

## CHOCTAW AND CHICKASAW INDIAN AGENTS, 1831-1874

*By Cheryl Houn Morris*

In 1862 about 185 Union Chickasaws were driven from their homes by Confederate Texas Rangers and Indians; they were soon joined by a few Union Choctaws at a Chickasaw encampment on the Verdigris River.<sup>1</sup> Destitute, lacking clothing, blankets, and provisions, these Indians had suffered once again from involvements with white men. More than a quarter century previously white settlers had demanded the removal of these tribes from the South. Removal to Indian Territory brought unbelievable hardships to these people but they recovered, prospered, and believed that they had found their final homeland.

The intermediaries between the United States government and the Indians were the Indian agents, who were appointed, paid, and held responsible by the United States. Between 1831 and 1861 the agents who served over the Choctaws and Chickasaws had similar backgrounds and similar dilemmas in dealing with these tribes. The agents, most of whom were Southerners and Democrats, were plagued with problems of illegal trade in alcohol, disagreements with the military, and invasions by the Plains Indians. The manner in which they wielded their agencies was at times beneficial and at other times detrimental. From 1831 to 1874, however, the full-blooded members of the Choctaw and the Chickasaw tribes usually experienced greater hardships than the mixed-bloods.

On September 27, 1830, the Treaty of Dancing Rabbit Creek had authorized the removal of the Choctaw tribe from Mississippi to Indian Territory. The Choctaw Indians who lived west of the Mississippi previous to this treaty resided under the Red River or Caddo Agency. By 1825 these Indians had a reserve in the southeastern part of present-day Oklahoma which, at that time, was a part of Arkansas. Thus the Choctaw Agency, established in 1825, was under the supervision of the Arkansas Indian Superintendency. Three years later the Choctaw Agency separated from the Arkansas Indian Superintendency, and the agent, William McClellan, reported to the Office of Indian Affairs in Washington that he had only

<sup>1</sup> Isaac Coleman to William G. Coffin, September 30, 1862, United States Department of the Interior, *Report of the Commissioner of Indian Affairs for the Year 1862* (Washington: Government Printing Office, 1863), p. 141.

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eight Indians under his immediate care. McClellen's agency was consequently reduced to a subagency under the Cherokee Agency.<sup>2</sup> When the Choctaws began moving west from Mississippi under their agreement in the Treaty of Dancing Rabbit Creek, a full agent was assigned to the Choctaws in the West.

The Choctaws and the Chickasaws were Southern in origin, in characteristics, and in institutions.<sup>3</sup> Economic and social ties with the South committed these Indians in part to the Confederacy in the Civil War.<sup>4</sup> However, these factors alone were not sufficient motivation, and in the end their agents greatly influenced them to join the Confederacy. The withdrawal of Federal troops from the Choctaw and Chickasaw nations, and the complete interruption of communication were other aspects influencing the secession of the Choctaws and the Chickasaws.<sup>5</sup>

Officially, Choctaw and Chickasaw agents attempted over the years to preserve or restore peace, to distribute money and goods as required by the treaties, and to support other provisions of these documents. As the years passed, when the Choctaws and Chickasaws became settled in their new country west under their own governments, the agents carried out treaty provisions for schools and education. In their offices, the agents for the Choctaws and Chickasaws were sometimes indifferent and even dishonest. From 1831 to 1874, the Choctaws and Chickasaws had sixteen agents. Commencing with 1855, one agent directed the affairs of the two tribes at one agency center. During these years, the agents found they could work with the mixed-bloods (Indian and white by descent) better than they could with their fullblood brothers. Thus, a close relationship existed in which the mixed-bloods served as something like a "fifth column" for the agents appointed to their offices on the American frontier. In this situation, the fullbloods became resigned and withdrawn, yet among the Choctaws particularly, they generally managed to hold the balance of power in their own tribal governments. In the field of U.S. government relations under the terms of the tribal treaties, the agents took advantage of their charges and the fullblood Indians suffered in their advancement in comparison to the mixed-bloods. After the Civil War, the alliance, although unofficial

<sup>2</sup> Edward E. Hill, "Choctaw Agency, 1824-76," *Historical Sketches for Jurisdictional and Subject Headings Used for the Letters Received by the Office of Indian Affairs, 1824-80* (Washington: The National Archives, 1967), p. 2.

<sup>3</sup> Annie Heloise Abel, *The American Indian as Slaveholder and Serfdom* (Cleveland: The Arthur H. Clark Company, 1915), p. 33.

<sup>4</sup> *Ibid.*, p. 59.

<sup>5</sup> United States Department of the Interior, *Report of the Commissioner of Indian Affairs for the Year 1862*, p. 26.

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between the agents and the mixed-bloods, was largely detrimental to the fullbloods.<sup>6</sup>

### *Francis W. Armstrong*

The first Choctaw agent to serve in the West after the Treaty of Dancing Rabbit Creek was Francis W. Armstrong. He was born in 1783 in Virginia, and resigned from the army in Tennessee as a brevet major in 1817 after five years of service.<sup>7</sup> Politically ambitious, Armstrong campaigned for the election of Andrew Jackson as President in 1829. On April 26, 1831, Armstrong was appointed to take a census of the Choctaw tribe in Mississippi before their removal to Indian Territory. He soon gained their favor and reported to the War Department that the Choctaws would be ready for removal. George S. Gaines, a licensed trader and friend of the Choctaws, was also ready. On August 12, 1831, Gaines was appointed "Superintendent of Subsistence and Removal of the Indians." By September 7, two months after he had begun, Armstrong completed his census. On that same day he was appointed as Choctaw agent west of the Mississippi.

William McClellan, subagent for the Choctaws, prepared for the arrival of Armstrong by locating the new agency about fifteen miles west of Fort Smith. The subagent planned and built the building which was to house the Armstrong family. By the time of the Armstrongs' arrival two years later, the new Choctaw agent's home appeared to have depreciated considerably, for he wrote to the Commissioner of Indian Affairs asking for \$362 because he "found the roof and porches rotten; and the Agency in a most dilapidated state; with but one chimney."<sup>8</sup> The funds were granted and the improvements were made.

