

THE LOCATION OF THE BATTLE OF ROUND MOUNTAINS

By Angie Debo*

SPECIAL NOTE

Readers: Please note that the Board of Directors of the Oklahoma Historical Society has never at any time indicated its official determination of where it believes the battle to have taken place but this article is presented in a spirit of reflecting both sides of a meritorious historical research by eminent historians.—*The Publication Committee.*

In 1949 an article by the present writer appeared in *The Chronicles of Oklahoma* under the title, "The Site of the Battle of Round Mountain, 1861."¹ It had been prepared at the request of the Payne County Historical Society and presented all the data bearing on the location of the battlefield that had been uncovered up to that time. Since that writing, additional evidence has been collected, and at the request of the same society this second article has been submitted to bring the investigation up to date.

The main events in this first campaign of the Civil War in Oklahoma have long been known. In the summer of 1861 the Creeks through their constitutional government, with Moty Canard and Echo Harjo as their elected chiefs, made an alliance with the Confederacy. About fourteen hundred of their men enlisted in the Southern army. They were commanded by Creek officers: a regiment under Colonel D. N. McIntosh, a battalion of Creeks and Seminoles under Lieutenant Colonel Chilly McIntosh, and an independent company under James M. C. Smith. But a numerous element in the tribe under their trusted leader Opothle Yahola remained loyal to the Union and prepared to abandon their country. They butchered cattle and hogs, drying the beef and cooking down the pork, gathered their sweet potatoes and corn, collected their household possessions, and rounded up their livestock. They formed mobilization camps in their settlements, which eventually joined to form a long string of wagons and herds of horses and cattle moving towards the north. They were attacked three times by the Confederates.

* The writer wishes to express appreciation to the Payne County Historical Society and to the Oklahoma Historical Society for photographic copies of original documents used in this article.

¹ Angie Debo, "The Site of the Battle of Round Mountain, 1861," *The Chronicles of Oklahoma*, Vol. XXVII, No. 2 (Summer, 1949), pp. 167-206. The original title carried the name, "Round Mountains," but the s was inadvertently omitted in the published article.

In the last battle, fought on December 26 in the Osage hills north of Tulsa, they were completely routed. They abandoned their possessions and fled over the snow to Kansas.

According to all the official records the first battle was fought on November 19. Its location has long been uncertain. It is well established that the Union Creeks coming up from the south had encamped on the north side of the Red Fork (Cimarron) and that the Confederates followed their trail and attacked them there. The engagement was referred to by the Union forces as the Battle of Red Fork, by the Southerners as Round Mountains or Round Mountain.² The name "Red Fork" derives from the river, and might have been any point on its course. There was no "Red Fork Settlement" nor any specific locality by that name. There are strong indications that "Round Mountains" or "Round Mountain" was a recognized place name. But where was it?

Colonel Douglas H. Cooper, former United States agent to the Choctaws and Chickasaws, was the Confederate commander. He had six companies from a Choctaw-Chickasaw regiment of mounted rifles, a detachment of Texas cavalry, the Creek regiment, and the Creek-Seminole battalion. We have the following official reports of the engagement: by Cooper, a first draft written on November 25 and a final report dated January 20, 1862; by Lieutenant Colonel William Quayle, commanding the Texas contingent, written November 20; by Captain M. J. Brinson, commanding a Texas squadron, dated November 25; and by Captain R. A. Young, commanding a Choctaw-Chickasaw company, dated November 30.³

These accounts must be accepted. They are clear and plain and have every appearance of accuracy and integrity, and they are in complete harmony with each other. Even if one could believe Cooper capable of misrepresenting or concealing facts, it is unthinkable that all these officers were so dishonest. They may be summarized briefly:

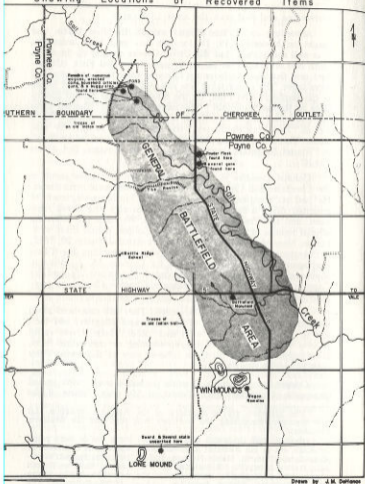
Cooper was following Opothle Yahola's trail "with varied prospects of success" until November 19, when "some of the

² The historian will be reminded of the Northern Antietam and the Southern Sharpsburg, the Northern Bull Run and the Southern Manassas.

³ Cooper's first draft and Quayle's report (with one or more pages missing) are in the National Archives, War Department, Collection of Confederate Records, Battle Reports, Indian Territory, Round Mountain, Record Group No. 109, hereafter cited as National Archives, Record Group 109; photographic copies are in the collection of the Payne County Historical Society, hereafter cited as PCHS, Collection. The other reports are in *The War of the Rebellion: Compilation of the Official Records of the Union and Confederate Armies*, First Series, Vol. VIII, pp. 3-13, hereafter cited as *Official Records*, Vol. VIII.

SITE OF THE BATTLE OF ROUND MOUNTAINS

Showing Locations of Recovered Items



Map submitted by the Payne County Historical Society, under the caption "Site of the Battle of Round Mountains."

disaffected party were seen and a few prisoners taken." From them he learned that the enemy was near the Cimarron, or had been there "within a day or two." He crossed the river and "pushed rapidly forward." (In his draft report he implies, although he does not clearly state, that he had already crossed the river by "about 3 o'clock P.M." when he "became satisfied that the enemy was near, and accordingly pushed rapidly forward.") At about four o'clock he discovered camp smokes in front and saw enemy scouts "at various points."

The Texans charged this camp and found it abandoned—"the enemy having fled at our approach," said Quayle. They pursued the fugitives "at a brisk gallop" about two miles. Then Quayle sent a detachment "to scour a point of timber lying upon our right, thinking the enemy might be there concealed." The rest of his command under Captains Brinson, C. S. Stewart, and others continued the pursuit. "About 4 miles to the North East" they found the main body of the enemy "strongly posted" in the "timber skirting a creek." When they reached this encampment they were fired upon—"about sunset," said Brinson. They stood and fought for a time; then when it became apparent that the enemy was attempting to outflank and surround them, they retreated towards the main Confederate position, both sides keeping up a constant fire.

Cooper meanwhile, as soon as he heard the firing, ordered the Choctaws and Chickasaws to advance to Quayle's assistance. The Texans retreated "nearly two miles," said Quayle, "some 2½ miles," said Brinson, when they met Cooper with these Choctaw-Chickasaw reinforcements. "A few Creeks" also joined them.* The reinforcing troops did not meet the retreating Texans directly but passed to their left so that the two lines overlapped somewhat. By this time it was very dark so that it was impossible to distinguish the Texans from their pursuers; but Cooper's side called across and was answered by the crack of enemy rifles. (One detail supplied by Captain Young: "The prairie was on fire at my right [i. e., east]," apparently set by Opothle Yahola's warriors.) A "short but sharp conflict" took place—"fifteen minutes," was Young's estimate. Then the enemy retreated. Cooper sent some Choctaws and Texans "to examine the ravine in front and on the flanks," but it was found that the Union Creeks had withdrawn in the direction of their camp.

These are the sole military movements of which we have

* There is some reason to suspect that at this late date the tribal authorities were trying to persuade their estranged brethren to return home and submit to the constitutional government. In a letter, which will be presented later, Moty Canard and Echo Harjo informed Chief John Ross of the Cherokees that "on the evening before the battle Echo Harjo went into their camps and conversed with them." Elsewhere these leaders had shown a tendency to act independently of Cooper.

any record; and any attempt to construct a different battle picture must be rejected.

Immediately after daylight the next morning the Confederates entered this camp and found that the enemy had "precipitately abandoned it, leaving behind the chief's buggy, 12 wagons, flour, sugar, coffee, salt, &c. besides many cattle and ponies." They also found "a field of graves in and near" this encampment; and it is indicated that they exhumed some or perhaps all, of the bodies, apparently to determine whether Federal agents were operating with Opothle Yahola.³ (In one grave they reported finding seven white men, including one who had lived several years in Kansas.) From this examination they estimated that more than fifty of the Union party had been killed. In his draft report of November 25 Cooper gave an exact figure, sixty-three; but in his final report after he had had an opportunity to question prisoners at the close of the campaign he set the number of killed and wounded at 110. His own loss was one officer and five men killed, four wounded, and one missing. The officer was Captain Stewart; he lingered until "about 10 o'clock" the following morning. The others were two Creeks killed and one wounded, three Texans killed and one wounded, two of the Choctaw-Chickasaw contingent wounded. The Texans also lost five powder flasks.

The only known newspaper account of the battle contributes no additional information except a partial identification of the white man whose body was found in Opothle Yahola's camp. Said the *Fort Smith News* of November 30:⁴

"Col. Cooper has had a fight with Opothleyohola's force and Kansas Jayhawkers, and killed some sixty of them. Four of Col. C's command were killed. Fight took place on Red Fork. It commenced at dark, the prairie was on fire. On next day about 60 Indians and Jayhawkers found killed. The body of a brother of John W. Taylor, merchant of the Creek Nation found among them.—Seventeen wagons taken, with cattle, sugar, coffee, etc."

In 1875—less than fourteen years after the battle—the Pawnees came from Nebraska and settled on a reservation that included the area twenty miles east of Stillwater, where two smooth, rounded, grass-covered hills now known as the Twin Mounds rise conspicuously above the level ground north of the Cimarron. Four and one-half miles northeast at an old ford on Salt Creek in the southwestern corner of the present Pawnee

³ The information about the graves comes from Quayle's report.

⁴ This item was copied by the *Daily State Journal* (Little Rock) December 5, 1861, Library of Congress files. The trader mentioned here was almost certainly J. W. Taylor, a white man who had operated a store in partnership with Opothle Yahola.

