

THE COODEY FAMILY OF INDIAN TERRITORY

By Carolyn Thomas Foreman

There is not a great probability that a monument will ever be erected to the distinguished members of the celebrated Coodey family in Oklahoma, but the name is perpetuated in some geographical features and the Act of Union of the Eastern and Western Cherokees, as well as their constitution, was written by William Shorey Coodey who filled many important posts in the government of the Nation, and at one period acted as principal chief during the absence of the two men who were elected to that position.

Coodeys Creek, which flows into the Arkansas River from the south side, was named for William Shorey Coodey whose spacious home was at Frozen Rock high above the waters of the river and not far from the mouth of the creek. During the Battle of Honey Springs on July 15, 1863, General Douglas Cooper reported to General William Steele that he had directed concentration of his forces on Coodeys Creek, with instructions to send vedettes to the different fords. This stream, which flows south of Muskogee, was considered a source of the town's water supply at one time. By a series of dams and landscaping the area could be turned into an attractive park, which would add vastly to the beauty of the city.

Coody's Bluff in Nowata County, Oklahoma, was named for a branch of the family that settled in the northern part of the Cherokee Nation. Arthur Coodey, a cousin of William Shorey Coodey, was the head of that branch of the clan. Coodey's Burying Ground near Eufaula was still being used in 1884 when Mrs. Grayson was interred there on November 12, after services by the Baptist missionary W. P. Blake.

The first mention of the Scotch family of Coodey found by the author occurs in the *Calendar of Virginia State Papers* (III, p. 675) in connection with the spreading of Spanish influence among the southern Indians. Arthur Coodey, a half blood living with the Chickamaugas, wrote to Governor Benjamin Harrison of Virginia from Chickamauga on October 8, 1784, stating that Spanish traders were already in the nations and that there were more at Chickasaw Landing and Muscle Shoals. The Virginia House of Delegates was aroused into action by this message on November 3, 1784, when a resolution was passed directing the Virginia delegates to urge upon Congress to conclude treaties with the southern Indians.¹

In the Office of Indian Affairs years ago the writer found a small map of land belonging to one James Coody. The legend states:

¹ Walter H. Mohr, *Federal Indian Relations*, Philadelphia, 1933, p. 142.

"I have surveyed and laid off for James Coody 640 acres of land on Rileys creek and touching Tennessee River, opposite to the lower end of the first big island in Tennessee. . . . Robert Armstrong Surveyor David Taylor and William Spence S. C. Cart."

Another man of the name was Zeph Coody, who lived in the Madison District of Mississippi Territory which is now included in Alabama.²

In 1788 Tassel, principal chief of the Cherokees, was tomahawked by a young Indian under orders of Major James Hubbert, while the chief, his son and two other Indians, unarmed and under a flag of truce, were visiting at the headquarters of the officer. William Panton, a rich Scots trader at Pensacola, Florida, invited several prominent Cherokees to make him a visit at his trading house and while they were his guests he gave them arms, ammunition and other gifts and urged them to avenge the death of Tassel. John Watts, a half blood interpreter of Willstown, and his party, on their return to the nation, held a meeting at the home of Watts in Wills Valley in August, during the green corn dance, and there the interpreter told of Panton's proposition, which was unanimously approved. A party of fifty-five warriors under Middlestriker of Willstown departed soon after and on September 23, 1792, attacked Captain Samuel Hadley who was captured by Arthur Coodey, but later released at the solicitation of John McDonald of Willstown.³

According to the genealogy compiled by the historian Emmet Starr, the Coodey family of Cherokees started in this country when Ghi-goo-ie, a full blood woman, married William Shorey; their daughter Annie Shorey became the wife of John McDonald of Willstown, and their daughter Mary married Daniel Ross; their daughter Jennie became the wife of Joseph Coodey.

Joseph and Jennie, or Jane Ross Coodey, became the parents of William Shorey Coodey; Mary, who married Nicholas Dalton Scales, an English clergyman; Daniel Ross Coodey,⁴ who married Amanda Drew, Sarah Ross, and Eliza Levisa Bennett; Elizabeth Coodey became the second wife of Choctaw Chief Greenwood Leflore. She lived only a few months after her marriage and the Chief subse-

² Authority of Peter A. Brannon, Department of Archives and History, Montgomery 5, Alabama. Neither James nor Zeph are familiar to members of the Coodey family now living in Oklahoma.

³ Emmet Starr, *History of the Cherokee Indians*, Oklahoma City, 1921, pp. 35, 36. Willstown was an important Cherokee village situated in the present DeKalb County, Alabama (Albert James Pickett, *History of Alabama*, Birmingham, 1900, pp. 415, 436).

⁴ After Fort Gibson was abandoned by the United States army on September 9, 1857, the land was put in charge of Daniel Ross Coodey for the Nation and the National Council passed an act on November 6 of that year creating the village of Kee-too-wah on the old military reservation, where lots were sold to Cherokee citizens (Grant Foreman, *Advancing the Frontier*, Norman, 1933, p. 74; *ibid.*, *The Five Civilized Tribes*, Norman, 1934, p. 417).

quently married Miss Pricilla Donly, sister of his first spouse.⁵ Letitia Coodey married Looney Price; Maria Ross Coodey was the wife of J. G. M. Hawkins; Louisa Jane Coodey married Frederick Augustus Kerr; Flora Coodey was the first wife of Daniel H. Rucker, who became a general in the United States army; Joseph McDonald Coodey married a white widow named Mary Rebecca Harris (nee Thornberry) and Mary Muskogee Hardage, who was one-half Creek Indian. He lived at Eufaula and probably established the Coodey Burying Ground. Margaret Coodey was the wife of a Cherokee named Hicks.⁶

Joseph Coodey, father of the above numerous family, was a native of Virginia, who made his home in Tennessee. On November 14, 1825, selections were made for delegates to a Cherokee constitutional convention; in the Chickamaugua District, when the election was held Joseph and his son William Shorey Coodey were chosen superintendents.⁷

In 1836 a Cherokee file was compiled of citizens and their families who had emigrated west since July 1, 1833. This also comprised the valuation of abandoned improvements in the old nation; debts acknowledged, and believed to be due in the East; debts proven; balances due at the western agency and debts exceeding the amount valuation. Under the heading of "Heads of Families" appeared those of Will S. Coodey of Georgia; Danl R. Coodey of Tennessee; Joseph Coodey, Leticea and Mariah Coodey of the same state.

