

DELEGATES OF THE FIVE CIVILIZED TRIBES TO THE CONFEDERATE CONGRESS

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On October 2, 1862, Elias Cornelius Boudinot, a mixed-blood Cherokee, gingerly took a seat in the Confederate House of Representatives in Richmond, Virginia. His continued presence would depend on that body's acceptance of his proffered credentials which identified him as the duly elected and certified representative of the Cherokee Nation. Boudinot's lawful occupancy of the congressional chair was confirmed October 9, following a positive resolution to that effect from the House Committee on Indian Affairs.¹ Within nineteen months two additional Indian delegates joined the Cherokee representative in the Confederate capital at Richmond. Robert M. Jones, a Choctaw, served as the Chickasaw and Choctaw representative and Samuel Benton Callahan discharged the same duties for the Creek and Seminole tribes. These men's congressional careers constituted the first instance of Indian participation in a white government's legislature. In spite of the unique character of this circumstance, little has been written concerning the three delegates' activities.² Their efforts deserve more attention; Boudinot, Jones and Callahan made a significant contribution to the Civil War history of Indian Territory.

Full Indian participation in the Confederate government through a congressional delegation was embodied in the treaties signed by the Five Civilized Tribes in 1861. According to these documents, the combined Creek and Seminole tribes, the Chickasaw and Choctaw tribes and the Cherokee tribe were allotted one delegate each in the Confederate House of Representatives to serve two year terms. The person elected jointly by the Creeks and Seminoles had to be twenty-one years of age and a member of

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¹ United States Senate, "Journal of the Congress of the Confederate States of America," *Senate Document No. 234*, 58th Congress, 2d Session (7 vols., Washington: Government Printing Office, 1904), Vol. V, pp. 502, 513-514.

² Although mentioned briefly in many books and articles, the only discussion of any length about the Indian delegates is found in Kenny A. Franks, "The Implementation of the Confederate Treaties with the Five Civilized Tribes," *The Chronicles of Oklahoma*, Vol. LI, No. 1 (Spring 1973), pp. 31-32. The names of Boudinot, Jones and Callahan do not appear in the standard history, *The Confederate Congress* (Athens: University of Georgia Press, 1960), by Wilfred B. Years, while Annie Abel's classic study, *The American Indian as Participant in the Civil War* (Cleveland: Arthur H. Clark Company, 1919), pp. 298-299, states that only the Cherokees and Choctaws sent delegates to Richmond.

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either nation. In addition to the same age and similar citizenship provisions, the representative of the Choctaws and Chickasaws was to be alternately chosen from the two tribes with the added stipulation that a Choctaw be elected initially. After meeting the age and citizenship requirements the Cherokee delegate, along with the other nations' representatives, was also subject to automatic disqualification if he had ever violated the laws of his tribe. The Confederate Indian agents were to determine the times and places of election, except in the Cherokees' case in which the principal chief prescribed those particulars. Vacancies resulting from resignation or death would be filled by special elections from the tribal affiliation of the delegates whose terms were expiring.³

The treaties also outlined the precise status of the Five Civilized Tribes' legislators once seated in the Confederate House of Representatives. They were to be entitled to the rights of delegates chosen from Confederate territory.⁴ However, the Indian representatives were not destined to enjoy the privileges of office—introducing and voting on bills—as other regularly elected members to the Confederate House. In his eagerness to attach the western Indian tribes to the South's cause, Albert Pike, the Confederate treaty commissioner, had promised more than he could deliver. President Jefferson Davis entertained serious reservations concerning the parts of the Pike-negotiated treaties that guaranteed ultimate statehood and congressional representation. Upon submitting these treaties for action by the Confederate Senate, Davis characterized the statehood and delegate provisions as "not only impolitic but unconstitutional." He suggested that the House of Representatives alone possessed the authority to determine the powers which Indian delegates would exercise in the South's legislature.⁵

