



Tintype of an unidentified American Indian soldier dressed in Union uniform, WICR 30114, courtesy of Wilson's Creek National Battlefield, National Park Service.

The U.S. Army, Indian Agency, and the Path to Assimilation: The First Indian Home Guards in the American Civil War

by Chris Rein

Throughout its history, the United States Army has willingly included indigenous allies in its combat organizations. From Pequot allies in New England to Afghan militia on the Pakistani border, the organization usually benefitted from having troops with local expertise and intimate knowledge of the physical and cultural terrain. But for America's Indian allies service with the army became part of a larger campaign of assimilation and acculturation, as the army began to treat them less as independent auxiliaries and more as an additional pool of manpower for its regular units. The tipping point arrived during the sectional crisis, when American Indians were inducted into regimental-sized units for the first time, with mixed results, as the new soldiers sought to preserve unique cultural ideas about warfare alongside a bureaucratic organization intent on treating them like any other soldiers. The army would eventually win this struggle, and, by the First World War, American Indians were fully integrated into regular army units and were fast becoming indistinguishable from their countrymen in uniform.¹

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1. The literature that addresses North American Indian military service is vast and expanding. See, among others, Mark van de Logt, *War Party in Blue: Pawnee Scouts in the U.S. Army* (Norman: University of Oklahoma Press, 2010); Paul C. Rosier, *Serving Their Country: American Indian Politics and Patriotism in the Twentieth Century* (Cambridge, Mass.: Harvard University Press, 2009); Thomas A. Britten, *American Indians in World War I: At War and at Home* (Albuquerque: University of New Mexico Press, 1998); Alison R. Bernstein, *American Indians and World War II* (Norman: University of Oklahoma Press, 1991); Timothy C. Winegard, *For King and Kanata: Canadian Indians and the First World War* (Winnipeg: University of Manitoba Press, 2011); and Bonnie Lynn-Sherow and Susannah Ural Bruce, "'How Cola' from Camp Funston: American Indians and the Great War," *Kansas History: A Journal of the Central Plains* 24 (Summer 2001): 84–97.

The history of one unit, the First Indian Home Guards, raised in Civil War-era Kansas from refugee Creeks and Seminoles from Indian Territory, offers a window into the army's efforts and the ways that Indian soldiers successfully resisted assimilation, at least for a time. For the army, incorporating large numbers of American Indians into regular units signaled that it was no longer willing to allow these allies to fight alongside its soldiers as independent auxiliaries, ending over two centuries of Anglo-Indian patterns of warfare. But during that time service had been on the Indian troops' own terms, which were heavily influenced by their cultural ideas about warfare. Troops modified almost every aspect of federal military life, including uniforms, drill, the personal use of government-issued weapons, and desertion, in ways that would have resulted in severe punishment for other troops. Army authorities, including commanders of units such as the First Indian Home Guards, made concessions and apparently accepted the Indians' behavior in exchange for the valuable service they provided as both regular troops and mounted scouts who had an intimate knowledge of the terrain and inhabitants of what is now eastern Oklahoma. In organizing the First Indian Home Guards, the army continued its reliance on Indian troops in warfare that extended into the Plains Wars in the decades that followed, most notably with the Pawnee Scouts. It was also, however, one of the first steps in an accelerated program of assimilation that included the Dawes Act of 1887 and placed increasing pressure on Indian culture and lifestyles.

Since the earliest days of colonization, Europeans had discovered the effectiveness of employing Indians as allies, either against other colonizers or against hostile Indians. One account of American military history found that, during the colonial period, "almost all Indian wars pitted the English and some Indians against other Indians." Initially, both sides sought to use the other to their own advantage. "When Europeans arrived in the New World," observed historians Allan R. Millett and Peter Maslowski, "many Indian tribes sought them as Allies against their traditional rivals, and the English recognized that animosities among Indians could be advantageously exploited." In 1675 colonists in New England, aided by friendly American Indians, located a Narragansett village in Rhode Island's "Great Swamp" and slaughtered its inhabitants. But English colonists were not the only ones to employ local auxiliaries. In his 1779 campaign against the Comanche in northern New Mexico

and Colorado, Don Juan Bautista de Anza included over two hundred Pueblos, Apaches, and Utes alongside his Spanish colonial forces. Indigenous auxiliaries eventually came to be considered essential to warfare against Indians. "Colonists learned that Indians were the only match for other Indians. Whites were so inept at forest warfare that sending an expedition against the Indians without accompanying Indian allies invited disaster."²

