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INDIAN TERRITORY, 1839-1856

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ITTIBAAPISHI'AT ITTACHAPA: CHICKASAW AND CHOCTAW RELATIONS IN
INDIAN TERRITORY, 1839-1856

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BY THE COMMITTEE CONSISTING OF

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Dedication

This thesis is dedicated to three of my female Chickasaw ancestors:

My grandmother, Julia Lavern Alexander, who told me to never let a man tell me what to do.



My great, great grandmother, Ella Maryann Coyle, who had a short, hard life in Indian Territory.



My 5th great-grandmother, Yamuttacha, who was “that one over there.”

Ya-mut-ta-cha

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Abstract

My thesis explores the relations between the Chickasaw and Choctaw Nations from 1839 to 1856. In 1839, the majority of Chickasaws were living in Indian Territory under the Choctaw Nation tribal government and in 1856, the Chickasaw Nation adopted their first constitution as an independent sovereign nation. It is an under researched time period with no secondary sources exclusively focused on it. When it is mentioned in secondary sources, it is often about one tribe or the other, not both, and they focus on two main arguments: The Chickasaw Nation never wanted to surrender their sovereignty, much less have to answer to the Choctaw Nation, and that the Choctaw Nation was unwilling to sell part of their new home in Indian Territory to the Chickasaw. However, research into primary sources written during the time period by Chickasaw and Choctaw leadership reveal a much more complicated answer that exposes the true motivations of each nation. I argue that the Chickasaws saw their inclusion in the Choctaw government as a temporary situation from the signing of the Treaty of Doaksville in 1837 and the Choctaw Nation only agreed to the Treaty of 1856 in order to hold the U.S. accountable for outstanding claims. I consider the long history between the Chickasaw and Choctaw people, which includes shared origin and migration stories and the blood wars of the 1700s that provides further context for their relationship. Using a Chickasaw historical research methodology, a Chickasaw lens, and traditional historical research methods to analyze historical documents, letters, and tribal and U.S. government records, I reveal the complex, sibling-like relationship of the Chickasaw and Choctaw Nations leading up to their historical separation in 1856.

Maps

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Map 2: Choctaw Nation with Districts, 1838-1856..... 4

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Timeline*

1830	Treaty of Dancing Rabbit (Choctaw) – Removal treaty
1830	Treaty of Franklin (nullified) (Chickasaw) – This treaty said the Chickasaw would remove only if satisfactory land was found in Indian Territory. Once the Chickasaw said they did not find any, the treaty was nullified.
1831-1833	Choctaw Removal
1832	Treaty of Pontotoc (Chickasaw) – Removal treaty
1834	Treaty with Chickasaw – Made to amend Treaty of Pontotoc
1834	Death of Chickasaw leader Levi Colbert
1837	Treaty of Doaksville (Chickasaw and Choctaw) – Allowed Chickasaw to secure the right to live in the middle one-third of Choctaw Nation as the Chickasaw District with elected officials that participated in Choctaw Nation government. Gave Chickasaw individuals the same rights and privileges of Choctaw citizens.
1837-1839	Chickasaw Removal
1838	Choctaw Constitution – Adding Chickasaw District and officers.
1842	Choctaw Constitution – Number of District representatives changed from set amount to population based.
1845	Boiling Springs Council (Chickasaw) – Two factions of Chickasaw leadership meet to discuss tribal interests.
1846	Chickasaw Constitution – Outlines Chickasaw District offices
1852	Treaty of Washington (Chickasaw) – Settled remaining removal and land issues, which allowed Chickasaw to completely focus on independence from the Choctaw Nation.
1854	Treaty with Choctaw and Chickasaw – Settled boundary dispute
1855	Treaty with Choctaw and Chickasaw – Allowed Chickasaw Nation to own Chickasaw District and set up independent government, forced Choctaws to lease western third of land to the U.S. for the settlement of other tribes, and forced the U.S. to have the Choctaw Nation's net proceeds claims settled by U.S. Senate.
1856	Treaty with Choctaw and Chickasaw of 1855 is ratified by the U.S. Senate – Chickasaws write a new constitution and the Choctaws follow suit one year later.

*Constitutions only included when relevant to story.

Chapter 1: A Story

Chokma! Saholhchifoat Kati Cain. Aamintili Lone Grove, Oklahoma. Chikashsha saya. Nanna chimanolila'chi. (Hello! My name is Kati Cain. I am from Lone Grove, Oklahoma. I am Chickasaw. I am going to tell you a story.) Yakoke for taking your time to read it.

Our Story

The Crayfish and the Raven (The Chickasaw Creation Story)

In the beginning everything was covered with water. A few animals floated on a raft, but they soon got tired of just looking at the water. Not knowing what to do or what to create, they asked if anyone had any ideas. Crayfish volunteered to create something. He dove off the raft and into the water, but it was very deep and he could not reach the bottom. Crayfish went back to the raft and told the other animals he thought it would be a good idea to make land appear. The others agreed with him. The next day, Crayfish dove into the water again. It took him three tries to reach the bottom. He began scooping up mud to build a chimney.

Soon the chimney stuck out of the water. The mud began to spread out over the water's surface and made land in all four directions. The surface was very flat and the animals thought it should rise and fall like the water did. Raven volunteered to fly over the soft land and sculpt valleys and mountains with his wings. Later, it is from this mud chimney that the Chickasaw and Choctaw people came from and started to live on the land along with the animals. It is the same land we still share with them today.

Chickasaw Migration Story

A long time ago, the Chickasaw and Choctaw people were one tribe. We lived in the west near a tribe that was always attacking us. At that time, we had two leaders, the brothers Chiksa'

and Chahta. Our leaders and elders asked the Creator for guidance. He told us to go east and gave us a pole to guide us. The pole was placed in the ground each night and whatever direction it was leaning towards in the morning was the direction we went. We came to a great river and hoped our journey was over, but the next morning, the pole was still leaning to the east. We made rafts and crossed the great river. The next morning, the pole spun around, not settling on one direction. Chahta declared that we had found our new home, but Chiksa' disagreed and wanted to keep going. Part of the tribe stayed with Chahta and became the Choctaw Nation. The rest of the tribe followed Chiksa' until the pole stood straight in the ground and we became the Chickasaw Nation.

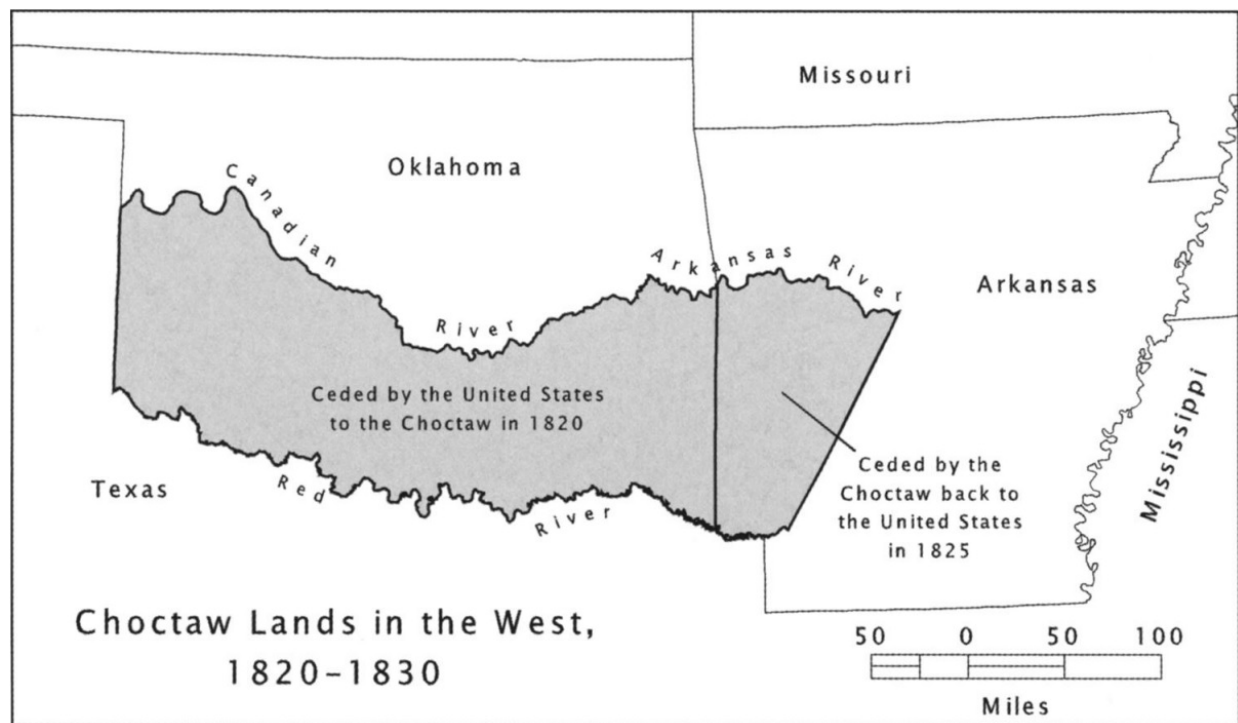
The Chickasaw and Choctaw Nations consider themselves to be brothers. Our shared origin and migration stories have been influencing our relationship for centuries. At times the relationship has been fraught with conflict, but never bad enough to burn bridges between us. In the mid-1700s, Chickasaws and Choctaws fought blood wars and sided with different European invaders, British and French respectively.¹ Both tribes were spiritually bound to avenge murdered family members by killing the murderer or a family member of the murderer. These revenge killings created a cycle between the two tribes known as the blood wars. After making peace in 1759 for a variety of reasons,² one being that Chickasaw tribal leaders told people the traditional custom of blood revenge should end.³ The Choctaw and Chickasaw then dealt with the American Revolution and its effects. From the 1780s to 1830s, both tribes see changes, socially and economically, with the influx of traders, missionaries, and white settlers.

1. See Greg O'Brien, "Quieting the Ghosts: How the Choctaws and Chickasaws Stopped Fighting," in *The Native South: New Histories and Enduring Legacies*, eds. Tim Alan Garrison and Greg O'Brien (Lincoln, NE: University of Nebraska Press, 2017), 47-69.

2. "Quieting the Ghosts," 64.