The early part of Armstrong's administration was spent in handling the supplies of the Choctaws and in preventing the introduction of whiskey into the agency area. During this period plans were made for the construction of a road from Arkansas and for the building of schools as provided for in the Treaty of Dancing Rabbit Creek.<sup>9</sup> In April, 1833, a majority of the Choctaws arrived in the West. Agent Armstrong then began letting contracts

<sup>6</sup> In later years, this power structure would be challenged by the fullbloods. See Arrell M. Gibson, *The Chickasaw* (Norman: University of Oklahoma Press, 1971) for a detailed account of this movement, *passim*.

<sup>7</sup> Francis B. Heiman, *Historical Register and Dictionary of the United States Army* (2 vols., Washington: Government Printing Office, 1903), Vol. I, p. 169; Carolyn T. Foreman, "The Armstrongs of Indian Territory, Part I," *The Chronicles of Oklahoma*, Vol. XXX, No. 3 (Autumn, 1952), pp. 292-295.

<sup>8</sup> Quoted in *ibid.*, p. 295.

<sup>9</sup> Angie Debo, *The Rise and Fall of the Choctaw Republic* (Norman: University of Oklahoma Press, 1961), p. 60.

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for the construction of a council house for the nation, homes for the chiefs of the three districts, and a church in each district which would be used for a schoolhouse until others were built.

There was a great deal of internal strife and jealousy among the Choctaws in the winter of 1833-1834, yet Armstrong insisted that some form of tribal government be formed. When the Choctaws attempted to follow his directives, they found that Armstrong would not accept their methods. Only part of the tribe had attended the meeting; the representatives from Nitakachi's district prepared and adopted a constitution, while the citizens of the Pushmataha District had no constitution or laws but had selected a chief for the entire nation. The discord increased and Armstrong tried to find some harmony. He told them to assemble all of their chiefs and ninety-nine treaty captains into a council and then set up a government before electing officers.

In June, 1832, by an act of Congress all the territory west of the Mississippi River except for the territory of Arkansas and the state of Missouri was made "the Indian Country." In addition, the whole Indian service was reorganized, and Armstrong was made acting superintendent of the "Western Territory" with particular jurisdiction over the Choctaw Indians. Under his jurisdiction, new subagencies were organized, which included the Osage, Western Cherokees, Western Creeks, and immigrant Senecas, Shawnees, and Quapaws. Armstrong's troubles increased with this additional authority and he had great difficulties in managing the Choctaws and their affairs.<sup>10</sup>

But Armstrong's problems were not limited to his superintendency, for the nomadic Plains tribes to the west, the Comanches and the Wichitas, interfered with trade in the Choctaw area, and these Indians were highly incensed with the arrival of the Choctaws in their territory. On March 23, 1835, Secretary of War Lewis Cass appointed Monfort Stokes, Brigadier General Matthew Arbuckle, and Agent Armstrong to negotiate a treaty with these Indians. The Plains tribes were difficult to gather into a meeting, but due to Armstrong's cooperation Stokes and Arbuckle concluded a treaty with the Wichitas and Comanches in late August of 1835 at Fort Holmes. Armstrong did not live to see the results of his efforts; while on the way to the conference at Fort Holmes, he was taken seriously ill, and he died in his home at the Choctaw Agency.

Armstrong was one of the few agents who attempted to keep the Choctaws united and at peace. His attitude toward the Choctaws, however, was stern and generally unyielding; as a result, he was accused of being harsh

<sup>10</sup> United States House of Representatives, *Executive Document Number 69*, 23rd Congress, 1st session (Washington: Duff Green, 1834), pp. 2-12.

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and dictatorial by his enemies.<sup>11</sup> Also, there were times when the Choctaws went hungry due to shortage of supplies during Armstrong's administration, and there were times when Choctaw children died because of a lack of medicine. However, these were supply problems caused by poor transportation services rather than by Armstrong. During his administration, twelve schools were built, a government established, and a treaty of peace made with the Plains Indians. But the Choctaw agent who succeeded Armstrong accomplished more, and that agent was his brother.

### *William Armstrong*

Born about 1800, William Armstrong, brother of Francis Armstrong, supposedly fought in the Battle of New Orleans. He was tall, light complected, and had auburn hair.<sup>12</sup> The Reverend Henry C. Benson described him as a "man of unblemished reputation, of excellent morals" and a member of the Presbyterian Church.<sup>13</sup> On July 2, 1832, he was appointed by President Andrew Jackson to Special Agent and Superintendent of the removal of the Choctaws from their homes east of the Mississippi River. At that time an epidemic of cholera was spreading along the river front and struck the emigrating Choctaws. Armstrong tried to get a doctor to travel with the first group of Indians on their way west, but he could not find one, so he went with them himself. In seven days they traveled forty-two miles through a swamp, struggling at times through waist-deep water. Some of the Indians who had tried to leave without governmental assistance gave up and were discovered enroute by Armstrong and his party in the middle of December. At the Arkansas River his followers encountered the worst known flood of that stream. The crops of those Choctaws who had settled near the river had been swept away and their houses had been ruined. To prevent their starvation, Armstrong borrowed 500 bushels of corn.

Yet it was not a simple task to convince the remaining Choctaws to remove to the West, and it was made even more difficult by discouraging reports sent to them from the ones who had already left. In 1833 Armstrong induced about 2,000 Choctaws to leave with him, but rumors circulated back to these Indians that the government would pay them ten dollars each to make the trip by themselves. Armstrong accredited this rumor to traders who hoped that the Choctaws would trade with them upon their

<sup>11</sup> *Ibid.*, p. 90.

<sup>12</sup> Carolyn Thomas Foreman, "New Hope Academy," *The Chronicle of Oklahoma*, Vol. XXII, No. 3 (Autumn, 1944), p. 378.

<sup>13</sup> Henry C. Benson, *Life Among the Choctaws* (Cincinnati: L. Swarnwell & A. Fox, 1860), pp. 99-100.

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arrival in their new home. Only half of the original 2,000 ignored the rumors and went with Armstrong.