County⁷ they found impressive remains of an abandoned camp. As 87-year-old Thomas Pratt described them in a sworn statement⁸ in 1949, there were "various iron pieces," such as "parts of stoves, wagon irons, cooking things," and "similar things for about ½ mile southward from the rocky ford along the north side of the creek." He remembered that his uncle, Little Chief, told him "that during the fight that had occurred there . . . the people who had the wagons and camp things had pushed their enemy back to the south—fighting all the way to the little branch located on the north side and at the base of the Twin Mounds." Other Pawnees have similar traditions. They are not familiar with the historical background—Little Chief in fact got his information from some of the Indians who had served as scouts—but his account coincides surprisingly with Cooper's official report.

Major Edward Hale Bowman, United States agent to the Pawnees, connected this Indian tradition with the known fact of Opothle Yahola's exodus. William R. Little, who afterwards married Bowman's daughter, came to the reservation in 1880 to take charge of cattle issued to the Pawnees. At the Salt Creek location he found "many pieces of broken wagons, metal tires used on wagons, metal harness buckles, pieces of broken dishes and pottery,⁹ iron cooking utensils, Indian bows and arrows, bones apparently of human beings,¹⁰ and numerous other articles, and between this place and the Twin Mounds a few of such articles were found." He reported to the agent, who instructed him to bury the bones and gather up a wagon load of the irons to be used in the Government blacksmith shop at the agency; and he told his young employee a story¹¹—somewhat inaccurate in detail—of Opothle Yahola's exodus and of the battle.

When the white settlers came to the region in the "Run" of September 16, 1893 they found the same tradition. It was frequently mentioned—with even greater inaccuracy—in the newspapers of the period. Typical is an article in the *Oklahoma State Sentinel*, published at Stillwater, in the issue of July 12, 1894.¹²

⁷ The Twin Mounds are astride the line between Sections 16 and 21, T16N, R5E; the ford is in NE¼ Sec. 31, T20N, R5E.

⁸ PCSB, Collection, Affidavit by Thomas Pratt, April 16, 1949. This Collection has a great many such statements, which, from lack of space cannot be presented here.

⁹ This and other frequent references to "pottery" in these statements apparently refer to crockery, not Indian pottery.

¹⁰ It is possible that these were human bones. It is not known whether the Confederates reburied the bodies they exhumed.

¹¹ PCSB, Collection, Affidavit by Andrew W. Little, son of William R. Little, April 28, 1949.

¹² Newspaper in the possession of Robert E. Cunningham, Stillwater, Oklahoma.

"How many people in Payne county know that during the rebellion a battle was fought in this county. It occurred in the eastern part of Pawnee township, not far from the Twin Mounds. It was between about 3,000 renegades and a regiment of Texas rangers who were attempting to capture and return the skeddaddlers to Texas. The troops overlook the fleeing columns, when a battle ensued, but the fleeing party succeeded in escaping to Blackbear, where they fortified themselves and repulsed the pursuing party a little later on. For a number of years after the fight Indians picked up articles cast away by the refugees, and since the settlement of Oklahoma, wagon tires and fragments of wagons have been found on the site of the battle."

A still more inaccurate account was published in the *Cushing Herald*, June 11, 1897:¹³

"The battle of Twin Mounds, Payne County, fought near the close of the war between Texas Rangers and some northern men, when about thirty were killed and wounded, was not so much a skirmish between Unionists and Rebels as between certain Texas cattlemen who were trying to recapture their large number of steers that had been confiscated by a band from somewhere up north. The battle put a stop to occasional wholesale stealing of large herds of marketable beefs."

The only remnant of fact that can be discerned in this account is that the Union party was driving cattle and was pursued by Texans. It is of course completely contrary to historical knowledge to say that Northern men invaded Texas and drove out cattle during the war.¹⁴ These newspaper editors, like other Oklahoma pioneers, were unfamiliar with Indian Territory history. But their frequent if distorted mention of the battle indicates the persistence of the local tradition. This was strong enough to give the name, "Battle Ridge," to a pioneer school in a location that exactly fits the terrain of the last sharp conflict, a prairie two miles south of the Salt Creek ford with small creeks north, east, and west—Cooper's "ravine in front and on the flanks."

Joseph E. Thoburn unquestionably drew on this tradition when at the time of statehood he wrote the first history of Oklahoma; for he located the battlefield as "Probably within the present limits of Pawnee or Payne counties."¹⁵ Then in 1915

¹³ Quoted by Muriel H. Wright, "Colonel Cooper's Civil War Report on the Battle of Round Mountain," *The Chronicles of Oklahoma*, Vol. XXXIX, No. 4 (Winter, 1961-62), p. 365.

¹⁴ See Edward Everett Dale, *The Range Cattle Industry* (Norman, 1929), pp. 21-31; or *Cow Country* (Norman, 1943), pp. 24-26 for this period in the cattle industry of Texas.

¹⁵ Joseph E. Thoburn and Isaac M. Holcomb, *A History of Oklahoma* (San Francisco, 1908), p. 82n.

Annie Heloise Abel, drawing entirely on documents in Government archives, published the first of her three great volumes on the Civil War in the Indian Territory. Here¹⁴ she reproduced a map drawn by Special Indian Agent John T. Cox and enclosed in a report he sent from Fort Gibson March 18, 1864. It showed the route of Opothle Yahola, and the three battle sites, each marked conspicuously by a United States flag; and the "Battle of Red Fork" was placed just north of the mouth of the Cimarron. This seemed to be authentic. Thoburn accepted it in his later writings, and so did other historians. This included the present writer, who did not even know of the Payne-Pawnee County location. Thus for more than a generation the local people with their battle site and the scholars with their map went their separate ways, each group generally unaware of the other's existence.

So far as the present writer knows, only one attempt was made to obtain a definitive settlement. In 1931 James H. Hale, a pioneer citizen of Pawnee, read an article by Rachel Caroline Eaton in the *Tulsa World* locating the battle in the hills north of Keystone; and he wrote a series of earnest letters¹⁵ urging the Oklahoma Historical Society to investigate. "I have wondered for many years," he said, "if it was too late to have one who made the escape go over the ground," and he suggested the names of several probable informants. It was his own theory that Opothle Yahola crossed the Cimarron at a well known ford south and slightly west of the Twin Mounds,¹⁶ and that after the battle and his abandonment of the camp on Salt Creek he retreated north, crossing the Black Bear two miles west of Pawnee and fording the Arkansas near Helford Bridge, twelve miles north of that city; but he was concerned only "to get the history as correct as possible." Unfortunately the Historical Society did not act. All his suggested informants have since died, and the difficulty of tracing the route has increased enormously.

It was not until 1948 that the historians—in the person of the present writer—and the local people confronted each other

¹⁴ Annie Heloise Abel, *The American Indian as Slaveholder and Secessionist* (Cleveland, 1915), p. 263. The original map is in the National Archives, Cartographic Records Branch, Tube No. 1168, Map No. 7686. A reproduction is in Wright, *op. cit.*, p. 371.

¹⁵ Oklahoma Historical Society, Indian Archives, James H. Hale to M. S. Barnard, January 13, 1931; to John B. Meserve, January 19, 1931 and April 11, 1932. Copies of these letters were furnished the Payne County Historical Society through the Oklahoma Historical Society.

¹⁶ Between Sections 8 and 9, T18N, R5E, about 4½ miles north of the present Cushing and one mile west of SH 18. For a discussion of trails in the Twin Mounds area see Debo, *op. cit.*, p. 138. Briefly, although the Payne County Historical Society has collected exact data tracing the trails through the region soon after the war, there is no known source of information regarding trails that may have existed in 1861.

at a meeting of the Payne County Historical Society;¹⁹ and an intensive investigation was instituted—not to support the local site, but to determine the facts. At that time, while this writer was still unconvinced, John H. Melton of Stillwater wrote to Grant Foreman, and received under date of October 26 the following reply:²⁰ "I am satisfied, from my own investigation, from yours, and the evidence assembled by you, that you have correctly located the site of this battle." But Dr. Foreman was in feeble health from his heart attack of the previous year—a condition from which he never recovered—and was unable to examine his files. It would be interesting to know what he had discovered.

The first break in the investigation came when a sworn statement²¹ by D. N. McIntosh, James M. C. Smith, and Tim Barnett was obtained from the National Archives. It was notarized at Washington March 17, 1868 and it gave a detailed account of the exodus of Opothle Yahola and of the battles that followed. McIntosh of course commanded the Creek regiment. Smith probably was not present, although he joined Cooper in time to participate in the second battle on December 9.²² Timothy Barnett, who lived near the present Wetumka, had been one of the leaders in negotiating the treaty with the Confederacy, and when a second Creek regiment was formed he became its colonel. Thus all three served as officers in the Confederate army. Their statement furnished startling corroboration of the Payne-Pawnee County site—the first the local people had ever received from a contemporary source. Historical research and local tradition were finally becoming merged.

The Payne County Historical Society has continued adding data to its files, meticulously furnishing duplicate copies to the Oklahoma Historical Society. It has given the widest possible publicity to its quest, inviting scholars and old-timers alike to contribute. The response has been generous: much evidence has been collected, and in some cases published. Some of this, although interesting, has no bearing on the location; some supports the Twin Mounds site; but with one tenuous exception—which will be discussed later—none of it corroborates the Cox map.

¹⁹ The writer's diary for November 14, 1846 has this entry: "In the afternoon I went to the Payne County Historical Society. A young fellow named Melton has some proof that the Battle of Round Mt. was fought in Payne County."

²⁰ PCHS, Collection.

²¹ National Archives, Records of the Office of Indian Affairs, Letters Received, Choctaw, C876/1868, cited hereafter as "Statement." A photographic copy is in PCHS, Collection. The document also has Cherokee signatures, but the Cherokees of course were not familiar with the first part of the campaign.

²² *Official Records*, Vol. VIII, p. 7, Report of Douglas H. Cooper, January 23, 1862.