3. Richard Green, "Ascending to Freedom 1837-1856," in *Chickasaw Lives: Sketches of Past and Present* (Ada, Oklahoma: Chickasaw Press, 2010), 256.

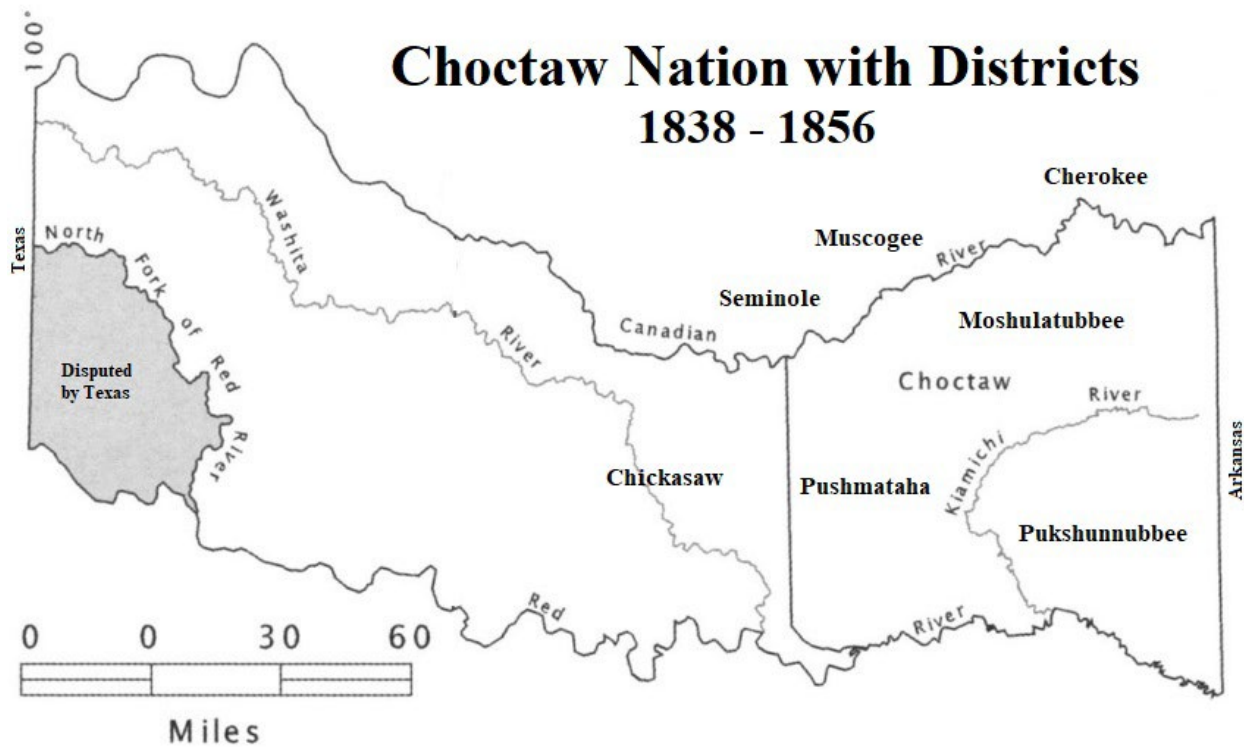
The U.S. forced removal on the Southeastern tribes in the 1830s and the Chickasaws looked for a place to settle in Indian Territory. The Choctaws received the southern portion of what is now Oklahoma in exchange for their homelands (see Map 1). Chickasaws received money for their homelands instead of land in Indian Territory. With the removal treaties in 1832 and 1834 and the death of Levi Colbert in 1834, the Chickasaw were running out of time to find a new home in Indian Territory and no longer had the great spokesman to negotiate for them. The U.S. government encouraged the Chickasaws to join the Choctaws.



Map 1: *Choctaw Lands in the West, 1820-1830.* (Source: Jon T. Kilpinen, "The Supreme Court's Role in Choctaw and Chickasaw Dispossession," *Geographical Review* 94, no. 4 (October 2004): 489.)

The Choctaws refused to sell the Chickasaws any land, but were willing to allow the Chickasaw to settle the Western portion of their land and let them participate in the Choctaw tribal government with a Chickasaw district (see Map 2). The Chickasaws purchased the ability to have the same rights and privileges as Choctaw citizens. The Chickasaws eventually agreed to this with the signing of the 1837 Treaty of Doaksville, but the Western district was subject to

raids from Plains tribes. The new Choctaw Nation was home to sacred Kiowa sites and Comanche and Osage hunting grounds, and none of those tribes had relinquished their claim on the land.⁴ Many Chickasaws settled in or near the Choctaw Nation once they arrived in Indian Territory.⁵



Map 2: Choctaw Nation with Districts, 1838-1856. (Adapted from Jon T. Kilpinen, "The Supreme Court's Role in Choctaw and Chickasaw Dispossession," *Geographical Review* 94, no. 4 (October 2004): 490.)

While the Chickasaw were no longer a sovereign nation, Chickasaw leadership was able to retain control of Chickasaw funds and they were guaranteed the right to approve the sale of land of Chickasaws they felt were incompetent. The 1834 Treaty with the Chickasaw did not

4. Donna Akers, *Living in the Land of Death: The Choctaw Nation, 1830-1860*, Kindle edition (East Lansing, MI: Michigan State University Press, 2004), location 116.

5. This influence can still be seen today with significant Chickasaw sites being within 15 miles of the Choctaw Nation border including the historic capitol, Tishomingo, the current tribal headquarters, Ada, and Kullihoma.

give a name to this group of leaders, but eventually they became known as the Chickasaw Commission.⁶

This brief history sets the stage for Chickasaw and Choctaw relations, 1839 to 1856. The rest of this chapter tells my story and how I came to this particular research, the stories that others have written about, and the significance to Chickasaw and Choctaw history and to Indigenous scholarship. Chapter two discusses my methodology and its influences, theoretical frameworks, and the methods and sources that I used to complete the research. Chapter three tells the story of Chickasaw and Choctaw interactions, the internal struggles that often defined those interactions, and the increasing frustration of both tribes leading up to the treaty of 1855. Chapter four contains my reflections, the limitations of the research, and calls for further research on the topic.

My Story

I am a Chickasaw citizen who was born and raised in the Chickasaw Nation. My family names are Coyle and Alexander. I live 30 miles north of my ancestor's original allotment, which is in Burneyville (formerly Pike), Oklahoma. I have been researching Chickasaw genealogy and history for the last ten years. One of my biggest projects was researching the lives of Winchester and Dougherty Colbert.⁷ Until very recently, everyone assumed them to be the same person due to a 1940 article written by John B. Meserve.⁸ Meserve was a Euroamerican who enjoyed

6. "Treaty with the Chickasaw, 1834," signed May 24, 1834, Chickasaw Nation Code of Tribal Regulations (CTR) (available online at http://resources.utulsa.edu/law/classes/rice/Treaties/07_Stat_450_Chickasaw.htm, accessed April 2, 2022); For more information on Chickasaw Removal, see Amanda L. Paige, Fuller L. Bumpers and Daniel F. Littlefield, Jr., *Chickasaw Removal* (Ada, OK: Chickasaw Press, 2010).

7. Kati Cain, "The Tale of Two Colberts," *The Journal of Chickasaw History and Culture* 22, no. 1 (2021): 26-43.

8. John Bartlett Meserve, "Governor Daugherty (Winchester) Colbert," *Chronicles of Oklahoma* 18, no. 4 (December 1940): 348-356.

writing about famous leaders from the five Southeastern tribes and cared a little too much for the fanciful rather than the facts. For example, instead of using the facts provided by Winchester's second cousin who knew him personally, Merserve chooses to provide speculation that Winchester was the son of an "itinerant, adventurous white man named Darrity" based on an interview with someone who had no documented connection with Winchester.⁹ While researching Winchester and Dougherty, I spent hundreds of hours in the Chickasaw National Records (CNR). The CNR contains many volumes of tribal government records created by Chickasaws between 1848 and Oklahoma statehood in 1907.

Even though the Chickasaw Nation was still subject to and participated in the Choctaw government, Chickasaw leadership created constitutions in 1846, 1848, and 1851 to organize themselves.¹⁰ In the 1848 constitution, the executive power was vested in a Chickasaw Council led by the Chickasaw District chief. At that time, Edmund Pickens was the Chief of the Chickasaw District in the Choctaw Nation. Then in 1850, we see Dougherty Colbert elected by council members as the chief of the Chickasaw Council and in 1851, he is suddenly referred to as the financial chief without any explanation. As I researched to try and explain why we suddenly had a financial chief; I became aware of a much bigger story happening between the Chickasaw and Choctaw. Even though I was not able to find the exact reason for the term "financial" being added, I was able to see that these changes in Chickasaw organizational structure were strategic for the purpose of the Chickasaw Nation achieving independence from the Choctaw Nation.

9. "The Tale of Two Colberts," 31-32.

10. No copies of the 1846 constitution have been found, it has only been referenced in other documents; Chickasaw Nation, *Chickasaw National Records*, microfilm publication (Oklahoma City, Oklahoma: Indian Archives Division, Oklahoma Historical Society, 1977) [herein cited as CNR], roll 4, frames 10-13, "Constitution of the Chickasaws," November 4, 1848; Chickasaw Nation, CNR, roll 4, frames 39-42, "Session Fourth Oct 6 1851," October 6-8, 1851.

Other Stories

Most books about Chickasaws and Choctaws, especially history books, focus on the interactions between the tribe and the U.S. federal government, not the interactions between the two tribes. One exception, *Chickasaw Removal*, published by the Chickasaw Press dedicates a chapter to the time period from 1842 to 1856, which includes the Chickasaw's separation from the Choctaw government. However, Paige, Bumpers and Littlefield's assessment is rather one sided, focused exclusively on the Chickasaw perspective. It emphasizes individual Chickasaws' opinions of the Choctaw and gives an in-depth explanation of tribal factions that played out before the interactions between the Chickasaw and Choctaw intensified in the early 1850s. The book stresses that Chickasaws did not want to be under the jurisdiction of the Choctaw Nation and describes the steps leadership took to achieve separation. Paige, Bumpers, and Littlefield mention that the Chickasaw and Choctaw Nations interpreted the 1837 Treaty of Doaksville differently by saying, "To the Chickasaws, the Choctaws had agreed to sell a part of their land to the Chickasaws. The Choctaws argued that they had not."¹¹ However, this is not exactly the misunderstanding they had nor the only one.

