, who was then residing in Lawrence, Kansas. In a letter to Commissioner Dole, Jones explained that Indians who lived "about Little River, near the Seminole country," had reached his home around the first of October and had "come...to find out the truth about the war."⁴⁶ It is uncertain whether the Indians then visited personally with Superintendent Coffin before returning to Indian Territory. Coffin's first annual report, dated October 2, 1861, points out that "the only tribes I have been able to reach are the Osages, Quapaws, Senecas, Shawnees, and a part of the Cherokee nation."⁴⁷ In an earlier letter, dated September 26, Coffin stated that he was "going to Fort Scott today and will make arrangements with Agent Elder to give the notice immediately on their arrival or Bring them to Humboldt." Coffin then complained that "the service required of me at the Sacks [sic] & Fox and Kaw agencies will take me to far off but will try to attend to all if possible."⁴⁸ If Coffin had been able to avail himself of this important opportunity, then it seems that logic and duty would have compelled him to officially report the results to the Commissioner of Indian Affairs. No such written communication has been located. However, some authors still assert that the

⁴⁶ Jones to Dole, October 31, 1861, Thirty-Seventh Congress, Second Session, Senate Executive Document Number 1, Vol. I, pp. 658-659.

⁴⁷ Coffin to Dole, October 2, 1861, *ibid.*, pp. 654-655.

⁴⁸ Coffin to Dole, September 26, 1861, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives. Abel, The American Indian as Slaveholder and Secessionist, pp. 242-243, n. 485.

delegates spoke personally with Coffin.⁴⁹

Carrying letters and promises of support, Hutke, Deer, and Ellis returned to Indian Territory in October, 1861. The loyal Indians, desperate for specific commitments from the United States government, accepted Carruth's invitation to attend a council, and a second delegation was immediately appointed to meet "the commissioner of the United States government in Kansas." LeRoy, Kansas, had been selected as the site of the proposed council instead of Humboldt, Kansas, as was originally planned. It was at LeRoy that the second loyal Indian delegation arrived on November 1, 1861. The diplomatic representatives were headed by Oktarharsars Harjo, recently-elected principal chief of the Creeks, Micco Hutke, Bob Deer, David Fields (erroneously referred to in this delegation as Phil David), two Chickasaw chiefs, and two Seminole chiefs.⁵⁰ They held a council with Creek Agent George A. Cutler in his

⁴⁹ Ibid., p. 245; Dean Trickett, "The Civil War in the Indian Territory, 1861," Chronicles of Oklahoma, Vol. XVIII, No. 2 (June, 1940), p. 152. Fairness concedes that the delegation could have and should have visited Superintendent Coffin during their lengthy sojourn in Kansas, but scholarship demands documentary evidence. Neither of the above authors cite primary supportive evidence, and this author found none in the Official Records, the Annual Reports of the Commissioner of Indian Affairs, 1861-1865, Letters Received by the Office of Indian Affairs, the National Archives, or Kansas newspapers of 1861.

⁵⁰ Some historians claim that Oktarharsars Harjo (Sands) and Micco Hutke were in Indian Territory directing the activities of the loyal Indians in November and December of 1861. However, documentary evidence strongly indicates that they were in Kansas and Washington at that time with the loyal Indian delegation. Proof that Sands was in Washington is found in Cutler to Dole, November 4, 1861, Cutler to Dole, April 7, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives; and Loyal Creek Delegation to the Fort Smith Council, September 12, 1865, Annual Report of the Commissioner of Indian Affairs for 1865, pp. 328-329. Evidence of Micco Hutke's being in Washington is found in Cutler to Dole, November 4, 1861, and Jones to Dole, December 14, 1861, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior and Abel, The American Indian as Slaveholder and Secessionist, p. 244, n. 489.

home at LeRoy on November 4, 1861.⁵¹ Micco Hutke, accompanied by one of the other delegates, left the rest of the Indian group for a short time and journeyed to Lawrence, Kansas, to see Reverend Evan Jones, whom he had visited on his trip to Kansas.

The Indian mission was especially anxious to meet with Lane, so Cutler escorted them to Fort Scott, Lane's headquarters. Upon reaching that post, the Indians were keenly disappointed to find that Lane was in Washington, and they talked instead with his successor, Colonel James Montgomery. It was then decided that the delegation should depart at once for Washington to try to catch Lane and to confer with ranking government officials, and Montgomery sent a letter informing President Lincoln of the Indians' intentions and their forthcoming visit. Their route took them first to Fort Leavenworth, where they stopped to talk with Major General David Hunter, then commander of the Department of Kansas, which also encompassed Indian Territory. Hunter approved the mission and issued them a draft for travel expenses. Eight or ten of the delegates and Cutler continued to the national capital. The Indian delegation spent two and one-half weeks in Washington at a cost of \$960.50. On December 27, 1861, the representatives arrived back at Fort Leavenworth from the journey which "Strengthened their confidence and belief in the power and stability of the government." On the following

⁵¹Cutler to Dole, November 4, 1861, Creek, Seminole, and Chickasaw chiefs to Lincoln, March 31, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives; Cutler to Coffin, September 30, 1862, Annual Report of the Commissioner of Indian Affairs for 1862, pp. 138-139; Loyal Creek Delegation to the Fort Smith Commission, September 12, 1865, Annual Report of the Commissioner of Indian Affairs for 1865, pp. 328-329.

day, Coffin met with the Indian delegates "to good satisfaction," and "presented them with gifts of pipes, tobacco, and sugar," and sent them home by way of Fort Scott.⁵²

Any tangible accomplishments or definite commitments which accrued from this trip to Washington were dashed by a series of events that had already culminated before the delegates returned to their people. The realization of the importance of maintaining Indian Territory came too late to the Northern military officials, and recurring appeals by Secretary of Interior Smith, Commissioner Dole, and Superintendent Coffin either fell on deaf ears or went unheeded because of dissension, unpreparedness, and lackadaisical attitude on the part of government and military officials. The time when events in Indian Territory could be favorably controlled by Washington was past, and the immediate course of events in Indian Territory would be directed, by default, from Richmond, the capital of the Confederacy, and by the Indians themselves.

While these two delegations were in Kansas and Washington, the loyal Indians had acknowledged the necessity of being prepared to leave their homelands; as early as September, 1861, some were already living as refugees in selected camps throughout the western portion of the Creek Nation, awaiting information from their representatives in Kansas and further developments in Indian Territory. Opothleyahola could

⁵²Cutler to Coffin, September 30, 1861, Annual Report of the Commissioner of Indian Affairs for 1862, pp. 138-140; Coffin to Dole, December 28, 1861, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives; Abel, The American Indian as Slaveholder and Secessionist, pp. 265-267; Annie H. Abel, The American Indian as Participant in the Civil War (Cleveland: The Arthur H. Clark Co., 1919), pp. 62-74.

hardly have been less than elated by the information he received from the first delegation. Lane and Carruth had promised military aid, Abbott and Carruth gave assurance of monetary support and government supplies, President Lincoln had been informed of their situation, and another council had been requested to further assist the loyal Indians.

Opothleyahola was then willing to implement the plan for the exodus that had been taking shape in his mind since the Antelope Hills meeting. The withdrawal of the loyal Creeks into separate camps in September, 1861, was spontaneous and unorganized. However, the ensuing unification of all the loyal Creeks, Seminoles, Chickasaws, Cherokees, and other tribes in Indian Territory under a common leadership, the detailed itinerary, and the precision timing displayed during the withdrawal were a tribute to Opothleyahola's wisdom and foresight.

Feeling sure of Cherokee sympathy for his cause and Federal government intervention on his behalf, Opothleyahola planned an orderly, organized migration of loyal Indians to the Cherokee Outlet on the northwestern limits of the Cherokee Nation. It was unfortunate for the loyal Indians that Opothleyahola's plans, implemented under severe conditions and only partially realized, ended tragically. Few of his followers realized the horror of the ordeal that faced them.

CHAPTER II

EXODUS OF OPOTHLEYAHOLA REFUGEES

The uncompromising position of the loyal Creeks and Seminoles aggravated the high tension existing in Indian Territory in October and November, 1861. As pressure heightened, rumors, accusations, and threats raced wildly across the area. Sectional sentiment made peaceful coexistence between tribal factions impossible, and Indian Territory in the early autumn of 1861 was rapidly becoming an armed camp. Neutrality was no longer feasible or even possible for those tribal groups who did not openly espouse the Southern cause.

As soon as a Cherokee convention approved resolutions favoring a Cherokee-Confederate treaty in August, 1861, Chief Ross began plying the former ally Opothleyahola with entreaties for a conference. Ross's attempt to persuade Opothleyahola and his followers to come within the Confederate orbit were inspired by his desire to keep the Five Civilized Tribes united. Early in 1861 Ross urged neutrality for all Indian Territory tribes and was instrumental in abating secessionist sentiment at the February intertribal conference and at the Antelope Hills council. Reversing his course, Ross in August, 1861, presented resolutions to the Cherokee convention favoring alignment with the South. Next he tried to persuade his former allies to sign treaties with the Confederacy. Ross's actions seem contradictory, but Ross thought collective strength through unity was the only way to insure the political and territorial

integrity of the Cherokees and other Indian Territory tribes. When unity through neutrality became impossible, Ross tried to unite the Indian Territory tribes in the Confederate cause.

After the Cherokee convention, Ross acknowledged to Opothleyahola and other Creek chiefs that "with one voice we [Cherokee people] have proclaimed in favor of forming an alliance with the Confederate States, and shall thereby preserve and maintain the brotherhood of the Indian nations in a common destiny."¹ Opothleyahola and Chief Sands of the Seminoles incredulously read Ross letter and returned it with a note on the back asking if the author was in fact Chief Ross. A second letter from Ross assured the Upper Creeks and pro-Union Seminoles of the course chosen by the Cherokees. Enclosed were the resolutions adopted by the convention and Ross's address to the convention urging adoption.²

The loyal Indians' reaction to the startling turnabout of their former friends can only be inferred by their silence. They were aware of the precarious position in which they had been placed by the Cherokees. This isolation of the loyal Creeks emboldened the Confederate Creeks who told Chief Ross that Opothleyahola was "more hostile than ever" and suggested an attack on his followers. On October 31, the Creeks informed Colonel Cooper that they planned "to put down the hostile

¹Cooley to the Fort Smith Commission, September 12, 1865, Ross to Opothleyahola and other Creek chiefs, September 19, 1861, Annual Report of the Commissioner of Indian Affairs for 1865, pp. 326, 353.

²Ibid.; Thoburn, "The Cherokee Question," Chronicles of Oklahoma, Vol. II, pp. 170-188; Woodward, The Cherokees, pp. 266-267; Abel, The American Indian as Slaveholder and Secessionist, pp. 235-237; Wardell, A Political History of the Cherokee Nation, 1838-1907, p. 133.

movements of Opothleyahola and his party" on the following Friday.³

When informed of these aggressive intentions by Creek Chief Canard, Ross pleaded with Opothleyahola to come to the Cherokee capital at Tahlequah to "smoke the pipe of peace and friendship...and that all misunderstandings among the family of our red brethren may be forever buried in oblivion."⁴

To encourage Opothleyahola to come to Tahlequah, Ross appointed Chief Joseph Vann to head a peace delegation "to hold a free and brotherly talk...face to face" with the loyal Creeks. Ross also obtained letters of safeguard from Pike ensuring Opothleyahola's protection under penalty of death for violating them if he would meet with Ross and Pike. Both worked diligently to come to an agreement with Opothleyahola.⁵

Vann carried with him Pike's amnesty proclamation of October 7, 1861, which offered "a free pardon to Hopoithle Yahola and to all Creeks and other Warriors now under him in arms against the Confederate States and the lawful authorities of the Creek Nation...on condition that they submit and lay down their arms."⁶ No tangible result came

³ Canard to Ross, October 18, 1861, John Ross Papers, Thomas Gilcrease Institute of American History and Art, Tulsa, Oklahoma; Canard and Harjo to Cooper, October 31, 1861, Creek Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society, Oklahoma City, Oklahoma.

⁴ Ross to Opothleyahola, October 8, 1861, Annual Report of the Commissioner of Indian Affairs for 1865, p. 354.

⁵ Ibid.; Thoburn, "The Cherokee Question," Chronicles of Oklahoma, Vol. II, pp. 171-172.

⁶ Pike to Opothleyahola and all Creek and other warriors, October 7, 1861, Cate Collection Folder, Western History Collections, University of Oklahoma Library, Norman, Oklahoma.

from Vann's peace mission, and the recalcitrant Creeks and Seminoles refused to meet with Ross and declined Pike's peace proposal.

The final decision by the loyal Indians to assume a defensive military posture and to migrate was forced by the belligerent actions of the McIntosh Creeks and by the raising of four armed regiments and a battalion numbering over 5,000 among the Confederate Indians.⁷ Thus military resistance and removal became necessary for survival. D. N. McIntosh and Chilly McIntosh, who had earlier sworn to avenge William McIntosh's death, were now commanding military units, and Chief Jumper, intriguer and signer of the Confederate-Seminole treaty, was anxious to compel the loyal Seminoles to accept the treaty and his leadership.⁸

The situation was a desperate one for the loyal Indians, and rumors were rife throughout Indian Territory in the fall of 1861, of an impending clash between Confederate and pro-Union Indians. After the war, William P. Adair, D. N. McIntosh, and others remembered the rumor that "the [Indian] Country would soon be over run by a great army from the North, which would sweep over it like a besom of destruction," and recalled "that Ho-poith-la-yo-hola and the Upper Creeks intended to... annihilate the Lower Creeks."⁹

⁷Thoburn and Wright, Oklahoma: A History of the State and Its People, Vol. I, pp. 325-326; Fischer and Gill, "Confederate Indian Forces Outside of Indian Territory," Chronicles of Oklahoma, Vol. XLVI, pp. 250-251; Francis, "Confederate Ascendancy in Indian Territory, 1860-1861," pp. 49-52.

⁸Thoburn and Wright, Oklahoma: A History of the State and Its People, Vol. I, p. 235.

⁹"Statement relative to the Exodus of Ho-poith-la-yo-ho-la and his followers from the Creek and Cherokee Country in the fall and winter of 1861 and '62," Letters Received by the Office of Indian Affairs, Department of the Interior, National Archives.

Ross lamented to Opothleyahola that he was "grieved to hear of so many bad reports which have been circulated throughout the land," and he warned that although they were "no doubt false and without foundation...if not corrected and silenced, might lead to trouble and bloodshed."¹⁰ Douglas H. Cooper told W. P. Ross, commanding the First Cherokee Regiment of Mounted Riflemen, that Ross was "mistaken in regard to Hopoithlayahola's pacific intension" because the loyal Indians were "meditating an attack upon my camp, in conjunction with...1000 Jay-hawkers."¹¹ Conversely, the loyal Indians felt that they "were threatened with entire annihilation, and were compelled to leave our homes and all that we possessed in the world."¹²

Those Indians in Indian Territory remaining loyal to their United States treaty commitments faced a formidable dilemma by October, 1861, and on the solutions they derived depended their existence. To meet this challenge, they pooled their resources, talents, and leadership. Their most important asset was their leadership, which had an Iliad-like quality; perhaps no other previous Indian endeavor had been so brilliantly conceived, organized, and implemented as the journey of the Opothleyahola refugees. The sixty-three year old Opothleyahola was the organizer of this incredible venture, and around his abilities were

¹⁰ Ross to Opothleyahola, October 8, 1861, Annual Report of the Commissioner of Indian Affairs for 1865, p. 354.

¹¹ Cooper to W. P. Ross, November 10, 1861, Cherokee Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society; Wright, "Colonel Cooper's Civil War Report on the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, pp. 377-378.

¹² Loyal Creek delegation to the Fort Smith Commission, September 12, 1865, Annual Report of the Commissioner of Indian Affairs for 1865, pp. 328-329.

interwoven the talents of portions of about twenty tribes and their leaders. Oktarharsars Harjo, as principal chief of the loyal Creeks did much of the early organizing and implementing of actual detail required to coordinate all of the Upper Creek efforts. His diplomatic skills were a very important factor in the inception and successful execution of the two diplomatic missions to Kansas and Washington. Micco Hutke of Talasi Town on the Little River was also brilliant and fearless in his efforts to bring the loyal Indians' desperate situation to the attention of government officials in Kansas. He twice led loyal Indian delegations through miles of Confederate-held territory to Kansas.¹³

However, for personal charisma, bravery, and skill in combat, the Seminole leaders were unmatched. The heroic military feats and indomitable spirit displayed by Billy Bowlegs, Halleck Tustenuggee, and John Chupco (Long John) in the Seminole wars were legendary among their people. Bowlegs was the unanimous choice of the loyal Seminoles for principal chief, as he had been head chief of the Florida Seminoles for several years before his voluntary removal to Indian Territory in 1859.¹⁴

¹³ The exact location of Hutke and Oktarharsars Harjo during November and December of 1861 is disputed. Some historians credit Hutke and Harjo, especially Hutke, with a major role in the refugee removal of Indian Territory in November and December of 1861, but primary source material seems to indicate that Hutke and Harjo were in Kansas and Washington during this period. See footnote fifty in Chapter I of this work.

¹⁴ Pascofa to Lincoln, March 10, 1864, Letters Received by the Office of Indian Affairs, Seminole Agency, Department of the Interior, National Archives; Kenneth W. Porter, "Billy Bowlegs (Holata Micco) in the Seminole Wars (Part I)," Florida Historical Quarterly, Vol. XLV, No. 3 (January, 1967), pp. 219-242; Kenneth W. Porter, "Billy Bowlegs (Holata Micco) in the Civil War (Part II)," Florida Historical Quarterly, Vol. XLV, No. 4 (April, 1967), pp. 391-491; Carolyn Thomas Foreman,

Pascofa, who had been in Indian Territory longer than the Seminole war chiefs, was elected second chief of the Seminoles. His ability to organize is attested to by numerous letters and communications during the Civil War and his close planning with Opothleyahola for the two Kansas delegations in 1861.

John Chupco (brother-in-law and apparent successor to Bowlegs before their removal from Florida) and Halleck Tustenuggee were as conspicuous for their gallantry and battlefield leadership during the three major battles fought during the exodus as they were in the Seminole wars.¹⁵ The Creek military contribution was a Yuchi warrior-chief, Little Captain, who was later eulogized by the loyal Indians for his extraordinary leadership and gallantry in battle.¹⁶

Organizing and implementing the refugees' departure taxed the wisdom and abilities of these great leaders. Opothleyahola's refugees included 4,400 Creeks, 1,100 Seminoles, 300 Yuchis, 250 Cherokees, 150 Chickasaws, and over 300 free Negroes and slaves. In addition to the Five Civilized Tribes, there were smaller tribes and bands of Indians residing in the western portion of the Creek Nation who joined the Opothleyahola refugees in the fall of 1861. Among these were the

"Billy Bowlegs," Chronicles of Oklahoma, Vol. XXXIII, No. 4 (Winter, 1955-1956), pp. 512-532; Dean Trickett, "The Civil War in Indian Territory, 1861," Chronicles of Oklahoma, Vol. XVIII, No. 3 (September, 1940), p. 269.

¹⁵ Ibid.; Porter, "Billy Bowlegs (Holata Micco) in the Seminole Wars Part I," Florida Historical Quarterly, Vol. XLV, pp. 219-242; Porter, "Billy Bowlegs (Holata Micco) in the Civil War (Part II)," Florida Historical Quarterly, Vol. XLV, pp. 391-401; Robert Johnson Interview, August 31, 1937, Indian-Pioneer History (116 volumes of type-scripts), Vol. LXXXVI, pp. 179-180, Grant Foreman Collection, Oklahoma Historical Society.

¹⁶ Wright, "Colonel Cooper's Civil War Report on the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, p. 287, n. 30.

Kickapoos, living along the north bank of the North Canadian River; fifty of their warriors and families joined Opothleyahola.¹⁷

Bands of Absentee Shawnee, Delaware, Quapaw, and Piankashaw had also been allowed by the Creeks to reside in the relatively uninhabited western part of the Creek Nation. These Indians provided the Creeks protection against the fierce plains tribes to the west. The Creeks valued the friendship of these tribes, and in 1841 allocated \$120 of their annual annuity to nearly 600 Piankashaw Indians who had settled among them. Bob Deer and Jo Ellis, who accompanied Micco Hutke to Kansas in September, 1861, were Absentee Shawnees. Many families of these bands followed Opothleyahola to Kansas because of their close relationship with the Upper Creeks. Before Opothleyahola's refugees reached Kansas they were also joined by 300 Indians from the Wichita Agency.¹⁸

News of events in the Creek Nation sporadically reached these small bands living along the North Canadian River and the Wichita Agency Indians, and many must have felt a sense of urgency. Just before mid-October, 1861, a meeting was called at Council Grove (west of present Oklahoma City) on the North Canadian River, where Jesse Chisholm had a trading post, to discuss the impending Civil War in Indian Territory. This site was centrally located between the small tribes of the western Creek Nation and the Wichita Agency Indians. It was from this council

¹⁷ Arrell M. Gibson, The Kickapoos: Lords of the Middle Border (Norman: University of Oklahoma Press, 1963), p. 197.

¹⁸ Thomas Wildcat Alford, Civilization, written and edited by Florence Drake (Norman: University of Oklahoma Press, 1936), pp. 6-12; Foreman, The Last Trek of the Indians, pp. 162-163; Wright, A Guide to the Indian Tribes of Oklahoma, p. 138; Russell, "EKVN-LV-LWUCE: Site of Oklahoma's First Civil War Battle," Chronicles of Oklahoma, Vol. XXIX, p. 405.

that Opothleyahola gained many followers who made immediate plans to join him, but most expressed their intention to remain neutral. The leaders of the loyal Indians had to take into account these western bands in their exodus plans. These smaller tribes swelled Opothleyahola's ranks to approximately 7,600 men, women, and children.¹⁹

A prodigious effort was required to prepare for the mass migration contemplated by the loyal Indians. Food, clothing, shelter, and all personal possessions for this multitude had to be prepared and packed for immediate removal. Most of these refugees were not migrant Indians subsisting off the land; instead, many were generally affluent citizens who could count their wealth of cattle, sheep, hogs, horses, slaves, land, homes, and personal possessions in the thousands of dollars. Knowing that anything left behind would fall into the hands of their hated antagonists, these refugees endeavored to take everything movable with them.

The meat of butchered hogs, sheep, and cattle was sliced and salted or cooked down. Onions, peppers, corn, beets, potatoes, sweet potatoes, and other garden vegetables were dried and packed, and corn and grains were ground and stored. Cooking utensils (including large three-legged cast iron pots and earthen-ware crocks), clothes, and household necessities were packed. The unbutchered animals were rounded up to be driven along with the caravan. Horses and dogs were also used as pack animals. Wagons, buggies, and all conveyances were loaded and hitched. Prized possessions and valuables for which there was no room

¹⁹ Alford, Civilization, pp. 6-7; D. N. McIntosh to Cooper, October 27, 1861, Creek Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society; Wright, "Colonel Cooper's Civil War Report on the Battle of Round Mountain, Chronicles of Oklahoma, Vol. XXXIX, p. 376.

or immediate use were buried to be recovered at a later date.²⁰

The feverish preparations in the towns and camps scattered throughout the Creek and Seminole nations must have resembled the activity on Texas ranches during spring roundup. The bawling cattle, squalling pigs, and other animal noises lent a county fair atmosphere to the refugee preparations. Mixed with these sounds were the banging noises of pots and pans, the creaks and groans of overloaded wagons, the rattling of chains and traces, and the less audible sounds of human activity. Occasionally, above this din, snatches of conversation, sharp commands, muffled cries of old people, and bursts of childrens' laughter, carried through the crisp autumn air. Only the seriousness of the ordeal facing the refugees superseded the human grandeur and majesty of the hundreds of similar and simultaneous scenes throughout the Creek and Seminole nations.

As rumors replaced rational thinking and tensions mounted, a clash became inevitable. Personal revenge, rumors, and threats finally culminated in small military incidents between the loyal and Confederate Creeks. The animosity between the Upper and Lower Creeks, which had festered for years, now oozed from fresh wounds.²¹

²⁰James Scott Interview, June 26, 1937, Eli Ellis Interview, February 15, 1937, Mary Fuswa Evans Interview, February 15, 1937, Malucy Bear Interview, October 25, 1937, Indian-Pioneer History, Vol. LXXXI, pp. 78-82, Vol. III, pp. 370-371, Vol. III, pp. 396-397, Vol. XIV, pp. 82-85, Grant Foreman Collection, Oklahoma Historical Society; Debo, The Road to Disappearance, p. 151; McReynolds, The Seminoles, pp. 294-295; Angie Debo, "The Location of the Battle of Round Mountains," Chronicles of Oklahoma, Vol. XLI, No. 1 (Spring, 1963), p. 70.

²¹Wright in "Colonel Cooper's Civil War Report on the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, p. 384 locates the site of one military "affair" near Thlophlocco on present Battle Creek, a north branch of the North Canadian River southeast of Okemah. That a

Chief Ross viewed with alarm the "Creek feuds," and he confided to Colonel John Drew that he regretted the "confusion and excitement growing out of the Creek affair which might have been amicably adjusted." Ross hoped that the "Creek feuds would be more readily checked and silenced without a conflict of arms."²²

It was the Creek clashes which triggered the removal of the loyal Indians and which brought Colonel Douglas H. Cooper to Thlopthlocco in the Creek Nation on October 29. Cooper, who felt that it was "exceedingly vexatious to be detained" at Thlopthlocco "by party feuds," nevertheless, hoped to meet with Opothleyahola or at least discover his plans.²³ Cooper dispatched messengers to Opothleyahola's camp to try to arrange a conference and delayed a few days awaiting an answer. Opothleyahola, who had already set the removal plans into action by October 27, pretended at first to be interested, but he was only buying time to insure the safety and success of his people's migration. Cooper "exhausted every means...to procure...a peaceful settlement" between the Creek factions, but after his attempts to correspond with Opothleyahola "were treated with silence, if not contempt," he hurried back to his headquarters near Fisher's Store on the Deep Fork. Cooper left

military incident occurred is substantiated by letters of Chief Ross and Colonel Cooper. The exact location of this skirmish in the Creek Nation is less certain.

²² John Ross to Drew, October 20, 1861, Cherokee Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society; Wright, "Colonel Cooper's Civil War Report on the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, p. 397.

²³ Cooper to Drew, October 29, 1861, Creek Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society; Wright, "Colonel Cooper's Civil War Report on the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, pp. 376, 384.

Fisher's Store shortly after November 5 to group the Confederate Indian troops under his command and to organize an expedition against the loyal Indians.²⁴

The exact route or routes of the fleeing Opothleyahola refugees is difficult to discern. The refugees themselves kept no official record of their exodus, and the reports of pursuing Confederate units are very sketchy in geographic data and are deficient in dates before November 15. Numerous firsthand accounts of participants exist, but they were not recorded until years after the Civil War. Thus it is easy to understand how so much conflicting information has been written about the exodus of the Opothleyahola refugees and their ensuing battles.

The activity and movements of the loyal Indians throughout Indian Territory were closely observed by Confederate Indian scouts and patrols in the summer and fall of 1861. The range and accuracy of their observations is attested by an official report of Colonel D. N. McIntosh to his immediate superior, Colonel Cooper. This brief account is probably the most important single record of the distribution, destination, and itinerary of the loyal Indians. McIntosh reported that by October 27 the loyal Indians had disbanded into three separate groups. The first parcel, "under the pretext of hunting," was to move to Council Grove; the second parcel, "pretending to return to their homes," was to secure possessions and move north; the third parcel took a large number of

²⁴"Statement Relative to the Exodus of Ho-poith-la-yo-ho-la and his followers from the Creek and Cherokee Country in the fall and winter of 1861 and '62," Letters Received by the Office of Indian Affairs, Department of the Interior, National Archives; Cooper to Benjamin, January 20, 1862, Official Records, Ser. i, Vol. VIII, p. 5; Wright, "Colonel Cooper's Civil War Report on the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, pp. 375-377, 384.

Negroes and went from their encampment north over the Deep Fork.²⁵ The general truth of these observations is borne out by other accounts of the exodus and by the geographic distribution of loyal Indians in the Creek and Seminole nations. The first group has reference to the previously mentioned Indian bands living along the North Canadian River in the western part of the Creek Nation.

Thomas Wildcat Alford recalled that "Absentee Shawnees were associated in their councils with...the Tallihasse Town of Creeks, the Delawares, the Piankeshaws, and the Kickapoos" and that these tribes on the eve of the Civil War in Indian Territory "all held councils together" to decide whether to join the Opothleyahola refugees. Most of the members of these bands decided to remain neutral, but some joined the loyal refugees in 1861.²⁶

The majority of these tribes removed to Kansas in 1862 and their secret method of avoiding Confederate resistance when departing in 1862 is remarkably similar to McIntosh's description of the 1861 removal. Alford explained that a general council was called in the spring of 1862 to meet at Council Grove, the "families left their settlement one at a time, obstensibly [sic] to go on a long hunting expedition...but all were to meet at a given time at Council Grove."²⁷ Members of these small bands living in the western part of the Creek Nation were joined

²⁵ D. N. McIntosh to Cooper, October 27, 1861, Creek Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society; Angie Debo, "The Location of the Battle of Round Mountains," Chronicles of Oklahoma, Vol. XLI, p. 82; Wright, "Colonel Cooper's Civil War Report of the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, p. 376.

²⁶ Alford, Civilization, pp. 6-13.

²⁷ Ibid.

at Council Grove in 1861 by 300 Wichita Agency Indians and fifty Kickapoo families to form the first parcel correctly identified by McIntosh.

The loyal Creek and Seminole towns and encampments, for the purpose of organization for the exodus, congregated into two groups. The eastern group of Upper Creek towns were situated along the valleys near the mouths of the Deep Fork and North Fork and along the valley of the adjoining South Canadian River. These towns, when sketched on a map, quickly suggest the route used by these loyal Indians. This eastern area included North Fork Town (which was probably the largest refugee camp) and the surrounding towns of Hillabee, Hillary Square, Brush Hill (Opothleyahola's home), and the Creek Council Grounds area near High Springs. The trail used by loyal Indians along these river valleys began at North Fork Town, headed in a northwest direction along the east bank of the Deep Fork up to the Little Deep Fork, and then along its bank to its junction with the Dawson Road.²⁸

Opothleyahola's encampment near North Fork Town was early a major rallying point for neutral and pro-Union Indians. It was also a refuge for runaway slaves, claiming to be free. This was a serious point of

²⁸ Thoburn and Wright, Oklahoma: A History of the State and Its People, Vol. I, pp. 235-236, Vol. II, pp. 810-811; Russell, "EKNV-HV-LWUCE: Site of Oklahoma's First Civil War Battle," Chronicles of Oklahoma, Vol. XXIX, pp. 403-406; Debo, Road to Disappearance, p. 150; McReynolds, The Seminoles, p. 292; Wright, "Colonel Cooper's Civil War Report on the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, pp. 376, 381-382, 384; Trickett, "The Civil War in Indian Territory, 1861," Chronicles of Oklahoma, Vol. XVIII, p. 268.

A map of the route followed by Opothleyahola refugees was drawn in 1864 by John T. Cox from information given him by refugee participants. The original is in the National Archives. This map was originally enclosed with an explanation in Cox to Coffin, March 18, 1864, Annual Report of the Commissioner of Indian Affairs for 1864 (Washington: Government Printing Office, 1865), p. 333. This explanatory letter and map are also in Abel, The American Indian as Slaveholder and Secessionist, pp. 261-265, n. 532.

contention and constant source of complaint by the Lower Creeks and Cherokees. When these eastern refugees headed north they were said to have had between 200 and 300 Negroes (free and slave) with them. The large number of Negroes and the central refugee camp at North Fork Town identifies this group of loyal Indians as McIntoshes' third parcel.²⁹

The western Upper Creek towns and the loyal Seminole camps situated along the western portions of the North Fork and along Little River and the South Canadian River constitute the third general grouping of the loyal Indians. Two basic routes were used by these refugees. The Dawson Road, the most important transportation artery in the western Creek Nation, was originally a military road between old Camp Holmes at the mouth of Little River and the original Fort Arbuckle just east of the Red Fork on the north side of the Arkansas River.

This route ran through or near several Creek towns: Edward's Trading Post near Talasi at the mouth of Little River, Thlopthlocco, Greenleaf's Town (or Store), Arbeka, Big Pond (or Roro-Culka), Sell's Store, and Long Tiger Town, principal town of the Yuchi Creeks. It was over this route that the majority of loyal Creeks traveled north. Along with these Creeks also traveled many of the loyal Seminoles and a small band of Shawnee Indians located on Little River (near present Sasakwa)

²⁹"Statement Relative to the Exodus of Ho-poith-la-yo-ho-la and his followers from the Creek and Cherokee Country in the fall and winter of 1861 and '62," Letters Received by the Office of Indian Affairs, Department of the Interior, National Archives, Canard to Ross, October 18, 1861, John Ross Papers, Thomas Gilcrease Institute of American History and Art; Canard and Harjo to Cooper, October 31, 1861, D. N. McIntosh to Cooper, October 27, 1861, Creek Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society.

a few miles above Edward's Trading Post.³⁰

Many of the Seminoles and a band of Delawares, living near present Purcell and led by the famous scout and guide, Black Beaver, followed the Delaware-Shawnee Trail north. This trail headed nearly straight north from a point near Chisholm's Trading Post on the South Canadian River to Black Bear Creek in the Cherokee Outlet. The trail then veered straight east and ran into Skiatooka's Place on the Arkansas River. The loyal Indians living the farthest south and west used these two well known routes, the Dawson Road and the Delaware-Shawnee Trail. Refugees from the eastern Upper Creek towns traveled worn paths through the valleys of the Deep Fork and Little Deep Fork. The Council Grove conferees traveled northeast until they eventually joined Opothleyahola's refugees near Skiatooka's Place, but probably before, along the Delaware-Shawnee Trail.³¹

From close examination and careful cross-referencing of available information, one is able to determine, generally, the timing and movements of the Opothleyahola refugees along these routes. Many small camps and groups of refugees began their treks at different times-- those farthest south beginning first. Most of the refugees had begun

³⁰Wright, "Colonel Cooper's Civil War Report on the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, pp. 364-365; McReynolds, The Seminoles, p. 295; Debo, "The Site of the Battle of Round Mountain, 1861," Chronicles of Oklahoma, Vol. XXVII, pp. 191, 194-196; Debo, "The Location of the Battle of Round Mountains," Chronicles of Oklahoma, Vol. XLI, pp. 81-83; Eli Ellis Interview, February 15, 1937, James Scott Interview, June 26, 1937, Indian-Pioneer History, Vol. III, pp. 370-371, Vol. LXXXI, pp. 78-82, Grant Foreman Collection, Oklahoma Historical Society.

³¹Debo, "The Site of the Battle of Round Mountain, 1861," Chronicles of Oklahoma, Vol. XXVII, pp. 192-193, 199; Debo, "The Location of the Battle of Round Mountains," Chronicles of Oklahoma, Vol. XLI, pp. 81-82. The Cox Map (see footnote 28) shows a group of "Delawares & Shawnees" moving along a route which approximates the known Shawnee-Delaware Trail.

moving by the last week of October and certainly all of the first week of November.

D. N. McIntosh's report indicates that a large portion of the eastern Upper Creek refugees had moved north by October 27 and Cooper confirmed this report two days later when he personally traveled up the North Fork past North Fork Town as far as Thlopthlocco. Movement up the Dawson Road had already commenced because Cooper found that Opothleyahola had left his headquarters in Greenleaf's Town at the junction of the North Fork and Dawson's Road.³²

Opothleyahola's presence so far away from his home at Brush Hill indicates two probabilities. First, he had already planned the movements of the eastern Upper Creek towns and had appointed other leaders to execute the details of movement along that route. The second inference is that Opothleyahola had established a new headquarters at Greenleaf's Town sometime before October 29 in order to better organize and expedite refugee movements of the western loyal Creek towns. Opothleyahola next "moved his camp to some point above the Big Pond [Roro-Culka] near the head of the [Little] Deep Fork."³³ His headquarters close to the Yuchi's Long Tiger Town (near present Slick) was the pre-planned junction of the eastern and western loyal Creek refugees who moved up

³²Cooper to Drew, October 29, 1861, Creek Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society.

³³"Statement relative to the Exodus of Ho-poith-la-yo-ho-la and his followers from the Creek and Cherokee Country in the fall and winter of 1861 and '62," Letters Received by the Office of Indian Affairs, Department of the Interior, National Archives.

the Deep Fork-Little Deep Fork trail and up the Dawson Road.³⁴

From his advanced position Opothleyahola must have felt a certain satisfaction in watching the human tide that collected around his headquarters. This swollen torrent of men, women, children, animals, wagons, campage, and personal possessions had begun only a few days earlier as a trickle. At first families moved with their possessions to nearby refugee camps, and then these small camps in turn moved to larger refugee camps in designated parts of the Creek Nation. The tribal composition of each refugee group differed, and the members of each group came from different areas, but each refugee contingent always moved into a larger group and always in the same general direction, like small streams feeding into a large river. A participant, James Scott, recalled that his refugee party was "joined by larger groups" and that they "in turn joined other larger groups." He explained that his duty was "to help drive the cattle," but he relinquished the job when he "joined the main body."³⁵

The grim consequences of the migration were first demonstrated to the dispossessed Creeks through the confiscation of their property by

³⁴ Ibid.; Willie Tiger Interview, February 24, 1937, Indian-Pioneer History, Vol. X, pp. 522-523, Grant Foreman Collection, Oklahoma Historical Society; Debo, "The Site of the Battle of Round Mountain, 1861," Chronicles of Oklahoma, Vol. XXVII, p. 196; Wright, "Colonel Cooper's Civil War Report of the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, pp. 365, 381, 386; Carolyn Thomas Foreman, "The Yuchi: Children of the Sun," Chronicles of Oklahoma, Vol. XXXVII, No. 4 (Winter, 1959-1960), pp. 480-496; Orpha B. Russell, "Notes on Samuel William Brown, Jr., Yuchi Chief," Chronicles of Oklahoma, Vol. XXXVII, No. 4 (Winter, 1959-1960), pp. 497-501.

³⁵ James Scott Interview, June 26, 1937, Malucy Bear Interview, October 25, 1937, Indian-Pioneer History, Vol. LXXXI, pp. 78-82, Vol. XIV, pp. 82-85, Grant Foreman Collection, Oklahoma Historical Society; Debo, The Road to Disappearance, pp. 151-153; McReynolds, The Seminoles, pp. 293-294.

Confederate Creek authorities. Lower Creek Principal Chief Canard and other Creek chiefs informed Colonel Cooper, as early as October 31, that "All kinds of property known to belong to the opposite Party [loyal Creeks] shall be taken and sold for the benefit of the Creek Nation." In addition, "all free negroes found with Hopoithlayoholo's Party... shall be sold as slaves, for the benefit of the Creek Nation, and that all slaves who have joined Hopoithlayoholo's Party shall be sold also."³⁶

This threat was later carried out when the Confederate Creek National Council officially enacted confiscation legislation in 1863 against the refugee Creeks. Section 134 declared that "property of all such persons are hereby declaired [sic] confiscated," and Section 143 specified that "all free negros who followed Hopo-e-thle-yoholar and his party...when apprehended shall be sold for the benefit of the Creek Nation." Uncompromising finality was evinced in Section 136 which decreed that "no person or persons who may have returned after going north shall have any claim to property as disposed of by the proper authorities of this Nation."³⁷

The leaders of the exodus realized that they would not be allowed to migrate peacefully by their old tribal antagonists, but through careful planning and promised support from the Federal government the leaders hoped to thwart Confederate Indian designs against them. To encourage their charges, the loyal Chiefs had the Carruth letters, returned by Micco Hutke, read aloud by interpreters. Assuming that these

³⁶ Canard and Harjo to Cooper, October 31, 1861, Creek Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society.

³⁷ Chief Sam Checote Manuscript, Creek Tribal Records, Grant Foreman Collection, Oklahoma Historical Society.

messages were sanctioned by President Lincoln, the refugees must have been greatly encouraged.³⁸ Knowledge that a second delegation had recently been sent to Washington, D. C., by way of Kansas, to confer with the President and to substantiate his offer of support to the loyal Indians must have also been gratifying.

Even while the refugees were still arriving near Long Tiger Town, Opothleyahola and other leaders began executing the next series of movements to escape the Confederate Indians. As the refugee train wound its way into Opothleyahola's headquarters it was separated into three groups. An advance party of warriors accompanied over 300 slaves and free Negroes to the crossing of the Arkansas River just below the mouth of the Red Fork and to the old deserted Fort Arbuckle post which lay a few miles across the river.³⁹ Their purpose was to assist the old men, women, children, and incapacitated refugees who had separated from the warriors somewhere between Long Tiger Town and Round Mountain (south of

³⁸ James McIntosh to Cooper, September 10, 1861, Carruth to Opothleyahola and Oktarharsars Harjo, September 10, 1861, Carruth to the Chickasaws and Choctaws, September 11, 1861, Carruth to Tusaquach, September 11, 1861, Official Records, Ser. i, Vol. VIII, pp. 25-26; Russell, EKVN-HV-LWUCE: Site of Oklahoma's First Civil War Battle, "Chronicles of Oklahoma", Vol. XXIX, p. 405.

³⁹ This site should not be confused with old Camp Arbuckle established in 1851 on the South Canadian River or with Fort Arbuckle constructed in 1852 just north of the Arbuckle Mountains. "Fort Arbuckle" in this work will refer to the abandoned fort surveyed in 1834 by Captain J. L. Dawson and built in the summer of 1834 by Major George Birch. The ruins are located in northwestern Tulsa County, and its land-line position is the southwest quarter of the northwest quarter of section two, township nineteen north, range ten east.

James H. Gardner, "One Hundred Years Ago in the Region of Tulsa," Chronicles of Oklahoma, Vol. XI, No. 2 (June, 1933), pp. 765-785, gives an excellent history and description of the old fort site.

present Keystone) and who had followed them to the Arkansas River.⁴⁰

The actual crossing was a major task for these refugees because of the extreme care that had to be exercised in moving babies, children, those injured and sick, pregnant women, and invalids across the unpredictable Arkansas River. In addition, thousands of cattle, hogs, sheep, dogs, and other animals had to swim or walk across the tricky current and uneven bottom of the Arkansas River. Over 300 wagons and all types of conveyances also had to thread their way across the river. Flat boats, built and operated by the Negroes and slaves who had been assigned the task, ferried most of the supplies and people across. This Herculean effort required over a week and was still continuing even as Confederate military units charged upon the refugees.⁴¹

Most of the refugees who crossed the Arkansas River continued north along the east bank of the Arkansas River until they came to the magnificent stands of walnut timber along Walnut Creek and Wildhorse Creek. Colonel Cooper twice confirmed this rendezvous.⁴² By November 5 he was convinced that Opothleyahola refugees "near the Red Fork...were on their

⁴⁰Wright, "Colonel Cooper's Civil War Report on the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, p. 386; Russell, "EKNV-HV-LWUCE: The Site of Oklahoma's First Civil War Battle," Chronicles of Oklahoma, Vol. XXIX, pp. 404-405; Cox Map, National Archives, Washington, D. C.