William Shorey Coodey, eldest son of Joseph and Jane Coodey, was born near Chattanooga, Tennessee. Although a diligent search has been made no record has been discovered of where he was educated, but that he had a brilliant, well trained mind is demonstrated by the papers and public documents he wrote. Many wealthy Cherokees employed tutors for their children and it is probable that was the manner in which William secured his education. In 1830 he served as secretary for the Cherokee Delegation to the national capital and he was a member of that body for many subsequent years.

His first wife, Susan Hensley Coodey, bore him a son who died in early youth, and a daughter named Henrietta Jane. In 1834, the

⁵ *Chronicles of Oklahoma*, "Malmaison, Home of General Leflore," by Mrs. Lee J. Langley, vol. V, no. 4 (December, 1927), p. 379. Cushman, in his *History of the Choctaw, Chickasaw and Natchez Indians* (Greenville, Texas), spells this name Dunley, and related that they were the daughters of John Dunley of Alabama. Page 403.

⁶ Authority of Miss Ella M. Robinson, grand-daughter of William Shorey Coodey. Starr does not give the name of Margaret.

In 1879 Joseph McDonald Coodey was Grand Junior Warden of the Cherokee Masonic Lodge (*Chronicles of Oklahoma*, "Chickasaw Manual Labor Academy," by Carolyn Thomas Foreman, vol. XXIII, No. 4 (Winter 1945-46), p. 351.

⁷ Starr, *op. cit.*, p. 50.

Coodey family removed to the West and thus became part of the Cherokee Old Settlers. A settlement of Cherokees was established about six miles east of Fort Gibson, on the south side of Bayou Menard and Joseph Coodey did a thriving business there. He also operated a grist mill on the old stage road between Fort Gibson and Tahlequah; after the death of Sequoyah, Joseph and William Coodey took over the salt works on Lee's Creek which had been granted to Sequoyah as compensation for the loss of his saline in Arkansas. They operated the salt spring under the name of J. Coodey and Son.

When the United States Senate passed a resolution asking about the progress achieved during the past eight years in civilizing the Indians, the Reverend Samuel A. Worcester replied from New Echota, March 15, 1830, to William Shorey Coodey, secretary of the Cherokee delegation in Washington, giving a statement of eight pages as to the condition of that tribe in regard to education, politics, homes, dress, handicrafts, and the question of removal to the West.⁸

A council of the Cherokees was held in October, 1831, to consider their wrongs and make plans for relief. Georgia soldiers were present to see that the Indians did not violate any state laws by pretending to exercise governmental powers. The council discussed their wretched situation before appointing a delegation consisting of John Ridge, John Martin, and William S. Coodey, to go to the capital and submit their grievances. On December 29, 1831, the delegation submitted a memorial to the secretary of war calling attention to the seizure of their gold mines by Georgia; their people had been removed from their homes in chains at the point of the bayonet; the state had surveyed Cherokee lands and planned to divide them by lottery among Georgia citizens. "Such a mode of extinguishing the title of the Cherokees to their lands is certainly one never contemplated by any one until the present Chief Magistrate came into office and is at war with all the professions of the government, and the principles of its sanction heretofore" wrote Coodey and Martin to the secretary of war.⁹

William S. Coodey, Richard Taylor and John Ridge were sent to Washington in 1831 to protest against the establishing of a boundary line between land owned by the Cherokees and a tract claimed to have been acquired by Georgia from the Creeks by the treaty of 1826. This land had been in the possession of the Cherokees for over thirty years and had been given to them by the Creeks for assistance against the whites many years before.

When the delegation arrived in Washington the secretary of war refused to see them, saying they were not a legally constituted delegation, as they had not come with authority to discuss a treaty

⁸ Robert Sparks Walker, *Torchlights to the Cherokees*, New York, 1931, pp. 249, 250-55.

⁹ Grant Foreman, *Indian Removal*, Norman, 1932, pp. 238-39.

of removal. Coodey was twenty-four and Ridge twenty-eight at that time; both were intelligent, dignified men, but they had no chance of success in their mission since President Andrew Jackson was determined on Indian removal.¹⁰

The three Cherokees remained in Washington all winter and repeatedly called the attention of the secretary of war to the intrusion of whites on their territory, but they were advised to read "the president's special message and his dictum that their problem was one of remedy and not of right."¹¹

The Cherokees became greatly disturbed when the *Cherokee Advocate* was issued on May 12, 1832. The paper, edited by Boudinot's brother Stand Watie, printed an article by a Colonel Newsome which had appeared in the *Augusta Chronicle* of April 14, stating that the Cherokee delegation in the capital had decided to induce their nation to consider removal. Chief Ross immediately sent a formal denial of the Newsome article and rebuked the editor for printing a statement so contrary to the truth and so misleading to the Indians.¹²

John Ross controlled the Cherokee delegation to Washington in 1833. When the men returned to Tahlequah on May 14, the National Council met to hear the report, which was made by the chief. His nephew, Coodey, presented a protest against the manner pursued by the leaders, which in the debate was supported by Coodey, Ridge, Boudinot and others, but was opposed by Ross, George Lowry and their followers.¹³

William S. Coodey removed to the western Cherokee Nation in 1834 with his wife and two children, and settled near his father on property now known as the C. P. West place. He bought or built a comfortable home and became one of the prosperous men of the community. His little son was killed by the kick of a horse and soon afterward Mrs. Coodey died; Coodey caused to be erected a handsome sandstone tomb where were interred the bodies of his wife and son. This monument still stands, but vandals have pushed the heavy cover aside to hunt for treasure.

Coodey took his daughter, Henrietta Jane, east and entered her in Patapsco Female Institute at Ellicott City, Maryland. From there he returned to the old Cherokee Nation to assist his people in preparing for emigration. On his return west he continued to live at his home on Bayou Menard.

¹⁰ *Ibid.*, p. 232. An account of this matter was contained in the *New York Observer* and was copied in the *Religious Intelligencer* (New Haven), January 15, 1831, p. 520.

¹¹ Foreman, *Indian Removal*, p. 241. The delegates left for home on May 15, 1833.

¹² Marion L. Starkey, *The Cherokee Nation*, New York, 1946, pp. 181-83.

¹³ Foreman, *Indian Removal*, p. 247.