Despite being considered essential allies in warfare, American Indians maintained a remarkable degree of agency throughout the colonial period and into the early days of the Republic. Indians could still largely choose if and when to fight, as they did during the Revolution, even alongside noted Indian-fighter and eventual architect of Indian removal Andrew Jackson at the Battle of New Orleans during the War of 1812. The pattern continued into the post-Civil War era, when the army offered employment to Indian scouts and auxiliaries in several campaigns. "The most successful officers used Indian allies," concluded Millett and Maslowski, and "in a few instances the only U.S. soldiers engaged with the enemy were Indian allies." But indigenous troops could also reject overtures and remain neutral or even aid the opponent, as many members of the Iroquois Nation did during the American Revolution.³

The Civil War was no different, as the Trans-Mississippi theater still held large numbers of American Indians who were actively courted by both sides as potential allies. While that theater often receives comparatively less attention from scholars, the war in the region had significant consequences for the people living there. In some respects, Indian Territory mirrored the nation as a whole, as allegiances split nations, often along preexisting fault lines. Within the Muscogee (or Creek) Nation, those who had resisted removal from ancestral homelands in Georgia and Alabama aligned with the federal government, while those who had signed the removal treaties aligned with the South. At the same time, governments in Washington and Richmond took advantage of the outbreak of hostilities to add manpower to their own armies and extend the area under their control.⁴

2. Allan R. Millett and Peter Maslowski, *For the Common Defense: A Military History of the United States of America* (New York: Free Press, 1994), 12; and Ron Kessler, *Anza's 1779 Comanche Campaign* (Monte Vista, Colo.: Adobe Village Press, 2001), 72.

3. Millett and Maslowski, *For the Common Defense*, 255.

4. For Confederate attempts to expand the area under their control and attract potential recruits, see Gary L. Cheatham, "'Within the Limits of the Southern Confederacy': The C.S.A.'s Interest in the Quapaw, Osage, and Cherokee Tribal Lands of Kansas," *Kansas History: A Journal of the Central Plains* 26 (Autumn 2003): 172–85.

Moreover, many Indians, in particular the Cherokees, Creeks, Chickasaws, Choctaws, and Seminoles, had shared sufficient contact with Southern society to acquire some of its distinctive characteristics, including the maintenance of small farms and even larger plantations worked by slaves. Most tribes also contained a sizeable free black population, made up of slaves manumitted by the Indians or fugitives from neighboring slave states. Intermarriage with white and black Southerners allowed Southern thought to penetrate some factions of the tribes. Most of the tribal agents were Southerners, appointed by Southern-born presidents, who brought their sectional prejudices to their posts. While the degree of assimilation varied within and between these eastern tribes, the cultural exchange increased daily as war approached.⁵

Despite the apparent similarities with their fellow Southerners, many Indians, especially the native-speaking factions of the tribes, resented land-hungry settlers who had driven them from their homelands and bicultural members of their own tribes who had collaborated with their oppressors. It is possible that many tribal members held fellow Southerners responsible for their forced removal and harbored more resentment towards them than the government that physically forced them to leave. One Cherokee missionary alleged that, “the full-bloods remembered only too well how the Georgians had treated them and they would never trust their former enemies [the Confederacy] to abide by any treaty.”⁶ Despite the corruption and racism that plagued the Bureau of Indian Affairs, its policy of salutary neglect effectively bought the tribes time to preserve their national identities for a few more years. When forced to take sides in the impending conflict, many cast their lot with the old federal government rather than the new secessionist one.



During the Civil War, the Trans-Mississippi theater held large numbers of American Indians who were actively courted by both sides as potential allies. When forced to take sides in the impending conflict, many cast their lot with the old federal government rather than the new secessionist one. Here Indians gather at the White House during the war. Photograph courtesy of the Library of Congress, Prints and Photographs Division, Washington, D.C.

Indian Territory corresponded roughly with the upper South in terms of Unionist and secessionist sentiments. While tribes that bordered the slave states of Texas and Arkansas were mostly secessionists, those farther north were split more evenly between pro-Union and pro-Confederate factions. The Choctaws and Chickasaws, along the Red River, embraced cotton growing while the Creeks, Seminoles, and Cherokees were “principally grain and stock raisers” and identified more closely with the Northern states. The Creek Nation split almost in half, with a primarily bicultural faction pledging its support to the Confederacy and a separate Muscogee-speaking contingent that attempted to honor its treaties and remain true to the United States.⁷

The pro-Union Creeks rallied around Opothleyahola, a diplomatic chief who urged his followers to reject the overtures of Confederate agents and attempt to remain neutral in the coming war. Many Creeks, led by the bicultural McIntosh family, rejected Opothleyahola’s pleas and aligned with the Confederacy, forming military

5. See Angie Debo, *The Road to Disappearance* (Norman: University of Oklahoma Press, 1941), 142; and Clarissa Confer, *The Cherokee Nation in the Civil War* (Norman: University of Oklahoma Press, 2007), 32.