Dean Trickett of Tulsa, who had written a scholarly account of the beginning of the Civil War in the Indian Territory,²³ contributed a sketch of Cox's life.²⁴ He had come from Ohio to Kansas in 1867, where he served as a surveyor. In the spring of 1862 he assisted in organizing a regiment of Opothle Yahola's followers who had fled to Kansas; and he accompanied them when they were merged with the expedition that attempted to recover the Indian Territory from the Confederates. From the southeastern corner of Kansas this army advanced to Fort Gibson, and he was engaged in mapping the country through which it passed. With various duties—first lieutenant, quartermaster, special agent in the Indian service—he remained with the Union Indians at Fort Gibson until he was transferred to Kansas in the spring of 1864. Thus he had excellent opportunities to learn of their exodus, and his map is entitled to serious consideration.

This writer once characterized it as an "excellent map,"²⁵ but the statement is only relative. It is much better than the Indian Territory maps in the *Official Records*, but it is far from accurate geographically. Indeed, as Dr. Berlin Basil Chapman of the history department of Oklahoma State University has pointed out, although the battlefield is located at the mouth of the Cimarron it is not in the Tulsa vicinity; on the course of the Arkansas it is as far above Tulsa as Fort Gibson is below. At the same time the second and third battles of the retreat are in an approximately correct location with reference to Tulsa. One can argue reasonably that not Tulsa but the Cimarron has been misplaced, and that from the standpoint of distance it supports the Twin Mounds site.

But its geographical inaccuracy could be overlooked if its historical accuracy were unassailable. It seems not to have occurred to those who are determined to accept it in spite of conflicting evidence that logically they must go all the way. They must accept the date, for it dates the "Battle of Red Fork" as November 15. This is disproved, not only by the official report of Cooper on January 20, but by his rough draft November 25, by Quayle's report November 20, by Brinson's report November 25, by Young's report November 30, and by a letter from Moty Cenard and Echo Harjo to John Ross

²³ *The Chronicles of Oklahoma*, Vol. XVII (1939), 315-27, 401-12; XVIII (1940), 142-53, 296-89; XIX (1941), 55-69; 381-66—*Ref. O.H.S., Cumulative Index* (1961).

²⁴ "An Interim Report on the Site of the Battle of Round Mountain," *The Chronicle of Oklahoma*, Vol. XXVIII, No. 4 (Winter, 1950-51), pp. 492-94.—*Ibid.*

²⁵ Debo, *op. cit.*, p. 188.

dated November 25.¹⁶ All these documents give the date as November 19. How can the Cox map stand up against this overwhelming contemporary evidence?

The map also shows the beginning of Opothle Yahola's exodus below the confluence of the Deep Fork and the North Canadian north of the present Eufaula. For many years this was accepted without question, for the leader's home was in that vicinity and his town, Tuckabatchee, was settled there. But early in August Albert Pike of Arkansas, who had negotiated the Confederate treaties with the Indians, had authorized James M. C. Smith "to raise and command a company of Creek Volunteers, to be stationed at the North Fork Village [near the present Eufaula] . . . to act as a police force, watch and apprehend disaffected persons, intercept improper communications, and prevent the driving of cattle to Kansas."¹⁷ According to Pike,¹⁸ this company was soon raised and apparently remained in that vicinity. It is known that the Confederates were in undisputed control there in early November.¹⁹ Thus it was mani-

¹⁶ The reports were cited in Note 3. The letter is in the Thomas Gilcrease Collection of American History and Art, Ross Papers. It was dated at Cooper's headquarters at Concherty, and read as follows:

"I hasten to inform you of the hostility that now exists among our people.

"We have done all that was in our power to bring about peace and harmony.

"But alas! They have failed. And the result is war upon our heads. Blood has been spilt upon both sides. On the evening of the 19th Inst. a battle was fought at Red fork. The engagement lasted 6 hours. Our loss were as follow: killed Texans 4, wounded 2, Creeks killed 2, wounded 2. Total losses on our side 6, wound 4. We know not how many were killed on the opposite party, but several on the evening before the battle Echo Harjo went into their camps and conversed with them, they proclaimed war, and affirmed that they were looking for Cherokees to aid them that they had promised to come to their assistance. They have a quantity of our property which they are taking Northward. [This "property" was mainly runaway slaves.] Should they be passing through your country please stop them. Brother let us be firm to the Southern Confederacy. United we stand divided we fall."

This letter raises interesting speculations as to the relationship between Cooper's command and the Creek civil authorities. And how did Echo Harjo manage an interview with the Union leaders before the battle? But obviously these speculations are irrelevant to the present problem.

¹⁷ Pike to Confederate Congress, December 9, 1861. Quoted by Annie Heloise Abel, *The American Indian as Participant in the Civil War* (Cleveland, 1919), p. 173, n. 468.

¹⁸ *Official Records*, Vol. VIII, p. 720, Report to J. P. Benjamin, Confederate Secretary of War, December 25, 1861.

¹⁹ Oklahoma Historical Society, Editorial Office, Civil War File, cited hereafter as OHS, Civil War File. Cooper to Colonel John Drew from "Head Quarters Indian Brigade Deep Fork Near Fishers," November 5, 1861. Fisher's Store was north of the present Eufaula.

festly impossible for a huge mobilization camp of families, baggage, and livestock to form in that locality. The 1868 "Statement" of the Confederate army officers begins: "About the first of August, A. D. 1861, Ho-poith-la-yo-hola commenced gathering his people into Camp on North Fork of Canadian, a few miles above Thlobthlocco or Greenleaf Town in the Creek Nation."

Greenleaf Town was a settlement south and southwest of the present Okemah, and Thlobthlocco was close by. In 1937 two aged Creeks of Greenleaf Town, who had been children at the time of the exodus, located their mobilization camp on Hilliby Creek northwest of the present Boley.¹⁰

Other fullblood settlements extended south to the mouth of the Little River south of Holdenville. Here on the southwestern frontier far from the area held by the Confederate forces in the eastern part of the Nation "improper communications" (i. e. desperate appeals for the protection promised by the removal treaty and assurances that this protection would be forthcoming) had passed back and forth between Opothle Yahola and other Creek leaders and the Federal officials in Kansas since the middle of August. The sentiments of their recognized chief, Oktarharsars Harjo or "Sands," were expressed as follows by his interpreter at a conference at LeRoy, Kansas on November 4: "Wants the Great Father to send the Union Red People and Troops down the Black Beaver road and he will guide them to his country . . . That he cannot get back to his people any other way . . . Promised his own people that the U. S. Army would come back the Beaver Road . . . The way he left his country his people was in an elbow surrounded by secessions and his people is not strong enough against them and that is the reason he has come for help." Thus the highway of these "improper communications" seems to have been the Beaver Road, now followed approximately by U. S. Highway 81 west of Oklahoma City and through Kingfisher and Enid.¹¹

This all accords with the 1868 "Statement"—"The 'Talk' put out among the people was, that the Country would soon be over-run by a great army from the North, which would sweep over it like a becom of destruction: that the 'Old Chief' would

¹⁰ Oklahoma Historical Society, WPA Project S-149, James Scott, June 26, 1937; Malucy Bear, October 25, 1937.

¹¹ National Archives, Indian Affairs, Special Files, No. 201, Southern Superintendency, 1851/C1420. For a more detailed account of this exchange see Debo, *op. cit.*, pp. 191-92.

¹² For the history of the Beaver Road see Debo, *op. cit.*, p. 192 and n. 23. It had been used by the celebrated scout, Black Beaver.

lead his people, with their flocks and herds, into the Wilderness, westward out of the track of the army, where they could remain in peace and safety until the storm of war should be over."

The Confederate regiment under Colonel D. N. McIntosh was in fact in the vicinity of High Spring, where a council ground and log council house had been in happier times the capital of the united nation. (This was about twenty miles southeast of the present Okmulgee.) Sometime in October, according to Pike,¹³ Colonel John Drew, commander of a Cherokee regiment stationed at Fort Gibson, was ordered there to reinforce it. These forces were soon joined by Cooper, who came up from his camp in the Choctaw Nation near Fort Smith with a portion of his Choctaw-Chickasaw regiment. According to the "Statement" of McIntosh and the other Southern Creek officers, "This was about the 1st of October 1861. Soon afterwards a delegation from Ho-poith-la-yo-hola visited the Camp . . . and arrangements were made for a friendly council at Thlobthlocco—about 45 miles a little South of West."

According to Pike the Cherokees were very reluctant to fight their Creek neighbors. Probably that was the reason, as is related in the "Statement," that "The Cherokee Regiment being, as it was supposed, no longer needed, returned to Fort Gibson." Cooper apparently was still there on October 27, for a communication from McIntosh to him was written and received on that date. This was an intelligence report as follows:¹⁴

"Camp Porter, Oct. 27, 1861

"Col Cooper

Sir The men sent to learn the condition of Hopothle a ho las party have returned and state that they were disbanded in three parcels The 1st under pretext of hunting wens to repair to Council Grove. The 2 parcel pretending to return to their homes were to secure possessions and go out. The 3 parcel took a large lot of negroes and went from their present encampment north over the waters of Deep Fork In substance this about all.

"Your Obt Ser't D. N. McIntosh
"Comdg Creek Regt"

Council Grove was on the west edge of the present Oklahoma City. The well known Cherokee, Jesse Chisholm, had a trading post there. Probably the "parcel" that repaired to that place consisted of Sands and his companions on their way to the meeting with the Federal officials at LeRoy on November 4.

¹³ *Official Records*, Vol. VIII, p. 719, Pike to Benjamin, December 25, 1861.

¹⁴ OHS, Civil War File, Grant Foreman Collection. Camp Porter was the name given to the High Spring camp.

Possibly in response to this appeal a few Kansas irregulars did go down the Beaver Road to join the Union Creeks, and this may account for the bodies of white men found the morning after the battle.

As for the ones "pretending to return to their homes," it is obvious that those from McIntosh and southern Okmulgee counties had to spirit away their property from an area occupied by Confederate armed forces. A few may have managed it, and this may be the origin of traditions in the Tulsa vicinity, which will be discussed later. Those who went north "over the waters of Deep Fork" (i. e., across the Deep Fork) were the ones with Opothle Yahola.