On June 7, 1835, Captain George Vashon, Cherokee sub-agent, was notified that the principal chief had called the National Council together to confer regarding the Schermerhorn treaty, as its object seemed to be to unite the two nations into one in the West. The chiefs directed the Council to select four delegates to go to the Eastern Cherokees and Messrs. Joseph Van[n], William Shorey Coodey, John Smith and John Drew were chosen to effect such arrangements as would unite the two portions of the tribe, upon the Arkansas. They were instructed in addition to attend to all matters involving the interests of the Western Cherokees; in the event the delegation could not make satisfactory arrangements in the Eastern Cherokee Nation, and they thought it expedient, they were to repair to Washington to effect any object of interest to their people. Vashon was asked to explain the visit to the secretary of war and to arrange affairs at the department so as to assist the delegates in uniting the two parts of the tribe on the Arkansas, "upon such principles as will be satisfactory to the people East and West."¹⁴

Secretary of War Poinsett, on March 24, 1837, sent a letter addressed to persons of the Eastern and Western Cherokees; these men were John Ross, James Brown, Samuel Hunter, John Benger [Benge?], George Sanders, John Looney, Aaron Price, William Dutch, and William S. Coodey, in which he wrote:

"Gentlemen: Your memorial of the 16th instant, addressed to the President . . . laid before him; I now proceed to communicate to you his decision. . . . The treaty concluded at New Echota, on the 29th of December, 1835, has been ratified. . . . The considerations to which you have invited the attention of the President were brought to the notice of the Senate, before they advised its confirmation, and the House of Representatives, before they made appropriations therein provided for. Their final action must be regarded as the judgment of these branches of the Government. . . ."

"Your second and third propositions, therefore, it is considered, cannot be acceded to, as they involve an admission that the treaty of 1835 is an incomplete instrument. . . ."¹⁵

Copy of a letter belonging to Miss Ella Robinson, Muskogee, Okla., addressed to Miss Louisa Coodey, Fort Gibson, Cherokees, Arkansas (*Clarks Spring*).

"Washington City,
22d June 1837.

"Dear Sisters,

"You see I am still here. I have been prepared to leave near a week, and once came so near being off as to say 'good bye', but my friends were determined I should not leave them and I yielded to their persuasion.

¹⁴National Archives. Office Indian Affairs: 1835. Cherokees West. Council of Cherokees West to Geo. Vashon. Relative to Treaty with Eastern Cherokees. The Cherokee Council met at Tolluntusky at the mouth of Illinois River on June 7, 1835, when William S. Coodey was secretary *pro tempore* (Grant Foreman, *The Five Civilized Tribes*, Norman, 1934, p. 359).

¹⁵Starr, *op. cit.*, p. 98.

[sic] Tomorrow evening it is intended we shall all bid adieu to Washington and take up the line of march for the Cherokee Nation.

"Cherokee business here has ended, for the present at least. Something has been gained, but not all that was, at one time so joyously expected. An additional appropriation of something more than a million of dollars has been made by Congress for the Cherokees, but still it is not all that will be done hereafter. There is now a strong desire on all sides not to agitate the subject further until the removal may be completed. The matter may sleep for a while, but it is by no means closed.

"You will have seen from the papers that Genl. Scott with a military force of six thousand troops is now in the Nation enforcing Schermerhorn's treaty at the point of the bayonet. Several thousand Cherokees have already been collected, and ere this, no doubt, many of them are on their way to the west. One poor Indian for attempting to escape from the soldiers was fired upon and killed! Every breeze that comes up from the south is laden with the sighs and moistened with the tears of distressed women and children. Pangs of parting are tearing the hearts of our bravest men at this forced abandonment of their dear lov'd country Is it not a hard case? You know how many painful feelings it cost us to separate from the homes of our childhood, when, as we floated away and cast the last lingering look upon the brow of Lookout dimly fading in the distance as the current bore us away, forever. Do you not even now, dear Sisters, after years have gone by, when you look back upon the past, feel something of the same sad regrets that then filled your souls with sorrow! We will never be able to chase from our memory the recollection of these things. And yet we were not driven from our country by a *brutal* force that now laughs at the sorrows and the sufferings of our country men and our relatives.

"Not content to drive the Cherokees from their country under the miserable pretext of executing a base and fraudulent treaty, these *christians* would even force them off at a season when removal itself is death. The scorching heat of summers sun engendering rank disease fatal to the lives of many a poor soul will not even stay the hand of cruelty for a day. The avarice, and thirsting after Indian lands, and Indian property, of these most saintly Georgians must be gratified—Yes, gratified at the expense of all the comforts and happiness of the Indians, even to the sacrifice of their lives!

"Wretched indeed must be that individual who can fold his arms and look with composure upon scenes like these. I envy not such a being, but despise, aye, loathe him from my very soul whether *white* or *red*. After so great an exercise of mercy, so much of humanity who would not love and cherish the memory of these brave Georgians! Who would not acknowledge the great obligations which so many acts of kindness, of benevolence, Christian forbearance and disinterested friendship have everlastingly imposed upon the Cherokees! And who among ourselves would not revere and respect the very few of our own *patriotic* men who alone had the gallant spirit to unite with these *Christian* benefactors in heaping blessings after blessings upon their ignorant and ill-deserving countrymen! Their reward should be equal to their great merits; and I do hope it will be given to them to the full extent, before a thousand years will come and go.

"I have for years been the advocate of the removal of our people. I saw, long since, what is now taking place, but it was not within my power to avert it—Yet anxious as I was for a removal to escape these troubles & these heart rending scenes of expulsion by force I can still place my hand upon my heart and say that my feeble voice was never raised to

justify a treaty made by unauthorized individuals. I shall ever denounce it as villainous—But still it will be enforced. The power of this Govt will prevail, and I long since believed the Cherokees would be forced to avail themselves of its provisions. We cannot resist the power of the Govt.

"I am very anxious to hear from you, and hope on my arrival at the Agency to find letters.

"It is, now, my intention to return home soon after I reach the Nation. The Commissioners, I presume will be so engrossed with the business of settling with the emigrants that no reservation cases will be investigated until the removal is near completed. If that should be the case on my arrival I shall not detain but return home and then come back afterward.

