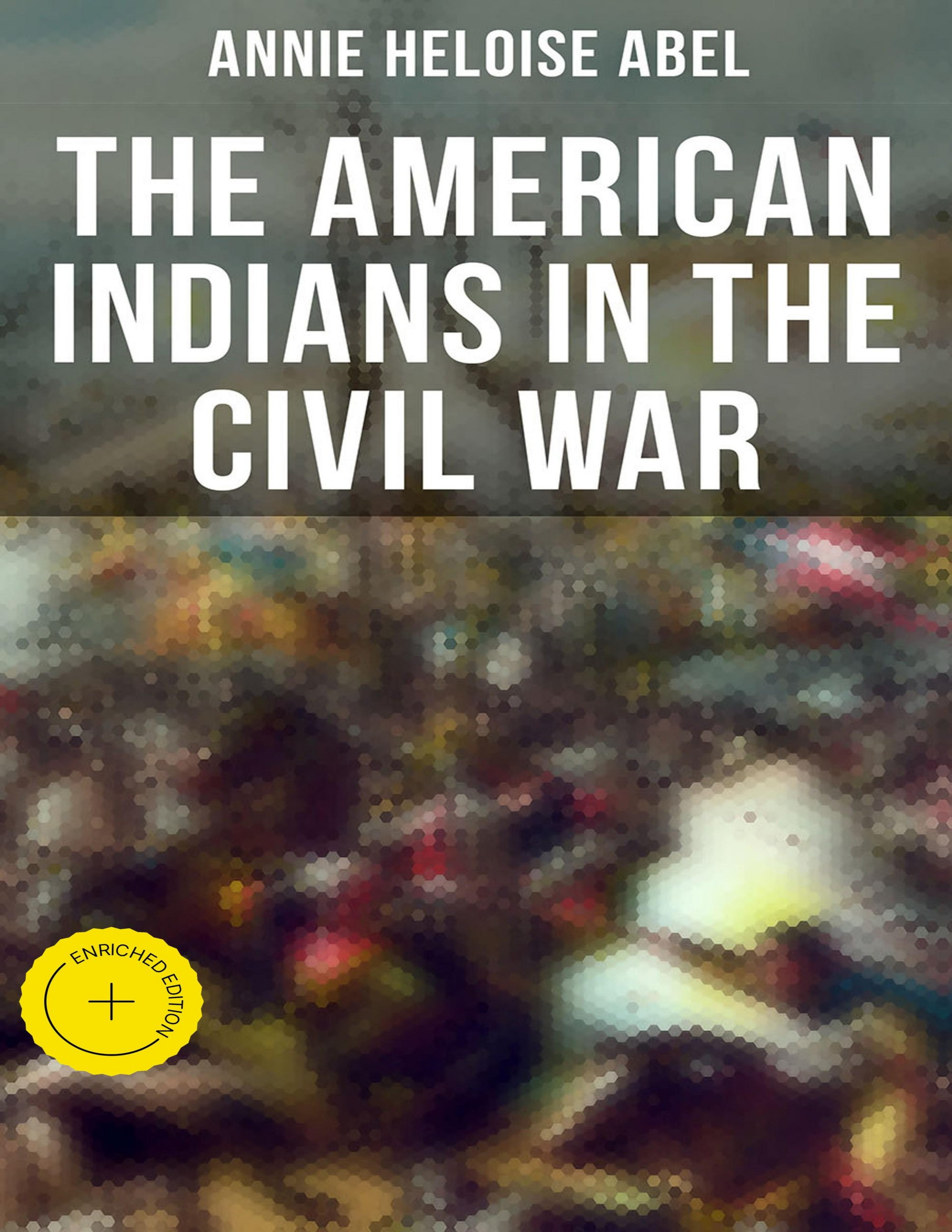
ANNIE HELOISE ABEL

THE AMERICAN INDIANS IN THE CIVIL WAR



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Annie Heloise Abel

The American Indians in the Civil War

Enriched edition.

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Introduction

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Between the Union and the Confederacy stood Native nations whose survival demanded choices that redefined sovereignty, allegiance, and community under the pressures of war, diplomacy, and displacement, a crucible that Annie Heloise Abel illuminates by tracing how Indigenous leaders negotiated competing promises and threats, how internal debates fractured and fortified identities, and how the conflict’s shifting frontiers turned Indian Territory and the broader trans-Mississippi West into a decisive, often overlooked theater where policy met lived reality and where the meanings of citizenship, treaty, and nationhood were tested not only between blue and gray, but within Native polities themselves.

This book is a work of historical scholarship centered on the U.S. Civil War as it unfolded across Indian Territory and adjacent borderlands, written by Annie Heloise Abel in the early twentieth century and grounded in official records, treaty files, and contemporary correspondence. It situates Native nations within the political and military strategies of both Union and Confederacy while keeping attention on their own aims, constraints, and debates. Readers encounter a study that balances military movements with administrative decisions, tracing how wartime policy, negotiations, and campaigns reshaped daily life along the trans-Mississippi frontier and altered relations among tribal governments and federal authorities.