Cooper reached Thlopthlocco the night of October 29 and established his camp near the town square.¹⁵ He reported that same night¹⁶ to Colonel Drew: "In regard to Hopoithlahola's intentions, I have sent out after him and others to come to my camp under a Safeguard, and hope if I can see him to effect a peaceful solution of the Creek difficulties."

These contemporary statements from diverse sources dovetail so perfectly that they establish beyond a doubt that Opothle Yahola's exodus started from far up the North Canadian near the western edge of the Creek settlements, fifty miles west of the location below the mouth of the Deep Fork as shown on the Cox map. It now remains to be seen whether this map, shown to be in error on two counts—the date and the starting point—can be sustained on the third, the location of the battlefield.

When Cooper arrived at Thlopthlocco he found—according to the 1868 "Statement"—that Opothle Yahola had moved his camp to "some point above the 'Big Pond,' near the head of Deep Fork." The Big Pond was a swampy area about six or seven miles southeast of present Dewey.¹⁷ A camp above this location would be near the head of the stream now known as Little Deep Fork; for the longer branch heads near the present Oklahoma City. The "Statement" continues:

"The chief of Greenleaf Town, however came in and assured" Cooper of Opothle Yahola's "peaceful intentions . . . and became the bearer of fresh overtures to the old Creek chief—with notice that Col. Cooper would move over near Sells' Store on Deep Fork and await an answer. His Command then

¹⁵ A "town" at this period in Creek history was an agricultural community. The "square" was a plot of hard packed earth with arbors and buildings around it where the people assembled for recreation, ceremonials, and public business.

¹⁶ OHS, Civil War File.

¹⁷ PCRS, Collection, Statement of V. L. Todd to John H. Melton, April 17, 1950.

moved to Brown's Creek near Sells' Store, on the north side of [Little] Deep Fork." Sells' Store was a few miles southeast of the present Slick.³⁸ From this place he sent another message with no result.

Before he moved his camp to the new location Cooper had some difficulty restraining his Creek contingent, and had to make it plain that he was in command. On October 31 Moty Canard and Echo Harjo and some lesser chiefs from "Camp near Thlobthlocco" addressed the following communication to him:

"Col. D. H. Cooper
"Commanding Choctaw & Creek Regiments
"Dr Sir

"We the undersigned Principal Chiefs, head men and warriors in Genl. Council assembled after a due consideration we have concluded to march from here to Hopoithle Yoholos Camp on Friday next³⁹ to put down if possible the hostile movements of Hopoithle Yoholo and his Party Provided, however, the time we have fix on meet with your approbation. At the same time we have also decided, that, all free negroes found with Hopoithle Yoholos Party and taken during this expedition shall be sold as slaves, for the benefit of the Creek Nation. And, that, all slaves who have joined Hopoithle Yoholos Party shall be sold also except in cases where the owner belongs to our party and is a member of this expedition in that event they shall be restored to him without pay and also Ponies.

"All Kinds of Property known to belong to the opposite Party shall be taken and sold for the benefit of the Creek Nation.

"All slaves in this expedition who have runaway from their owners who is resident of another nation shall be dealt with according to Creek Laws."

Cooper replied the same day under the same heading.⁴⁰ He informed the Creek chiefs that "the necessary preparations for marching from this camp" would not be completed by the designated date. Regarding the confiscation of slaves and other property he said:

³⁸ The location of Sells' Store has been identified by Wright, *op. cit.*, p. 281.

³⁹ October 31 was on Thursday; by "Friday next" they must have meant November 8. Actually, as will be seen, it was exactly a week later, on November 15, that Cooper started against Opothle Yoholo.

⁴⁰ These communications are in a letter press containing minutes, letters, etc., of 1861-82 in OHS, Indian Archives Division, Section X, Creek Nation—War, Civil. They were obtained through the courtesy of Dr. Joseph Stanley Clark.

"So far as making restitution of runaways and other property to lawful owners, in case of hostilities or in case of a peaceful settlement of your party differences, I fully concur. But I am not prepared to admit that the war, should there be any, with Hopoithle Yoholo, is a war of the Creek Nation or waged for its exclusive benefit. The forces engaged will be mostly in the service and pay of the Confederate States, and all captured property or property of persons, found in arms against the Confederate States and confiscated in consequence thereof, will be deemed and held as the property of said States. While I shall, at all times, be glad to have the benefit of the experience and knowledge of the country and people, possessed by the Chiefs and other authorities of the Creek Nation, it is proper for me to say that all military operations within the Indian Territory, will be exclusively under my control and direction, until I shall be superseded in command by the presence of a superior officer of the Confederate States Army.

"I request that you will say to the Creek people, that no depredations upon property or injury to the persons of all peaceful people of any party, will be tolerated, and that a state of war between your party and Hopoithle Yoholo cannot be recognized as existing until all measures properly in my judgement shall have been exhausted to bring about a peaceful settlement.

"Should Hopoithle Yoholo or any of his headmen, wish to visit me on business or in a peaceful manner, it is my desire they be permitted to pass without interruption or molestation and be safely conducted to the Head Quarters."

But Cooper finally concluded that attempts at negotiation were fruitless. His official report begins—"Having exhausted every means in my power to procure an interview with Hopoithle Yoholo—" and goes on to state his decision "to advance upon him with the forces under my command, and either compel submission to the authorities of the nation or drive him and his party from the country." He gives no indication of his starting place, but it is shown by his communications that the organization of his expedition took him far from his first camp at Thlobthkocco or the new location on Brown's Creek. On November 5 he wrote to Drew⁴¹ from "Fishers" (i. e., Fisher's Store north of Eufaula) towards which place the Texas cavalry detachment was then on the march. Here he reported that "Hopoithle Yoholo's people are said to be moving towards Walnut Creek." As will be shown subsequently, this referred to the Walnut Creek in Kansas, which flows into the Arkansas just below the present Arkansas City.

Cooper was very apprehensive that the Kansas support for which Opothle Yohola had been appealing was collecting there

⁴¹ OHS, Civil War File.

to march to his relief; for on November 10 he wrote⁴² to Lieutenant Colonel William P. Row of the Cherokee regiment, "I am perfectly satisfied that he is now meditating an attack upon my camp, in conjunction with Doct. Jamison, and 1000 Jayhawkers, at this time near the Arkansas River." This was a reasonable deduction. Opothle Yahola's movements after he left the Greenleaf-Thlopthlocco communities indicated Walnut Creek as a probable destination; and if there had been a large force of irregulars in Southern Kansas a combined attack on Cooper's camp was a possibility.

In his letter of November 5 to Drew, Cooper said, "I shall be in the Cherokee Country as soon as possible with the forces under my command." It is not entirely clear where he was on November 10. His communication is dated from "Camp Pike, Creek Nation." Later in the war there was a Camp Pike in the Choctaw Nation, northwest of the present Stigler.⁴³ On November 14 he wrote to Drew from Camp McCulloch near Park Hill, south of Tahlequah. He stated that he had five hundred men of the Texas regiment with him and that he would march from that place "tomorrow morning, with all my available force." He left his train under a guard of the Texans, with orders to move to Concharly, a Creek town on the Arkansas north of the present Haskell.⁴⁴

It is entirely a matter of conjecture what route Cooper took in bringing his Texans from Park Hill to his Creek contingent (and apparently his Choctaws and Chickasaws), who had remained at his camp on Brown's Creek. One could deduce that he passed through Concharly, since his official report states that he "returned" to that place after the battle; but in his draft written at Concharly November 25 he first wrote "returned," then scratched it out and substituted "marched."

The first contemporary reference to this movement that has so far been located is in a letter⁴⁵ dated November 22 from [Richard] P. Pulliam at Fort Smith to Elias Rector, who was then in Richmond. It gives a concise account of current military events (mainly in Missouri) and includes this sentence: "Cooper is on the march after Opothleyohola, who it is said has taken Maj Emorys trail through Kansas towards Leavenworth." This

⁴² OHS, Civil War File.

⁴³ Wright, *op. cit.*, p. 377, n. 17.

⁴⁴ OHS, Civil War File, Cooper to Drew; National Archives, Record Group 109, Cooper's draft report, November 25.

⁴⁵ National Archives, Group 75, Southern Supt. Field Office, "Confederate Papers." Rector had served as Southern Superintendent in the United States Indian service before he accepted a similar position in the Confederacy, and Pulliam had been his clerk in the office. Although Rector's name does not appear in the letter, there is no doubt that it was directed to him.

was the Beaver Road, following U. S. 81 through Oklahoma. Opothle Yahola of course did not go so far west, but he was headed in that direction and the assumption was natural.

The 1868 "Statement" and Cooper's official report agree that the Confederates moving up the [Little] Deep Fork reached the supposed camp of Opothle Yahola, found it abandoned, and followed his trail in pursuit. Cooper does not give the direction, but the "Statement" of the Creek army officers describes "a large trail leading in a Northwestward direction toward the Red Fork of the Arkansas, apparently a week or more old."

Could any map be plainer? Cooper was at Thlobthlocco near Okemah. He found that the Union Creeks had moved to a place above Depew, near the head of the [Little] Deep Fork. He then moved his camp north of that stream to the vicinity of Slick and continued his futile attempts at conference. He next took some time to travel east and collect his reinforcements; then with his united command he advanced up the Little Deep Fork, found Opothle Yahola's camp abandoned, and followed his "large trail" northwest to the Cimarron. This would logically bring him to the river crossing south of the Twin Mounds.

All contemporary accounts agree that the battle was fought north of the Cimarron. The 1868 "Statement" located it "a few miles North of Red Fork near a place called 'Round Mountains' in the Cherokee Country." The Creek-Cherokee boundary had been surveyed and plainly marked, and was well known. The Twin Mounds were not in the Cherokee country, but the Salt Creek camp was on the Cherokee side of the line. Cooper and his subordinates did not attempt to locate the place, but they did describe the terrain. Opothle Yahola's party was hidden in the timber along a creek; between the two camps, where the last conflict occurred, was a prairie with a "ravine in front and on the flanks"; and somewhere along the way was a "point of timber." There is no mention of hilly ground. Even the Cox map shows no hills, though it has a very impressive one to mark the battle of December 26, which actually was fought in the rugged terrain of Osage County. The "Round Mountains" in the account of the Creek leaders was clearly a reference to a recognized location, not to the terrain of the battlefield.