The Confederate House had not yet resolved the matter of Indian delegates and their status when the first two of them, Boudinot and Jones, appeared respectively on October 2, 1862, and on January 17, 1863. This circumstance strikes a peculiar note. President Davis had submitted the treaty proposals along with his recommendations in December, 1861, and the Confederate House had debated the provisions involving Indian legisla-

³ United States Department of War, *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (4 series, 70 volumes, 128 books, Washington: Government Printing Office, 1880-1901), Ser. IV, Vol. 1, pp. 435, 443, 452-453, 456, 520-521, 527, 679-680, 687; Franks, "The Implementation of the Confederate Treaties with the Five Civilized Tribes," *The Chronicles of Oklahoma*, Vol. LI, pp. 31-32.

⁴ *Ibid.*

⁵ James D. Richardson, comp., *The Messages and Papers of Jefferson Davis and the Confederacy* (2 vol., New York: Chelsea House, 1966), Vol. I, pp. 149-150; Kenneth McNeil, "Confederate Treaties with the Tribe of Indian Territory," *The Chronicles of Oklahoma*, Vol. XLII, No. 4 (Winter, 1964-1965), p. 417.

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Elias C. Boudinot, the Cherokee representative, and Robert M. Jones, the Choctaw-Chickasaw representative, were the first Indian delegates to arrive at the Confederate Capitol in Richmond, Virginia

tors as early as October 2, 1862. Yet, the act providing for the election of delegates to the Confederate House of Representatives was not passed until May 1, 1863, while the law describing the mode of filling vacancies, passed January 5, 1864, was originally introduced in the House by Boudinot himself.⁶ One authority explains the delay in taking action as the result of disbelief on the part of the Confederate Congress that the Indian nations would actually realize the importance of their representation rights and act upon them.⁷ The accuracy of this appraisal cannot be ascertained from extant records; perhaps the Confederate legislators were simply preoccupied with more pressing business.

Whatever the explanation for delay, it remained for the Confederacy's lower house to establish the duties and privileges of the Indian representa-

⁶ United States Senate, "Journal of the Congress of the Confederate States of America," *Senate Document No. 234*, 58th Congress, 2d Session, Vol. I, pp. 590-591 and Vol. III, pp. 420, 520-521; Circular containing an Address and Acts of Congress, September 29, 1864, Confidential Correspondence of General Samuel B. Maxey (December 18, 1863-October 16, 1864), Samuel B. Maxey Collection, Gilcrease Institute of American History and Art, Tulsa, Oklahoma.

⁷ Abel, *The American Indian as Participant in the Civil War*, p. 180.

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tives. According to the resolution passed October 9, 1862, the five nations' delegates could propose and introduce measures for the benefit of the tribes. They were also allowed to address the House on any other legislation which might substantially affect Indian Territory, but on no bills or resolutions would the Indian legislators be allowed to cast a ballot. Obviously, the Confederacy was not prepared to extend completely equal status to the representatives of the Five Civilized Tribes. Nevertheless, on a daily basis, the delegates could exercise a greater degree of power than officially stipulated. Boudinot on one occasion requested a temporary suspension of the rules to allow him to introduce a bill not directly concerned with his own tribe, the Cherokees. Additionally, the House augmented the responsibilities of the Indian legislative contingent by reacting favorably to a motion placing a tribal delegate on the Committee on Indian Affairs as a corresponding member.⁸

If the somewhat anomalous positions of non-voting delegates were to be effectual, men of intelligence and tact were required. Much depended on the character and abilities of the first delegate to appear in Richmond. Boudinot, the Cherokee representative, entered the Confederate Congress as one of the two youngest legislators; he was twenty-seven years of age, only two years beyond the constitutional minimum for House members. His earlier life and career revealed similar precocities. Born near Rome, Georgia, on August 1, 1835, Boudinot lost his father four years later and came under the care of his uncle, Stand Watie. The latter sent his nephew in the company of his mother to Manchester, Vermont, where young Boudinot matriculated and received his basic education. By the time he entered college, the three-eighths Cherokee youth was described as "dark, handsome and proud of his Indian blood."⁹