Another concern for Armstrong was the illegal traffic in alcohol. White men and Indians alike were involved in this trade. In 1834 Congress passed an act which regulated the liquor trade in Indian Territory. Armstrong disliked this act, for he thought it promoted intermarriage between the traders and Indian women to avoid the law.<sup>14</sup> He believed this would result in a monopoly in the hands of the traders, which in turn would hurt the majority of the Choctaws. Agents who followed Armstrong would continue to have this problem with illicit liquor trade.

After their arrival in Indian Territory, the Choctaws needed schools, roads, and council houses. Armstrong's brother, Francis, had begun this task, and he continued it. William Armstrong was especially interested in education for the Choctaws, and this theme dominated many of his reports. In a request for the Choctaw schools which he made in 1836, Armstrong asked for books and school supplies.<sup>15</sup> Also, he selected young Choctaw boys to send to the Choctaw Academy in Kentucky, and a number of them returned to fill important positions in their communities. Because these boys were homesick away at school for so long, new schools were established within their nations. Armstrong had no qualms about filling teaching positions in these schools with qualified Choctaws.<sup>16</sup> Later, an educational institution, the Armstrong Academy, was named for Agent William Armstrong.

Two years after his appointment as Choctaw agent and Acting Superintendent of Indian Affairs for the Western Territory, Armstrong obtained an agreement between delegations representing the Choctaw and Chickasaw people. The Choctaws agreed that the Chickasaws could have the privilege of forming a district within the limits of the Choctaw Nation. To aid them in their removal, Armstrong sent a force of men to construct a road to Boggy Depot to help the Chickasaws emigrating to their new homes.

By the autumn of 1836, a church had been built in each of the three districts, and the Choctaws began to plan for a council house. Agent William Armstrong advertised in the summer of 1836 for bids for the construction of this building and homes for each of the three chiefs. William Lowry, who had built two of the churches, received the contract for the new con-

<sup>14</sup> Carolyn Thomas Foreman, "The Armstrongs of Indian Territory, Part II," *The Chronicles of Oklahoma*, Vol. XXX, No. 4 (Winter, 1952), p. 424.

<sup>15</sup> Grant Foreman, *The Five Civilized Tribes* (Norman: University of Oklahoma Press, 1934), p. 45.

<sup>16</sup> Carolyn Thomas Foreman, "The Choctaw Academy," *The Chronicles of Oklahoma*, Vol. X, No. 1 (March, 1932), p. 90.

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struction work. These new buildings, all provided for by the terms of the Removal Treaty in 1830, were made under the supervision of the Choctaws in their new country west.

The large amount of construction work done during Armstrong's administration of the Choctaw Agency made him popular among the Choctaws. Yet his entanglements with contractors and his active support of untrustworthy men cloud his administrative record. Armstrong had many business dealings with Lorenzo N. Clark, who was constantly in trouble over the fulfillment of his contracts and was frequently in arrears to the United States. Captain R. D. C. Collins embarrassed Armstrong by making a purchase of spoiled pork from Clark. Although Armstrong's own records were scrupulously kept, Thomas C. Wilson, a resident at Fort Gibson, questioned Armstrong's honesty.<sup>17</sup> Wilson said that when Armstrong came to the West he had personal obligations amounting to \$20,000, yet in a few years he had discharged his debts and accumulated property worth \$40,000. His salary was \$1,500 and he sold corn which he raised on the agency for fifty cents a bushel; thus his wealth could not be accredited to his job.<sup>18</sup>

Despite these irregularities, Armstrong wrote glowing reports on the Choctaws and Chickasaws, and they admired him in return. Armstrong's report in 1842 stated that no other tribe was more honest or loyal than the Choctaws, and they had increased their wealth.<sup>19</sup> He admired the thrift of the Chickasaws.<sup>20</sup> He frequently praised both tribes for their educational progress. When Armstrong died at Doaksville in June, 1847, a large meeting of Choctaws was held in that location to memorialize him. Colonel David Folsom, chairman of the meeting, said that Armstrong "ever manifested a lively interest in our welfare," and "was an honest man," unlike other agents "who would run away with Indian money."<sup>21</sup> Then they sent a preamble and resolutions concerning Armstrong and their feelings for him to the President of the United States, James K. Polk, and to several newspapers.

Although the tribute of the Choctaws to Armstrong at the time of his death and the reports of other residents in the Choctaw Nation contradict each other on his honesty, his enthusiastic support and interest in the edu-

<sup>17</sup> Edwin C. McReynolds, *The Seminoles* (Norman: University of Oklahoma Press, 1945), pp. 254-255.

<sup>18</sup> *Ibid.*, p. 255.

<sup>19</sup> William Armstrong to T. Hattley Crawford, United States Department of War, *Report of the Commissioner of Indian Affairs for the Year 1842* (Washington: William M. Bell, 1843), p. 441.

<sup>20</sup> *Ibid.*, p. 438.

<sup>21</sup> Foreman, "The Armistings of Indian Territory, Part II," *The Chronicle of Oklahoma*, Vol. XXX, pp. 451-452.

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cation of these Indians cannot be disputed. During his administration, schools were built, a temperance society was organized, and the Choctaw General Council, their legislative body, was reorganized into a Senate and a House of Representatives.<sup>22</sup> His successor at the Choctaw Agency, Samuel M. Rutherford, was appointed on July 10, 1847.

### *Gaines P. Kingsbury*

During William Armstrong's administration as Choctaw agent and as Acting Superintendent of Indian Affairs for the Western Territory, the Chickasaws moved to Indian Territory. There they settled on the western part of the Choctaw reserve. On June 11, 1837, Captain Gaines P. Kingsbury was designated the acting agent for the Chickasaws who had emigrated to Indian Territory. In 1839 a regular agency for the Chickasaws was established in Indian Territory. The agency would remain under the Western Superintendency until 1851.<sup>23</sup>

Kingsbury was a son-in-law of Governor Henry Dodge of Wisconsin, and Doctor Lewis Fields Linn, a senator from Missouri, was his brother-in-law. Kingsbury was stationed at Fort Towson, where the Chickasaw agent usually stayed before 1842, when permanent buildings were erected east of the Washita River near Fort Washita. On January 2, 1838, Colonel A. M. M. Upshaw delivered 3,538 Chickasaw emigrants to Captain Kingsbury at Fort Coffee. The Chickasaws brought with them large amounts of agricultural implements, baggage, and good tents. Prior to their arrival, the Chickasaws in camp had become restless for a definite plan to get them to their future home. They wanted a road made as soon as possible to their new location so that they could cultivate the ground for a crop of grain to be harvested the following year.<sup>24</sup> Four men selected by the Chickasaws accompanied Kingsbury from Fort Coffee to mark out the road. While locating the road, they found an abundance of cane which could be used to sustain their stock during their removal.<sup>25</sup>

Shortly thereafter Captain Kingsbury died on July 24, 1839, near Fort Towson, and was buried with military honors at the fort. William Armstrong knew Kingsbury well, and he thought that he had the capacity and firmness to fulfill honestly his role as agent.<sup>26</sup> Aside from the road which

<sup>22</sup> United States Department of War, *Report of the Commissioner of Indian Affairs for the Year 1842*, pp. 437-439.