Another book that is frequently cited in *Chickasaw Removal* is Arrell Gibson's *The Chickasaws*. Gibson has two chapters that explore the time period post-removal, but pre-1856. His book is about the Chickasaws and does not give very much attention to the Choctaw. His sources tend to favor government agent correspondence and U.S. government reports more than what the Chickasaws were actually saying in their letters to the U.S. It was published in 1971, which happens to be the same year the Chickasaw Nation held their first sanctioned election since 1904. The last sentence of the book, in Chapter 13 titled "Death of a Nation," says,

11. *Chickasaw Removal*, 17.

Twentieth-century Chickasaws have come to occupy a dichotomous status in the new order – citizens of their state and nation, subject to state and federal law – but occasionally convened as Chickasaws by a federally appointed Chickasaw governor to share in per capita payments and discuss surviving tribal business growing out of treaties and litigation on land questions, to preserve some trace of the Chickasaw Nation through the tribal council and Chickasaw Tribal Protection Association, and perhaps nostalgically to contemplate their pristine origin and to search for the means to recover the devastating warrior power and primitive solace that only Ababinili can provide.¹²

Gibson’s quote paints the Chickasaw as a shadow of the great nation they had once been with little hope to revitalize themselves and his verbiage is reminiscent of the “vanishing Indian” stereotype. While I am glad we, the Chickasaw, have proved Gibson wrong in his assumptions of our future, it is easy to see why using his interpretation of our history is problematic. It is not a book to exclusively rely on for learning about Chickasaw history. The book is still useful with a critical eye. The historical events, dates and people are generally accurate and can lead to excellent source material. His book brought Chickasaw history to many people at a time when no one else was sharing our story and serves as a foundational text for many new Chickasaw history books. However, I think his book serves as a testimony as to why we should be writing our own history because our historical voice was not prioritized and our voices at the time were not included in these narratives.

When it comes to Choctaw history books, much like the relationship between an older (Choctaw) and younger (Chickasaw) brother, the Chickasaws do not play as big of a role in Choctaw history as the Choctaw play in Chickasaw history. *Living in the Land of Death: The Choctaw Nation, 1830-1860* by Choctaw scholar, Donna Akers, “depicts the story of Choctaw survival, and the evolution of the Choctaw people in their new environment,” and it is an excellent book for Choctaw history in Indian Territory.¹³ However, Akers dedicates just two

12. Arrell Gibson, *The Chickasaws* (Norman, OK: The University of Oklahoma Press, 1971), 310.

13. Donna Akers, *Living in the Land of Death: The Choctaw Nation, 1830-1860*, Kindle edition (East Lansing, MI: Michigan State University Press, 2004), back cover.

paragraphs to the Chickasaw absorption and split.¹⁴ She mentions that many Chickasaw did not want to be under the Choctaw government in the first place and “during the two decades of co-residence, friction had increased, resentments had smoldered, and finally, the two people had devised a method to separate.”¹⁵ She does not mention the causes of the friction and resentment and her statement is used as an explanation as to why the Choctaw Nation revised their constitution in 1857.

Another Choctaw wrote about Chickasaw and Choctaw relations in 1929. Muriel Wright and her article, “Brief Outline of the Choctaw and the Chickasaw Nations in the Indian Territory 1820 to 1860,” is cited frequently in *Chickasaw Removal*, but not used as a citation in *Living in the Land of Death* (even though it is listed in the bibliography). The article is sadly lacking on citations for most of its claims.¹⁶ Another article I found is, “The Choctaw ‘Net Proceeds’ Delegation and the Treaty of 1855,” by Kirk Scott.¹⁷ This is a fantastic article that gives an in-depth explanation of the Choctaw motivations during the 1855 treaty negotiations. The author did not use the Pitchlynn Collection, which could have offered uncensored insight into Choctaw governmental decisions and enhanced the article even more.

Significance

History is the stories that we tell ourselves about the past and the stories that we choose to tell[,] tell us something about our own society, it tells us about our own priorities, what we think is important, whose story deserves to be told...¹⁸

14. *Living in the Land of Death*, Kindle edition, location 2448 and 2832.

15. *Living in the Land of Death*, Kindle edition, location 2832.

16. Muriel H. Wright, “Brief Outline of the Choctaw and the Chickasaw Nations in the Indian Territory 1820 to 1860,” *Chronicles of Oklahoma* 7, no. 4 (December 1929), 388-413.

17. Kirk Scott, “The Choctaw ‘Net Proceeds’ Delegation and the Treaty of 1855,” *Fairmount Folio* 3, (1999): 17-28.

18. Quote from Elizabeth Boyle with Cat Jarman, “88. Early Medieval Ireland,” March 25, 2022, in *Gone Medieval*, produced by History Hit, podcast, 31:53, <https://podcasts.apple.com/us/podcast/early-medieval-ireland/id1564113746?i=1000554803851>.

—Elizabeth Boyle, “Early Medieval Ireland”

There are a few reasons why my research is significant. First is that I am Chickasaw and not enough Chickasaw people have told Chickasaw stories in academia. Chickasaws today are living in a renaissance. We are thriving thanks to the “development of countless economic, educational, and cultural programs” by the Chickasaw Nation.¹⁹ The Chickasaw Nation has already shown a great commitment to intellectual sovereignty through the establishment of the Chickasaw Press and the continued higher education programs that fund college educations for Chickasaw students.²⁰ My thesis contributes not only to Chickasaw history, but to Chickasaw intellectual sovereignty and Indigenous knowledge production.

The second reason this is important work is because it addresses two areas that are sadly lacking in scholarship. Historians and Indigenous scholars have written very little about the consolidation and separation of two federally recognized tribes and even less from the tribes’ perspectives. There is also very little scholarship on Indigenous historical research methods. Even though Indigenous methodology has experienced huge growth with books dedicated to the subject, very few address the importance of Indigenous people telling their own histories and how to go about doing that in a respectful and meaningful way.

Chapter Two – Story Formation

My methodology is a Chickasaw one and it has been influenced by several other methodologies. Usually Indigenous research paradigms and methodologies have been developed to deal with research topics that require the participation of community members. Researching

19. “Renaissance,” Chickasaw.tv, the Chickasaw Nation, accessed April 2, 2022, <https://www.chickasaw.tv/lists/renaissance>.

20. Lokosh (Joshua D. Hinson), “Nanna Ittonchololi'ilaliichi (We Are Cultivating New Growth): Twenty Years in Chikashshanompa' Revitalization” (PhD diss., University of Oklahoma, Norman, 2019), 182.

historical events is a little different, but some of the same ideals apply. Lokosh (Joshua D. Hinson)'s work has been very influential. He is a Chickasaw scholar committed to language revitalization. In his 2019 dissertation, he discusses (another Chickasaw scholar) Foshhommak (Amanda Cobb-Greetham)'s approach to "historical description" by saying, "We can best understand our histories through our Ancestors' lifetimes, through the foundational teachings contained in our oral traditions, and through community understandings of the pivotal moments contained in our collective histories."²¹ As a Chickasaw genealogist, I agree. Our ancestors made our history and by studying them, we learn about ourselves and our shared history.

I also found Lokosh's own methodology, Chikashsha Asilhlha, useful. While it has six elements, I have applied four of them to my research: be visible to the community; reciprocate gifts; be careful with knowledge that is given; and, be humble.²² To me, being visible to the community means making sure my research is available and readable for anyone who wants to learn about Chickasaw history, which I plan to do by providing a printed copy of my completed thesis to the Holisso Research Center located at the Chickasaw Cultural Center in Sulphur, Oklahoma. Reciprocating gifts means acknowledging those who have helped you research, pointed you in the right direction, given feedback on your writing, etc. Sometimes this is an actual physical gift. Other times, it means citing someone in your research. It can also mean providing your time and expertise to those who have helped you or to other researchers. Being humble means admitting that everything you are writing could be proven false with the discovery of one document, which I fully admit. I do not have all the answers and I am not afraid to ask for help, listen to others or pivot when new information is presented.

21. "Nanna Ittonchololi'ilaliichi (We Are Cultivating New Growth)," 24.

22. "Nanna Ittonchololi'ilaliichi (We Are Cultivating New Growth)," 79.

Many Indigenous historians are using an ethnohistorical methodology, which determines Indigenous motivations and places Indigenous people at the center of their own history, which is the whole point of this thesis.²³ One of the best examples of this is Rosemary Norman-Hill's Paramatta Paradigm, an Australian Aboriginal historical research methodology, described in her 2020 dissertation:

To meet the needs of the Darug community and fulfil the requirements of the academy, I have developed a methodological framework which incorporates Aboriginal and Western concepts, naming it the Paramatta Paradigm (PP). The PP is underpinned by Indigenous Knowledge in Ngurra and has a combination of methods: Indigenous Storywork, historiography, hermeneutics, and textual analysis, all viewed through a Darug woman's eyes. Using both Indigenous and Western research methods to review archival data puts the storying in context and becomes my way of respectfully conducting historical research on Ngurra.²⁴

While Norman-Hill's Paramatta Paradigm is specific to her identity and her research, it can be applied to any Indigenous historical research. Historical research includes archival materials written by the colonizer that requires Indigenous researchers to analyze through their lens and in my case, my Chickasaw lens. Like Norman-Hill, I have reexamined primary sources to find the "hidden messages often missed or ignored by non-Indigenous historians."²⁵

Shawn Wilson's *Research is Ceremony* is an excellent resource for Indigenous scholarship. I have found his Indigenous research methodology useful throughout my time as a graduate student, but specifically for this thesis, the way he talks about respecting Indigenous knowledge and honoring the relationships that made learning that knowledge possible. Some scholars might claim forgotten information as their discovery, but no one should own information, especially about a shared history and individuals. It is important to be accountable

23. "Quieting the Ghosts," 47.