At the age of twenty-one Boudinot journeyed west, where as a citizen of the Cherokee Nation, he owned a farm and had cattle interests. In New England he had enrolled in a civil engineering course only to switch to law, which he continued studying in Arkansas. Admitted to the bar in 1856, Boudinot presented cases in state and federal courts while interesting himself in local Democratic politics. By 1860, he listed his occupation as journalist, serving as editor of the Fayetteville, Arkansas, *True Democrat*. Boudinot voted for secession, although he owned no slaves, and was elected secretary of the Arkansas Secession Convention that voted to join the Confederate

⁸ United States Senate, "Journal of the Congress of the Confederate States of America," *Senate Document No. 234*, 58th Congress, 2d Session, Vol. I, p. 591, Vol. V, p. 514 and Vol. VI, pp. 276, 520, 529.

⁹ Muriel H. Wright, "Notes on Colonel Elias C. Boudinot," *The Chronicles of Oklahoma*, Vol. XLI, No. 4 (Winter, 1963-1964), p. 384.

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States of America. Watie enlisted his nephew's aid in organizing the First Cherokee Mounted Rifle Regiment in which Boudinot held the rank of major under his older kinsman's colonelcy. The regiment saw action against Federal forces at the Battle of Chustenahlah in Indian Territory; Boudinot was soon advanced to the rank of lieutenant-colonel. Lame in one knee from reinjuring a boyhood hurt during the 1861 winter campaign, Boudinot resigned his commission to campaign successfully for the office of Cherokee delegate to the Confederate Congress.¹⁰

Of Boudinot's activities during October, 1862, at Richmond in the House of Representatives, little was recorded. On the day the young mixed-blood repeated his oath of office, the House enacted a bill providing for the Indian delegates' pay and traveling expenses.¹¹ Boudinot would need this money as he soon returned to the Cherokee Nation to consult with his constituents, the first of several arduous trips by horseback to and from Richmond. The youthful legislator heard plenty of complaints voiced by members of his own and the other Five Civilized Tribes. Most of them centered on the gap between the Confederate treaty promises and their fulfillment. This disgruntlement had already prompted President Davis to send his Commissioner of Indian Affairs, Sutton S. Scott, on a western tour to assure the tribes of the Confederacy's good intentions. Scott, in an address to his Indian charges, attempted to explain the difficulties that the Richmond government faced in meeting its obligations. He emphasized the positive gains acquired by the Five Civilized Tribes from their allegiance to the South, excused the government's shortcomings on the grounds of the exigencies of war and noted encouragingly that they were "allowed delegates in Congress whose exclusive duty consists in watching over and guarding your interests."¹²

Before journeying to Richmond in January, 1863, Boudinot wrote Watie about the chief interests and need of money of the Cherokees at that juncture of the war effort. He had delayed his departure for the Confederate capital while awaiting military developments and while gathering information on

¹⁰ *Ibid.*, pp. 182, 385; Thomas B. Alexander and Richard E. Beringer, *The Anatomy of the Confederate Congress: A Study of the Influence of Member Characteristics on Legislative Voting Behavior, 1862-1865* (Nashville: Vanderbilt University Press, 1972), pp. 29, 356-357; John D. Adams, comp., *Elias Cornelius Boudinot* (Chicago: Rand McNally Company, 1890), pp. 17-19. No biography of Elias C. Boudinot has been written. The above account of him was compiled by John D. Adams of Little Rock, Arkansas, as a memorial to Boudinot immediately following his death on September 27, 1890.

¹¹ United States Senate, "Journal of the Congress of the Confederate States of America," *Senate Document No. 234*, 58th Congress, 2d Session, Vol. V, pp. 513-514.

¹² United States Department of the Interior, *Report of the Commissioner of Indian Affairs for the Year 1863* (Washington: Government Printing Office, 1864), pp. 342-343.

