

## **CIVIL WAR ERA**

**(Source: Oklahoma Historical Society)**

For the Five Civilized Tribes the Civil War proved a disastrous experience. The Cherokee, Chickasaw, Choctaw, Seminole, and Creek had only begun to repair the damage done by intratribal factionalism before and during Indian Removal (1830–39), and to fashion a hospitable existence in Indian Territory, when the war came upon them and revived old disagreements. Indeed, it can be argued that no group in the nation suffered more in the Civil War than the Indians of Oklahoma.

In the two decades after removal the Five Tribes formed active economies and adapted to life in Indian Territory. The Chickasaw and Choctaw practiced cotton plantation agriculture, and the Cherokee, Creek, and Seminole engaged in subsistence farming, ranching, and cattle raising. Market connections with New Orleans gave the tribes a Southern orientation. Each had an established government, distinct boundaries to their land, and a United States government representative (an agency) by which the obligations of the removal treaties were met. While the pre-Civil War era was not a "golden age" for the tribes, the trauma of dislocation had healed, and the region seemed destined to enjoy more prosperous times.

A key social institution among the Five Tribes, one that was also crucial in the sectional division of the United States, was the extent of slave holding. Of Indian Territory's approximately one hundred thousand inhabitants, 14 percent were African American slaves. That aspect of tribal culture, as much as any other, explains the willingness of many Indians to side with the Confederate States of America. The Cherokee Confederate general Stand Watie owned nearly one hundred slaves, making him, in the context of the times, an immensely wealthy man.

Little of the debate over slavery's expansion affected the tribes in Indian Territory. However, Indian slaveholders were apprehensive about the Republican victory in 1860 and the party's ultimate designs for "the peculiar institution." Many Indian Territory residents were upset by Secretary of State William H. Seward's remarks when he urged the U.S. government to extinguish tribal land titles and open the West to settlement.

Another condition catastrophically affecting the tribes was continued dissension between mixed-bloods and full bloods over the legacy of removal. Nowhere was this division more apparent than among the Cherokee. Because the mixed-bloods had signed a removal treaty at New Echota in 1835, they were despised by the full bloods, led by Chief John Ross. A leadership contest developed between the factions, pitting Stand Watie, for the mixed-bloods, against Ross. Until 1860, however, Ross and the full bloods had succeeded in holding political control of the tribe, and a working, if not amicable, accommodation between the two parties had been achieved.

The Confederate government, formed by early February 1861, had plans for the West. Jefferson Davis and his councilors saw the need to protect the Mississippi River, use the western Confederacy as a "breadbasket," and eventually establish Indian Territory as a springboard for expansion. Later in 1861 Davis appointed Albert Pike, a noted Arkansas attorney who enjoyed a good reputation with the Five Tribes, as Commissioner of Indian Affairs. Prior to Pike's arrival, other commissioners had gone north to Indian Territory from Texas to enlist the tribes in the southern cause. They found the Choctaw and Chickasaw enthusiastic for the Confederacy, and strong sentiment for the new nation also appeared among the Creek and Seminole. In early 1861 Col. Douglas H. Cooper recruited the Choctaw and Chickasaw into mounted rifle units, which later fought in Arkansas and Missouri. Albert Pike also recruited military units, and after Stand Watie received a colonel's commission in the Confederate army on July 12, 1861, he raised a band of three hundred for service.

The Cherokee, however, held back from formal alliance. John Ross doubted the wisdom of secession and favored neutrality. Had the tribes listened to Ross, they would have weathered the war and enjoyed good relations with the victor. However, tribal divisions among the mixed-blood and full-blood factions, as well as the fact of slaveholding, worked against a policy of neutrality.

Unfortunately for the Union and the Cherokee, the U.S. government did little to engender Indian support. Seeing Confederate activity in Arkansas and Texas, Lt. Col. William H. Emory, commanding the Union troops in Indian Territory, abandoned Forts Washita, Arbuckle, and

Cobb in May 1861 and retreated to Kansas. Consequently, Union sympathizers in Indian Territory had no military protection for their allegiance, and they found themselves surrounded by Confederate power. Later, in August 1861 Union forces suffered a defeat at Wilson's Creek in Missouri. Early Confederate victories and the lack of a Union presence made a Confederate alliance compelling.