24. Rosemary Norman-Hill, "Reclaiming Darug History: Revealing the Truths about Settlement on Darug Ngurra through the Lens of an Australian Aboriginal Historical Research Methodology" (PhD diss., Southern Cross University, Lismore, Australia, 2020), v-vi; Thanks to Shawn Wilson for introducing me to Rosemary's work.

25. "Reclaiming Darug History," 64.

to the information that is uncovered with research, which means saying where you found it, sharing it and being respectful when presenting it.²⁶ Writing about history, is writing about people and in this case, Chickasaw ancestors, so it is very important to respect that fact and treat the knowledge the same as you would treat knowledge that came directly from a living community member. For me, it creates a level of accountability that I need to honor while researching.

Wilson's work has also influenced the structure of my thesis. This thesis is not as formal as it could be. I want any Chickasaw community members to be able to read this and understand it. I want to reflect and respect the Chickasaw ways of knowing and learning, which is through storytelling. I included personal information about myself, my family, my connection to place because relationality is very important to Indigenous people. As Wilson says, "Identity for Indigenous peoples is grounded in their relationships with the land, with their ancestors who have returned to the land..."²⁷

My Chickasaw historical research methodology can be summarized as:

1. Use a Chickasaw voice, lens and positionality
2. Understand our history through our ancestors
3. Honor, respect and be accountable to the relationships that give you knowledge and to the knowledge itself.
4. Be humble by acknowledging that there is always more to learn.
5. Create scholarship that is easily accessible, physically and mentally, for community members.

26. Shawn Wilson, *Research Is Ceremony: Indigenous Research Methods* (Winnipeg, Manitoba: Fernwood Publishing, 2008), 114.

27. *Research Is Ceremony*, 80.

By using this methodology, my research and scholarship will be representative of a Chickasaw worldview and I will have created something about Chickasaws, for Chickasaws by a Chickasaw.

Theoretical Frameworks

Beyond the interactions between the Chickasaw and Choctaw Nations, we can place their shared tribal government and subsequent split into the broader context of tribal government flexibility. The Chickasaw and Choctaw Nations have a unique history in terms of tribal governments. Their shared origin stories, culture, and once shared government could have set them up for a shared tribal government in modern times, but for some reason, they were able to avoid that. If we look at historical examples, this is a rare instance and scholarship about such examples is limited as Orr and Orr point out in “Compositional Stasis and Flexibility in American Indian Tribes.” Their article includes an example about the Lenni Lenape (Delaware Tribe of Indians), who were relocated in the Cherokee Nation in 1867. The Bureau of Indian Affairs (BIA) revoked their independent status in 1979 claiming they had been under the Cherokee Nation jurisdiction.²⁸ Eventually, they regained federal recognition after a series of legal battles in 2009. I bring up this example because one of those legal battles was initiated by the Cherokee Nation. While the Lenni Lenape had been living in Cherokee Nation and they had been allowed to control their own affairs, the Cherokee Nation did not want the Lenni Lenape’s federal recognition to take away from what had been promised to Cherokee citizens through the numerous treaties with the U.S. This shows the complexity of tribal relations and how even in

28. Raymond Orr and Yancy Orr, “Compositional Stasis and Flexibility in American Indian Tribes,” *Ethnohistory* 68, no. 2 (April 2021): 192, <https://doi.org/10.1215/00141801-8801822>.

modern times, tribes can want to support one another, but still have to make decisions based on their own best interest.

In general, it is beneficial for the U.S. to have the least amount of federally recognized tribes because that costs less money and manpower. Most U.S. officials who favored removal had been advocating for tribal mergers since the 1820s. Secretary of War John Calhoun's Indian Removal Plan of 1825 included the Chickasaw being absorbed by the Choctaw Nation.²⁹ How did they escape this fate? A few reasons can explain why the Chickasaw were able to gain U.S. federal recognition in 1855. First, while they were under the jurisdiction of the Choctaw tribal government, their finances were kept separate. The Chickasaw Nation had its own funds, which they controlled, and they did not participate in decisions around Choctaw finances. Second, the 1834 treaty gave the Chickasaw their own U.S. agent and agency separate from the Choctaw U.S. agent and agency. The U.S. government was already exerting the same amount of manpower and resources on the Chickasaw as if they were a separate tribe. It represents one of the only instances where two culturally similar tribes were able to divide into two recognized political groups.³⁰

Building on the influence of ethnohistorical methodology, my second framework is identifying Chickasaw and Choctaw motivations for actions and placing them at the center of our own history and my research. Some scholars have already recognized that history is not exactly the same story when placing Indigenous people at the center of it. When historians do not place the colonizer at the center, a new version of history emerges that gives a much more complicated and complex story. Indigenous people had, and still have, their own worldview, wants, and wishes that influenced their decision making outside of the wants and wishes of the U.S.

29. *Chickasaw Removal*, 282.

30. "Compositional Stasis and Flexibility," 203.

government. The difference in worldview is so great that anyone researching Indigenous history must understand an Indigenous worldview or risk missing pieces of the puzzle, telling a one-dimensional story, or making inaccurate claims.

Two scholars that have already recognized this factor and wrote about Chickasaw and Choctaw autonomy are Greg O'Brien and Jeffery Washburn.

Greg O'Brien's chapter "Quieting the Ghosts: How the Choctaws and Chickasaws Stopped Fighting" discusses the blood wars in the 1700s, and makes the assertion that the Chickasaw and Choctaw stopped fighting for their own reasons, "rather than at the behest of shifting European powers."³¹ He explains even when it appeared Chickasaws and Choctaws were attacking at the insistence of the French or British, they both had other motives that made it convenient for them to carry out such attacks. If either tribe wanted to carry out one of these revenge killings or wanted certain Europeans goods, they would assent to French or British wishes because it was opportune to do so.³²

Jeffery Washburn's article, "Directing Their Own Change: Chickasaw Economic Transformation and the Civilization Plan, 1750s-1830s," describes the Chickasaws' affinity for taking what is given, but using it for their own means (and usually not for its intended purposes). Washburn points out that "agents and missionaries sent to civilize often found instead that they were tools to further Chickasaw goals rather than instigators [of change]."³³ During the time period, missionaries tried to convert Chickasaws, who were more interested in new economic opportunities, rather than Christianity.³⁴ A high rate of agent turnover meant Chickasaw

31. "Quieting the Ghosts," 47.

32. "Quieting the Ghosts," 49.

33. Jeffery Washburn, "Directing Their Own Change: Chickasaw Economic Transformation and the Civilization Plan, 1750s-1830s," *Native South* 13, (2020): 102.

34. "Directing Their Own Change," 94.

headmen were the ones who directed the civilization plan. They were able to control the extent of change and curtail U.S. federal government influence in Chickasaw territory. The headmen frequently ignored agent wishes to protect Chickasaw interests.³⁵ A powerful statement that Washburn makes is, “Indeed, it is imperative that historians reorient their perspective and recognize the agency of the Chickasaws themselves, rather than the force of the federal government, in transforming their economy.”³⁶ This sentiment, that historians need to reorient their perspective and recognize the agency of Indigenous people within their own history, needs to be applied across the board for Indigenous historical research and any historical events.

Indigenous people are going to have different motivations from Westerners. Their motivations are going to be shaped by their worldview and the expectations of the Indigenous society and community they live in. If scholars are not considering the differing values and expectations of these people, they will not be able to accurately analyze their motivations. Indigenous people did have agency and they were not making choices in a vacuum nor were they making choices from an Euroamerican worldview.

Methods and Sources

Research terms can be confusing, especially when discussing qualitative historical research. Instead of using the term ‘data,’ I will use the term ‘evidence.’ I completed research to find evidence. Sources are where you find evidence. Most of the research was archival, but I also used textual analysis. I tried to use as many primary, original sources when possible, which just means sources in their original recorded form created at or shortly after the event by someone with firsthand knowledge. For example, Chickasaw Senate journals were created by the secretary

35. “Directing Their Own Change,” 102.

36. “Directing Their Own Change,” 95.

who was in the session and documenting actions as the session took place. Direct evidence (information explicitly stated) was preferred, but most of it was indirect (information that could be gathered with other information to build a conclusion). In order to build my conclusions about Chickasaw and Choctaw interactions, I used triangulation, which I will discuss more. I also reviewed ‘authored works’ (scholarship) about the topic, but I only used these as a source when I was unable to physically ‘lay eyes on’ the source that they used. If a source was not provided in the authored works and the information is not a personal conclusion of the author, I have notated it.

In order to place Chickasaw and Choctaw voices at the center of their own history, I prioritized Chickasaw and Choctaw sources. Researching Native American history can be difficult because of the limited amount of sources created by Native people. Even when you have a large amount of primary sources, the majority are not only created by non-natives, but also by the colonizers, who have their own motives that can create bias within their information.³⁷ To avoid this bias, I only used non-Chickasaw or Choctaw created sources when I absolutely had to in order to tell a complete story. I carefully evaluated all of my sources by asking questions like: when was it created, where was it created, who created it, what sources if any were used to create it, why was it being created, if it was a letter, what is the tone of it, and what else is happening locally and nationally when it was created. If I felt the source was problematic, I have made note of it and the possible inadequacies.

I will briefly discuss triangulation as a useful tool in Native American historical research. It is “a useful technique for strengthening research rigour through the combining of multiple

37. Calandra Skye McCool, “Native American Stories as Scientific Investigations of Nature: Indigenous Science and Methodologies,” (master’s thesis, University of Oklahoma, 2016), 51.

methods, measures, researchers, theories and perspectives.”³⁸ There are four types of triangulation and four reasons why you would want to use it. For my purposes, I used data (or evidence) triangulation, which means I used a variety of sources and I did that to “enhance the trustworthiness of the analysis through building up a more rounded, credible and coherent narrative.”³⁹ Triangulation is not often mentioned in connection with historical research, but one example I found was the use of triangulation in historical research was about dissonant and complementary data on women. As a historical demographer, Lotta Vikström was using sources like parish/church registers, newspapers, trade directories, and taxation records. Due to the bias of register compilers, many women’s occupational details were not included on the parish/church registers, but when looking at the other sources, many women did in fact have occupations and some even had businesses. Without using multiple sources, the more accurate story about these women could not have been told.⁴⁰

I saw many similarities between the issues of researching women and the issues of researching Native Americans. Those creating sources had biases, there are very few sources created by them and/or from their perspective, and many non-female/Native historians rely on a single, albeit large, academia accepted source. Using one source creates gaps in Native history and if that source is contained in the U.S. National Archives then that treats Native history as an outgrowth of U.S. history. To tell the more accurate story of Native history that places Native peoples at the center of it, multiple sources must be used and all evidence combined together. There are criticisms of triangulation: there is no straightforward procedure for performing

38. Amaryll Perlesz and Jo Lindsay, “Methodological Triangulation in Researching Families: Making Sense of Dissonant Data,” *International Journal of Social Research Methodology* 6, no. 1 (2003): 27.