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the demoralized and despondent conditions in the Cherokee Nation and Indian Territory. This information he intended to utilize in obtaining funds due the Cherokee tribe, money sorely needed to bolster the Indians' flagging hopes for a successful conclusion of the war. Boudinot asked Watie as the Southern Cherokee chief to direct the Southern tribal legislature to adopt a resolution authorizing him as an agent to receive money. Watie accomplished this, and his nephew arrived in Richmond during February, prepared to channel financial aid home as rapidly as possible.¹³ He soon discovered the inherent difficulties of attempting to pry funds from a government already facing pecuniary distress. His best efforts to the contrary, Boudinot was unable to obtain any financial relief during the winter and spring months of 1862-1863. During these frustrating days, nevertheless, he managed to make his presence known in the Southern Congress. On February 20, 1863, he submitted a memorial to the House of Representatives containing his views on the Confederacy's Indian policy; the document, however, was not read aloud, but was referred directly to the House Committee on Indian Affairs. Later in the spring, on April 1, Boudinot introduced a bill, which was eventually passed, establishing the regulations for holding elections of Indian delegates to the House of Representatives. That same day the young Cherokee legislator offered a supplemental provision to an act organizing a judicial system for Indian Territory. Both of these actions bore legislative fruit, for the bills were passed; but neither was ever implemented by the Confederate government.¹⁴

Trouble awaited Boudinot upon his return to Indian Territory in May, 1863. In his zeal to serve the Cherokee Nation and the Confederate States, he had overstepped the wishes of his countrymen. Willing to take drastic measures to alleviate the rapidly deteriorating Confederate position in Indian Territory, Boudinot proposed offering land bounties to whites enlisting in the Cherokee regiment. Tribal reaction was swift and negative. Certain Cherokee leaders, including the acting pro-Southern assistant chief, Samuel M. Taylor, drafted a strongly worded protest to President Jefferson Davis. They accused Boudinot of misusing the dignity of his position as delegate in proposing "for his own interest and that of some of his friends" a pernicious scheme to defraud the Cherokees of their land. In spite of

¹³ Elias C. Boudinot to Stand Watie, January 23, 1863, Edward E. Dale and Gaston Litton, eds., *Cherokee Cavaliers: Forty Years of Cherokee History as Told in the Correspondence of the Ridge-Watie-Boudinot Family* (Norman: University of Oklahoma Press, 1939), p. 119.

¹⁴ United States Senate, "Journal of the Congress of the Confederate States of America," *Senate Document No. 236*, 58th Congress, 2d Session, Vol. VI, p. 376; Franks, "The Implementation of the Confederate Treaties with the Five Civilized Tribes," *The Chronicles of Oklahoma*, Vol. LI, pp. 28-29.



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this sinister allegation of wrongdoing for profit, no evidence implicating Boudinot in a landgrabbing plot was uncovered.¹⁸

Doubtlessly, Boudinot contemplated his return to Richmond with a sense of relief. Watie, his uncle, still possessed confidence in him, a judgment based more on the chief's acumen than mere familial loyalty if Boudinot's

¹⁸ Samuel M. Taylor, John Spears and Alex Foreman to Jefferson Davis, June 21, 1863, *Official Records*, Series I, Vol. XXII, Pt. II, pp. 1120-1122; Morris L. Wardell, *A Political History of the Cherokee Nation, 1838-1907* (Norman: University of Oklahoma Press, 1938), pp. 161-163, 166-167.

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subsequent accomplishments are considered. The Cherokee representative's most productive tasks lay before him. Journeying to Monroe, Louisiana, in November, 1863, Boudinot again turned his attention toward raising funds for the Cherokee cause. He discussed the increasingly desperate situation in Indian Territory with Commissioner of Indian Affairs Scott and Lieutenant General Edward Kirby-Smith, the commander of the Trans-Mississippi Department. The two Confederates heard from the Cherokee representative that as a consequence of Southern defeats in the West and continuing raids by Federal forces at Fort Gibson, most Indian families who supported the Confederacy had abandoned their homes for temporary shelter in northern Texas. These refugees were leading a precarious existence, suffering greatly without adequate food, housing and clothing. They constituted the chief concern of the three Indian delegates in Congress after the spring of 1863.¹⁶