<sup>23</sup> Hill, "Chickasaw Agency, 1824-70," *Historical Sketches for Jurisdictional and Subject Headings Used for the Letters Received by the Office of Indian Affairs, 1824-80*, p. 1.

<sup>24</sup> *Grave Foreman, Indian Removal* (Norman: University of Oklahoma Press, 1932), p. 219.

<sup>25</sup> *Ibid.*, p. 220.

<sup>26</sup> Foreman, "The Armstrongs of Indian Territory, Part II," *The Chronicles of Oklahoma*, Vol. XXX, pp. 437-438.



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was charted for the Chickasaws, Kingsbury's term as their agent was largely uneventful.

### *A. M. M. Upshaw*

About seven months after Kingsbury's death, he was replaced by Colonel A. M. M. Upshaw from Pulaski, Tennessee. He, too, was a friend of the Armstrongs and a Democrat. On March 9, 1837, President Martin Van Buren, a Democrat, had appointed Upshaw as superintendent of the Chickasaw removal. The new superintendent urged the Chickasaws to remove as quickly as possible to prevent the white man from making them drunk, cheating them on their property, and starving their women and children.<sup>27</sup> To Upshaw's plea only about 500 Chickasaws responded. Yet they began to leave in the early summer of 1837 in what would be the first of several such trips to Indian Territory for Upshaw.

As they started their journey through western Tennessee, the Chickasaws greatly impressed the white inhabitants of that area. These red men were finely dressed in their native costumes, mounted upon handsome horses, and they passed through the white men's settlements in good order. There was not one drunken Indian within the company. Yet during their passage to Indian Territory, some were corrupted by liquor sold to them by white traders, some were nearly starved because of dishonest contractors, some were sick as a result of unsanitary health measures, and many were demoralized by the inefficiency of their tiresome trip. This pattern was repeated in subsequent removals of the Chickasaws. Unfortunately, as superintendent of their removal, Upshaw allowed expediency to replace humanism. Although he complained about the contractors and the sale of liquor to the Chickasaws, most of the time he was in Tennessee trying to convince more members of the tribe to move to Indian Territory.<sup>28</sup>

On March 4, 1839, Upshaw received his appointment as Chickasaw agent. In the early years of his administration, Upshaw actively supported the civil rights of those Chickasaws who were slaveholders. Some 92 whites and 340 slaves arrived in Indian Territory in 1840; 95 of the slaves belonged to Benjamin Love, 51 to Delila Moon, 41 to Simon Burney, 29 to Susan Colbert, 22 to Samuel Colbert, 26 to James Colbert, 18 to David Burney, and the remaining 55 to other Chickasaw immigrants.<sup>29</sup> Many of these slave-holding Indians were mixed-bloods who would later work with Upshaw to prevent the Chickasaws from reverting to their old customs.

<sup>27</sup> Folsom, *Indian Removal*, p. 204.

<sup>28</sup> *Ibid.*, pp. 204-224.

<sup>29</sup> *Ibid.*, pp. 225-226; Folsom, *The Five Civilized Tribes*, p. 101.

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As soon as the Chickasaws settled in their new land, they began planting corn, cotton, wheat, oats, and rye, and a number of them used slave labor. The Chickasaws had three cotton gins and several spinning machines by 1845. A number of the wealthier mixed-bloods settled on rich bottom land near Fort Towson and engaged in large-scale raising of cotton. With the labor of 150 slaves, George Colbert managed to plant from 300 to 500 acres of cotton during his first year in Indian Territory.

The importance of slavery to the economy of the more prosperous Chickasaws undermined the stability of that area for many years. Often Indians living between the Washita and Red rivers harbored Chickasaws' runaway slaves and sold them to the Comanches. Shawnee and Delaware Indians would return the Chickasaws' slaves to their owners upon the payment of large sums. Military interventions on behalf of the Chickasaws were in vain.<sup>20</sup>

The Chickasaws were distracted further by floods and white intruders. By 1844 they still were without schools, and they elected a body of commissioners who passed an act for the establishment of a manual labor school in the Chickasaw district. The school was to be conducted by the missionary society of the Methodist Episcopal Church, and an appropriation of \$3,600 annually was made for its operation. However, Upshaw reported in 1847 that the Chickasaws still lacked the school.

Meanwhile Upshaw concerned himself with the instability of his own position as Indian agent to the Chickasaws. The presidential election in 1844 would determine his duration in that position. William Armstrong, the Acting Superintendent of Indian Affairs for the Western Territory, was warned by his friend Upshaw that Pierce Butler, the Cherokee agent, wagered four mules that Henry Clay would be elected and that as a result Butler would become the new superintendent. After James K. Polk, a Democrat, won, Upshaw proposed to Armstrong that they meet in Washington and dine on oysters and wine.<sup>21</sup> By supplying Armstrong with information of this wager, Upshaw knew Armstrong would be one of his staunchest defenders in times to come and that the enmity between Armstrong and Butler would enhance his position within the administration of Armstrong.

In 1845 Upshaw's influence with the Chickasaws was challenged by a faction of the tribe dominated by Pitman Colbert. These Indians wanted the Chickasaws to ignore the progressive leaders in the commission which had been formed the previous year and revert to their old customs. They said that the commissioners had betrayed the Chickasaws and had handled

<sup>20</sup> *Ibid.*, p. 106.