The "prisoners" whom Cooper captured before he reached the Cimarron confirmed his earlier intelligence that Opothle Yahola's people were on their way to Walnut Creek. According to his official report they were "near the Red Fork of the Arkansas River, on their route towards Walnut Creek, where a fort was being erected, and which had for some time been their intended destination in the event of not receiving promised aid from Kansas before being menaced or attacked." This state-

ment has been the subject of some misunderstanding. There may have been several creeks by this name, but Cooper certainly referred to the one near Arkansas City. Later in this same report he described his pursuit of the fugitives that were streaming across the present Osage County after the disaster of December 26; and he mentioned "the total dispersing in the direction of Walnut Creek, Kansas of Hopoithleyohola's forces and people."⁴⁶ Even the Cox map shows the entire mass of refugees fleeing up the Arkansas to this same Walnut Creek. And it must be noted that this creek, which Cooper at the time of the battle believed to be Opothle Yahola's intended destination, is almost directly north of the Twin Mounds.

It has been asserted that Cooper's statement about the fort is ambiguous, that the clause, "where a fort was being erected," relates to "Arkansas River"; and therefore it is argued that the fort was on the Arkansas and just below the mouth of the Cimarron. This interpretation is rendered completely untenable by a reading of Cooper's original draft.

This draft shows his painful efforts to attain a correct style. He first wrote that the hostile party was reported to be "encamped near the Red Fork of Arkansas River, or had been in that vicinity on their route towards Walnut Creek, within a day or two, at which point a Fort is being erected." (Clearly his "within a day or two" belongs with "had been in that vicinity.") He then clarified his statement by inserting "later," so that it read "at which latter point"; and made another try (illegible) that looks like "above point." He finally scratched out everything and substituted "where," so that it read, "their route towards Walnut Creek, within a day or two, where a Fort is being erected." This makes it clear that when in his final report he wrote that they "were near the Red Fork of the Arkansas, on their route towards Walnut Creek, where a fort was being erected," he meant exactly what he said—that the fort was on Walnut Creek. The United States had built a fort on the Arkansas just below the mouth of the Cimarron in 1834, but it was abandoned immediately; and it can be stated categorically that not one shred of evidence has ever been presented to show that it was rebuilt or occupied by Union Creeks during the Civil War.

This writer is not sufficiently familiar with Kansas Civil War history to know whether a fort was actually constructed on Walnut Creek. But the point made here is that the Confederates, judging from Opothle Yahola's movements prior to and immediately after the battle, were convinced that a point near Arkansas City was his intended destination. This deduction

⁴⁶ *Official Records*, Vol. VIII, p. 13.

would have been impossible if they had encountered him at the mouth of the Cimarron twenty miles west of Tulsa.

Cooper of course was mistaken in thinking that when the Union Creeks abandoned their camp the night after the battle they were on their way to Walnut Creek. The Confederate Creek "Statement" expressed the same misapprehension—"Ho-poith-lo-yo-hola having abandoned the Creek Country, and gone, as was supposed, to Kansas. . ." Actually they were in communication with Cherokees who shared their sentiments, and in order to unite with them were circling the area under Confederate control. This circling had in fact begun when they left Thlobth-locco.

"Soon afterwards," continues the "Statement" of the Confederate officers, "information was received that Ho-poith-lo-yo-hola instead of going off to Kansas had crossed the Arkansas and moved down to the Horse Shoe Bend, Cherokee Nation, near Skia-tooka's settlement." Cooper also in another draft report,⁴⁷ apparently written shortly after December 9, stated that he also had learned that Opothle Yahola "was somewhere about, or in, the 'Big Bend' of the Arkansas River in the Cherokee Nation." This Big Bend or Horseshoe Bend was the location of a well known Cherokee community in existence at least as early as 1852. When the present writer presented the battlefield findings in *The Chronicles* article previously mentioned, all available evidence indicated the bend at the present Cleveland.⁴⁸ Shortly after this was published, additional information was obtained from Mrs. Minnie C. Manney, a home economist of Cherokee descent in the United States Indian service. She reported hearing Mrs. Annie Wilkerson, a Cherokee woman born in 1856, assert positively that in her childhood "we lived at Cleveland, and I remember it well, but we moved away when I was a little girl."⁴⁹

Thus Opothle Yahola struck out north from the battlefield, causing the Confederates to think he was on his way to Walnut Creek, Kansas, but crossed the Arkansas and moved down that river to the Cherokee settlement, which as accurately as can be determined was in the bend at Cleveland. He did effect a junction with the Union Cherokees in the present Osage County, but his movements and camping places there are unrelated to the present investigation.

⁴⁷ National Archives, Record Group 106. This draft in Cooper's handwriting is undated and unsigned. It begins with his arrival at Concharly after the Round Mountains engagement and closes with an account of the second battle of December 9.

⁴⁸ Debo, *op. cit.*, pp. 197-98.

⁴⁹ Minnie C. Manney to Angie Debo, Personal Interview, Durant, Oklahoma, July 18, 1948; also, Wright, *op. cit.*, pp. 366-67. The historian will remember that in the treaty closing the Civil War the Cherokees

One digression is necessary in order to correct an error that has crept into some accounts of the battle of November 19. Captain R. A. Young, who commanded a Choctaw-Chickasaw squadron, in reporting on the second battle of the campaign began as follows: "On the morning of the 19th of Dec. . . ." This was a slip of his pen or his memory, for the correct date is December 9. A careless editor of the *Official Records*, seeing the "19," jumped to the conclusion that he was reporting the first battle, made a bracketed correction to "[November] 19," and headed it "the engagement of Round Mountain." This clumsy editing has led sincere historians into errors regarding the terrain and the events of the first battle. Only a comparison of Young's and Cooper's reports will demonstrate that it does not belong there.

Briefly this second battle, Caving Banks or Chusto-Talaseh was fought on Bird Creek north of Tulsa. Believing that Opothle Yahola was on his way to Kansas, Cooper had set out the day after the Battle of Round Mountain to join his train at Concharty, reaching there on November 24. Then finding that the Union Creeks were among the Cherokees he had passed through Tulsa and joined Drew's regiment north of the present Sperty. But on the evening of December 8 almost the entire Cherokee regiment deserted and joined Opothle Yahola. The next morning Cooper attempted to retreat, marching south on the east side of Bird Creek. As his line was strung out on the prairie the Union Indians dashed from the creek and attacked his rear guard. He formed his command in three columns, advanced to the creek, and after severe fighting managed to dislodge them.⁵⁰ Now for a comparison of the two reports:⁵¹

YOUNG: On the morning of the 19th of Dec I was ordered to bring up the rear with my squadron and about six miles from camp the rear guard sent me a message that they were attacked by the enemy, I immediately wheeled the squadron and went back to their assistance and got about half a mile I discovered the enemy retreating towards the creek, I formed and Col Cooper rode up and ordered me to charge, after pursuing about two miles we came to the creek, . . .

COOPER: Leaving camp on the morning of the 9th . . . the command had proceeded about 5 miles, when the rear guard was attacked by a mounted party of about 200 of the enemy.

consented to the settlement of other Indians in this area, and the Osages acquired the present Osage County.

⁵⁰ The best account of this battle is by Trickett, *op. cit.*, *The Chronicles of Oklahoma*, Vol. XVIII (1940), pp. 370-75.—*Ref.*, O.H.S., *Cumulative Index*, 1961.

⁵¹ These excerpts are from Young's original report and from Cooper's draft in National Archives, Record Group 108. The reader may find the same parallels in the printed reports in *Official Records*, Vol. VIII, pp. 8-10, 15.

Capt. Young in command of a squadron, being in rear of the main column, and perceiving the encounter, wheeled his squadron, and advanced rapidly toward the enemy. Upon his approach the party, retreated hastily toward the timber of Bird Creek, a distance of about 2 miles, . . .

YOUNG: My squadron was on the right of our command. [Later in the battle, he attempted to move to the left of the Texans.]

COOPER: I caused the troops to quickly form in line of battle, with the Choctaw & Chickasaw Regiment and Choctaw Company, on the right, . . . and Texas cavalry in the center.

YOUNG: [I] discovered the enemy . . . in a bend of the Creek, formed around a house. I formed and charged, we routed them from this position and followed them into the swamp, two hundred yards they flanked us and I fell back to the house in order to prevent them from surrounding us, and advanced on them a second time and was compelled to fall back to the house, . . .

COOPER: Near the center of the Enemy's line, was a house and small corn crib, situated at . . . a bend in the creek . . . This bend was thickly wooded, and covered in front, near the house, with large, interwoven weeds and grass . . . Capt. Young of the C. & C. Md Rifles, was ordered . . . to attack them . . . and the Enemy were driven from their strong hold, and pursued into the bend . . . when receiving upon the flank a destructive fire, the squadron was caused to take position again at the house. . . . [Then] the attack upon the persistent foe was renewed . . . and . . . the Enemy was forced . . . through the bend and across the creek . . . [Then] the Enemy . . . rallied . . . and compelled a retreat again to the house . . .

It is not necessary to give parallel descriptions of the fighting about the house by other officers of the Choctaw-Chickasaw regiment.⁵² Enough has been shown to remove Young's report permanently from the Battle of Round Mountains. There is no mention of a house or any other sign of human habitation in the authentic reports of that battle.

There is some evidence, however, that the Twin Mounds were a recognized landmark. In 1848 Lieutenant Abraham Buford with a company of dragoons explored a wagon route to Santa Fe along the north side of the Cimarron. This road was not used by travelers, but it was shown on the map⁵³ of the Creek-

⁵² *Official Records*, Vol. VIII, pp. 19-21.