In Louisiana, Boudinot received nothing more substantial than sympathy from Scott and Kirby-Smith. Neither of them would assume the responsibility for advancing funds for refugee relief. Therefore, Boudinot secured \$10,000 on his own signature and planned to proceed to Richmond to raise an additional \$40,000.¹⁷ Within two months he more than fulfilled a pledge to Watie to raise additional money. On December 18, 1863, Boudinot stood in the Confederate House of Representatives and introduced a bill appropriating \$100,000 for the relief of the Cherokee Nation. The measure passed Congress with only one dissenting vote and was signed by President Davis on January 22, 1864. This windfall, Boudinot told Watie, should be carefully spent, as after the war the entire amount would be deducted from annuity payments owed the Cherokees by the Confederacy. Additionally, Confederate currency had so depreciated in value by this stage of the war that the Southern government was debating the refunding of existing currency in favor of a new issue. This new money, Boudinot realized, would buy more for his tribe; thus, he urged Watie to draw sparingly from the \$100,000 account until the more valuable currency would be circulated. Apparently, Watie followed this nephew's advice; the chief reported that only \$45,000 had been expended for the care of indigent Cherokees by August, 1864.¹⁸

¹⁶ Angie Debo, "Southern Refugees of the Cherokee Nation," *The Southwestern Historical Quarterly*, Vol. XXXV, No. 4 (April, 1932), pp. 255-258.

¹⁷ Boudinot to Watie, November 4, 1863, Dale and Litton, eds., *Cherokee Cavaliers: Forty Years of Cherokee History as Told in the Correspondence of the Ridge-Watie-Boudinot Family*, p. 143.

¹⁸ *Ibid.*, pp. 150-151; United States Senate, "Journal of the Congress of the Confederate States of America," *Senate Document No. 234*, 58th Congress, 2d Session, Vol. VI, pp. 543.

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The spring of 1864 found Boudinot impatient to leave Richmond and rejoin his tribal kinsmen in the West. During the previous one-half year he had maintained a laborious schedule of activities in his role of Confederate congressional delegate. After obtaining passage of the Cherokee Relief Act, Boudinot introduced more legislation concerning Indian Territory. On January 8, 1864, he offered for consideration a bill to expedite the payment of claims against the Confederate government of widows and orphans of deceased Indian soldiers and officers. The proposed legislation was referred to the House Committee on Indian Affairs on which Boudinot had served since the previous December as a non-voting, corresponding member. Although not passed as a separate act, the Indian claims settlement was added by Boudinot to a more general claims bill.¹⁹ The Cherokee also introduced a bill to facilitate the payment of quartermaster, commissary and ordnance accounts accumulated by Indian troops. However, no action was taken on this bill after the Confederate House voted to refer it to committee.²⁰ Boudinot's last utterance on the floor of the House, before the congressional session ended in June, involved the proposal of a minor administrative bill. He suggested that funds be appropriate to print in pamphlet form sufficient copies of the Acts and Resolutions of the Provisional Congress to supply all members of the House. This bill received immediate approval from Boudinot's fellow legislators.²¹

The young mixed-blood representative left Richmond in June, 1864, satisfied that he had represented the Cherokees to the best of his abilities. This had included activities outside the halls of the Confederate Congress. Boudinot met with President Davis to discuss questions of policy regarding Indian Territory, and on at least two occasions Davis received letters from Boudinot outlining the delegate's plans for the reorganization of the territorial military structure, making the region a department separate from the existing Trans-Mississippi Department.²² More specifically, Boudinot requested that three Indian regiments be formed into a brigade commanded by Watie,

597: Boudinot to Watie, January 24, 1864, Dale and Litton, eds., *Cherokee Cavaliers: Forty Years of Cherokee History as Told in the Correspondence of the Ridge-Watie-Boudinot Family*, pp. 150-152; Stand Watie's address to the Cherokee National Committee and Council, August 7, 1864, *Official Records*, Series I, Vol. XLJ, Pt. 2, p. 1047. For a detailed discussion of the Confederate currency problem, see Yearns, *The Confederate Congress*, pp. 197-217.