"After a great deal of unnecessary trouble I believe I have now so arranged the business of the heirs of Scales¹⁶ that I shall succeed entirely. I shall not fail to take home Jane Scales.¹⁷ She is a fine girl and I know how delighted you will be to see her. Remember me to Henrietta Jane [his daughter by his first wifel and all the family and friends. I rather infer from one of brother Daniel's letters, that he is kinder smitten with one of the Miss Vann's. All in good health. Your affectionate brother,
Misses M.[ary] L.-[ouisa] W. S. Coodey
& Flora Coodey."

Many of the Cherokees were left in a starving condition after their removal and William Shorey Coodey went to Fort Gibson to complain that the promises of the government to feed the Indians were not being kept. He told the officer during his conversation that he was taking care of many indigent people and received a very rude reply, whereupon he slapped the officer. Of course the Cherokee was arrested and put in the guard house. When Mrs. Joseph Coodey learned of the insult to her son she mounted her big riding horse and appeared at the fort with a pistol in her belt. She demanded his release, which was promptly attended to, and later when the commanding officer was asked about the matter he replied: "Yes, and you would have freed him if you had seen that little woman—she looked like a thunder cloud with a tornado back of it."¹⁸

In Washington, June 16, 1838, Coodey wrote Commissioner of Indian Affairs C. A. Harris concerning Sequoyah (George Guess) :

"Sir—George Guess is a very worthy Indian, and inventor of the Cherokee alphabet, has a claim upon the U. States, and desired I should give some attention to it.

"From the enclosed certificate to Genl. Smith it will be seen that he enrolled for emigration in 1818 under the provisions of the treaty of 1817, and was promised by the U. S. agent that his improvements [abandoned by him in the East] should be valued and the money paid at the Western Agency. . . .

"By the treaty of 1819 however, the Cherokee boundary was so established that both improvements were included in the lands reserved to the Nation; still this did not alter his determination to emigrate. . . . In

¹⁶ Children of Nicholas D. and Mary Coodey Scales.

¹⁷ Jane Scales was a sister of Joseph Absalom Scales.

¹⁸ Authority Miss Ella M. Robinson, Muskogee, Oklahoma.

1828 we find him in this city, one of the Delegates from the Western Cherokees, and who formed the treaty of that year. He complied with all that was required of him by the terms of enrollment—abandoned his native country, his valuable improvements, and sought the future home of his people in the wilds of the west; and he took with him the *promise* of your agent. Many years have passed away and he has yet to receive the first dollar of this compensation. . . . ”¹⁹

William Shorey Coodey was present at one of the concentration camps in the East as the Indians were preparing to march to the rendezvous to organize for their departure to Indian Territory; he wrote his friend John Howard Payne what he witnessed there:

“ . . . At noon all was in readiness for moving, the teams were stretched out in a line along the road through a heavy forest, groups of persons formed about each wagon, others shaking the hand of some sick friend or relative who would be left behind. The temporary camp covered with boards and some bark that for three summer months had been their only shelter and home, were crackling and falling under a blazing flame; the day was bright and beautiful, but a gloomy thoughtfulness was depicted in the lineaments of every face.

“In all the bustle of preparation there was a silence and stillness of the voice that betrayed the sadness of the heart. At length the word was given to move on. I glanced along the line and the form of Going Snake, an aged and respected chief whose head eighty summers had whitened, mounted [on] his favorite pony passed before me and led the way in silence, followed by a number of younger men on horseback. At that very moment a low sound of distant thunder fell upon my ear—in almost an exact westerly direction a dark spiral cloud was rising above the horizon and sent forth a murmur I almost thought a voice of divine indignation for the wrongs of my poor and unhappy countrymen, driven by brutal power from all they loved and cherished in the land of their fathers to gratify the cravings of avarice. . . . ”²⁰

While Lieutenant Daniel H. Rucker was stationed at Fort Gibson he met the seventeen-year-old daughter of Mr. and Mrs. Joseph Coodey, Flora McDonald Coodey, who had been educated in the east. The young people became engaged and were married at Clark's Springs, the plantation home of her parents, on February 20, 1839. Mrs. Rucker bore a son who died about the beginning of the Civil War and a daughter, Louise, who lived to an advanced age in Washington, D. C. Flora Coodey Rucker died at the age of twenty-one and her remains are in the officers circle in the National Cemetery at Fort Gibson.²¹

From “Coodeys Illinois—Cherokee Nation” April 5, 1839, Chief Ross wrote to Cherokee Agent Montfort Stokes that the whole nation had completed their removal to that section of the country

¹⁹ Grant Foreman, *Sequoyah*, Norman, 1938, pp. 17, 18.

²⁰ Coodey to Payne, August 13, 1840, Newberry Library, *Ayer Collection*, “Payne Manuscripts,” VI; Grant Foreman, *Indian Removal*, Norman, 1932, p. 290.

²¹ Grant Foreman, *Advancing the Frontier*, Norman, 1933, pp. 53-4, 63; *Chronicles of Oklahoma*, General Daniel Henry Rucker,” by Carolyn Thomas Foreman, Vol. XX, No. 3 (September, 1942) p. 236.

under the plans made with Major General Scott. They had expected that ample arrangements would have been made for their subsistence in time to meet their wants on their arrival, but depots were in places difficult for emigrants to get rations without great inconvenience.

"The detachment that came by water recd shortly after their arrival fifteen days rations of Beef & forty five of corn, and an assurance made that a depot should be established at or near the Illinois Camp Meeting Ground but I am sorry to say the fifteen days have expired the Emigrants out of provisions and no arrangements are made to supply them—therefore I deem it my duty from the calls of the Emgts to request that you as Agent of the United States (to whom we should apply) will cause provisions to be immediately furnished to this portion of the Emigrants at some convenient place in this neighborhood of Illinois Camping Grounds—many of them. . . . in a suffering condition."²²

1839 was a momentous year for the Cherokees, as they signed the Act of Union²³ at Illinois Camp Ground on July 12. This document, written by the scholarly William Shorey Coodey, declared the Old Settlers and recent immigrants "one body politic, under the style and title of 'The Cherokee Nation.'" The document was signed by George Lowry as "President of the Eastern Cherokees" and by George Guess, "President of the Western Cherokees."