Abel opens by grounding the reader in the prewar landscape of removals, treaties, and border pressures, then follows the unfolding crisis as Native leaders weigh alliances, organize forces, and confront the strains of divided communities, supply shortages, and refugee movements. The narrative voice is measured and archival, assembling events from documentary fragments into a coherent, chronological account that privileges institutional decisions without losing sight of human costs. The style is clear, precise, and cumulative, favoring careful synthesis over rhetorical flourish, and the tone remains analytical throughout, inviting readers to track argument and evidence as they move through an intricately mapped conflict.

Among the book's central themes are sovereignty under duress and the moral calculus of wartime alliance, as Native governments assess obligations to their citizens against promises from external powers. Abel examines the tensions between kinship loyalties and statecraft, the ways racial ideologies and slavery intersected with diplomacy, and the phenomenon of civil war within communities as factions chose competing paths. Equally vital are questions of law and logistics: how treaties were invoked, revised, or broken; how provisions moved or failed to move; and how the geography of rivers, prairies, and forts shaped both opportunity and catastrophe across the region.

For contemporary readers, the study matters because it recenters the Civil War within a continental frame and foregrounds Indigenous agency in a period too often narrated solely through eastern campaigns and federal personalities. It clarifies how wartime decisions reverberated into Reconstruction in the West, shaping questions that remain urgent today: treaty rights, jurisdiction, citizenship, resource control, and the responsibilities of governments toward displaced peoples. By showing how Native nations evaluated risk, asserted sovereignty, and adapted strategy amid uncertainty, the book provides a usable past for discussions of policy, remembrance, and education, and it challenges simplified narratives of loyalty, victimhood, or inevitability.

Because Abel wrote within the intellectual conventions of the early twentieth century, readers will encounter framing choices and terminology that reflect that milieu, and responsible engagement includes noting those limits alongside the work’s evidentiary strengths. The value here lies in the depth of documentation and the careful sequencing of policy and campaign, which allow later scholarship to argue with, refine, or extend the analysis. Approached critically, the book becomes both a foundational account and an archival gateway, pointing to records, treaties, and correspondence that continue to inform research while reminding us that historiography itself evolves with new questions and voices.

Readers coming to The American Indians in the Civil War can expect a disciplined study that broadens the map of the conflict and asks them to follow decisions made in council houses as closely as orders issued from military headquarters. The book’s measured cadence and documentary weight reward attentive reading, revealing how small shifts in supply, season, and diplomacy produced outsized consequences for communities caught between contending states. Without dramatization, it renders the stakes unmistakable and the choices legible, offering a durable entry point for students, teachers, and general audiences seeking to understand the Civil War’s western dimensions and Indigenous histories.

Synopsis

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Annie Heloise Abel’s The American Indians in the Civil War presents a documentary history of Indigenous nations entangled in the Union–Confederate struggle. Drawing heavily on official correspondence, treaty records, and military reports, Abel traces how Native leaders interpreted a rapidly shifting balance of power and how federal and Confederate policies translated on the ground. Her narrative follows diplomatic approaches, internal tribal debates, and campaigns across the trans-Mississippi West, with particular attention to Indian Territory. Rather than a peripheral tale, the book frames Native participation as integral to wartime strategy, revealing how sovereignty claims, subsistence needs, and prior removals shaped decisions as the conflict unfolded.

Abel begins by situating the Five Nations in the aftermath of removal and in dependence upon annuities, agency networks, and federal forts that secured borders and trade. The rapid evacuation of those forts in 1861 and early Confederate diplomacy created a vacuum that advocates of alignment sought to fill. Confederate commissioners promised protection, representation, and recognition of territorial rights, while Union authorities appeared distant and preoccupied. Within this setting, debates over sovereignty, slavery within some tribal societies, and past grievances produced divergent calculations. Initial treaties and declarations reflected both strategic necessity and internal pressure, setting the stage for alliances that would soon be tested by war.

Turning to internal fissures, Abel examines divisions within Cherokee, Creek, Seminole, Choctaw, and Chickasaw communities, where longstanding rivalries intersected with wartime choices. She details the split between constitutional leaders who sought caution or neutrality and militant secessionists who pressed for rapid Confederate alliance. The Creek exodus under a Union-leaning leadership, pursued across the prairie and into Kansas, becomes a central episode illustrating the humanitarian costs of political fracture. In response, Union officials organized Indian Home Guard regiments from refugees and loyalists. Throughout, the narrative tracks jurisdictional confusion between the War and Interior Departments, complicating supply, pay, and authority for Native units.