¹⁹ United States Senate, "Journal of the Congress of the Confederate States of America," *Senate Document No. 234*, 58th Congress, 2d Session, Vol. VI, pp. 520, 529, 602, 811.

²⁰ *Ibid.*, p. 811.

²¹ *Ibid.*, Vol. VII, p. 19.

²² Boudinot to Watie, January 24, 1864, Dale and Litton, eds., *Cherokee Cavaliers: Forty Years of Cherokee History as Told in the Correspondence of the Ridge-Watie-Boudinot Family*, pp. 150-151.

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who would hold the rank of brigadier general.²³ The President followed much of this advice: in February, 1864, he addressed the Confederate allies of the Five Civilized Tribes, informing them of his decisions to constitute their territory into a separate military district, rather than a department and to authorize an expansion of the Indian troops into additional brigades.²⁴ As a result Boudinot was able to send word to Watie of his promotion to the rank of brigadier general before leaving Richmond.²⁵ He traveled extensively in Texas and Arkansas attempting to aid Indian refugee groups before returning to the Confederate capital in November, 1864. During the last months of the Confederacy, he teamed with Samuel B.



Samuel B. Callahan, the Creek-Seminole representative, who worked with Boudinot for badly needed aid for the Southern refugees in Indian Territory

Callahan, the Creek-Seminole representative, in efforts to provide their beleaguered Indian constituents with some relief. They alone represented Indian Territory, as no successor to Robert M. Jones, the Chickasaw and Choctaw delegate, was elected following Jones' resignation from office in June, 1864.²⁶

At that time, Jones, a mixed-blood Choctaw, had already spent three years in the service of his tribe. Born in Mississippi, on October 1, 1808, he was a generation older than his legislative counterparts, Callahan and Boudinot. As a youth of nineteen, Jones left a local Indian mission school in Mississippi to attend the Choctaw Academy in Scott County, Kentucky. Three years

²³ Boudinot to Davis, December 21, 1863, and January 4, 1864, *Official Records*, Vol. XXII, p. 1103, and Vol. LIII, pp. 920-921.

²⁴ Richardson, comp., *Messages and Papers of Jefferson Davis and the Confederacy*, Vol. II, pp. 477-479.

²⁵ The promotion was made on May 5, 1864, Boudinot to Watie, May 7, 1864, Cherokee Nation Collection, Western History Collections, Library, University of Oklahoma, Norman, Oklahoma.

²⁶ Circular containing an Address and Acts of Congress of September 29, 1864, Confidential Correspondence of General Samuel B. Maxey (December 18, 1863-October 16, 1864), Samuel B. Maxey Collection, Gilcrease Institute of American History and Art.

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later, he graduated with a special recommendation from three of his teachers, describing him as "a young man of sterling worth; strictly honest. . . [and] well qualified with a good English education."²⁷ Upon graduation, Jones received \$1,800 worth of government annuities accumulated while in school. With this legacy, he launched an astoundingly successful business and farming career. By the time of the South's secession from the Union, he operated several general merchandise stores and plantations, including Rose Hill, located in Red River County of the Choctaw Nation. Jones and his Chickasaw wife lived elegantly in a style probably equal to that of most other large plantation owners in the South.²⁸

Secession brought an abrupt end to Jones' splendid idyll. As the possessor of over 200 slaves, it was only natural that he risk his personal fortune with those of the Confederacy. He headed the Choctaw and Chickasaw treaty negotiators and was the first to sign the completed agreement whereby the two tribes joined the Southern cause.²⁹ On October 7, 1861, Jones was certified as the winner of the election for the Chickasaw and Choctaw delegate position.³⁰ Fifteen months elapsed before Jones swore his oath of office and claimed his seat in the Confederate House of Representatives on January 17, 1863.³¹ The new delegate's first action on the floor of the House involved the presentation of a memorial on behalf of a commercial firm, Jones and Thebo, asking compensation for supplies furnished to the Choctaw Volunteers. The document was referred to the House Committee on Claims without recommendation. Jones offered one other bill during his tenure as delegate, and, as a result, the House voted favorably on his bill to appropriate funds to print 200 additional copies of the *Report of the Commissioner of*