⁴¹Russell, "EKNV-HV-LWUCE: The Site of Oklahoma's First Civil War Battle," Chronicles of Oklahoma, Vol. XXIX, pp. 403-405; Wright, "Colonel Cooper's Civil War Report on the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, pp. 386-388; Thomas Meagher, "Old Tulsa County Battlefield Located," Tulsa Tribune, November 19, 1938, p. 12.

⁴²Cooper to Benjamin, January 20, 1862, Official Records, Ser. i, Vol. VIII, p. 5; Cooper to Drew, November 5, 1861, Creek Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society; Wright, "Colonel Cooper's Civil War Report on the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, pp. 358, 369, 379.

route toward Walnut Creek where a fort was being erected, and which had for some time been their intended destination."⁴³

A portion of the refugees remained near old Fort Arbuckle. The women, children, and disabled persons were sheltered in four large caves located one-fourth mile northwest of the abandoned fort. These caves, dug out of the side of a deep gully, were protected by 100 Yuchi warriors commanded by Little Captain (or Keptune Uchee) who refortified the old post and patrolled the nearby area.⁴⁴

By November 15, Opothleyahola had arrived at Skiatooka's Place in the Cherokee Nation.⁴⁵ In the early 1850's, several Cherokee families moved into the Cherokee Outlet along the valleys of Hominy Creek, Wildhorse Creek, and Walnut Creek. Some settled along the Arkansas River as far west as Skiatooka's Place (near present Osage in Osage County). This area around Osage and Cleveland is referred to locally as the Big Bend Country because of the large bends and loop in the Arkansas River in that locale. The region from the Big Bend Country to the smaller creeks east was sparsely settled and was loosely referred to by the Cherokees as Skiatooka's Settlement. Skiatooka and James McDaniel,

⁴³Cooper to Benjamin, January 20, 1862, Official Records, Ser. i, Vol. VIII, p. 5.

⁴⁴Wright, "Colonel Cooper's Civil War Report of the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, pp. 286-288; Trickett, "The Civil War in Indian Territory, 1861," Chronicles of Oklahoma, Vol. XVIII, p. 269.

⁴⁵"Statement relative to the Exodus of Ho-poith-la-yo-ho-la and his followers from the Creek and Cherokee Country in the fall and winter of 1861 and '62," Letters Received by the Office of Indian Affairs, Department of the Interior, National Archives; James R. Gregory, "Creeks in the Civil War," Galveston News, November 27, 1901, p. 5 in the Creek Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society; Cox Map, National Archives.

influential Cherokees living in this frontier region, were contacted by Opothleyahola, and they secretly offered the loyal Indians, with whose cause they sympathized, sanctuary.⁴⁶

As soon as the women, children, and old people had been dispatched to old Fort Arbuckle and the Walnut Creek area, the warriors turned west off Dawson Road and followed Opothleyahola's trail toward Skiatooka's Place. Somewhere between the Red Fork and the Arkansas River these warriors were joined by the third group of refugees. The loyal Wichita Agency Indians, the Kickapoos, the Absentee Shawnees, and the Piankeshaws had merged with Black Beaver's band of Delawares and Seminoles along the Delaware-Shawnee Trail. It was somewhere along this trail south of Black Bear Creek that the final junction of the refugees was probably completed. Also, it is uncertain whether all the refugees joined the loyal Creeks before the first battle. Certainly many arrived afterwards.

The children and women moved on to Skiatooka's Place and then to the predetermined campsites along Walnut Creek and Wildhorse Creek. The warriors awaited the arrival of Colonel Cooper's forces at Camp Gouge located somewhere between the Red Fork and the Arkansas River.

By November 15, 1861, Colonel Cooper had collected most of the available Confederate troops in Indian Territory and had advanced into the Creek Nation with 1,400 men to force Opothleyahola to submit to

⁴⁶ Cooper to Benjamin, January 20, 1862, Official Records, Ser. i, Vol. VIII, p. 8; Wright, "Colonel Cooper's Civil War Report on the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, pp. 365-355, 384; Gregory, "Creeks in the Civil War," Galveston News, November 27, 1901, p. 5 in the Creek Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society; Trickett, "The Civil War in Indian Territory, 1861," Chronicles of Oklahoma, Vol. XVIII, p. 271.

Confederate rule or drive him out of Indian Territory.⁴⁷ He followed the North Fork refugees' trail leading up the Deep Fork. Finally, on November 19, some of the "disaffected party were seen and a few prisoners taken." From them he learned the destination of the refugees.

The events of November 19, 1861, cannot be chronicled with complete historical accuracy for lack of detailed documentary evidence. Participants in the conflict between the refugees and the Confederate troops reported minor engagements and skirmishes at widely varying points on this day. One Confederate Texan later reported that "the day was spent in skirmishing."⁴⁸ Cooper or his scouts undoubtedly must have seen several parties of stragglers who had either fallen behind or had not yet caught up with the main refugee party. These groups could account for the skirmishing. Cooper's forces followed the warriors to the west toward Skiatooka's Place, but patrols or even a sizable force may have been dispatched to trail the refugees who crossed the Arkansas River below Red Fork. If so, they may have clashed with the Yuchi warriors or refugees who had not yet crossed the Arkansas.⁴⁹

⁴⁷On May 13, 1861, the Confederate District of Indian Territory was created, with Brigadier General Ben McCulloch commanding. This military district was reorganized as the Department of Indian Territory on November 22, 1861, with Brigadier General Albert Pike commanding. However, in November and December McCulloch and Pike were in Richmond conferring with high ranking Confederate officials. Upon Cooper, the ranking officer in Indian Territory in the fall of 1861, devolved the responsibility for pushing pro-Union forces out of Indian Territory.

⁴⁸W. S. Adair, "Civil War Repeated in Indian Territory," Dallas Morning News, July 1, 1923, in Thoburn and Wright, Oklahoma: A History of the State and Its People, Vol. II, p. 836.

⁴⁹Wright, "Colonel Cooper's Civil War Report of the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, p. 287; Russell, "EKNV-HV-LWUCE: The Site of Oklahoma's First Civil War Battle," Chronicles of Oklahoma, Vol. XXIX, pp. 404-405.

In the afternoon about 4:00 o'clock, Cooper's forces crossed the Red Fork and saw smoke from camp fires. Upon charging the camp they found it had been recently deserted, but they discovered refugee scouts beyond the camp and pursued them four miles to their main camp located in a small skirt of timber along a creek. The loyal Indians then unexpectedly counter-attacked out of the timber and outflanked Cooper's advance guard which fell back to the main body. A "short but sharp conflict" ensued between the combatants, which was soon ended by darkness. Neither side could claim a victory, and there were few casualties. Later that night a loyal Indian detail crept close to the Confederate supply train and set fire to the surrounding dry prairie grass, which forced the Confederates to withdraw. Then the entire force of refugee warriors withdrew across the Arkansas River.⁵⁰ The exact site of this conflict, referred to as the Battle of Round Mountain, is disputed.⁵¹

The following morning Cooper's forces entered the abandoned Camp Gouge and found only one "buggy, 12 wagons, flour, sugar, coffee, salt ...cattle and ponies." Cooper was unable at that time to pursue the refugees farther for he had been directed by Brigadier General Ben McCulloch "to take [a] position near the Arkansas line" to help repel an

⁵⁰Cooper to Benjamin, January 20, 1862, Brison to Quayle, November 25, 1861, Young to Cooper, November 30, 1861, Official Records, Ser. i, Vol. VIII, pp. 5-15.

⁵¹Debo, "The Site of the Battle of Round Mountain, 1861," Chronicles of Oklahoma, Vol. XXVII, pp. 187-206; Wright, "Colonel Cooper's Civil War Report on the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, pp. 352-397; Debo, "The Location of the Battle of Round Mountains," Chronicles of Oklahoma, Vol. XLI, pp. 70-104; Russell, "EKNV-HV-LWUCE: The Site of Oklahoma's First Civil War Battle," Chronicles of Oklahoma, Vol. XXIX, pp. 401-407; Meagher, "Old Tulsa County Battlefield Located," Tulsa Tribune, November 19, 1939, p. 12.

expected thrust by Union forces into northern Arkansas. In compliance with his orders, Cooper moved his force eastward to Concharta.⁵²

The Opothleyahola refugees' movements during the next month disprove the misconception that they were originally attempting to flee into southeast Kansas or were heading toward the Walnut Creek area in south-central Kansas.⁵³ If Opothleyahola had intended to flee to Kansas, he had ample time before Cooper returned. Cooper had twice officially confirmed that Opothleyahola's intended destination was Walnut Creek, and that was where the refugees were relocated nearly three weeks later--along the wooded valleys of Walnut Creek, Wildhorse Creek, Hominy (or Shoal) Creek, and Bird Creek in the Cherokee Outlet.

The advantages of this area were many. These valleys lay on a sparsely settled frontier of the Cherokee Nation. This area east of the Arkansas River in the Cherokee Outlet (present Osage County) was referred to locally as Skiatooka's Settlement. In this area there was much sympathy and support (first clandestine but later open) for the loyal Indians. Skiatooka and McDaniel stirred up Union sentiment in this frontier region for Opothleyahola and his followers.⁵⁴ In addition

⁵²Cooper to Benjamin, January 20, 1862, Official Records, Ser. i, Vol. VIII, p. 7.

⁵³The "Walnut River" which empties into the Arkansas River just below Arkansas City in southern Kansas was locally referred to as Walnut Creek or White Water Creek by the end of the Civil War. Historians often incorrectly assume that this "Walnut Creek" in southern Kansas was the intended destination of the Opothleyahola refugees. However, the "Walnut Creek" twice mentioned by Cooper was a little creek in the Cherokee Outlet which branched off the north side of the Arkansas River, about six miles above the mouth of the Cimarron River.

⁵⁴A brief biography of James McDaniel is contained in Wright, "Colonel Cooper's Civil War Report on the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, p. 366, n. 8. In 1861, McDaniel lived on Hominy Creek a few miles above the mouth of Bird Creek. His home was just a few miles north of Opothleyahola's camp on Walnut Creek.

to the support of many Cherokees, the Walnut Creek area lay nearly adjacent to pro-Union Kansas from where they had been promised military aid by Major General Hunter, Lane, E. H. Carruth, and by the Delaware Indians.⁵⁵

Three more considerations point even more directly to Walnut Creek along the Cherokee frontier as Opothleyahola's intended destination. First, Opothleyahola would never have left women, children, and old people near old Fort Arbuckle and along Walnut Creek if he had intended to continue north into Kansas from Skiatooka's Place. That there were many refugees in that area is verified by the testimony of participants and their descendants and by careful research of the old Fort Arbuckle site and campsites on Walnut Creek and Wildhorse Creek.

Second, the basic routes traveled by the refugees all led directly to Skiatooka's Settlement. The small western bands and Wichita Agency Indians merged with groups coming up the Delaware-Shawnee Trail and the eastern Upper Creek refugees joined the other refugee Creeks and Seminoles on the Dawson Road. The Delaware-Shawnee Trail heads nearly straight north from Chisholm's trading post on the South Canadian River to Black Bear Creek (near present Pawnee), where it turns sharply to the east and follows that creek to Skiatooka's Place on the Arkansas River. The second main route, the Dawson Road, starts at the mouth of Little River and proceeds nearly due north to the mouth of the Red Fork

⁵⁵ McIntosh to Cooper, January 4, 1862, Carruth to Opothleyahola and Oktarharsars Harjo, September 10, 1861, Carruth to the Chickasaws and Choctaws, September 11, 1861, Carruth to Tusaquach, September 11, 1861, Official Records, Ser. i, Vol. VIII, pp. 25-26; Abel, The American Indian as Slaveholder and Secessionist, pp. 268-269, n. 545; "Opothleyahola Letter," Daily State Record (Topeka, Kansas), January 14, 1862, p. 3.

just south of Walnut Creek. The transportation parties chosen by Opothleyahola were nearly perfectly suited for his needs.

Last, Cox's map, the only contemporary map showing the movements of the Opothleyahola refugees, also indicates that the refugees were heading first for the Walnut Creek area north of the Arkansas River--Red Fork junction. Skiatooka's Settlement was the intended destination of the loyal Indian refugees, and the heavily wooded valleys along the bubbling streams of this region provided excellent campsites. They afforded the homeless Indians shelter from wind and precipitation, clear water for drinking, and cooking, firewood, and concealment.

Later events also suggest that Opothleyahola planned to wait in the northern part of Indian Territory for help from Kansas. Following the Battle of Round Mountain, the Opothleyahola warriors rejoined their families already encamped along the wooded valleys of Walnut Creek and Wildhorse Creek, and at old Fort Arbuckle.⁵⁶ Their ranks were swollen daily by arrivals of pro-Union Indians from the Leased District and from the western regions of the Creek and Seminole nations.⁵⁷ The loyal Indians' confidence increased accordingly. Also bolstering the hopes of

⁵⁶ Lee to Drew, December 2, 1861, Drew to W. P. Ross, December 1, 1861, Cherokee Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society; Wright, "Colonel Cooper's Civil War Report on the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, pp. 359, 367 (map), 369, 394; "Statement relative to the Exodus of Ho-poith-la-yo-ho-la and his followers from the Creek and Cherokee Country in the fall and winter of 1861 and '62," Letters Received by the Office of Indian Affairs, Choctaw Agency, Department of the Interior, National Archives; Russell, "EKNV-HV-LWUCE: The Site of Oklahoma's First Civil War Battle," Chronicles of Oklahoma, Vol. XXIX, p. 406.

⁵⁷ "Statement relative to the Exodus of Ho-poith-la-yo-ho-la and his followers from the Creek and Cherokee Country in the fall and winter of 1861 and '62," Letters Received by the Office of Indian Affairs, Department of the Interior, National Archives.

the refugees was the increasingly friendly disposition of the Cherokees toward their cause.

After Cooper had reached Concharta, Brigadier General McCulloch informed him that the Union threat against Arkansas had been averted. Cooper then made immediate plans to reengage Opothleyahola's forces, and moved to Tulsey Town at the end of November. Colonel Drew then informed W. P. Ross that "Opothleyahola's camp is in the Cherokee Nation on the same creek that Capt. McDaniel lives on, about seventeen miles above."⁵⁸ On the next day, December 2, Opothleyahola was reported to be "about 6 miles above the mouth of the Red Fork on this side [north] of Arkansas River...in considerable forces."⁵⁹

These reports help clarify a point. The proximity of "considerable forces" to McDaniel, who was a captain in the First Cherokee Mounted Rifles, and other important Cherokee leaders did not bring about an armed conflict. It was Cooper and the Confederate Creeks and Seminoles who again forced Opothleyahola to fight. However, the Confederates met a more willing opponent on December 9 at Chustalasah (or Caving Banks) five miles above the mouth of Bird Creek in a large horseshoe bend. The battle lasted until sunset, approximately four hours.⁶⁰ The battle was

⁵⁸ Drew to W. P. Ross, December 1, 1861, Cherokee Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society.

⁵⁹ Lee to Drew, December 2, 1861, *ibid.*

⁶⁰ Cooper to Benjamin, January 20, 1862, D. N. McIntosh to Cooper, December 16, 1861, Drew to Cooper, December 18, 1861, Sims to Cooper, December 15, 1861, Hall to Cooper, [date missing], McCurtain to Cooper, January 18, 1862, Pitchlynn to Cooper, January 18, 1862, Official Records, Ser. i, Vol. VIII, pp. 7-14, 16-21; Trickett, "The Civil War in Indian Territory, 1861," Chronicles of Oklahoma, Vol. XVIII, pp. 271-275; Wiley Britton, The Civil War on the Border (2 vols., New York: G. P. Putnam's Sons, 1890-1904), pp. 167-171; Francis, "Confederate Ascendancy in Indian Territory, 1860-1861," pp. 50-60.

longer and was much more fiercely contested than the first engagement. The day after the battle both sides fell back. Opothleyahola's refugees returned to their former stronghold on Walnut Creek and Wildhorse Creek, and Cooper retired to Choska in the Creek Nation twenty miles above Fort Gibson.

That Opothleyahola had determined to make a stand in Indian Territory was proven by his actions surrounding the Battle of Chustalah. He had been strengthened by additional warriors since the Battle of Round Mountain, he had been cordially received by the Cherokees living in the northwest Cherokee frontier, and several officers and a number of men of the First Cherokee Mounted Rifles had defected to his side on the eve of the Battle of Chustalah.⁶¹ His forces had moved down Hominy Creek and sought Cooper's command.

Opothleyahola's aggressive actions can possibly be attributed to the refugees' increasing military strength, but they were more likely a bluff in order to buy time. Opothleyahola hoped he could convince Cooper of his strength and that Cooper would go into winter quarters and wait until next spring to attempt to drive the loyal Indians out of Indian Territory. By then Opothleyahola hoped that a majority of the old Ross Party adherents, who were only lukewarm in their support of the Confederacy, would join with them again. The support of McDaniel,

⁶¹Cooper to Benjamin, January 20, 1862, Drew to Cooper, December 18, 1861, Official Records, Ser. i, Vol. VIII, pp. 7-8, 16-18; "Statement relative to the Exodus of Ho-poith-la-yo-ho-la and his followers from the Creek and Cherokee Country in the fall and winter of 1861 and '62," Letters Received by the Office of Indian Affairs, Choctaw Agency, Department of the Interior, National Archives; Trickett, "The Civil War in Indian Territory, 1861," Chronicles of Oklahoma, Vol. XVIII, p. 272.

Skiatooka, and others, and the recent defection of many Cherokee officers and soldiers, convinced Opothleyahola of the unexpressed support for his cause by especially the full blood Cherokees.

The refugees realized that if the full bloods did not openly support their cause soon they would have to seek help elsewhere. The second delegation sent to Kansas and Washington was seeking Federal military support, and another avenue of military aid was opened by the loyal Indians in December. James McDaniel and David Balon carried a letter from Opothleyahola to the Delaware chiefs living around Quindoro, Kansas, requesting their support. The letter specified the need for men and ammunition.⁶² The Delaware chiefs replied that they were "ready and willing to help" and that Delaware warriors were "ready to spill their Blood...and are only waiting to hear from our great Father in Washington."⁶³

Lane and Major General James Blunt needed more time to raise an army and organize an expedition into Indian Territory. The Delaware Indians in Kansas were awaiting permission from Washington to provide military aid for the refugees, and the full blood Cherokees were waiting for an opportune time to declare their secret pro-Union sentiment. However, time was a priceless necessity that Opothleyahola could not buy. A determined Confederate offensive in late December denied Opothleyahola and his followers the three winter months they desperately needed.

Colonel Cooper left the main body of his forces at Choska on December 13 and headed to Fort Gibson to meet with Drew and Chief Ross

⁶²"Opothleyahola Letter," Daily State Record (Topeka, Kansas), January 14, 1862, p. 3.

⁶³"Delaware Chiefs' Letter," *ibid.*

"to counteract any movement among the people [Cherokees] in aid of Hopoeithleyohola and his Northern allies." At the same time a request was sent to Colonel James McIntosh of Arkansas for some white troops "in order that the moral effect of their presence might repress any outbreak" of the Cherokees in support of Opothleyahola.⁶⁴ Colonel Cooper was greatly surprised to find Colonel James McIntosh, personally commanding 1,600 white troops, at Fort Gibson. Cooper and McIntosh made immediate plans to overpower the loyal Opothleyahola Indians. It was decided that Cooper would try to maneuver behind Opothleyahola's position (between him and Kansas) and that McIntosh would advance directly upon the refugee camp.⁶⁵

Of the 6,000 or more Opothleyahola refugees, less than one-third were warriors. Opothleyahola probably never engaged over 2,000 warriors in any of the three battles fought against the Confederates. In late December, with the addition of Colonel James McIntosh's troops, the Confederates in Indian Territory could send several military units totaling well over 3,000 soldiers against Opothleyahola's forces.

Opothleyahola, who had held out as long as he could, finally realized the hopelessness of his situation. He was running low on ammunition and he was greatly outnumbered with the addition of McIntosh's Arkansas troops to Cooper's forces. Opothleyahola began dispatching small parties along "trails leading toward Kansas," and it was reported by Cooper that Opothleyahola headed for Kansas two days before

⁶⁴ Cooper to Benjamin, January 20, 1862, Official Records, Ser. i, Vol. VIII, p. 11.

⁶⁵ Cooper to Benjamin, January 20, 1862, James McIntosh to Scott Cooper, January 1, 1862, *ibid.*, pp. 12, 22.

the final battle.⁶⁶

On Hominy Creek, just before noon on December 26, 1861, Colonel James McIntosh's troops were fired upon heavily and continuously from a rugged hill covered with oak trees. McIntosh decided to engage the refugees without waiting for Cooper and ordered the hill charged at noon. In desperate hand-to-hand fighting over the rugged terrain, the loyal Indians were pushed back to their camp where they made a final stand. From that position they were finally routed and fled north about 4:00 o'clock in the afternoon.⁶⁷

The campaign against the Opothleyahola refugees was consummated at Chustenahlah. It must have seemed to the older followers of Opothleyahola fleeing into Kansas that a baneful spirit had been cursing them since removal and had led them first along the "trail of tears" and then into Kansas. A snow storm in the middle of the worst winter in years was raging. It was shrieking at the fleeing refugees as it tore at their rags and pelted their northward-turned faces with sleet and driving snow. The crimson marks on the snow left by the bleeding feet of the refugees helped the pursuing Confederates track them.

The circumstances surrounding the Opothleyahola refugees' disastrous flight into Kansas can be directly traced to old tribal hatreds and factions which had developed even before removal. The exodus

⁶⁶Cooper to Benjamin, January 20, 1862, *ibid.*, pp. 11-13.

⁶⁷James McIntosh to Scott Cooper, January 1, 1862, Young to Cooper, [no date], Griffith to James McIntosh, December 27, 1861, Lane to James McIntosh, December 26, 1861, Bennett to James McIntosh, [no date], *ibid.*, pp. 22-31; Arthur Shoemaker, "The Battle of Chustenahlah," Chronicles of Oklahoma, Vol. XXXVIII, No. 2 (Summer, 1960), pp. 180-184; Trickett, "The Civil War in Indian Territory, 1861," Chronicles of Oklahoma, Vol. XVIII, pp. 276-280.

experience of 1861 was truly a civil war for the Creeks, Seminoles, and Cherokees. Chief Ross sought unity, Cooper wanted a compromise, and Pike offered amnesty. However, the Confederate Lower Creeks did not want a peaceful reconciliation. They wanted to completely destroy the power of the full blood Upper Creeks and their followers, and they were nearly successful.

Opothleyahola and the other loyal Indian leaders can only be criticized for their refusal to leave Indian Territory following the Battle of Round Mountain. Not since Chief Tecumseh's famous Indian confederation had an intertribal campaign been organized and so brilliantly executed under such discouraging circumstances. Its leader was a capable businessman who was known best as an orator and statesman.

The exodus was extraordinary in its complexity, and the itinerary and strategy required four months of planning. Involved were Indians who lived in some instances over 300 miles apart. Their ethnographic and linguistic differences were staggering. Many tribes were represented, and in addition to the loyal portions of the Five Civilized Tribes, there were the Anadarko, Caddo, Penateka, Comanche, Delaware, Ioni, Keechi, Kickapoo, Piankasaw, Quapaw, Sac-Fox, Seneca, Absentee Shawnee, Tawakoni, Tonkawa, Waco, Wichita, Wyandotte, and Yuchi Creek tribes.

CHAPTER III

OPOTHLEYAHOLA REFUGEES IN KANSAS

The ordeal of battle was not over for many of the fleeing refugees following the Battle of Chustenahlah. Colonel Cooper and Colonel Stand Watie, chagrined by news of Colonel James McIntosh's precipitate action against Opothleyahola's followers, hurriedly pushed toward the Kansas line to cut off the retreating Indians. Cooper reached Shoal Creek by December 28, and on December 29 camped on the Osage Trail between the big bend of the Arkansas River and the Kansas border. Heading up Bird Creek on December 31, Cooper's command engaged a small party of refugees. Near the Kansas boundary Cooper turned west toward the Arkansas River and intercepted several parties of Creek, Osage, and Cherokee Unionists heading for the Walnut River in Kansas.

Because of the frigid weather and proximity to Kansas, Cooper discontinued the search and destroy operations and headed for Skiatooka's Place. Enroute he dispersed two small encampments of Union Indians along the Arkansas River. During this sweep Cooper's forces killed 6 loyal Indians and took 150 prisoners, mostly women and children.¹

Colonel Watie, with an independent command, also pursued the defeated loyal Indians after the Battle of Chustenahlah. In a running

¹Cooper to Benjamin, January 20, 1862, Official Records, Ser. i, Vol. VIII, pp. 12-14.

encounter up Shoal Creek on December 27 his troops killed 10 loyal Indians and took 75 prisoners. Watie also rounded up between 800 and 900 head of cattle, 250 ponies, and 25 pack horses.²

This cruel harassment of the fleeing refugees was senseless. Those Indians overtaken were mainly old people, women, and children, or wounded soldiers who had fallen behind. The pursuit was undertaken in such cold weather that one of Cooper's soldiers froze to death. The Confederate forces then returned homeward, but the unfortunate Federal refugees could not. Trails left by the retreating Opothleyahola refugees indicated that most of the loyal Indians headed north up Bird Creek and Shoal Creek. Some entered Kansas along the Caney and Verdigris rivers, but most probably first entered Kansas near the junction of the Arkansas and Walnut rivers.

The most difficult stage of the trek was probably the movement from these points of entry into Kansas to areas near white settlements. Once in Kansas, the terrain became more rugged and the weather more frigid. Most of the small groups of refugees were able to elude their Confederate pursuers, but none were unable to escape the wintry blasts. Driving sleet and snow pelted the refugees' northward turned faces as they lunged through deep snow drifts on the frozen plains. The winter storm which howled across the Kansas plains was the worst that had been recorded in that state for years. In their haste to evade their Confederate tormentors and in their frantic search for shelter and food, the refugees often left their dead along the trails. The frozen, snow-

²James McIntosh to Scott Cooper, January 10, 1862, Watie to McIntosh, December 28, 1862, Boudinot to Watie, December 28, 1862, *ibid.*, pp. 31-33.

covered bodies served as markers for other refugees moving up the trails.

The defeated Indians had to travel nearly 100 miles across uninhabited southern Kansas before they reached river valleys close to white settlements. While crossing the plains, some of Opothleyahola's followers encountered a Sac and Fox buffalo hunting party to whom they explained their dire circumstances. These hunters helped spread the news of the approach of the refugees throughout the white settlements of eastern Kansas.³

The Federal refugees first encamped in Kansas at many points miles apart. They had moved in a northwest direction into Kansas; those who had entered near the Arkansas River moved north along the Walnut River. Their largest encampment was near Chelsea in north central Butler County along the headwaters of the Walnut River.⁴ Another group, which was much larger, turned northeast and headed across the southern Kansas plains between the Walnut and Fall rivers. Most of these first camped along the Fall River, but later many moved over to the Verdigris River, located a few miles east.⁵

In addition to the Indians who fled north with Opothleyahola,

³Coffin to Dole, January 15, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives; Abel, The American Indian as Slaveholder and Secessionist, p. 80.

⁴"News from the Indians," Daily State Record, January 31, 1862, p. 1; "Visit to the Indians," Weekly Conservative, February 20, 1862, p. 1.

⁵Coffin to Dole, October 15, 1862, Annual Report of the Commissioner of Indian Affairs for 1862, p. 136; "The Indian Fights - Additional Particulars," Daily Conservative, January 17, 1862, p. 2; "Relief for the Indians," Daily Conservative, January 18, 1862, p. 1; "The Indian Fights - Additional Particulars," Weekly Conservative, January 23, 1862, p. 1.

members of several other bands in Indian Territory withdrew to Kansas in late 1861 and early 1862. In the northeast corner of the Cherokee Nation, under the protection of the Neosho Agency, resided the Quapaws, the Senecas, and a mixed band of Senecas and Absentee Shawnees. These tribes, especially the Quapaw, were early subjected to guerrilla warfare along the Kansas, Missouri, and Arkansas borders. They had signed treaties with Pike, but repudiated them at the earliest opportunity. In February, 1862, a large portion of the Quapaw tribe moved north from Indian Territory into the adjacent Osage Reserve in southern Kansas.

Then they drifted further north and joined the Opothleyahola refugees on the Verdigris and Neosho rivers in order to receive government supplies.⁶ In July of 1862, the Quapaws returned to Indian Territory, and found that their tribal reserve had been entered by Confederate guerrillas and Federal soldiers who "plundered them of stock, corn, and everything that could be used."⁷ Being unable to sustain themselves in their denuded country, the Quapaws again withdrew to Kansas. By the fall of 1862, they were settled on the Ottawa Reserve in Franklin County where they resided for the rest of the war.⁸

The Senecas and mixed Senecas and Shawnees fled their reservations in the northeast reaches of the Cherokee Nation in July and August,

⁶Coffin to Dole, March 24, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives; Collamore to Dole, April 21, 1862, Official Records, Ser. ii, Vol. IV, pp. 11-13.

⁷Elder to Coffin, September 12, 1862, Annual Report of the Commissioner of Indian Affairs for 1862, pp. 143-145.

⁸Ibid.; Abel, The American Indian as Participant in the Civil War, Edmund J. Danziger, Jr., "The Office of Indian Affairs and the Problem of Civil War Indian Refugees in Kansas," Kansas Historical Quarterly, Vol. XXXV, No. 3 (Autumn, 1969), p. 261.

1862. Some traveled only as far as Fort Scott, Kansas, but others continued north to the Shawnee Reserve east of Lawrence near present Kansas City.⁹ About 100 of the Senecas traveled north all the way to Wyandotte City on the Wyandotte Reserve at the mouth of the Kansas River, where they subsisted on Wyandotte charity through the winter of 1862-1863.¹⁰ All eventually joined the Quapaws on the Ottawa Reserve, part of which had been secured for their use by their agent, Peter P. Elder. The Neosho agency was established at Ohio City and later at Baldwin City, both on the Ottawa Reserve.¹¹

A small group of Wyandotte Indians who had been living among the Senecas in Indian Territory were also forced by guerrilla activity to move into Kansas to subsist. It is likely that the Senecas who were reported to be at Wyandotte City were actually the Wyandottes who had resided among the Senecas in Indian Territory.¹² A small group of Delaware Indians residing in the Cherokee Nation also moved to Kansas in 1862; they returned to their old reservation on the north bank of the Kansas River.¹³

⁹ Elder to Coffin, September 12, 1862, Annual Report of the Commissioner of Indian Affairs for 1862, pp. 143-145.

¹⁰ Coffin to Dole, March 17, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives; Abel, The American Indian as Participant in the Civil War, p. 204, n. 554.

¹¹ Ibid., p. 212; Wright, A Guide to the Indian Tribes of Oklahoma, p. 240.

¹² Abel, The American Indian as Participant in the Civil War, p. 206.

¹³ Ibid.; Johnson to Dole, November 5, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

The Wichitas and affiliated tribes from the Leased District moved into Kansas at two or three different times. A small portion of these tribes had joined Opothleyahola's caravan, but most removed north later. Parts of these tribes moved toward Kansas along the Black Beaver Trail used by the retreating Union forces from Fort Arbuckle and Fort Cobb in early 1861. This was also the same route traveled by the loyal Indian delegations to Kansas in 1861.¹⁴ Many of the remaining Wichita Agency Indians followed this trail to the junction of the Arkansas and Little Arkansas rivers near present Wichita, Kansas, in 1862, as did Jesse Chisholm, for whom the trail was later named.¹⁵ Some members of these tribes honoring their treaties with the Confederacy remained on their reservation and some even fought for the South.

Agent E. H. Carruth reported that 1,900 Wichita Agency Indians were encamped near Belmont, Kansas, in 1863. Carruth's correspondence and annual reports are sketchy, but suggest along with other sources, that the Wichita Agency Indians separated into two or three basic groups. One remained at the agency in Indian Territory, some moved to the plains between the Fall and Verdigris rivers near Belmont, and others moved to an area near present Wichita, Kansas, along the Arkansas River, Little Arkansas River, and Walnut Creek. Carruth's claim that 1,900 were encamped near Belmont probably included all those refugees that he was

¹⁴ Abel, The American Indian as Slaveholder and Secessionist, p. 319; T. U. Taylor, The Chisholm Trail and Other Routes (San Antonio, Texas: Naylor Co., 1936), pp. 24, 31; Debo, "The Site of the Battle of Round Mountain, 1861," Chronicles of Oklahoma, Vol. XXVII, pp. 190-191; Thoburn and Wright, Oklahoma: A History of the State and Its People, p. 321; Wright, A Guide to the Indian Tribes of Oklahoma, p. 259.

¹⁵ Taylor, The Chisholm Trail and Other Routes, pp. 24, 31; Debo, "The Site of the Battle of Round Mountain, 1861," Chronicles of Oklahoma, Vol. XXVII, pp. 190-191.

supplying from the Verdigris River to the Arkansas River.¹⁶

In addition to these tribes, there were smaller tribes residing in Indian Territory who were not actually affiliated with agencies and who had no agents. The largest among these were the Kickapoos. In September of 1861, a band of Kickapoos departed for Kansas from Wildhorse Creek, a tributary on the lower Washita River, in Indian Territory. Most members of the Kickapoo band on the North Canadian River also left for Kansas at about the same time, although some members of this band later joined Opothleyahola's party.¹⁷

The Kickapoos first congregated along the Verdigris River in Kansas, six to twelve miles above Fort Roe. About seventy of the Kickapoos traveled north to the Northern Kickapoo village near Leavenworth. In addition to these seventy who remained on the Northern Kickapoo Reserve, many Southern Kickapoos moved on the reservation in 1862 and in 1863 just long enough to draw annuities provided at that agency.¹⁸ Many of the Kickapoos later moved to the Sac and Fox Reserve, where they were tended to by agent Isaac Coleman.¹⁹

¹⁶ Coffin to Dole, May 15, 1863, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives; Dole to Smith, October 31, 1863, Carruth to Coffin, September 6, 1863, Thirty-Eighth Congress, First Session, House Executive Document Number 1, Vol. III, pp. 143, 304.

¹⁷ Gibson, The Kickapoos: Lords of the Middle Border, pp. 197-198; Wright, A Guide to the Indian Tribes of Oklahoma, pp. 166-168.

¹⁸ Coffin to Dole, March 24, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives; Branch to Dole, October 5, 1863, Thirty-Eighth Congress, First Session, House Executive Document Number 1, Vol. III, p. 351.

¹⁹ Coffin to Dole, May 15, 1863, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

The small bands of Absentee Shawnees and Delawares living in Indian Territory also followed the larger tribes north. The Absentee Shawnees living around the Wichita Agency traveled north to the Wichita, Kansas, area, and some followed Opothleyahola to the Fall, Verdigris, and Neosho rivers.²⁰ A portion of the Absentee Shawnee Indians living near present Shawnee, Oklahoma, also joined Opothleyahola, but most waited until 1863; that year they joined the Black Bob band at the Shawnee Agency in Kansas.²¹

The Black Beaver band of Delawares living near present Purcell, Oklahoma, headed north after the Battle of Chustenahlah, and some were intercepted by Confederate troops. They resided near the Kickapoos along the Verdigris River north of Fort Roe. Later in 1862 they moved to the Sac and Fox Reserve.²²

On January 8, 1862, Lieutenant Colonel Charles S. Clark, commanding the First Battalion of Kansas Volunteers, received word of the arrival of the Opothleyahola refugee Indians throughout southern Kansas. From his headquarters at Iola, Kansas, Clark dispatched Captain Charles F. Coleman to examine the condition of the refugees "on the Verdigris River thirty-five miles west" of Iola. If necessary, Coleman was to purchase and distribute "provisions as the emergencies of the cause may require."²³

²⁰Coffin to Dole, December 13, 1862, *ibid.*

²¹Alford, Civilization, pp. 6-13.

²²Coffin to Dole, March 24, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

²³Clark to Coleman, January 9, 1862, in Coffin to Dole [no date], *ibid.*

After having provided temporary provisions of corn and beef for the Fort Roe refugees, Captain Coleman returned to his headquarters and reported the famished condition of the Union Indians. Upon learning of their destitute condition, Lieutenant Colonel Clark ordered Coleman and three lieutenants to return to the refugees' camp near Fort Roe and to extend to them assistance until the arrival of advisers from departmental headquarters at Fort Leavenworth.²⁴ Captain Coleman and Lieutenant G. M. Meek continued to subsist the refugees around Fort Roe through January 24.²⁵

During the period from January 9 to January 24 Coleman and a man named Dow procured and distributed \$2,000 of beef, \$715.80 of corn, \$10.00 of hay, and \$5.00 of flour to the refugees. Beef on the hoof averaged about \$20.00 to \$25.00 a head, and the corn, depending on its

²⁴Coyville, Kansas, lies along the Verdigris River near the northwest corner of Wilson County. Its citizens, afraid that their town might be pillaged by Confederate raiders as had nearby towns, formed a volunteer company of eighty mounted men in 1861. John R. Row, captain of the newly-formed company, directed the building of fortifications three miles south of Coyville. This structure consisted of "three block houses, 16x24 feet, made of heavy logs, and enclosed with pickets six feet high." An embankment was thrown up around it on all sides. This small outpost was named Fort Row in favor of its commanding officer. These soldiers abandoned the site in early 1862 when they joined Kansas volunteer regiments elsewhere, and the Opothleyahola refugees then occupied it. When referring to this site, government officials usually called it Ford Roe, and for this reason it is so designated in this study.

See William G. Cutler, ed., History of the State of Kansas (2 vols., Chicago: A. T. Andreas, 1883), Vol. I, p. 900; and Dean Trickett, "The Civil War in the Indian Territory, 1862," Chronicles of Oklahoma, Vol. XIX, No. 1 (March, 1941), p. 67.

²⁵Coffin to Dole, [copy of correspondence of Lieutenant Colonel Clark's battalion regarding the feeding of refugee Indians in the spring of 1862, no date], Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

quality, was 40¢ or 50¢ a bushel. Hay was \$5.00 a ton.²⁶ These excessive prices were much higher than those of the previous year, but 1861 was a drought year for Kansas and Indian Territory. This scarcity of provisions, when coupled with wartime inflation and the reluctance of citizens to accept government vouchers at full face value, raised the cost of subsisting the Indians.²⁷

Incidental to the food provided the Indians was the need for transporting it from surrounding areas to the refugee camps. Also, families in outlying areas who could not make it to the main refugee camps because of sickness, wounds, or other reasons, were transported by wagons to Fort Roe. Transportation for the Indians was provided by Lieutenant A. G. Carpenter, quartermaster for Clark's unit. He contracted teams and wagons from local Kansas citizens for \$2.50 a day. From January 9 through January 24 Carpenter hired fifteen wagons and teams for \$82.25. The total cost of food and transportation through January 24 was \$2,879.55.²⁸

After that date members of Major General David Hunter's staff supervised supplying the homeless immigrants. When news of the refugees' plight reached Superintendent Coffin at Leavenworth, Kansas, he asked Major General Hunter, commanding the Department of Kansas, for immediate assistance in alleviating the suffering of the Union Indians until the agents of the Southern Superintendency could be assembled.

²⁶ Ibid.

²⁷ Daily State Record, March 2, 1862, p. 2.

²⁸ Coleman and Meek to Clark, March 15, 1862, and Carpenter to Clark, March 15, 1862, in Coffin to Dole, [no date], Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

Ordered to Fort Roe to assist the refugee Indians were Captain John W. Turner, Chief Commissary of Subsistence, and Dr. A. B. Campbell, both attached to Hunter's staff. Dr. Campbell left Fort Leavenworth on January 22, and he and Captain Turner arrived at Fort Roe shortly thereafter. Captain Turner reported finding nearly 5,000 refugees around Fort Roe, and predicted that the number would swell to at least 8,000. Turner fed the refugees around Fort Roe and made arrangements to supply them until February 15.²⁹

Dr. Campbell also toured the Indian camps, where he surveyed their medical needs. He had the foresight to bring a wagon load of blankets and clothing which had been provided by the Chicago office of the United States Sanitary Commission. He distributed these to the "nakedest of the naked," and found himself "surrounded by hundreds of anxious faces, disappointed to find that nothing remained for them." Dr. Campbell reported that it was "impossible to depict the wretchedness of their condition" and that their "only protection from the snow upon which they lie is prairie grass and from the wind and weather scraps and rags stretched upon switches." He also stated that most refugees had "but shreds and rags which did not conceal their nakedness," and he saw "seven [refugees] varying in age from three to fifteen years without one thread upon their bodies." In conclusion, he asked why the Office of Indian Affairs was not doing something for the refugees.³⁰

Coffin was doing all he could, but his superintendency was not

²⁹ Hunter to Dole, February 6, 1862, Campbell to Barnes, February 5, 1862, and Turner to Dole, February 5, 1862, Official Records, Ser. ii, Vol. IV, pp. 5-9.

³⁰ Campbell to Barnes, February 5, 1862, *ibid.*, pp. 6-7.

prepared or sufficiently organized to react as quickly to this emergency as was the wartime military structure. Coffin ordered all available Indian agents in the Southern Superintendency to report to Fort Roe as quickly as possible. He began purchasing "blankets and other necessities" after Major General Hunter advised him that the army had no authority to furnish the Indians clothing or implements.³¹

Coffin and Creek Agent George A. Cutler had an opportunity to visit with Opothleyahola, who had journeyed to Leavenworth soon after his arrival in Kansas to plead the cause of his people. On January 22, 1862, Opothleyahola, accompanied by Coffin and Cutler, held an interview with Major General Hunter. Opothleyahola explained the events of 1861 in Indian Territory which had culminated in the precipitate flight of the Union Indians and requested immediate aid for his followers. Also requested was military support to help the Union Indians repossess Indian Territory. Reassurances of aid and support were given Opothleyahola by Hunter, Coffin, and Cutler, and he was "deeply impressed with the interview and departed fully convinced" of the sympathy and support of the military and the Indian officers.³²

Opothleyahola was joined at Leavenworth by Halleck Tustenuggee, the Seminole war chief, and they awaited the expected arrival of Commissioner of Indian Affairs Dole. A few days after the interview with Hunter, they arranged to see Senator Lane, who was also a brigadier general of Kansas volunteers. At this conference were Fielding Johnson, the

³¹Dole to Smith, June 5, 1862, *ibid.*, p. 3.

³²"Opothleyahola, the Loyal Indian Tells his Story to Maj. General Hunter," Daily Conservative, January 23, 1862, p. 2; "Opothleyahola, the Loyal Indian tells his Story to Maj. General Hunter," Weekly Conservative, January 30, 1862, p. 2.

Delaware agent, John Burbank, the Iowa agent, and W. F. M. Army, the Apache agent; in addition to Opothleyahola and Tustenuggee, Lane, Coffin, and Cutler also attended. The Indian leaders stated that they were anxious to fight in the Union Army if the safety of their women and children could be assured.³³

Another interview was held between Hunter and the Indians on February 3 at Leavenworth. Hunter again assured them of his intention to protect the Federal refugees, and he began tentative arrangements with Dole for enrolling the Indian soldiers into home guard regiments.³⁴

As these conferences with the refugee Indian leaders were occurring, efforts to provide for the refugees' needs continued. When Captain Turner arrived at Fort Roe, he personally assumed charge of the relief measures which had formerly been conducted under Lieutenant Colonel Clark's direction. Captain Turner at once visited the Indian encampments on the Verdigris River and outlying camps. He personally supervised the distribution of food to these groups from January 25 until his departure for Fort Leavenworth in the first week of February. Before leaving, he made arrangements for subsisting the refugees through February 15.³⁵

³³"Aluktustenuke, Chief of the Seminoles, and Opothleyahola, Chief of the Creeks, Hold an Interview with General James H. Lane," Daily Conservative, January 28, 1862, p. 2; Trickett, "The Civil War in the Indian Territory, 1862," Chronicles of Oklahoma, Vol. XIX, p. 62.