Abel situates Indian Territory within wider trans-Mississippi operations, showing how control of rivers, depots, and roads determined both subsistence and allegiance. Engagements ranged from skirmishes to set-piece battles in which Native regiments fought on both sides under predominantly non-Native command structures. The Union's foothold around key forts and crossings allowed for renewed treaties with loyal factions, while Confederate-aligned forces relied on mobility and raids. A pivotal midwar confrontation in the Territory underscores the role of supply and weather as much as ideology. The cumulative effect, Abel argues, was prolonged devastation of fields, herds, and towns that sustained Native communities.

Policy analysis forms a substantial thread. Abel explicates Confederate treaty-making that promised annuities, arms, and political status, then tracks how blockades, shortages, and competing commands eroded those commitments. Parallel chapters treat the Union's slow reentry, including the reestablishment of agencies and the recruitment of Indian forces under federal auspices. She emphasizes how overlapping jurisdictions and irregular pay undermined morale on both sides. Case studies of councils, delegations, and correspondence reveal leaders navigating promises against immediate needs for food, shelter, and security. In this portrayal, diplomacy and logistics are inseparable, with each council fire shadowed by ledgers, vouchers, and wagon trains.

As the war lengthens, Abel follows the intensifying strain within Native societies: harvest failures, displaced families, and the militarization of politics. Confederate-aligned cavalry conducted disruptive raids on depots and caravans, while Union columns sought to secure crossings and rebuild civil government among allied bands. Leadership recalibrated as fortunes shifted, and questions of emancipation and the status of people held in bondage within some nations came to the fore. Abel’s account keeps outcomes restrained, focusing instead on the cumulative pressure of attrition, the persistence of factionalism, and the difficult work of rebuilding councils and courts under the shadow of continuing operations.

By centering Native decision-makers, Abel reframes the Civil War as a struggle over sovereignty and survival that extended well beyond the principal theaters. Her synthesis underscores how Indigenous politics, U.S. policy, and Confederate diplomacy collided to produce a war within nations as well as between them. The study invites readers to consider the conflict’s afterlives in treaty revisions, land tenure, and citizenship debates without foreclosing the particulars of those settlements. Its enduring value lies in restoring complexity to a region often treated as peripheral, and in demonstrating how the American Civil War cannot be understood apart from the histories of Native nations.

Historical Context

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The American Indian in the Civil War unfolds against the backdrop of Indian Territory—present-day Oklahoma—where, after the 1830s removals, the Cherokee, Chickasaw, Choctaw, Creek (Muscogee), and Seminole maintained constitutions, courts, and schools under U.S. treaty guarantees. Many citizens of these nations held enslaved African Americans, and missionaries, traders, and federal agents operated through the Bureau of Indian Affairs. As sectional tensions escalated in 1860–1861, U.S. garrisons withdrew from frontier posts, leaving a political vacuum. Abel situates this setting at the intersection of tribal sovereignty and federal authority, where competing jurisdictions, annuities, and treaty obligations shaped daily governance and wartime choices.

In 1861 the Confederate government sent commissioner Albert Pike to Indian Territory to negotiate alliances. He concluded treaties with the Choctaw and Chickasaw, Creek, Seminole, and Cherokee, promising protection, annuity payments, and political recognition. Tribal leaders were divided: Principal Chief John Ross of the Cherokee first pursued neutrality, then signed a Confederate treaty under pressure, later relocating to Union lines in 1862. Stand Watie emerged as the leading Confederate Cherokee. Similar rifts affected Creek and Seminole communities. Abel traces how diplomacy, supply promises, and the absence of federal troops fostered early Confederate ascendancy while intensifying intratribal factionalism.

Violence and displacement quickly followed. In late 1861, Creek leader Opothleyahola led thousands of Union-aligned Creeks, Seminoles, and allies northward toward Kansas to escape Confederate control. They fought at Round Mountain, Chusto-Talasah, and Chustenahlah, suffering heavy losses and a winter refugee crisis. Federal authorities organized Indian Home Guard regiments in Kansas in 1862, drawing from these exiles to reenter Indian Territory under Union command. Abel details the logistical strains of supplying refugee camps and the political ramifications of distinguishing “loyal” and “secessionist” factions, a classification that shaped enlistment, relief distributions, and subsequent claims upon federal protection and treaty enforcement.

Campaigns across the Trans-Mississippi shaped the fate of Indian Territory. Cherokee units fought with the Confederacy at Pea Ridge in March 1862, a battle that secured Missouri for the Union but left the frontier contested. In July 1863, Union forces including the First Kansas Colored Infantry and Indian regiments won the Battle of Honey Springs, the largest engagement in Indian Territory, crippling Confederate control north of the Canadian River. Supply-line contests at Cabin Creek in 1863 and 1864 further defined the theater. Abel integrates these operations to show how logistics, emancipation, and Native enlistment intersected with regional command decisions.

