5. Proclamation Ordering Conscription in the Chickasaw Nation, 1864

Whereas, the necessities of the times, our treaty stipulations with the Confederate States of America, and a call from the President of the Confederate States require the Chickasaw Nation to furnish troops for the C.S. service, according to the fifty-first article of the treaty made at North Fork, C.N., July 12, 1861, between the Confederate States of America and the Chickasaw Nation, to co-operate with our allied Indian forces now in the field for the defense of our country; and

Whereas, the Legislature of the Chickasaw Nation did, on the 11th day of October, 1864, pass an act of conscription, to take effect within thirty days from the passage of that act.

Now, therefore, I, Horace Pratt, Governor of the Chickasaw Nation, do issue this my proclamation, in accordance with the first section of that act, calling upon all able-bodied free male citizens to volunteer in the service of the Confederate States and fill up the ranks of the First Chickasaw Regiment before the 12th day of November next, and thereby avoid conscription and raise the honor of the Chickasaw Nation, as on the 12th day of November the conscription act goes into effect. And I am justified in stating, for the information of all concerned, that efforts are being made by the proper officers to furnish the soldiers with good and comfortable clothing, as well as tents and other articles necessary, as soon as possible.

HORACE PRATT,
Governor Chickasaw Nation.
ALEXANDER RENNIE,
National Secretary.

Tishomingo, October 12, 1864.

6. Commissioner of Indian Affairs Dennis N. Cooley on the Consequences of the Civil War, 1865

... The council assembled at Fort Smith, September 8, and delegates were present in the course of the sitting (though not all in attendance at first) representing the Creeks, Choctaws, Chickasaws, Cherokees, Seminoles, Osages, Senecas, Shawnees, Quapaws, Wyandots, Wichitas, and Comanches. Immediately upon the opening of proceedings, the tribes were informed generally of the object for which the commission had come to them; that they for the most part, as tribes, had, by violating their treaties—by making treaties with the so-called Confederate States, forfeited all rights under them, and must be considered as at the mercy of the government; but that there was every disposition to treat them leniently, and above all a determination to recognize in a signal manner the loyalty of those who had fought upon the side of the government, and endured great sufferings on its behalf. On the next day the delegates were informed that the commissioners were empowered to enter into treaties with the several tribes, upon the basis of the following propositions:

1st. That each tribe must enter into a treaty for permanent peace and amity among themselves, each other as tribes, and with the United States.

2d. The tribes settled in the "Indian country" to bind themselves, at the call of the United States authorities, to assist in compelling the wild tribes of the plains to keep the peace.

3d. Slavery to be abolished, and measures to be taken to incorporate the slaves into the tribes, with their rights guaranteed.

4th. A general stipulation as to final abolition of slavery.

5th. A part of the Indian country to be set apart, to be purchased for the use of such Indians, from Kansas or elsewhere, as the government may desire to colonize therein.

6th. That the policy of the government to unite all the Indian tribes of this region into one consolidated government should be accepted.

7th. That no white persons, except government employees, or officers or employees of internal improvement companies authorized by government, will be permitted to reside in the country, unless incorporated with the several nations.

Printed copies of the address of the commissioners involving the above propositions were placed in the hands of the agents, and of members of the tribes, many of whom were educated men.

On the third day the delegates from the loyal Chickasaws, Choctaws, Senecas, Osages, and Cherokees, principally occupied the time with replies to the address and propositions of the commissioners, the object being partly to express a willingness to accept the propositions, with some modifications, if they had been clothed with sufficient power by their people, but chiefly in explanation of the manner in which their nations became involved with the late confederacy. The address of the Cherokees was especially noteworthy, inasmuch as they attempted to charge the causes of their secession upon the United States, as having violated its treaty obligations, in failing to give the tribes protection, so that it was compelled to enter into relations with the confederacy. The next day the loyal Seminoles expressed their willingness to accede to the policy of the government, and to make peace with those of their people who had aided the rebellion. The president of the commission then read a reply to the address of the loyal Cherokees above referred to, showing, from original and official documents, that, as a tribe, by the action of their constituted authorities, John Ross being then, as at the time of the council, their head, they had, at the very opening of the rebellion, entered into alliance with it, and raised troops for it, and urged the other tribes to go with them, and that they could not now, under the facts proven, deny their original participation in the rebellion. (The documents establishing the bad faith of John Ross had but recently come
into possession of the department. They are very interesting, and taken in connexion
with his course at Fort Smith in keeping aloof from the council, but exercising his
powerful influence to prevent an amicable settlement with the hitherto disloyal part
of the nation, will be found fully to justify the course taken by the commission in re-
fusing to recognize him in any manner as chief of the Cherokee.)