<sup>21</sup> *Ibid.*, pp. 107-108.

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public funds improperly. The Chickasaw commissioners denied these accusations. Colbert's faction won, and King Ish-to-ho-to-pa was confirmed to convene and preside over all of the councils of the Chickasaws. A treasurer was appointed to receive all tribal funds. Upshaw was distressed that these uneducated Indians had gained control of Chickasaw government. Armstrong supported Upshaw and refused to deliver the money to the newly-elected officers.<sup>42</sup>

Upshaw spent the rest of his term as agent to the Chickasaws attempting to keep the Chickasaws from drunkenness and trying to maintain some form of peace with surrounding tribes. Yet his efforts were largely fruitless, and when the Whig President Zachary Taylor was inaugurated, Upshaw was replaced by Gabriel W. Long. Upshaw's administration was mainly unproductive for the Chickasaws, and his major accomplishment, Chickasaw removal prior to his term as agent, was executed thoughtlessly and without regard for the Chickasaws.

### *Samuel M. Rutherford*

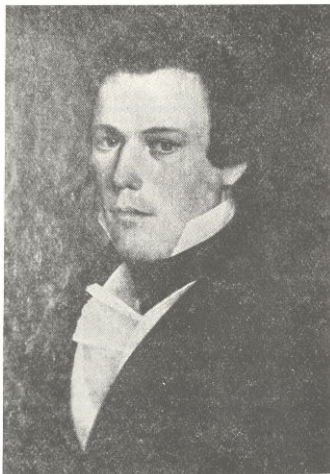
Following the death of William Armstrong, Samuel Morton Rutherford was appointed on July 10, 1847, as Choctaw agent and Acting Superintendent of Indian Affairs west of the Mississippi. Rutherford had spent many years in Arkansas in various positions. In 1832 he was appointed a special agent in charge of the removal and subsistence of the Choctaws who landed at Little Rock on their way to the Red River. Eight years later he was selected as one of the presidential electors on the ticket for Martin Van Buren, who was defeated by William Henry Harrison, a Whig.<sup>43</sup>

When Rutherford arrived at the Choctaw Agency in 1847, he found that the Choctaws had progressed in the area of education and that many buildings had been constructed. Yet he still inherited Armstrong's problems with illegal traders and dishonest contractors. Several hundred Choctaws came yearly during Rutherford's administration, and these Indians, who had once lived with the whites in Mississippi, were said to have been addicted to alcohol. As a result, numerous whiskey shops arose along the Arkansas line. While many adults suffered from drunkenness, their children died from whooping cough. Taking advantage of the Choctaws' weak state, the neighboring Kickapoos stole their horses and killed their cattle.<sup>44</sup>

<sup>42</sup> *Ibid.*, pp. 109-111.

<sup>43</sup> Grant Foreman, "Nathan Pryor," *The Chronicle of Oklahoma*, Vol. VII, No. 2 (June, 1927), p. 153, n. 6.

<sup>44</sup> United States Department of War, *Report of the Commissioner of Indian Affairs for the Year 1847* (Washington: William M. Bell, 1848), p. 143; United States Senate, *Executive Document Number 1*, 31st Congress, 1st session (Washington: William M. Bell, 1850), p. 948.



(Historical Collection of Muriel E. Wright)

**Samuel Morton Rutherford**

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In 1849, 547 Choctaws arrived in Indian Territory. They built homes and planted corn, but they also brought an epidemic of cholera. In April, 1849, Fort Coffee Academy and New Hope Seminary were closed as a result of this epidemic. A month later Rutherford was replaced. He, too, was removed from office for political reasons when Zachary Taylor became President in 1849. Unlike Upshaw, Rutherford became an Indian agent in later years when in 1859 he was appointed to serve the Seminoles. Rutherford's successor in the Choctaw post was John Drennon.

### *Gabriel W. Long, Kenton Harper, and Andrew Jackson Smith*

The agents who followed Upshaw at the Chickasaw Agency was more inefficient than Upshaw. Gabriel W. Long was appointed on November 6, 1849, to succeed Upshaw. Despite the fact that Long was married to a Chickasaw woman and was able to roughly speak the Chickasaw language, he still was barraged by complaints concerning the payment of the Chickasaw annuity in January, 1850. The Indians suffered much from the lack of funds. The Chickasaw Academy was begun in 1850, but its completion was hindered because the United States failed to send the \$6,000 appropriated by the Chickasaw Nation. Later, in December, 1850, the Indians received an annuity payment at Perryville, and during Christmas night there was a drunken spree which resulted in the death of a man.

Long was succeeded by Kenton Harper in July, 1851. Harper was unable to assume his post immediately, and shortly thereafter Andrew Jackson Smith was appointed. Smith received his appointment on September 1, 1851. The most noteworthy event in his term occurred on October 5, 1851, when some of the principal men of the Chickasaw Nation, Cyrus Harris, James Gable, Sampson Folsom, Jackson Frazier, and Dougherty Colbert, petitioned President Franklin Pierce for the removal of Agent Smith on charges of official irregularity and gross immorality. The Superintendent of Indian Affairs renewed these charges the following year. On November 9, 1855, Smith's commission was revoked, and five months later Douglas H. Cooper was assigned to the Chickasaw Agency in addition to the post which he held at the Choctaw Agency. From that time onward, the two tribes had an agent in common.<sup>36</sup>

From 1849 to 1856 the conditions of the Chickasaws improved very little. Whiskey peddlers patrolled the countryside, grocery stores along the border catered to this craving, and steamboats on the Red River sold whiskey freely.<sup>37</sup> Some Seminole Indians carried whiskey through the Chickasaw

<sup>36</sup> Abel, *The American Indian as Slaveholder and Secessionist*, p. 41; Poewman, *The Five Civilized Tribes*, p. 179.

<sup>37</sup> *Ibid.*

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Nation to a retailer who hid it in his cellar. Chickasaw light-horse lawmen who tried to deter this illegal traffic were killed. Aside from the problem of alcohol, the Chickasaws were disturbed by the Plains Indians when the Chickasaws attempted to occupy their land. The Federal government did not successfully protect the Chickasaws in their new location. The Chickasaws knew that in order to keep their homes they would have to protect themselves. Thus the United States government indirectly strengthened the independence of the Chickasaws.