Even as Union gains mounted, Confederate-allied Indians continued irregular warfare. Stand Watie, promoted to brigadier general, commanded Cherokee and allied mounted forces that targeted supply trains and river traffic. In June 1864 his men captured the steamboat J. R. Williams on the Arkansas River, symbolizing the vulnerability of Union logistics. Confederate command fragmentation in the Trans-Mississippi and shortages of arms and rations eroded sustained operations. Watie ultimately became the last Confederate general to surrender, on June 23, 1865, at Doaksville in the Choctaw Nation. Abel uses these episodes to examine leadership, loyalty, and the war’s burdens on Native homelands.

The Civil War coincided with intensified U.S. military campaigns against Native nations elsewhere. In Minnesota, conflict with the Dakota in 1862 culminated in mass trials and the execution of thirty-eight men at Mankato that December. In the Southwest, the U.S. Army forced thousands of Navajo on the “Long Walk” to Bosque Redondo in 1864. In Colorado Territory, the Sand Creek Massacre occurred in November 1864. Abel situates Indian Territory within this national landscape of wartime policy, underscoring how troop movements, settler expansion, and wartime legislation reshaped federal priorities toward Native peoples and strained earlier treaty commitments and administrative capacity.

Peace brought new coercive terms. In 1866, the United States negotiated Reconstruction treaties with the Five Tribes, requiring the abolition of slavery within their nations, the emancipation of formerly enslaved people, and, for some, the extension of tribal citizenship to Freedpeople. The treaties mandated land cessions that opened corridors to railroads and resettlement of other Indigenous groups in Indian Territory. They redefined annuity arrangements and federal oversight. Abel situates these agreements as a direct outcome of wartime alignments, showing how the Union’s victory translated into altered sovereignty, contested membership, and intensified pressure on Indigenous land, governance, and resources.

Composed during the Progressive Era’s professionalization of historical study, Abel’s work relies on treaties, congressional records, and the Official Records of the War of the Rebellion, along with missionary and agency correspondence. Her narrative emphasizes Native political agency within diplomatic and military frameworks, countering earlier accounts that marginalized Indigenous actors. At the same time, its documentary focus reflects early twentieth-century priorities, privileging state papers over community voices and cultural histories. By foregrounding sovereignty, factionalism, and federal obligations, the book both reflects its era’s archival rigor and critiques the wartime policies that reshaped Indian Territory and postwar Reconstruction in the West.

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I. THE BATTLE OF PEA RIDGE, OR ELKHORN, AND ITS MORE IMMEDIATE EFFECTS

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The Indian alliance, so assiduously sought by the Southern Confederacy and so laboriously built up, soon revealed itself to be most unstable. Direct and unmistakable signs of its instability appeared in connection with the first real military test to which it was subjected, the Battle of Pea Ridge or Elkhorn**[1]**, as it is better known in the South, the battle that stands out in the history of the War of Secession as being the most decisive victory to date of the Union forces in the West and as marking the turning point in the political relationship of the State of Missouri with the Confederate government.

In the short time during which, following the removal of General Frémont, General David Hunter was in full command of the Department of the West—and it was practically not more than one week—he completely reversed the policy of vigorous offensive that had obtained under men, subordinate to his predecessor.[1] In southwest Missouri, he abandoned the advanced position of the Federals and fell back upon Sedalia and Rolla, railway termini. That he did this at the suggestion of President Lincoln[2] and with the tacit approval of General McClellan[3] makes no difference now, as it made no difference then, in the consideration of the consequences; yet the consequences were, none the less, rather serious. They were such, in fact, as to increase very greatly the confusion on the border and to give the Confederates that chance of recovery which soon made it necessary for their foes to do the work of Nathaniel Lyon all over again.

It has been most truthfully said[4] that never, throughout the period of the entire war, did the southern government fully realize the surpassingly great importance of its Trans-Mississippi District**[2]**; notwithstanding that when that district was originally organized,[5] in January, 1862, some faint idea of what it might, peradventure, accomplish did seem to penetrate,[6] although ever so vaguely, the minds of those then in authority. It was organized under pressure from the West as was natural, and under circumstances to which meagre and tentative reference has already been made in the first volume of this work.[7] In the main, the circumstances were such as developed out of the persistent refusal of General McCulloch to coöperate with General Price.