When the Cherokees met at Illinois Camp Ground on August 1, 1839, two thousand were in attendance, including George Guess, Tobacco Will, David Melton, Looney Price and William S. Coodey, all Old Settlers. Invitations were dispatched to the Old Settler chiefs on the second and fifth days of the month to participate in the undertaking to adopt a constitution, but after the deaths of Boudinot and the Ridges and considering the large number of armed immigrants present, the prospects for free speech and action were not reassuring. The constitution drafted by Coodey was accepted by the convention and men chosen to sponsor it were those in attendance and they included as many of the Western Cherokees as could be induced to sign, but the number was less than twenty-four out of 8,000.²⁴

The Constitution of the Cherokee Nation, written principally by Coodey, was adopted at Tahlequah, September 6, 1839. Coodey was president of the first National Committee that met under the new constitution and the legislative bodies were in session until October 12, 1839, and the National Council selected him as speaker that year.

²² Photostat in Grant Foreman Collection.

²³ The declaration of union between the two factions of the Cherokees was published in the authorized and printed editions of the constitution and laws of the Cherokee Nation, through the years that followed. (Grant Foreman, *The Five Civilized Tribes*, Norman, 1934, p. 300).

²⁴ Starr, *op. cit.*, pp. 118, 122.

John Ross, W. S. Coodey, Edward Gunter, Richard Taylor, J. M. Lynch, John Looney, Elijah Hicks, Looney Price, and the Rev. Jesse Bushyhead were designated as the delegation to report to Washington in order to confer with the administration concerning unfinished business between their Nation and the United States.²⁵

"General [Matthew] Arbuckle, while disavowing all intention of meddling with the internal affairs of the Cherokees, but imperfectly concealed his eagerness to do so."²⁶

"The readiness with which he gave ear to the wildest rumors started by partisans and his manner of making reports to the Department of War so as not only to indicate the measures to be supported but also the men to be upheld, betrayed him. . . ."

His attitude is plainly shown by his conduct soon after the Act of Union was signed when Charles Coodey and Looney Price, both Old Settlers, called upon him at Fort Gibson and found him greatly excited about the conciliatory course of so many of the Western Cherokees. He expressed surprise that Charles Coodey had taken such an active part. Coodey was one of the sixteen men who had signed the Act of Union for the Western Cherokees on July 12, 1838, and which was approved August 23, 1839. He also signed the Constitution at Tahlequah, September 6, 1839, together with William S. Coodey.²⁷

Charles Coodey told the General that he considered it the duty of every man at this crisis to make an effort at reconciliation so that his nation could be at peace. Thereupon the testy General replied bitterly: "You too—you should have shouldered a rifle and gone with all the rest to guard John Ross; but for that, John Ross would have been killed!"²⁸

Ross explained to a congressional committee in April, 1840, that Secretary Joel Poinsett "when pinned down to it, admitted that there was no investigation to ascertain the charges against Ross" concerned in the murder of the Ridges and Boudinot,

"and that none was necessary as long as Ross did not give up the murderers. Ross and Coodey offered a measure of excuse for the murderers on the ground that the Ridges and Boudinot were regarded as traitors by the Indians, and that an old law held in peculiar reverence by the people prompted them to the murder."²⁹

²⁵ M. L. Wardell, *A Political History of the Cherokee Nation*, Norman, 1938, pp. 33, 34, 49.

²⁶ Rachel Caroline Eaton, *John Ross and the Cherokee People*, Menasha, Wisconsin, 1914, p. 141. Report commissioner Indian affairs, 1840, p. 46; Royce, *Cherokee Nation of Indians*, pp. 294-95.

²⁷ *Constitution and Laws of the Cherokee Nation*, Parsons, Kansas, 1892, pp. 10, 28, 29.

²⁸ Congressional Document 368, No. 222, p. 3; Eaton, *op. cit.*, p. 141, note 24. Charles Coodey was a Cherokee senator from Delaware District in 1843, and he represented the Saline District in the senate in 1844 until his death in May, 1844 (Starr, *op. cit.*, pp. 130, 266-67).

²⁹ Thomas Valentine Parker, *The Cherokee Indians*, New York, 1907, p. 55.

Agent Montfort Stokes advised Secretary Poinsett that there was nothing in the new Cherokee constitution to encourage murder; He had talked with several prominent Old Settlers and he was convinced the murders of Boudinot and the Ridges were not sanctioned by the chiefs and important men. Nevertheless, Poinsett ordered General Arbuckle to bring about a new constitution which would assure the rights of the Indians and conform to the constitution of the United States and exclude from office Chief Ross and his nephew, William Shorey Coodey.³⁰ In spite of a vigorous protest by these two men, Arbuckle, backed by the war department, declared both governments dissolved and called a meeting to be held at his headquarters on July 25, 1840, at which each party was asked to send twenty-five or thirty adherents.

Both parties opposed this plan to settle their political difficulties and Arbuckle was taken completely by surprise when a called council of the Nationalist government met and appointed a full quota of delegates several days before the date of the conference. The delegation, made up of some of the ablest men of the Old Settlers and recently arrived immigrants, went to Fort Gibson determined to support their Act of Union and Constitution.

The Old Settlers Council had authorized no deputation to defend its interests, although their chiefs and a number of the leading men attended the meeting. Chief Rogers hastily appointed some of his adherents to act as delegates, but all the advantage was with the National party. General Arbuckle, recognizing the significance of the situation, advised the Old Settlers to assent and the Federal Government finally recognized a Cherokee government from which Chief Ross and Coodey were not excluded.³¹

Because of protests of members of the Treaty Party and Old Settlers, on account of unequal representation, a joint committee of the factions met at Fort Gibson on October 26, 1840, where a new alignment of officers was agreed upon. Coodey was president of the senate and the Rev. Stephen Foreman clerk. There were eighteen members of the committee, of which Captain Dutch was one.

From Tahlequah, Cherokee Nation, on November 6, 1840, William Shorey Coodey, as President of the National Committee, and Young Wolf as Speaker of the Council, and every member of the National Committee and Council sent a long communication to General Arbuckle advising him that they concurred entirely that "no external authority exists for displacing or appointing Chiefs or officers of any Indian Nation. . . ."

"With these facts before us, sir, we cannot but believe that the Secretary of War will remove the embarrassment which seems to perplex you at present, regarding our principal chief and any other of our magistrates,

³⁰ Eaton, *op. cit.*, 145; Congressional Document 366, No. 188, pp. 54-56.