Albert Pike thus made headway with the Indian Territory tribes. He signed treaties with the Creek (July 10, 1861), the Choctaw and Chickasaw (July 12), the Seminole (August 1), and the Wichita, Caddo, and others (August 12). John Ross stalled, but the military power of the Confederacy rose while that of the Union waned. On October 7 the Confederacy consummated a treaty with the Cherokee and then with the Quapaw, Seneca, Shawnee, and Osage. The mixed-bloods rejoiced over the alliance and quickly signed into the Confederate military.

The Oklahoma Indians were in an impossible position, facing an uncertain and perilous future. A small population, they therefore could neither enforce their will on their neighbors nor defend their borders. Kansas to the north was Union, and Arkansas to the east and Texas to the south were Confederate. Neutrality would have required diplomatic finesse, and military power would have been necessary to have kept the residents of those states from despoiling Indian Territory. Geography and scarce population would make the Indian nations a marching ground for troops in transit elsewhere or make them a target for vengeance. The region itself possessed no particular military advantages save one: both the Confederacy and the Union wanted to insure that the tribes did not support the other.

In terms of tactics the determining factor in the West during the Civil War was the Mississippi River. Union strategy, devised by Gen. Winfield Scott and dubbed the "Anaconda Plan," sought to control the Mississippi River and thus to divide the Confederacy. Most of the warfare in the West, therefore, was connected to furthering or thwarting Brig. Gen. Ulysses S. Grant's advance down the river. Military activity in Indian Territory was marginal to that objective. Confederate Brig. Gen. Ben McCulloch, that army's second-ranking general officer, was ordered from Texas to Arkansas and placed in command of Indian Territory. The Confederate Army of the West, which he was to build, was to be

composed of three Indian regiments plus one regiment each from Texas, Louisiana, and Arkansas.

After the treaty making ended, Confederate military companies formed rapidly among the tribes, but resentment toward the Confederacy also surfaced. The Creek leader (and slaveholder) Opothleyahola rejected the Confederate alliance and led some seven thousand followers away from tribal lands. Secessionists perceived him as an enemy, and they pursued, under the leadership of Col. Douglas H. Cooper. The Creeks defended themselves at Round Mountain (November 19, 1861), Chusto-Talasa (December 9), and Chustenalah (December 26). In the last engagement, Opothleyahola's encampment was routed. The remainder of his followers eventually reached Kansas as refugees.

Confederate leaders attempted to use Indian Territory troops to force the federals out of Arkansas. Under Albert Pike, promoted to brigadier general, the Indian regiments joined divisions led by Brig. Gens. Sterling Price and Ben McCulloch to drive out Union troops under Brig. Gen. Samuel R. Curtis. However, at the Battle of Pea Ridge (March 7–8, 1862), Curtis proved the superior strategist and defeated the Confederate command. Pike, upset by McCulloch's charges that the Indian troops had performed in a disorderly manner and had scalped Union soldiers, took his regiments back to Indian Territory. He resigned his commission in May 1862 because in his view the Confederates were failing to uphold their treaty promises. Also in that month the Trans-Mississippi Department of the Confederacy was created, specifically including Indian Territory.

At about the same time, Union commanders in the West then decided to seize Indian Territory. Under Col. William Weer the Union Indian Expedition moved out of Kansas in June 1862. On July 3 they attacked units under Cols. Stand Watie and John Drew at Locust Grove and, by superior use of artillery, defeated the Confederates. Weer then moved down and momentarily took Fort Gibson. However, his subordinates rejected his propositions about further advances and demanded to return to Kansas, eventually deposing Weer of his command. This failed expedition threw the Cherokee into turmoil. John Ross used the occasion to negate the Confederate treaty and to embrace the Union

cause. He and his family left the Cherokee Nation and resided in Philadelphia and Washington, D.C. for the remainder of the war.