³⁴"The Loyal Indians," Daily Times, February 4, 1862, p. 2; Smith to Dole, January 3, 1862, Official Records, Ser. ii, Vol. IV, p. 5.

³⁵Hunter to Dole, February 6, 1862, Turner to Dole, February 5, 1862, Dole to Smith, June 5, 1862, *ibid.*, pp. 2-9; Coffin to Dole, May 12, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

Left in charge was Colonel Charles R. Jennison, commanding a regiment of Kansas volunteers. He ordered Lieutenant Horatio N. F. Read and Lieutenant Henry H. Opdyke to "procure subsistence for the Loyal Indians until the arrival of the [Indian] agents."³⁶ The supplies that Captain Turner had procured were depleted by February 12, and from February 13 through February 16 Read and Opdyke purchased 84,400 pounds of beef and 276 bushels of corn. These supplies, including the cost of transportation, totaled \$2,243.50.³⁷

The early attitude of Kansas citizens toward the suffering of the refugees can be inferred from the sympathetic accounts of their condition by leading Kansas newspapers. Many, in addition to offering sympathy, issued requests to Kansas residents to help the dispossessed Indians. The Daily Conservative on March 24, 1862, hoped "that the Union red men will receive the care and attention their deeds of valor so fully entitle them." The Burlington Register lamented the bereaved condition of the refugees and stated that they were "entitled to our sympathies."³⁸

"They present truly a case that challenges the benevolent, religious, and charitable disposed citizens of Kansas," decried the Daily Times. This newspaper felt that "relief [could] be offered to their present extreme suffering, if a committee were appointed in our towns

³⁶Jennison to Read and Opdyke, February 11, 1862, and Opdyke and Read to Jennison, March 16, 1862, *ibid*.

³⁷Read and Opdyke to Jennison, March 1, 1862, and Jennison to Hunter, March 1, 1862, *ibid*.

³⁸Daily Conservative, February 11, 1862, p. 2; Burlington Register, quoted in the Daily Conservative, March 24, 1862, p. 2.

and cities to collect old clothing." "Let it be done at once!" concluded the article.³⁹

In February of 1862 residents of Emporia, Kansas, visited a refugee camp on the Cottonwood River five miles below Emporia. These sympathetic Kansans furnished the Indians with "old quilts, coats, pants, vests, boots, shoes," and other articles.⁴⁰ The citizens of Kansas, as did the military, reacted justly and humanely to the needs of the refugees, but on the Indian agents' shoulders rested the final responsibility for care of the Federal refugee Indians. After Coffin, the Superintendent of the Southern Superintendency, attended the first conference with Hunter and the refugee Indian leaders, he supervised the buying and transportation of five wagon loads of "blankets, clothing, shoes, boots, and socks," which he sent to Fort Roe.⁴¹

Coffin arrived at Fort Roe in early February and found that the "destitution, misery, and suffering" among the refugees was "beyond the power of any pen to portray," and that "it must be seen to be realized." He immediately distributed the supplies that he had purchased at Leavenworth, and sent an agent to Neosho, Missouri, "to purchase cattle, pork, corn, and meal" to feed the starving refugees. Before leaving Leavenworth, Coffin had drawn \$3,200 on his salary and the salary of his clerk. With this money, he kept the Indians supplied with corn and meat

³⁹"Indian Destitution," Daily Times, February 11, 1862, p. 2.

⁴⁰"News from the Indians," Emporia News, quoted in the Daily State Record, January 31, 1862, p. 1; "Visit to the Indians," Emporia News, quoted in the Weekly Conservative, February 20, 1862, p. 1.

⁴¹Coffin to Dole, February 13, 1862, Annual Report of the Commissioner of Indian Affairs for 1862, p. 146.

which he hoped would save most of them until other supplies arrived from Neosho.⁴²

Even after distributing five wagon loads of supplies, there were "over two thousand men, women, and children, entirely barefooted, and more than that number who have not rags enough to hide their nakedness." This desperate situation was further aggravated by the daily arrival of twenty to sixty Indians at Fort Roe. Many were runners requesting that "provisions...be sent to the destitute on the way, and for transportation for the sick and feeble and helpless."⁴³

Perhaps most frustrating to Coffin was the lack of money to supply even the most fundamental needs of food, clothing, and shelter for his charges. Coffin proposed to furnish them with "a pair of shoes, socks, and blankets, or its equivalent in other coarse clothing," and even though he felt that "less than this looks like cruelty," there was no money available to cover even these fundamental needs.⁴⁴

Commissioner Dole arrived at Leavenworth, Kansas, but missed Coffin, who had left earlier for Fort Roe. Appraising the situation and realizing Coffin's extreme need for money, Dole wired the Secretary of the Interior, Caleb B. Smith, on February 6, 1862: "Six thousand Indians driven out of Indian Territory naked and starving. General Hunter will only feed them until 15th. Shall I take care of them on the faith of an appropriation? No funds now applicable." Smith replied: "Go on and supply the destitute Indians. Congress will supply

⁴²Ibid.

⁴³Ibid., p. 145.

⁴⁴Ibid., p. 146.

the means."⁴⁵

The plight of the refugee Indian did not go unheeded in Congress, for on May 28, 1862, the United States House of Representatives passed a resolution requesting the Secretary of the Interior "to inform this House how many Indians have been driven into Kansas by the rebels have been or are now being fed and clothed."⁴⁶ The United States Senate also examined extensively the refugee problem in connection with the Senate resolution for the refugee Indians' relief.⁴⁷

On July 5, 1862, Congress passed an act suspending the annuity appropriations of Indian tribes, "all or any portion of whom shall be in a state of actual hostility to the government of the United States, including the Cherokees, Creeks, Choctaws, Chickasaws, Seminoles, Wichitas, and other affiliated tribes." The law further stipulated that the President could apply these annuity appropriations "for the relief and support of such individual members of said tribes as have been driven from their homes and reduced to want on account of their friendship to the government."⁴⁸

Assured by Secretary of the Interior Smith that money would be provided for the Opothleyahola Indians, Dole appointed Dr. William Kile, a physician, on February 10, 1862, a special agent to purchase

⁴⁵Dole to Smith, June 5, 1862, Official Records, Ser. ii, Vol. IV, p. 3.

⁴⁶Ibid.

⁴⁷Congressional Globe, February 14, 19, 20, and 25, 1862, pp. 815, 849, 875, 891, 940.

⁴⁸United States Statutes at Large (85 Vols., Washington: Government Printing Office, 1789-1972), Vol. XII, p. 528.

and deliver clothing and provisions to the Indians. This enabled Coffin to devote his time to administering to the refugees in the field.⁴⁹

By February 13, 1862, only Seminole Agent George C. Snow had reported to Coffin. Creek Agent George A. Cutler and Seminole Agent Isaac Coleman had not yet arrived. Wichita Agent E. H. Carruth had not yet received his commission from Dole, and Coffin had received no word of an official appointment of a Cherokee agent to replace the deceased Cherokee Agent Charles W. Chatterton.⁵⁰ Responsibility for this slowness by the Office of Indian Affairs cannot rest on Coffin alone. The whole Office of Indian Affairs and the Southern Superintendency were not prepared for quick action.

Coffin concurred with Dole's suggestion to separate the refugees into groups according to their former administrative agencies. Cutler arrived soon after February 13 and took charge of the 4,500 Creeks, whose "suffering was immense and beyond description." Coleman, agent for the Choctaws and Chickasaws, was also given charge of the Cherokees who had joined with Opothleyahola in Indian Territory. Snow, who had arrived at Fort Roe on February 10, took charge of the 1,100 Seminoles living along the Verdigris River. The obstacles facing the Indian officers were formidable. Coffin estimated that it would require \$167,000 to care for the refugee Indian just through the second quarter of 1862. After they had been in Kansas over a month, their condition was little better than when they had arrived. Special Agent Kile felt

⁴⁹Dole to Kile, February 10, 1862, Dole to Smith, June 5, 1862, Official Records, Ser. ii, Vol. IV, pp. 4, 9.

⁵⁰Coffin to Dole, February 13, 1862, Annual Report of the Commissioner of Indian Affairs for 1862, p. 146.

that "history will never correctly chronicle the extreme suffering of these Indians." He reported that more than thirty Creeks had been badly frostbitten and that "the toes of some were rotting;" and others had their hands, ears, and noses frostbitten.⁵¹

One fourteen year old boy's condition was particularly deplorable. Kile stated: "One of his feet had just sloughed off about the middle or at the instep. The other will come off at the ankle. He is nearly naked. His clothing consists of a piece of a check shirt," and the weather was "extremely cold with snow one inch thick." The Verdigris River was at that time frozen solid enough to be crossed.⁵²

Kile found among the refugees "10 bare tents" and "hides, bark, grass and everything that is possible to shelter them from the wind and storms." His unofficial census of the refugees around Fort Roe in late February, 1862, included 4,305 Creeks, 1,095 Seminoles, 176 Quapaws, 544 Yuchis, 106 Delawares and Ionies, 69 Chickasaws, 636 Kickapoos, and 75 Keechies. Also, 300 more refugees arrived at Fort Roe after the enrollment, swelling the refugee population around the fort to approximately 7,306.⁵³

In addition to the Indians around Fort Roe, there were also 368 refugees on Walnut River, 360 on the Verdigris River, sixteen miles above Fort Roe, and about 500 near the junction of the Cottonwood and Neosho rivers. Thus, the total number of Opothleyahola refugees and

⁵¹Kile to Dole, February 21, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

⁵²Ibid.

⁵³Ibid.

all other refugees from Indian Territory in Kansas in late February of 1862 was approximately 8,534.⁵⁴

Coffin must have felt nearly hopeless as he viewed the task that confronted him. The scarcity of money rendered him unable to provide the type of service that he would have liked, he was unable to hire as many physicians as were needed, and he could not afford to pay travel expenses and transportation charges for moving supplies all the way to Fort Roe below Coyville from populated areas further northeast.

Another factor complicating Coffin's work was the unsanitary conditions in the camps along the Verdigris. In the middle of February, 1862, Coffin reported that there were "twelve to fifteen hundred dead ponies laying around in the camps and in the river."⁵⁵ Coffin later stated that when warm weather set in there was a terrible "stench arising from dead ponies...in the stream and throughout the camp."⁵⁶ After the refugees remained on the Verdigris for some time longer, about 2,000 of their ponies died of cold and hunger in and around their camps, and the water there became unfit for human use.⁵⁷

For these reasons, removal from the Verdigris River valley around Fort Roe became necessary. As early as the end of February, 1862, Kile, Coffin, and the other Indian agents were in LeRoy, Kansas, talking to farmers and "arranging for wood and camping grounds" along the Neosho River. Kile traveled up the Neosho River from LeRoy, and Coffin worked

⁵⁴Ibid.

⁵⁵Coffin to Dole, February 13, 1862, Annual Report of the Commissioner of Indian Affairs for 1862, p. 145.

⁵⁶Coffin to Dole, October 15, 1862, *ibid.*, p. 136.

⁵⁷Cutler to Coffin, September 30, 1862, *ibid.*, p. 139.

down the river trying to locate camp sites for the refugee Indians. The Sac and Fox Indians also offered part of their reservation as a sanctuary for the indigent Indians.⁵⁸

Removal of the Verdigris valley refugees began on March 1, 1862, when Agent Snow began moving the 1,500 Indians under his charge to the Sac and Fox Reserve. The Seminoles, who wanted to return to Indian Territory, were reluctant to move further north, and the savage March weather dampened their spirits even more. During early March in Kansas the weather was raining, snowing, sleeting, hailing, or freezing most of the time.⁵⁹

The refugees, who made a hurried retreat under severe weather conditions only two months before, were again caught in severe winter weather. The harsh circumstances of the march were aggravated by the weakened condition of the refugees. The weather turned cold the first night on the trail and commenced snowing and snowed hard most of the next day, which was the "coldest day of the season." The Indians remained encamped in a stand of timber the day the snow fell, but most of them were on the road the following day, although "it was too cold to travel" in their condition. Many traveled that were barefooted, and many more that "the feet was a small part of them that was bare."⁶⁰

All through March the Fort Roe refugees walked, rode their ponies,

⁵⁸Kile to Dole, February 21, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

⁵⁹"Camp Near Fort Scott, Kansas," Kansas State Journal, April 3, 1862, p. 2.

⁶⁰Coffin to Dole, March 3, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

or were carried on wagons to the Neosho River valley. By March 24, there were still 1,600 Creeks, Yuchies, and Ionies near Fort Roe under Agent Carruth's care. From six to twelve miles above Fort Roe were Kickapoos and Delawares under the care of Special Agent Samuel R. Ayers, a local Kansas citizen. A few miles below LeRoy on the Neosho River were 200 Quapaws, supplied by Agent Elder, and 176 more were with Carruth at Fort Roe. Dr. Kile and Agent Coleman looked into the needs of the refugees encamped on the Cottonwood River south of Emporia. Snow and Cutler remained at LeRoy to care for the Indians there.⁶¹

There were also other smaller groups of refugees scattered across Kansas. A party of seventy, nearly all women and children, arrived at the salt works on the Fall River in mid-March. Coffin sent two teams to bring them to LeRoy. Two parties of women and children were located near the Cliff of the Rocks on the Arkansas River, 150 miles southwest of LeRoy. Coffin's clerk organized and supplied a party of between 100 and 150 men to pick up these refugees, reported to have escaped from Fort Arbuckle in the Chickasaw Nation.⁶²

The Seminoles, who had reached LeRoy by March 6, 1862, refused to continue on to the Sac and Fox Reserve. To make room for other tribes who had been promised camps along the Neosho River near LeRoy, the Seminoles were resettled by April 24 south of LeRoy on the Neosho River near Neosho Falls. By the end of April, nearly all the outlying refugee groups were settled along the Neosho River, and Superintendent Coffin had established his headquarters at LeRoy. The Wichitas and

⁶¹Coffin to Dole, March 24, 1862, *ibid.*

⁶²*Ibid.*

affiliated tribes, camped along the Verdigris, Fall, Walnut, and Arkansas rivers, were supplied by their agent from an office at Belmont, Kansas, in Woodson County.

Because of the number of refugees and the distances involved, moving the Indians required much planning and expenditure. Many wagons and teams were needed to move those refugees unable to walk or ride a horse. This transportation was provided by Kansas citizens, most of whom lived around LeRoy. One LeRoy resident, John P. Hamilton, remembered that "it was a very easy matter for a person with a team to get a job and receive his pay in government vouchers at the rate of \$2.50 per day for single team and wagon." He explained that the teamsters would camp overnight and on the "ensuing morning...would load from one to two families and their effects (the latter being very meager) into a wagon and start." The children and old people rode and the "women and men, at least, the principal portion of them, walked."⁶³

The economic and sanitary advantages of the Neosho valley were many, and the Creeks had historically always chosen their homes along creeks and streams. The Neosho River afforded clear uncontaminated water and contained timbered belts averaging between one and one half miles wide. Growing in these wooded areas were oak, hickory, black walnut, ash, sycamore, hackberry, locust elm, and cottonwood trees.⁶⁴ When the exiled Indians were finally assembled along the Neosho River, their camps stretched for nearly eleven miles.⁶⁵ "Scarcely a suitable

⁶³ John P. Hamilton, "Indian Refugees in Coffey County," LeRoy Reporter, August 14, 1931.

⁶⁴ Cutler, ed., History of the State of Kansas, Vol. I, p. 1189.

⁶⁵ Henry Johnson, "Old Indian Camp and Burial Ground," [no date], Indian-Pioneer History, Vol. V., pp. 459-4560.

camping place could be found upon the river, extending from two miles above LeRoy to Neosho Falls," Hamilton commented, that did not have its "complement of Indians."⁶⁶

Captain Turner had correctly predicted the drastic effect of the Indian influx upon LeRoy and Neosho Falls residents: "No farmer would look with complacency or quietude upon such a crowd of destitute people brought around them and...serious difficulties would arise." He contended that the greatest irritant would be the Indians' indiscriminate cutting of young timber, because they "never regard these things and they would necessarily commit great damages."⁶⁷ Also, residents of LeRoy must have disliked having their "town...filled with Indians and negroes during the day and a portion of the night."⁶⁸ Nevertheless, many whites profited from the presence of the Indians, and it "proved quite a harvest for the merchants." A few of the Indians who had money and valuables were willing to exchange them at far below their value for food and supplies. Also, Indians owning extra ponies or having stolen horses could be found everyday "amongst the farmers trying to sell or exchange a pony for a hog or something to eat."⁶⁹

A LeRoy correspondent for the Daily State Record of Topeka reported that "times are getting better here. Everybody has their pockets full of treasury notes. Corn is worth twenty-five cents, flour \$3.50

⁶⁶ John P. Hamilton, "Indian Refugees in Coffey County," LeRoy Reporter, August 14 and 21, 1931.

⁶⁷ Turner to Dole, February 15, 1862, Official Records, Ser. ii, Vol. IV, pp. 7-9.

⁶⁸ John P. Hamilton, "Indian Refugees in Coffey County," LeRoy Reporter, August 14 and 21, 1931.

⁶⁹ Ibid.

and cattle have advanced considerably."⁷⁰ Undoubtedly, much of the reason for the prosperity of the LeRoy area was the profit derived from selling food and supplies and from providing transportation for the Federal refugees. The wealth and comfort of the Neosho valley residents were sharply contrasted by the abject poverty and acute suffering of the refugees surrounding them. Their lot had improved little since their first entry into Kansas in January of 1862.

The living conditions of the Opothleyahola refugees were very crude. They had few cooking utensils, and their shelter consisted of "pieces of cloth, old quilts, handkerchiefs, aprons...stretched upon sticks." They were so small that many were not even "sufficient to cover the emaciated and dying forms beneath them." Had adequate winter clothing been made available to the refugees, the crude shelter would have been more effective, but after having resided in Kansas for more than three months, some refugees were still completely naked.⁷¹ The food was also a constant source of complaint. Coffee, sugar, vinegar, and pepper were issued to the sick Indians only upon the requisition of a physician, and tobacco, considered a necessity by the Indians, was not provided at all. The quality of much of the food issued to the Indians was doubtful. One example of poor food issued was a large supply of bacon that had been condemned as unfit for human consumption by military officials at Fort Leavenworth.⁷²

Failure to provide the refugees with basic necessities of life

⁷⁰Daily State Record, March 2, 1862, p. 2.

⁷¹Collamore to Dole, April 21, 1862, Official Records, Ser. ii, Vol. IV, pp. 11-13.

⁷²
Ibid.

aggravated and even helped increase the already grave physical condition of the refugees, causing many to succumb to ailments and disease which would ordinarily not have been fatal. Dr. Samuel D. Coffin was appointed Directing Physician for the Southern Refugee Indians in Kansas. Assisting him were Dr. J. C. Carter and Dr. A. McCartney. Dr. Albert Wiley, physician at the Sac and Fox Agency, attended to the refugees who had fled that far north.⁷³

Dr. Coffin reported that no record of deaths was kept, because so many refugees died without medical attention and were quietly buried by friends and relatives. Superintendent Coffin estimated that at least 10 percent of the Opothleyahola refugees in Kansas died before October of 1862.⁷⁴ The survivors complained that their "camps on the Verdigris and Neosho are lined with graves."⁷⁵ In the vicinity of LeRoy, hundreds of refugees died, and they were buried in "shallow graves" and in "hollow logs, with the ends...closed with chunks of wood."⁷⁶

Principal diseases were measles, mumps, and diphtheria, and because of the closeness and exposed condition of the refugees, these diseases were difficult to check. The attending physicians also reported many cases of respiratory diseases, including tuberculosis, colds, chills,

⁷³ Samuel Coffin to Dole, July 5, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

⁷⁴ Ibid.; Coffin to Dole, October 15, 1862, Annual Report of the Commissioner of Indian Affairs for 1862, p. 136.

⁷⁵ Creek, Seminole, and Chickasaw Chiefs to Lincoln, March 31, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

⁷⁶ Henry Johnson, "Old Indian Camp and Burial Ground," [no date], Indian-Pioneer History, Vol. V, pp. 459-460.

fever, influenza, and pneumonia. The inclement weather and the lack of proper clothing and shelter resulted in many cases of frostbite. Many were severe enough to require amputation. Improper diets accounted for gastrointestinal problems, scurvy, and diarrhea. Also reported were cases of syphilis and gonorrhea. Doctors performed a few abortions and also dressed some gunshot wounds. Over one-fifth of all the refugees on the Neosho River could have been considered sick, but far less than that number received medical attention.⁷⁷

Bitterness was evinced by the refugees, who felt that their loyalty to the Federal government deserved better treatment. Even more distressing to them were Superintendent Coffin's attempts to move them further north. Their frustration and bitter feelings were voiced in a letter to President Lincoln, which was signed by the leading chiefs of the refugee Creeks, Seminoles, and Chickasaws. The more important signers of this letter were Opothleyahola, Sands, Micco Hutke, Pascofa, and Halleck Tustenuggee. This communication contained a scathing denunciation of Creek Agent Cutler and Superintendent Coffin, and asked that they be removed. The chiefs wanted someone who "thinks and does less for money and more for the poor Indians," and they preferred to "perish rather than remain...subject to the whims of men...totally indifferent to our welfare."⁷⁸

The chiefs' vindictiveness toward Coffin and Cutler can probably

⁷⁷Coffin to Mix, August 28, 1862, Samuel Coffin to Dole, 1862 no day or month, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

⁷⁸Creek, Seminole, and Chickasaw Chiefs to Lincoln, March 31, 1862, *ibid.*

be better understood if these agents are seen as scapegoats for the refugees' frustration against their inhuman suffering, continuing reversals, and the broken hopes of the war. However, the letter makes serious claims of negligence and indifference against several officials of the Office of Indian Affairs. Grieving the Indians most was the failure of the Federal army to gain control of Indian Territory and return dispossessed Indians to their homes, as promised by military officials.

By the fall of 1862, the Neosho valley indigents realized that Indian Territory would remain in Confederate hands until at least the following spring. With the approach of cold weather, the only choice left the refugees was where they would spend the winter in Kansas-- along the Neosho River or at the Sac and Fox Agency?" By October of 1862, white settlers along the Neosho valley were demanding that their land be vacated. They wanted to carefully husband their remaining supply of timber, which they feared would be depleted by the refugees for firewood and shelter in the coming winter months. Coffin had originally planned to move most of the refugee Indians, especially those of the Five Civilized Tribes, to the Sac and Fox Reserve near Quenemo, Kansas. However, the Creeks refused, as had the Seminoles earlier, to go any further north. Fortunately, Coffin and Kile had made arrangements with Coffey and Woodson county farmers to use the wooded valleys of the Neosho River until a more suitable place could be found.⁷⁹

Coffin, however, strongly urged the Federal refugees to move closer to a source of supplies and shelter before another winter. A delegation

⁷⁹Ibid.; Kile to Dole, February 21, 1862, *ibid.*

of Sac and Fox chiefs had visited the refugees at LeRoy in the spring of 1862 and offered them a temporary home on the Sac and Fox Reserve in Osage County. Made available to the refugees in this generous offer were 204 buildings and a large quantity of surplus timber which had been cut but not used in constructing the buildings.⁸⁰

The buildings near Quenemo on the Sac and Fox Reserve had been constructed by Robert S. Stevens in 1860 and 1861. However, they remained unoccupied most of the time because the Sac and Fox Indians, who were still in an uncivilized cultural stage, preferred to live in their native shelters. They also spent a large part of each year chasing buffalo herds across the west Kansas plains. The houses were constructed of wood with framed windows, stone or brick chimneys and foundations, and large cellars. There was also a saw mill conveniently located near the houses. The building of the houses had produced rumors of graft because of the questionable need for them and the celerity of construction and shoddy workmanship.⁸¹

To the homeless refugees, the prospect of spending a winter in permanent housing must have been appealing. Nevertheless, they spurned the offer in early 1862 because they still hoped that they would be allowed to return to Indian Territory that year. When the offer was again extended in the fall of 1862, the civilized Indians accepted rather than

⁸⁰ William T. Hagan, The Sac and Fox Indians (Norman: University of Oklahoma Press, 1958), pp. 239-240; Martin to Branch, October 20, 1863, Thirty-Eighth Congress, First Session, House Executive Document Number 1, Vol. III, p. 345; Martin to Coffin, February 28, 1865, Coffin to Dole, March 6, 1865, Martin to Dole, May 14, 1865, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

⁸¹ Hagan, The Sac and Fox Indians, pp. 239-240.

spend another winter exposed to the excruciating Kansas weather. Refugee members of the Five Civilized Tribes had "possessed well improved farms" before the Civil War and had been "living in houses far better than those...in southern Kansas." Because they had been prosperous in Indian Territory, they were "unacquainted with the hardships of camp life in the winter."⁸²

The Neosho valley refugees began moving from their camps in late September, and by mid-November of 1862 they were relocated near the Sac and Fox Agency at Quenemo. The removal was not completed without complaints of conspiracy between Coffin and Stevens and other government contractors around the Sac and Fox Agency to defraud the Indians and government. It was Coffin's political enemies within the Office of Indian Affairs and in the military who complained the loudest, and no evidence was ever presented to prove that Coffin had profited personally by moving the Indians onto the Sac and Fox Reserve. Coffin probably moved the refugees to the Sac and Fox Reserve because he felt that it was in their best interests. For doing so he might have received small sums of money or supplies from contractors and speculators near Quenemo, but no charges of graft were ever brought against him.⁸³

The horrors of flight into Kansas in 1861 and the rigors of camp life in 1862 were traumatic experiences for the Opothleyahola refugees. For their loyalty to the Federal government, they paid a high price.

⁸²Creek, Seminole, and Chickasaw Chiefs to Lincoln, March 31, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

⁸³"The Indian Swindler," Fort Scott Bulletin, July 12, 1862, p. 2; Rebuttal of an article from the Conservative, Fort Scott Bulletin, July 26, 1862, p. 2; "Corrections," Fort Scott Bulletin, August 9, 1862, p. 2.

Many of these refugees, well educated and wealthy, were accustomed to a life style above that of most whites in surrounding states. They were not inured to the hardships and privations of forced exile, and over 10 percent of the Opothleyahola refugees died by October of 1862.

This tragedy could have been mitigated had the basic needs of the refugees been met, but there was gross negligence on the part of the Federal government in caring for these unfortunate wards of the state. As late as April and May of 1862 many refugees were nearly naked, no buildings or even tents had been provided for their use, and medical services were very limited. Many of the sick died before their medical needs could even be attended. The poor quality and scarcity of food was shocking, and over 2,000 ponies were allowed to die by officials who would not give the horses even a meager supply of hay or corn meal. Combined with the refugees' physical suffering was the mental anguish of being unable to return to their homes. Instead, they were twice moved further north.

The Office of Indian Affairs must share most of the blame for the wretched condition of the Opothleyahola refugees during 1862, for it was this government agency that was ultimately responsible for the Indians' welfare. The officers of the Southern Superintendency were slow in arriving at Fort Roe, and their first efforts were clearly unorganized and woefully inadequate. Additionally, their attitude toward the refugees, as pointed out by the chiefs, was sometimes unsympathetic or unconcerned.

However, others must share some of the responsibility for negligent treatment of the Opothleyahola refugees. Throughout 1861 and 1862, military officials, including Brigadier General Lane, his

assistant E. H. Carruth, Major General Hunter, and Brigadier General Blunt, unadvisedly assured the Union Indians that Indian Territory would be secured and the refugees returned to their homes. Those promises, which were not fulfilled in 1862, greatly heightened the dissatisfaction of the refugees.

Lack of inadequate funds was the severest handicap of the Indian officers who were trying to alleviate the refugees' suffering, and hence cumbersome governmental bureaucracy was indirectly the greatest impediment to efficient and adequate care of refugee needs. The Opothleyahola refugees' arrival in Kansas was known to Congressional members as early as January of 1862, but it was not until July that an appropriation bill was passed to care for the loyal Indians. Perhaps ultimate responsibility for the Opothleyahola refugees' predicament in late 1861 and in 1862 can be attributed to their involvement in their own tribal conflicts and in aligning with the North in the American Civil War.

CHAPTER IV

CHEROKEE REFUGEES FROM INDIAN TERRITORY

Through the spring of 1862, the Cherokee Nation under the leadership of Chief John Ross was still politically united under the Confederate banner, except for the 300 Cherokees who had followed Opothleyahola into Kansas. Thus far the Cherokees had escaped the twin perils of military occupation and tribal disunity. Events of the Civil War, however, would soon make a mockery of Ross's attempt to unify the interests of the Ross Party and the Treaty Party. The Confederate wedding of these old rival factions was repugnant to members of both parties, but especially to many members of the Ross Party who, although sympathizing with the North, were forced to align with the South for the sake of tribal unity.

Evidence of the lack of concern for the Southern cause was clearly evinced on two occasions by the military actions of the Confederate First Cherokee Regiment of Mounted Riflemen. This unit was commanded by Colonel John Drew, and officered by Lieutenant Colonel William P. Ross, Major Thomas Pegg, and Captain James McDaniel; it was composed of Cherokees who were all closely identified with the Ross Party. However, a second Cherokee regiment, the Confederate First Cherokee Regiment of Mounted Volunteers, organized and commanded by Stand Watie, included Treaty Party adherents. Watie's regiment staunchly supported the Confederate cause, but Drew's regiment twice withdrew from military action

while fighting on the Confederate side. The first indication of their reluctance to support the Confederacy was their refusal to fight against the Opothleyahola refugees at Chustalah. Some of Drew's regiment even defected, including Captain James McDaniel, and fought on the Union Indians' side. Again, in March of 1862, Drew's regiment withdrew from action at the Battle of Pea Ridge in Arkansas, but not before they had taken scalps, which included those of some Southern Indian soldiers.¹

The Ross Cherokees who had not really wanted to join the Confederacy were simply biding their time, awaiting an opportune moment to declare for the United States government. Events were in progress by late 1861 which would make this possible. Plans were begun as early as mid-1861 to send an expedition into Indian Territory in support of the loyal Indians still there. A few individuals familiar with the political situation in Indian Territory realized that the Ross Cherokees joined the South out of necessity. They adequately explained Ross's position, and assured Union military and political leaders that many Cherokees were eagerly anticipating the arrival of a strong Federal force.²

Senator Lane of Kansas was indirectly the person most responsible for the first Federal invasion (sometimes termed the "Indian Expedition")

¹Cooper to Benjamin, January 20, 1862, Official Records, Ser. i, Vol. VIII, p. 8; Fischer and Gill, "Confederate Indian Forces Outside of Indian Territory," Chronicles of Oklahoma, Vol. XLVI, pp. 256, 258-259.

²Reverend Evan Jones, a Baptist minister in the Cherokee Nation before the Civil War, was the most vocal defender of Cherokee loyalty to the Union, and his letters to Indian officials and military officers asserting the loyalty of the Ross Cherokees are numerous. However, Superintendent Coffin, Commissioner Dole, and military officers in Kansas also sent letters to President Lincoln and other political figures in Washington, assuring them of the desire of the Cherokees to embrace the Union again.

of Indian Territory in 1862. The purpose of this military expedition was to regain political and military control of Indian Territory, to protect Union sympathizers there, and to return the loyal refugees in Kansas to their homes. The motives, however, of civilian and military officials in carrying out this mission were much more complex. There was much controversy and political intrigue involved in organizing the expedition, and one disputations issue was the use of Indian troops.

One of the first to advocate the utilization of Indian soldiers was Senator Lane, who had also been commissioned a brigadier general by President Lincoln.³ He planned to use them in conjunction with the brigade of volunteers which he was raising for the defense of Kansas. He wanted to employ the warriors of tribes in Kansas to establish a strong Indian camp near the Cherokee Neutral Land in southeast Kansas to prevent Confederate raids into Kansas. For this purpose, Lane invited representatives of the Sac and Fox, Shawnee, Delaware, Kickapoo, Potawatomie, and Kaw tribes to meet with him at Fort Lincoln, Kansas, in late August of 1861. The proposed council was called off, but one of Lane's brigade officers, J. E. Prince, issued a circular requesting the enrollment of Indian troops.⁴

Lane's attempts to protect the southern Kansas border not only included the use of Kansas Indians but also Union Indians in Indian Territory. He corresponded with the Five Civilized Tribes through former

³Thirty-Seventh Congress, First Session, Senate Executive Document Number 1 (Washington: Government Printing Office, 1802), Vol. I, pp. 1-6.

⁴Abel, The American Indian as Slaveholder and Secessionist, pp. 229-231.

Indian educator, E. H. Carruth, whom he had commissioned for that purpose.⁵ To further his plans for Indian enrollment, Lane had to gain the consent of the War Department and the Office of Indian Affairs. Commissioner Dole supported Lane's proposal for a different reason. He hoped that this would speed the organization of an expedition into Indian Territory to support the Indians of especially the Creek and Cherokee nations remaining loyal to the United States government. Finally, on January 2, 1862, Secretary of War Simon Cameron sanctioned the organizing and equipping of "Indians from the borders of Kansas and Missouri" ostensibly for the purpose of helping the Federals retake Indian Territory.⁶ To help initiate this policy, Dole hurried to Kansas in late January of 1862, and on arriving found that the number of Indians had been greatly increased by the addition of the Opothleyahola refugees. Mainly on the insistent urging of the refugee chiefs, it was decided to include the refugee Indians in the proposed enrollment. Opothleyahola and Halleck Tustenuggee impressed Major General Hunter, Senator Lane, and Commissioner Dole during their interviews with their people's strong desire to fight their way back to their homeland.⁷

⁵ Carruth to Opothleyahola and Oktarharsars Harjo, September 10, 1861, Carruth to the Chickasaws and Choctaws, September 11, 1861, Official Records, Ser. i, Vol. VIII, pp. 25-26; Carruth to Ross, September 11, 1861, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

⁶ Smith to Dole, January 3, 1862, Annual Report of the Commissioner of Indian Affairs for 1862, p. 150.

⁷ "Opothleyahola, The Loyal Indian, tells his story to Major General Hunter," Daily Conservative, January 23, 1862, p. 2; "Aluktustenuke Chief of the Seminoles and Opothleyahola Chief of the Creeks Hold An Interview With General James H. Lane," Daily Conservative, January 28, 1862, p. 2; "The Loyal Indians," Daily Times, February 4, 1862, p. 2.

Further clarifying the expedition was a directive from Adjutant General Lorenzo Thomas, granting Lane authority to "raise about 8,000 to 10,000 Kansas troops and to organize 4,000 Indians."⁸ Controversy over command of the force between Lane of the Kansas volunteers and Hunter of the regular army elicited two responses from President Lincoln, indicating that Major General Hunter was in command of the Federal expedition.⁹ Lane then telegraphed Lincoln: "All efforts to harmonize with Major General Hunter have failed. I am compelled to decline the brigadiership."¹⁰

The new Secretary of War, Edwin M. Stanton, further compounded the woes of the Indians by refusing to induct them into the army. On February 11, 1862, Dole instructed Coffin to discontinue preparations for enrolling the Indians.¹¹ The next disconcerting event was the creation on March 11, 1862, of the District of Kansas from the old Department of Kansas. Through this action, Major General Henry W. Halleck, who commanded the Department of Mississippi, also had the Kansas district under his command. Halleck was opposed to the "jayhawking expedition" and did little to implement it. Hunter was replaced in rapid succession by

⁸ Thomas to Hunter, January 24, 1862, Official Records, Ser. i, Vol. VIII, p. 525.

⁹ Lincoln to Stanton, January 31, 1862, Lincoln to Hunter and Lane, February 10, 1862, *ibid.*, pp. 538, 551.

¹⁰ Lane to Lincoln, February 16, 1862, Collections of the Kansas State Historical Society (17 vols., Topeka: Kansas State Historical Society, 1875-1928), Vol. XI, p. 226.

¹¹ Smith to Dole, February 6, 1862, Coffin to Dole, February 28, 1862, Coffin to Dole, March 3, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives; Abel, The American Indian as Slaveholder and Secessionist, p. 279, n. 573.

two district commanders, Brigadier General James W. Denver and Brigadier General Samuel D. Sturgis. Neither was in office long enough nor did they have the inclination to organize a military invasion of Indian Territory.

Commissioner Dole, perceiving the demoralizing effects of the recent military policy, asked Secretary of the Interior Smith to convince military officials in Washington of the importance of enrolling Indians in the proposed expedition. A directive from the Department of War on March 19, 1862, ordering the organizing and arming of an expeditionary force of white and Indian soldiers, reaffirmed the proposed invasion of Indian Territory. A special agent, Judge James Steele, was dispatched from Washington to meet with Major General Halleck and to procure arms at Fort Leavenworth. Preparations were immediately begun by the Indian agents for enrolling the Indians.¹²

A flurry of activity hurried the long delayed military project. LeRoy and Humboldt, Kansas, became the enlistment centers for the Indians, and Major General David Hunter dispatched Colonel Charles R. Jennison to Humboldt, and breveted him brigadier general for the purpose of helping the Indian officers there.¹³ Dole communicated with the officers selected to lead the two Indian regiments, and requested them to report immediately to Fort Leavenworth to be mustered in. Robert W. Furnas

¹²Thomas to Dole, March 19, 1862, Official Records, Ser. i, Vol. VIII, pp. 624-625; Dole to Smith, June 5, 1862, Annual Report of the Commissioner of Indian Affairs for 1862, p. 148; Steele to Dole, March 26, 1862, Steele to Dole, March 27, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

¹³"The Loyal Indians," Weekly Conservative, March 27, 1862, p. 2.

from Nebraska was mustered in as colonel on April 18, 1862, and he proceeded immediately to LeRoy. With the assistance of agents Cutler and Snow, he enrolled 1,009 refugee Indians into the First Indian Regiment of Home Guards which included eight companies of Creeks and two companies of Seminoles. The Second Indian Regiment of Home Guards was being raised under the command of Colonel John Ritchie.¹⁴

Attempts for an early departure to Indian Territory, however, were stymied by Brigadier General Sturgis, who had assumed command of the District of Kansas on April 10, 1862. Sturgis, opposed to the whole expedition for personal and political reasons, issued an order on April 15 directing that "no Indians will be mustered into service in this [Kansas] district...military authorities are hereby required and directed to arrest and bring to this post [Fort Leavenworth] any person or persons acting in violation of this order."¹⁵

The District of Kansas was immediately thrown into confusion and dismay. Perhaps Colonel Furnas's distress was the most acute. He received a copy of the order, and on the next day he was visited at LeRoy by a Major Minor from Iola, Kansas, who knew that Furnas had been enrolling Indians. Upon inquiry, Minor found that Furnas had on his person written detailed instructions from Adjutant General Thomas of the War Department authorizing him to raise "from the loyal Indians...

¹⁴Thomas to Furnas, April 2, 1862, Official Records, Ser. iii, Vol. II, p. 2; Robert C. Farb, "The Military Career of Robert W. Furnas," Nebraska History, Vol. XXXII, No. 1 (March, 1951), pp. 18-28; Abel, The American Indian as Participant in the Civil War, pp. 106-108.

¹⁵General Orders No. 8, April 25, 1862, Official Records, Ser. i, Vol. XIII, p. 365.

in Kansas a Regiment of Infantry." Minor, thoroughly confused, made no arrest.¹⁶ Coffin, Furnas, and Richie fired off indignant letters to Dole in Washington, but before matters could come to a head, Kansas was again reestablished as a department with Brigadier General James G. Blunt commanding. On May 5, 1862, Blunt rescinded Sturgis's order and confirmed that "all instructions issued by the [War] Department at Washington to the colonels" will be complied with and "the two Indian regiments will be raised with all possible speed."¹⁷

The last impediment to Indian enlistment had been removed by Blunt's order, and final organization, arming, and equipping were intensified. Added emphasis came from Adjutant General Thomas, who sent an order on May 8 hurrying up the organization of the two Indian regiments.¹⁸ Organization of the First Indian Regiment had been nearly completed before Sturgis's interference, but much work had to be exerted in May and June to prepare the Second Indian Regiment for military duty. Colonel Ritchie needed to spend valuable time in the Osage country preparing the Osage Indians for enrollment. The Second Indian Regiment was composed mostly of Osages, but there were also many other smaller tribes represented. Shawnee and Delaware Indians residing in Kansas

¹⁶ Thomas to Furnas, April 2, 1862, *ibid.*, Ser. iii, Vol. III, p. 2; Robert C. Farb, "The Military Career of Robert W. Furnas," Nebraska History, Vol. XXXII, No. 1 (March, 1951), pp. 18-28; Abel, The American Indian as Participant in the Civil War, pp. 106-108.

¹⁷ General Orders No. 2, May 5, 1862, Official Records, Ser. i, Vol. XIII, p. 365.

¹⁸ Carruth to Coffin, September 19, 1862, Annual Report of the Commissioner of Indian Affairs for 1862, p. 166; Coffin to Dole, June 4, 1862, Ellithorpe to Dole, June 9, 1862, Coffin to Dole, June 15, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

were joined by fifty-four refugees of the Affiliated Tribes who had come from the Wichita Agency. Among these tribes were the Delaware, Keechi, Ioni, Gaddo, and Kickapoo. There were also sixty Quapaw and sixty Cherokee warriors in the regiment.

The two Indian regiments were armed and trained in LeRoy, but not fast enough to suit Colonel William Weer named to head the Indian Expedition by Brigadier General Blunt. The white troops who had been assembled at Humboldt were sent to Baxter Springs, near the southern border of Kansas, by Weer. He first proceeded to the Osage Catholic Mission in the Osage country to promote the enlistment of Osages, and then arrived at LeRoy on June 8, 1862, to get the Indians moving. He found that the refugees were reluctant to leave until they received assurance of military support by white troops during the expedition and after its arrival in Indian Territory. The Indian soldiers also demanded adequate supplies and transportation.

The first demand reflected the fear in the minds of the refugees that they would again be overwhelmed by Confederate Indians supported by white troops; they did not want a repetition of their experience of the previous autumn and winter. Weer received a deputation of the Indian chiefs at LeRoy and assured them of military support. Allen's Battery of the Sixth Kansas Regiment, which had been ordered to LeRoy, performed maneuvers on June 13 and fired a few rounds, greatly impressing the Indian soldiers. Colonel Weer had to "overcome the thousand excuses of the Indians" and had to "get them away from the influence of the chiefs," but by June 13 the Indian soldiers had "gone into camp, separate from their families, preparatory to a final start." Final preparations for leaving consisted of drinking bullet proof medicine,

accompanied by appropriate rituals. The concluding event was a tribal war dance held on June 13, the day before leaving.¹⁹

The request of the Indians for supplies was complied with by Brigadier General Blunt, who had subsistence stores and other necessary items shipped to Humboldt. The Indian soldiers (1,000 in the First Regiment and 600 in the Second Regiment), Allen's Battery, and a small detachment of the Sixth Kansas Regiment, arrived at Humboldt on the night of June 16, 1862. The Indian units received their supplies, but details still plagued Weer in his attempt to get the Indian regiments prepared for the expedition. A mustering officer had not arrived to officially enlist the seven companies of Osage soldiers, and the supplies provided the Indian troops were devoid of tin ware, medicine, and stationery. Nor had physicians been obtained to care for the Indian soldiers, many of whom were sick or not yet fully recovered from the rigors of the refugees' camp life of the previous winter. In spite of the many discouragements and setbacks, the Indian portion of the expedition hurried south from Humboldt on June 21 to catch the white troops already stationed along the border of Indian Territory.²⁰

The inception and organization of the Indian Expedition had been partially political, and thus one of the important objectives of the expedition was also political. Civilians, Indian officers, and military men had many intimations of the divided political structure of the Cherokee people and expected open support in Indian Territory from the

¹⁹Weer to Moonlight, June 13, 1862, Official Records, Ser. i, Vol. XIII, pp. 430-431.