³¹ *Op. cit.*, 146-47.

upon finding that we have none in power, except such as have been constituted, upon the very principle declared by your national documents, as imperative upon the Secretary himself. We sincerely trust therefore that you will cooperate with us in avoiding any unnecessary agitation . . . of a question which may by indiscretion, . . . be rendered most perilous to our peace; because it is one of which the Cherokees will ever be as tenacious as your own independent States would prove should your President order them to depose Governors of their choice and supply the vacancy with governors of his. . . ."

A column entitled *West of Arkansas*, dated November 25, 1840, signed D. C., appeared in the *National Intelligencer* (Washington, D. C.), early in January, 1841, in which it was stated that General Arbuckle ". . . Reiterated the purpose of the Secretary of War not to recognize John Ross as Principal Chief and William S. Coodey as President of the National Committee. . . ."

The attitude of Arbuckle contributed greatly to the disturbances among the Cherokees. His instructions provided that the chief and Coodey must be excluded from participation in the government.

In 1841 Coodey met beautiful Elizabeth Fields, the young daughter of Richard Fields. Her parents opposed the marriage because of the great difference in their ages, but she eloped with William in 1842 to Park Hill where they were united in marriage by the Reverend Stephen Foreman.

William built a large double log house for his bride on the Arkansas at Frozen Rock and it became a notable place because of the beautiful site and the fine trees and flowers that surrounded it. Many celebrities were entertained and members of the family frequently visited there and were delighted with the cordial reception given them by the gracious and talented hostess.

When William moved from his old home into the one at Frozen Rock, he gave the property to his niece, Eliza Scales Radcliff, the daughter of his sister, Mrs. Nicholas Dalton Scales. In later years Mrs. Radcliff was murdered by a Creek boy employed on the place; he attacked her with a hatchet and when her husband returned he found her lying dead with her head crushed.³²

From Tahlequah, December 21, 1841, Colonel Ethan Allen Hitchcock wrote to Secretary of War J. C. Spencer that the Cherokee Council had adjourned amicably; John Ross, Jesse Bushyhead, David Vann, Captain Bengé and William S. Coodey had been appointed to go to Washington to negotiate a treaty.

Of Coodey the Colonel wrote:

"He resides near Fort Gibson; is of mixed blood—is a young man—has been well educated—has a fine though slender person and graceful carriage with the best manners of our eastern cities. He is well known in the Nation, . . . His talents, capacity for business, facility for writing etc.

³² Authority Mrs. Ella Flora Coodey Robinson. In addition to Eliza, Mr. and Mrs. Scales were the parents of Charlotte, who became the wife of John Drew and Joseph Absalom Scales, who was a noted attorney in Indian Territory and who served his nation on many occasions in Washington.

have given him a place in the delegation for the use and convenience of his seniors more than expectation of benefit from his counsel."³³

In 1842 a new law provided for the president of the Cherokee senate to act as chief executive during the absence of the principal and assistant principal chiefs, and thus William Shorey Coodey assumed the executive position in 1846.³⁴

In August, 1845, the Cherokees were promoting a society to improve agriculture and domestic arts among the people, and five premiums were offered by the agent for the best specimens of homespun cloth, coverlets, belts and socks. When the society met for organization William S. Coodey was made president.³⁵

The Cherokee Advocate, quoting from the *Van Buren Intelligencer* on September 26, 1844, wrote that the Ross administration was well established and due to be successful. Ross was a clever politician and Coodey a capable assistant—perhaps more of a statesman than his celebrated uncle. When the pair were on their way home from Washington late in 1844 rumors were circulated that they would be waylaid and killed upon their arrival in the Nation.

In the autumn of 1844, after the murder of Benjamin Vore, his wife and a man who had spent the night at their house, the outlaws Bean Starr, Tom and Ellis Starr, were trying to escape to Texas with stolen horses, when they were overtaken at a Cherokee settlement on the Washita River by a volunteer company of Cherokees raised and commanded by Daniel R. Coodey. During a fight Bean Starr was wounded. Horses and mules were recovered and when the Cherokees started home they were met by Cherokee police early in December, 1844, and it was rumored that relatives of the Starrs had organized to waylay Coodey and his company and kill them.³⁶

Coodey's report to Chief Ross was written at Tahlequah, December 20, 1844. Disclosures by William Harris and Bean Starr showed that horse stealings "were designed to be only forerunners of blood and conflagration." Bean claimed that his father and brother were to blame for his conduct. Among the horses recovered was one with a split hoof, which became noted in consequence of having been ridden by one of the Starrs, as was proven by the *track*, when the Vore tragedy was perpetrated.

" . . . Several weeks since, having in common with other citizens, horses stolen from me, and every reason to believe that they were taken by the three Starrs, who have been for months fugitives from justice, to the western part of the Choctaw Nation, near the Texan boundary line, and sold, I raised a private company, consisting of nine persons beside myself and started in pursuit.

³³ Grant Foreman, (ed.), *A Traveler in Indian Territory*, Cedar Rapids, Iowa, 1930, Appendix, pp. 124, 233.

³⁴ Wardell, *op. cit.*, p. 96.

³⁵ Foreman, *The Five Civilized Tribes*, Norman, 1934, p. 376.

³⁶ Grant Foreman, *The Five Civilized Tribes*, Norman, 1934, p. 328 and note 18; United States Senate Document No. 140, twenty-eighth Congress, second session, p. 141; *Cherokee Advocate*, December 26, 1844, p. 3, cols. 2, 3, 4.

"On the 27th ult. we reached a Cherokee settlement on the Ouachita [Washita] River, some twenty-five miles above the United States military post of that name. At this place, and about the yard of one William Harris, the track of shod mules, induced us to believe that the thieves and stolen property were in the neighborhood. Harris confessed that some of the horses and mules were there, and that they were brought and left there by the Starrs, (Tom, Ellis and Bean,) and George Fields, or Ah-yo-si-wau-tah, but denied that either of them were in the neighborhood until his little son said that Bean Starr was then at the house of Dempsey Fields, at the distance of six or eight hundred yards.—Upon hearing this we instantly left Harris's and went to Fields. While engaged in searching his house, Bean Starr, came riding at full speed. He rode, perhaps within fifty yards of the house, when perceiving us, he immediately turned back his horse and attempted to make his escape. At that moment however, and within a few seconds, ten shots were fired at him, three of which took effect, two in the right arm and one through the body. After pursuing half a mile or so we came up to him, and made him a prisoner.