⁵³ The map was published in *House Executive Documents*, 35 Cong., 1 Sess., No. 104, map entitled "Boundary of the Creek Country." In this reproduction the two hills are blurred into one, but the original map shows them plainly. It is in National Archives, Cartographic Records Branch, Record Group 77, File No. Bdy. 17.

Cherokee boundary survey of 1849-50. This shows Salt Creek just south of the trail and the Twin Mounds are plainly marked, though neither the creek nor the mounds is named.

There are three known contemporary uses of the name in connection with the battle, and two of the three are in quotation marks. Cooper's draft report of the Battle of Chusto-Talasaah begins, "Having reached my train on the 24-day of Nov, last immediately subsequent to the battle of 'Round Mountain' . . ."⁵⁴ In the Civil War File of the Oklahoma Historical Society is a typed copy of a letter supposed to have been written by a young Texas soldier (given name, Thornton; initials, T. B. M.) to his mother on December 29. There is no clue as to the location of the original, but the letter is apparently authentic. It gives a fairly accurate account of the first two battles, and it states, "The first battle was fought at *Round Mountain*, about five miles North of the Red Fork of the Ark."⁵⁵ The third use of the name was in the 1868 "Statement," which it will be remembered located it "near a place called 'Round Mountains'."

Is it singular or plural? One cannot tell from the Texas boy's letter, for the original is not available for examination. Cooper used the singular, and this form went into the *Official Records* and from that into general historical usage. He of course had never seen the locality before, and was interested only in the military terrain, not in scenic features or place names. The Confederate Creek officers, who knew their country well, used the plural. Dean Trickett once said in examining a photographic copy of their "Statement" that the "s" appears to have been added as an afterthought. This is a perceptive observation, apparent to any close observer. The "Statement" was transcribed by a professional penman, such as it was customary to employ before the invention of the typewriter; and the "s" was probably a correction requested by the men who signed the document. It is probable, however, that the singular form of the name has become fixed, even though it is a misnomer. (After all, the Battle of "Bunker Hill" was fought on Breed's Hill, but nobody expects to correct the name.)

⁵⁴ Scholars have long puzzled over the origin of the heading, "engagement at Round Mountain," used in the *Official Records*, since no mountain or hill is mentioned in any of the published reports, but the puzzle is now solved. The editor had had this draft report of Cooper's at hand.

⁵⁵ Proponents of the Keystone site have objected that the Salt Creek camp was more than five miles north of the Cimarron. But much of the fighting was done between the two camps. Also this young soldier was vague about locations: writing from Choeka across the river from the present Haskell, he located the Battle of Chusto-Talasaah north of Tulsa, as "about forty miles west of our present camp."

So far in this analysis only the site shown on the Cox map and the site near the Twin Mounds have been presented; but there is a third tradition unrelated to either. It first appeared in an article by Thomas Meagher in the *Tulsa Tribune*, November 10, 1899. From accounts given him by elderly Indians he located the place six miles south of the mouth of the Cimarron, in the extreme southwestern corner of the western extension of Tulsa County;¹⁴ and his "Round Mountain" was a rounded hill long known as a beacon point on early trails. When reminded that Cooper's report placed the battle north of the river, he brushed it aside with, "Well, I'd rather trust the Indian."

Similar newspaper articles have appeared in recent years. Some of them cite the testimony of Artuase Yahola, a son of Opothle Yahola, who was ten years old at the time of the battle and was still living in the 1930's. If Opothle Yahola had such a son it should be easy to locate him. Careful rolls were made of the Creeks when their land was allotted at the turn of the century, giving their age, their parents, and their town. But the Payne County Historical Society and the present writer have followed every possible clue—in the Muskogee Area office, in the Oklahoma Historical Society, and in inquiries of fullblood Creeks who were enlisted in the search—all without result. Aside from this, it is highly improbable that a son of Opothle Yahola would have been living in the Tulsa vicinity far from his town. Yahola was not a family name, but a title given ceremonially in the square—hence the great number of unrelated Yaholas in Creek records. There is a faint possibility that such a son of Opothle Yahola may be found under an English name, but unless this identification is made it can be assumed that an elderly Indian with a name similar to that of the great war leader yielded to a little vanity when questioned too closely by an interviewer.

Other Indian traditions were carefully collected by Orpha Russell in 1951.¹⁵ One of her informants was Willie Bruner of Lochapoka Town, who believed he was more than one hundred years old. Lochapoka was the correct name for the town called Tulsa (Tulsey) by white men. It had branched off from Tulsa long before, and was recognized as a separate town at least as early as 1796. It was always known by the Creeks in government, census rolls, and place names as Lochapoka. The real Tulsa (Tulasi) was located on the Canadian near the present Holdenville. It is well established that the Lochapokas although ardent supporters of Opothle Yahola did not join him until he moved

¹⁴ SW $\frac{1}{4}$ Sec. 31, T19N, R10E.

¹⁵ Orpha Russell, "Ekvn-hv'wuce, Site of Oklahoma's First Civil War Battle, *The Chronicles of Oklahoma*, Vol. XXIX, No. 4 (Winter, 1951-52), pp. 401-7.

towards Bird Creek.¹⁵ Bruner's account had to come from second hand.

Another informant was S. W. Brown, chief of the Euchees. The Euchees lived southwest of Sapulpa and formed a constituent part of the Creek Nation. Some of them joined Opothle Yahola near Slick,¹⁶ but others may have moved independently and crossed the Arkansas below the Cimarron. Chief Brown remembered accounts given him years before by Indians who had since died; and by his father, who had not been present at Round Mountains, but had joined Opothle Yahola in time to fight at Chusto-Talash. Mrs. Russell also secured an affidavit from Elizabeth Sapulpa, who reported a story told by her aunt.

All these Indians located the battle south of the Cimarron, but the "Round Mountain" that marked the place was the rounded end of the ridge that the highway skirts just before entering Keystone from the east. (This ridge will still be conspicuous after the valley is flooded by the Keystone Dam.) Besides being on the wrong side of the Cimarron their tradition of the battle differs from contemporary accounts in other respects.

All Brown's informants told him that this "first skirmish did not amount to much and that Opothleyahola only lost three men at the round end of the mountain." This does not square with the careful estimate of the dead buried in the Union camp. Mrs. Russell states also that "all first hand accounts of Opothleyahola's march given to Brown by the participants, said that the group had no wagons; ponies packed what the Indians could not carry on their person." Willie Bruner also insisted that "They had no wagons, and very few had ponies."

The evidence regarding the immense amount of property taken along by the Indians on their exodus is too well established to be repeated here. When they fled from their camp after the final battle in the Osage hills the Confederate officers compiled lists of the wagons, oxen, horses, cattle, and other property captured and turned over to the use of the army.¹⁷

Within recent years an attempt has been made to reconcile these Indian traditions with the Cox map by assuming that the battle began before Cooper reached the Cimarron and continued after the crossing. Full scale military maneuvers have been constructed, and details of the river crossing are conjectured. Even a cannon ball (weight 1¼ pounds, diameter 2½ inches) found southwest of Keystone has been cited to confirm these supposed

¹⁵ *Ibid.*, p. 406; see also, for example, Oklahoma Historical Society, WPA Project B-148, Vol. 89, pp. 267-70, Joseph Bruner.

¹⁶ Oklahoma Historical Society, *ibid.*, Willie Tiger, February 24, 1937.

¹⁷ *Official Records*, Vol. VIII, pp. 13, 24, 31.

events. But one may read the meticulous, factual reports of Cooper and his officers in vain to find any mention of cannon. All this elaborate picture hangs by two tiny threads. (1) Before Cooper crossed the Cimarron "some of the disaffected party were seen and a few prisoners taken"; thus it is argued there must have been a battle—with cannon. (2) The Cox map has a faint indication that Opothle Yahola's trail forked before reaching the river.

As to the capture of the "prisoners," Cooper, who was so careful in his reports, does not mention the firing of a shot, much less killing any of the enemy. The Creeks' settlements extended at least as far west as the Cushing vicinity. They lost this part of their land after the war, but when the Sac and Fox tribe moved there in 1869 their chimneys could still be seen on Euchee Creek.⁶¹ One can assume that these settlers were Euchees, and in general the Euchees belonged to the "disaffected party." Cooper could have picked up some unarmed persons as he passed through. In his account of his last scout after the battle of December 26 many such "prisoners"—women and children—were "captured." As to the faint fork—if such is the meaning—on the Cox trail, again there is no indication of an armed encounter. Cox marked each of the three battles with a very prominent flag, but there is no flag south of the Cimarron.

The present writer, however, is not inclined to reject the testimony of the elderly Creek informants. Second-hand traditions are of course not as accurate as on-the-spot official reports, but these accounts sound truthful and convincing; and Mrs. Russell in particular is to be commended for preserving them. It is only the white investigators who have failed to relate them to known facts. Since they do not fit either the Cox map or contemporary accounts of the battle they are not relevant to the subject of this article, but because they have been used by proponents of the Cox site they must be examined here.

The story told to Chief Brown by his father begins with a pathetic incident, which checks remarkably with the contemporary record of communications between the Union Creeks and their Great Father in Washington. This young Euchee had been educated by a missionary and often acted as an interpreter. "Late in 1861" he received a message from Opothle Yahola to meet him at Fish Pond Town, on the North Canadian "about ten miles northwest and five miles south of what is now Okemah."⁶² (This corroborates the statement of the two aged Creeks, who in 1937 located the mobilization camp in the Boley

⁶¹ PCES, Collection, Don Whistler to John H. Melton, May 2, 1849.

⁶² This location of Fish Pond Town is probably correct. In post-war years it was farther east, but it is known to have changed its location after returning from the Kansas exile.

vicinity.) Upon arrival he was shown a letter from President Abraham Lincoln soiled with much handling. He read it twice to a listening group of three thousand Indians. This must have been the letter dated September 10 to Opothle Yahola and Sands, not from Lincoln but from E. H. Carruth, Indian agent in Kansas. When the Union Indians finally fled to Kansas after the disaster of December 26 this treasured message was found in their abandoned camp.