### *John Drennan and William Wilson*

While the Chickasaws were having their disappointments with their agents, the Choctaws had little to rejoice about in their agents. John Drennan followed Rutherford as Choctaw agent in May, 1849. While Drennan held this post, he became known as a heavy gambler and thus was removed from the agency. He later became the Superintendent of Indian Affairs for the Southern Superintendency.<sup>37</sup>

On June 30, 1851, William Wilson became the new Choctaw agent. Wilson had lived in the Choctaw Nation for years and had been, in fact, a resident in William Armstrong's home in 1844. Wilson was a graduate of Washington College in Pennsylvania, and while he lived with Armstrong, he taught and was principal of Spencer Academy. During Wilson's term as agent, education among the Choctaws was a matter of great importance and their schools flourished. However, the Choctaws and Chickasaws continued to disagree over the joint treaty they had signed at Doaksville in 1837. This agreement provided for the settlement of the Chickasaws in the Choctaw Nation, with a special area assigned to the Chickasaws to be governed under Choctaw law. Wilson died and Douglas H. Cooper was appointed to replace him after Franklin Pierce, the New Hampshire Democrat, was elected President of the United States.<sup>38</sup>

### *Douglas H. Cooper*

Douglas H. Cooper was born on November 1, 1815, in Wilkinson County, Mississippi. His father was a physician and a Baptist minister who left his son well provided for in his will. After studying at the Amite Academy at Liberty, Mississippi, Cooper entered the University of Virginia in 1842. Two years later he left school and returned to Mississippi to become a planter and a lawyer. He married, and the young couple made their home near Woodville, in Wilkinson County. His plantation, called "Mon Clova,"

<sup>37</sup> McReynolds, *The Seminoles*, p. 254.

<sup>38</sup> Benson, *Life Among the Choctaws*, pp. 99-100.



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Douglas H. Cooper

was run by an overseer and Negro slaves, and his home was frequently visited by Jefferson Davis, a neighbor. Although Cooper's father had been a Baptist, Cooper belonged to no church; his only religious outlet was in Masonry, although his wife was an Episcopalian.<sup>39</sup>

In 1844 Cooper served as a representative from his county in the Mississippi State Legislature. During the Mexican War, Cooper served under Colonel Jefferson Davis in the Mississippi Rifle Regiment in which Cooper had organized the Woodville Company. While participating in the battles at Buena Vista and Monterey, Cooper received recognition from Colonel Davis for his courage under fire. After the war, Cooper continued to be politically active in his home state. In 1852, when Franklin Pierce, a Democrat, was elected President of the United States, Mississippi leaders gained prestige in the new administration. Davis was appointed Secretary of War and his old friend, Cooper, was appointed agent to the Choctaws.<sup>40</sup>

Cooper's background and family connections made him a logical choice for this position. Mississippi had been a part of Choctaw cessions. His father had promoted the founding of the Choctaw Academy in Kentucky; his stepbrother, J. F. H. Claiborne, had served as president of the United States Board of Commissioners, which had investigated and adjudicated land claims of the Choctaws.<sup>41</sup> Cooper assumed his duties as agent of the Choctaws on June 4, 1853.

Upon arrival, Cooper realized that the Choctaws needed neighborhood schools, better medical care, and stricter control of the liquor traffic. He began to try to settle another problem in the Choctaw Nation—that of the conflict between the Choctaws and Chickasaws over the settlement of the Chickasaws in Choctaw territory. By 1855, after spending many months in Washington, D.C., he achieved a settlement of these disputes. While he was in Washington, Cooper impressed officials so much that in March, 1856, he was appointed the United States agent for both the Choctaws and the Chickasaws.<sup>42</sup>

When he returned to Indian Territory later in 1856, Cooper attempted to restore law and order and promoted the idea of the Chickasaw and Choctaw nations binding together in a movement toward statehood. During that year, he traveled to the old Choctaw lands east of the Mississippi River, trying to convince those Indians who remained behind to move to Indian Territory. Such an increase in the population of the Choctaw Nation would

<sup>39</sup> Muriel H. Wright, "General Douglas H. Cooper, C.S.A.," *The Chronicles of Oklahoma*, Vol. XXXII, No. 2 (Summer, 1954), pp. 144-145.

<sup>40</sup> *Ibid.*, p. 145.

<sup>41</sup> *Ibid.*, p. 147.

<sup>42</sup> *Ibid.*, p. 149.



strengthen the statehood movement. In 1857 Cooper returned to his agency and found the Choctaw and Chickasaw nations in a state of turmoil. The Choctaws did not agree with any move toward statehood, nor did the two tribes want any changes in holding their lands in common. Harmony was restored, yet Cooper faced new problems in the following year.<sup>43</sup>

As a result of the new policy of the War Department of abandoning a number of United States military posts used for maintaining order in Indian occupied areas, despite United States guarantees in various treaties for the protection of the Indians, Indian Territory was opened to attacks by hostile bands of Comanches and Kiowas living on the western plains. At the request of Chickasaw leaders, Cooper called for Choctaw and Chickasaw volunteers to form an army for the protection of their people from the marauding Plains Indians. The call was answered, and Cooper received high praise from leaders in both tribes.

Cooper's strong support of Negro slavery virtually placed some missionaries under his control during his administration. In 1855, the pro-slavery sympathizers in the American Board of Commissioners for Foreign Missions separated themselves. The conduct of Congregational missionaries, led by the Reverend Cyrus Kingsbury, was approved by Cooper. He wished to remove all abolitionists from Indian Territory and encourage pro-slavery advocates to settle among the Choctaws and Chickasaws.<sup>44</sup>

While tensions were mounting within the United States on the eve of the Civil War, the Chickasaws and Choctaws were becoming increasingly dissatisfied with the treatment they received from the Federal government. A severe drought ravaged the countryside, and the Indians were faced with famine and starvation. In 1860 and 1861 Indian funds were released and used to aid the distressed Choctaws and Chickasaws; but in January, 1861, Major P. T. Crutchfield, a disbursing agent, died, and all the Indian funds were seized by Arkansas authorities. In addition, the Choctaws and Chickasaws thought that when Abraham Lincoln was elected President of the United States, their lands would be taken from them again and would be given to white men.<sup>45</sup> Thus, on February 7, 1861, the Choctaw General Council adopted resolutions which stated that should a war erupt between the Northern and Southern states, the Choctaws would support the South.