As he was very seriously wounded, I ordered a litter to be made, and had him conveyed to the house of William Harris. As Tom and Ellis Starr were expected then to return from this nation, and being apprehensive from some remarks of Bean, lest they and their associates might make an attack on us, I repaired to Fort Ouichita, in order, to solicit aid from the U. S. Military, and make such arrangements as the condition of the prisoner required. The aid was promptly and cheerfully afforded by the Commandant of that Post, Col. [William Selby] Harney and officers, three of whom voluntarily returned with me, and one of whom, Capt. [Daniel G.] Rogers, assumed the command of the [Second Dragoons] troops ordered out. After an absence of three days, during which every effort was made to ferret out the other fugitives, we returned to the Fort—the prisoner riding the twenty-five miles on horseback. . . .

"The prisoner was placed in the hospital at that place, where he will receive such medical treatment as his case may require.

"At William Harriss' and Fort Ouachita, and in the neighborhood, we recovered ten horses and mules (including one that Bean Starr was riding when shot) which had been stolen from citizens from this country. Eight of the recovered horses and mules were taken there by the three Starrs above named and George Fields and one by Robin Vann and Ta-ka-ha-ka. There were also others in the neighborhood which were taken there by the same persons, but which we did not succeed in getting.

"I was informed by William Harris, . . . that the three Starrs came into this nation in the early part of the fall past. . . shortly after their outrage upon Mr. Vore and family, in September 1843; . . .

"I also as well as others, was informed by Bean Starr himself, who told where several of the stolen horses could be found, that he had never stole but one horse, but Tom and Ellis Starr, many; that Tom was the person who murdered David Buffington; and that but for the threats, and commands of his Father [James Starr] he would have some time since surrendered himself for trial. . . .

Respectfully,
Dan'l R. Coodey.³⁷

After the burning of the home of Return Jonathan Meigs near Park Hill on November 2, 1845, the white people of western Arkansas

³⁷ *Ibid.*, Editorial page, cols. 2-4. Daniel Ross Coode was a man of high standing in his nation, having served as senator from Canadian District in 1859; on his death he was succeeded by Oliver H. P. Brewer (*Starr, op. cit.*, p. 270.)

spread reports that the killing of James Starr and Suel Rider was the beginning of bloody reprisals to be taken against the Treaty Party. General Arbuckle, bearing a grudge against the successful government of Ross, wrote on November 15, a truculent letter to Acting Chief George Lowry, ordering that the Cherokee Light Horse must be disbanded at once, and people connected with the murder of Starr and Rider arrested. Chief Lowry promptly forwarded Arbuckle's letter to Cherokee Agent Stokes, saying that he recognized no other person to whom he was accountable; then he sent the Rev. Stephen Foreman, William Shorey Coodey, John Thorn and George Hicks to Flint District to ascertain the condition of affairs there. The delegates were among the most conservative and responsible men in the Nation.³⁸

William Shorey Coodey accompanied an important expedition to the Comanche Indians in 1845 when a council was held at Comanche Peak, Texas. Other attempts had been made in previous years to make a peace treaty with these scourges of the frontier, but both failed. The party was composed of Cherokee Agent Pierce M. Butler, Commissioner M. G. Lewis, Elijah Hicks, Coodey, president of the National Council; and J. W. Washbourne, one of the editors of the *Arkansas Intelligencer*. Wild Cat of the Seminoles and Chickasaw Chief Alberson joined the party later, and in Texas Sequoyah's son, Teesee Guess, became a member of the delegation.

After a delightful Christmas party, Butler set out on December 26 from the home of Coodey at Frozen Rock, three miles east of the present site of Muskogee,³⁹ and by the time the party reached Comanche Peak on January 29, 1846, it numbered forty-eight persons. In order to assure the attendance of the Comanches the commission sent small parties of the delegates in different directions for long distances to endeavor to find the Indians and bring them back for a treaty conference.⁴⁰ The remainder of the severe winter was spent in this laborious manner and most of the spring without great success.

Coodey was not well and he returned home before the conference was finished. He reported that he left the commissioners on the Brazos, and while some of the smaller tribes were represented there were very few Comanches present. Coodey, tall and slender, delicate looking, reared in every comfort, no doubt suffered more than other Indians in the party and perhaps his untimely death in 1849 was hastened by exposure and overwork.⁴¹

³⁸ Grant Foreman, *The Five Civilized Tribes*, Norman, 1934, p. 376.

³⁹ Coodey's home was surrounded by every comfort and his land and herds were tended by a number of slaves. His property was near the famous Texas Road, and frequent travelers were entertained by the hospitable family. It was also a favorite attraction for army officers stationed at Fort Gibson.

⁴⁰ A fascinating record of this expedition was written by Elijah Hicks in his journal which was edited by Grant Foreman for *Chronicles of Oklahoma*, Vol. 13, No. 1 (March, 1935), pp. 69-93.

⁴¹ Grant Foreman, *Advancing the Frontier*, Norman, 1933, pp. 176-78.

Ross was authorized by the National Council to have a brick house erected in Tahlequah for a printing office, the cost not to exceed \$800.00. The act was approved by Acting Chief George Lowry on November 7, 1845, but the building was not erected "in view of the unfavorable condition of our finances. . . and the repeal of the act was approved by William Shorey Coodey on October 16, 1846.⁴²

After William P. Ross was married in 1846, "He and his bride [Mary Jane Ross] then visited at Frozen Rock, the refined and romantic home of his relatives, Hon. William S. Coodey, senator of Canadian, a man of ability, intelligence and wealth. . . a friend and trustee of the Cherokee Male and Female Seminaries."⁴³

Three commissioners, Edmund Burke, William Armstrong, and Albion K. Parris, acting for the United States, and John Ross, David Vann, William S. Coodey, and six other prominent men of the Nation; six citizens represented the Treaty Party and the Old Settlers appointed Captain Dutch, John L. McCoy, Richard Drew, and Ellie Phillips. These were the men who ratified the treaty on August 6, 1846.⁴⁴

Joseph Coodey and Son expended a considerable sum for equipment for their salt works and they advertised in the *Cherokee Advocate* during the spring of 1846 that they had 3,000 bushels of salt on hand. They solicited customers and promised a cheap price. They also advertised 1,000 to 1,500 barrels in which to ship salt. The salt works did not prove profitable and the Coodeys sold the saline to J. and W. T. Mackey about January 1, 1848.⁴⁵

At Frozen Rock in April, 1847, Ella Flora Coodey was born. She was the only daughter of Mr. and Mrs. Coodey; when she was two years old she and her young brother William Fields Coodey, accompanied their parents to Washington. The journey was begun in February by steamboat from their own landing at Frozen Rock. They traveled down the Arkansas and then by way of the Ohio to Pittsburg, where they took a stage coach across the Allegheny Mountains. The last part of the journey was made by train and they arrived in the capital city three weeks after leaving home.