²⁰Weer to Moonlight, June 21, 1862, *ibid.*, pp. 441-442.

Ross followers. Colonel Weer received Cherokee messengers from Indian Territory who assured him of the loyalty of many of the Cherokees. It was reported that the Cherokees had "a secret society of Union Indians called Ke-too-wah" containing 2,000 warriors." The messengers claimed that the Federal troops would be "hailed as deliverers." Weer was confident that Chief Ross would "come out openly for us when we reach there" and that many Confederate Indian soldiers only "await our advance in order to take the field on behalf of the [Federal] Government."²¹ Major General Blunt shared these sentiments when he explained to Secretary of War Stanton "that a large majority of the Cherokees are loyal, and that whenever Ross and the other leading men of the [Cherokee] nation are satisfied that we are able to hold the country they will cooperate with us."²²

In anticipation of this support from Union sympathizers, Weer cautioned Colonel Frederick Salomon, commanding the First Brigade of the Indian Expedition, that the "evident desire of the Government is to restore friendly intercourse with the tribes and restore loyal Indians with us to their homes." Weer also warned Salomon that "great care must be observed that no unusual degree of vindictiveness be tolerated between Indian and Indian." Colonel William B. Judson, commanding the Second Brigade of the Indian Expedition, received similar instructions.²³

Dole and Coffin eagerly looked forward to communicating directly

²¹Weer to Moonlight, June 13, 1862, *ibid.*, pp. 430-431.

²²Blunt to Stanton, July 21, 1862, *ibid.*, p. 486.

²³James Phillips to Salomon, June 27, 1862, and James Phillips to Judson, June 28, 1862, *ibid.*, pp. 452, 456.

with the loyal Indians in Indian Territory, and in anticipation of such, they assigned E. H. Carruth and H. W. Martin as special agents to accompany the Indian Expedition. Coffin asked Martin to "enquire [sic] into the Loyalty of all the prominent Indian Chiefs, Head Men, Braves, and their bands." Coffin explained that this information would be "very important in determining...the extent of the Obligations of the Federal Government under former Treaty Stipulations with the Indians of the Indian Territory."²⁴ Coffin's instructions to Carruth were more specific. He asked Carruth to "assure all loyal Indians in the Indian Territory of the disposition of the Government of the United States to protect them in all their rights." Carruth was also asked to "carefully look into the condition of the country," and to determine the "loyal Indians...condition and prospects."²⁵

Also accompanying the expedition was Reverend Evan Jones, who had left his ministry in the Cherokee Nation after its Southern alliance. Jones carried a personal letter for Chief Ross from Superintendent Coffin. The letter extended promises of protection and support for the loyal Indians, and Coffin included his desire that "Communication so long cut off may be renewed and all that have remained loyal may be restored unimpaired to all rights and privileges that they enjoyed" before the war.²⁶

The departure of the Indian troops was a sad occasion for their

²⁴Coffin to Martin, June 23, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

²⁵Coffin to Carruth, June 16, 1862, *ibid.*

²⁶Coffin to Ross, June 16, 1862, *ibid.*

families, but for the Indians agents and many of the soldiers it was the happy culmination of months of planning and high expectations. The Office of Indian Affairs was relieved to have the financial care and the protection of over 1,600 Indians transferred from their hands to the Kansas Military Department. The feeding of these troops, including the Shawnees, Delawares, and Osages even after they had been mustered into the army, had been a burden to the agents. Even more important were the prospects of an early return of their charges to Indian Territory upon the successful completion of the Indian Expedition.

The Indian soldiers were jubilant. They marched out of Humboldt, four abreast, chanting war songs and whooping. A war whoop would commence at the head of a column, travel back to the rear, and then start at the head again. This would continue for some time. These unmilitary actions were accented by the Indian soldiers' unorthodox appearance. They wore blue military jackets which fit them poorly. The cuff of the arm invariably seemed to nearly cover entirely the entire hand or to reach only just below the elbow. Equally ludicrous were the stiff high-crowned wool hats perched atop the Indians' flowing black hair. Instead of the standard military mounts, the Indians rode their small ponies from which their legs dangled nearly to the ground.²⁷

In late June of 1862 Weer's Indian soldiers and accompanying white contingent reached Baxter Springs, Kansas. Along the way they had been joined by enough Osage warriors to fill Colonel Ritchie's Second Indian Regiment. The troops awaiting them at Baxter Springs had been ordered

²⁷ Coffin to Dole, June 25, 1862, *ibid.*; Britton, The Civil War on the Border, Vol. I, p. 299.

by Weer to wait for the Indian regiment. At dawn on June 28, 1862, the First Brigade of the expedition, composed of two sections of the Indiana Battery and one battalion of the Second Ohio Volunteer Infantry, moved south along the military road and entered Indian Territory. They forded the Grand (or Neosho) River at Hudson's Crossing and camped there. The next day the Second Brigade, which included the unmounted portion of the First Indian Regiment, started south and joined the other white troops at Hudson's Crossing. After a two day delay, they moved south again until they reached Carey's Ford. At that point they crossed to the east side of Grand River and camped at Round Grove on Cowskin Prairie.

Mounted troops of the First Indian Regiment and the Second Indian Regiment, and a detachment of the Sixth Kansas Regiment, were sent out to patrol the northern part of the Cherokee Nation lying east of the Grand River. On June 28, Colonel Ritchie with the Second Indian Regiment entered Indian Territory, passed the slower moving main column, and reconnoitered the area ahead of Weer. A second patrol of 200 mounted men was dispatched under Major William A. Phillips from the First Indian Regiment to the Cherokee Nation east of the Grand River along the Arkansas boundary, and penetrated ten miles inside the Missouri border.²⁸

These reconnaissance patrols assured Weer that his eastern flank was at least temporarily secure, and he shook off his lethargy and initiated troop movements to surprise a force of Confederate soldiers under the command of Colonel J. J. Clarkson located at Locust Grove,

²⁸ Weer to Moonlight, June 30, 1862, Weer to Moonlight, July 2, 1862, Official Records, Ser. i, Vol. XIII, pp. 458-461.

two miles east of Grand River and about thirty miles north of Tahlequah. On July 2 Weer broke camp on Cowskin Prairie. He ordered Colonel Judson to move down the west side of the Grand River with most of the main force. Judson took the baggage and supply trains with him to Cabin Creek on the Texas Road. Later the same day Weer moved with 300 men, including part of the First Indian Regiment under Lieutenant Colonel Stephen Wattles and slipped rapidly down the east side of the Grand River. This small Federal force surprised Clarkson's command at sunrise on July 3 and killed or captured between 100 and 200 of the Confederate Missourians, including Colonel Clarkson. On that same day, Colonel Lewis R. Jewell and his Sixth Kansas Cavalry Regiment engaged Colonel Watie a few miles east of Locust Grove, drove him below the Arkansas River, and prevented him from helping Clarkson.²⁹

All the forces of the Indian Expedition were moved to Cabin Creek a few miles west of Locust Grove, and except for scouting patrols, the Federal forces remained inert during the first two weeks of July. From this position Weer hoped that his supply trains from Fort Scott would reach him soon, but he also figured that he was close enough to influence the Cherokees at Tahlequah and Park Hill.

The combat action against Watie and Clarkson was relatively unimportant from a military standpoint, but its effect on the Cherokee people was profound. Even before the engagement at Locust Grove, Weer had reported that "the whole Cherokee tribe can be induced to surrender. Our approach is alarming them. They are moving their families

²⁹Weer to Moonlight, July 4 and 6, 1862, *ibid.*, pp. 137-138; Britton, The Civil War on the Border, Vol. I, pp. 301-302; Abel, The American Indian as Participant in the Civil War, pp. 130-132.

and property across the Arkansas." Weer concluded that the Cherokees "fear the terrible reprisals of the Indian exiles" in the Indian regiments.³⁰ After the skirmish at Locust Grove, the defeated soldiers of Clarkson's command who escaped fled to Tahlequah and spread word of the invincible Federal force descending upon the Cherokee Nation. Panic set in among the Cherokees, and Colonel John Drew's Confederate Cherokee regiment fell apart. Between 300 and 400 of his soldiers entered the Federal camp at Cabin Creek and asked to be enlisted in the Union army. This portion of Drew's regiment was organized into three companies and sent to Fort Scott to be mustered into Ritchie's Second Indian Regiment. Ritchie concluded that "2,000 more Cherokees will join us in a few days. Our enemy is retreating."³¹

After the Locust Grove victory, Weer felt that the time was right psychologically to write Chief Ross about the Cherokee people's sentiments toward the Federal government. Weer assured Ross that the Federal troops would "injure no one who is disposed to do what treaties made by his nation bind him to do" and explained that the Federal troops were in the Cherokee Nation to protect all loyal members of the tribe. Weer asked for an official conference at his camp and promised Ross a safe return.³² These instructions were forwarded to Chief Ross by Dr. Rufus Gillpatrick, but Weer was taken back by Ross's abrupt reply. Ross explained that the Cherokees had an official treaty of alliance with the

³⁰Weer to Moonlight, July 2, 1862, Official Records, Ser. i, Vol. XIII, pp. 459-460.

³¹Ritchie to Blunt, July 5, 1862, *ibid.*, pp. 463-464.

³²Weer to Ross, July 7, 1862, *ibid.*, p. 464.

Confederacy and declined the invitation to meet with Weer.³³

Weer was reassured, however, by civilian and military officials, and Cherokee deserters, that Chief Ross was simply awaiting a more favorable time to declare his loyalty to the United States government. Meanwhile, Weer moved from his camp on Wolf Creek near the mouth of Cabin Creek to Flat Rock Ford on the Verdigris River. Weer had been advised of a possible deployment of Confederate troops from Arkansas into Indian Territory. From his camp on Flat Rock Ford twelve miles above Fort Gibson, he soon sent out two scouting parties.³⁴

One cavalry unit commanded by Major William T. Campbell dashed south to Fort Gibson, drove out a small detachment of Confederate cavalry, and captured the fort. The other Federal cavalry unit under the command of Captain Harris S. Greeno was ordered to the Tahlequah-Park Hill area. Captain Greeno, one company of whites, fifty Cherokees, and Dr. Gillpatrick departed on the morning of July 14 and reached Tahlequah, the Cherokee capital, about 5:00 p.m. the same day. They surrounded the town, but could find only four or five men who had not yet fled. Greeno camped two and one-half miles south of Tahlequah and continued on to Chief Ross's home, Rose Cottage, at Park Hill the next morning. He found Park Hill in a chaotic state, and at Rose Cottage were Ross, other Cherokee government officials, and over 200 men of Drew's regiment, including several officers.

³³Ross to Weer, July 8, 1862, *ibid.*, pp. 486-487.

³⁴Abel, The American Indian as Participant in the Civil War, p. 136; Barney King Neal, Jr., "Federal Ascendancy in Indian Territory, 1862-1863," Unpublished Master of Arts Thesis (Stillwater: Oklahoma State University, 1966), pp. 43-46; Gary N. Heath, "The First Federal Invasion of the Indian Territory," Chronicles of Oklahoma, Vol. XLIV, No. 4 (Winter, 1966-1967), p. 417. Greeno to Weer, July 15, a.m. and p.m., and 17, 1862, Official Records, Ser. i, Vol. XIII, pp. 161-162.

These Cherokee leaders were debating among themselves, trying to decide the wisest course for them to pursue as individuals and as a nation. Should they honor their commitment to the Confederacy or should they throw themselves on the mercy of the Federal invader? Even though most of the Cherokees favored the North and secretly wanted to welcome the Indian Expedition, they questioned the wisdom of doing so until the Federal army could prove its ability to hold Indian Territory north of the Arkansas River. However, like the Opothleyahola followers in 1861, the Cherokees did not have enough time to await more favorable circumstances.

Colonel Douglas H. Cooper, the ranking Confederate officer in Indian Territory in July of 1862, had ordered the officers of Drew's regiment to report at once with their men to Fort Davis. This order had been received at Park Hill just the day before Captain Greeno's arrival, and the refusal to obey it would be dereliction of duty. Cooper also sent another directive to Chief Ross ordering him in the name of the Confederacy "to issue a proclamation calling on all Cherokee Indians over 18 and under 35 to come forward and assist in protecting the country from invasion." Not to do so would mean failing to comply with the Confederate-Cherokee treaty. Ross and the Cherokee officers were trying to decide whether or not to implement these orders when Greeno reached Park Hill.³⁵

Greeno ascertained the situation and called the Cherokees together. He gave a lengthy speech on the military victories of the Union armies

³⁵ Ibid.; Wardell, A Political History of the Cherokee Nation, 1838-1907, p. 155; Woodward, The Cherokees, pp. 279-280; Carruth and Martin to Coffin, July 19, 1862, Report of the Commissioner of Indian Affairs for 1862, pp. 158-159.

in the East and in the West and of the invincibility of the Federal military. He again explained to the Cherokees the conciliatory policy of the United States government toward the loyal Cherokees, as had Weer in his letter to Chief Ross. Lieutenant Colonel W. P. Ross, Major Thomas Pegg, and the other Cherokee officers of Drew's regiment agreed to allow Captain Greeno's smaller force to arrest them as prisoners of war on the condition that they would later be allowed to join the Northern army. Chief Ross was also arrested, but was paroled. Thus his quandary was also ended, for technically he could not issue Cooper's proposed proclamation because he was a prisoner of war. Greeno spent the night at Park Hill, and on the next day, July 16, left for Flat Rock Ford accompanied by the 200 Cherokees who had defected from Drew's regiment.³⁶

These former Confederates were attached to the newly formed Third Indian Regiment. The raising of this regiment had been authorized by Colonel Weer who had received over 1,500 Cherokee recruits since entering Indian Territory. The first Confederate defectors, approximately 400 from Drew's regiment after the skirmish at Locust Grove, were added to the Second Indian Regiment to bring it to full strength. The rest were incorporated into the Third Indian Regiment. Brigadier General Blunt approved the organization of the regiment as a regular force, and Phillips was promoted to colonel to command it.³⁷

³⁶Greeno to Weer, July 15, p.m. and 17, 1862, Official Records, Ser. i, Vol. XIII, pp. 161-162, 473; Wiley Britton, The Union Indian in the Civil War (Kansas City, Missouri: Franklin Hudson Publishing Co., 1922), pp. 69-72.

³⁷Weer to Moonlight, July 12, 1862, Blunt to Salomon, August 3, 1862, Official Records, Ser. i, Vol. XIII, pp. 487-488, 531-532; "From South-west Missouri," Daily Conservative, September 30, 1862, p. 2.

After Weer had ordered Major Campbell to Fort Gibson, he feared that Campbell might be overpowered by a large force from Fort Davis, and he marched with 600 men to Fort Gibson to join Campbell's small unit. This marked the high tide of the Indian Expedition's advance into Indian Territory. Weer retraced his steps to his camp at Flat Rock Ford on the Grand River, and three days later on July 18, Colonel Salomon usurped command of the Indian Expedition. Salomon arrested Weer, claiming that Weer had marched his troops 160 miles from their base of supply and that adequate communication with other troops had not been maintained. Salomon also decried the forced marches "under the violent southern sun without any adequate object," and the lack of anything to drink but "putrid, stinking water." Weer's intemperance was also noted, but probably the principal reason for Salomon's insubordination was Weer's refusal to heed his officers' pleas to fall back closer to Kansas and their source of supplies. Members of the Indian Expedition, having only a three-day supply of rations, had been put on half rations, and Weer had no knowledge of when the next supply train would arrive. Salomon assumed personal command of the expedition and put the white troops in motion northward up the Texas Road at 2:00 a.m. of July 19. Salomon continued his march until he reached Hudson's Crossing of the Grand River on Quapaw land in the northeastern corner of the Cherokee Nation.³⁸

When Salomon withdrew he left the Indian regiments behind to watch the movements of the Confederates. Not all the Indian troops were in camp when Salomon assumed command. About 200 soldiers of the First

³⁸Salomon to Weer, July 20, 1862, Official Records, Ser. i, Vol. XIII, pp. 484-485.

Indian Regiment under Lieutenant A. C. Ellithorpe were scouting near Vann's Ford on the Verdigris River, and a detachment of the Second Indian Regiment under Major John A. Foreman was at Fort Gibson. Colonel Furnas, realizing the danger of the situation for the Indian forces, called a war council for 8:00 p.m. on July 19 and ordered the commanders of the three Indian regiments to attend. The regimental commanders decided to unite their forces into the Indian Brigade and placed Colonel Furnas at its head.³⁹

The Indian Brigade moved to the Verdigris River twelve miles west of Flat Rock Ford and camped. The First Indian Regiment, commanded by Lieutenant Colonel Wattles, became uncontrollable due to the lack of the constraining influence of white troops. Also accountable for their behavior was the Creek soldiers' fear that they were being led into the Creek Nation where they could be trapped by Confederate Creek forces. The Indian Brigade spent one night in the Creek Nation along the Verdigris River, and simultaneously 180 Osage warriors of the Second Indian Regiment deserted to go buffalo hunting. Furnas next moved his command to Pryor Creek, northwest of Locust Grove, where clear water and adequate forage was available. On July 23, 1862, the Indian Brigade was ordered by Colonel Salomon to establish a camp between Horse Creek and Wolf Creek twenty miles below Hudson's Crossing. Furnas requested and received a section of Allen's Battery to compliment his demoralized and depleted force. Many Creeks deserted to LeRoy, Kansas, at this time.

³⁹General Orders No. 1, July 19, 1862, Furnas to Blunt, July 25, 1862, *ibid.*, pp. 481-512; Carruth and Martin to Coffin, August 2 and July 25, 1862, Annual Report of the Commissioner of Indian Affairs for 1862, pp. 161-164.

From Wolf Creek, Furnas tried in effect to control all of Indian Territory north of the Arkansas River.⁴⁰

On July 23, Furnas ordered Major Phillips and 400 men of the Third Indian Regiment to the Tahlequah-Park Hill area to protect loyal Cherokee citizens from harassment by Confederate raiders. It was appropriate that the Third Indian Regiment was dispatched because it was their families who were endangered. After reaching Tahlequah and Park Hill, Phillips continued south toward Fort Gibson. At Bayou Menard, Phillips ran into a portion of Watie's Confederate force under Lieutenant Colonel Thomas F. Taylor and routed it. Lieutenant Colonel Taylor was killed and nearly 100 other Confederates were killed, wounded, or captured. Phillips commented that his troops' "presence just at the moment was very fortunate, and probably saved Park Hill.... The enemy was pouring in his forces to overrun and destroy the loyal Cherokees."⁴¹ Not only did Phillips deter Taylor's unit, but his presence also alarmed Colonel Cooper. He assumed the Federals to be north of Fort Davis in considerable numbers, and he ordered all Confederate forces in Indian Territory to fall back south of the Arkansas River in order to regroup his forces at Fort Davis.⁴²

Phillips also withdrew. He moved to the vicinity of Flat Rock

⁴⁰Furnas to Blunt, July 25, 1862, Official Records, Ser. i, Vol. XIII, pp. 511-512; Carruth and Martin to Coffin, August 2, 1862, Report of the Commissioner of Indian Affairs for 1862, pp. 162-164; Britton, The Union Indian Brigade in the Civil War, pp. 81-83.

⁴¹Phillips to Furnas, July 27, 1862, Official Records, Ser. i, Vol. XIII, pp. 181-182.

⁴²"From the Indian Expedition," Daily Conservative, August 16, 1862, p. 1; Britton, The Civil War on the Border, Vol. I, pp. 310-312.

Ford, from where he carefully watched Confederate troop movements for two days. Finally, he was forced to move north to Furnas's camp on Wolf Creek because his men had been on half rations for five days. Upon reaching Wolf Creek, Phillips found that the rest of the Indian Brigade had been removed to Baxter Springs, Kansas. He left his men at Wolf Creek with orders to follow him the next morning and continued on to Furnas's headquarters. Thus, by late July of 1862 all Federal forces had been removed from Indian Territory except small scouting parties.

The withdrawal of white troops in the Indian Expedition to the northeast corner of Indian Territory and finally to Kansas spread fear among the Union Cherokees. Especially panic-stricken were the families and relatives of Indians who had joined the Northern army. Nearly all their men were serving in the Union army, and withdrawal of these forces left them defenseless. Fearing vindictive retaliation from Watie's Southern Cherokee forces, most of the loyal Cherokees in the southern part of the Cherokee Nation fled to Park Hill in late July and August of 1862. Their flight contrasted markedly from the early stages of the well-planned Opothleyahola exodus. The Union Cherokees gathered up whatever possessions and supplies they could carry or load on their horses or wagons and hurried separately or in small groups to the Tahlequah-Park Hill area, which was a stronghold of Union support. Left by the Cherokee refugees were beautiful homes, large numbers of cattle and horses, and well-cultivated farms which were at peak production.⁴³

⁴³ Carruth and Martin to Coffin, July 25, 1862, and Carruth and Martin to Furnas, July 25, 1862, Annual Report of the Commissioner of Indian Affairs for 1862, pp. 160-162; Britton, The Union Indian Brigade

The dread of retaliatory action by old Ridge Party factionists in Colonel Watie's regiment was well founded. Major Phillips's timely arrival and routing of Lieutenant Colonel Taylor's force at Bayou Menard probably saved Park Hill and Tahlequah from being pillaged. Shaken by the attempted raid by Watie's forces, hundreds of Federal Cherokees followed Phillips's forces to Cowskin Prairie in the northern portion of the Cherokee Nation near the Indian Brigade camp on Wolf Creek. Left behind in the precipitate flight were Chief Ross, and the Cherokee national records and treasury. Colonel Furnas ordered Phillips to pick up Ross, who was officially on military parole, but the need to rescue Ross and the Cherokee archives had been perceived even earlier by Brigadier General Blunt. He had already ordered Colonel William F. Cloud of the Sixth Kansas Regiment to Park Hill, and on his way down Cloud passed Phillips, who was heading north after the skirmish at Bayou Menard. Phillips offered Cloud the service of 250 Indian soldiers under Major Foreman, which Cloud gratefully added to his small contingent.⁴⁴

The extra troops were not necessary, for Cloud's trip to Park Hill was uneventful; Cooper's forces were all below the Arkansas River. Upon reaching their destination, Cloud and his Indian soldiers loaded several wagons with official Cherokee documents and money from the Cherokee treasury. Chief Ross, who must have been despairing for his life before

in the Civil War, p. 83; Wiley Britton, The Aftermath of the Civil War: Based on Investigation of War Claims (Kansas City, Missouri: Smith-Grievs Co., 1924), pp. 212-213.

⁴⁴ Phillips to Furnas, July 27 and August 6, 1862, Official Records, Ser. i, Vol. XIII, pp. 181-184.

Cloud's arrival, and six families of his relatives, numbering thirty-three persons, also loaded their possessions on buggies. The small refugee train arrived at Baxter Springs, Kansas, on August 7, 1862, and Ross continued on to Fort Scott to confer with Brigadier General Blunt.⁴⁵

Blunt suggested that Ross travel on to Washington to explain directly to President Lincoln the actions of the Cherokee Nation in 1861, and to convince him of the loyalty of the majority of the Cherokees to the United States government. Blunt had written Secretary Stanton earlier, explaining the peculiar situation in the Cherokee Nation, and he wrote a similar letter after his conference with Ross to Lincoln. In it he endorsed the cause of the loyal Cherokees and spoke highly of Chief Ross.⁴⁶

Ross and his relatives traveled East and scattered to various places where they resided until the end of the war, and their exile was not unpleasant. Commissioner Dole, who was familiar with the hardships and suffering of the Opothleyahola refugees and many of the Cherokee refugees, was unsympathetic when Chief Ross asked him that \$17,000 be placed at his disposal to maintain the Ross family refugees. Ross and the Cherokee documents were in Philadelphia, where Ross resided throughout the rest of the war. The two-story colonial house at

⁴⁵Salomon to Blunt, August 9, 1862, *ibid.*, pp. 551-552; Britton, The Union Indian Brigade in the Civil War, p. 74; Britton, The Aftermath of the Civil War: Based on Investigation of War Claims, p. 212; Britton, The Civil War on the Border, Vol. I, pp. 306-307.

⁴⁶Blunt to Stanton, July 21, 1862, and Blunt to Lincoln, August 13, 1862, Official Records, Ser. i, Vol. XIII, pp. 486, 565-566.

708 South Washington Square belonged to Ross's second wife. Ross was often in Washington, however, tending to the official business of the Cherokee Nation. Such was the case when he headed Cherokee delegations to the capital city in 1863 and 1864, and out of his frequent visits with President Lincoln evolved a warm personal friendship.⁴⁷

Within a few days after Cloud and his party left Indian Territory, Colonel Watie's regiment raided the southern part of the Cherokee Nation. The Southern Cherokee soldiers destroyed crops, burned hay and buildings, and carried off personal possessions, including clothes, of loyal Indian families. Federal Cherokees who had not yet fled either hid in the woods or were forced to swear allegiance to the Confederacy. Two men were killed at Park Hill by Watie's troops when they arrived, and more were killed in the next few days. At Fort Gibson, Daniel Ross and Dan Gunter's general store was wrecked and 100 hogheads of sugar were poured on the ground.⁴⁸ The triumph of the Ridge faction over their old hated enemies, the Ross followers, was complete when on August 21, 1862, Watie was elected principal chief of the Cherokee Nation by a rump national council. There continued through the rest of the war two separate Cherokee national governments, each claiming legitimacy.⁴⁹

The Union Cherokees who had followed Phillips northward first

⁴⁷Wardell, A Political History of the Cherokee Nation, 1838-1907, pp. 156-158; Woodward, The Cherokees, p. 280; Thirty-Eighth Congress, First Session, House Executive Document Number 1, Vol. III, pp. 143-144.

⁴⁸Woodward, The Cherokees, p. 281.

⁴⁹Ibid.; Abel, The American Indian as Participant in the Civil War, p. 193.

camped on Cowskin Prairie, but when it became apparent that all white and Indian troops were being withdrawn to Kansas, they had to go along for protection. By a forced night march, they reached Baxter Springs on August 9, 1862. When the white troops under Salomon moved to Fort Scott, the Cherokee refugees also moved further north. They halted and camped on Dry Wood Creek, however, twelve to fifteen miles south of Fort Scott in the Cherokee Neutral Land.⁵⁰ Even though they were refugees from their homes, they wanted to remain on land owned by them. Camp Dry Wood was located just below the northern boundary of the Cherokee Neutral Land (the boundary between present Bourbon and Crawford counties in Kansas). In addition to being located on land owned by them, Camp Dry Wood offered other advantages. Its proximity to Fort Scott insured protection from major Confederate incursions, and it lay near the Texas Road, a main military artery. Also, Dry Wood Creek presented adequate camping facilities; there was running water, and the bottomland, nearly three-fourths of a mile wide, was well covered with cottonwood, elm, hackberry, hickory, post oak, red oak, poplar, and walnut trees.⁵¹

The number of Cherokee refugees at Dry Wood was estimated to be as high as 3,000 and as low as 1,100, but probably averaged a little under 2,000. The exact number of refugees would have been hard to determine, because the population of the camp was not stable. Many refugees arrived at Dry Wood in small groups through the fall of 1862, but there were also over 200 of the initial group who moved to Fort Scott. This

⁵⁰ Carruth and Martin to Coffin, September 28, 1862, Annual Report of the Commissioner of Indian Affairs for 1862, p. 167.

⁵¹ Cutler, History of the State of Kansas, Vol. I, p. 1118.

group of Cherokee refugees remained in Fort Scott through 1865, and were partially supported by a Fort Scott relief agency. The reason for their residency in Fort Scott, apart from the other members of their tribe, is uncertain, but they probably had friends or relatives there.⁵²

The Office of Indian Affairs was nearly as unprepared to take care of the Cherokee refugees as it had been for the Opothleyahola refugees. Although the burden of feeding an additional 2,000 refugees must have appalled the Office of Indian Affairs, the administrative procedures were already set up, and the needs of the Cherokee refugees were attended to more promptly. The Cherokee refugees had been subsisting on small amounts of food brought with them and on limited rations provided by the army, but when the Federal troops continued to Fort Scott from Dry Wood, the indigent Indians were without a source of food.

Coffin and the agents of the Southern Superintendency were busy helping move the Opothleyahola refugees to the Sac and Fox Reserve when they learned of the arrival of the Cherokee refugees. Consequently, they were unable to tend immediately to the needs of these latest refugees. However, Indian agents Carruth and Martin, who had accompanied the Indian Expedition, began immediate preparations to feed and care for the starving and homeless Cherokee families at Dry Wood. The forced night march of the Cherokees from Cowskin Prairie and lack of adequate shelter at Dry Wood had caused many of the refugees to develop common colds, influenza (with accompanying chills and fever), and pneumonia. Dr. Ritchie of the Second Indian Regiment made his medical supplies

⁵²"Report of Capt. Insley," "Relief for the Refugees-Report," Daily Conservative, April 9, 1863, p. 2; Carruth and Martin to Coffin, September 28, 1862, Annual Report of the Commissioner of Indian Affairs for 1862, p. 167.

available to the refugees, but he could not attend to the refugees personally because he had to remain with the regiment when it traveled. Soon Dr. David Palmer was employed to care for the refugees. Although the Cherokees were not in nearly as poor physical condition as were the Opothleyahola refugees in 1861, one physician was inadequate to properly care for nearly 2,000 people. Consequently, many Cherokee refugees died--some needlessly.⁵³

Carruth and Martin did not want to be burdened with the responsibility of providing for the Cherokee refugees any longer than necessary, so they found convenient excuses to shift the burden of their labors. Neither were actual Cherokee agents, but had been assigned only as special agents to accompany the Indian Expedition. Martin, having been assigned by Dole, left Dry Wood for further instructions, and on September 29 Carruth hurried to Leavenworth, Kansas, to join a second Federal expedition then being organized.⁵⁴

Before leaving, Carruth and Martin had arranged for supplies to be purchased from Fort Scott for the Cherokee refugees and had "for convenience in issuing rations, organized them into companies of one hundred each." There were "fifteen of their companies, some of them more than full."⁵⁵ To oversee the distribution of supplies, Carruth and Martin appointed a special commissary agent, A. M. Jordan, three days before their departure. Jordan labored under the twin handicaps

⁵³ Ibid.; Jordan to Dole, December 6, 1862, Letters Received by the Office of Indian Affairs, Cherokee Agency, Department of the Interior, National Archives.

⁵⁴ Ibid.

⁵⁵ Martin and Carruth to Coffin, September 28, 1862, Annual Report of the Commissioner of Indian Affairs for 1862, p. 167.

of insufficient help and lack of knowledge of Indian affairs, but he was diligent in providing the Indians with supplies. That task alone occupied most of his time. He drove a thirty mile round trip twice a week to Fort Scott to pick up food supplies for the Camp Dry Wood refugees. Arrangements had been made by Carruth and Martin for Jordan to pick up food supplies only, and thus many of the refugees were without clothing or shelter.⁵⁶

Most of the first supplies, especially articles of clothing, to reach the suffering Cherokee families were provided by Kansas and Missouri citizens. Two appeals for the relief of the refugee families were issued. Major Benjamin S. Henning, the commandant at Fort Scott, appealed to Kansas and Missouri citizens to "secure old clothing, and old quilts or blankets, for nearly three thousand Cherokee refugees, that are so entirely destitute that many have no clothing at all, and no tents of any kind to cover them." He warned that the "cold, rainy weather is coming on," and that refugees having "no houses, or stables, or anything for them to get into," are "sleeping on the ground, with nothing to cover them." Henning reminded the citizens that these refugees "are the loyal Cherokees, or rather, their families, as the men are fighting for us."⁵⁷ Major General Samuel R. Curtis affirmed Major Henning's sentiments and emphasized that the refugees "are the wives and little ones" of the Union Indian soldiers. "I recommend them to

⁵⁶Jordan to Dole, December 6, 1862, Letters Received by the Office of Indian Affairs, Cherokee Agency, Department of the Interior, National Archives.

⁵⁷Henning to Beers, September 30, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

the kind consideration of a generous country," he concluded. The benevolent response of Kansas and Missouri citizens was very beneficial to the Cherokee refugees in the fall of 1862 and throughout the following winter. A "Society for the Relief of the Loyal Cherokee Refugees" was organized in October of 1862 at Saint Louis, Missouri. The society was administered by a fifteen member "Cherokee Relief Committee," whose job it was "to provide clothing, blankets, etc., for the destitute Cherokees."⁵⁸

A relief committee for all Civil War refugees at Fort Scott was not organized until April of 1863 at Leavenworth, Kansas, and in addition to other essentials, it distributed food. Although this organization was established too late to help most of the Cherokee refugees, it did supply relief for those Cherokees who had moved to Fort Scott and who remained in Kansas until the end of the war.⁵⁹

Additional relief for the Camp Dry Wood refugees had come late in October of 1862. By then Superintendent Coffin was able to leave the task of settling the Opothleyahola refugees on the Sac and Fox Reserve to other agents, and he visited the Cherokee refugee camp on October 31. Finding them in a "very destitute condition," he furnished them with provisions, medicine, clothing, blankets, and shoes. In order to protect the refugee families from the approaching winter weather, Coffin procured a large number of damaged tents from Major General Curtis at

⁵⁸Appeal from Curtis, October 14, 1862, and Report of King, October 21, 1862, *ibid*.

⁵⁹"Report of Capt. Insley," "Relief for the Refugees," Daily Conservative, April 9, 1863, p. 2.

Saint Louis.⁶⁰

After attending to the immediate needs of the Cherokee refugees, Superintendent Coffin tried to persuade them to move to the Sac and Fox Reserve with the rest of the Federal refugees. He explained that because of the need for "rigid economy," this would be best for the government and for the refugees. Coffin must have been surprised by the sarcastic reply of the embittered Cherokee refugees who felt that their needs had been grossly neglected by the Office of Indian Affairs. A Cherokee refugee committee composed of L. W. Hilderbrand, James Waters, Sikiki, and Joseph Dubal complained that the refugees were "exposed to the inclemency of the weather from the want of tents or other covering, thereby generating death and disease." The committeemen agreed that it was expensive to feed and clothe the refugees at Camp Dry Wood, but asked if economy and expediency was "to be counted with the lives of the Cherokee women and children." The committeemen also informed Coffin that the Cherokee refugees would not move away from their own land.⁶¹

Unable to convince the Cherokee refugees of the necessity of moving to the Sac and Fox Reserve, Coffin advertised in Kansas newspapers for a contract to supply the needs of the Camp Dry Wood Indians through the coming winter. To assist in distributing these anticipated supplies,

⁶⁰Coffin to Dole, November 10, 1862, Annual Report of the Commissioner of Indian Affairs for 1862, pp. 169-170; Coffin to Dole, September 24, 1863, Thirty-Eighth Congress, First Session, House Executive Document Number 1, Vol. III, p. 293.

⁶¹Coffin to the Cherokee Refugee Indians, October 31, 1862, Hilderbrand, Water, Sikiki, and Dubal to Coffin, October 31, 1862, Annual Report of the Commissioner of Indian Affairs for 1862, pp. 170-171.

Coffin retained A. M. Jordan as special agent. Stettaner and Brother was the general contractor whose bid was accepted to supply the Cherokee refugees, and this firm had already started gathering goods from various sub-contractors and had already made arrangements for transportation when the Dry Wood Creek refugees were unexplainedly moved by the army to Neosho, Missouri.⁶²

The moving of these Cherokees to Neosho was with their consent. They were disgruntled and disillusioned with the guardianship of the Office of Indian Affairs. Besides not being properly provided with the basic human needs of food, clothing, and shelter, they were not even given adequate military protection. In the first of October, 1862, a band of William C. Quantrill's guerrillas raided Camp Dry Wood and carried off a week's supply of provisions, leaving the Cherokee women and children without anything to eat. They endured all these things, but most insulting to their proud spirits was Coffin's attempt to move them off their own land for reasons of economy.⁶³

The Cherokee Nation was tantalizingly close to the dispossessed refugee families who wanted so much to return. Feeling that anything was better than their helpless condition at Camp Dry Wood, some refugees slipped back into the Cherokee Nation and hid from Confederate raiders. However, most felt that their best prospect for food, protection, and an early return to the Cherokee Nation lay in moving closer to the camps

⁶²Coffin to Dole, September 24, 1863, and Coffin to Henning, December 28, 1863, Thirty-Eighth Congress, First Session, House Executive Document Number 1, Vol. III, pp. 293, 310-311.

⁶³Coffin to Dole, November 14, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

of the Union Indian regiments in southwest Missouri and northwest Arkansas.⁶⁴ The Cherokee refugees questioned Union army officers constantly, asking when Indian Territory would again be safe to enter, and if the Indian Home Guard regiments could be used to help them reenter the Cherokee Nation. Not content with just letters, some refugee families in the Cherokee Neutral Land area moved to Missouri and Arkansas and began following the Indian regiments from camp to camp. They were joined by an even larger number of Cherokee refugees who fled into Arkansas after Watie's raids across the Arkansas River in August and September of 1862.⁶⁵

These refugee families, in attempting to follow their Indian soldiers, were severely hampering the movements of the Union troops under Brigadier General Blunt's command. Humanity demanded that they not only be protected but that they also be fed. The draw on Blunt's commissary soon became unbearable. Knowing that many more of the refugee families would eventually join his encampments, Blunt decided to move the camp followers as well as the Dry Wood refugees to a central location. Thus, he could feed and protect them without their encumbering his troop movements. The exact date of the removal of the Camp Dry

⁶⁴A second Federal invasion into Indian Territory, southwest Missouri, and northwest Arkansas occurred in the late fall of 1862. Federal victories at the Battle of Fort Wayne, October 22, 1862, in the Cherokee Nation and at the Battle of Prairie Grove, December 7, 1862, in northwest Arkansas gave the Union control of the territory north of the Arkansas River in Indian Territory and Arkansas. However, Federal control of this area was not firm, and in order to prevent cavalry raids, Union troops were stationed in northern Arkansas and southern Missouri during the winter of 1862-1863. The southern most Federal outpost was Colonel Phillips and his camp of Indian soldiers near Maysville, Arkansas, on the Arkansas-Cherokee border.

⁶⁵"The Indian Refugees," Daily Conservative, December 18, 1862, p. 2; Britton, The Union Indian Brigade in the Civil War, pp. 169-171, 205.

Wood refugees is uncertain, but on December 2, 1862, Blunt ordered Major Foreman of the Third Indian Regiment to establish a post at Neosho, Missouri. Foreman was informed that he would "take charge of all Refugee Indians, that may be sent to that place [Neosho] from Fort Scott, placing them in houses and make them as comfortable, as the means of your command will admit." Foreman was also instructed to "seize Grain, Beef, and Pork from the enemy," but was told that "when subsistence for the Refugees cannot be procured from the enemy," it would be "issued from the Commissary."⁶⁶

The Cherokee refugees from Camp Dry Wood were transported to Neosho, Missouri, soon after the Battle of Prairie Grove, Arkansas, on December 7, 1862. Phillips reported that Major Foreman "moved down a number of Cherokee families from the Drywood," and Coffin later claimed that "it was Major Foreman, who got up, managed, and engineered...the removal of the Cherokee Refugee Indians from Camp Dry Wood...to Neosho, Missouri, in December [of 1862]."⁶⁷ Hence it was Foreman, probably acting under Blunt's orders, who removed the refugees. Foreman, with four and later five battalions of the Third Indian Regiment, protected the refugees at Neosho throughout the winter of 1862-1863.⁶⁸

⁶⁶ Blunt to Foreman, December 2, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

⁶⁷ Ibid.; Wiley Britton, "Some Reminiscences of the Cherokee People Returning to their Homes: the Exiles of a Nation," Chronicles of Oklahoma, Vol. V, No. 2 (June, 1927), p. 174; Britton, The Aftermath of the Civil War: Based on Investigation of War Claims, p. 213.

⁶⁸ Coffin to Dole, April 9, 1863, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives; Phillips to Curtis, January 19, 1863, Official Records, Ser. i, Vol. XXII, Pt. 2, pp. 60-61.

Superintendent Coffin was highly incensed over the removal of the Cherokee refugees by the army because he was not consulted, and he felt that it was an infringement on the prerogatives of the Office of Indian Affairs by military officials. As soon as he found out about the removal, he ordered Cherokee Agent Justin A. Harlan, who had been caring for the 300 Cherokees at the Sac and Fox Reserve, to proceed to Neosho on the next military wagon train out of Fort Scott. Harlan was instructed to take charge of the refugees and to "distribute all goods and supplies to the Indians yourself...and to tolerate no interference with your duties from any quarter."⁶⁹

To assist Harlan, who was suffering from rheumatism, Coffin appointed A. J. Proctor as a special Indian agent on December 24. His appointment was necessary because special agent Jordan refused to travel to guerrilla-infested Missouri with his charges. Harlan and Proctor left for Neosho on January 1, 1863, and arrived a week later. Harlan had little trouble obtaining supplies from government contractors, because these supplies were carried on military wagon trains from Fort Scott. This was because of a direct request sent to Major Henning at Fort Scott by Coffin. Henning was asked to furnish transportation and military escorts for supply trains sent out to the Neosho refugees. Coffin also requested that "all additional expense of transportation, escort, military protection fund...rendered unavoidable by said removal [of the Cherokee refugees to Neosho], be charged to the War, and

⁶⁹Coffin to [Harlan], December 29, 1862, Coffin to Dole, January 5, 1863, Thirty-Eighth Congress, First Session, House Executive Document Number 1, Vol. III, pp. 309-311.

not to the Interior Department."⁷⁰

Neosho was much more acceptable to the civilized Cherokees, who before the war had had business relations with its citizens. Some prominent Cherokees had even sent their daughters there for an education. When the refugees arrived in December of 1862 they found many houses that had been vacated by occupants who had fled either north or south to escape the internecine border warfare in that area. There were four or five excellent springs of pure water in Neosho and an abundance of hardwood timber for fuel. The availability of nearby mills enabled the refugees to grind corn and wheat into flour and meal, which was the chief diet of the refugee families through the winter. For the Cherokee refugees, the move to Neosho was very fortunate. They were closer to their homes, and they certainly suffered much less than if they had spent the winter in damaged tents on Dry Wood Creek.⁷¹

The living conditions were much healthier at Neosho, and the death rate, especially from pneumonia, dropped considerably. However many Indians and residents of Neosho died that winter of smallpox and typhoid fever. Smallpox spread quickly among the Indian soldiers and refugee families because most had not been inoculated. It even spread among the Cherokee soldiers at Phillips's camp near Maysville, Arkansas, and he established a smallpox hospital about one half mile outside his camp.

⁷⁰Coffin to Henning, December 28, 1863, Coffin to Dole, January 5, 1863, Harlan to Coffin, September 2, 1863, *ibid.*, pp. 297, 309-311; Coffin to Proctor, December 24, 1862, Letters Received by the Office of Indian Affairs, Cherokee Agency, Department of the Interior, National Archives.