39. *Ibid.*, 27.

40. Lotta Vikström, “Identifying Dissonant and Complementary Data on Women Through the Triangulation of Historical Sources,” *International Journal of Social Research Methodology* 13, no. 3 (July 2010): 211-215.

triangulation because it is highly dependent on the scholar's knowledge of available sources and the accessibility of those sources; and, when using triangulation, you run the risk of showing inconsistencies in your evidence versus validation.⁴¹

Case in point of the drawbacks of triangulation, I believe that I have performed an exhaustive search for sources that offer insight into Chickasaw and Choctaw relations, but some of them I was unable to access in a timely manner and include in my thesis. The most important of these sources are the Choctaw National Records. This story is not complete without analyzing those records. Another source I hope to consult in the future on this topic is the Grant Foreman Collection at the Gilcrease Museum in Tulsa, Oklahoma, which contains more Peter Pitchlynn correspondence. All of my sources have been accessed online, via electronic storage (readings from graduate and undergraduate coursework and the *Chickasaw National Records* on CD-ROM in my personal library) or as a physical book that I already had in my possession or that I purchased to write this thesis. The next section is a list of the sources I used, why and how I used them, and any possible shortcomings.

Historians use the U.S. National Archives (USNA) for many reasons and I use several of its sources for my study. The USNA can be both a blessing and curse for Native scholars because we lack Native produced sources for our history and we must rely on what some have called the colonizer's records. I focused on microfilm publication 234 (M234), Letters Received by the Office of Indian Affairs, 1824 to 1881 from USNA Record Group 75, Series: Letters Received, 1824-1880. This publication contains letters received by the Office of Indian Affairs (OIA) from various Indian agencies across the U.S. and is broken into multiple rolls based on the agency and dates. I concentrated on the Chickasaw and Choctaw Agency rolls for the appropriate time

41. Ibid., 213.

frame. It is difficult to estimate the exact number of letters without individually counting them. Each letter consists of at least two images, the front with a brief explanation of contents written after it was received and then the actual letter. My guesstimate is that, on average each letter is four to five images with some being just two images and others being more than ten images.

The letters are arranged by year and mostly in chronological order by the written date. While most letters are written by Euroamerican Indian agents and other U.S. government workers, it does contain letters directly from tribal leaders. These letters express the tribal governments' issues, concerns, wishes and hopes. While agent letters can be useful, they are not written from the Chickasaw/Choctaw perspective. We know the wants of the U.S. government concerning Native Americans were certainly different than the wants of the Native Americans themselves, especially during the time period. Choctaw leadership did not write as often as Chickasaws did between 1839 and 1848, but their letters increased leading up to the Treaty with the Choctaw and Chickasaw (1855). For the time frame of 1839 to 1855, Choctaw Agency letters received consists of four rolls of microfilm containing 1,971 images with nearly 60% of those images being from 1852 to 1855. The Chickasaw Agency letters received, not including the rolls dealing with emigration, consists of five rolls containing 3,612 images with 77% of images belonging to a twelve-year period of 1840 to 1852.⁴²

Any scholar who wanted to thoroughly research the history of Native people in the U.S. would have to consult the USNAs. The original records contained in M234, published in 1966, were and still are housed in Washington, D.C., but it is also available online as digital images.⁴³

42. *Letters Received by the Office of Indian Affairs, 1824-1881*, microfilm publication M234 (Washington, D.C.: National Archives and Records Service, 1966) [hereinafter referred to as M234], rolls 137-141 and 171-174.

43. "Pamphlet Accompanying Microcopy No. 234: Letters Received by the Office of Indian Affairs, 1824-1880," The National Archives, National Archives and Records Service, General Services Administration, Washington, D.C., 1966. <https://www.archives.gov/files/research/native-americans/treaties/m234.pdf>.

After the microfilm publications, historians had greater access to these records and they were frequently used. Arrell Gibson cites it as a source in his 1971 book *The Chickasaws*. More recent scholarship continues to cite M234, including *Chickasaw Removal* by Paige, Bumpers and Littlefield published by the Chickasaw Press in 2010, and *Living in the Land of Death: The Choctaw Nation, 1830-1860* by Donna Akers (Choctaw) published by Michigan State University in 2004.

Other excellent sources are the Chickasaw and Choctaw National Records. Left in a court house in Muskogee, Oklahoma, with several other tribes' records, after the Dawes Commission had completed allotment, they were "rediscovered" by Grant Foreman in the 1930s. These records are significant because they are written by tribal citizens and document tribal government, from senate journals to marriage records. Even though the Act for the Protection of the People of Indian Territory only granted the U.S. government access to tribal records, it was assumed that the U.S. government owned them. The Oklahoma Historical Society petitioned the U.S. government to give them ownership of the records, which they refused to do, but allowed OHS to be the custodial agency of the records. Most of the volumes were microfilmed in the 1970s and the publication was eventually digitized. The records can be viewed at OHS and several other institutions. To quote from OHS's microfilm publication of the Chickasaw National Records, "The national records of the Chickasaw Nation are considered valuable because they represent, along with the national tribal records of the Cherokee, Choctaw, Creek and Seminole Nations, the largest group of records of sovereign Indian nations known to exist to this date. They give a view of Indian history that is unknown for other American Indian tribes who did not have constitutional governments and written records."⁴⁴ These records are doubly important to

44. Chickasaw Nation, *Chickasaw National Records*, microfilm publication [herein cited as CNR], 31 rolls (Oklahoma City, Oklahoma: Indian Archives Division, Oklahoma Historical Society, 1977).

me because they are the largest primary source for Chickasaw history in Indian Territory. They contain historical, genealogical, socioeconomic and traditional knowledge written by our people and that is a scarce source when researching and writing about our ancestors.

However, while these records offer insight into internal tribal affairs and individual citizens, they rarely discuss the ongoing issues between the Chickasaw and the Choctaw. A Senate journal entry might include a motion to form a delegation or committee to deal with treaty negotiations, but it will not include what the committee discussed. At times, they would even notate that they would have a secret session, and the proceedings would not be recorded. Even though these records are a personal favorite when researching Chickasaw history, they are infrequently used in scholarship. Many people are not aware of their existence, and if they are, they are unable to visit OHS to see the physical collection, are not near a location that has the microfilm publication, or they cannot afford the digitized version sold by OHS. Although, some rolls of microfilm have been transcribed, published by local genealogical societies and made available on websites like FamilySearch, there are only one or two available this way. Another possible reason for their infrequent use is the effort required to extract evidence. The Chickasaw National Records contain thousands of images that are not indexed or searchable, and the handwriting varies greatly in degree of legibility, meaning it requires many hours and a lot of persistence to search through them. It is also important to keep in mind that even though tribes were required to submit tribal records to the Dawes Commission, it can be assumed that not all records had survived or were handed over, leaving significant gaps. Yet, some researchers have used them. Donna Akers used them in her previously mentioned book, *Living in the Land of Death: The Choctaw Nation, 1830-1860*, and Richard Green, former Chickasaw Nation

historian, cited them for numerous articles published in the *Chickasaw Times* and the *Chickasaw Journal of History and Culture*.

Another source is the Peter Pitchlynn Collection in the University of Oklahoma Libraries' Native American Manuscripts. This collection includes the personal correspondence and journals of Choctaw leader Peter Pitchlynn. Many letters discuss the ongoing issues that the Chickasaw and Choctaw Nations were dealing with. It also includes letters from Chickasaw leaders like Edmund Pickens. It gives context to the other issues the Choctaw Nation was dealing with during the time. What is most useful in this collection is the uncensored opinion from Choctaw leaders. These leaders will communicate differently to each other than when they write to the U.S. government. Choctaw scholar Donna Akers frequently uses it in her writings. The collection includes 548 items from 1824 to 1881.⁴⁵

In my attempt to focus on primary sources, I only used books when I could not access the original sources they cited. Arrell Gibson's *The Chickasaws* and *Chickasaw Removal* are two of these books. Gibson's book remains a popular source for Chickasaw history, but a close examination of his sources reveals that most of his research focused on what non-Chickasaws were saying about Chickasaws, especially for the same time period that I am exploring. *Chickasaw Removal* frequently cites Gibson and other derivative sources. I made every effort to locate and view the original sources cited in books and articles.

To understand the interactions between the Chickasaw and Choctaw from 1837 to 1856, they must be put into context. Some of those contexts were created by the United States government and some were created by the existing relationship between the Chickasaw and

45. Peter Perkins Pitchlynn Collection, Papers. Western History Digital Collections. University of Oklahoma Libraries, Norman, Oklahoma [hereinafter cited as Pitchlynn Collection] <https://digital.libraries.ou.edu/cdm/search/collection/pitchlynn>.

Choctaw. Both tribes dealt with the effects of removal and rebuilding new lives in Indian Territory. Using records like U.S. Congressional documents we can see how U.S. Indian agents communicated with the tribes and how they spoke about the tribes to their superiors. Treaties are a must read source for context. They set land boundaries and determine financial agreements between tribes and the U.S. I also researched newspaper articles discussing tribal relations and tribal politics for the time frame, keeping in mind motivations and biases that might have influenced the articles' contents.