In October 1862 Union Brig. Gen. James G. Blunt invaded Indian Territory from Arkansas and on October 22 defeated Col. Douglas H. Cooper at Fort Wayne. Blunt made several sorties thereafter and placed Col. William A. Phillips in charge of organizing Cherokee Unionists. In February 1863 Phillips convened the Cowskin Prairie Council, which elected Thomas Pegg as acting Cherokee principal chief and repudiated the Confederate treaty. The Cherokee thereby officially divided their allegiance. One side, led by Pegg, claimed loyalty to the Union, and the other affirmed the Confederate alliance and recognized Stand Watie as chief.

Blunt was determined to rid Indian Territory of the Confederates. Stationing himself at Fort Gibson (renamed Fort Blunt), he engaged the Southern forces under Douglas H. Cooper (now brigadier general) at Honey Springs on July 17, 1863. In this, the most important military engagement in Indian Territory during the Civil War, the Union army was victorious, due to superior artillery and inferior Confederate gunpowder.

After Honey Springs the Civil War in Indian Territory assumed a different form and was, in truth, a minor affair. The fate of the region became similar to that of border areas like Missouri, Kentucky, and Tennessee. Rule of law was lost, and roaming bands of irregular partisans plundered and murdered hapless civilians. William Quantrill and his company of irregulars made their way several times through the land. Stand Watie was active in these years, but he was no guerrilla. Promoted to brigadier general in May 1864, he undertook military missions of strategic value that sought to disrupt the supply lines of Union troops that were stationed in Indian Territory or were moving south. His most famous exploits were the capture of the steamer *J. R. Williams* on June 15, 1864, and his seizure of a Union supply train at Cabin Creek on September 19, 1864.

Thereafter in the territory, partisan activity on both sides led to retaliatory raids and many cruelties. When either a Confederate or Union force left an area, the civilian population was open to invasion by opposing forces. Fear of retribution led to a massive refugee problem.

Some two thousand displaced Cherokee suffered at Fort Scott, Kansas. When Union victory at Honey Springs led to permanent Federal occupation of Forts Gibson and Smith, those who were exiled in Kansas were ordered home. By 1863 perhaps as many as seven thousand refugees surrounded Fort Gibson. At the end of the war, in camps around Red River, Confederate civilians numbering nearly fifteen thousand gathered and suffered. It has been estimated that among the Cherokee by 1863 one-third of the married women had become widows, and one-fourth of the children were orphans.

Added to the misery of refugee camps was the systematic plundering of the tribes' wealth. A system arose to supply federal troops and refugees with meat and other foodstuffs. Looters pillaged the herds of Indian Territory and then sold the livestock to contractors, who then marketed the animals to the army at inflated prices. By war's end three hundred thousand head of cattle had been stolen from Indian Territory, a devastating economic blow. Moreover, the tribes recognized that political forces were operating against them. Kansas Sens. Jim Lane and Samuel Pomeroy sought to transfer Kansas Indians into Indian Territory and abrogate treaties made with the Five Tribes. Iowa Sen. James Harlan proposed a bill to end tribal sovereignty and establish a territorial government for a state of Oklahoma, thereby destroying Indian land titles.

On April 9, 1865, Gen. Robert E. Lee's surrender at Appomatox sealed the Confederacy's fate, but it was some time before western generals accepted its demise. On May 26, 1865, Lt. Gen. Edmund Kirby Smith surrendered the Confederacy's Trans-Mississippi Department, of which Indian Territory was a part. One of the last Confederate generals to capitulate was Stand Watie, who did so on June 23, 1865. From the Oklahoma region some 3,530 men had enlisted in the Union army, and 3,260 in the Confederacy. Approximately ten thousand people had died due to the war. The loss of livestock and the end of slavery dealt a considerable blow to the tribes' economic systems.