⁷¹Britton, "Some Reminiscences of the Cherokee People Returning to their Homes: The Exiles of a Nation," Chronicles of Oklahoma, Vol. V, pp. 174-175; Britton, The Union Indian Brigade in the Civil War, p. 172.

Except for these epidemics, the Cherokee refugee families at Neosho survived the winter of 1861-1862 in good condition.⁷²

In addition to the large number of Cherokee refugees being subsisted at Neosho and the smaller number at Maysville, there were also a large number of loyal Cherokee families who were living as refugees within the Cherokee Nation. They had been forced to leave their homes because of the scarcity of food and the fear of Confederate guerrilla raids, and had moved to the vicinity of Park Hill and Tahlequah along the Illinois River, and to the Fort Gibson area. Colonel Phillips was directed by Brigadier General John M. Schofield "to give protection as far as possible to the loyal Indians" and "to assist the loyal families" in furnishing subsistence to each other, by transporting it from places where it can be found to those that are destitute, and supplying food to those who must otherwise suffer from want." Phillips interpreted this as meaning "to subsist, as far as possible, destitute Indians in the [Cherokee] Nation."⁷³

Colonel Phillips and his troops diligently carried out their humanitarian mission during the winter of 1862-1863. By March 3, 1863, Phillips had dispatched ten wagon trains to Indian Territory at various times to feed the refugees in the Cherokee Nation. These supply trains were usually escorted by about 400 men. Expediency forced him to develop a laborious three-stage system for feeding the refugee families.

⁷² Britton, The Aftermath of the Civil War: Based on Investigation of War Claims, p. 213; Wiley Britton, Memoirs of the Rebellion on the Border, 1863 (Chicago: Cushing, Thomas, and Co., 1882), pp. 131-132, 176-177.

⁷³ Schofield to Phillips, January 11, 1863, Phillips to Curtis, January 19, 1863, Official Records, Ser. i, Vol. XXII, Pt. 2, pp. 32, 60-61.

First grain was secured from the fertile grain-producing counties in southeast Missouri. Then it was hauled into Arkansas where small mills were available to grind some of it into meal. However, much of the grinding was done at Hildebrand's Mill in the central part of the Cherokee Nation. The flour, oatmeal, and corn meal was then distributed at Park Hill, Tahlequah, Hildebrand's Mill, and Fort Gibson, where the refugees obtained it. They sometimes went for days without flour or any kind of meal. A close account of the flour and meal was kept, and Judge Riley Keys and a Judge Thompson, justices of the Cherokee Nation, and Reverent Evan Jones supervised the actual distribution of the food supplies to the refugees. Eight or ten pounds of flour and meal were distributed to each family depending on the amount available.⁷⁴

Colonel Phillips's humanitarian support of the helpless refugee families in Indian Territory during the winter of 1862-1863 was a very important factor in retaining the trust and support of a majority of the Cherokee people by the United States. Also influential in uniting many of the Cherokee people for the Union cause was Phillips's sanction and close support of a Cherokee National Council meeting in the Cherokee Nation in February of 1863. The purpose of this meeting was to counteract the council held by the Southern Cherokees in August of 1862, at which Watie was elected principal chief.

In late January of 1863, Lieutenant Colonel Lewis Downing was sent into the Cherokee Nation by Colonel Phillips to clear out any Confederate forces which might try to disrupt the proposed council meeting. The

⁷⁴ Phillips to Curtis, January 29, February 4, 6, 11, 15, March 3, 1863, Phillips to Blunt, March 3, 1863, *ibid.*, pp. 85, 96-97, 101, 108-112, 139-142.

decision was fortunate, for Downing arrived just in time to force some of Colonel Watie's men to retire south across the Arkansas River, which they had just forded in hopes of intimidating the Northern Cherokees. Greatly desiring that the council be held, Phillips moved most of his forces at Camp Curtis, near Maysville, Arkansas, to Cowskin Prairie in the Cherokee Nation. The presence of Phillips's troops was important for another reason; within his second and third regiments were a quorum of members of the same council that had voted for the Confederate-Cherokee alliance in 1861.⁷⁵

A new election of council members was considered inexpedient and unnecessary, and the Cherokee National Council convened on February 4, 1863, at Cowskin Prairie. Many bills were passed during the month that ensued. The council, with Lewis Downing as its presiding officer, and Thomas Pegg as acting principal chief, abrogated the treaty with the Confederate States and deposed all civil and military officials of the nation disloyal to the United States or the Cherokee Nation. Also pleasing to Unionists was an act abolishing slavery in the Cherokee Nation. Before adjourning, the council appointed a delegation of staunch Unionists to represent the Cherokee Nation in Washington. Members were Principal Chief John Ross, Lewis Downing, Reverend Evan Jones, and James McDaniel (who had staunchly supported Opothleyahola in 1861). Phillips needed to fall back to Arkansas on February 17 to support other Union troops, but he left 100 men to protect the Cherokee National Council until its adjournment. Following the meeting on Cowskin Prairie, there

⁷⁵Phillips to Curtis, January 29, February 4, 1863, *ibid.*, pp. 85, 96-97; Abel, The American Indian as Participant in the Civil War.

were two separate Cherokee governments, each claiming legitimacy.⁷⁶

The exile of the Cherokee refugees completed the exodus of Federal refugees from Indian Territory. Over 10,000 Indians loyal to the United States government had fled from their homes in Indian Territory by the fall of 1862. The Cherokee exodus in 1862 again clearly indicated the factional cleavage that had existed within the Five Civilized Tribes since their removal from the eastern United States. The Ross Party Cherokees were once more forced to suffer because of the results of a treaty that had been forced upon them. The readiness of a major portion of the Cherokees to embrace the invading Federal army in 1862 clearly indicated their suppressed loyalty to the United States government. Chief Ross had known in 1861 that a declaration of loyalty to the Federal government by the Cherokee National Council would have caused a rupture in the Cherokee Nation and the dislocation and death of many Cherokees. The events of 1862 proved his earlier fears and vindicated his decision to align with the Confederacy in 1861.

Federal refugees from the Cherokee Nation were located in Kansas, Missouri, Arkansas, and Indian Territory. In the winter of 1862-1863, these exiles resided in groups in the Cherokee Neutral Land in Kansas, at Fort Scott, Kansas, at Neosho, Missouri, and at Colonel Phillips's camp near Maysville, Arkansas. A small group of Cherokees located in Kansas on the Sac and Fox Reserve who had earlier fled north with

⁷⁶ Phillips to Curtis, February 15 and 17, 1863, Official Records, Ser. i, Vol. XXII, Pt. 2, pp. 111-112, 114-115; Dole to Smith, October 31, 1863, Thirty-Eighth Congress, First Session, House Executive Document Number 1, Vol. III, pp. 143-144; Wardell, A Political History of the Cherokee Nation, 1838-1907, p. 172; Abel, The American Indian as Participant in the Civil War, p. 256.

Opothleyahola and his followers. Also, many Cherokees had fled their homes but were living as refugees near supply centers established in the Cherokee Nation by Phillips at Hildebrand's Mill, Tahlequah, Park Hill, and Fort Gibson. A unique, but not undesirable exile, was spent by members of the Ross family in Philadelphia, Pennsylvania, and other Eastern cities. Most Cherokee refugees suffered physically and mentally during their exile, and many even died, but they escaped the physical horrors of severe winter exposure suffered by the Opothleyahola refugees in the winter of 1861-1862. In addition, the Federal Cherokee refugees would return to their homes sooner.

CHAPTER V

FEDERAL REFUGEES IN EXILE

By early 1863, approximately 10,500 Federal Indian refugees had fled from Indian Territory and were existing amid squalor and misery in far-flung refugee camps in Arkansas, the Cherokee Neutral Land, Missouri, Kansas, Colorado, and even Mexico. Many others, who had not escaped from Indian Territory, were living a precarious existence as exiles from their homes. They hid from Confederate raiders in nearly inaccessible terrain and on abandoned farms in out-of-the-way places. The number of Indians remaining loyal to the Federal government, who had been deposed from their homes and who were residing inside or outside Indian Territory, probably numbered over 15,000 by early 1863.

The Opothleyahola refugees by early 1863 resided primarily at two locations, the Sac and Fox Agency near Quenemo, Kansas, and near Neosho Falls, Kansas, along the Neosho River. Refugees at the Sac and Fox Agency included approximately 3,600 loyal Creeks, 225 Chickasaws, and a smaller group comprised of 900 Eucheas, Kickapoos, and Cherokees. Choctaw and Chickasaw Agent Coleman was caring for all the refugees at the Sac and Fox Agency except the Creeks, who were under the charge of Creek Agent Cutler. At or near the Sac and Fox Agency were close to 5,000 refugees. To the south at Neosho Falls, Kansas, were nearly 800 refugee Seminoles under Seminole Agent Snow.

Another group of refugees in Kansas in 1863 were the Quapaws,

Senecas, and mixed Senecas and Shawnees, who were part of the Neosho Agency, which also included the Osages. The Osages had preferred to stay on their reserve in southern Kansas, but the other Neosho Agency tribes had accepted land in the northern part of the Cherokee Nation and were residing there at the outbreak of the Civil War. After their exodus, described earlier in this study, they had settled on the Ottawa Reserve along the Marais des Cygnes River near Ohio City, Kansas, with the consent of the Ottawa tribe. There were about 600 refugees at this location, which included about 159 Seneca-Shawnee Indians and 151 Senecas, the remainder being Quapaws.

Neosho relations with the Ottawas were less than agreeable. Neosho Agent Elder explained to Superintendent Coffin that "relations with the Ottawas would render their removal from the land necessary early in the spring." However, the Senecas, Quapaws, and mixed Senecas and Shawnees lived on the reserve throughout the remainder of the Civil War. In 1864, the Ottawas were allotted land in severalty, and the remainder of the reserve was held in common by the tribe. This incurred a move on the part of the refugees from the land that had been individually assigned to the Ottawas to that part of their land held in common.¹

The physical condition and general welfare of the Opothleyahola refugees had improved greatly in 1863, and this amelioration was attested to by the refugee agents in their annual reports in the fall of 1863, and by physicians who had been assigned to care for them. Creek

¹Elder to Coffin, September 12, 1863, Annual Report of the Commissioner of Indian Affairs for 1862, pp. 143-145; Elder to Coffin, September 20, 1863, Annual Report of the Commissioner of Indian Affairs for 1863, pp. 305-306; A. V. Coffin to W. G. Coffin, September 25, 1863, *ibid.*, pp. 307-309; Coffin to Dole, September 24, 1864, Elder to Coffin, September 15, 1864, Annual Report of the Commissioner of Indian Affairs for 1864, pp. 303-307, 315-317.

Agent Cutler stated that fatalities among the Creeks during 1863 were "not one half what it was during the same period last year," and he added that the Creeks had "almost...recovered from the terrible suffering they endured in the fearful exodus from their country." Choctaw and Chickasaw Agent Coleman indicated in 1863 that the condition of his dependents had stabilized and that "mortality amongst them has been small owing to the skill and diligent attention they have received."²

Seminole Agent Snow was enthused over the condition of his refugees at Neosho Falls, Kansas, and reported that the "general health of the Indians has been remarkably good and the mortality among them quite small...the consequence of which is that they feel well contented." It is obvious that the health conditions among the refugee Indians at the Sac and Fox Agency and at Neosho Falls had improved considerably in 1863 and that deaths during that same time had declined sharply.³

Perhaps contributing most to the improved physical condition of the Opothleyahola refugees in 1863 was efficient medical attention. Superintendent Coffin's most urgent task upon the arrival of the physically exhausted Opothleyahola refugees early in 1862 has been to provide for their medical needs. He applied for immediate relief, but due to lack of preparation and the immediacy of the need, his early efforts to get medical attention for the refugees were sporadic.

This was not the case by the winter of 1862-1863 or throughout the following year. Medical services received by the refugees were adequate

²Cutler to Coffin, September 5, 1863, Annual Report of the Commissioner of Indian Affairs for 1863, pp. 299-301; Coleman to Coffin, September 2, 1863, *ibid.*, pp. 301-302.

³Snow to Coffin, September 4, 1863, *ibid.*, pp. 303-304.

if not excellent. Nearly all of the agents in the Southern Superintendency attested to the improved physical condition of their charges, and to their good medical attention. Refugee letters to officials in the Office of Indian Affairs were often critical, but never once did they contain derogatory comments about the medical attention they had received during 1863.

Dr. A. V. Coffin was appointed directing physician for the refugee Indians and was ordered by Southern Superintendent Coffin to "minutely inquire into the social and sanitary conditions of these refugees," and plan what steps would be "required to better the present and future status of these hapless exiles." In his efforts, Dr. Coffin was only partially effective due to the Indians' mistrust and fear. Dr. Coffin viewed this mistrust philosophically, because he felt that the refugees were "in a land not of their own, surrounded by soulless, God-forsaken sharpers, who eagerly embraced every opportunity to swindle and defraud them." Because of this, Dr. Coffin felt that the Indians suspiciously viewed "every effort to introduce among them social or sanitary regulations, though eventuating in their good."⁴

Dr. Coffin found that the most prevalent illnesses among the refugees were "gastric or gastro-enteric in their character." He diagnosed the cause of these illnesses as "irregularity in the amount of nutrient contained in any given measure or weight of food." His explanation of how the refugees contracted gastritis is descriptive of the quality and quantity of food provided Indian refugees in 1863. The first cause of

⁴A. V. Coffin to W. G. Coffin, September 25, 1863, Ketcham to Coffin, September 15, 1863, *ibid.*, pp. 302-303, 307-309.

gastric illness as described by Dr. Coffin was "flour made from damaged grain...it contains but little nutrient. The Indian is accustomed to animal food. Now, to satisfy the demands of his system he must consume a large quantity." This, Dr. Coffin claimed, caused "great irritation, if not severe inflammation" in the digestive tract.

The second method by which the Indians contracted gastric illness was due to the inferior beef issued them. Dr. Coffin maintained that

...the proportion of bone is so great that seven-days rations are consumed in four, if not in three, days, and the remainder of the seven days must be passed without animal food. Excessive hunger is the result and, when the sufferer receives his next supply, he gorges to satisfy hunger and a severe, if not fatal, attack of gastritis or gastro-enteritis is sure to follow.⁵

It is significant that the physician in charge of the health of the refugee Indians in Kansas denounced the quality of food being provided and pointed to it as the greatest cause of illness among them. It is not clear whether the Indian officials were paying suppliers full price for damaged grain and poor beef or if that was all that was available. Nevertheless, the fact that the refugees were issued food on a regular basis indicates that conditions had improved over the previous year, when they had been starving.

The most fatal disease among the refugees in 1863, according to Dr. Coffin, was pneumonia; it was the illness most often treated next to gastritis. Dr. Coffin claimed that there was no disease contracted by the Indians that was unique to their race, but that it took nearly twice as much medicine to cure the same illness in the red man as in the white man. In attempting to explain why Indians fell victim to minor illnesses

⁵Ibid.

that were not normally fatal to white men, and why Indians needed twice as much medication to heal their illnesses, Dr. Coffin said the cause was obvious:

Deprived of comfortable houses, of their accustomed food, forced to eat the same diet for months without change, compelled to take the earth for a bed, with but a miserable excuse for a roof above them, their social relations really broken up--in short, subject to a combination of physical and mental causes sufficient to crush an iron constitution, it is no cause for surprise...if we find them falling victim to maladies that otherwise would not be regarded.

Dr. Coffin cited the number of refugee deaths through September, 1863, as being "over two hundred, while the births do not amount to eighty."⁶

When Dr. Coffin took over his duties as directing physician for the refugees, he found only two official resident physicians commissioned by Superintendent Coffin for the needs of these Indians. Dr. H. C. Ketcham was located at the Sac and Fox Agency, and Dr. A. Bernard was taking care of the refugees around Belmont, Kansas. In addition, Dr. A. M. McCartney attended refugees at Neosho Falls, and at Ohio City on the Ottawa Reserve their needs were cared for by Dr. D. D. Swallow. Neither had official commissions. Dr. Coffin relieved Dr. Bernard of his responsibilities in January of 1863, as the needs of the refugees at Belmont did not warrant a full-time physician. He personally rendered medical service as was needed at Belmont until April 1, 1863, when an outbreak of disease again required a physician on a full-time basis. He appointed Dr. J. B. Lockwood. Around the middle of May, he officially commissioned Dr. Swallow, who continued at Ohio City, and on July 1, 1863, he also commissioned Dr. McCartney, who had been serving at Neosho Falls. The appointment on a full-time basis of qualified

⁶ Ibid.

physicians and their supervision by Dr. Coffin, combined with quantities of high quality medical supplies, was perhaps the most effective assistance rendered the refugees throughout their exile in Kansas.⁷

Also contributing to their improved condition, was the fact that some of the refugees had been able to raise small patches of corn and vegetables during the spring season, resulting in an improved diet. However, Creek Agent Cutler explained that early in the spring it had been difficult to get many of them to plant a crop because they believed they would "return to their country before they could realize any benefit from their labors."⁸

Beneficial likewise to the Opothleyahola refugees at the Sac and Fox Agency and at Neosho Falls were the money and supplies that their soldier relatives or friends sent or brought back. Creek Agent Cutler told Coffin that "A large portion of the soldiers pay has been sent out to the [refugee] families and has done much to alleviate their sufferings." Cutler explained that the refugee families had been "almost naked," and contended that "all of them would have been had if it had not been for the very timely material aide they received from their relatives and friends in the army."⁹

The morale of many refugee families was further boosted by occasional visits of the soldiers themselves. Much to the chagrin and displeasure of the Indian Home Guard white officers, their men would often

⁷ A. V. Coffin to W. G. Coffin, September 25, 1863, Ketcham to Coffin, September 15, 1863, *ibid.*, pp. 302-303, 307-309.

⁸ Cutler to Coffin, September 5, 1863, *ibid.*, pp. 299-301.

⁹ *Ibid.*

slip out of camp without official leave to visit their families in Kansas.¹⁰ This was especially true of the Seminole Indians whose families were located closer to them at Neosho Falls than were the Cherokee, Choctaw, and Chickasaw refugee families at the Sac and Fox Agency. Acting Principal Chief of the Seminoles Pascofa told Indian Commissioner Dole that he had "encouraged our men to stay in the army. But, whenever they would come to see their families when I thought they had stayed long enough, I would hurry them back to their company." These soldiers were not only morale boosters, but it is certain that they brought much needed goods and money to their families and friends.¹¹

Despite the fact that Agent Cutler was optimistic about the improved condition of the Creek refugees in 1863, he conceded that their plight was still "far from pleasant," and decried that "the clothing that was distributed to them nearly ten months ago...was nearly worn out," and that "many of them are now almost entirely naked." By November 1, 1863, he deemed the Creeks' situation serious enough to pen an urgent appeal to Superintendent Coffin, complaining that "the naked and destitute Creeks" at the Sac and Fox Agency had reached a point where "it would absolutely be criminal" if they were not rendered immediate assistance. He further explained that the "weather is extremely cold and the ground is covered with snow. Many, very many, of our people

¹⁰Dole to Usher, March 7, 1864, Annual Report of the Commissioner of Indian Affairs for 1864, pp. 325-326; Cherokee Chiefs and Headmen to Phillips, January 8, 1864, Cherokee Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society.

¹¹Pascofa to Dole, July 29, 1863, Letters Received by the Office of Indian Affairs, Seminole Agency, Department of the Interior, National Archives.

are entirely naked; some grown women are literally without a garment to cover their nakedness.... The majority are in old and worn out tents, condemned tents."¹²

Choctaw and Chickasaw Agent Coleman also wrote Superintendent Coffin and pointed out that although many of his refugees' shoes were worn out and that a "large majority of them are barefooted," he only wanted clothing "for those who were actually suffering." He asked Coffin for permission to purchase on credit "a sufficient quantity of goods to give temporary relief" to the refugees. Coleman contended that it was inhuman to wait "for the goods that are to be purchased [through a special Congressional appropriation], as there is no probability that they will reach here short of two months." Coleman concluded that their "necessity is too urgent to admit delay."¹³

Dr. Coffin, when describing the Kansas refugees' condition in the winter of 1863-1864, stated that the

...intense cold weather that visited us during...the fourth quarter of 1863, and the first ten days of January, 1864, found the Indians with an insufficient supply of clothing, blankets, shelter. The old stock of clothing, and etc., being entirely worn out, and the new not arriving for distribution before the twelfth of January, 1864, intense physical suffering was endured by all, and fatal lesions resulted to many. Many died immediately, while others dragged out a miserable existence for a few weeks or months and expired.¹⁴

¹²Cutler to Coffin, September 5, 1863, Annual Report of the Commissioner of Indian Affairs for 1863, pp. 299-301; Cutler to Coffin, November 1, 1863, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

¹³Coleman to Dole, October 30, 1863, *ibid.*

¹⁴A. V. Coffin to W. G. Coffin, August 25, 1864, Annual Report of the Commissioner of Indian Affairs for 1864, pp. 307-309.

This was the very condition that the refugee agents had warned of and of which the refugees themselves had complained so bitterly.

The clothing and shelter problems facing the refugees had been anticipated by Superintendent Coffin as early as August, 1863, when he requested and received estimates from his agents of necessary articles and supplies for the fourth quarter of 1863. He itemized these requests and estimated their cost. He sent this information to Commissioner of Indian Affairs Dole, requesting that "unless the families of these unfortunate refugees are supplied with the necessary clothing, of which they are entirely destitute, they will have to suffer the most untold hardships imaginable, especially if the approaching winter proves to be severe."¹⁵

Superintendent Coffin also urged that a special appropriation be made at the next session of Congress to meet these expenditures. The necessity for a special appropriation was because the refugees' tribal funds from which their supplies were being paid had already been exhausted for 1863. Coffin's celerity and determination in securing shelter for the refugees matched his zeal in impressing on the Office of Indian Affairs the need for large expenditures in relief of the refugee Indians in Kansas. Coffin took matters in his own hands when he left his headquarters at Leavenworth, Kansas, on September 6, 1863, enroute to Saint Louis, Missouri, to secure damaged tents from General John M. Schofield for the use of the destitute families of refugee Indians in Kansas. Coffin, by exerting "tremendous efforts, obtained

¹⁵ Coffin to Mix, September 12, 1863, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

800 pretty fair tents."¹⁶

The refugee Indians, distressed as they were by the lack of adequate clothing and shelter, were impressed by the efforts being made by their agents, whom they believed were doing all they could to alleviate their problems. The Creek refugees, while assembled in general council, composed a letter to "Our Father," who was probably either President Lincoln or Commissioner of Indian Affairs Dole. In a resounding vote of confidence they stated that they were "well fed and well clothed, and that our agent and superintendent both do all they can for us."¹⁷ In fact, the letters written to Superintendent Coffin by his agents complaining of refugee conditions in the fall of 1863 were not critical of Coffin personally but of the ineptness and slowness of Congress' appropriation of money for supplying the needs of the refugees.

The hardships, suffering, and unnecessary deaths of the Indian refugees in the winter of 1863-1864 can be directly attributed to cumbersome federal bureaucracy. The supplies, which did not arrive in Kansas until January 12, 1864, had been itemized and requisitioned as early as September, 1863.

Cherokee Agent Harlan criticized the government's inefficient system of supplying the Indians:

The practice of letting the contracts for all Indian supplies for only three months, I think is all wrong. The letting takes place about the beginning of the quarter. By the time the contract goes to Washington, and is approved and returned here, the contractors notified, provisions bought, a trained

¹⁶ Coffin to Mix, September 16, 1863, *ibid.*

¹⁷ Creek Chiefs to "Our Father" [Dole], April 1, 1863, Letters Received by the Office of Indian Affairs, Creek Agency, Department of the Interior, National Archives.

escort got together, and then travel three hundred miles, one half of the quarter is necessarily gone, and frequently more...I have frequently complained of the insufficient supply of food and clothing....

Harlan's rage against bureaucratic incompetence and indolence must have been shared by other Indian agents, for it more than any other factor impeded their efforts to alleviate the refugees' suffering.¹⁸

The condition of the Seminole refugees at Neosho Falls was depicted, from their point of view, by Acting Principal Chief Pascofa. He praised his agent, Coleman, several times, but deplored his people's condition. He complained that the women looked as though they did not get enough to eat, that the beef was often low in quality, sometimes plentiful, and sometimes scarce. Pascofa also related to Dole that sufficient clothing had not been issued to go around to all the refugees, and that they were also destitute of blankets. He contended that they were issued only one blanket to every three people, and this was not sufficient because "the old women all sleep by themselves," leaving several without blankets. He spoke several times of the Seminoles' great need for sugar and coffee, and he explained that "sometimes we get no sugar or coffee for two or three weeks," and that when it was distributed they received "not more than one sixth pound per week to each person." However, Pascofa was quick to acknowledge that "except for sugar we get plenty...of good substantial food."¹⁹

At another time, Chief Pascofa not only indicated that his refugee

¹⁸Harlan to Coffin, September 30, 1864, Annual Report of the Commissioner of Indian Affairs for 1864, pp. 309-311.

¹⁹Pascofa to Dole, August 29, 1863, Letters Received by the Office of Indian Affairs, Seminole Agency. Department of the Interior, National Archives.

people had received insufficient clothing, but also questioned its quality. He pointed out that "the clothing you have sent us have not been sufficient for the women and children," and is "too light and easily torn." Pascofa thought that enough money had probably been spent on clothing, but contended that had it been "properly spent for heavy goods we would have plenty." The refugees personal feelings about higher quality and heavier cloth was revealed by Pascofa when he said that "our women are not proud. They don't care how coarse their clothing is [if] their nakedness is hid." He then explained that the women "would like to have two (2) dresses, one of heavy coarse goods and one of good calico."²⁰

Of interest is the difference between the refugee appeals to the Federal government in 1863 and their appeals in 1862, soon after arrival in Kansas. In 1862, they were requesting any kind of assistance they could get, and were hoping simply to survive and to keep their relatives and friends alive. Their requests and complaints in 1863 were a decided contrast. Pascofa in 1863 asked for "three ounces of sugar per week," instead of two as in 1862. Rather than be thankful for anything to live in, the refugees wanted better quality tents, or even houses. Instead of clothing of any kind to hide their nakedness, they desired heavier, more durable goods. Their demands in 1863 were not unreasonable, and the need continued great, but the very nature of the requests indicate how much their condition had improved over the previous year. Often in 1863 they were asking for luxuries like coffee, sugar, and high quality goods, indicating that their basic needs were being met.

²⁰ Pascofa to Dole, July 29, 1863, *ibid.*

Wichita Agent Carruth had perhaps the most difficult assignment of all agents in the Southern Superintendency. His agency included many different tribes or fragments of tribes with diverse backgrounds. These Indians were probably the least educated and least civilized of all the Indian Territory tribes. His agency included the Wichita, Caddo, Delaware, Absentee Shawnee, Anadarko, Tonkawa, Tawakoni, Kichai (Keechi), Hainai (Ioni), Waco, and Penateka Comanche tribes. The movement of these Indians into Kansas in 1861 and 1862 has earlier been described, but unlike the other refugees, many of the Wichita Agency Indians continued to move about freely in Kansas and even back and forth between Kansas and Indian Territory during the Civil War. Thus, it is much more difficult to pinpoint their precise location at any given time during the Civil War.

Their frequent movement can best be understood by analyzing their nomadic natures. The Wichitas and affiliated tribes, as they were usually referred to, were Plains Indians accustomed to roving hundreds of miles in search of buffalo and other game. Their exile from Indian Territory was mainly self-imposed, as they had principally moved north to get further away from the Confederate Texans whom they hated. The Texans had run them out of their homelands in Texas a short time before the Civil War. However, the Leased District of Indian Territory, where they had resided immediately before the Civil War was never firmly controlled by the Federals or the Confederates. Hence, the Wichitas and affiliated tribes were able to move nearly at will during the Civil War, and were an intense source of irritation to both Federals and Confederates.

Wichita Agent Carruth established his agency in 1862 at Belmont,

Kansas, in Woodson County between the Fall River and the Verdigris River. From there he issued supplies to the refugees who wintered along these rivers ten to twelve miles from Belmont. Carruth complained that a large number of refugees arrived from Indian Territory on December 7, 1862, after he had already estimated the provisions for that winter and the following spring. In September, 1863, Carruth reported that there were 1,992 refugees receiving supplies at Belmont.²¹ He complained, as did other refugee Indian agents in the fall of 1863, that "the Indians of this agency are in a deplorable condition in regard to clothing." He asked that supplies be rushed immediately, fearing that "disease must be the result if much longer delayed. Winter is setting in early."²²

The 1,992 refugees receiving supplies at Belmont did not include a large number of refugees affiliated with the Wichita Agency. Most of the Caddoes and Penateka Comanches and portions of other tribes who fled from Indian Territory were located on the Arkansas River and Little Arkansas River in west and south central Kansas. Wichita Agent Carruth held a council in April, 1862, with these tribes on the Arkansas River near present Wichita, Kansas. He then conceived an even more ambitious plan to assemble and meet with the leaders of the refugee tribes near Belmont, the Comanches and Caddoes, and the wild tribes who belonged to no agency and roamed through the Leased District, Western Kansas, and Colorado. The latter included the Arapahoes, Lipans, and Kiowas. The

²¹Carruth to Coffin, June 14, 1863, September 6, 1863, Annual Report of the Commissioner of Indian Affairs for 1866, pp. 326-327, 304.

²²Carruth to Coffin, November 1, 1863, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

council was successfully initiated on June 8, 1862, and the Arapahoes, Lipans, Comanches, Kiowas, Sac and Foxes, Kickapoos, and Caddoes all agreed to "Make peace with all the tribes friendly to our government." Representatives of these Indians who were at the June council implied that they desired to return to the Little Arkansas, and their agent, Carruth, agreed that "it would be wise to have food and supplies brought to the Little Arkansas River so that it could be more easily distributed to the tribes living in that area and in western Kansas."²³

The nearly 2,000 Wichita Agency Indians located on the Fall River and Verdigris River near Belmont, Kansas, in Woodson County, and the large number of affiliated tribes located along the Arkansas River and Little Arkansas River, received an unexpected increase in their numbers when a large number of Wichita Agency Indians fled from the old Wichita Agency near Fort Cobb in the wake of a vicious attack by the Southern Kickapoo Indians on their agency buildings. On the evening of October 23, 1862, Papequah's Kickapoo warriors raided and burned the Wichita Agency buildings. The next day they attacked and killed over 100 Tonkawa Indians near the agency. It had been thought for several months that they had also killed Confederate Wichita Agent Matthew Leeper. This raid scared many of the remaining Indians, and about 1,000 fled from the old Wichita Agency north to Carruth's agency at Belmont, Kansas, which accounts for his statement that "refugees connected with this agency received a large ascension to their number December 7,

²³ Carruth to Coffin, June 14, 1863, Annual Report of the Commissioner of Indian Affairs for 1863, pp. 326-327.

1862."²⁴

By mid-January, 1863, a group of Caddoes and other Indians from the Wichita Agency had moved to the Big Bend of the Arkansas River in western Kansas. Being desperate for supplies, these refugees sent a twenty-six man delegation to Fort Larned, Kansas, eighteen miles up the Arkansas River, to see Samuel G. Cooley, agent for the Upper Arkansas Agency. The delegation asked to be allowed to peacefully settle in the area around Fort Larned.²⁵

Agent Colley asked for subsistence for these refugees from Commissioner Dole, who issued Colley a requisition for \$5,000 for "colonizing, supporting, etc., the Wichitas, and other affiliated bands."²⁶ Colley then left for Washington with a delegation of Cheyennes and Arapahoes, and on his return to the West in late June, 1862, he found his 450 Caddoes and other Indians encamped about thirty miles south of Fort Larned, Kansas, in a beautiful grove. Although they were living in thatched huts and had dug wells, they were "destitute of both clothing and provisions," and had been subsisting on buffalo meat.²⁷

John W. Wright was appointed on March 14, 1863, as a special agent

²⁴Arrell M. Gibson, The Kickapoos: Lords of the Middle Border, pp. 199-200; Coffin to Dole, September 24, 1863, Annual Report of the Commissioner of Indian Affairs for 1863, p. 295; Jeanne V. Harrison, "Mathew Leeper, Confederate Indian Agent," Chronicles of Oklahoma, Vol. XLVII, No. 3 (Autumn, 1969), pp. 249-251; Muriel H. Wright, "A History of Fort Cobb," Chronicles of Oklahoma, Vol. XXXIV, No. 1 (Spring, 1956), pp. 53-71.

²⁵Colley to Dole, January 25, 1863, Annual Report of the Commissioner of Indian Affairs for 1863, pp. 253-254.

²⁶Dole to Colley, March 30, 1863, *ibid.*, p. 254.

²⁷Colley to Dole, June 30, 1863, *ibid.*, p. 256.

to purchase goods for these Caddoes. He was instructed to immediately purchase "six yoke of oxen and one wagon, two large breaking ploughs, four small ploughs, two harrows, two dozen spades, two dozen shovels ..., two dozen hoes, two dozen axes, one dozen hand rakes, one dozen mattocks, one set of blacksmith's tools, and five hundred weight of iron and steel." Wright also was given the authority to purchase, at his discretion, "two scrapers, a limited lot of carpenter's tools, and engage in the States a carpenter and a blacksmith." The purpose of these purchases and services was "for the building of some cheap, but substantial houses for the Indians, the construction of a ditch for irrigation, and the opening of a portion of the land for agricultural purposes." Wright, who lived in Logansport, Indiana, was to purchase the goods in his home area and deliver them to Agent Colley, who would then take over.²⁸

At the same time, Acting Commissioner of Indian Affairs Charles E. Mix directed Colley to select a suitable location for the Caddoes "south of the Arkansas River, and east of the Pergatory [sic] River, and lying along these rivers." Mix further specified that the area would need to contain at least 500 acres of arable land, which could be irrigated, near a source of timber. The proposed houses were to be "made of stone, concrete, or heated earth..., the outside doors should be double-battened and the inside single-battened." The window openings were to be sash which was available at Fort Lyon.²⁹

Special Agent Wright visited the Caddoes on the Big Bend of the

²⁸Mix to Wright, August 14, 1863, *ibid.*, pp. 257-258.

²⁹Mix to Colley, August 14, 1863, *ibid.*, pp. 258-260.

Arkansas River. After consulting with Wright, the Caddoes sent two principal men of the tribe, and Chief Parkman, to Fort Lyon, in present southeast Colorado. Agent Colley, Wright, and the Indians selected a tract of land on the "south side of the Arkansas River, above and immediately adjoining the military reservation."³⁰ The unpredictable whims of war thus carried this refugee delegation as far west as Colorado.

After returning to Fort Larned, Wright induced the Caddoes to locate on the Pawnee River about twenty miles above Fort Larned for the winter of 1863-1864 instead of removing 250 miles to Fort Lyon so late in the fall. Another reason for not moving the Caddo refugees to Fort Lyon at that time was that there was "little game, and corn there cost about five dollars a bushel, and everything else [cost] in proportion."³¹ In the spring of 1864 the Caddoes were unable to move onto the land set aside for them near Fort Lyon, due to the increasing warfare of the Plains Indians against the whites and the retaliatory action being taken by soldiers against them. They moved back down the Arkansas River between Crow and Turkey Creek, closer to the other affiliated tribes.³²

Agent Carruth's plans for supplying all the Wichita Agency refugees at the conference of the Little Arkansas River and Arkansas River did not bear fruit until 1864, when the refugees under his care refused to

³⁰Wright to Usher, no date; Colley to Dole, September 30, 1863, *ibid.*, pp. 260-261, 252-253.

³¹Wright to Usher, no date, *ibid.*, pp. 260-261.

³²Colley to Dole, April 1, 1864, September 2, 1864, October 20, 1864, Annual Report of the Commissioner of Indian Affairs for 1864, pp. 248-254, 242-243.

return to Indian Territory along with the Opothleyahola refugees. They preferred to settle on Big Walnut Creek in Butler County, Kansas, which ran nearly parallel to the Arkansas River near present Wichita, Kansas. This put them in close proximity with the other Wichita Agency refugees who had been living near the mouth of the Little Arkansas River, where it flows into the Arkansas River. The Wichita Agency was moved from Belmont, Kansas, to Butler County in 1864, but the Wichita Agency Indians remained along the Arkansas River, the Little Arkansas River, Bit Walnut Creek, and near the Big Bend Country throughout the rest of the war.

A serious problem on all Indian reserves was the presence of unauthorized whites, who attempted to sell the Indians whiskey. Among the Creeks, according to Agent Cutler, "traffic in whiskey is the most serious difficulty we have to contend with," and several barrels of whiskey which were found on the Sac and Fox Reserve were destroyed by Cutler. It was difficult to keep the whites from selling whiskey to the Indians, because it was hard to get Indians to testify against them.³³

The removal of the Wichita Agency Indians to western Kansas, even further from white settlements, did not prevent unscrupulous whites from following them to cheat them out of their money and encourage them in delinquent activities. Superintendent Coffin bitterly denounced these "vicious and lawless vagabonds of whites, that have followed those Indians for the purpose of plunder and theft." He revealed that "they

³³ Cutler to Cutler, September 5, 1865, Annual Report of the Commissioner of Indian Affairs for 1863, pp. 299-301.

are selling the whiskey, stealing their ponies, and cheating and robbing them of everything they have worth stealing." Coffin explained the presence of these undesirables around the Wichita Agency:

...many of the Indians have been, for the last two years or more, engaged in driving up cattle from their own country, and...from the Cherokee and Creek country, and selling them to Whites at very low prices. The large profits on stock so purchased has led a great many of these men to swarm around said Indians to purchase stock, and no doubt but what every inducement that avarice and cupidity could suggest has been employed to induce them to drive up the stock.

Not only were the Wichita Agency Indians stealing cattle in the Cherokee and Creek nations, but by 1864 they were driving them from the southern part of Indian Territory and even from Texas, which Coffin found less objectionable.³⁴

The refugee Indians causing the most problems were the Southern Kickapoos who did not actually belong to any agency before or during the Civil War, but who mingled in 1862 and 1863 with the Wichita Agency Indians living near Belmont, where they also drew their supplies. A few of the Kickapoos who had gone north with Opothleyahola in 1861 resided at the Sac and Fox Agency and were supplied there. Others moved to the reservation of the Northern Kickapoos near the Kansas River instead of remaining in southern Kansas near Belmont. The Southern Kickapoos who congregated with the Wichitas and affiliated tribes near Belmont, separately and with small bands of Absentee Shawnees and Delawares, made raids into Indian Territory, plundering cattle and horses and anything else they could carry off. In addition to these raids,

³⁴Coffin to Dole, September 24, 1863, Annual Report of the Commissioner of Indian Affairs for 1864, p. 305.

they sorely vexed the other refugee tribes for two reasons. First, they were indiscriminate in whose cattle and horses they thieved. Much of the stock rounded up actually belonged to the exile refugee Indians, especially the Five Civilized Tribes. Second, when the Indians returned to the Wichita Agency in Kansas they passed through other tribal domains, notably the Osage. They often stole horses from these Kansas Indians as they passed through the southern part of the state. Agent Carruth and Superintendent Coffin were constantly settling disputes between the Kickapoos, Absentee Shawnees and Delawares on the one hand, and the Osages and other refugee Indians on the other. The Kickapoos hunted buffalo and other game on the prairies, and collected large sums of money by selling stolen cattle and horses to unscrupulous whites who did not care where or how they got them.³⁵

But this was not enough excitement for the restless, warlike Kickapoo refugees. As previously mentioned, a band of Kickapoo warriors under Chief Papequah raided the old Wichita Agency near Fort Cobb and burned all the agency buildings and massacred over 100 Tonkawa Indians who had aligned with the South. Soon after this, in late autumn, 1862, 600 Southern Kickapoos, under the leadership of Chief Machemanet, left southern Kansas for Mexico and arrived near Naciento, Mexico, in Coahuila in December. There they were employed by the Mexican government to protect the Mexican border from Comanche and Apache raids, and in return for their services they were granted sanctuary and land by the

³⁵ Coffin to Dole, September 24, 1864, Gookins to Coffin, October 20, 1864, *ibid.*; Carruth to Coffin, September 6, 1863, Coffin to Dole, February 7, 1863, Annual Report of the Commissioner of Indian Affairs for 1863, pp. 304, 312.

Mexican government.³⁶

To the Kickapoo warriors, this was an enviable situation. They were doing what they liked to do, fight, and they were being rewarded for it. The good news of the profitable situation was clandestinely spread to the Southern Kickapoos in Kansas, and even to the Northern Kickapoos. The result was that in 1864 over 100 Northern Kickapoos, led by Nokowhat, joined the remaining Southern Kickapoos on Big Walnut Creek. There in September, 1864, 600 Southern Kickapoos, under the leadership of Chief Papequah and Chief Pecan, joined with Nokowhat's 100 Northern Kickapoos and headed for Mexico to join Chief Machemanet's band. These Kickapoos remained in what must have been to them a much desired exile from Indian Territory throughout the remainder of the war.³⁷

The Indians residing in Indian Territory, who determined to remain loyal to the Federal government during the Civil War, were cast about on the waves of military action, and before the war's end, most were flung upon barren and distant shores. Federal refugee Indians were scattered as far as Neosho, Missouri, and the Cherokee Neutral Lands on the east, through Kansas from the Kansas River on the north to the Big Bend Country along the Arkansas River, to Colorado on the west, and even to distant Mexico on the south. As their exile continued, their pleas to return to their homes, especially among the Five Civilized Tribes, became a deafening roar, but it was the Cherokee refugees, the last to

³⁶Gibson, The Kickapoos: Lords of the Middle Border, pp. 200-201.

³⁷Ibid., pp. 202-207.

be exiled, who would have the first opportunity to return to Indian Territory.

CHAPTER VI

RETURN OF CHEROKEE REFUGEES

The return of the Federal refugees to their home in Indian Territory was an arduous and complex series of events that occurred generally over a five-year period from 1863 through 1867. One small band of Kickapoos did not return to Indian Territory until 1873. Resettlement in Indian Territory by the Federal refugees was begun early in 1863 by the Cherokees, almost before smaller tribes residing in the western portion of Indian Territory had completed their exodus to southern Kansas, and to more remote camps in western Kansas and even Mexico.

As was true of the emigration, the return to Indian Territory by the Federal refugees occurred in two basic stages. Most of the Cherokees came back to their nation in 1863, and the majority of the Opothleyahola refugees returned in 1864. During and after these two major movements, smaller refugee groups drifted back to Indian Territory and eventually to their former homes. Many variables account for the disjointed and uncoordinated return of the Federal refugees, but the diverse geographic distribution of the refugee camps was the primary factor.

The Cherokees were among the last Federal refugees to be forced to retreat from their homelands, but the close geographic proximity of the refugee camps in the Cherokee Neutral Land and in southwest Missouri to the Cherokee Nation favored their early return to Indian Territory.

Their migration back to the Cherokee Nation in 1863 was the first return of any magnitude of the Federal refugee Indians.

The Cherokees had no sooner fled from Indian Territory than they began to entreat the government to reoccupy the Cherokee Nation and return them to their homes. Their cries were vocal and unified in demanding their immediate return to Indian Territory. However, the Office of Indian Affairs, and especially the superintendent of the Southern Superintendency, within whose jurisdiction the Cherokees fell, were very hesitant to remove the Cherokees to their homeland until they could receive some guarantees about their safety.