²⁷ The original school transcript, dated June 11, 1830, and the accompanying letter of recommendation signed by Theodore Henderson, F. C. McCall and Robert M. Johnson are in the Robert M. Jones File, Indian Archives Division, Oklahoma Historical Society, Oklahoma City, Oklahoma.

²⁸ This biographical material is from an unsigned and undated typewritten manuscript plus a letter of Robert L. Williams to J. H. Randall, September 16, 1927, *ibid*; Grant Foreman, "Notes from the *Indian Advocate*," *The Chronicles of Oklahoma*, Vol. XIV, No. 1 (March, 1936), pp. 318-319.

²⁹ *Official Records*, Ser. IV, Vol. I, pp. 451, 464-465.

³⁰ Abel, *The American Indian as Participant in the Civil War*, p. 180.

³¹ United States Senate, "Journal of the Congress of the Confederate States of America," *Senate Document No. 234*, 58th Congress, 2d Session, Vol. VI, p. 26. A clue to the reason for the long delay before Jones took his congressional seat can be found in an extract of a letter written by him on July 1, 1862. Jones complained to Confederate military authorities that five of his wagons had been "pressed" into service by a local commander. It is possible that Jones' extensive business interests kept him at home until January, 1863. G. A. Schwarzman to R. C. Newton, July 4, 1862, *Official Records*, Ser. I, Vol. XIII, pp. 962-963.

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Indian Affairs for distribution among the Confederate tribes.³² While residing in the Confederate capital, Jones, along with the other Indian delegates, attempted to look after his constituents' wartime needs. On one occasion in September, 1863, he traced the reason for the failure of an arms shipment to reach troops operating in Indian Territory; the arms and munitions were captured by Federal forces.³³ This type of occurrence had become all too common by June, 1864, when Jones resigned his seat in the House of Representatives, leaving the younger Indian delegates, Callahan and Boudinot, to represent the Five Civilized Tribes in Richmond.³⁴

As Watie's troops continued the losing battle in the West, the two remaining Indian Territory legislators labored in the Southern Congress during the waning days of the Confederacy. The indefatigable Boudinot was seconded in this increasingly despairing task of extracting government assistance for the Five Civilized Tribes by Samuel Callahan. Of Scottish and Irish descent with no known Indian forebears, Callahan was born in Mobile, Alabama on January 26, 1833. His parents left his birthplace and moved to Sulphur Springs, Texas, where he attended public schools until entering McKensie College at Clarksville, Texas. Callahan edited the Sulphur Springs *Gazette* after college, then moved to Indian Territory in 1858, where he raised cattle, and made his headquarters at Okmulgee. When the Civil War came, Callahan enlisted in the Confederate Army as a member of the First Creek Mounted Volunteers. Elected by his full-blood Creek friends to serve as their delegate to the Confederate House of Representatives, he resigned his commission and duties as a captain in the First Creek Regiment on May 18, 1864.³⁵

Callahan entered the House of Representatives on May 30, 1864. He proposed two items of legislation before leaving Richmond two weeks before the end of the war.³⁶ On January 20, 1865, Callahan introduced a bill to pay in cotton the annuities due the Creek and Seminole nations. The

³² *Ibid.*, pp. 46, 103.

³³ Guy M. Bryan to Robert M. Jones, September 19, 1863, *Official Records*, Ser. 1, Vol. XXII, Pt. 2, p. 1021.