Cooper agreed with the Choctaws. When Albert Pike, the Confederate commissioner for making treaties with the Indians in Indian Territory, requested that Cooper continue in his position as agent for the Choctaws

<sup>43</sup> United States Department of the Interior, *Report of the Commissioner of Indian Affairs for the Year 1856* (Washington: Cornelius Wendell, 1857), pp. 147-148.

<sup>44</sup> Abel, *The American Indian as Slaveholder and Secessionist*, pp. 39-40.

<sup>45</sup> *Ibid.*, pp. 38-39.

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and the Chickasaws, Cooper obliged. On May 25, the Chickasaw Legislature passed a resolution to ally with the Confederate States. In the early summer of 1861, Pike negotiated treaties with the Choctaws and Chickasaws, and shortly thereafter Cooper pledged his allegiance to the Confederate States.<sup>46</sup>

During the Civil War, Cooper organized the "Choctaw and Chickasaw Regiment of Mounted Rifles" and commanded the regiment and some Texan units. In 1864, Cooper, a brigadier general, was assigned the military command of the District of Indian Territory. Several engagements occurred in Indian Territory during the Civil War, and the Confederate forces within its borders were the last to surrender at the close of the Civil War. Until the time of his death on April 29, 1879, Cooper lived at abandoned Fort Washita and was an advisor and defender of the Choctaws and Chickasaws. They respected Cooper, for throughout their long relationship with him, he had been one of their staunchest supporters in all of their disputes with the Federal government.<sup>47</sup>

### *Isaac Coleman*

After Cooper had pledged his support to the Confederate States, on July 31, 1861, the Federal government appointed Isaac Coleman of Indiana as Choctaw and Chickasaw agent. As the Civil War swept into Indian Territory, Indian (tribal) bands that remained loyal to the Union evacuated their homes and moved northward into Kansas. Their preparations for this journey were totally inadequate. In the dead of winter, the ground covered with ice and snow, the famishing multitude of fugitives arrived in Kansas. Thus Coleman did not begin his service to the Choctaws and Chickasaws until February, 1862, at Fort Roe, Kansas. There he found 185 Chickasaws and a small band of Cherokees encamped on the Verdigris River. The following April, Coleman removed these Indians to LeRoy, Kansas, where conditions were somewhat better.<sup>48</sup>

Smaller bands of Chickasaws joined their fellow tribesmen at LeRoy. Despite inadequate food and clothing by 1864, their Agent Coleman was told to remove them to Indian Territory. He found some 300 Choctaws at Fort Smith to whom he issued provisions when he reached there. They were tired of war and reportedly disgusted with the Confederates, who kept them from returning to their home in southern Indian Territory. Coleman

<sup>46</sup> Wright, "General Douglas H. Cooper, C.S.A.," *The Chronicles of Oklahoma*, Vol. XXXII, p. 161.

<sup>47</sup> *Ibid.*, pp. 179-184.

<sup>48</sup> United States Department of the Interior, *Report of the Commissioner of Indian Affairs for the Year 1862*, pp. 140-141.

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suggested to William G. Coffin, the Superintendent of the Southern Indian Superintendency, that a strong Federal force should drive the Confederates south of the Red River. As a result, the fullblood Choctaws and Chickasaws would have greater confidence in the Union government and would return to take up arms against the Confederates. But the Confederates were never driven south of the Red River. When the Civil War finally ended, the Federal government began making new treaties with the once disloyal tribes.<sup>49</sup>

In 1865, at the close of the war, Coleman noted that although the Choctaws and the Chickasaws had not suffered from the destruction of their property as much as had the surrounding tribes, many of them were destitute of means of subsistence because the Confederates had taken their horses and cattle. Also, he said, there were white men who stole the stock of the Indians, but he lacked the force necessary to check the actions of the thieves. He recommended that the white men, who had mixed with the Indians prior to the Civil War and who had been the principal emissaries of the Confederate government, be severely dealt with and removed from the Choctaw and Chickasaw nations.<sup>50</sup>

Coleman also recommended the establishment of a common school system where the children of all classes could receive a liberal education at reasonable rates. This was the first time that an agent suggested an educational system open to all Indian children in the Choctaw and Chickasaw nations. Coleman was replaced on August 22, 1866, when Martin W. Chollar was appointed the new agent.

*Martin W. Chollar, George T. Olmsted,  
and Theophilus D. Griffith*

Chollar left no record of his presence in the Choctaw or Chickasaw nations. He was probably in residence at agency headquarters, but was either too busy or too irresponsible to submit reports.<sup>51</sup> After almost three years, Chollar was replaced by George T. Olmsted on June 23, 1869.

During Olmsted's term as Indian agent, the fullblood Choctaws and Chickasaws began to assert themselves. When the Federal government tried to allot land in severalty, the fullblood Choctaws opposed this invasion of their old custom of holding land in common. They also resisted the

<sup>49</sup> United States Department of the Interior, *Report of the Commissioner of Indian Affairs for the Year 1865* (Washington: Government Printing Office, 1866), pp. 34-35.

<sup>50</sup> *Ibid.*, pp. 280-281.

<sup>51</sup> The published annual reports of Commissioner of Indian Affairs for the years 1866 through 1868 do not contain reports filed by Chollar.