Chapter Three – Telling the Story

When the Chickasaw first settled in Indian Territory, they were focused on surviving and rebuilding their lives. With the death of Levi Colbert in 1834, leadership was briefly with George Colbert, but George was a warrior more than a leader and had little interest in assuming Levi's place. This left the last hereditary king, Ishtehotopa, in power with several chiefs and headmen supporting him. Most of their correspondence with the Office of Indian Affairs (OIA) dealt with requesting rations, payments, accounting of land sales, and issues with the incompetent fund.⁴⁶ The Choctaw Nation had been in Indian Territory for over five years by 1839 and were settled. Around 1840 the few letters from leadership to the OIA were usually complaints about theft or issues with U.S. citizens, basically individual problems.⁴⁷

As we explore the interactions of the Chickasaw and Choctaw, it is important to keep in mind these interactions are representative of the tribal governments and not individual citizens. On an individual basis, Chickasaw and Choctaw people did not have any animosity toward each

46. For examples, see M234, roll 137 "Chickasaw Agency 1824-1876: 1836-1839" [hereinafter cited as M234-R137], frames 647-649, 655-656, 715.

47. For example, see Pierre Juzan to Capt Wm Armstrong, March 8, 1839; M234, roll 171 "Choctaw Agency 1824-1876:1839-1851" [hereinafter cited as M234-R171], frames 12-16.

other during this time period. One theme consistent throughout the correspondence with the U.S. government is the Chickasaw and Choctaw never try to blame the other in an attempt to resolve their issues. That is because even if the origin and migration stories of the Chickasaw and Choctaw are not true, we, as tribal nations and individual citizens, have accepted and embraced our kinship as brothers. Indigenous people are bound by kinship ties and the behavior expected from those kinship ties, so we act like brothers, even when we are mad about what the other is doing.

A Temporary Solution

The Chickasaw Nation signed the Treaty of Doaksville in 1837 because they ran out of time. Speculators and merchants were taking advantage of the Chickasaw people and leadership recognized it was time to negotiate with the Choctaw in late 1836.⁴⁸ *Chickasaw Removal* claims that the Chickasaw Nation had “laid the groundwork for the eventual reestablishment of the Chickasaw Nation as a political entity separate from the Choctaws,” but they do not provide an explanation of what exactly the groundwork was.⁴⁹ Some of that groundwork was definitely the separation of finances. Paige, Bumpers and Littlefield also point out the ill-defined boundary between the two nations and the confusion surrounding if the Chickasaw District was being rented or if it was sold; both were disputed.⁵⁰

All secondary sources claim the main Chickasaw complaints were: they were underrepresented, had no influence in the decisions made by the Choctaw government, and had never wanted to be a part of the Choctaw Nation. These sources most often cite the journal of

48. *Chickasaw Removal*, 62.

49. *Ibid.*, 65.

50. *Ibid.*, 66.

Ethan Allan Hitchcock who traveled through Indian Territory in the 1840s. Most of his information comes from a Chickasaw man named Greenwood, portrayed as an old chief.⁵¹ There is no Greenwood involved in tribal politics in the 1840s. While the Chickasaw agent might have mentioned the Chickasaws' unhappiness about the shared governance structure, the Chickasaw leadership did not mention it in their letters, even if they were discussing independence amongst themselves.

Looking at the actions taken by the Choctaw Nation to accommodate the Chickasaws into their tribal government, I found that while the Chickasaw were not able to influence the Choctaw council through voting because they were the minority, the Choctaw Nation had never agreed to give them a unique or special status that would allow them to influence the Choctaw government. The Choctaw Nation revised their constitution to accommodate the newly formed Chickasaw District in 1838. The new district added a chief (making four total) and added 10 district representative seats on the national council.⁵² The Choctaws satisfied their promise of treating Chickasaw citizens equal to that of Choctaw citizens. Each citizen would have representation based on the district they lived in. In 1842 the Choctaw constitution was again changed, and the national council became bicameral. Each district had four senators and a number of representatives based on district population.⁵³ If Chickasaw people were feeling underrepresented before, this would have actually created more frustration at the time because the majority of Chickasaws did not live in the Chickasaw District. According to a tribal census in 1844, 4,111 Chickasaws lived in the Choctaw Nation, but less than one fourth of them lived in

51. Ibid, 268-269.

52. Choctaw Nation, "Constitution of the Choctaw Nation," October 1838, https://www.choctawnation.com/sites/default/files/2015/09/29/1838constitution_original.pdf.

53. Arrell Gibson, *The Chickasaws* (Norman, OK: The University of Oklahoma Press, 1971), 241.

the Chickasaw District,⁵⁴ but another tribal census in 1853 showed that less than 500 of the 4,709 Chickasaw were living outside of the Chickasaw district.⁵⁵

When the Chickasaw first arrived in Indian Territory, individuals were dealing with rebuilding while tribal leaders were attempting to handle land sales and incompetent funds. The Chickasaws do not participate in the Choctaw tribal government completely until 1841. Both Gibson and *Chickasaw Removal* state that the Chickasaws did not participate until 1841 because the Chickasaws resented being part of the Choctaw government, but a thorough read of the source shows it is not clear if the Chickasaw District had a chief before 1841. Gibson cites a letter written by William Armstrong that was included in the *Annual Report of the Commissioner of Indian Affairs for 1841*. On page 313, Armstrong writes, “The council which convenes in a few days will be an interesting one, as the Chickasaws, for the first time since their emigration, have elected councilors, and come into the general council, as the fourth district of the nation, with a full representation.” A few lines down he says, “Each of the four districts has a chief...”⁵⁶

Chickasaw Nation records of tribal representatives do not start until 1841, but that is because a secretary is selected. More evidence is needed to say whether the Chickasaw District had a chief before 1841. Either way, I think it is more likely that the Chickasaws were not participating in the Choctaw government right away because they had more pressing issues than animosity towards the Choctaws and having to participate in their government.

54. *The Chickasaws*, 223; Gibson does not cite a source for this information.

55. *Ibid.*, 225; Again, Gibson does not provide a source for this information.

56. William Armstrong, “Condition of the Indian Tribes, Relations with Them, and Descriptions of the Indian Country,” in *Annual Report of the Commissioner of Indian Affairs for 1841* compiled by the Commissioner of Indian Affairs (Washington, D.C.: Government Printing Office, 1841), pages 311-317, specifically 313; digital images, *University of Wisconsin Digitized Collections* (<https://digicoll.library.wisc.edu/cgi-bin/History/History-idx?type=turn&id=History.AnnRep4045&entity=History.AnnRep4045.p0244> : accessed April 10, 2022). Note: Gibson cites pages 333-339; however, none of the letters on those pages are from Armstrong, none of them mention the Chickasaw or Choctaw and the report ends with page 336.

Based on the secondary sources, it seems as though the Chickasaws were expecting equal weight in government affairs, but that is not what they agreed to in the 1837 treaty. They agreed that individual Chickasaws would have the same rights and privileges as Choctaws, and in terms of participating in tribal government that was being able to vote on their representation based on where they lived. Most people reading the sources would think that the Chickasaws were unable to accept that they were to be completely absorbed and were unable to influence governmental decisions as a separate minority group. However, the letters received from Chickasaw leadership between 1839 and 1849 never mention that they felt underrepresented or that they disagreed with any Choctaw laws. One letter from Pitman Colbert does complain about the Choctaw council passing a law in 1845 directing the location and date of the Chickasaw annuity payment,⁵⁷ which was most likely done at the behest of the Chickasaw District chief, Isaac Alberson. Alberson and Pitman represented two factions in Chickasaw leadership at the time and one of their main arguments was about who would pay the annuity and where. Pitman was considered a leader, but the letter was from him personally, not a group of leaders.

The Chickasaw leadership was not actively looking for a solution to “Choctaw domination” at any point in time. From the beginning the Chickasaw Nation always had plans to become independent from the Choctaws, whether or not they were included in the Choctaw government. Choctaw laws or representation did not matter enough to Chickasaw leadership for them to complain directly to the U.S. government for at least their first ten years in Choctaw Nation because the shared government arrangement was temporary and it was not preventing the Chickasaw from managing their own financial affairs. Rather than complain to the U.S. about participating in the Choctaw government, Chickasaw leadership first takes care of post removal

57. Pitman Colbert to Col. Medill, July 15, 1824 in M234, roll 139 “Chickasaw Agency, 1824-1870: 1844-1849” [hereinafter cited as M234-R139], frames 458-461.

issues, internal issues, and finally the boundary dispute. Any complaints by the Chickasaw about the Choctaw were in direct response to action taken by the Choctaw Nation.

Actions, Reactions, and \$5,000

In 1844 we see the first complaint from Choctaw leadership about the Treaty of Doaksville and unresolved obligations. The treaty stated that the Chickasaw would pay the Choctaw Nation a \$30,000 advance and then in four years, \$500,000 would be paid, which was to be invested with a 6% return (which implies \$30,000 a year even though that amount was not specified in the treaty). However, only \$495,000 was invested and it only returned 5% interest resulting in \$25,000 per year. The Choctaw asserted the Chickasaws owed them \$5,000 with interest from the date of the transfer of the stocks that were purchased with the \$500,000. The letter does not call out the Chickasaws specifically as creating this problem and while the Choctaw chiefs signed the letter, the Chickasaw district chief did not. They do make reference to the treaty obligations of the Chickasaws agreeing to pay “five hundred thousand dollars” and pointing out that only \$495,000 was invested. They ask the Secretary of War to investigate himself or have it referred to the attorney general or treasury.⁵⁸ A later document reveals that when the transfer of the stock took place, they were only worth \$495,000, but there is no mention of why the Choctaw were not aware of this and there is no indication of whether the Chickasaws were aware of this issue. The U.S. attorney general goes on to say the \$5,000 with interest should be paid from the Chickasaw fund.⁵⁹ In order for this to happen, the U.S. Senate must pass a resolution and it takes years before it is considered by them.

58. Thomas Leflore, Nathaniel Folsom and Nittercachy to Capt. Wm Armstrong, October 7, 1844 in M234-R171, frames 315-316.

59. Opinion of the Attorney General on the transfer of Alabama stock by the Chickasaw to the Choctaw, August 1, 1845 in M234-R171, frames 334-339.