³⁴ Jones' motives for resigning are not known, nor are many other aspects of his career. The bulk of his records and correspondence was destroyed by vandals after his death in 1865. Robert L. Williams to J. H. Randall, September 16, 1927, Robert M. Jones File, Indian Archives Division, Oklahoma Historical Society.

³⁵ This biographical material appears in Muriel H. Wright's appendix titled "Samuel Benton Callahan," in Carolyn Thomas Foreman, "S. Alice Callahan: Author of Wynema A Child of the Forest," *The Chronicles of Oklahoma*, Vol. XXXIII, No. 3 (Autumn, 1955), pp. 314-315.

³⁶ In spite of his brief career in the Confederate House of Representatives, Callahan was later to be accorded a degree of fame as the last living survivor of the Confederate Congress. He died in Muskogee, Oklahoma, on February 17, 1911. *Ibid.*, p. 315.

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provision was taken under consideration by the House Committee on Indian Affairs, whose membership incorporated it into a broader act benefiting the Choctaw and Chickasaw tribes as well as the Creek and Seminole nations.³⁷ Both Callahan and Boudinot participated in the debate over a bill concerning the redemption of the old issue Confederate treasury notes for a new issue. Boudinot had written Watie of his hopes of sparing the Cherokees from losing money on this compulsory transaction. Approximately one-third of the value of the Cherokee-owned old issue notes would have been lost if the proposed financial measure was applied to the Indian nations.³⁸ Thanks to the Boudinot and Callahan amendments, the act providing for redemption of the old issue notes exempted the Indians from the one-third discount. Moreover, a Callahan amendment guarded against fraud by stipulating that the redemption process be under the supervision of the Confederate Superintendent of Indian Affairs. Because of a Boudinot proposal, the amount which could be redeemed was raised from \$300,000 to \$600,000.³⁹

Boudinot and Callahan left Richmond in mid-March, 1865, just three weeks before Robert E. Lee's surrender at Appomattox, Virginia. Thus, their and Jones' legislation instantly became worthless. Nevertheless, their days in Richmond were important during the life of the Confederacy. Callahan, Jones and Boudinot sacrificed time and effort in their struggle to secure the promises provided for in the treaties of 1861. That the measures they succeeded in enacting did not relieve their constituents' problems can be attributed to wholly inadequate financing of the Confederacy. Inflation reached astounding proportions and matched in fact an often repeated quip in Richmond: "You take your money to market in the market basket, and bring home what you buy in your pocketbook."⁴⁰ Boudinot proved this point when in Richmond, as he told Watie, that he was paying \$400 a month for lodging.⁴¹ Under these inflationary conditions, the value of the

³⁷ United States Senate, "Journal of the Congress of the Confederate States of America," *Senate Documents No. 234*, 58th Congress, 2d Session, Vol. VII, pp. 467, 657; James M. Matthews, ed., *Statutes at Large of the Provisional Government of the Confederate States of America* (Richmond: R. M. Smith, 1864), pp. 94-95.

³⁸ Boudinot to Watie, October 3, 1864, Cherokee Nation Collection, Western History Collections, Library, University of Oklahoma.

³⁹ United States Senate, "Journal of the Congress of the Confederate States of America," *Senate Document No. 234*, 58th Congress, 2d Session, Vol. VII, pp. 601-602; Matthews, ed., *Statutes at Large of the Provisional Government of the Confederate States of America*, p. 75.

⁴⁰ Mary Boykins Chestnut, *A Diary from Dixie*, Ben Ames Williams, ed. (Boston: Houghton Mifflin Company, 1961), p. 368.

⁴¹ Elias C. Boudinot to William P. Boudinot, June 2, 1864, Dale and Litton, eds., *Cherokee Cavaliers: Forty Years of Cherokee History as Told in the Correspondence of the Ridge-Watie-Boudinot Family*, p. 170.

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relief bills of the Indian delegates to the Confederate House of Representatives was sharply curtailed. Perhaps the most lasting contribution the three delegates made was indirect. Their presence in the Confederate Congress helped to quell the still widely held stereotype of confused red men destined always to remain wards of white government.