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granting of land for railroads. While they were successful in maintaining their land in common, they were defeated on the railroad issue.<sup>52</sup>

Following the end of the Civil War, the Negroes recently freed in Indian Territory experienced many hardships. It was not compatible to their interests to become citizens of the Indian nations, Olmsted said, and he suggested that they be removed to an area far removed where they could freely exercise their newly acquired civil rights.<sup>53</sup> But during 1869 and 1870 many meetings of Choctaw freedmen occurred at which they demanded full citizenship, with equal property rights, and the opening of the whole Choctaw Nation to white settlement. Choctaws tried to prevent these meetings, and Agent Olmsted arrested one Negro who was carrying a letter announcing such a meeting. The Negroes then demanded the removal of Olmsted.<sup>54</sup>

Olmsted, like Coleman, was interested in expanding the common school system. Plans were made by the superintendent of schools in both the Choctaw and Chickasaw nations to enlarge their systems so that every Choctaw or Chickasaw child could acquire an education should he desire to do so. Those who were not reached by the public schools were instructed by missionaries, who were accepted by the Indians. On October 21, 1870, Olmsted was succeeded by Theophilus D. Griffith.<sup>55</sup>

Griffith's administration was marked by no new problems. There were still whiskey peddlers who violated the law and sold their beverages to the Choctaws and Chickasaws, and the rate of crime was greatest along the borders, where most of the whiskey was sold. More missionaries arrived to work among the Indians. The dilemma concerning the welfare of the freedmen was still unsolved, and Griffith recommended that they be removed so that they could establish their own schools and better themselves. Education for the Choctaws and Chickasaws declined for want of funds, and they became very dissatisfied as a result. Griffith remained as agent for the Choctaws and Chickasaws until April 1, 1873, when Albert Parsons began a brief period of service. In 1874, The Union Agency at Muskogee took over supervision of the Choctaws and Chickasaws in addition to the other members of the Five Civilized Tribes.<sup>56</sup>

<sup>52</sup> United States Department of the Interior, *Report of the Commissioner of Indian Affairs for the Year 1870* (Washington: Government Printing Office, 1871), pp. 292-293.

<sup>53</sup> *Ibid.*, p. 292.

<sup>54</sup> Debo, *The Rise and Fall of the Choctaw Republic*, p. 103; United States Senate, *Miscellaneous Document Number 106*, 41st Congress, 2nd session (Washington: Government Printing Office, 1870), pp. 1-7.

<sup>55</sup> United States Department of the Interior, *Report of the Commissioner of Indian Affairs for the Year 1870*, p. 292.

<sup>56</sup> United States Department of the Interior, *Report of the Commissioner of Indian Affairs for the year 1871* (Washington: Government Printing Office, 1872), pp. 368-373.

## AGENTS TO THE FIVE CIVILIZED TRIBES

Prior to the Civil War, the agents of the Choctaws and Chickasaws were all Southerners who, through actions or words, supported slavery. The agents who were involved with the removal of the Choctaws and Chickasaws favored the mixed-bloods who were generally the wealthy class because they were slaveholders. During William Armstrong's administration, many schools were established but generally the wealthier mixed-bloods were selected to attend the schools. The Armstrongs, Rutherford, and Uphaw favored the mixed-blood groups.

The Armstrongs had obtained their positions through political influence, which helped Uphaw, Rutherford, and Wilson to capture their assignments. This powerful structure was interrupted briefly in 1849 after Taylor, a Whig, was elected President of the United States. At that time, Long became the Chickasaw agent and Drennan became the Choctaw agent; neither of them had successful administrations. There were two ways in addition to politics in which agents lost their posts: immorality charges by the Indians or death. Only once, in the case of Smith before the Civil War, did the charges made by the Chickasaws against an agent result in his removal. Yet perhaps Smith's greatest error was that he was blatant in his corruption; the other agents in the Choctaw and Chickasaw posts carefully concealed any irregularities in the agencies.

Cooper was the first agent who was popular among the Choctaws after the death of William Armstrong. Cooper was also the first agent to successfully conduct his office without ties to the Armstrong political machine. When he became the Chickasaw agent in 1855, in addition to being the Choctaw agent, he was, in comparison to former Chickasaw agents, a definite improvement. Cooper was different from all the other Choctaw and Chickasaw agents, for he continuously and consistently sided with these tribes against the Federal government in all disputes. His influence and cooperation with the Choctaws and Chickasaws were definite factors when the Choctaws and Chickasaws joined the Confederacy. After the Civil War, Cooper remained a staunch defender and friend to these tribes. Cooper was probably the most important and hardest working agent to hold the position as agent for both the Choctaws and Chickasaws throughout the period from 1831 to 1874.

Most of the agents in the Choctaw and Chickasaw nations before the Civil War had been familiar with their tribes and their problems before becoming agent because they had lived or worked in areas where these tribes were located in the South. When Northerners were appointed over the Choctaws and Chickasaws after the War, the agency system became less personal in its approach. Missionaries worked with the agents, report-

ing the needs and concerns of the Indians. Without their Negro slaves, the Choctaws and Chickasaws began to turn to other occupations.

From 1831 to 1874 the influence of the agent in the Choctaw and Chickasaw nations made a complete cycle. The ten agents prior to Cooper helped to locate the two tribes in Indian Territory, to build schools, roads, and government buildings, and to aid in the Indians' adjustment to their new land. Cooper's term represented the highest peak of agent achievement, although his administration was a period of turmoil in Indian life. Sectional politics in the United States stimulated Cooper to reinforce the system of slavery within the Choctaw and Chickasaw economy. The personal interest which Cooper took in Choctaw and Chickasaw problems contrasted markedly with that of the agents who preceded and followed him. The main reason for this was probably that the other agents had to build or rebuild policies with the Indians which were delegated to them by the Federal government. But Cooper had established the Choctaw and Chickasaw nations as *nations* to work with. If the Federal government would not supply a military force to protect his charges, they would protect themselves. If the United States did not keep its treaty agreements, then they could align themselves with the South.

During the period prior to Cooper's administration, the main concern of the Choctaws and Chickasaws was survival in their new land. The children of the wealthier Indians, who were mostly mixed-blood Indian and white, were schooled and educated during this time. When Cooper became the agent for these tribes, he had within his jurisdiction a more highly educated population which began to demand compliance to the treaties which had been made with their forefathers. After the Civil War, the agents for the Choctaws and Chickasaws were working with Indians who had been defeated in a war with the Union. They were in no position to bargain, for they had to resettle and rebuild. In short, their main concern was again survival. When the existence of the Choctaws and the Chickasaws was the main concern of these tribes and their agents, they were dependent upon the Federal government; but when the settlement of treaties developed into their primary business, these tribes and Agent Cooper became independent of Federal control.