A few events happen in 1845 that spur the Chickasaw Nation into organizing itself and making its first step towards independence. Chickasaw leadership was divided at this time and two different factions arose. These factions fought over who was going to pay the annuity and where it would be paid. The Choctaw Nation passed two resolutions in 1845. One was to set the place of the Chickasaw annuity payment and that if it was paid without being sanctioned by the district chief, it was null and void. While technically, the Choctaws were not able to pass such a resolution because of the wording of the 1837 treaty, the resolution was most likely submitted by the Chickasaw District chief in order to prevent the other Chickasaw faction from paying the annuity. The second resolution passed in 1845 was to stop paying Chickasaw District officials with Choctaw Nation funds.

In what I think must be a response to both the temporary leadership division in the Chickasaw Nation and the two resolutions passed by the Choctaw, the Chickasaw write their first constitution. It did not make them independent from the Choctaw government, but it gave them an agreed upon organization of their leadership with defined roles, salaries and processes. Not only would this prevent future factions, but it would legitimize them in the eyes of the U.S., which was needed if the Chickasaw were to be independent again. Never had the Chickasaws been so close to factional splintering than in 1845 and they must have quickly realized it was not a road they wanted to go down.

It would be interesting to see what correspondence, if any, between the Chickasaw and Choctaw had to say at this time. In March 1847, the Choctaw Nation passed a resolution that said the Chickasaws owed them \$5,000. A delegation of Chickasaws had been sent to Washington, D.C. in 1848 to investigate Chickasaw fund transactions⁶⁰ and in January 1849, they wrote a

60. *Chickasaw Removal*, 281.

letter to the President asking why they would be required to pay the \$5,000 when the U.S. bought \$500,000 worth of stocks for \$495,000. They point out that if the \$500,000 stock had been worth \$510,000 at the time, they would not have expected the Choctaw to refund the excess. They go on to say, “The favorable purchase for us by the U. States of that stock they regularly transferred and received and enjoyed, cannot create a demand against us on any known financial or equitable ground.”⁶¹

Another letter sent on January 30th to the Commissioner of Indian Affairs, after the U.S. Senate passed a resolution for the \$5,000 to paid out of Chickasaw funds, stated, “must ask your indulgence for the liberty taken of revising, according to our construction of the whole subject, the original compact and subsequent action and construction thereof by the Government acting as trustee both for us and the Choctaws.” They go on to point out that in the 1834 treaty, article 13 says,

If the Chickasaws shall be so fortunate as to procure a home, within the limits of the United States, it is agreed, that with the consent of the President and Senate so much of their invested stocks, as may be necessary to the purchase of a country for them to settle in, shall be permitted to them to be sold, or the United States will advance the necessary amount, upon a guarantee and pledge of an equal amount of their stocks.⁶²

To me, this says that when the U.S. realized that the stocks were only worth \$495,000, they should have fronted the \$5,000 for the Chickasaws to be repaid at a later date as stipulated in the 1834 treaty.

The Choctaw Nation countered this Chickasaw claim just two weeks later. Peter Pitchlynn writes to Commission of Indians Affairs William Medill. He is shocked that the

61. Chickasaw Delegation to James K. Polk, January 17, 1849 in M234, roll 139 “Chickasaw Agency, 1824-1870: 1844-1849” [hereinafter cited as M234-R139], frames 559-561.

62. Chickasaw Delegation to Hon. William Medill, Commissioner of Indian Affairs, January 30, 1849 in *CNR*, roll 30, frames 24-28, specifically 25.

Chickasaws would object to the resolution the U.S. Senate would need to pass in order to transfer the \$5,000 from the Chickasaw to the Choctaw, but he also says that the rights and privileges the Chickasaws purchased for \$500,000 “will not and cannot be denied.” He goes on to say the payment was supposed to be in cash, not in stocks owned by the Chickasaw and “A transfer of stocks never entered into the minds of the contracting parties. That scheme was an after thought of the new Com. of Indian Affairs.”⁶³ Both the Chickasaw and the Choctaw seem reluctant to place blame on the other, but hold the government responsible. The Chickasaws were put in this position by the U.S. and probably did not like being made to look like they had shorted their brother. The Choctaws have a legitimate claim because they did not receive what was due them according to the treaty. Interestingly, *Chickasaw Removal* makes no mention of the \$5,000 issue, and instead says that the boundary line dispute between the Chickasaw and Choctaw and the Choctaw’s refusal to pay Chickasaw District officer salaries led to a movement of Chickasaws wanting their own government.⁶⁴ While I do think the boundary line dispute contributed to the tension between the Chickasaw and Choctaw governments, I do not think it played a major role in influencing the Chickasaw to want independence because, again, their loss of U.S. recognition was temporary. The boundary was an issue because the Chickasaws were looking towards their future and being independent from the Choctaw so the boundary settlement had to take place before separation.

In 1851 Chickasaw leadership expressed their wishes for separation for a number of reasons including being a minority in the Choctaw government, they opposed some Choctaw laws, Choctaws treated Chickasaws living in Choctaw Nation like intruders, the boundary dispute, and they were still mad about the Chickasaw District officers not being paid by the

63. Peter Pitchlynn to W. Medill, January 31, 1849 in M234-R171, frames 662-669.

64. *Chickasaw Removal*, 278.

Choctaw Nation. Paige, Bumpers, and Littlefield say that “these points of contention had estranged the Chickasaws and Choctaws.”⁶⁵ However, I feel that an actual estrangement never happened because that implies the absence of communication or a severance of their bond.

The Chickasaws were unable to fully pursue separation from the Choctaws until 1852. A delegation was sent to investigate their finances in 1848. The Chickasaws realized how much money was being spent on the land office in Mississippi, and they began to push the U.S. to wrap up all land related business. The 1852 treaty closed it out.⁶⁶ After this, a delegation from each tribe is sent to Washington, D.C. for the purpose of negotiating first the boundary dispute and then the treaty of 1855. Secondary sources lead you to believe this is a very contentious time between the Chickasaw and Choctaw and you can tell in the letters to the Office of Indian Affairs that it is, but that is not all you can see in the letters.

During the negotiations, the Chickasaws and Choctaws continue to work together when it benefited them. An example of this is a letter written by Chickasaw delegate Benjamin Love and Choctaw delegate Thomson McKenney to the commissioner of Indian Affairs in April 1853. The letter asks for the interpretation of the articles in the treaties of 1830 with the Choctaws and 1832 with the Chickasaws relating to the appointment of an agent. Love and McKenney write, “Our people have always regarded that clause of the treaty as giving them the right to be heard in the selection of their agent.”⁶⁷ Obviously, one or both were not happy with their agent and were trying to get support from the commissioner to possibly get a new agent of their choice. This interaction shows that even in the midst of disagreement, the tribe still communicated and worked together.

65. *Ibid.*, 282.

66. *Chickasaw Removal*, 282.

67. Benjamin L. Love and Thomson McKenney to Hon. G.W. Manypenny, April 26, 1853 in M234, roll 141 “Chickasaw Agency, 1824-1870: 1853-1855” [hereinafter cited as M234-R141], frames 86-87.

During this time in history, the language used in letters was flowery and metaphorical. In the early post removal period, we still see tribal leaders referring to the U.S. President as “our great father” or a variation of that. Most letters between tribal leadership and U.S. agents and other U.S. officials had signature lines with phrases like, “Your obedient servant” or “I am yours” and for tribal leadership, “your friends and brethren,” was not uncommon. However, in the case of Chickasaw and Choctaw letters, their leadership quickly drops the more patronizing verbiage (i.e. calling the U.S. President “father”). Keeping this in mind, we can evaluate how the Chickasaw and Choctaw spoke about each other in letters without inadvertently attributing it to their unique bond when it was really just the language of the day.

With Peter Pitchlynn’s letter we have the opportunity to see how Choctaws are communicating with each other about the issues with the Chickasaw. The letters do not use the typical language of the day as much as the government-to-government letters. Pitchlynn received a letter from Edmund McKinney in 1853. McKinney related a conversation he had with someone named Patison (it is unclear whether Patison is Choctaw or Chickasaw). McKinney says, “and I just plain told him by what had been our intention if our Brethrens the Chickasaws was going to put us in trouble[,] the money[,] we would give it up and tell them to go and hunt a new good home.” Apparently, this was something Pitchlynn had stated because McKinney goes on to say that Patison was surprised even though he had heard Pitchlynn say the same thing, but thought he had been joking.⁶⁸ To me, it is very telling that an individual Choctaw would write a personal letter to another Choctaw and still refer to the Chickasaw as brethren.

Another example is during the final negotiations in 1855. A memoranda of the conversations between Chickasaw and Choctaw delegations and the Choctaw’s agent, Douglas

68. Edmund McKinney to Peter Pitchlynn, April 19, 1853 in Pitchlynn Collection (box 2, folder 23, document 2084).

Cooper, says the Choctaw replied, “differences between them and their brethren the Chickasaws,” but later mentions that the Choctaw delegation said, “In regard to the settlement of the Wichita and other Indians in the Choctaw country.”⁶⁹ The Choctaws could be using this type of language because they are in a more formal situation, but because they mention another tribe later on and do not refer to them as brethren, I feel it says something about the Choctaw and Chickasaw relationship.

A Trio of Wants

I will not spend as much time on the “did the Choctaw sell their land to the Chickasaw or not” claim as other scholars have. This is because I do not feel that it influenced the treaty of 1855. I believe the Chickasaw attempted to use the argument in case it was accepted and would therefore bolster their chances for independence and prevent them from paying even more than they already had to live in the Chickasaw District. In 1845 we see Pitman Colbert make the first claim to the Office of Indian Affairs that the Choctaws sold the Chickasaw District to the Chickasaws. The exact verbiage of the 1837 treaty, article 1 is:

It is agreed by the Choctaws that the Chickasaws shall have the privilege of forming a district within the limits of their country, to be held on the same terms that the Choctaws now hold it, except the right of disposing of it, (which is held in common with the Choctaws and Chickasaws) to be called the Chickasaw district of the Choctaw Nation;⁷⁰

The article does not explicitly state that the Chickasaw District would be owned by the Chickasaw Nation. The most the Chickasaw could argue would be they purchased a 50% interest in the Chickasaw District. The Choctaw Nation refused to comment on the matter because they

69. A Memoranda of Conversations, April 14, 1855 in M234, roll 174 “Choctaw Agency, 1824-1876: 1855-1856” [hereinafter cited as M234-R174], frames 55-60, specifically 57-58.