There was much to be said in justification of McCulloch's obstinacy. To understand this it is well to recall that, under the plan, lying back of this first appointment to the Confederate command, was the expectation that he would secure the Indian Territory. Obviously, the best way to do that was to occupy it, provided the tribes, whose domicile it was, were willing. But, if the Cherokees can be taken to have voiced the opinion of all, they were not willing, notwithstanding that a sensationally reported[8] Federal activity under Colonel James Montgomery,[9] in the neighborhood of the frontier posts, Cobb, Arbuckle, and Washita, was designed to alarm them and had notably influenced, if it had not actually inspired, the selection and appointment of the Texan ranger.[10]

Unable, by reason of the Cherokee objection thereto, to enter the Indian country; because entrance in the face of that objection would inevitably force the Ross faction of the Cherokees and, possibly also, Indians of other tribes into the arms of the Union, McCulloch intrenched himself on its northeast border, in Arkansas, and there awaited a more favorable opportunity for accomplishing his main purpose. He seems to have desired the Confederate government to add the contiguous portion of Arkansas to his command, but in that he was disappointed.[11] Nevertheless, Arkansas early interpreted his presence in the state to imply that he was there primarily for her defence and, by the middle of June, that idea had so far gained general acceptance that C.C. Danley, speaking for the Arkansas Military Board, urged President Davis "to meet the exigent necessities of the State" by sending a second general officer there, who should command in the northeastern part.[12]

McCulloch's relations with leading Confederates in Arkansas seem to have been, from the first, in the highest degree friendly, even cordial, and it is more than likely that, aside from his unwillingness to offend the neutrality-loving Cherokees, the best explanation for his eventual readiness to make the defence of Arkansas his chief concern, instead of merely a means to the accomplishment of his original task, may be found in that fact. On the twenty-second of May, the Arkansas State Convention instructed Brigadier-general N. Bart Pearce, then in command of the state troops, to coöperate with the Confederate commander "to the full extent of his ability"[13] and, on the twenty-eighth of the same month, the Arkansas Military Board invited that same person, who, of course, was Ben McCulloch, to assume command himself of the Arkansas local forces.[14] Sympathetic understanding of this variety, so early established, was bound to produce good results and McCulloch henceforth identified himself most thoroughly with Confederate interests in the state in which he was, by dint of untoward circumstances, obliged to bide his time.

It was far otherwise as respected relations between McCulloch and the Missouri leaders. McCulloch had little or no tolerance for the rough-and-ready methods of men like Claiborne Jackson and Sterling Price. He regarded their plans as impractical, chimerical, and their warfare as after the guerrilla order, too much like that to which Missourians and Kansans had accustomed themselves during the period of border conflict, following the passage of the Kansas-Nebraska Bill. McCulloch himself was a man of system. He believed in organization that made for efficiency. Just prior to the Battle of Wilson's Creek, he put himself on record as strongly opposed to allowing unarmed men and camp followers to infest his ranks, demoralizing them.[15] It was not to be expected, therefore, that there could ever be much in common between him and Sterling Price. For a brief period, it is true, the two men did apparently act in fullest harmony; but it was when the safety of Price's own state, Missouri, was the thing directly in hand. That was in early August of 1861. Price put himself and his command subject to McCulloch's orders.[16] The result was the successful engagement, August 10 at Wilson's Creek, on Missouri soil. On the fourteenth of the same month, Price reassumed control of the Missouri State Guard[17] and, from that time on, he and McCulloch drifted farther and farther apart; but, as their aims were so entirely different, it was not to be wondered at.

Undoubtedly, all would have been well had McCulloch been disposed to make the defence of Missouri his only aim. Magnanimity was asked of him such as the Missouri leaders never so much as contemplated showing in return. It seems never to have occurred to either Jackson or Price that coöperation might, perchance, involve such an exchange of courtesies as would require Price to lend a hand in some project that McCulloch might devise for the well-being of his own particular charge. The assistance was eventually asked for and refused, refused upon the ground, familiar in United States history, that it would be impossible to get the

Missouri troops to cross the state line. Of course, Price's conduct was not without extenuation. His position was not identical with McCulloch's. His force was a state force, McCulloch's a Confederate, or a national. Besides, Missouri had yet to be gained, officially, for the Confederacy. She expected secession states and the Confederacy itself to force the situation for her. And, furthermore, she was in far greater danger of invasion than was Arkansas. The Kansans were her implacable and dreaded foes and Arkansas had none like them to fear.

In reality, the seat of all the trouble between McCulloch and Price lay in particularism, a phase of state rights, and, in its last analysis, provincialism. Now particularism was especially pronounced and especially pernicious in the middle southwest. Missouri had always more than her share of it. Her politicians were impregnated by it. They were interested in their own locality exclusively and seemed quite incapable of taking any broad survey of events that did not immediately affect themselves or their own limited concerns. In the issue between McCulloch and Price, this was all too apparent. The politicians complained unceasingly of McCulloch's neglect of Missouri and, finally, taking their case to headquarters, represented to President Davis that the best interests of the Confederate cause in their state were being glaringly sacrificed by McCulloch's too literal interpretation of his official instructions, in the strict observance of which he was keeping close to the Indian boundary.