On August 15 the two Creek leaders had made the following appeal for protection:⁴¹

"Now I write to the President our Great Father who removed us to our present homes, & made a treaty, and you said that in our new homes we should be defended from all interference from any person and that no white people in the whole world should ever molest us . . . and should we be injured by any body you would come with your soldiers & punish them, but now the wolf has come, men who are strangers tread our soil, our children are frightened & the mothers cannot sleep for fear. . . . Once we were at peace. Our great father was always near & stood between us and danger.

"We his children want it to be so again, and we want you to send us word what to do. . . ."

Micoo Hutke of Talasi and the Shawnees, Bob Deer and Joe Ellis, the latter their interpreter, carried this letter to Kansas, where they finally managed to find a Federal agent.

"Your letter by Micoo Hutke is received," Carruth wrote in answer.⁴² "I am authorized to inform you that the President will not forget you. Our army will soon go South, and those of your people who are true and loyal to the Government will be treated as friends. . . . His soldiers will soon drive these men who have violated your homes from the land they have treacherously entered."

One can imagine the feeling this letter aroused when it was read to the assembled camp.

Brown's story continues. "A skirmish with Colonel McIntosh's group followed and all Opothleyahola's town arbors were burned." This skirmish is unknown to history, and was apparently unknown to Cooper; but it may have occurred. On October 31 the Confederate Creeks in council had decided to attack, and Cooper had brought them up sharply. Then he had gone east to assemble his reinforcements. When he was safely out of the way did they start the war on their own?

⁴¹ National Archives, Creek B104/1861.

⁴² *Official Records*, Vol. VIII, p. 25.

According to Chief Brown and the other Indian informants Micoo Hutke and Nokas-Ho-Lo-This led a group of Opothle Yahola's adherents up to the Keystone vicinity from a camp north of Eufaula. It is possible that some of the "parcel" reported by McIntosh's intelligence as having left the camp at Thlobthlocco to return home and collect their property may have slipped out by that route. Other scattered groups may have moved out of the settlements farther north. If there was such a movement it is no wonder that they went with no wagons and few horses or that before they reached the Cimarron they were fired upon in some unrecorded skirmish; for they were escaping from a region under Confederate control.

Hale's "theory,"⁵⁵ as he called it, would support such a separate exodus. He believed that Opothle Yahola "sent runners" to collect the people to the east of his route. This view appears also in an account⁵⁶ written in 1901 by the prominent Creek, James R. Gregory. He was not present at the Battle of Round Mountains but joined the Union army later in the war. In this article he stated that there were two groups of Union Creeks—one with Opothle Yahola on the North Canadian [no doubt referring to the Thlobthlocco camp], the other "on the Arkansas River near the old Siciatook place"—and that Opothle Yahola was attempting a circling movement around Cooper ("one-fourth circle around the right flank of Cooper's army to the northeast") to join the latter group. But "Before the junction was effected Gen. Cooper's army overlook this faction of the Union Creeks, crossing the Cimarron just at dusk. [Actually Cooper had crossed the river, "pushed rapidly forward," and discovered the first camp at about four o'clock.] A battle occurred, which was fought after darkness had set in. After stopping the advance of the Confederates, the Union Creeks proceeded on the same night to form the junction . . . which they accomplished on the following day."

Gregory gave no clue as to where Opothle Yahola crossed the Cimarron. The argument has been advanced that he could not have reached the Big Bend settlement "the following day" if the fight had occurred near the Twin Mounds. But historians who have used old-timers' reminiscences all know that sequence of events is the least reliable of remembered data. And Gregory after forty years was relating events he had received at second

⁵⁵ Hale did not claim to have proof of his "theory." He was only giving his opinion and asking to have "this matter cleared up." Incidentally, he believed that Opothle Yahola went straight north to Kansas after the battle near the Twin Mounds, and did not participate in the later engagements.

⁵⁶ *Galveston News*, November 27, 1901. There is a photographic copy in OHS, Civil War File.

hand. One has only to read his account of the third battle—where the facts are not open to question—to judge the unreliability of his memory.

Thus Hale's theory and Gregory's second-hand account give some support to the traditions of the old-time Creeks around Tulsa, even though these traditions do not fit the Battle of Round Mountains. But their memory has apparently tricked them when they attempt to name the leaders who brought the evacuees up from Eufaula. Chief Brown said that Micco Hutke's group started earlier than Opothle Yahola's; but even so, it seems impossible to find a free date on Micco Hutke's schedule. He carried Opothle Yahola's letter of August 15 to Kansas, and was still there at the Shawnee Agency near Kansas City on September 18, when he affixed his signature (by mark) to another earnest appeal to the President.⁶⁷ He also visited Lawrence, where he had a long conversation with Evan Jones, a missionary refugee from the Cherokee country. He would not risk taking a letter from Jones to Chief John Ross at Park Hill⁶⁸; apparently he returned to Opothle Yahola's camp by the wild but much safer Beaver Road. He soon returned to Kansas "over an unfrequented road," this time with Sands and a delegation of Union Seminoles and Chickasaws; and all met in council with Federal officials at LeRoy on November 4. (It was here that Sands offered to guide a relieving army down the Beaver Road.) They were shunted around in Kansas for more than a month, then taken to Washington to receive more reassurances of the Great Father's protection.⁶⁹ It was not until about December 27 that they returned to Kansas at Fort Leavenworth.⁷⁰ By that time it was all over, and their people were starving, freezing, and dying as they streamed north through the Osage hills.

This illustrates what every historical scholar has discovered: that traditions, valuable as they are, must be checked and evaluated by contemporary documents. The Indian informants seem to have been mistaken also in their tradition about Nokas-Ho-Lo-Thla. They believed that he was a member of Greenleaf Town,⁷¹ and that he led the people of that town from the

⁶⁷ National Archives, Creek, B787/1861.

⁶⁸ Commissioner of Indian Affairs, *Annual Report*, 1861, p. 658, Evan Jones to William P. Dole, October 31, 1861.

⁶⁹ National Archives, Indian Affairs, Special Files, No. 201, Southern Superintendency, 1861/7536.

⁷⁰ Abel, *The American Indian as Slaveholder and Secessionist*, pp. 296-87.

⁷¹ Mrs. Russell gives the Creek form of the name, with the spelling *Use Iarnappee*. Ethnologists use the spelling, *Asilnabbi*. It sometimes appeared in Indian Territory newspapers as *Usilnarnabee*. In Creek lists of towns, however, the English name, *Greenleaf*, was more commonly used. This is not an exact translation. The original name came from the plant used by the Creeks in their "black drink" ceremony.

Eufaula vicinity to the mouth of the Cimarron. It seems incredible that the Greenleaf people would have left their secluded refuge near Okemah and the protection of Opothle Yahola's warriors to take this roundabout journey through the area under Confederate control.

The informants remember that the evacuees who crossed the Arkansas near the mouth of the Cimarron built "four big caves" below the confluence of the two rivers. There is no reason to reject this statement, but it has no relation to the battle site. After Opothle Yahola crossed the Arkansas and moved down to the Big Bend, his subsequent movements and the camps of his followers are completely irrelevant. It should be stated also that there is no apparent significance in the fact that Cox placed the name, "Camp Gouge" close to the battlefield. If "Thornton's" letter is to be trusted, Opothle Yahola may have been known as "Gouge"; for one of the young soldier's sentences begins, "The (Opothleyoholo, or Gouge) . . ." If this is true, the name on the map means only that Cooper attacked Opothle Yahola's camp, a fact that is undisputed. Cox also placed "Camp McDaniel," from the name of Opothle Yahola's Cherokee ally, close to the two subsequent battles.

Much less dependable than the Indian tradition is the story⁷¹ told to a newspaper writer sixty-two years after the battle by June Peak of Dallas, who as a youth of seventeen, had served with Cooper's Texas contingent. It gives no evidence as to the location of the battlefield, but it must be mentioned here because it has been cited in other articles. According to this account Cooper began his march against Opothle Yahola "an Osage," from "Dwight's Mission southwest of Fort Gibson." Dwight Mission of course was north of the present Sallisaw, southeast of Fort Gibson. Equally inaccurate is his timing—"We met early one morning in October at Round Mountain. The day was spent in skirmishing, without any losses or advantage to speak of on either side. We went into camp for the night on a level prairie, covered with sedge grass waist high, beginning to dry considerably. Making a corral with our wagons, we placed our stock within it.

"We retired with the understanding that the battle would begin early in the morning." Then Captain Young's quiet mention of "the prairie on fire at my right" during the last sharp conflict of the battle becomes a catastrophe with Hollywood trimmings. "At 1 o'clock we all of one accord leaped to our feet. The

⁷¹ W. S. Adair, "Civil War Repeated in Indian Territory," *Dallas Morning News*, July 1, 1923, published in Joseph B. Thoburn and Muriel H. Wright, *Oklahoma: A History of the State and Its People* (New York, 1929), Vol. II, p. 838.

prairie was on fire in hundreds of places around us, and a fierce wind was carrying blazing grass hundreds of yards and starting new fires." Then the "weird beauty of the landscape," "our panic stricken train," the screaming of the mules, the enemy "raining bullets into our confused rout," make an exciting picture.

"We abandoned the whole of our provisions, and left in our wake a dozen or so wagons, scores of mules, and fifteen or twenty dead and wounded men. . . . We were more than two hours getting out of the fire, but once out, we did not loiter on our way back to Dwight's Mission."

It is inconceivable that Cooper would have concealed this military disaster; and we have the reports of his subordinate officers that instead of fleeing from the place in such panic that they even abandoned their wounded, they counted the wagons and examined the graves in Opothle Yahola's camp. They were still in the vicinity late in the forenoon; for when Quayle reported the death of Captain Stewart at "about 10 o'clock"—and certainly they took time after that to bury him—he dated it "on the Red Fork of the Arkansas River." There is a modicum of fact in Peak's account, but it cannot be used to prove anything.