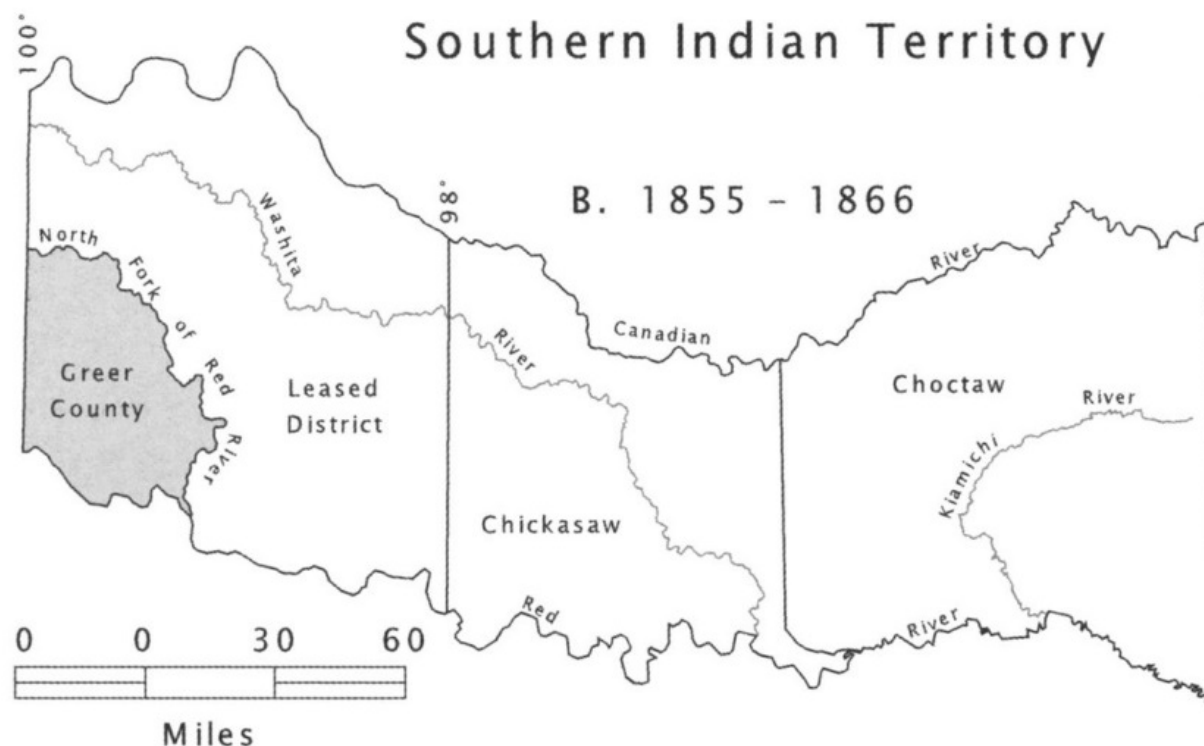
70. Choctaw Nation, “1837 Treaty with Choctaw & Chickasaw,” signed January 17, 1837, https://www.choctawnation.com/sites/default/files/2015/09/29/1837treaty_original.pdf.

felt they had not sold their land to the Chickasaws because using the four corners rule of law, they did not outright sell any land to the Chickasaw. The treaty does seem to say that the Chickasaw and Choctaw Nation would hold the land in common, which is eventually applied to all of the Choctaw Nation lands in the 1854 treaty. It was this treaty that created a rock and a hard place for the Choctaw Nation when dealing with Chickasaw independence and the U.S.'s wishes to settle other tribes in their western district.

The Chickasaw and Choctaw had been arguing about the boundary for many years and the Chickasaw wanted it settled before they gained independence. They were forced to compromise, but did so in order to have the issue done with.⁷¹ Once the boundary dispute was settled, only the Choctaw government stood in the way of the Chickasaw Nation being recognized by the U.S. as an independent nation. It is unclear why the Choctaw were against separation unless the only reason was they did not want to lose part of their land base, which is understandable considering how the U.S. chipped away at their homelands before removal. Perhaps they eventually agreed because the U.S. wanted the land anyway and they might as well have the Chickasaw as a buffer and taking a firm stance on the issue might have gotten them more money than if they seemed agreeable. This time period still has a considerable amount of history to be uncovered.

71. "Brief Outline of the Choctaw and the Chickasaw Nations," 405.

Figure 3 – Map: “Southern Indian Territory, 1855-1866”



*Map 3: Southern Indian Territory, 1855-1866. (Source: Jon T. Kilpinen, “The Supreme Court’s Role in Choctaw and Chickasaw Dispossession,” *Geographical Review* 94, no. 4 (October 2004): 490.)*

The U.S. wanted to settle the Wichita and other tribes on the land located between the 98th and 100th meridian, which would become known as the leased district (see Map 3). The Choctaw said they would allow this if the U.S. Senate would settle their Net Proceeds claim, but they would not entertain the notion of Chickasaw independence as part of the deal. The treaty of 1854 between the Chickasaw and Choctaw said they both held all the lands from the 100th meridian to the Arkansas state line in common, meaning the Chickasaw also had to agree to leasing the lands to the U.S. The Chickasaws were not willing to sign off on any lease without separation from the Choctaw. The U.S. supported Chickasaw independence because they needed the Chickasaw to sign the lease. The Choctaws were not thrilled with treaty, but it was the only way they could hold the U.S. accountable for what they owed the Choctaw Nation, which was a very large amount money. Choctaw leader Peter Pitchlynn knew it was the best deal the

Choctaws would get and when he heard the national council might not ratify it, he vowed to “defend the treaty before the people and the Council with all my might.”⁷² The Chickasaw Nation paid the Choctaw Nation \$150,000 to secure the Chickasaw District as their own. The U.S. paid the Chickasaw (\$200,000) and the Choctaw (\$600,000) a total of \$800,000 for use of the leased district. The treaty was signed, ratified by the Chickasaw and Choctaw Nations and then in 1856 it was ratified by the U.S. The Chickasaws launched into action and wrote their first constitution as a sovereign nation and a new Choctaw constitution followed in 1857. The final Choctaw Net Proceeds claim was settled by the U.S. Senate in 1859 for \$2,981,247.30. Only one payment was made before the Civil War and they did not resume until 1886 when the U.S. was ordered by the U.S. Supreme Court to do so.⁷³

This shows the complexity of tribal relations and that both were acting in their best interest to obtain their own goals. It is interesting that *Chickasaw Removal* and *The Chickasaws* do not mention any of the Choctaw motivations for the treaty of 1855 because without the Choctaws wanting their Net Proceed claims settled, they would have had no reason to sign a treaty that gave Chickasaws independence. Even Donna Akers’ *Living in the Land of Dead* does not mention the Net Proceeds claim, but it can be argued that her book is centered more on the Choctaw people living in Indian Territory and what they experienced versus government interactions.

Chapter Four – Reflections

The Chickasaw and Choctaw went back and forth on perceived slights in an effort to protect their respective nations while still maintaining their traditional bond as brothers, if not

72. Peter Pitchlynn to “Dear John”, August 2, 1855 in Pitchlynn Collection.

73. “The Choctaw ‘Net Proceeds’ Delegation and the Treaty of 1855,” 26-27.

through actions, at least in their communications. The Chickasaw Nation wanted their sovereignty restored and that was not a reflection of Choctaw government, it was always the goal once the 1837 treaty was signed. The Choctaw Nation wanted to keep their new homeland intact as much as possible and wanted the U.S. to follow through on their promises. The U.S. breaking treaties was not a new phenomenon and the Choctaw Nation was trying to protect their own sovereignty. One of the main issues was the vagueness of the 1837 treaty, something pointed out by Paige, Bumpers, and Littlefield in *Chickasaw Removal*.⁷⁴ If the U.S. or the Choctaw and Chickasaw Nations had given a little more thought to potential disagreements that could arise, the document could have made the boundary line more clear and named who would be responsible for maintaining the Chickasaw District officer salaries.

The limitations of my research include not being able to access a couple of important archive collections like the Foreman Collection at the Gilcrease Museum and the Choctaw National Records. Without consulting the Choctaw National Records, the story is not complete and further research needs to be done. In general, we are limited because we do not have a lot of contemporary written records from the people directly involved in the Chickasaw and Choctaw tribal governments. The records that do exist are hard to read and time consuming. Many of the secondary sources fail to put Indigenous people at the center of their history and must be approached with a critical eye.

The next steps in this research are accessing the remaining sources that I was unable to consult and possibly finding yet discovered sources that would help illuminate this topic. I also think it would be very interesting to explore Chickasaw and Choctaw kinship during other parts of history and what our relationship looks like today. For the Chickasaw and Choctaw people to

74. *Chickasaw Removal*, 66.

still see themselves as siblings is a testament to the importance and influence of oral history and traditions.

The 1855 treaty did not have a negative impact on Chickasaw and Choctaw kinship and that is evidenced by the continued cooperation between them. After the Civil War, Winchester Colbert and Peter Pitchlynn worked together and negotiated a joint treaty with the U.S. to reestablish their relationship with the Chickasaw and Choctaw Nations.⁷⁵ When it came time for allotment, they worked closely together and hired lawyers to protect their interests. The Choctaw-Chickasaw Citizenship Court was established to decide the validity of citizenship appeals.⁷⁶ In 2011 the Chickasaw and Choctaw Nations filed a lawsuit to prevent Oklahoma City from purchasing 90% of water storage rights at Lake Sardis since it was under tribal jurisdiction according to previous treaties.⁷⁷ I believe that Chickasaw and Choctaw kinship will continue to be strong throughout time.

75. Choctaw Nation, "1837 Treaty with Choctaw & Chickasaw," signed January 17, 1837, https://www.choctawnation.com/sites/default/files/2015/09/29/1837treaty_original.pdf.

76. Kent Carter, *The Dawes Commission and the Allotment of the Five Civilized Tribes, 1893-1914* (Orem, Utah: Ancestry.com, 1999), 80.

77. Brian Brus, "Long Dispute Over Sardis Lake Water Rights Settled," *The Journal Record*, February 19, 2019, <https://journalrecord.com/2019/02/26/long-dispute-over-sardis-lake-water-rights-settled/>.

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