By taking a more analytical and practical approach to deciding on an early return of the Cherokee refugees, Superintendent Coffin incurred the wrath of military officials, who desired an immediate return of the Cherokees, who vented their homesickness, frustration, and general misfortune on the Indian officers in charge of them. Part of Coffin's aversion for the proposal removal can likely be explained by Major General Blunt's support of it. Coffin was still indignant over Blunt's earlier decision to remove the Cherokee refugees from the Cherokee Neutral Land to Neosho, Missouri, without his consent. The move had cost the Office of Indian Affairs much extra money because it took the Cherokee refugees much further away from their base of supplies and necessitated the hiring of a special agent to care for them. Coffin viewed the act as an infringement on his authority and an affront to his dignity. He had good reason for suspecting Blunt's motives in wanting to again move the Indians.

Much stronger than his personal feelings, however, were Coffin's basic reasons for not favoring an immediate return of the Cherokee

refugees. In the fall of 1862, Coffin explained his position clearly and eloquently to Acting Secretary of the Interior Charles E. Mix. The southern superintendent felt that it would be unwise to move the Cherokees in the fall of 1862 or early the next spring because "it would be bad policy...for the families of these Indians, numbering as they do nearly 5,000 to go with the Army." Coffin felt that for the refugees to follow the Union army into Indian Territory would be disastrous because of the frightening possibility of the army being "stopped and detained for several months at one point and...that point might be remote from supplies." Coffin added that if the Indian forces were required to retreat by the enemy, their supplies "would unfortunately very likely be lost, which would be a heavy expense in the way of damaged, to say nothing of the loss of life."

Coffin understood that if the refugee Indians were successfully restored to their homes "it would require considerable military force there to protect them from surrounding Rebels." He questioned the availability of this military force which "might be very badly needed at other points to crush out the rebellion in Arkansas, Texas, and Missouri," and pleaded that "humanity, safety, and economy dictate that a restoration of the families of Southern Refugee Indians should not be attempted until the rebellion in the Indian Territory is put down and peace and quiet restored."¹

To Secretary of the Interior Smith, Coffin brilliantly rebutted other views on the advisability of returning the refugees at an early

¹Coffin to Mix, August 30, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

date to Indian Territory. He pointed out that Indian Territory was "subject to predatory excursions, and under the sway of roving bands of Rangers, Guerrillas, and Cut Throats, which gathering their strength in Arkansas and Texas, will not be slow to exercise it, in the most cruel manner upon the weak and defenseless Indians, whose sympathies are known to be with the legitimate Government."

Coffin pointed out that the refugees to be returned were, in most cases, "the old and feeble, the infirm, the helpless women and children, who deprived of their natural protection by our own stern necessities, will be left to the barbarities of a heartless foe, who will be but too glad to wreak his vengeance upon the families, relatives, and friends of the Indian warriors who are arrayed against him."

Coffin observed that "Indian Territory from its geographic position, vast extent, and fertility, [was] a prize of great value to the...Confederacy and one for which they will make a desperate struggle, so long as there is a glimmer of hope for success." He concluded that he was "as anxious as...any other man for the early restoration of the Southern Refugee Indians to their homes in the Indian Country, but...to attempt to restore them until the Rebellion is crushed in the Indian Territory, in Arkansas and Texas,...and peace restored, would be but little short of insanity."²

Coffin based his opinions of conditions in Indian Territory on firsthand knowledge from Indian participants and from the military. One such person was Major A. G. Ellithorpe, who was in the First Indian Regiment. Coffin inquired of him: "Would it be safe in the present

²Coffin to Mix, September 13, 1862, *ibid.*

condition of the [Indian] country to restore the Southern Refugee Indians now in southern Kansas, the women and children, the old, feeble and infirm, to their homes in the Indian Country?" Major Ellithorpe's reply was just as brief and pointed: "It would not be safe to take the women and children to the Creek or Cherokee countries this fall for the following reasons. First the corn and vegetable crops north of the Arkansas River will not afford them subsistence for a single month.... The amount of military force necessary to restore and safely protect these people in their homes, would far exceed what is at present at the disposal of the Department of Kansas."³

Indian Agent H. W. Martin, who had been assigned by Coffin to help supervise the Cherokee Indians around Neosho, accompanied Colonel Phillips on a scouting expedition to Indian Territory in December, 1862. His report to Superintendent Coffin was nearly as unfavorable as that of Major Ellithorpe's. Martin said that "there is not enough provisions in the Cherokee Nation to subsist the few scattered women and children left in that country," and implied that there would not be nearly enough provisions available to subsist the loyal Cherokee refugees.⁴

Coffin's hesitancy to return the refugee Cherokees to Indian Territory in the fall of 1862 and spring of 1863 was based on firsthand accounts of military men and Indian officers in Indian Territory, and not on personal feelings of animosity toward Major General Blunt or the military. His opinions, repeatedly expressed to Commissioner of Indian

³ Ellithorpe to Coffin, September 12, 1862, *ibid.*

⁴ Martin to Coffin, December 20, 1862, Letters Received by the Office of Indian Affairs, Cherokee Agency, Department of the Interior, National Archives.

Affairs Dole, Secretary of the Interior Smith, and military officials, were well reasoned and adequately documented.

The Cherokee refugees, however, found strong support for an early return to the Cherokee Nation among military officials in Kansas and Indian Territory. Among their most avid supporters were Major General Blunt and Colonel Phillips. Also, strong vocal support for the return of the Cherokee refugees came from the officers of the Indian Home Guard regiments, especially from the officers and men of the Third Indian Home Guard Regiment, composed almost entirely of Cherokees.

In addition to the emotional appeals of the Federal Cherokee soldiers and the humanitarian sympathy expressed by officers of the Indian Home Guard regiments, there were practical reasons for the military's support of an early return of the Cherokees to their homeland. Once restored to their homes, the Cherokees could help hold Indian Territory north of the Arkansas River by planting crops that would also help supply Federal troops. It was common practice during the Civil War for military forces to requisition needed foodstuffs and supplies from civilians when normal means of supply were not available. The difficulty of supplying Indian Territory was evident throughout the war, and the prospect of growing crops within its borders was alluring to Union officers. Another practical effect of having Cherokee refugees and other displaced Indians back in Indian Territory was that they could help with hay-gathering operations that would provide forage for Union mounts. In addition, horses and livestock could be maintained by the refugees for likely use by the Union forces. Also, in the minds of the Union officers was the fact that a loyal civilian population in Indian Territory could help keep Federal forces informed of enemy troop movements.

Proof that the Indian officers realized the military importance of returning the refugees to Indian Territory is documented in correspondence between Union officers. Major General Blunt told Colonel Phillips that "the raising of a crop in the Indian country the coming season is of great importance, not only to sustain the refugees, but forage must be had for the use of the government."⁵ Colonel Phillips was even more frank in a communication to Major General Samuel R. Curtis several months later: "March is the planting month in the Indian Territory, and no crops are secure planted after that time. Not only as a question of justice to them, but policy as to holding and occupying the country, makes the restoration and raising of a crop desirable. Absent refugees will not give us the Indian country.... The gate to Texas may be opened through the Indian country."⁶

Blunt, in explaining to Secretary of the Interior Smith why he had removed the refugee Cherokees to Neosho, Missouri, without the consent of the Office of Indian Affairs, indicated that he felt that "the interest of the Refugee Indians were so intimately blended with the military affairs of the Indian Territory that I deemed it my duty to act in the premises."⁷ It appears that Blunt's statement and those of Phillips that, at least, these two officers felt that the affairs of the refugee

⁵ Blunt to Phillips, February 23, 1863, Official Records, Ser. i, Vol. XXII, Pt. 2, pp. 121-122.

⁶ Phillips to Curtis, March 20, 1863, *ibid.*, pp. 165-167.

⁷ Blunt to Smith, November 21, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives; Danziger, Jr., "The Office of Indian Affairs and the Problem of Civil War Indian Refugees in Kansas," Kansas Historical Quarterly, Vol. XXXV, p. 268.

Indians and the military were so closely interwoven that they could not be separated and that they should be directed according to military interests.

Other military reasons for the immediate occupation of the Cherokee Nation, and as much of Indian Territory as possible, were the positive effects that it would have on the morale of Union soldiers in Indian Territory and the adverse effect that it would have on Confederate Indian troops. Phillips felt confident that he would be able to organize a Creek and Choctaw regiment from dissatisfied Confederate Indians. In fact, he contended that "Its success to a great extent depends on our clothing them neatly, feeding them, and to some extent their starving families. After all, a little [food and clothing] goes a great way. It is cheap recruiting." Phillips's inference was that refugee Indians returned to Indian Territory would be able to raise crops to feed the families of Creek and Choctaw soldiers to induce them to defect to the North.⁸

Officers of the Indian Home Guard regiments feared that many of their soldiers would become unmanageable and mutinous if commanded to leave their families and relatives unprotected in southwest Missouri for extended periods of time while they were on military operations. Major General Blunt must have had this fact uppermost in his mind in the spring of 1863, for on November 21, 1862, he told Secretary of the Interior Smith that in 1862 during the second Federal invasion of Indian Territory "the Indians mustered into the Federal service were not

⁸ Phillips to Blunt, March 3, 1863, Official Records, Ser. i, Vol. XXII, Pt. 2, pp. 139-140.

willing to make a second expedition south, unless assurances were given them that their families should be taken to their homes as soon as we obtained occupation of the country."⁹

Blunt's fear was well-founded that the Cherokee troops would be difficult to manage unless they were given assurances that their families would be removed to their homeland. Military dispatches document the growing concern of the Federal Indian soldiers in the spring of 1863. Phillips informed Major General Curtis on March 19, 1863, that "Indians [soldiers] are greatly distressed about returning the refugees to their homes. The interest of the Government as well as these people, suffers by the delay." On the same day Phillips told Blunt that the "Indians are very impatient to have the refugees home, and go into the Nation. Colonel Ross writes me an imploring letter from Neosho." Two days later Phillips informed Blunt that the "refugees at Neosho send heartrendering appeals to me. Twice the Indian officers have signed an earnest appeal.... The truth is something has got to be done promptly, or...the interest of the Government in the Indian Nation will suffer.... Hours are precious." Loring wrote Phillips on March 19, 1863, that Thomas Pegg and the officers of the Second Indian Regiment "earnestly petition for the immediate return of the refugee families to the Indian Country--consider themselves thwarted in their promises--a few days more

⁹ Blunt to Smith, November 21, 1862, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives; Danziger, Jr., "The Office of Indian Affairs and the Problem of Civil War Indian Refugees in Kansas," Kansas Historical Quarterly, Vol. XXXV, p. 268.

delay will plunge them into ruin."¹⁰

There was also fear by Indian commanders that if the Indian troops agreed to leave their families that the refugees might try to follow, especially if the troops were located in Indian Territory, with disastrous results to both civilians and troops, if the troops were required to move rapidly. Fear of interference with military movements by refugee Indian families was indicated by Colonel Phillips in a letter to Special Cherokee Agent A. G. Proctor. Phillips argued that a "humane effort on the part of the Department of the Interior to return them at an early day will...put in proper shape an immigration of these people to their country which is sure to occur--perhaps disastrously, if proper steps are neglected."¹¹

Thus Federal officers had specific military reasons for wanting to return the refugees to Indian Territory as quickly as possible. The refugee Indians' impatience with the Office of Indian Affairs over their lack of alacrity was unfair, and the military's reasons for desiring an exodus of the exiles back to Indian Territory could certainly be questioned for other than purely humanitarian interests. However, the combined weight of the emotional appeals of the refugees and the incessant prodding of the military officers finally helped persuade Superintendent

¹⁰Phillips to Curtis, March 19, 1863, Phillips to Blunt, March 19 and 21, 1863, Official Records, Ser. i, Vol. XXII, Pt. 2, pp. 162-163, 168-169; Thomas Pegg and Cherokee Officers of the Indian Regiment to Phillips, March 19, 1863, in Loring to Phillips, March 19, 1863, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

¹¹Phillips to Proctor, February 17, 1863, Annual Report of the Commissioner of Indian Affairs for 1863, pp. 314-315.

Coffin to return the Cherokee refugees to their homes in the spring of 1863.

Major General Blunt knew that unlike his earlier removal of the Cherokee refugees from the Cherokee Neutral Land to Neosho, Missouri, he would have to have Superintendent Coffin's support in order to have the refugee Indians removed to Indian Territory. Furthermore, Blunt did not want to risk Superintendent Coffin's ire or the wrath of the Office of Indian Affairs. Even though Blunt did at first bypass Coffin by writing to Secretary of the Interior Smith, he followed this up with a personal meeting with Coffin to secure his cooperation. The January, 1863, interview between Blunt and Coffin must have been cordial, for when Colonel Phillips contacted Proctor on February 17, 1863, requesting the return of the Cherokee refugee families to Indian Territory, he found a much more receptive audience.¹²

A week later Superintendent Coffin told Dole that he had "directed the removal of all the Cherokee Indians at Ft. Scott and at Neosho to their homes in the Cherokee nation," but he prophetically conceded that it was "not without some misgivings as to the safety of the movement." Coffin concluded that the decision was made partially "in pursuance of the suggestions made by Colonel Phillips...and an earnest appeal from Agent Harlan, made verbally by Agent Proctor." It appears that although Coffin was still doubtful of the outcome, he yielded to the unrelenting pressure being applied to him by military officers, the Indians, and

¹²Ibid.; Danziger, Jr., "The Office of Indian Affairs and the Problem of Civil War Refugees in Kansas," Kansas Historical Quarterly, Vol. XXXV, p. 268.

even his own Cherokee agents, Harlan and Proctor.¹³

Superintendent Coffin was faced with the herculean task of supplying the refugees and preparing for their return to the Cherokee Nation. His first concern was over the transportation that would have to be provided the refugees for their removal. Agent Harlan suggested that 100 wagons would be needed to remove the Neosho Cherokees to their homes in Indian Territory, but, instead Coffin organized fifty teams which were to proceed from Fort Scott, the point of origin, to Neosho. From there they would make two trips to carry all the refugees into the Cherokee Nation. Coffin's thoughts were on making the removal as economically as possible by using fifty teams for two trips.¹⁴

In addition to carrying refugees, the trains were loaded with seeds, implements, and other tools necessary for planting gardens once the refugees reached their destination. Coffin decided that there would be no beef, cornmeal, or flour sent with the train on its first trip. He was later criticized by the Indians and their officers for this frugality, but he contended that it "is supposed by Colonel Phillips that a supply of meat for said Indians can be procured at their homes, for awhile at least, and Mr. Proctor is of the opinion that a sufficient quantity of corn, meal, and flour can be purchased at the mills near Neosho." For the removal, Coffin decided to use forty ox teams and ten, two-horse teams. He promised Dole that he would "try to get the teams ...ready to leave with the next train, which is intended to start from

¹³Coffin to Dole, February 24, 1863, Annual Report of the Commissioner of Indian Affairs for 1863, pp. 313-314.

¹⁴Ibid.

Fort Scott on the 10th of next month [March, 1863]."¹⁵

The exact departure date of the wagon train organized by Superintendent Coffin from Fort Scott is uncertain, but it is unlikely that it met his scheduled deadline of March 10, 1863, as military dispatches indicate that the refugee train had not yet reached Neosho, a six day drive from Fort Scott, as late as March 21. Special Agent Proctor accompanied the wagon train from Fort Scott to Neosho, where he joined Cherokee Agent Harlan who had been readying the Cherokees for departure from that place.

The excitement and anticipation of the refugee Cherokee Indians concerning their return to Indian Territory had been building throughout the winter of 1862-1863, and each rumor and piece of news that reached them must have encouraged their hopes or plunged them into despair. All the agony of uncertainty was wiped out when Proctor and his wagon train rolled into Neosho in late March, 1863. Spontaneous exultation must have spread quickly through the refugees in a chain of smiles, exuberance, and glee. Days of painstaking effort under the direction of Agent Harlan had enabled the Cherokee refugees to be ready for immediate loading and removal to their homeland.

In spite of the poverty and suffering endured the previous winter, the Cherokee refugees must have been a lighthearted group as they prepared to return to their homes. The departure of the refugee train from Neosho was certainly a joyous if not harmonious chorus of noise and human voices. The creaking of leather, the straining of horses in their harnesses, the rattling of chains and traces, the yelping of dogs, and

¹⁵ Ibid.

the din of human voices signaled the beginning of the return from exile. The refugee twenty-six wagon train, composed of ox teams and two-horse teams, and in addition included buggies, Indian ponies, people on foot, and all kinds of domestic animals, presented a strange pageant as it wound its way southward.

Not only did beautiful weather greet the refugees, but also a more favorable terrain as they placidly traveled south, escorted by 300 Cherokee soldiers commanded by Captain Alexander C. Spillman. The rugged, broken mountains and hills in southwest Missouri and northwest Arkansas gradually gave way to the grassy rolling hills of Indian Territory as the Cherokees continued their ten-day journey. The new foliage of the forest was refreshing and the fragrance of the wild flowers along the route perfumed the air.

The mile-long train wound its way into sight of Park Hill on April 9, 1863, at about 10:00 a.m., the "air soft and balmy and everything looked gay and cheerful." The refugee train was met just outside the settlement by a battalion of Cherokee soldiers who were drawn up in line as an honor guard. However, some Cherokee soldiers, unable to restrain their eager anticipation, rode out several miles to greet their families.

The scene of soldiers and their families being reunited was one of mixed emotions. For most it was an occasion of great joy and thanksgiving. Agonizing uncertainty about loved ones, frustration of forced exile, and bitterness towards the harsh war circumstances thrust upon them, were momentarily washed away by tears of happiness and the flood of human emotions displayed by the usually stoic Indians. However, for many, their worst fears were realized, and it was an occasion of

unrestrained grief. It had been nearly a year since some of the soldiers had seen their families, and there had been little communication: "At the greeting of parents, reference was soon made to a child or member of the family who had fallen victim to a disease and had been left behind" in the Cherokee Neutral Land or in Missouri, often in unmarked graves.¹⁶

The Cherokee refugee families arriving at Park Hill did not all return to Indian Territory on April 9, 1863. An unidentified group of refugees reached a point near Park Hill on March 31. On April 2, Colonel Phillips indicated that the "refugees arrived here two days ago." This must have been a fairly large group, for Phillips "appointed a committee to allot land districts," so that the available land could be fairly distributed and work begun on planting a crop.¹⁷

These refugees could have been a portion of the Neosho Cherokees who had left earlier than the main group from Neosho, Missouri. However, this is unlikely even though Coffin had announced his intention to move the Neosho refugees in two groups, using the same wagon train on successive trips. If the same train was used by both refugee groups, this would have required the train that arrived at Park Hill on March 31 to unload, return to Neosho, reload, and return to Park Hill by April 9. That it did was highly unlikely, if not nearly impossible.

¹⁶ Britton, Memoirs of the Rebellion on the Border, 1863, p. 204; Britton, The Union Indian Brigade in the Civil War, pp. 201, 206-207; Britton, The Civil War on the Border, Vol. II, pp. 34-37; Britton, "Some Reminiscences of the Cherokee People Returning to their Homes: The Exiles of a Nation," Chronicles of Oklahoma, Vol. V, pp. 174-177.

¹⁷ Phillips to Blunt, April 2, 1863, Official Records, Ser. i, Vol. XXII, Pt. 2, pp. 190-191.

These refugees were probably the Cherokees who had spent the winter of 1862-1863 close to the Indian regiments which wintered near Maysville, Arkansas. When the Indian regiments reoccupied the Cherokee Nation in mid-March, 1863, these refugees moved back, refusing to wait any longer on the Neosho refugees.

Not all of the refugees who left Neosho remained with the wagon train until it reached Park Hill. A large number of refugee families left the train as it crossed into Indian Territory, near Maysville, Arkansas, and as it continued southward other families dropped out of the train when it passed close to their homes. Perhaps they intended to move later to fortified positions for protection and supplies, but at the time they were unable to constrain their desire to see their homes and determine the condition of their land.¹⁸

This dispersal of refugees along the return route was exasperating to the military leaders, but especially to the Indian agents. Harlan disgustedly commented to Coffin that the refugees "Scattered themselves over the entire territory." Harlan, accompanying the Neosho refugees to Indian Territory, was under the assumption that he would be allowed to pick sites accessible to supplies and military support where the refugee Indians would settle. Harlan explained to Superintendent Coffin that while at Neosho he was "frequently asked where I thought, for this quarter or longer if necessary, they ought to be settled." Harlan decided they ought to settle east of the Grand River and near Tahlequah and Fort Gibson, to enable the military to protect them, but he

¹⁸ Britton, The Union Indian Brigade in the Civil War, p. 207; Britton, "Some Reminiscences of the Cherokee People Returning to Their Homes: The Exiles of a Nation," Chronicles of Oklahoma, Vol. VI, pp. 176-177.

complained that "this did not suite the selfish views of a few." After one day's march into the Cherokee Nation, Harlan learned of Colonel Phillips's order "establishing six different places where he should establish posts for their protection, where the Indians might in safety go. I did not know that he would not or could not protect them. No advice of mine could restrain them from scattering, and they scattered."¹⁹

Four of the six sites selected by Colonel Phillips had already been determined by Blunt and Phillips in early March, for on March 9, 1863, Blunt advised Phillips that the "refugees locate...for the present season at least, in colonies and at such places as may be selected as depots or military posts." Blunt suggested "Tahlequah, Park Hill, Ft. Gibson and Lewis Ross's place as among the points suitable for occupancy." If Agent Harlan had been asked by military officials what he thought would be the best places to locate the Indians, then very little attention was paid to his desires.²⁰

The arrival of the Cherokee refugees in Indian Territory also brought charges by the military against the Office of Indian Affairs and its agents. Colonel Phillips contended that the "steps taken for the relief of Cherokee children are entirely inadequate. When the people were brought in from Neosho only 26 wagons...of indifferent quality were employed to transport some 1200 or 1300 people, seeds, etc. etc." The refugees "reached the nation destitute of bread," Phillips

¹⁹ Harlan to Coffin, May 26, 1863, Annual Report of the Commissioner of Indian Affairs for 1863, pp. 320-322.

²⁰ Blunt to Phillips, March 9, 1863, Official Records, Ser. i, Vol. XXII, Pt. 2, pp. 147-148.

continued, and "had to receive of my supplies." Phillips implied that this was the cause of a "frightful number having died on the way" to the Cherokee Nation. Phillips's statement that a "frightful number" of refugees died enroute must be viewed as an exaggeration, and likely he was referring to the lack of adequate supplies as a minor contributing cause of the diseases that had been prevalent among the refugees at Neosho, Missouri, throughout the winter and spring of 1862-1863. Nowhere else in official records and correspondence or in eyewitness accounts is there mention of a large number dying during the return of the Cherokee refugees to Indian Territory.²¹

Most of the Cherokees on reaching their destinations in the Cherokee Nation began immediate preparations for raising crops, and Colonel Phillips appointed a committee to allot land districts around Park Hill and Tahlequah. Colonel Phillips turned over some of his military supplies to the Indians at Park Hill until the Office of Indian Affairs could get supplies to the refugees. The twenty-six wagons which had carried the refugees from Neosho to Indian Territory drove on from Park Hill to Fort Gibson. Proctor accompanied the train on its return to Kansas on April 23, 1863, by way of Eureka, Pleasant Grove, and Emporia, Kansas, its final destination.²²

Superintendent Coffin immediately loaded twenty-five of the wagons with 500 pounds of flour and with other supplies and headed it back to Indian Territory accompanied by the fifty man escort that had followed

²¹ Phillips to Smith, May 15, 1863, Letters Received by the Office of Indian Affairs, Cherokee Agency, Department of the Interior, National Archives.

²² Coffin to Dole, May 2, 1863, Annual Report of the Commissioner of Indian Affairs for 1863, p. 317.

the original train up from Indian Territory. The train left for the Cherokee Nation sometime after May 2, bound for Tahlequah, which had been designated as the central distribution point for refugee supplies in the Cherokee Nation. When the train was only ten miles from Tahlequah, Colonel Phillips ordered the escort to take the train to Fort Gibson, where the supplies were stored. This was contrary to the fact that Coffin had specifically directed the train to Tahlequah. Thus Cherokee Agent Harlan was unexpectedly left without supplies at the Cherokee Agency, which had been reestablished in old agency buildings at Tahlequah.²³

Due to the fact that Harlan's supplies were now at Fort Gibson and because Colonel Phillips had ordered all of his troops there, Harlan was compelled to reside and work at the fort. From there he was unable to issue supplies as effectively as he had intended in the more geographically favorable Tahlequah-Park Hill area. Harlan was even more angered when he found that he could not procure from Phillips as small an escort as four men to protect supply wagons to distribute seeds and supplies to the refugees scattered beyond the protective perimeter of Fort Gibson. The undefended Cherokees, just returned to their homeland, were attacked ruthlessly and without mercy by Confederate raiding units. The refugees were prevented from raising crops, and they were robbed, and their possessions burned and plundered.²⁴

Colonel Phillips was forced to retire to Fort Gibson late in the

²³ Coffin to Dole, May 2 and 26, 1863, Harlan to Coffin, May 26, 1863, Official Records, Ser. i, Vol. XXII, Pt. 2, pp. 317-322.

²⁴ Harlan to Coffin, May 26, 1863, *ibid.*, pp. 321-322.

spring of 1863 after it became apparent that logistical and military support for his forces in Indian Territory would not be forthcoming. Phillips realized that there was now enough grass on the prairies to feed the mounts of Confederate raiders, and he hoped that by keeping his forces massed he could enjoy numerical superiority against Confederate raiders by quickly dispatching a large number of men to counter Confederate troop movements across the Arkansas River. This could be done while insuring the safety of the remaining forces left at Fort Gibson.

Phillips' military strategy was necessary, but the consequences were ruinous to the defenseless Cherokees who had recently returned to their homes. Once military support was withdrawn from the agricultural settlements, the Indians became easy prey for the Confederate raiders and guerrillas who thirsted for revenge. Foremost among those seeking revenge were Southern Cherokee soldiers under Colonel Stand Watie. The bitter hatred of the Southern Cherokees was invoked against the Ross Cherokees who had broken the Cherokee treaty with the Confederacy and joined the Federal army.

In early June, 1863, Watie crossed the Arkansas River near Greenleaf Prairie, rode into Tahlequah and Park Hill under the cover of darkness, and pillaged and burned buildings in the area. Watie and his Confederate Cherokees hounded the returned Federal Cherokee refugees throughout the summer of 1863. On October 29, 1863, Watie rode into Tahlequah and disrupted a council meeting and killed several Federal Cherokees. He next moved to Park Hill and burned Rose Cottage, John Ross' elegant home. Black Federal soldiers were killed, and several of Ross' slaves were drug from their houses, which were then set on fire,

and carried out of the Cherokee Nation with the raiding party.²⁵

The incessant guerrilla warfare forced a large majority of the Cherokee refugees back to the protection of Fort Gibson or up to Fort Scott, Kansas. The Southern raiders' scorched earth policy was especially cruel to the loyal Cherokees who were making valiant attempts to plant gardens and crops to sustain them for the coming year. In spite of this harassment and constant danger, many of the Cherokee refugees remained near their once prosperous homes or banded together in other areas within the Cherokee Nation.

For those Cherokee refugees who were unprotected, loss of life was the most serious threat. Their leaders stated that the "conditions of the country rendered it extremely hazardous for that portion of our men not in the army to attend to agricultural pursuits. In attempting to do so, several very valuable citizens have fallen victims to the murderous bands who have infested the land." In assessing the conditions of the women, the Cherokee leaders concluded that the women were

...constantly in fear of being robbed, not only of the animals with which they were tilling the soil, but also of their scant supplies of every kind. The fact that many were robbed of all they possessed, and others saw their homes burnt to ashes by heartless ruffians abundantly show that their fears were by no means groundless ...and many of the women have lost even the small crops they did produce; while others have been compelled to seek protection under the...army²⁶

²⁵Fischer and Gill, "Confederate Indian Forces Outside of Indian Territory," Chronicles of Oklahoma, Vol. XLVI, p. 269; Rampp, "Twilight of the Confederacy in Indian Territory," p. 52; Hathaway, "Brigadier General Stand Watie, Confederate Guerrilla," p. 63.

²⁶Cherokee chiefs to Phillips, January 8, 1864, Cherokee Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society.

A participant in the events of Indian Territory in 1863 was Mrs. Mary Jane Ross, who concluded that it was in "vain for me to endeavor to picture to you the terrors and trials we have passed through.... I have kept a daily account of what was passing and then a new alarm would cause me to burn what might fall into the hands of our enemy." Mrs. Ross described one particular event to illustrate the brutality that occurred daily within the Cherokee Nation. A group of loyal Cherokee Indians were "making their way up to Fort Gibson. A party of Watie's men followed on a couple of horses behind, found a [Colonel John] Drew man sitting by the road, killed him, then placing a rope around his neck, hauled him about as children would a sleigh." Mrs. Ross concluded that "there was scarcely a day that we did not have some new fear to encounter. Just now we are in such danger. The Secesh have crossed at Webbers Falls and [are] robbing at a terrible rate...the people are starving--and the smallpox has broken out."²⁷

Cherokee Agent Harlan confirmed the trials and tribulations of the refugee Cherokees remaining in Indian Territory in many of his reports and letters to Superintendent Coffin. Harlan complained that Confederate guerrillas seemed to

...remain in the nation, some stealing and others carrying away. They have killed more lately than has been common perhaps going in smaller bands. They have a better chance to hide and waylay persons passing. These robberies have not been quite so frequent because they have...robbed so

²⁷Mary Jane Ross to Sarah [No late name given], March 22, 1863, Ibid.

many they are now only picking up what has heretofore been overlooked. Hundreds of families are without a single article of bedclothing and winter upon them.²⁸

Harlan communicated to Dole that bushwhackers robbed Cherokee families of "wearing apparel, except what they had on their backs," and that children were often "shook out of their clothes, and left utterly naked."²⁹

The refugees who fled to Fort Gibson and the outlying camps were no better off. A Union soldier stationed at Fort Gibson in 1863 noted that cholera had broken out among the troops at Fort Gibson and that many had died from the disease. At one time even Major General Blunt himself was sick with the disease. The soldier complained of short rations and chronicled the fact that from June 22 to July 4, 1863, "nearly all the white men belonging to the garrison force at Fort Gibson lost from one to several pounds of flesh...at the end of our fast, nearly every one had sustained a loss of energy and buoyancy." The soldier also indicated that smallpox had broken out in Fort Gibson and that "we have lost a great many Indian soldiers by it. But the greatest mortality caused by it has been among the refugee Indian families."³⁰

As had been the case since the outbreak of war in Indian Territory, the refugee Indians paid the heaviest price. Henry Smith, Superintendent Coffin's clerk, was detached to Fort Gibson along with a supply train in July of 1863. Smith's eyewitness account of the desperate

²⁸ Harlan to [Coffin?], December 7, 1863, Letters Received by the Office of Indian Affairs, Cherokee Agency, Department of the Interior, National Archives.

²⁹ Harlan to Dole, September 30, 1864, *ibid.*

³⁰ Britton, Memoirs of the Rebellion on the Border, 1863, pp. 366-367.

condition of the refugee Indians at the fort grimly documented the results of the Union army's inability to protect the newly returned refugees in their homes:

I entered Ft. Gibson...and soon satisfied myself of the terrible condition to which the unfortunate refugees had been subjected ever since Colonel Phillips has been besieged. The ground held by the latter at that time did not exceed one and one-half miles square. In this little space I found about 3,000 soldiers and...nearly 6,000 refugees, consisting of Cherokees, Eucheas, Creeks and Seminoles.... The Indians, in part, were lying under trees and on the wayside, exposed to the hot sun, half-starved and naked and a great many of them sick with dysentery and diarrhea. Besides, the smallpox and varioloid are prevailing as an epidemic in and around Ft. Gibson, which have caused great mortality amongst them.... Agent Harlan too has had the smallpox.³¹

The Cherokees were not alone in their misery and exile. Hundreds of Creeks came north and encamped in the bottom along the Grand River near Fort Gibson. Many of these were Creek families who had been left behind or who had been unable to follow Opothleyahola's band north earlier in the war.³²

In June, 1863, Harlan estimated that there were over 6,000 Cherokee refugee Indians at Fort Gibson, and approximately 1,000 Creek and Seminole refugees, totaling 7,000 destitute refugees, to be fed in and around the Fort Gibson area.³³

³¹Smith to Coffin, July 16, 1863, Annual Report of the Commissioner of Indian Affairs for 1863, pp. 328-330.

³²Coffin to Dole, September 24, 1863, Proctor to Coffin, November 28, 1863, Annual Report of the Commissioner of Indian Affairs for 1863, pp. 294, 340, 341; Harlan to [Coffin?], December 7, 1863, Letters Received by the Commissioner of Indian Affairs, Cherokee Agency, Department of the Interior, National Archives.

³³Ibid.; Harlan to Coffin, September 2 and May 26, 1863, Annual Report of the Commissioner of Indian Affairs for 1863, pp. 297-299, 320-322.

The siege of Fort Gibson was raised in July, 1863, when Major General Blunt moved with his brigade from Kansas to the aid of Colonel Phillips and the Union forces in Indian Territory. All regular Confederate forces were driven to southern Indian Territory following the complete rout of the Confederates at the Battle of Honey Springs about twenty miles south of Fort Gibson on July 17, 1863. Soon after this mission was accomplished, Blunt removed his forces to Kansas, and the Indian regiments protected the territory north and some distance south of the Arkansas River from large Confederate demonstrations, but they were unable to secure the property and lives of the refugee families within Indian Territory from the merciless and incessant Confederate guerrilla raids for the remainder of 1863. This, coupled with the fact that it was too late for the Indian refugees to return to their homes and plant crops, compelled many of the refugees to remain near Fort Gibson in order to receive supplies.

Because of the lack of military protection at the agricultural outposts, supplies were issued during the summer and early fall of 1863 to refugees who could make their way to Fort Gibson. Supplies for the refugees were sent down from Fort Scott, Kansas, whenever possible. In addition to the supply wagon train carrying 500 sacks of flour which had been sent down in May, 1863, Superintendent Coffin oversaw the organization and dispatching of several other supply wagon trains through the early fall of 1863. He attached a number of wagons to a much larger military train sent down by Major General Blunt to Fort Gibson. He entrusted the arrival of the supplies to his clerk, Henry Smith, from whom he wanted to obtain a firsthand account of conditions at Fort Gibson. The train consisted of over 300 wagons and had an escort of 200 men and

five pieces of artillery. The train left Fort Scott on June 26, 1863, and arrived at Fort Gibson in early July, but not before it was unsuccessfully besieged by Stand Watie and other Confederates at Cabin Creek, north of Fort Gibson.³⁴

Superintendent Coffin made ambitious attempts to supply the Cherokee refugees' needs, but he struggled against many nearly insurmountable logistical problems. A supply wagon train, which left Emporia, Kansas, sometime before July 11, encountered numerous setbacks before it finally arrived at Fort Gibson on July 24. The train started off with 720 sacks of flour, 12½ bushels of shelled corn, 6,400 pounds of groceries, and 1,100 pounds of bacon. However, the train was compelled to leave 250 sacks of desperately needed flour at Emporia because Coffin and his purchasers were not able to get enough teams together, even though they diligently searched the Humboldt, Vermont, Burlington, and Emporia areas of Kansas. Inability to obtain adequate escorts and military protection for supply wagon trains was a serious handicap in outfitting refugee supply trains, and this train proved no exception. Superintendent Coffin could obtain from Major General Blunt the services of only forty men, and he had to "make up the requisite number...with 125 refugee Indians whose service...was not worth anything at all, inasmuch as they refused to accompany the train any further, [when] danger was apprehended of encountering a small Rebel force, and actually returned to Kansas."³⁵

³⁴ Coffin to Dole, July 11, 1863, Smith to Coffin, July 16, 1863, *ibid.*, pp. 327-330.

³⁵ Coffin to Dole, July 11, 1863, Coffin to Mix, August 31, 1863, *ibid.*, pp. 327, 328, 333-335.

Agent Harlan accompanied this supply train on July 27 from Fort Gibson to Tahlequah, where he helped unload the train. He then accompanied it back to Kansas. Special Cherokee Agent Proctor, who had accompanied the train to Fort Gibson, and then to Tahlequah, remained at Tahlequah, where he reestablished the Cherokee Agency. He was able to do so because Blunt's resounding victory at the Battle of Honey Springs had cleared the Cherokee Nation of Confederate raiders.

Superintendent Coffin attempted to send another supply train to the refugees in August, 1863, but was unable to do so for lack of military support. When Coffin received word that a military train was leaving Fort Scott for Fort Gibson about September 10, he had eighty wagons ready in time to accompany the military train, which reached Fort Gibson in late September, 1863. A sixth supply wagon train was also sent down in late October.³⁶

In spite of Coffin's vigorous efforts to supply the refugee Cherokee Indians, his results were less than satisfactory, due to the long distance involved and the lack of support from the military in providing escorts for supply wagon trains. At least his efforts helped ameliorate to some degree the conditions of the refugee Indians who were forced to subsist near Fort Gibson during the winter of 1863-1864.

Many Indian officials and military officers began questioning the wisdom of trying to feed so many refugee Indians through the winter of 1863-1864. Some suggested the possibility of returning the refugees to Kansas for that winter, or at least a portion of them, especially the

³⁶Proctor to Coffin, July 31 and August 9, 1863, Coffin to Dole, October 23, 1863, *ibid.*, pp. 335-338.

old men, women, and children. Colonel Phillips, one of the strongest advocates of returning the Cherokee refugees to Indian Territory in the fall of 1862 and again in the spring of 1863, suggested to Superintendent Coffin's clerk, Henry Smith, that upon Smith's return to Kansas in late July, 1863, he should take with him "about 1,200 refugees, consisting principally of women and children, and...furnish them with rations on their way up." Agent Harlan concurred with Phillips, and in August, 1863, recommended to Superintendent Coffin that the refugee Indians at Fort Gibson should "return nearer to provisions...to the head of the Verdigris, LeRoy, or Fort Scott." He concluded that the order to remove them should be made soon, "in good time to prepare them before cold weather."³⁷

On August 31, 1863, Superintendent Coffin conveyed Harlan's sentiments to Commissioner Dole and included his own appeal for the removal of the Indians. His reasons for removal were well-founded. He explained that

...nothing [had] been raised to feed the refugee Indians within the Cherokee nation.... The transportation now, when teams can subsist on grass, cost more than subsistence; and when grass is gone I don't think it can be hauled at all overland, or if it can, it will be at enormous and ruinous prices. There are now (and the number will increase) not less than 7,000 destitute Indians in the Cherokee nation requiring full rations.

He concluded that "Colonel Phillips now strongly recommends, as also agents Harlan and Proctor, and all those knowing the difficulties and uncertainties of getting supplies to the Indians, and as prudence, common sense, economy and safety imperiously demand, all the refugees...be

³⁷ Smith to Coffin, July 16, 1863, Harlan to Coffin, August 8, 1863, *ibid.*, pp. 327-329, 331-333.

removed to southern Kansas, where they can be well, regularly, surely, and cheaply fed."³⁸

Coffin's and Harlan's pleas to Commissioner of Indian Affairs Dole to remove the Indians, or at least a portion of them, back to southern Kansas for the winter of 1863-1864 fell on deaf ears. Although Indian officials could at times be accused of inept administration, they could not be accused of being false prophets, for the very dangers came true they warned of if the Indian refugees should spend another winter around Fort Gibson.

In the winter of 1863-1864, George N. Ross, son of John Ross and a private in the Federal Indian Brigade, noted that

...great scarcity, want, and suffering among all classes has not been decreased but rather augmented. The refugees get no supply at all now from any quarter. The supply to the troops is confined to what they can get themselves. We send our infantry with skeleton teams to...Arkansas.... The Indian Brigade is not being fairly dealt by--and the soldiers feel it and see it--the principal that 'anything will suffice for the damned Indians' is acted upon.

Ross revealed that when Major General Curtis inspected Fort Gibson in February, 1864, he examined the commissary and found that "it was reduced to a single barrel of flour." Curtis also "heard of the Indian women being obliged to pick up the scattered corn from where horses and mules had been fed."³⁹

The scarcity of food and other necessities at Fort Gibson during the winter of 1863-1864 was aggravated by the large number of refugees being subsisted. Agent Harlan kept a census of those Indians who were

³⁸Coffin to Mix, August 31, 1863, *ibid.*, pp. 333-335.

³⁹George N. Ross to John Ross, February 7, 1864, Cherokee Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society.

being supplied at the post. He noted that "almost every day some person applies for provisions who have never drawn and are unregistered.... Those registered, entitled to provisions...are 7280 Cherokees. At the last issue day, there were 600 Creeks and 122 Seminoles in all 8002,"⁴⁰ Superintendent Coffin, in describing the desperate need of the refugee Indians under his charge, explained to Commissioner of Indian Affairs Dole that the supplies provided for the refugees in Indian Territory that were to last until the first of March had been exhausted by January 19, 1864.⁴¹

The high hopes which had climaxed in the reunion of the Cherokee refugee families with their relatives and friends at Park Hill were shattered. Cherokee refugees were probably in worse condition in the winter of 1863-1864 than they had been the previous winter in exile in Missouri. In addition to inadequate provisions, they were subject to inadequate housing and attacks by Confederate guerrilla raids.

The reasons for the failure of the Cherokee exiles to successfully repossess their homeland were manifold. Perhaps the overriding cause can be attributed to the unpredictable tides of war which are often uncontrollable. However, the reasons which were contributive can be identified. The inability of the Indian officials and military officers to agree on a set policy for protection, provisioning, and return of refugee families was a major problem. Neither side can be

⁴⁰ Harlan to [Coffin?], December 7, 1863, Letters Received by the Commissioner of Indian Affairs, Cherokee Agency, Department of the Interior, National Archives.

⁴¹ Coffin to Dole, January 19, 1864, Letters Received by the Commissioner of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

blamed, for both military and Indian officials had valid reasons for desiring the return of the refugees or for wanting to retain them in Kansas and Missouri for another year. Neither position would have been nearly as disastrous for the Cherokee refugees had a course of action been decided on and planned for early in the winter of 1862-1863.

Instead, Commissioner of Indian Affairs Dole, Secretary of the Interior Smith, Superintendent Coffin, Major General Blunt, and Colonel Phillips argued their cases until finally the decision to move the Cherokee refugees from southeast Kansas and southwest Missouri back to their homes in the Cherokee Nation was not made until the spring of 1863. By then, plans were hastily conceived, haphazardly initiated, slowly executed, and time ran short. By the time the refugees returned and some crops were planted, not enough of the growing season remained to produce an ample harvest.

Still, much might have been accomplished had military guarantees for protecting the refugees and their crops been carried out. Instead of most of the Indians remaining in colonies, protected by the military, they scattered to their homes. Phillips's command was unable to adequately protect large areas of the Cherokee Nation, and military events prevented Blunt and other officers from aiding Phillips. Thus, when the Confederates made their lightning-quick raids across the Arkansas River, Phillips had no choice but to withdraw from the many scattered outposts and consolidate his command in and around Fort Gibson.

From this position, Phillips was unable to provide adequate protection for the refugees and their crops. Even more fateful to the hopes of the refugee Cherokees was the inability of the Federal government to insure the arrival of adequate supplies and food from Kansas to

provide for their basic needs.