President Davis had personally no great liking for Price and certainly none for his peculiar method of fighting. Some people thought him greatly prejudiced[18] against Price and, in the first instance, perhaps, on nothing more substantial than the fact that Price was not a Westpointer.[19] It would be nearer the truth to say that Davis gauged the western situation pretty accurately and knew where the source of trouble lay. That he did gauge the situation and that accurately is indicated by a suggestion of his, made in early December, for sending out Colonel Henry Heth of Virginia to command the Arkansas and Missouri divisions in combination.[20] Heth had no local attachments in the region and "had not been connected with any of the troops on that line of operations."[21] Unfortunately, for subsequent events his nomination[22] was not confirmed.

Two days later, December 5, 1861, General McCulloch was granted[23] permission to proceed to Richmond, there to explain in person, as he had long wanted to do, all matters in controversy between him and Price. On the third of January, 1862, the Confederate Congress called[24] for information on the subject, doubtless under pressure of political importunity. The upshot of it all was, the organization of the Trans-Mississippi District of Department No. 2 and the appointment of Earl Van Dorn as major-general to command it. Whether or no, he was the choice[25] of General A.S. Johnston, department commander, his appointment bid fair, at the time it was made, to put an end to all local disputes and to give Missouri the attention she craved. The ordnance department of the Confederacy had awakened to a sense of the value of the lead mines[26] at Granby and Van Dorn was instructed especially to protect them.[27] His appointment, moreover, anticipated an early encounter with the Federals in Missouri. In preparation for the struggle that all knew was impending, it was of transcendent importance that one mind and one interest should control, absolutely.

The Trans-Mississippi District would appear to have been constituted and its limits to have been defined without adequate reference to existing arrangements. The limits were, "That part of the State of Louisiana north of Red River, the Indian Territory west of Arkansas, and the States of

Arkansas and Missouri, excepting therefrom the tract of country east of the Saint Francis, bordering on the Mississippi River, from the mouth of the Saint Francis to Scott County, Missouri...."[28] Van Dorn, in assuming command of the district, January 29, 1862, issued orders in such form that Indian Territory was listed last among the limits[29] and it was a previous arrangement affecting Indian Territory that was most ignored in the whole scheme of organization.

It will be remembered that, in November of the preceding year, the Department of Indian Territory had been created and Brigadier-general Albert Pike**[4]** assigned to the same.[30] His authority was not explicitly superseded by that which later clothed Van Dorn and yet his department was now to be absorbed by a military district, which was itself merely a section of another department. The name and organization of the Department of Indian Territory remained to breed confusion, disorder, and serious discontent at a slightly subsequent time. Of course, since the ratification of the treaties of alliance with the tribes, there was no question to be raised concerning the status of Indian Territory as definitely a possession of the Southern Confederacy. Indeed, it had, in a way, been counted as such, actual and prospective, ever since the enactment of the marque and reprisal law of May 6, 1861.[31]

Albert Pike, having accepted the appointment of department commander in Indian Territory under somewhat the same kind of a protest—professed consciousness of unfitness for the post—as he had accepted the earlier one of commissioner, diplomatic, to the tribes, lost no time in getting into touch with his new duties. There was much to be attended to before he could proceed west. His appointment had come and had been accepted in November. Christmas was now near at hand and he had yet to render an account of his mission of treaty-making. In late

December, he sent in his official report[32] to President Davis and, that done, held himself in readiness to respond to any interpellating call that the Provincial Congress might see fit to make. The intervals of time, free from devotion to the completion of the older task, were spent by him in close attention to the preliminary details of the newer, in securing funds and in purchasing supplies and equipment generally, also in selecting a site for his headquarters. By command of Secretary of War, Judah P. Benjamin, Major N.B. Pearce[33] was made chief commissary of subsistence for Indian Territory and Western Arkansas and Major G.W. Clarke,[34] depot quartermaster. In the sequel of events, both appointments came to be of a significance rather unusual.

The site chosen for department headquarters was a place situated near the junction of the Verdigris and Arkansas Rivers and not far from Fort Gibson.[35] The fortifications erected there received the name of Cantonment Davis**[3]** and upon them, in spite of Pike's decidedly moderate estimate in the beginning, the Confederacy was said by a contemporary to have spent "upwards of a million dollars."[36] In view of the ostensible object of the very formation of the department and of Pike's appointment to its command, the defence of Indian Territory, and, in view of the existing location of enemy troops, challenging that defence, the selection of the site was a reasonably wise one; but, as subsequent pages will reveal, the commander did not retain it long as his headquarters. Troubles came thick and fast upon him and he had barely reached Cantonment Davis before they began. His delay in reaching that place, which he did do, February 25,[37] was caused by various occurrences that made it difficult for him to get his materials together, his funds and the like. The very difficulties presaged disaster.