The loyal Creeks on this day presented their address of explanation, setting
forth the manner in which their nation, by the unauthorized action of its chief, en-
tered into treaty relations with the confederacy, and the terrible sufferings which
the loyal Creeks endured in battle and on the march to Kansas seeking protection
from the United States, and asking to "be considered not guilty."

It being certain that no final treaties could be now concluded with the tribes
represented, for the reason that, until the differences between the loyal and disloyal
portions were healed, there could be no satisfactory representation of most of them,
it was determined to prepare for signature by the commission, and by the delegates
representing all factions and opinions, a preliminary treaty, pledging anew, on be-
thalf of the Indians, allegiance to the United States, and repudiating all treaties with
other parties; and on the part of the United States agreeing to reestablish peace and
friendship with them. . . .

Friendly relations were established between the members of the various tribes
hitherto at variance, except in the case of the Creeks. The ancient feuds among
this people are remembered still, and the Ross, Ridge, and Douthit difficulties
have never been healed.* This portion of the nation was ably represented in council
by Douthit and others, and having learned from the action of those representing
the loyal party that if they came back it must be as beggars and outlaws, asked the
protection and good offices of the commission. Efforts were then made on the part
of the commission to effect a reconciliation, but all that could be brought about
was a promise upon the part of those representing the loyal party to present the
question to their council, which is now in session, and I entertain the hope that
soon I shall be able to furnish you a report of their proceedings, in which they offer
fair and honorable terms of adjustment. If, however, I should be disappointed in
this reasonable expectation, I trust the government will take the matter in hand,
and, by a just and equitable division of their property, make a final settlement of all
their difficulties.

When the majority of this nation returned to their allegiance to the govern-
ment, in 1863, action was taken by their council, under direction of John Ross,
confiscating the property of those who still continued in the service of the confed-
eracy, thus cutting off about five thousand five hundred of the nation, leaving them
homeless and houseless. This indigent portion of the tribe are still refugees on the
Red river, suffering from the want of every necessary of life, and existing only
upon the charity of the humane people of northeastern Texas. The department has,
however, sent a special agent to look into the wants of these refugees, and must
rely upon Congress for the necessary means to relieve their necessities. . . .

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*Major Ridge and Elias Boudinot had opposed Ross and had agreed to the treaty that forced most of the
Cherokees on the Trail of Tears. Ridge and Boudinot were killed in Indian territory because of their signing
of this treaty.

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**ESSAYS**

The Civil War presented a difficult challenge to leaders in Indian Territory. They had to
contend with the political division of the United States as well as the political and social
divisions of their own nations. Nowhere was this more complicated than in the Cherokee
nation, as Professor Ari Kelman of the University of Denver demonstrates in his essay
on John Ross, principal chief of the Cherokees. Ross's decision to side with the Con-
 federacy in 1861 was based on what he perceived as the best interests of the Cherokees
rather than on deeply held convictions about the nature of the federal union or slavery.
The second essay, by University of Oklahoma professor Gary Clayton Anderson,
demonstrates how complicated was the Dakota situation when the Minnesota uprising
occurred in 1862. The Dakotas would learn with dismay that they were too closely tied
to white traders, technology, and the reservation economy to easily abandon them. If it
was impossible to return to the old life of hunting and gathering, what then? These
essays show how complicated were Indian decisions to fight and how problematic the
outcomes of fighting were. On the other hand, one challenge to Indian leadership was
how to avoid fighting when insults, injuries, and desperation were piled so high.

**Deadly Currents**

**John Ross's Decision of 1861**

ARI KELMAN

On August 21, 1861, John Ross, the principal chief of the Cherokee Nation, stood
before a gathering of approximately 4,000 Cherokees; the tribe faced a situation so
grate that almost all of the eligible tribal electorate attended the meeting. The ses-
cession of the southern states left the Cherokees with Confederate neighbors to the east
and south, and Union neighbors to the north, all of whom demanded to know which
side the nations of Indian Territory would choose as allies in the coming war.

In the spring and early summer of 1861, Ross counseled neutrality, not just for
the Cherokees, but for all the tribes of Indian Territory. As the summer drew to a
close, Ross, subjected to tremendous pressures from inside and outside the Cherokee
Nation, realized the impossibility of that stance. Faced with his assembled people, he ex-
ounded on the validity of both the Union and Confederate causes. He acknowledged
the importance of the Cherokees' treaty with the federal government and its terms
lay the tribe's trust funds. The tribe's policy of neutrality seemed successful to that
point, but Ross addressed his greatest concern, the unity of the Cherokee Nation,
with the following words:

The great object with me has been to have the Cherokee people harmonious and united
in the full and free exercise and enjoyment of all of their rights of person and property.
Union is strength, dissension is weakness, misery ruin! In time of peace together! in
time of war, if war must come, fight together.

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