Colonel Phillips cannot be blamed for the deployment of the scanty troops at his disposal in Indian Territory, but both Phillips and Major General Blunt were grossly over optimistic in the spring of 1863 about their ability to successfully occupy and hold Indian Territory north of the Arkansas River. Perhaps they were encouraged in their thinking by the emotional appeals of the Cherokee refugees in Kansas and Missouri to return to their homeland in Indian Territory. Major General Blunt and Colonel Phillips, however, should have more critically evaluated the situation.

Perhaps the decision to return the Cherokee refugees was not a reaction to the emotional appeals of the refugees, but was based on sound military reasons. However, if history is a fair judge of the correctness of an opinion, then Superintendent Coffin was vindicated by the events of 1863, for he predicted the result of the removal of the Cherokee refugees to Indian Territory in 1863 and warned against it. In fact, only very reluctantly did he agree to the removal.

At the same time that the Cherokee refugees were suffering from the tragic results of premature removal and lack of military protection in Indian Territory, plans were being formulated to remove the Opothley-ahola refugees to Indian Territory the following spring. This was in spite of the fact that Federal troops had proven their inability to hold Indian Territory secure from Confederate raids except for the area immediately surrounding Fort Gibson. Nor had they been able to adequately protect wagon trains carrying badly needed supplies to Fort Gibson.

CHAPTER VII

RETURN OF OTHER FEDERAL REFUGEES

The return of the Opothleyahola refugees, which had been eagerly anticipated by them, but which first had been denied them and then delayed several times, was finally initiated in the spring of 1864. Authorization for the removal of the Opothleyahola refugees came, unlike the Cherokee return, from Washington officials and from Congress.

Cherokee Agent Harlan and Southern Superintendent Coffin, bitterly disappointed over the results of the Cherokee return, were very hesitant to remove the Opothleyahola refugees in 1864 because of the conditions in Indian Territory. Even though Coffin was opposed to moving the Opothleyahola refugees to Indian Territory until their military protection could be assured, he quizzed Indian agents and military officers in Indian Territory about the situation and the possibility of returning the refugees in the spring of 1864. On November 10, 1863, Coffin asked Cherokee Agent Harlan what "seed and farming implements should be furnished" the Opothleyahola refugees if they were returned the following spring.

Harlan bluntly retorted, "do not remove them." His reply was a scathing denunciation of military and refugee affairs at Fort Gibson and in Indian Territory. He complained that since Major General Blunt had left Fort Gibson, "Stand Watie and his thieves and murderers have not received a check." Harlan urged that "the Indians now safely out

of the Indian country had better stay out, and those now here had better be sent out."¹ There can be little wonder that Coffin expressed serious reservations about returning the Opothleyahola refugees to Indian Territory after reports such as this from his agents in the field and his own personal knowledge of the less-than-successful return of the Cherokee refugees in 1863. That migration had included only 3,000 refugees and a much shorter distance was involved than the return of the 5,000 Opothleyahola refugees would require.

Throughout the fall and winter of 1863-1864, pressure on Indian agents and government officials to remove the Opothleyahola refugees increased. This pressure came from the lobbying influence in Washington of Cherokee Chief John Ross on behalf of the Cherokees at the Sac and Fox Agency, from military officials in charge of Indian troops, from Indian soldiers, and from the refugees themselves.

This combined pressure was felt mainly by Commissioner of Indian Affairs Dole, who ultimately was responsible for the Indians. He received word in the fall of 1863 from Billy Bowlegs, Chief of the Seminoles and a major in the Indian Home Guard Regiment, that had been forwarded to him by the Seminole refugees. The appeal was heartrending. Chief Bowlegs recounted that "we had a promise...last summer [1862] that we should be in our homes by last fall. When fall came they promised that we should be home by spring, [1863] and when spring came the promise was made that we should be home this summer, but now Gen. Blunt wants it put off until next spring." Chief Bowlegs pleaded that "Our

¹Harlan to Coffin, December 7, 1863, Letters Received by the Office of Indian Affairs, Cherokee Agency, Department of the Interior, National Archives.

Cherokee Brothers have their women and children here [Fort Gibson] with them and we think we might have our families with us as well."²

The Opothleyahola refugee leaders who forwarded Bowleg's message to Dole also included their own appeal. They explained that in order to get a crop raised in the spring of 1864 they needed to move to their homes in the fall of 1863, because before a crop could be planted, "fences must be built, houses repaired, farms improved." The refugees explained that if the "Government will furnish us transportation, we will go home this fall, and run the risk of getting subsistence down there without the government."

The Opothleyahola refugees felt that anything would be better than spending another winter in Kansas, and cried out to Dole, "we wish you could...come down and see the women and children in camp and see for yourself how we live." Emphasizing their great desire to leave their place of misery at once, the refugees threatened that "if you can't help us then we will try what we can to move ourselves." This stirring appeal was concluded with an urgent request: "We have written several letters to you and have waited a long time for an answer, but they never come. Now we ask you to answer this at once."³

Widely divergent circumstances and influences early in 1864 favored the Opothleyahola refugee petitions to return to Indian Territory. Perhaps most influential was the desire of the Federal government to

² Bowlegs to Dole, May 13, 1863, Letters Received by the Office of Indian Affairs, Seminole Agency, Department of the Interior, National Archives.

³ Pascofa and Refugees to Dole, September 14, 1863, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

reduce the cost of subsisting the destitute refugees in exile. In 1862 and 1863, the government had appropriated special funds for the support of refugee Indians in addition to their money accruing from tribal funds. If the Indian exiles could be successfully returned to Indian Territory, they could nearly support themselves through farming and ranching, and likely eliminate the necessity for further costly special appropriations.

Members of the Indian committees in both houses of Congress were aware that the Kansas Indians were now demanding that the refugees living on their reserves be removed. The Ottawas were especially desirous that the Quapaws, Senecas, and mixed Senecas and Shawnees be removed from their reserve. As Indian travels on the western frontier increased, the Sac and Fox Indians were desirous of confining themselves to their reserve. For this reason, the location of nearly 5,000 Opothleyahola refugees on the Sac and Fox Reserve became a problem. The Osages also favored removing refugees, especially the Wichitas and affiliated tribes, further from their reserve.⁴

In addition to Kansas Indians' desires and requests for removal of the refugees, there were the vocal protests of Kansas farmers living along the Neosho River over alleged depredations by the Seminoles. They claimed that the refugees had cut young timber and denuded the land they occupied. Concerned white citizens also decried the uncivilizing influence of the Indians who settled near them, and who often rode into

⁴ Elder to Coffin, September 20, 1863, Annual Report of the Commissioner of Indian Affairs for 1863, pp. 305-306; Elder to Coffin, September 15, 1864, Annual Report of the Commissioner of Indian Affairs for 1864, pp. 315-317.

their settlements to sell and trade horses.⁵

The protests of the Kansas Indians, and especially the Kansas citizens, probably did more to initiate Congressional action than the humanitarian pleas of the refugees. The Senate Committee on Indian Affairs, understandably sensitive to the pleas of both the refugee and Kansas Indians, began inquiries about the possibilities of returning the homeless exiled Indians of the Southern Superintendency to Indian Territory. On January 27, 1864, Senator James R. Doolittle, Chairman of the Senate Committee on Indian Affairs, asked Secretary of the Interior Usher, at the request of his committee, if conditions in Indian Territory would permit a return of the Federal refugee Indians to Indian Territory early in the spring of 1864.⁶

Secretary Usher must have conveyed this request for information to Commissioner of Indian Affairs Dole, for on February 5, 1864, Dole asked Major General Blunt, who was in Washington, about the advisability of returning the refugees to Indian Territory in the spring of 1864. Blunt, never slow to voice his thinking, emphasized that he was "clearly of the opinion that the best interests of the Indians as well as the government" demanded the return of the refugees at "as early a day as practical." Blunt added that to insure protection and security of the Indians on their arrival, Indian Territory and the two western tiers of counties of Arkansas needed to be added to the Department of Kansas, and their

⁵ Turner to Dole, February 15, 1862, Official Records, Ser. ii, Vol. IV, pp. 7-9; Abel, The American Indian as Participant in the Civil War, p. 86.

⁶ Annie H. Abel, The American Indian Under Reconstruction (Cleveland: The Arthur H. Clark Co., 1925), p. 48; Danziger, "The Office of Indian Affairs and the Problem of Civil War Indian Refugees in Kansas," Kansas Historical Quarterly, Vol. XXXV, p. 270.

forces augmented by the addition of 15,000 to 20,000 soldiers recruited in northwest Texas. Blunt contended that if this were done, Indian Territory "could be securely protected, and the refugees returned to their homes without risk."⁷

The Senator next queried the War Department and received reassurances from the Secretary of War that it would be safe for the refugees to return to Indian Territory.⁸ Doolittle's promptings added the military's weight to the refugee cause for removal. The reasons of the military for desiring a return of the refugees to their homes has already been documented. Major General Blunt's close association with Senator Lane of Kansas brought another factor into play favoring the return of the refugees. Senator Lane and Major General Blunt were bitter political enemies of Kansas Governor Thomas Carney. There was an alleged close tie-in between Governor Carney and contractors at Leavenworth, Kansas, who were supplying the Indian refugees. Thus, Senator Lane championed the refugees' cause for two reasons in addition to humanitarian interests. One was his intense hatred of Carney, and this was a means of thwarting Carney and his alleged connections with contractors. Second, removal was a cause that his close political ally and friend, Major General Blunt, strongly urged for two years, and Lane thus championed the cause.

This was an opportune time for the favorable passage of legislation favoring removal. The military desired it (especially Secretary of War Edwin M. Stanton and Major General Blunt), and they convinced the Senate

⁷ Blunt to Dole, February 5, 1864, Annual Report of the Commissioner of Indian Affairs for 1864, pp. 322-323.

⁸ Abel, The American Indian Under Reconstruction, pp. 50-55.

committee on Indian Affairs, as well as Dole and Usher, of the safety of removal. Arrayed in favor of removal by the spring of 1864 were Secretary of War Stanton, Secretary of the Interior Usher, Commissioner of Indian Affairs Dole, and Chairman of the Senate Committee on Indian Affairs Doolittle. In the Senate, Lane and Doolittle both successfully guided an appropriation bill for the removal of the refugees through Congress.

On March 3, 1864, Senator Lane introduced a joint resolution calling for the removal of the refugee Indians to Indian Territory. After the resolution was read, Senator Lane commented that the "Interior Department and the War Department differ as to the safety of the Indians after they shall return, and it is important to get an expressing of opinion from Congress on the subject."⁹ Senator Lane's commentary clearly indicated that the differences of opinion between the military officer and the Indian agents over the removal of the refugees would be settled on a higher governmental level, removed from personal involvement, and also removed from firsthand knowledge of events in Indian Territory and Kansas.

Senator Lane's resolution on March 3, 1864, was referred to the Senate Committee on Indian Affairs, and on March 25, 1864, Indian Committee Chairman Doolittle introduced Senate Bill Number 198, offering aid to the Kansas refugees to return home. It was debated and then returned to the Senate Committee on Indian Affairs for finalization.¹⁰

⁹ Congressional Globe, March 3, 1864, p. 921; Abel, The American Indian Under Reconstruction, p. 49.

¹⁰ Congressional Globe, March 25, 1864, p. 1274; Abel, The American Indian Under Reconstruction, pp. 49-50, n. 92.

Senator Lane on March 22, 1864, sent to Commissioner Dole a paper signed by members of the House and Senate Indian committees, urging an immediate return of the refugees to Indian Territory in time to plant crops.¹¹

On May 2, 1864, the House of Representatives passed Senate Bill Number 198, and on the next day, the Speaker of the House and the President pro tempore of the Senate, signed the bill.¹² The bill authorized the expenditure of \$223,000 "for the removal and temporary relief of the refugee and destitute Indians in the southern superintendency." Indian officials were held strictly accountable for monies spent from this fund. The sum of \$52,000 was to go for transportation, while \$153,000 was earmarked for "temporary subsistence in the Indian country of refugee and destitute Indians." The remaining \$18,000 was directed to be used for seeds, plows, and agricultural implements.¹³

Reflecting on events culminating in the return of the Opothleyahola refugees, Commissioner Dole explained to the Secretary of Interior that "after careful consideration, and obtaining information from every available source as to the probable results of military operations, and upon consultation with yourself, and several members of the House and

¹¹ Ibid., p. 49; Lane to Dole, March 22, 1864, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

¹² Congressional Globe, May 2 and 3, 1864, pp. 2016, 2050; Abel, The American Indian Under Reconstruction, p. 50; Danziger, "The Office of Indian Affairs and the Problem of Civil War Indian Refugees in Kansas," Kansas Historical Quarterly, Vol. XXXV, p. 271.

¹³ United States, Statutes at Large, Vol. XIII, p. 62; Danziger, "The Office of Indian Affairs and the Problem of Civil War Indian Refugees in Kansas," Kansas Historical Quarterly, Vol. XXXV, p. 271.

Senate committees on Indian Affairs, it was thought advisable that the refugees should be returned in the early spring [1864]." Evidently the advice of Superintendent Coffin and his agents was not solicited nor were their desires taken into consideration."¹⁴

Commissioner Dole told Coffin on April 13, 1864, that "I feel that it is important that the Southern refugee Indians, now in Kansas, be at once removed to their homes, and you will take immediate steps to accomplish that object," and he admonished Coffin "to proceed at once to carry out these instructions."¹⁵ Coffin must have foreseen the turn of events, for he had earlier, on February 22, 1864, submitted to Dole "an estimate of expense of moving and subsisting of the Southern Refugee Indians, now in Kansas, to their homes in Indian Territory." Even as early as November 10, 1863, Coffin had written Cherokee Agent Harlan that he intended to remove the refugee Indians in Kansas to their homes. This was probably not because he desired their early removal, but that he would be required to do so.

His true feelings were expressed the day before he left Leavenworth, Kansas, for the Sac and Fox Agency to begin preparation for the removal of the refugees to Indian Territory. He would leave with "serious misgivings as to the safety and economy of the move," but resigned himself to the removal "as it seems to be the wish of the Indian committees of the Senate and House." Bitterness was clearly evidenced

¹⁴Dole to Smith, November 15, 1864, Annual Report of the Commissioner of Indian Affairs for 1864, pp. 30-31.

¹⁵Dole to Coffin, April 13, 1864, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

in his protest that "no funds can be used for subsistence in Kansas [and thus] this virtually reduces the alternatives to moving or starving."¹⁶ Exasperatingly slow as Congress had been in getting the money appropriated, there was another delay before Coffin was given the right to use the money. Dole requisitioned \$45,000 to Coffin to be used for the removal of the refugees: \$15,000 for transportation, \$25,000 for temporary subsistence for the refugees in Indian Territory, and \$5,000 for seeds, plows, and agricultural implements. Dole apologetically explained that he had "intended to send a much larger sum for this service," but that unfavorable military circumstances in Arkansas and its western border near Indian Territory left a great deal of doubt about the feasibility of moving the refugees anytime soon. He continued that "these adverse conditions had induced the Secretary of the Interior to hesitate at signing the requisition for the amount I proposed."¹⁷

The Congressional Appropriations Bill clearly stated that the allocated funds were to be expended solely for removing the refugees to Indian Territory and not for subsisting them in Kansas. For this reason, Secretary of the Interior Usher was afraid to release any more of this money than he absolutely needed to until he could get some reassurances that military conditions along the border would allow the removal of the refugees. Dole warned Coffin that they could not "be justified in the opinion of the Secretary in expending it to any extent in Kansas," and suggested that when "Everything shall appear auspicious for the undertaking, you shall have made the necessary and proper arrangements for the transportation, you will telegraph the fact, and measures will

¹⁶ Coffin to Dole, February 12 and May 14, 1864, Annual Report of the Commissioner of Indian Affairs for 1864, pp. 323, 337-338.

¹⁷ Dole to Coffin, May 7, 1864, *ibid.*, pp. 336-337.

be taken immediately for a further supply of funds necessary for your purpose." However, this contriving was not necessary, as Secretary Usher evidently became convinced of the certainty of removal of the refugees, and he transferred all \$223,000 of the appropriated refugee money to the Office of Indian Affairs.¹⁸

The control of the refugees in Kansas and Indian Territory had removed to Washington. It was Coffin who had made the decision earlier to remove the Cherokees, but Dole made the decision to move the Opothleyahola refugees. The exact date of removing the refugees was left to Coffin's discretion by Dole, but the time was generally determined by Congress and Secretary of the Interior Usher. Neither Coffin nor Dole could do much for the refugees until they had the money, which early in 1864 was tied up in legislative procedure and then by Usher for ninety more days.

This delay was costly for the refugees trying to get to Indian Territory in time to plant crops. It was unfortunate that decisions affecting the welfare of the refugees in 1864 were made at Washington by high-ranking government officials and legislators instead of in Kansas and in Indian Territory by military officers and civilian officials on the scene. Washington bureaucrats, far removed from Indian Territory, were ill informed of the events there. Congress, for example, allocated only \$223,000 for the moving, feeding, clothing, and supplying of thousands of Indian refugees, in spite of the fact that this was less than half of what had been requested by Coffin, who had estimated that \$473,470.30 would be the absolute minimum needed. Coffin himself

¹⁸Ibid.

admitted that the "estimate is based on the belief that a sufficiency of meat can be had in the Indian country...should this supposition prove to be incorrect, the expense will be necessarily largely increased."¹⁹

Congress also proved its lack of knowledge of refugee affairs when it delayed in passing the refugee appropriations bill, which virtually ended any hope the refugees had for reaching their homes in time to plant crops. Then immediately after passing the appropriation, the Senate approved a resolution asking President Lincoln the "reason, if any exists, why the refugee Indians in the State of Kansas are not returned to their homes."²⁰ The fact that the Senate had to inquire about the situation of the refugees in Kansas, and why they had been unable to return sooner to Indian Territory, proved its lack of understanding of events concerning the refugees and their problems. By its own admission, the Senate proved themselves incapable of making accurate decisions affecting the lives of thousands of refugee Indians.

Having resigned himself to the inevitability of removing the Opothleyahola refugees, Coffin began immediately to prepare for the return of the refugees after his direct order from Commissioner Dole on April 13, 1864. Eleven days later, Coffin met with Major General Samuel R. Curtis, commander of the Department of Kansas, regarding the furnishing of military escorts for the refugee wagon train to Indian Territory. Major General Curtis told him that it would be impossible for him to furnish troops outside his department. Curtis was referring to the fact that on

¹⁹ Coffin to Dole, February 22, 1864, *ibid.*, pp. 323-324.

²⁰ Congressional Globe, April 14, 1864, p. 1609; Dole to Usher, May 11, 1864, Annual Report of the Commissioner of Indian Affairs for 1864, pp. 335-336; Abel, The American Indian Under Reconstruction, p. 55.

April 17, 1864, Indian Territory had been transferred from the Department of Kansas to the jurisdiction of the Department of Arkansas, which was commanded by Major General Frederick Steele. Coffin was faced with having an escort only as far south as the Kansas border, and his prospects for getting an escort there from Major General Steele were very uncertain. In the spring of 1864, Steele was with his troops in southern Arkansas and northern Louisiana trying to regain control of the Red River from the Confederates. Steele had left behind only the Union Indian Brigade at Fort Gibson and a token force at Fort Smith.²¹

After conferring again with Major General Curtis, and receiving his promise of a military escort, and after having carefully studied with Curtis the military reports concerning enemy troop movements and the activities of guerrilla forces, particularly those of William C. Quantrill, Coffin decided to fully commit himself to immediate removal even without the certainty of a military escort south of the Kansas border. Coffin wired Dole on May 10, 1864, that he was "Ready to start.... Curtis furnishes escort to the border [...] will you have escort ordered from Arkansas Department to meet us there?"²²

The task of preparing the Opothleyahola refugees for removal was formidable. There were hundreds of decisions to be made. Coffin's clerk, Henry Smith, related to Dole that "Every nerve of the

²¹ Coffin to Dole, April 26, 1864, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives; George H. Shirk, "The Place of Indian Territory in the Command Structure of the Civil War," Chronicles of Oklahoma, Vol. XLV, No. 4 (Winter, 1967-1968), pp. 464-471.

²² Smith to Dole, May 28, 1864, and Coffin to Dole, May 11, 1864, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

Superintendent as well as his employees was exerted to facilitate the movement with all possible energy." Coffin himself later recalled that the "removal of so large a body of Indians...was attended with a vast unit of perplexity, difficulty, and embarrassment."²³ Coffin complained that preparing the refugees to move "had been attended, thus far, with more difficulty than any job I ever undertook."²⁴

Coffin's problems up to that point had been to secure a military escort, to assemble the large number of wagons and teams for removing the refugees, and the actual loading of the refugees and their possessions. A sufficient number of wagons and teams were secured only after a prodigious effort. Nearly 300 teams were required to make the movement, and they had to be "secured and gathered up through the country wherever we could get them," explained Coffin.²⁵ Creek Agent Cutler explained that "We found teams extremely difficult to obtain," and added that "the greatest portion of the farmers, on whom we had to depend entirely, were busy with their own crops, and could not leave at that time." Cutler also stated that it was only after "encountering and overcoming many and tedious obstacles," that the refugee train has started south.²⁶

One of the "tedious obstacles" that proved embarrassing to Coffin was his underestimation of the number of teams required to return the

²³Smith to Dole, May 25, 1864, *ibid.*; Coffin to Dole, September 24, 1864, Annual Report of the Commissioner of Indian Affairs for 1864, pp. 303-307.

²⁴Coffin to Dole, May 22, 1864, *ibid.*, pp. 338-339.

²⁵Coffin to Dole, September 24, 1864, *ibid.*, pp. 303-307.

²⁶Cutler to Coffin, September 1, 1864, *ibid.*, pp. 311-312.

refugees to their homes. The refugees, according to Coffin, had "accumulated a large amount of clothing, blankets, and articles of prime necessity...which they will not consent to leave, and will need" when they get to Indian Territory. For this reason and others, Coffin's original estimate of three teams per 100 refugees had to be readjusted to five teams for every 100 refugees. The deficiency had to be made up on short notice, and this delayed for a week the departure of the refugee train from the Sac and Fox Agency. The additional expense of paying the original teamster for waiting added greatly to the cost of transporting the refugees to Indian Territory.²⁷

The actual loading of the 5,000 Opothleyahola refugees and their possessions was accomplished in a little over a week and required nearly 300 teams. The refugees who returned were the Cherokees, Chickasaws, Creeks, and Eucheas located at the Sac and Fox Agency. Included were a small number of Seminoles from the Neosho Falls encampment, but most of the Seminoles were forced to remain at Neosho Falls because of a smallpox epidemic at that time.²⁸ This must have been sorely disappointing to them, for they had been the most vocal of all the refugees in demanding a return to their homes. In fact, their many letters to Commissioner Dole in 1863 probably was a factor in the strong stand he took in the spring of 1864 on removal of the refugees to their homes.

When it became apparent that the Federal refugees would be removed

²⁷Coffin to Dole, May 22, 1864, *ibid.*; Smith to Dole, May 28, 1864, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

²⁸Dole to Usher, November 15, 1864, Coffin to Dole, September 24, 1864, Coffin to Dole, June 3, 1864, Annual Report of the Commissioner of Indian Affairs for 1864, pp. 32, 304, 340-341.

to Indian Territory, the Quapaws, Senecas, and mixed Seneca and Shawnee refugees asked Commissioner Coffin for permission to remain on the Ottawa Reserve. These homes along the Missouri-Kansas-Arkansas border were still unsafe because of lawless bands operating in that vicinity. To go to Fort Gibson would have put them nearly as far away from their homes as they were on the Ottawa Reserve.²⁹

The Wichitas and affiliated tribes also declined the government's offer to return to Indian Territory. Instead, they asked to be allowed to move from near Belmont to the Big Walnut River in Butler County Kansas in central Kansas. They claimed this would allow them to chase buffalo and other wild game and put them closer to the old Wichita Agency when the war ended. The Indian agents, fearful of negative influence on the other refugees if they were placed close together, readily agreed to their request.³⁰

Among those refugees not returning to Indian Territory was the revered Creek leader Opothleyahola. He had died the previous year in late March, 1863, apparently of old age. He was in his mid-sixties, and had served his people well for over forty years. He died on the Sac and Fox Reserve, and was buried there in an unmarked grave, but his undying passion for his beloved people followed them back to their homes, and his memory still lives in their hearts wherever Creek council fires are rekindled.³¹

²⁹Dole to Usher, November 15, 1864, and Coffin to Dole, September 24, 1864, *ibid.*, pp. 32, 304.

³⁰Coffin to Dole, September 24 and June 3, 1864, *ibid.*, pp. 305, 340-341.

³¹Cutler to Coffin, September 5, 1863, Coffin to Dole, March 22, 1863, Annual Report of the Commissioner of Indian Affairs for 1863, pp. 305, 299-301.

On May 22, 1864, Coffin announced that he had all the wagons "in line but twenty-two loads," and was optimistic that he would be able to leave the next day. Coffin was probably as eager to get started as the refugees, for by that time he had been delayed nearly a week when he had had to wait on the additional wagons.³² The refugee wagon train must have presented a unique sight to others traveling along the route taken by the refugees. The wagon train when in motion was strung out over six miles, and those Indians able to walk fanned out ahead of the train, strayed along side, or followed as far as two or three miles behind. The wagon train was accompanied by approximately 5,000 gaunt, slow-moving, but happy refugees.

Intermingled among these Indians were over 3,000 yelping, barking dogs. Their noisy chorus accompanied the squalls and laughter of the Indian children who flitted around the wagons. In addition to these sounds, was the bawling of over thirty head of cattle, and the snorts and snickers of the hundreds of horses as they strained at their heavy harness against horse flesh, and the rattling of traces and singletrees added to the din. In addition to the noisy parade of people and animals, was the incredible sight presented by the wagons. They were loaded with "every imaginable article of clothing, bedding, cooking utensils," and personal items. Adding noise and color to the procession were the chickens, ducks, and puppies carried in the wagons with the refugees.³³

The mood of the Opothleyahola refugees must have been festive, and for the first time in nearly three years, this group of Federal refugees,

³² Coffin to Dole, May 22, 1863, Annual Report of the Commissioner of Indian Affairs for 1864, pp. 338-339.

³³ Coffin to Dole, June 7, 1864, *ibid.*, pp. 341-342.

who had probably suffered more than any other group of Federal refugees, had good reason to be happy, for they were going home. The trek was a joyful epic in the tragic Civil War history of these people.

As the refugee wagon train wound southward, it was joined at Humboldt, Kansas, by a few of the refugees from around Belmont, Kansas, who had not moved west with the Wichitas and affiliated tribes.³⁴ Averaging about eight to twelve miles a day, the wagon train arrived on June 1, 1864, at the Osage Catholic Mission, along the Neosho River in Neosho County, Kansas. At this place Coffin was supposed to join his wagon train and a full military escort from Fort Scott, Kansas.

When he reached this rendezvous point, he found that the Fort Scott contingent had not yet arrived, and he was impatient at the costly delay, as he was paying his teamsters on a daily basis. When Coffin attempted to move on without an escort the next day, June 2, 1864, the refugees refused to move. On June 3, a portion of the military escort arrived and announced that the government wagon train would be along that night or the next day. In spite of orders from the commander of the government supply wagon train and military escort not to move until the military wagon train reached him, Coffin proceeded on from the Osage Catholic Mission on June 4, 1864, when the awaited wagon train failed to show up. Three days and forty miles later, the refugee train was encamped at Camp Salett. Enroute to Camp Salett, the refugees lost their cattle to a small band of Osages.³⁵

The commander of the government supply wagon train and military

³⁴Coffin to Dole, June 3, 1864, *ibid.*, pp. 340-341.

³⁵Coffin to Dole, June 7, 1864, *ibid.*, pp. 341-342.

escort again ordered Coffin not to move until the wagon train and military escort had caught up with him. The commander was certainly justified in wanting to join up the two wagon trains in order to offer both close military support, as they were approaching the guerrilla-infested border along southeast Kansas and southwest Missouri. However, Coffin wanting to move as quickly as possible, asked if he could move ten miles on June 7, 1864, since he had been waiting nearly a day at Camp Salett. His request was granted, and the wagon trains joined on June 8, 1864, about fifty miles south of the Osage Catholic Mission. Thirty of the supply wagons with the government train belonged to the McDonald and Fuller Company that had been contracted to supply the needs of the trip south. Perry Fuller accompanied the refugee train from the Sac and Fox Agency. When one of his supply wagons was emptied by issuing food to the refugees, old and sick refugees who were having difficulty walking were loaded aboard and hauled the rest of the way.

As the combined 600 wagon supply and refugee train entered Indian Territory and neared Fort Gibson the spirits of the refugees were not dampened by the large amount of rain encountered enroute. It had rained nearly every day since they left Humboldt, and indirectly accounted for two deaths during the trip. One man, struck by lightning, was killed instantly. In the freak accident, the electrical charge fired every round in his revolver and shot his ankle and foot to pieces. Another man was drowned while fording the Grand River. Four other deaths also were recorded. Illness and death were probably minimized by the presence of Dr. Ketchum, physician to the Sac and Fox refugees since 1863. Three children, ranging in age from eight to twelve, had legs broken when they were caught under the wheels of heavily loaded wagons. The

refugees were well supplied on their trip south, and reached Fort Gibson on June 15, 1864, in good condition.³⁶

The reception received by the refugees was probably not as tumultuous as that received by the returning Cherokee refugees a year earlier, but there were many heart-warming reunions of refugee families with their men in the military, many of whom they had not seen in nearly three years. Among those at Fort Gibson to greet them when they arrived were many of their former friends and relatives who had migrated up from the Creek and Seminole nations in 1862 and 1863 and were residing as refugees in the Cherokee Nation near Fort Gibson. It is uncertain why the loyal Creeks and Seminoles did not migrate north with Opothleyahola and his followers in 1861, but there were probably several factors that prevented them from leaving at that time. Many were likely intimidated by Confederate sympathizers living near them and were afraid to openly espouse the Federal cause. Perhaps others were unable to leave because of serious illness in their immediate families or because an expectant mother was in the late stages of pregnancy. Many, or perhaps even most, moved north to the perimeters of Fort Gibson as the tide of battle in Indian Territory turned in favor of the Union forces.³⁷

As early as June, 1863, there were reported to be 1,000 Creek refugees residing near Fort Gibson. This number included Seminoles and probably some Chickasaws, for on December 7, 1863, Cherokee Agent Harlan reported that at his last issuance of supplies he had distributed items

³⁶Coffin to Dole, June 16, 1864, *ibid.*, pp. 342-343.

³⁷Gookins to Coffin, October 17, 1863, Proctor to Coffin, November 28, 1864, Annual Report of the Commissioner of Indian Affairs for 1863, pp. 338-341.

to 600 Chickasaws and 122 Seminoles. However, the number actually residing there was estimated by S. W. Perryman, a Creek refugee living just across the Grand River from Fort Gibson to be "nearly 1100." This number had increased to 1,400 on the eve of the Opothleyahola refugees' return to Indian Territory.³⁸

Special Agent Milo Gookins was assigned by Superintendent Coffin late in 1863 to accompany the Indian Brigade and inquire into its condition. He was also to report on the condition of the refugee Indians he came in contact with, and specifically to take a census of the loyal Creeks and Seminoles living around Fort Gibson. Since there was no agent to provide for them, Gookins assumed the role of their acting agent. He reported that early in the spring of 1864, many of these refugees crossed the Verdigris River and moved up the Arkansas River and attempted to plant crops in the Creek Nation. Their promised military support never materialized, and they were forced to abandon their farming efforts after eight Creeks were killed, some of whom were very prominent members of the tribe.³⁹

During the six months previous to May, 1864, the mortality rate of the Creek, Euchee, and Seminole refugees around Fort Gibson was very high. Gookins claimed that this was because they were so closely massed

³⁸ Harlan to [Coffin?], December 7, 1863, Letters Received by the Office of Indian Affairs, Cherokee Agency, Department of the Interior, National Archives; S. W. Perryman to Mr. and Mrs. Robertson, December 20, 1863, Cherokee Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society; Gookins to Cutler, May 9, 1864, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

³⁹ Ibid.; Joe Perryman to A.E.W. Robertson, February 17, 1865, Creek Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society.

together. The Creek, Euchee, and Seminole refugees were camped on Cherokee land on the west bank of the Grand River opposite Fort Gibson. The terrain there was low and swampy, which probably had much to do with the high mortality rate that Special Agent Gookins reported.⁴⁰

The Creek refugees who arrived from Kansas in June joined their kinsmen along the Grand River, and together they built more permanent cabins along the river, and in the process, cut down nearly all the timber near the area. Much of the timber was undoubtedly sawed at George Ross's steam mill located on the Grand River near the ferry landing. It seemed to William P. Ross that in December, 1864, "the bottom across Grand River is full of Greeks."⁴¹

The newly arrived refugees were extremely frustrated because they were not permitted to return to their homes as they had been promised. After having spent two and one-half years in exile several hundred miles away, the Creek refugees' homes agonizingly beckoned them nearby. Creek Agent Cutler was not even able to journey to the Creek Agency, which was located only eight miles from Fort Gibson.

When the Opothleyahola refugees arrived at Fort Gibson, they found that the refugee Indians nearby were being subsisted on one-fourth rations, as they had been for most of the previous winter and early spring of 1864. This lack of supplies was highlighted on the very day

⁴⁰ Gookins to Cutler, May 9, 1864, Letters Received by the Office of Indian Affairs, Department of the Interior, National Archives; Creek Chiefs to Dole, January 11, 1864, Letters Received by the Office of Indian Affairs, Creek Agency, Department of the Interior, National Archives.

⁴¹ W. P. Ross to [his son?], December 27, 1864, Cherokee Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society.

of their arrival at Fort Gibson by the daring and successful capture on the Arkansas River of the Union supply ship, the J. R. Williams, by Brigadier General Stand Watie. Many of the captured supplies had been intended for the refugees. It seemed to the newly arrived refugees that the Confederacy was waging a war of attrition in Indian Territory, and that they might die of starvation within a few miles of their homes after having endured so much to return.⁴² The refugee Creek chiefs, appalled and frightened, appealed frantically to Dole:

To whom must a suffering child call for help except to its father.... We can see nothing but starvation before us. Already we have had a taste of what is to come this winter Months intervene between the arrival of each train, and the supplies they bring are barely sufficient to keep us alive from day to day...when the trains must necessarily have to stop, our sufferings will be terrible in the extreme.... We only ask that steps be taken to keep us from perishing until we can raise a crop next season.⁴³

When Choctaw and Chickasaw Agent Coleman reached Fort Gibson with the refugee train, he turned over his Cherokee charges to Cherokee Agent Harlan's permanent care and temporarily left his Chickasaw refugees with Harlan also. He continued on to Fort Smith, Arkansas, to inquire into conditions there. Coleman's plan was to subsist his Choctaw and Chickasaw refugees at Fort Smith, which was nearer to a base of supplies, and nearer to the Chickasaw homeland. When Coleman arrived at Fort Smith, he found 300 Choctaw refugees who were the first large group

⁴²Coffin to Dole, June 16, 1864, Annual Report of the Commissioner of Indian Affairs for 1864; James D. Morrison, "Capture of J. R. Williams," Chronicles of Oklahoma, Vol. XLIII, No. 2 (Summer, 1964), pp. 107-108; Rampp, "The Twilight of the Confederacy in Indian Territory, 1863-1865," pp. 89-94.

⁴³Creek Chiefs to [Dole?], July 16, 1864, Annual Report of the Commissioner of Indian Affairs for 1864, pp. 343-344.

of Choctaws to have defected from the Choctaw Nation, which had heretofore remained solidly Confederate. These refugees were taken care of by Coleman, who immediately issued them flour, beef, salt, and tobacco. Coleman was informed by Jeremiah Ward and other influential Choctaws that many more Choctaws would have left the Southern fold had it not been for the South's spectacular success against Union forces during the Red River campaign earlier that year.⁴⁴

The Opothleyahola refugees who had arrived in Indian Territory in 1864 had to be completely subsisted by the Federal government, and the prospects of the government doing an adequate job were uncertain. There was not as much foodstuff or cattle as was originally thought available in Indian Territory, and the certainty of being regularly supplied was questionable. Supply trains were constantly harassed and two large shipments of goods intended for refugees and soldiers at Fort Gibson were intercepted in 1864 by the resourceful Brigadier General Watie.⁴⁵

Even more disturbing and damaging to the refugees' condition was the lack of adequate beef that had been counted on by Superintendent Coffin. He had not provided for much beef in his estimate for supplies needed for the Opothleyahola refugees because he felt that more than enough could be had from cattle running unfettered in the Cherokee and Creek nations. However, cattle rustling on a large scale had nearly

⁴⁴ Coleman to Coffin, September 1, 1864, *ibid.*, pp. 313-315.

⁴⁵ Watie to Cooper, September 21 and 23, 1864, Watie to Heiston, October 3, 1864, Gano to Cooper, September 23 and 24, 1864, Official Records, Ser. i, Vol. XLI, Pt. 1, pp. 783-791; Marvin J. Hancock, "The Second Battle of Cabin Creek, 1864," Chronicles of Oklahoma, Vol. XXIX, No. 4 (Winter, 1961-1962), pp. 414-426; Rampp, "The Twilight of the Confederacy in Indian Territory, 1863-1865," pp. 127-135.

depleted the large herds belonging to the refugees that had been grazing on the open range unattended.

Hundreds of thousands of cattle and horses were run off to Kansas during the war by Indians from the Wichita Agency or other wild tribes formerly residing in the Leased District of Indian Territory. Since these tribes were now living in southern and western Kansas, it was easy for small groups of these tribes to slip into the abandoned portions of the Cherokee and Creek nations and run off whatever cattle or horses they could find. They would drive them up to Kansas near their camps, where scores of unscrupulous white men waited to buy them. Joining these Indians were dishonest white army officers and other whites who plundered at will toward the end of the war. It was estimated that the Cherokee losses in stock alone during the Civil War came to \$2,000,000. All stock losses of the Five Civilized Tribes during the war came to over \$4,500,000.⁴⁶

The refugees in 1864 were more seriously concerned with the immediate loss of beef as a source of food than they were with the money, for in the fall of 1864 and the following winter, the Cherokee, Chickasaw, Euchee, and Creek refugees living around Fort Gibson were on the verge of starvation. Cherokee Agent Cutler wired Dole on October 7, 1864, that the "Indians at [Fort] Gibson [are] suffering greatly. Must have supplies immediately to keep from starving." Choctaw and Chickasaw Agent Coleman indicated how conditions had grown even worse in the winter of 1864-1865 and in the early spring of 1865. On March 31, 1865,

⁴⁶ Sells to Cooley, October 16, 1865, Reynolds to Sells, in Sells to Cooley, August 4, 1865, Annual Report of the Commissioner of Indian Affairs for 1865, pp. 252-253, 263-265.

Coleman implored Brigadier General Cyrus Bussey, commanding at Fort Smith, to order that rations at Fort Gibson, belonging to the military, be issued to the "Creeks, Seminoles, Choctaws, and Chickasaws, who are absolutely on the verge of starvation, no supplies having been furnished within the last three weeks."⁴⁷

The material condition of the Cherokees in 1864 had changed little from 1863. Of the approximately 8,000 loyal Cherokees in the Cherokee Nation, most were still refugees from their homes. Approximately 3,000 Cherokees still resided around Fort Gibson, and others were scattered throughout the nation, some on their own farms, but most on the abandoned farms of others.

In March of 1864, the Cherokees petitioned President Lincoln, in behalf of the loyal Cherokee people, asking that they be allowed to gather in three or more groups in the vicinity of Tahlequah, Colonel William P. Adair's home near Fort Smith, and on the Grand Saline River. The Cherokees wanted to be furnished with seeds and farming implements at these points so they could raise crops. They also asked that they be supplied until they could subsist off of their own crops. This idea was similar to the idea of the defensible colonies that had been proposed and only partially initiated in 1863.

A variation of this concept was the Cherokees' request that Cherokee soldiers be used for the protection of these communities. They asked that Captain Smith Christie, Acting Chief of the Cherokees in Chief Ross' absence, and his Cherokee soldiers of Company A of the Third

⁴⁷ Coleman to Bussey, March 31, 1865, Official Records, Ser. i, Vol. XLVIII, Pt. 2, p. 16.

Regiment of the Union Indian Brigade, be detached from the regiment and that Captain Christie be "authorized to enroll the loyal citizens of the [Cherokee] nation into militia, to be under the command of the national council and the acting chief...to protect the country against the enemy."⁴⁸ The petition was forwarded by Indian Commissioner Dole to Secretary of the Interior Usher for his consideration and consultation with the Secretary of War. However, no action was taken on the matter before the end of the war, like so many other refugee appeals before it.

The Cherokee refugees living around Fort Gibson were unable to raise a crop in 1864, and many of the Cherokees scattered across the Cherokee Nation refused to plant. Their agent, Harlan, explained why: "Last year, the Union officers would take what they wanted, teamsters, army hangers-on, and rebels would take the balance." Cutler agreed that he "could not deny the premises, and the conclusion seemed to follow." Another reason many Cherokees could not plant corn or potatoes in the spring of 1864 was that they had been "compelled to use for food what corn and potatoes they had hid away for seed" in the winter of 1863-1864.⁴⁹

In spite of these discouraging obstacles, most of the Cherokees who were able to plant, did so, and Harlan estimated that what they raised would probably be enough to feed nearly one-half of the Cherokee refugees during the winter of 1864-1865, if it could be protected.

⁴⁸ Dole to Usher, March 7, 1864, Annual Report of the Commissioner of Indian Affairs for 1864, pp. 325-326; Cherokee Chiefs and Headmen to Phillips, January 8, 1864, Cherokee Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society.

⁴⁹ Harlan to Coffin, September 30, 1864, Annual Report of the Commissioner of Indian Affairs for 1864, pp. 309-311.

Harlan explained that "most families raised more corn [in 1864] than last year, but not in such large quantities," and noted that there would be "considerable corn raised in small patches--say from one to ten acres." The undaunted willpower of the unprotected refugees was clearly recognizable. Admiring their courage, Harlan felt that it was "astounding to see with what zeal and industry the women and children cultivated their corn and gardens, laboring under all the disadvantages that they have."⁵⁰

Harlan greatly feared that the Cherokee refugees would be swindled out of their precious supply of foodstuffs in 1864 as they had been in 1863. In the winter of 1863-1864 no provisions for the government mounts and teams had been set aside due to the lack of supplies reaching Fort Gibson. When a military situation arose that required the use of the gaunt and weakened horses, they had to be fed. When a supply wagon train reached Fort Gibson, its teams needed to be fed. The Indians' corn was the easiest to obtain, and it was often seized and appropriated for government use. Harlan contended that this was fair when the appropriated corn was used for military necessities. However, he explained that this was often not the case and that

Indian settlers' trains, army followers, speculators generally, and others having no such authority or excuse availed themselves of the opportunity, went when and where they please...in many instances pretending to be in the government employment, and took what they wanted. The Indians were ignorant of who was and who was not authorized to appropriate their property, and made no resistance.⁵¹

⁵⁰ Ibid.; Harlan to Coffin, July 30, 1865, Annual Report of the Commissioner of Indian Affairs for 1864, p. 346.

⁵¹ Harlan to Coffin, September 30, 1864, *ibid.*, pp. 309-311.