Pike's great purpose—and, perhaps, it would be no exaggeration to say, his only purpose—throughout the full extent of his active connection with the Confederacy was to save to that Confederacy the Indian Territory. The Indian occupants in and for themselves, unflattering as it may seem to them for historical investigators to have to admit it, were not objects of his solicitude except in so far as they contributed to his real and ultimate endeavor. He never at any time or under any circumstances advocated their use generally as soldiers outside of Indian Territory in regular campaign work and offensively.[38] As guerrillas he would have used them.[39] He would have sent them on predatory expeditions into Kansas or any other near-by state where pillaging would have been profitable or retaliatory; but never as an organized force, subject to the rules of civilized warfare because fully cognizant of them.[40] It is doubtful if he would ever have allowed them, had he consulted only his own inclination, to so much as cross the line except under stress of an attack from without. He would never have sanctioned their joining an unprovoked invading force. In the treaties which he negotiated he pledged distinctly and explicitly the opposite course of action, unless, indeed, the Indian consent were first obtained.[41] The Indian troops, however and wherever raised under the provisions of those treaties, were expected by Pike to constitute, primarily, a home guard and nothing more. If by chance it should happen that, in performing their function as a home guard, they should have to cross their own boundary in order to expel or to punish an intruder, well and good; but their intrinsic character as something resembling a police patrol could not be deemed thereby affected. Moreover, Pike did not believe that acting alone they could even be a thoroughly adequate home force. He, therefore, urged again and again that their contingent should be supplemented by a white force and by one sufficiently large to give dignity and poise and self-restraint to the whole, when both forces were combined, as they always ought to be.[42]

At the time of Pike's assumption of his ill-defined command, or within a short period thereafter, the Indian force in the pay of the Confederacy and subject to his orders may be roughly placed at four full regiments and some miscellaneous troops.[43] The dispersion[44] of Colonel John Drew's Cherokees, when about to attack Opoeth-le-yo-ho-la, forced a slight reörganization and that, taken in connection with the accretions to the command that came in the interval before the Pea Ridge campaign brought the force approximately to four full regiments, two battalions, and some detached companies. The four regiments were, the First Regiment Choctaw and Chickasaw Mounted Rifles under Colonel Douglas H. Cooper, the First Creek Regiment under Colonel D.N. McIntosh, the First Regiment Cherokee Mounted Rifles under Colonel John Drew, and the Second Regiment Cherokee Mounted Rifles under Colonel Stand Watie. The battalions were, the Choctaw and Chickasaw and the Creek and Seminole, the latter under Lieutenant-colonel Chilly McIntosh and Major John Jumper.

Major-general Earl Van Dorn formally assumed command of the newly created Trans-Mississippi District of Department No. 2, January 29, 1862.[45] He was then at Little Rock, Arkansas. By February 6, he had moved up to Jacksonport and, a week or so later, to Pocahontas, where his slowly-assembling army was to rendezvous. His call for troops had already gone forth and was being promptly answered,[46] requisition having been made upon all the state units within the district, Missouri, Arkansas, Louisiana, also Texas. Indian Territory, through Pike[47] and his subordinates,[48] was yet to be communicated with; but Van Dorn had, at the moment, no other plan in view for Indian troops than to use them to advantage as a means of defence and as a corps of observation.[49] His immediate object, according to his own showing and according to the circumstances that had brought about the formation of the district, was to protect Arkansas[50] against invasion and to relieve Missouri; his plan of operations was to conduct a spring campaign in the latter state, "to attempt St. Louis," as he himself put it, and to drive the Federals out; his ulterior motive may have been and, in the light of subsequent events, probably was, to effect a diversion for General A.S. Johnston; but, if that were really so, it was not, at the time, divulged or so much as hinted at.

Ostensibly, the great object that Van Dorn had in mind was the relief of Missouri. And he may have dreamed, that feat accomplished, that it would be possible to carry the war into the enemy's country beyond the Ohio; but, alas, it was his misfortune at this juncture to be called upon to realise, to his great discomfiture, the truth of Robert Burns' homely philosophy,

The best-laid schemes o' mice and men**[1q]**
Gang aft a-gley.

His own schemes and plans were all rendered utterly futile by the unexpected movement of the Federal forces from Rolla, to which safe place, it will be remembered, they had been drawn back by order of General Hunter. They were now advancing by forced marches via Springfield into northwestern Arkansas and were driving before them the Confederates under McCulloch and Price.

The Federal forces comprised four huge divisions and were led by Brigadier-general Samuel R. Curtis. Towards the end of the previous December, on Christmas Day in fact, Curtis had been given "command of the Southwestern District of Missouri, including the country south of the Osage and west of the Meramec River."[51] Under orders of

41 A prominent Kansas politician and U.S. Senator who in March 1862 submitted a resolution proposing to extend Kansas' boundaries; he was a leading figure in Kansas politics and the Free-State movement of the era.

42 A 19th-century tract associated with the Cherokee Nation that was treated as neutral territory but became the subject of competing claims and proposals for confiscation and sale during the Civil War period.