Mention was made earlier in this article of the one bit of evidence that supports the Cox map. It was contributed at a meeting of the Payne County Historical Society March 6, 1949 by the late Ola J. Rogers, longtime resident of Cleveland. He quoted J. C. Byers, who came to the present Osage County in the early 1870's, and who said that in 1876 he found remains of wagons near a high round hill three miles north and seven miles west of the mouth of the Cimarron.⁷³ The present writer presented this evidence in the *Chronicles* article⁷⁴ of that year, thinking that it might be supported by additional data; and pointed out at the same time that although the location was not at the mouth of the Cimarron where historians relying on Cox had always placed it, it was close enough to be so shown on a map not drawn to exact scale. This suggestion has been followed by proponents of the Cox site, who have moved their battlefield from a place directly across the river from Keystone to the Byers location. This would be entirely legitimate if supporting evidence had been found, but it still stands alone. Incidentally Mr. Rogers himself rejected it when he examined the Twin Mounds data.⁷⁵

The present writer is not intimately familiar with all the terrain at the new site, but superficially this rough, timbered area

⁷³ Sec. 13, T20N, R2E.

⁷⁴ Debo, *op. cit.*, pp. 199, 203.

⁷⁵ Ola J. Rogers to Angie Debo, Personal Interview, Stillwater, Oklahoma, May 28, 1949.

does not seem to fit the prairie setting so evident in the account of those who participated in the battle. Also the wreckage found by Byers could not have been extensive, for no investigator has reported finding any in recent years. The broken wagons he saw in 1876 could be the record of any private misfortune on the trail.

But at the Salt Creek ford northwest of the Twin Mounds, although the larger irons were used up long ago in the Pawnee blacksmith shop, even yet after a rain or a recent plowing the ground is strewn with fragments of dishes—thick ironstone china decorated with blue flowers—pieces of cast iron cooking pots, crockery, sometimes showing the handle or neck of a jug, wrought-iron nails, perhaps a rusted lock or hinge from a chest or trunk. The writer has in fact picked up many such fragments in recent years.

This evidence cannot be argued away by saying it represents an unrecorded fight between rival cowboys or outlaw gangs. Cowboys did not carry blue-flowered ironstone china dishes in their chuck wagons, neither did outlaws burden themselves with such baggage. Equally untenable is the theory that there must have been an unreported battle there between Indian tribes later in the war. Only civilized Indians had such possessions, and their Civil War history is well known. These articles are eloquent testimony to a whole people's exodus, people who loaded their household treasures into their wagons along with their provisions and bedding and clothing and moved out with their families. A movement of such magnitude could not have occurred unknown to history "later in the war."

Moreover, since the Payne County Historical Society began its intensive investigation additional findings have been reported and verified. These statements are by people unfamiliar with the original sources and unaware of the uncanny accuracy with which they fit the official records.

Joe Fleming⁷⁶ of Stillwater as a young man was out hunting squirrels on Salt Creek one day in 1902 or 1903. Near the old ford he found a rusty buggy step. Having never heard of Cooper's report of the abandoned buggy, he puzzled much over its origin. "It was an odd thing to find a buggy step in such a place"—far off the section-line roads that had replaced the early trails. Also the white settlers—the only people with buggies—had come only nine or ten years before, and this step "by its weathered condition, looked pretty old."

The late Henry Moebius lived on his farm two and one-half miles north of the Twin Mounds.⁷⁷ Salt Creek crosses the

⁷⁶ FCHS, Collection, Joe Fleming, Statement, January 25, 1966.

⁷⁷ B $\frac{1}{2}$ of N $\frac{1}{2}$, Sec. 5, T18N, R5E.

land and the old ford is 1¼ miles northwest. Thus it is in the location described in the running battle that accompanied the retreat of the Texans from the Union camp. When it was first brought under cultivation several rusted rifle barrels were found in the field near the southeast corner along the creek. Then in 1926 on a small hill overlooking the creek bottom he found a worn powder flask dented on one side.⁷⁸ It is military equipment of the type used during the Civil War.⁷⁹ Besides the side markings and insigne it bears a manufacturer's stamp dated "1838 U. S." and near the mouth are the faintly scratched initials, "W. S." It was many years before John H. Melton, director of research of the Payne County Historical Society, learned of this find; then at once he related it to the "5 powder-flasks" reported by Captain Brinson as lost during the battle.

A more significant find aroused some neighborhood talk, but escaped historical notice. In the fall of 1940 the county road grader uncovered human bones on the east-west section road about a mile and a half southwest of the Twin Mounds.⁸⁰ Francis M. Pratt of Stillwater, who was six years old at the time, was living with Thomas Pratt, his grandfather. He remembers the incident vividly. "I saw the bones after they had been scooped to the side of the road by the grader. The place . . . was on the top of a low hill on which the grader had been lowering the level of the road. A rusty sword, about three feet long, was uncovered with the bones. I held it by the handle. . . . This happened on the way home from school when others were with me and it was recognized as a sword by them too. A friend of mine, Bill Dobson, lived on top of this same hill and his house was close to the road, and . . . he would tell me when more bones were dug up . . . Altogether several skulls were uncovered. . . . My grandfather told me that the dead ones may have been in the big fight that happened at the Twin Mounds."⁸¹

This would have been a logical place for Cooper's camp.⁸²

⁷⁸ PCHS, Collection, Henry Moebias, Statement, January 2, 1956; Homer L. Knight to John H. Melton, November 10, 1961. A photograph of the flask appeared in *Orbit* of the *Daily Oklahoman*, December 3, 1961.

⁷⁹ At the beginning of the war the Confederate army of course used the equipment found in United States armsheds and military posts.

⁸⁰ The location is at about the mid point of the section line road on the south side of Sec. 20, T18N, R5E.

⁸¹ PCHS, Collection, Francis M. Pratt to John H. Melton, July 11, 1961; Billie Joe Dobson, Statement, October 2, 1961. Dobson was between eight and nine years old when the bones were uncovered.

⁸² From this location the Salt Creek ford is slightly west of north. Quayle's report stated that he pursued Opothle Yahola's scouts northeast. He may have started from a point farther west; or possibly from farther east, closer to the Mounds, and his clerk might have made

It is four miles north of the Cimarron ford used so extensively in the years immediately after the war, and well back from the actual fighting. Were these skeletons those of the Confederate dead? And was the sword that of Captain Stewart? All students of Southern history know how typical it was for a Confederate officer to carry the sword used by his father or grandfather in the Mexican War or the Revolution.

A buggy stop, a powder flask, an officer's sword — who could have expected them to leap out of yellowed reports a century old to take material form on this western prairie? True, they do not of themselves prove the location; but they add dramatic confirmation to proof already established.

In the Fort Smith Council at the close of the war Sanford Perryman, who himself had grown up in Tulsa, presented the case for the Union Creeks, using these words, "we commenced moving out west for our safety."⁶³ It has been objected that instead of seeking safety "out west" the Creeks would have hugged the settlements; that they would have been afraid to venture near the range of the prairie tribes. This is a denial of the whole course of Creek history.⁶⁴ And when the United States abandoned its military posts in the Indian Territory that did not change the situation; these posts had never been maintained to protect the Creeks from the Plains Indians. Opothle Yahola's people were in great fear, but their fear was of Confederate invaders and of their own Confederate leaders. This is apparent in all their appeals for protection. As for the trails they followed on this "far western route,"⁶⁵ it must be remembered that the only pre-war trails in the Creek country known to historians are those laid out or at least traveled by white men. The Creeks certainly had communicating trails between their woodland settlements and trails by which they traveled the western prairies for hunting and for councils with the "wild" tribes; but those who could have traced these routes have long since died.

The fact that Confederate regiments were ordered to the border of Southeastern Kansas has been cited as indicating that Opothle Yahola could not have been as far west as the Twin

an error in transcribing the word "northwest." The report shows some evidence of haste; it was written while the command was still in the vicinity and bears a scrawled postscript in Quayle's own hand.

⁶³ Commissioner of Indian Affairs, *Annual Report*, 1868, p. 328.

⁶⁴ For the relations of the Creeks with the Plains tribes see Angie Debo, *The Road to Disappearance* (Norman, 1941), pp. 128-29. They continued these established relations in the post-war period also, *ibid.*, pp. 205-9 and ff.

⁶⁵ The expression was used in a letter dated April 7, 1873 by Cherokee Agent John B. Jones to the Commissioner of Indian Affairs, quoted by Abel, *The American Indian as Slaveholder and Secessionist*, p. 288 note 546.

Mounds. This requires little comment; for that phase of the Civil War has been adequately treated,⁶⁶ is well known, and should not be presented here. Briefly these movements were dictated by Confederate over-all military strategy and had nothing to do with Opothie Yahola. The general plan was to invade Southeastern Kansas, prevent invasions of the Indian Territory from that direction, and cooperate with the campaign in Missouri and Arkansas. In his letter to Drew from Thlobthlooco Square on October 29 Cooper expressed great annoyance that the Creek trouble prevented his joining this campaign. "It is Extremely Vexatious to be detained here by party feuds amongst the Creeks, but it is unavoidable inasmuch as the Creeks would probably refuse to march northward and leave their matters unsettled at home." Indeed it was important to guard the northeastern frontier; when the Union forces did invade the Indian Territory the following summer they came from Baxter Springs and marched down the Grand River to Tahlequah and Fort Gibson.

The author accepted Cox's location in writing two books on Creek history.⁶⁷ This was a reasonable interpretation of the data then available. But when other evidence was presented it became necessary to revise this conclusion. And surely the time has come now for a definitive identification of the place. Additional findings will be made no doubt from time to time, but they can only confirm what is already known. In these centennial years state historians have an obligation to evaluate the data now assembled and make their conclusions accordingly.

⁶⁶ See, for example, Abel, *ibid.*, 240, 249 note 502, 252 note 511; Trickett, *op. cit.*, *The Chronicles of Oklahoma* XVIII (1940), 146, 267, 270-71; XIX (1941), 56-61, 382-96 (ref., *Cumulative Index*, 1061); Grant Foreman, *A History of Oklahoma* (Norman, 1942), p. 108.

⁶⁷ In *The Road to Disappearance*; and *Tulsa: From Creek Town to Oil Capital* (Norman, 1953).