Pres. Abraham Lincoln may have offered "charity for all" in his second inaugural address, but the federal government showed little of that disposition when dealing with the Indians. U.S. officials tried to force a harsh peace on the tribes at the Fort Smith Council in September 1865,

but it was rejected by the tribe's leaders. Treaties were finally signed in Washington, D.C., in 1866. The Five Tribes lost the western half of Indian Territory to Kansas tribes, slavery was ended, freedmen obtained citizenship and property rights, and the tribes had to permit railroad construction in the area. Indian Territory was now unofficially called Oklahoma, and while the government did not impose a territorial organization upon the land, the tribes agreed to work toward having a governor and an intertribal council. The pre-war status as separate, independent nations was expected to end.

The tribes unsuccessfully attempted to reclaim the advances made between 1840 and 1860. Although wartime animosities flared between the old Confederate and Union factions, new governmental entities were formed as a spate of constitution making occurred between 1867 and 1872. Railroads penetrated Oklahoma in the 1870s, but in some ways their arrival was a curse rather than a blessing, for they brought whites seeking land.

Farming and ranching returned with some vigor to the area, but the spread of tenant farming was an ominous sign of the loss of independence among farmers. The territory acquired a reputation for lawlessness in the postwar years. The destruction of legal authority and infighting among the tribes made it difficult to police the region. In the absence of law enforcement, terrorists who had operated with impunity during the war returned to continue their rampaging ways—the James Gang, the Younger Gang, and the Dalton Brothers.

It is difficult to gauge the effect of the Civil War upon Indian Territory. Tribal sovereignty was under attack, other states wanted to remove their Indians there, and white settlers coveted the land. But none of these situations were created by the war. Regardless of the conflict, these forces would have been in motion toward the end of the nineteenth century. However, the Civil War did weaken the tribes. It exacerbated long-standing internal divisions and made new ones, and it destroyed needed population and crushed economic advance. Without the war perhaps the tribes might have grown in numbers, in wealth, and in political power. They might then have been better able to ward off later Euroamerican attacks on their land. The only rational assessment

that can be made without fear of contravention is that the Civil War crippled the tribes of Indian Territory and took away their strength.

James L. Huston

### *Bibliography*

Annie Heloise Abel, *The American Indian as Participant in the Civil War* (Cleveland, Ohio: Arthur H. Clark, 1919).

Annie Heloise Abel, *The American Indian as Slaveholder and Secessionist: An Omitted Chapter in the Diplomatic History of the Southern Confederacy* (Cleveland, Ohio: Arthur H. Clark, 1915).

Annie Heloise Abel, *The American Indian Under Reconstruction* (Cleveland, Ohio: Arthur H. Clark, 1925).

Wiley Britton, *Civil War on the Border*, 2 vols. (3d ed., rev.; Ottawa: Kansas Heritage Press, 1994).

Richard S. Brownlee, *Gray Ghosts of the Confederacy: Guerrilla Warfare in the West, 1861–1865* (Baton Rouge: Louisiana State University Press, 1958).

Mark L. Cantrell and Mac Harris, ed., *Kepis and Turkey Calls: An Anthology of the War Between the States in Indian Territory* (Oklahoma City: Western Heritage Books, 1982).

Whit Edwards, *"The Prairie was on Fire": Eyewitness Accounts of the Civil War in the Indian Territory* (Oklahoma City: Oklahoma Historical Society, 2001).

LeRoy H. Fischer, ed., *The Civil War Era in Indian Territory* (Los Angeles: Lorrin L. Morrison, 1974).

Trevor Jones, "In Defense of Sovereignty: Cherokee Soldiers, White Officers, and Discipline in the Third Indian Home Guard," *The Chronicles of Oklahoma* 82 (Winter 2004–05).

Lary C. Rampp and Donald L. Rampp, *The Civil War in the Indian Territory* (Austin, Tex.: Presidial Press, 1975).



Muriel H. Wright and LeRoy H. Fischer, "Civil War Sites in Oklahoma,"  
*The Chronicles of Oklahoma* 44 (Summer 1966)

### *Citation*

The following (as per *The Chicago Manual of Style*, 16th edition) is the preferred citation for articles:

James L. Huston, "Civil War Era ," *The Encyclopedia of Oklahoma History and Culture*, [www.okhistory.org](http://www.okhistory.org) (accessed June 13, 2017).