43 The executive proclamation issued by President Abraham Lincoln (effective January 1, 1863) that declared enslaved people in Confederate-held territories to be free and was referenced here as a binding point in one of the 1863 treaties.

44 A notorious Confederate guerrilla attack on Lawrence, Kansas, led by William Quantrill on August 21, 1863, that resulted in widespread killing and destruction and is cited here as an event affecting regional negotiations.

45 A 19th-century U.S. designation for lands (largely in present-day Oklahoma) set aside for Native American tribes; during the Civil War it functioned as a distinct military and political theater where both Union and Confederate forces operated.

46 William Steele was a Confederate brigadier-general who in January 1863 was assigned command over forces in Indian Territory and based at Fort Smith; he was involved in logistical and political difficulties described in the chapter.

47 Douglas H. Cooper was a Confederate officer and long-time official involved in Indian affairs who exercised notable influence with some tribes in the Indian Territory and is presented here as a rival to Steele.

48 A term used in Civil War border fighting for irregular raiders and guerrillas (often associated with Kansas) who conducted raids, foraging, and plunder across neighboring regions.

49 Union military regiments composed mainly of Native American men (and some allied whites) recruited from tribes and refugees in and near Indian Territory to serve in the Federal cause during the Civil War.

50 A crossing and locality on the Arkansas River (in what is now Oklahoma) that was the scene of military engagements and strategic movement during the 1863 operations described in the chapter.

51 A legal writ protecting against unlawful detention by requiring that a detained person be brought before a court; suspension of the writ (as noted in the text) permits detention without immediate judicial review and was occasionally invoked during wartime emergency measures.

52 A crossing and supply-train engagement in Indian Territory (notably July 1–3, 1863) where Confederate forces attempted to seize a Union commissary train; high water and Federal resistance prevented capture and the supplies reached Fort Gibson.

53 A U.S. Army post in eastern Indian Territory (present-day Oklahoma) that was a key Union supply and defensive position during the 1863 campaigns in the region.

54 A significant engagement fought near Elk Creek/Honey Springs on July 17, 1863, resulting in a decisive Union victory that materially weakened Confederate influence among several Indian tribes in the region.

55 An October 1863 guerrilla attack in which William Quantrill's band surprised and killed Union soldiers and others at a Federal outpost near Baxter Springs, Kansas, widely reported as an atrocity of the border warfare.

56 Refers to General Order No. 11 (issued under Gen. Thomas Ewing Jr.), an 1863 Union depopulation order that expelled residents from several Missouri counties to deprive guerrillas of support; it is historically noted for its harshness.

57 A major Confederate/Indian Department supply and store depot in the Choctaw Nation during the Civil War; contemporary reports describe it as holding ‘all the stores of the Indian Department.’

58 A military approach named after Roman general Fabius Maximus meaning cautious, delaying tactics rather than direct pitched battles; in the text it describes commanders' preference for avoidance of full-scale engagement.

59 Refers to Samuel B. Maxey, a Confederate general (from Texas) who commanded forces and administered Confederate interests in the Indian Territory and nearby districts during 1863–1865.

60 Two strategic military posts on the western frontier: Fort Smith (on the Arkansas–Indian Territory border, in present-day Arkansas) and Fort Gibson (in the Indian Territory, now Oklahoma), whose control affected supply lines and regional defense.

61 An educational institution and meeting-place in the Indian Territory used as the site of joint tribal or ‘general’ councils during the Civil War era; it served as a venue for political and military deliberations among southern-aligned tribes.

62 Commonly the Proclamation of Amnesty and Reconstruction issued by Abraham Lincoln in December 1863, offering pardon and restoration of property (with exceptions) to Confederates who took an oath of allegiance under specified conditions.

63 A Latin legal doctrine meaning ‘as you possess,’ used in international and territorial contexts to endorse existing possession or control of territory at the end of a conflict; here it is invoked as a principle potentially affecting postwar territorial claims.

64 Refers to Thomas C. Hindman (1828–1878), a Confederate general who commanded forces in Arkansas and the Trans-Mississippi theater during the Civil War and was noted for energetic and often controversial measures there.

65 Likely John B. Magruder (1807–1877), a Confederate general who served in several commands, including assignments in the Trans-Mississippi region; he was sometimes placed in charge of commands before other officers arrived.

66 A French term for royal warrants used under the Ancien Régime to imprison or punish individuals without trial; the phrase is used here as a historical comparison to arbitrary arrests and detention.

67 Military officials charged with maintaining order, policing troops, supervising military prisons, and carrying out arrests and discipline; during the Civil War provost marshals enforced military law in occupied areas and in the armies.

68 A town in the Indian Territory (in present-day southeastern Oklahoma) that served as a political and administrative center for the Chickasaw Nation during the