Daniel Webster was a close friend of William Shorey Coodey and his daughter related that when the two distinguished men walked down Pennsylvania Avenue together in Washington they made a striking pair, and people turned to look at them.

An interesting phase of affairs in the Cherokee Nation was displayed in 1847 when John Ross and his favorite nephew were candi-

⁴² Carolyn Thomas Foreman, *Oklahoma Imprints*, Norman, 1936, p. 78.

⁴³ *The Life and Times of Hon. William P. Ross*, Fort Smith, 1893, p. 367.

⁴⁴ Starr, *op. cit.*, p. 137.

⁴⁵ *Chronicles of Oklahoma*, "Salt Works in Early Oklahoma," by Grant Foreman, Vol. X, No. IV (Dec, 1932), pp. 496-97.

dates for principal chief. Coodey had practically the same opinions regarding government and administering the laws as his uncle; they left the campaigning for votes entirely to their friends, who acted in the matter with dignity. Coodey carried the Old Settlers vote in Illinois, Skin Bayou and Canadian districts, but Ross was the winner, since he received 1898 votes and Coodey 877.⁴⁶

The first Masonic Lodge in Oklahoma No. 21, was established at Tahlequah in 1848 and officers were installed by representatives of the Grand Lodge of Arkansas. The occasion was of vast interest, as this was the first lodge of Masons ever established among the North American Indians. Joseph Coodey was installed as J. W.⁴⁷

While William Coodey was engaged in tribal work in Washington, his daughter Henrietta Jane left the school where she was teaching in Maryland and made him a visit. While staying in the capital city she developed a malignant fever from which she died on January 28, 1849, and she was laid to rest in the beautiful Congressional Cemetery in Washington.

The Old Settlers failed to induce the National Council to authorize a council in November, 1847, so they took matters into their own hands and called a meeting at the mouth of Illinois River for December 5, where John Drew and Coodey were appointed to represent them in Washington. After their arrival they began work for their cause, but little was accomplished, as Coodey died on April 16, 1849.⁴⁸

On Sunday morning at 6:30, at the age of forty-three Coodey died, and his funeral was held under the auspices of the Masonic Lodge, of which he had long been a member. His funeral procession was led down Pennsylvania Avenue by the United States Marine Band to the Congressional Cemetery, where he was interred beside his daughter Henrietta. The *Washington Union* of April 17, 1849, in an account of his passing, speaks of him as: "Mr. Wm. S. Coodey, a citizen of the Cherokee Nation long and favorably known to the government and to the citizens of Washington as an able and faithful representative of the Cherokee people."⁴⁹

After her husband's untimely death Mrs. Coodey took her two children to Keene, New Hampshire, where they remained some time

⁴⁶ Wardell, *op. cit.*, p. 113.

⁴⁷ *Chronicles of Oklahoma*, "Cherokee History," Vol. 22, No. 1 (Spring, 1944), pp. 112-13; Starr, *op. cit.*, p. 184.

⁴⁸ Wardell, *op. cit.*, pp. 78, 79.

⁴⁹ *Chronicles of Oklahoma*, "A Cherokee Pioneer," by Carolyn Thomas Foreman, Vol. 7, No. 4 (December, 1929), p. 368. Mr. Coodey's descendants own a very beautiful miniature painted on ivory which was executed by King during one of his stays in Washington. A copy of this portrait may be seen opposite page 361 of the above issue of *Chronicles of Oklahoma*.

with her former teachers, Mr. and Mrs. Parker, before returning to the Cherokee Nation. After the death of her father, Richard Fields, her mother was remarried to Judge John S. Vann who lived at Goose Neck Bend on the Arkansas, and Mrs. Coodey and her children made their home with the Vanns in a big log house. There little Flora grew to womanhood.

In May, 1866, Miss Coodey was married at Preston, Texas, where she and her relatives had been refugees during the Civil War, to Joseph Madison Robinson, the son of Rev. John Cook Robinson, superintendent of the Chickasaw Manual Labor Academy.⁵⁰ The young people made their home with his father for several years and after the death of her husband Mrs. Robinson moved to Muskogee with her two children, John and Ella Mary. She was a remarkable woman, whose memory contributed greatly to the preservation of Cherokee history. She died in January, 1947, the last charter member of the First Methodist Church in Muskogee, and she lacked only a few weeks of reaching a century in age.

A letter published in the *Clarksville, Texas, Standard* in 1863, was written at Camp Davis, Coodey's Creek, May 29, 1863; it contains a detailed description of the home of William Shorey Coodey written by a member of Colonel Charles De Morse's regiment—the 29th of Texas:

“. . . The deserted residence at Frozen Rock is a lovely place. The house of six rooms, well fitted with furniture—numerous out houses attached, is about 50 yards from the margin of a high bank, over looking the Arkansas; at this point is a stately stream, and makes a graceful bend at the right in full view of the portico of the house. Before the house the surface of the ground is rounding, sloping to the edge of the bank—then a steep descent to the river. Before the house at regular distances, are black walnut, and black Locusts, natives here, and of large size, some large catalfias in bloom, cherry trees and Pear trees. At the left a garden in which are some hollyhaws and other simple flowers, and to the left of that a large orchard of Apples in full bearing, but small yet. In the rear is the handsomest Walnut and Locust Grove, of large tall trees, interspersed with slippery Elm, that I have even seen; look like a park. On the right are out-buildings and fields, and a lane with a winding path descending to the river, on the one side of which is a spring. It is a very beautiful place.

“At the left of it, a quarter of a mile is another residence. Both were settled by brothers named Coody, one of whom is now here, and lives near Kiamitia. The name *Frozen Rock* is derived from a porus slate bank of the river, between the two houses, from which the water exuds, and in the winter time presents an unbroken surface of ice. . . .”

⁵⁰ *Chronicles of Oklahoma*, “Chickasaw Manual Labor Academy,” by Carolyn Thomas Foreman, Vol. XXIII, No. 4 (Winter 1945-46), p. 351.