In viewing the conditions of the 8,000 Cherokee Indians residing in the Cherokee Nation in 1864, and their prospects for the coming winter, Harlan felt that only about 600 to 800 would be able to feed and clothe themselves without assistance from the Federal government. Harlan believed that about half of the remaining Cherokees would be able to feed themselves but would need clothing. The remainder, to make it through the winter, would have to be provided with food, clothing, and shelter. All would need heavy clothing and blankets.⁵²

In the fall of 1864, the Cherokee refugees were scattered throughout their nation. Some were no longer exiles from their homes, but most were living as refugees close to the protection of Fort Smith and Fort Gibson, or were hiding on the abandoned farms of others. Many of the prominent Cherokee families who had homes near Park Hill and Tahlequah had again left the nation in 1864, and were living a not-too-arduous exile at Fort Scott, Kansas, and other Kansas locations.⁵³

Most detrimental to the welfare of the Federal refugees in Indian Territory was the chaotic state of affairs existing among military officers and government officials who were responsible for the refugees' protection and subsistence. Conditions in the Trans-Mississippi West in 1864 had deteriorated so much that the possibility of effective administration by either branch was a myth. The continued realigning of

⁵²Ibid.

⁵³Proctor to Coffin, November 28, 1863, Annual Report of the Commissioner of Indian Affairs for 1863, pp. 340-341; Legus Perryman to [A.] E. W. Robertson, March 3, 1863, unsigned to W. S. Robertson, May 16, 1863, W. P. Ross to [his son?], December 27, 1864, Cherokee Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society.

Federal military districts in 1864 and 1865, coupled with the frequent shifting of commanding officers, had a demoralizing effect on Union troop morale. Evidence of an appalling lack of military discipline was evident in the conduct of Union soldiers escorting supply wagon trains and in their involvement in cattle rustling in Kansas and Indian Territory.

Military discipline had degenerated so completely by 1864 that the supplies of government contractors and sutlers on wagon trains were stolen by their own escorts. Creek Agent Cutler complained to Superintendent Coffin that on a supply wagon train he had accompanied in November, 1864, "sutlers were robbed" by their military escort and "Fuller [contractor for the Indians], lost heavily, [and] they went through me." Cutler "lost six thousand dollars worth of tobacco," and Fuller lost six hundred dollars worth of goods.⁵⁴

Contributing to the ineffective military administration that did little to ameliorate the conditions of refugee Indians who were still forced to live near the confines of Fort Gibson, was the rapid succession of commanding officers. Major General Blunt, who understood the needs of the refugees and their agents, was replaced as Commander of the Department of the Kansas partially through manipulation by his old detractor, Major General Schofield. Politics also accounted for the removal of Colonel Phillips from command of the Union Indian Brigade in the summer of 1864. He was replaced by a subordinate officer, Colonel Wattles. However, in December of 1864, Phillips was reinstated as

⁵⁴Cutler to Coffin, November 24, 1864, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

commanding officer of the Union Indian Brigade, a position he held until the end of the war.⁵⁵

Not only was there dissension and politicizing among military officers, but also between military officers and Indian agents. Acrimonious relations which had been building throughout the war burst forth in a torrent of charges, countercharges, and allegations of misconduct and graft. Colonel Phillips charged that the Indian agents had profited from government contracts with the refugees, that they supplied these refugees with inferior goods, and that they had been buying corn from the Indians at far below its market value.

Superintendent Coffin and his agents refuted these accusations, and countered with charges of their own. They accused Phillips of playing politics, inept administration, being tied in with contractors who wanted the refugee Indians' trade, and allowing men under his command to harass and steal supplies from wagon trains, and seize refugees' crops without proper reimbursement.⁵⁶

These passions and accusations were in a larger sense the result of frustration from four years of bitter border warfare. The guerrilla warfare common to the border had increased manyfold the difficulty of the Indian agents in caring for their charges. Lack of adequate

⁵⁵ Harlan to Coffin, December 21, 1864, *ibid.*

⁵⁶ Phillips to Usher, January 17, 1865, Usher to Dole, February 10, 1865, Coleman to Coffin, May 1, 1865, Cutler to Coffin, April 16, 1865, Harlan to Coffin, April 21, 1865, Annual Report of the Commissioner of Indian Affairs for 1865, pp. 271-279, Harlan to Coffin, July 30, 1864, Annual Report of the Commissioner of Indian Affairs for 1864, p. 346; Cherokee and Creek Indians to Usher, February 15, 1864, Coffin to Dole, March 13, 1865, Letters Received by the Office of Indian Affairs, Southern Superintendency, Department of the Interior, National Archives.

supplies, and at times the seeming unconcern of Washington, had exhausted the resources and patience of Federal military commanders in Missouri, Arkansas, Kansas, and Indian Territory. By the end of 1864, both the Union and Confederate armies in the Trans-Mississippi West had expended themselves in their last great offensives, the Red River Campaign in the spring of 1864 and Price Raid into Arkansas and Missouri in the fall of 1864.

The sound and fury of military activity, and the loud reverberation of accusations, at times nearly drowned out the anguished pleas of the refugee Indians in 1864 and early 1865. Despairing of effective protection and support from the Federal government, the Creek and Seminole refugees living around Fort Gibson in the spring of 1865 again renewed efforts to move into the Creek Nation and plant crops. The Creek chiefs contacted Commissioner Dole on January 11, 1865, complaining that they had been "waiting for our agents to effect our removal onto our own land, but waited in vain and we are tired depending on them."⁵⁷

After the Creeks received no reply from Dole, they began moving on their own accord to Creek land in February and March of 1865 for the purpose of planting crops for the coming year. Joe Perryman, a Creek refugee living near Fort Gibson, confirmed that in mid-February of 1865 a "great many [Creeks were] talking of crossing the Verdigris to plant corn this year."⁵⁸ Thompson Perryman, also living near Fort Gibson,

⁵⁷ Creek Chiefs to Dole, January 11, 1865, Letters Received by the Office of Indian Affairs, Creek Agency, Department of the Interior, National Archives.

⁵⁸ Joe Perryman to A.E.W. Robertson, February 17, 1865, Creek Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society.

verified these observations: "Our Creek people are now making preparations to farm this year.... Some are going on the western side of the Verdigris near the mouth, and others are on the other side of the Arkansas River about as far as the old Creek Agency, while some are remaining on this side of the Verdigris. They are going to locate as far as Tallahassee [sic] Mission."⁵⁹

The Creeks' attempts at farming in the spring of 1865 were more successful than in the previous spring. This was probably due to the exhausted condition of the Confederates in the Creek Nation, but its success was also due to military protection given the loyal Creeks and Seminoles. In February, 1865, Colonel Phillips established a military outpost at the Tullahassee Mission to protect the crops of the loyal Indians. Phillips also allowed a large number of soldiers to assist the women and children in fencing and putting in corn. By April 9, 1865, Phillips felt that "enough corn has been planted to secure the loyal Indian Regiments from starvation" for the coming year.⁶⁰

The corn Phillips' men had helped plant was never consumed by them, for on May 31, 1865, the Union Indian Brigade was mustered out of service following the end of the Civil War. At that time many Union Indians were still refugees from their homes, although they were residing in Indian Territory. Others were exiled further away, outside of Indian Territory. For some refugees, it would be two or three more

⁵⁹Thompson Perryman to W. S. Robertson, March 8, 1865, Creek Civil War Folder, Grant Foreman Collection, Oklahoma Historical Society.

⁶⁰Phillips to Dole, February 27, 1865, Letters Received by the Office of Indian Affairs, Creek Agency, Department of the Interior, National Archives; Phillips to Reynolds, April 19, 1865, Official Records, Ser. i, Vol. XLVIII, Pt. 2, p. 136.

years before they would be able to repossess their homes.

The loyal Cherokees had the least problems of any of the returning refugees, for most were already living inside the Cherokee Nation at the end of the Civil War. By the end of 1865, following the Fort Smith Council, most of the loyal Cherokees had settled once again in their homes. An exception was a group of loyal Cherokee refugees who had been living in the Cherokee Neutral Land at the end of the Civil War. Their poverty and destitute condition prevented them from returning without government assistance. It was not until 1867 that this group returned to their homes.⁶¹

A few weeks before the end of the Civil War, some of the loyal Creek refugees around Fort Gibson had moved inside the Creek Nation along the Arkansas River and the Verdigris River, near the old Creek Agency and the Tullahassee Mission. J. W. Dunn, appointed Creek Agent on June 19, 1865, arrived at Fort Gibson, where he temporarily established the Creek Agency in July, 1865. He found the loyal Creeks "living in and near Fort Gibson, some on Cherokee lands, most of them on their own lands nearby." Not only did the loyal Creeks refuse to have social intercourse with the former Confederate Creeks, but Agent Dunn also found them feuding among themselves over political leadership.⁶²

One self-styled Creek leader was Spokokogeeyoholo, who claimed to have been chosen by Opothleyahola as his successor before his death.

⁶¹Harlan to Dole, December 20, 1864, [Wortham?] to Cooley, December 26, 1865, Letters Received by the Office of Indian Affairs, Cherokee Agency, Department of the Interior, National Archives.

⁶²Dunn to Sells, September 20, 1864, Annual Report of the Commissioner of Indian Affairs for 1865, pp. 290-292.

Spokokogeeyoholo and his followers remained in the Cherokee Nation until their forceful expulsion by Indian agents in 1868. However, most Creeks had drifted back to their own homes by the end of 1866, and by 1867 were living peacefully with each other, including the McIntosh Creeks.⁶³

The loyal Seminoles were split into two groups at the war's end. One group was living around Fort Gibson, and the other group was still located in their refugee camp at Neosho Falls, Kansas. The refugee Seminoles around Fort Gibson remained there through 1865 and most of 1866. In 1866, they were joined on the west bank of the Arkansas River near Fort Gibson by the Seminoles from Neosho Falls. The Seminoles were given their own national tribal domain by a treaty signed on March 21, 1866. Before that time, it had been uncertain whether they would be given their own tribal domain or be incorporated into the Creek Nation. Jubilant over the treaty, the Seminoles moved onto their land in October, 1868, and were no longer homeless refugees.⁶⁴

The small number of loyal Chickasaws and loyal Choctaws living around Fort Gibson and Fort Smith at the close of the war were easily assimilated with their tribes after the Fort Smith Council in the fall of 1865.

Due to increasing pressure from the Ottawas to move, the Quapaws,

⁶³ Ibid., Wortham to Taylor, October 21, 1867, Annual Report of the Commissioner of Indian Affairs for 1867, p. 318; Dunn to Sells, October, 1866, Annual Report of the Commissioner of Indian Affairs for 1866, (Washington: Government Printing Office, 1867), pp. 319-320.

⁶⁴ Reynolds to Wortham, August 28, 1867, Annual Report of the Commissioner of Indian Affairs for 1867 (Washington: Government Printing Office, 1868), pp. 327-329.

Senecas, and mixed Senecas and Shawnees were forced to leave the Ottawa Reserve in the spring of 1865. Former Seminole Agent Shaw, who had become their agent in March of 1865, secured a wagon train and moved the 670 Neosho Agency Indians to Big Creek, located about half way between the Ottawa Reserve and their old reserve in the northeast portion of the Cherokee Nation. It was unfortunate for these refugees that they arrived at Big Creek too late to plant a crop.⁶⁵ By 1866, they were located in Indian Territory on or near their old reserve. However, they had to be largely subsisted by the government in 1866, because floods ravished most of the crops they had planted. By 1867, these former refugee Indians were nearly self-supporting.⁶⁶

At the end of the war, the Wichitas and affiliated tribes residing as refugees along the Arkansas River and its tributaries were living in destitution. From April through October, 1864, they received no supplies, and very little assistance during 1865. Milo Gookins, their agent, explained in September of 1865 that he was "compelled, in order to keep them alive or prevent extreme suffering, to restrict my distribution to about 1200 of the most destitute" of his 1,900 charges.⁶⁷

Henry Shanklin, who replaced Gookins as Wichita Agent, reported that when he assumed his duties in 1866 he found his Indians "in a

⁶⁵ Snow to Sells, September 25, 1865, Annual Report of the Commissioner of Indian Affairs for 1865, pp. 292-294.

⁶⁶ Cooley to Browning, October 22, 1866, Annual Report of the Commissioner of Indian Affairs for 1866, pp. 55-56; Snow to Wortham, September 5, 1867, Annual Report of the Commissioner of Indian Affairs for 1867, pp. 323-326.

⁶⁷ Gookins to Sells, September 18, 1865, Annual Report of the Commissioner of Indian Affairs for 1865, pp. 288-290.

deplorable condition, poorly fed, naked, sick, and in utter despondency as to their future prospects." The heavy rains and subsequent floods destroyed nearly all of their crops in 1866, and even though they were better supplied by the government, they were still living in poverty as exiles from their old agency in Indian Territory. The scarcity of wild game and buffalo inhibited their efforts to ameliorate their own condition, as they had been able to do until about two years before.⁶⁸

In 1867, Southern Superintendent James Wortham was directed by the Office of Indian Affairs to remove the Wichitas and affiliated tribes to Indian Territory, near Fort Cobb. Wortham appointed J. J. Choller as special agent to implement the removal of these refugees. Choller only succeeded in removing 450 Delaware, Shawnee, and Caddo Indians. One thousand and two hundred Wichitas refused to move because they had earlier planted crops that were growing, and they wanted to remain to reap the advantages of their labor. However, they agreed to move later in the year, which they did in the fall of 1867, under the direction of Special Agent Charles Garrett. A cholera epidemic also hindered the efforts of agents to move the Wichitas and affiliated tribes, but by the end of 1867 their lengthy exile was over.⁶⁹

Most of the Kickapoos who had migrated to Mexico remained there for several years following the close of the Civil War. One hundred Northern Kickapoos of Chief Nokowhat's band returned to their agency in Kansas in 1867. Later, 317 Southern Kickapoos arrived at Fort Sill in

⁶⁸ Shanklin to Sells, September 18, 1866, Annual Report of the Commissioner of Indian Affairs for 1866, pp. 322-323.

⁶⁹ Wortham to Taylor, October 21, 1867, Annual Report of the Commissioner of Indian Affairs for 1867, pp. 321-323.

Indian Territory on December 20, 1873.⁷⁰

The return of the Federal refugees to Indian Territory occurred over an eleven year period from 1863 to 1873, but by the end of 1867, nearly all of the exiles had returned and were again living in or close to their homes. The exile of these people was unique in the number of refugees involved and the intensity of their suffering. Their unwavering devotion to the Union cause was unexcelled by any other people in the Civil War.

⁷⁰Pickering to Smith, [no date], Annual Report of the Commissioner of Indian Affairs for 1874 (Washington: Government Printing Office, 1875), pp. 230-232; Gibson, The Kickapoos: Lords of the Middle Border, pp. 236-253.

CHAPTER VIII

SUMMARY AND CONCLUSIONS

Noncombatants suffered needlessly in many instances during the Civil War, but nowhere was its effects on civilian populations more tragic and pronounced than on the Indian Territory tribes and portions of tribes who remained loyal to the United States government. The loyal refugees realized this, and their representatives related to the Fort Smith Council, held at the close of the war in 1865, that "It would take volumes to relate minutely the suffering which we have endured.... The remains of our people are as milestones to mark the way through the country which we have travelled." Emphasizing their loyalty and devotion to the Federal government, they challenged the Fort Smith Council to "show us one single instance in which more suffering has been endured or greater sacrifice made for the cause of the Union."¹ The Fort Smith Council could not, nor can history.

Of approximately 10,500 loyal Indians who were exiled from Indian Territory, nearly 8,000 were members of the Five Civilized Tribes (the Cherokee, Choctaw, Chickasaw, Creek, and Seminole Indians). For these refugees, the exodus and exile were the most severe, because they were not inured to the hardships and exposures of camp life. Many members

¹Creek Delegation of the Fort Smith Commission, September 12, 1865, Annual Report of the Commissioner of Indian Affairs for 1865, p. 329.

of the Five Civilized Tribes were reasonably well educated, lived in comfortable homes, and enjoyed a standard of living equal to or higher than that of most whites living on the frontier. They were frequently prosperous farmers and ranchers, and in some instances they owned hundreds of cattle and horses, and even slaves.

The consequences of large numbers of these tribes remaining loyal to the Federal government were unfortunate and even disastrous to the Indians themselves and to the future prospects of their tribes. Most exemplary of the dire consequences suffered by Indian participants in the Civil War were the Federal refugees who fled from Indian Territory--especially the Opothleyahola Indians. Hundreds of these refugees suffered and died from communicable diseases, exposure to inclement weather, and gastric illnesses. These afflictions were brought on by unsanitary living conditions in the refugee camps, by lack of adequate clothing and shelter, and by improper diet. Added to the physical deprivations of the refugees were extreme mental fatigue, emotional strain brought on by the death of loved ones, the loss of nearly all of their possessions, and the inability or lack of desire on the part of the Federal government to return the homeless exiles to their abandoned farms.

The long-range consequences of the breakup and impoverishment of these tribes was to reduce them from powerful, prosperous Indian nations, mainly independent of government support, and to retard their cultural, political, and social development. At the end of the Civil War, these once unified, powerful, and proud Indians had become beggars and wards of the state looking to the United States for subsistence. After the Civil War, the Federal government recognized the dependence of these

Indians and acted more arbitrarily in its relations with them. The events of the Civil War and the total dependence of the Federal refugees for several years on the United States government indirectly hastened the assimilation of the Five Civilized Tribes with the whites.

The flight of the Quapaws, Senecas, and mixed Senecas and Shawnees from the northeastern portion of the Cherokee Nation into Kansas was less tragic than the exodus of the Opothleyahola and Cherokee refugees, but it was very disruptive of the rapid progress that these smaller tribes were making in education, agriculture, and mechanical arts on the eve of the Civil War. These Neosho Agency Indians had fled from guerrillas along the border, with very little loss of life, and they lived fairly comfortably off of their tribal annuity money on the Ottawa Reserve, where they were tolerated through the end of the Civil War.

Least adversely affected by their exodus from Indian Territory were the Wichitas and affiliated tribes from near Fort Cobb. These plains tribes were more accustomed to the hardships of camp life and the chase. Their removal to southern Kansas was accomplished with little disruption. They did, however, suffer from the lack of proper clothing and adequate food during the winter months, and their health conditions deteriorated somewhat. Their exile was not militarily forced upon them, as was the case with the other refugees. Their main reasons for leaving the old Wichita Agency for Kansas was for the food and supplies being distributed by Agent Carruth at the new Wichita Agency, and for military protection against Texas Confederates. When Fort Cobb was abandoned by Federal troops in the spring of 1861, this left Texas forces free to enter and occupy the area. The Wichitas and affiliated tribes remembered their recent banishment from Texas just before the Civil War.

Texas Rangers and paramilitary forces of Texas citizens had left the Texas Indians no alternatives except removal or genocide. Thus, the uneasiness of the Wichitas and affiliated tribes can be understood.

The consequences of the Federal refugees' exile can more easily be assessed than the causes of the exodus and the lengthy exile. Old factional hatred and tribal divisions were again the undoing of the Cherokees, Creeks, and Seminoles, as had been the case during the earlier removal controversy. Opothleyahola had originally hoped to get the Indian tribes in Indian Territory to agree to neutrality, as evidenced by his support of the intertribal council held in February, 1861, and the Antelope Hills conference the following summer. These hopes were dashed by the Lower Creeks and the Seminole followers of John Jumper who signed treaties with the Confederacy, and who represented minorities of both tribes. It was not Arkansas or Texas troops who made the full-blooded Creeks' and Seminoles' position untenable, but the mixed-bloods of their own tribes, who signed treaties that were considered binding by the Confederate government. The McIntosh Creeks and Jumper Seminoles began raising Confederate military units in the midst of the loyal Creeks and Seminoles.

Then, when the Opothleyahola refugees fled to the supposed safety of the Cherokee Outlet, it was the Lower mixed-blooded Creeks who warned of the imminence of attack and annihilation by the Federal Creeks and Seminoles. Chief Ross of the Cherokees urged reconciliation, Colonel Cooper, commanding Indian Territory forces in Brigadier General Pike's absence, desired a compromise, and Pike himself had earlier offered amnesty to the Federal Indians. However, the mixed-blooded Creeks wanted to destroy the power of the full-blooded Creeks while they were

in a position to do so. It was their incessant urging and finally their skirmishing against the Upper Creeks that brought Colonel Cooper and other troops into the picture and led to the battles that drove the Federal Creeks and Seminoles and other Opothleyahola followers out of Indian Territory.

Later, in 1862, fear of reprisals by Stand Watie and the Southern Ridge Party Cherokees forced the Ross Cherokees to leave the Cherokee Nation after the failure of the first Federal invasion of Indian Territory and the subsequent withdrawal of Union forces from the Cherokee Nation.

Factional mistrust and hatred, as well as fear of military reprisal by the Confederate Creeks, Seminoles, and Cherokees, was the most important factor causing the Opothleyahola followers and Ross Party Cherokees to flee Indian Territory. At this crucial point in the history of the Cherokee, Creek, and Seminole tribes, when they most needed to unify to avoid the holocaust of war, they split asunder along nearly identical political lines as they had during removal. This in itself dashed any hopes that the Five Civilized Tribes might have had of escaping the worst of death and destruction brought about by the Civil War.

The Federal government must share some of the blame for the exodus of the Federal Indian refugees from Indian Territory, and nearly all the blame for the continued exile of the refugees. Contrary to its treaty obligations and the interests of loyal Indians, the Federal army completely abandoned Indian Territory in the spring of 1861, and Confederate forces were allowed to take Indian Territory without even firing a shot. This action was disastrous to the Union cause among the Indians and imperiled the lives of the loyal Indians. This withdrawal of

United States forces from Indian Territory signaled the exodus of the Wichita Agency Indians and led directly to their Civil War exile.

Even more fatal to the Opothleyahola followers were the assurances of military aid given to their two delegations that had visited Kansas in the fall of 1861. These promises of military support emboldened the Opothleyahola refugees to remain in Indian Territory even after the Battle of Chustalasah. They held out for Federal military support against the Confederate troops until their defeat and rout at the Battle of Chustenahlah.

The Federal government's most glaring deficiency in caring for the Federal refugee Indians was its lack of adequate attention to their needs. The government's inability to mitigate the pitiful, suffering conditions of the thousands of homeless men, women, and children living in dismal, unsanitary, and crowded encampments at times bordered on inhumanity. These overcrowded slums were breeding places for all kinds of diseases, and the refugees, weakened by their ordeal, easily fell victim to smallpox and other communicable diseases.

The Federal government's most glaring shortcoming was its failure to provide the refugees with adequate clothing and shelter, especially during the severe winters. The government was unduly negligent about furnishing clothing and other supplies. After the cruel experience of suffering through two frigid winters, the Opothleyahola refugees and their agents implored Superintendent Coffin and Indian Commissioner Dole in August and September of 1863 that they be supplied heavy clothing, warm blankets, and tents before severe weather set in. The result was that the supplies which they had requested arrived in January, 1864. Again the refugees suffered needlessly, and many died from the

severe winter weather that came early in November, 1863.

The inability of the refugees to remain healthy can also be attributed to nutritional deficiencies in their diets. Attending physicians pointed out that a seven-day supply of meat would normally be consumed in four days because of the amount of bone and gristle in the meat. This left many refugees without meat for three days of every week. Cornmeal and flour, issued the refugees to supplement the meat supply, was often ground from damaged grain, and thus had little nutritional value. The refugees could not be induced to plant crops because of their hope each year of returning to their homes, and the Federal government would not supply them with fresh vegetables, presumably because of cost.

It is appalling and deplorable that the Federal government did so little to alleviate the miserable conditions of the Federal refugees in Missouri, and especially Kansas. The blame must fall primarily on the governmental agency entrusted with the care of the Indians, the Office of Indian Affairs. Many of the Indian agents were indifferent to the needs and problems of their charges, and were merely political appointees who did as little work as possible. Charges were probably true that many of the Indian agents and higher officials in the field and in Washington profited from kickbacks from contractors supplying the Indians and from other other forms of graft which reduced the amount of money actually expended on the refugees. These were not isolated instances, but a share of the graft which was so much a part of government/military and civilian contracting during the Civil War.

Lack of dedication of some agents and Office of Indian Affairs officials created a fairly high rate of employee turnover in the Southern

Indian Superintendency, especially among the special agents. Special Agent A. J. Proctor unashamedly admitted that he preferred the relative safety of Kansas to the perils of Indian Territory, and threatened to resign should he not be allowed to return to Kansas. Special Agent A. M. Jordan refused to accompany the Cherokee refugees from their camp at Dry Creek in the Cherokee Neutral Land to Neosho, Missouri, because of his fear of bushwhackers and guerrillas.

The competency of some agents could also be questioned. Cherokee Agent Harlan, who had formerly been a judge, was old and cantankerous, jealous of his prerogatives, and pontifical. His reports to Superintendent Coffin contained little substance, but were instead rambling discourses on many irrelevant topics. He was slow in the execution of his duties, and Coffin once, in exasperation, admitted that he felt Harlan had no idea of the work required of him.

Superintendent Coffin has been maligned for his part in caring for the Federal refugees, but he was actually one of the few competent administrators who worked unceasingly for the betterment of the refugees' condition. However, he was encumbered by many nearly insurmountable obstacles. Among these were the incompetency and lack of dedication among his agents, but most detrimental to his efforts was the seeming lack of concern of Kansas citizens and officials, and even Federal bureaucrats, for the welfare of the Federal refugee Indians. For Washington officials and congressmen, events on the western border had low priority. Federal military operations and situations in the Trans-Mississippi West bear this out, with the result that the needs of the civilian red man occupied the attention of Washington even less. In 1864, when Congress decided to look into the possibility of returning

the refugees, it inquired of their condition at the Office of Indian Affairs. Even after the refugees had been living in Kansas and Missouri for over two years, Congress knew little about their pitiful plight.

Most of the criticism directed toward Superintendent Coffin concerned his unwillingness to return the Cherokee refugees, and especially the Opothleyahola refugees, to Indian Territory sooner. Coffin's detractors claimed that he detained the refugees in Kansas so he could profit from contracts supplying them. The charge cannot be substantiated or denied, but events subsequent to the return of the refugees to Indian Territory vindicated Superintendent Coffin's contention that a premature return would not be in the best interest of the refugees.

The deplorable conditions of the refugees living around Fort Gibson was not due as much to Coffin's inefficiency as to the military's inability to provide reliable escorts for refugee supply trains from Kansas, and its inability to hold large enough portions of Indian Territory secure from Confederate raids so that refugees could plant gardens and raise crops to support themselves.

The two problems that most hindered Superintendent Coffin and his agents were the unfulfilled promises made by the military to the refugees and the cumbersome governmental bureaucracy. First, Senator Lane, then Major General Blunt, and later Colonel Phillips promised the Federal Indians that they would clear Indian Territory of Southern forces. Their promises that could not be kept caused the Indians to suspect the motives of their agents and increased their resentment over being detained in Kansas and Missouri. When military demands and pressures from Washington forced Superintendent Coffin to return the

refugees to Indian Territory, the results were disastrous to their welfare, because Federal military authority in Indian Territory did not prove to be adequate.

Superintendent Coffin was often a scapegoat for refugee frustration, not only because of his unwillingness to return them to their homes, but also because he and his agents often failed to provide basic necessities for the refugees in time to alleviate suffering. The best example was the failure in the late fall of 1863 to provide the Indians with blankets, winter clothing, and tents before frigid temperatures arrived. This was not an isolated instance, and was caused by the Federal government's method of requisitioning supplies on a quarterly basis only. Each quarter the government let contracts to meet the requisitions of its agencies and officials. Hence, urgent needs often went unfulfilled until the beginning of the next quarter, when estimates of needed supplies were again considered, requisitions approved, and contracts let.

Besieged, beleaguered, and floundering in a sea of trouble, the Federal Indian refugees had no one to fall back on for adequate protection and no one to turn to for adequate subsistence except the United States government, who owed them protection and support through treaty obligations. The Office of Indian Affairs and the Union army were conspicuous for their failure to adequately provide the protection and subsistence needs of the Federal refugee Indians that treaties obligated them to furnish and humanity demanded.

If truly heroic figures emerged from the Civil War in Indian Territory, they would surely be the Federal refugees, whose suffering, courage, and unwavering devotion to the Union cause were superseded only

by their will to survive and their determination to return to their homes. The epic magnitude of their tragic exodus and exile, which included about 10,500 Indians from many diverse tribes, far overshadowed military events in Indian Territory in grandeur and human drama.

BIBLIOGRAPHY

Unpublished Materials

- Bailey, Minnie E. Thomas. "Reconstruction in Indian Territory," Unpublished Doctor of Education Dissertation, Oklahoma State University, Stillwater, Oklahoma, 1967.
- Cate Collection Folder. Western History Collections, University of Oklahoma Library, Norman, Oklahoma.
- Cherokee Civil War Folder. Grant Foreman Collection, Indian Archives Division, Oklahoma Historical Society, Oklahoma City, Oklahoma.
- Creek Civil War Folder. Grant Foreman Collection, Indian Archives Division, Oklahoma Historical Society, Oklahoma City, Oklahoma.
- Creek Tribal Records. Grant Foreman Collection. Indian Archives Division, Oklahoma Historical Society, Oklahoma City, Oklahoma.
- Department of the Interior, Office of Indian Affairs, Letters Received, Cherokee Agency, National Archives, Washington, D. C.
- _____. Office of Indian Affairs, Letters Received, Chickasaw Agency, National Archives, Washington, D. C.
- _____. Office of Indian Affairs, Letters Received, Choctaw Agency, National Archives, Washington, D. C.
- _____. Office of Indian Affairs, Letters Received, Creek Agency, National Archives, Washington, D. C.
- _____. Office of Indian Affairs, Letters Received, Seminole Agency, National Archives, Washington, D. C.
- _____. Office of Indian Affairs, Letters Received, Southern Superintendency, National Archives, Washington, D. C.
- Francis, Charles R. "Confederate Ascendancy in Indian Territory, 1860-1861," Unpublished Master of Arts Thesis, Oklahoma State University, Stillwater, Oklahoma, 1963.
- Hathaway, Worten M. "Brigadier General Stand Watie, Confederate Guerilla," Unpublished Master of Arts Thesis, Oklahoma State University, Stillwater, Oklahoma, 1966.

Records of the Union and Confederate Armies. 3 vols., Washington: Government Printing Office, 1891-1895.

_____. War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. 4 series, 128 books in the United States Serial Set, Washington: Government Printing Office, 1880-1901.

United States. House Executive Document Number 1. Thirty-Eighth Congress, First Session. Washington: Government Printing Office, 1865.

_____. Senate Executive Document Number 1. Thirty-Seventh Congress, First Session. Washington: Government Printing Office, 1862.

_____. Statutes at Large. 85 vols., Washington: Government Printing Office, 1789-1972.

Newspapers

Bulletin. Fort Scott, Kansas, 1861-1865.

Burlington Register. Burlington, Kansas, 1862.

Congressional Globe. Washington, D. C., 1862-1864.

Daily Conservative. Leavenworth, Kansas, 1861-1865.

Daily State Record. Topeka, Kansas, 1861-1865.

Daily Times. Leavenworth, Kansas, 1861-1865.

Emporia News. Emporia, Kansas, 1862.

Kansas State Journal. Leavenworth, Kansas, 1861-1865.

LeRoy Reporter. LeRoy, Kansas, August 14, 1931, and August 21, 1931.

Tulsa Tribune. Tulsa, Oklahoma, November 19, 1939.

Weekly Conservative. Leavenworth, Kansas, 1861-1865.

Articles

Banks, Dean. "Civil War Refugees from Indian Territory, in the North, 1861-1864," Chronicles of Oklahoma, Vol. XLI, No. 3 (Autumn, 1963), pp. 286-298.

Britton, Wiley. "Some Reminiscences of the Cherokee People Returning to their Home: The Exiles of a Nation," Chronicles of Oklahoma,

- Klema, Marion. "The Later Career of William A. Phillips," Unpublished Master of Arts Thesis, University of Kansas, Lawrence, Kansas, 1942.
- Indian-Pioneer History. 116 vols. of typescripts, Grant Foreman Collection, Indian Archives Division, Oklahoma Historical Society, Oklahoma City, Oklahoma.
- Neal, Jr., Barney K. "Federal Ascendancy in Indian Territory, 1862-1863," Unpublished Master of Arts Thesis, Oklahoma State University, Stillwater, Oklahoma, 1966.
- Rampp, Lary C. "The Twilight of the Confederacy in Indian Territory, 1863-1865," Unpublished Master of Arts Thesis, Oklahoma State University, Stillwater, Oklahoma, 1968.
- Ross, John. Papers. Thomas Gilcrease Institute of American History and Art, Tulsa, Oklahoma.
- Wyant, Sharon D. "Colonel William A. Phillips and the Civil War in Indian Territory," Unpublished Master of Arts Thesis, Oklahoma State University, Stillwater, Oklahoma, 1967.

Government Documents

- Kappler, Charles, ed. Indian Affairs: Laws and Treaties. 6 vols., Washington: Government Printing Office, 1904.
- United States Department of the Interior. Annual Report of the Commissioner of Indian Affairs for 1862. Washington: Government Printing Office, 1863.
- _____. Annual Report of the Commissioner of Indian Affairs for 1863. Washington: Government Printing Office, 1864.
- _____. Annual Report of the Commissioner of Indian Affairs for 1864. Washington: Government Printing Office, 1865.
- _____. Annual Report of the Commissioner of Indian Affairs for 1865. Washington: Government Printing Office, 1866.
- _____. Annual Report of the Commissioner of Indian Affairs for 1866. Washington: Government Printing Office, 1867.
- _____. Annual Report of the Commissioner of Indian Affairs for 1867. Washington: Government Printing Office, 1868.
- _____. Annual Report of the Commissioner of Indian Affairs for 1873. Washington: Government Printing Office, 1874.
- United States Department of War. Atlas to Accompany the Official

Vol. V., No. 2 (June, 1927), pp. 180-184.

Dale, Edward E. "Arkansas and the Cherokees," Arkansas Historical Quarterly, Vol. VIII, No. 1 (Spring, 1949), pp. 104-114.

_____. "The Cherokees in the Confederacy," Journal of Southern History, Vol. XIII, No. 2 (May, 1947), pp. 160-185.

Danziger, Jr., Edmund J. "The Office of Indian Affairs and the Problem of Civil War Indian Refugees in Kansas," Kansas Historical Quarterly, Vol. XXXV, No. 3 (Autumn, 1969), pp. 257-275.

Debo, Angie. "The Location of the Battle of Round Mountains," Chronicles of Oklahoma, Vol. XLI, No. 1 (Spring, 1963), pp. 70-104.

_____. "The Site of the Battle of Round Mountain, 1861," Chronicles of Oklahoma, Vol. XXVII, No. 2 (Summer, 1949), pp. 187-206.

_____. "Southern Refugees of the Cherokee Nation," Southwestern Historical Quarterly, Vol. XXXV, No. 2 (April, 1932), pp. 255-266.

Farb, Robert C. "The Military Career of Robert W. Furnas," Nebraska History, Vol. XXXII, No. 1 (March, 1951), pp. 18-28.

Fischer, LeRoy H. and Jerry Gill. "Confederate Indian Forces Outside of Indian Territory," Chronicles of Oklahoma, Vol. XLVI, No. 3 (Autumn, 1968), pp. 249-284.

Foreman, Carolyn Thomas. "Billy Bowlegs," Chronicles of Oklahoma, Vol. XXXIII, No. 4 (Winter, 1955-1956), pp. 512-532.

_____. "The Yuchi: Children of the Sun," Chronicles of Oklahoma, Vol. XXXVII, No. 4 (Winter, 1959-1960), pp. 497-501.

Gardner, James H. "One Hundred Years Ago in the Region of Tulsa," Chronicles of Oklahoma, Vol. XI, No. 2 (June, 1933), pp. 765-785.

Hancock, Marvin J. "The Second Battle of Cabin Creek, 1864," Chronicles of Oklahoma, Vol. XXXIX, No. 4 (Winter, 1961-1962), pp. 414-426.

Harrison, Jeanne V. "Mathew Leeper, Confederate Indian Agent," Chronicles of Oklahoma, Vol. XLVII, No. 3 (Autumn, 1969), pp. 242-257.

Heath, Gary N. "The First Federal Invasion of the Indian Territory," Chronicles of Oklahoma, Vol. XLIV, No. 4 (Winter, 1966-1967), pp. 409-419.

Lemley, Harry J. "Historic Letters of General Ben McCulloch and Chief John Ross in the Civil War," Chronicles of Oklahoma, Vol. XL, No. 3 (Autumn, 1962), pp. 286-294.

_____. "Letters of Henry M. Rector and J. R. Kannady to John Ross of the Cherokee Nation," Chronicles of Oklahoma, Vol. XLII, No. 3 (Autumn, 1964), pp. 320-329.

- McNeil, Kenneth. "Confederate Treaties with the Tribes of Indian Territory," Chronicles of Oklahoma, Vol. XLII, No. 4 (Winter, 1964-1965), pp. 408-420.
- Meserve, John B. "The McIntoshes," Chronicles of Oklahoma, Vol. X, No. 3 (September, 1932), pp. 310-325.
- _____. "Chief Opothleyahola," Chronicles of Oklahoma, Vol. IX, No. 4 (December, 1931), pp. 440-453.
- Morrison, James D. "Capture of J. R. Williams," Chronicles of Oklahoma, Vol. XLIII, No. 2 (Summer, 1964), pp. 105-108.
- Porter, Kenneth W. "Billy Bowlegs (Holata Micco) in the Civil War (Part II)," Florida Historical Quarterly, Vol. XLV, No. 4 (April, 1967), pp. 391-401.
- _____. "Billy Bowlegs (Holata Micco) in the Seminole Wars (Part I)," Florida Historical Quarterly, Vol. XLV, No. 3 (January, 1967), pp. 219-242.
- Russell, Orpha B. "Notes on Samuel William Brown, Jr., Yuchi Chief," Chronicles of Oklahoma, Vol. XXXVII, No. 4 (Winter, 1959-1960), pp. 497-501.
- _____. "EKVN-HV'LUCE: Site of Oklahoma's First Civil War Battle," Chronicles of Oklahoma, Vol. XXIX, No. 4 (Winter, 1951-1952), pp. 401-407.
- Shirk, George H. "The Place of Indian Territory in the Command Structure of the Civil War," Chronicles of Oklahoma, Vol. XLV, No. 4 (Winter, 1967-1968), pp. 464-471.
- Shoemaker, Arthur. "The Battle of Chustenahlah," Chronicles of Oklahoma, Vol. XXXVIII, No. 2 (Summer, 1960), pp. 180-184.
- Thoburn, Joseph B. "The Cherokee Question," Chronicles of Oklahoma, Vol. II, No. 2 (June, 1924), pp. 141-242.
- Trickett, Dean. "The Civil War in the Indian Territory, 1861," Chronicles of Oklahoma, Vol. XVII, No. 3 (September, 1939), pp. 315-327.
- _____. "The Civil War in the Indian Territory, 1861," Chronicles of Oklahoma, Vol. XVII, No. 4 (December, 1939), pp. 401-412.
- _____. "The Civil War in the Indian Territory, 1861," Chronicles of Oklahoma, Vol. XVIII, No. 2 (June, 1940), pp. 142-153.
- _____. "The Civil War in the Indian Territory, 1861," Chronicles of Oklahoma, Vol. XVIII, No. 3 (September, 1940), pp. 266-280.
- _____. "The Civil War in the Indian Territory, 1862," Chronicles of Oklahoma, Vol. XIX, No. 1 (March, 1941), pp. 55-69.

- _____. "The Civil War in the Indian Territory, 1862," Chronicles of Oklahoma, Vol. XIX, No. 4 (December, 1941), pp. 381-396.
- Wright, Muriel H. "Colonel Cooper's Civil War Report on the Battle of Round Mountain," Chronicles of Oklahoma, Vol. XXXIX, No. 4 (Winter, 1961-1962), pp. 352-397.
- _____. "A History of Fort Cobb," Chronicles of Oklahoma, Vol. XXXIV, No. 1 (Spring, 1956), pp. 53-71.
- _____. "The Removal of the Choctaws to Indian Territory, 1830-1833," Chronicles of Oklahoma, Vol. VI, No. 2 (June, 1928), pp. 103-128.

Books

- Abel, Annie H. The American Indian as Participant in the Civil War. Cleveland: Arthur H. Clark Co., 1919.
- _____. The American Indian as Slaveholder and Secessionist. Cleveland: Arthur H. Clark Co., 1915.
- _____. The American Indian Under Reconstruction. Cleveland: Arthur H. Clark Co., 1925.
- Alford, Thomas Wildcat. Civilization. Written and edited by Florence Drake, Norman: University of Oklahoma Press, 1936.
- Britton, Wiley. The Aftermath of the Civil War: Based on Investigation of War Claims. Kansas City, Missouri: Smith-Grievess Co., 1924.
- _____. The Civil War on the Border. 2 vols., New York: G. P. Putnam's Sons, 1890-1904.
- _____. Memoirs of the Rebellion on the Border, 1863. Chicago: Cushing, Thomas, and Co., 1882.
- _____. The Union Indian Brigade in the Civil War. Kansas City, Missouri: Franklin Hudson Publishing Co., 1922.
- Cutler, William G., ed. History of the State of Kansas. 2 vols., Chicago: A. T. Andreas, 1883.
- Debo, Angie. The Rise and Fall of the Choctaw Republic. Norman: University of Oklahoma Press, 1934.
- _____. The Road to Disappearance. Norman: University of Oklahoma Press, 1941.
- Foreman, Grant. Indian Removal: The Immigration of the Five Civilized Tribes. Norman: University of Oklahoma Press, 1953.

- _____. The Last Trek of the Indians. Chicago: University of Chicago Press, 1946.
- Gibson, Arrell M. The Kickapoos: Lords of the Middle Border. Norman: University of Oklahoma Press, 1963.
- Hagan, William T. The Sac and Fox Indians. Norman: University of Oklahoma Press, 1958.
- Kansas State Historical Society. Collections of the Kansas State Historical Society. 17 vols., Topeka: Kansas State Historical Society, 1875-1928.
- _____. A History of Kansas Newspapers: A History of the Newspapers and Magazines Published in Kansas from the Organization of Kansas Territory, 1854, to January 1, 1916. Topeka: Kansas State Historical Society, 1916.
- McReynolds, Edwin C. The Seminoles. Norman: University of Oklahoma Press, 1957.
- Mathews, John J. The Osages: Children of the Middle Waters. Norman: University of Oklahoma Press, 1961.
- Morris, John W. and Edwin C. McReynolds. Historical Atlas of Oklahoma. Norman: University of Oklahoma Press, 1965.
- Taylor, T. U. The Chisholm Trail and Other Routes. San Antonio, Texas: Naylor Co., 1936.
- Thoburn, Joseph B. and Muriel H. Wright. Oklahoma: A History of the State and Its People. 4 vols., New York: Lewis Historical Publishing Co., Inc., 1929.
- Wardell, Morris L. A Political History of the Cherokee Nation, 1838-1907. Norman: University of Oklahoma Press, 1938.
- Woodward, Grace Steele. The Cherokees. Norman: University of Oklahoma Press, 1963.
- Wright, Muriel H. A Guide to the Indian Tribes of Oklahoma. Norman: University of Oklahoma Press, 1951.

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