6. Lela J. McBride, *Opothleyahola and the Loyal Muskogee: Their Flight to Kansas in the Civil War* (Jefferson, N.C.: McFarland & Co., 2000), 145.

7. Edwin C. McReynolds, *The Seminoles* (Norman: University of Oklahoma Press, 1957), 292; McBride, *Opothleyahola and the Loyal Muskogee*, 145; Daniel Usner, *American Indians in the Lower Mississippi Valley* (Lincoln: University of Nebraska Press, 1998); and Alvin M. Josephy, Jr., *The Civil War in the American West* (New York: Knopf, 1991), 327.



Indian Territory corresponded roughly with the upper South in terms of Unionist and secessionist sentiments. While tribes that bordered the slave states of Texas and Arkansas were mostly secessionists, those farther north were split more evenly between pro-Union and pro-Confederate factions. The Creek Nation was caught between the sides. Pro-Union Creeks rallied around Opothleyahola, the diplomatic chief shown here, who urged his followers to reject Confederate overtures and attempt to remain neutral in the coming war. Those who followed him suffered at the hands of pro-Confederate Creeks, and eventually some joined the Indian Home Guards. Print from The History of the Indian Tribes of North America, 1832.

organizations to support the South. As historian Gary Zellar has noted, Confederate-induced attempts to tighten slave codes within the territory were a significant factor in the intra-tribal split, as “black codes” threatened to further alienate those members of the tribe with African ancestry.⁸ Federal officials, including both Indian agents and the troops assigned to protect them and their charges from the Plains tribes, were forced to remove to Kansas. The pro-Southern Creeks considered the agent’s evacuation as proof of abandonment by federal authorities and attempted to pressure the loyal Creeks to respond to Confederate overtures.

8. See Gary Zellar, *African Creeks: Estelovste and the Creek Nation* (Norman: University of Oklahoma Press, 2007), 43.

When the loyal Creeks resisted, pressure turned to harassment and loyal families banded together and planned to evacuate until the federal government could restore order. Their exodus led to three sharp engagements with pro-Confederate Indians augmented by units from Texas and Arkansas. In the third of these engagements, on December 26, 1861, at Chusto-Talasa, near modern Tulsa, Oklahoma, the pro-Confederate forces attacked Opothleyahola’s encampment and scattered his band, forcing the survivors to attempt to reach Kansas individually and with no food or shelter in the midst of a severe winter. Upon the struggling band’s arrival in Kansas, absent Indian agents failed to receive or adequately care for their charges, and many Indians perished in squalid camps along the Neosho River. Unscrupulous contractors obtained condemned rations from Fort Leavenworth and supplied them to the Creeks, worsening the Indians’ plight. By spring, the survivors had little desire to remain in Kansas and eagerly sought a federal escort to return them to their homes.⁹

Desperate for manpower, the Lincoln administration debated the use of Indian troops but was initially hesitant. News of atrocities such as the allegations of scalplings and mutilations attributed to Confederate Cherokees in the March 7, 1862, battle at Pea Ridge, Arkansas, temporarily turned public opinion against federal Indian forces. But Senator James H. Lane, whose views regarding slavery had been radicalized by his years in Kansas, urgently advocated the use of both Indian and black troops to march south from Kansas through Indian Territory and liberate slaves in Texas. Lane had already begun lobbying for the organization of what would become the First Kansas Colored Infantry, composed primarily of fugitive slaves from Missouri, Arkansas, and Indian Territory, and proposed the use of Indian troops to augment a brigade of white and black regiments. The War Department finally conceded to Lane’s requests and authorized recruitment of the Home Guards to begin in April 1862.¹⁰

The War Department assigned Colonel Robert W. Furnas, a newspaper editor from Brownsville, Nebraska, command of the unit. Like the Kansans, Furnas was incensed at the raids perpetrated by pro-secessionist guerrillas in Missouri,

9. *Ibid.*, 301–2; and Josephy, *The Civil War in the American West*, 331–33.

10. Dudley Taylor Cornish, *The Sable Arm: Black Troops in the Union Army, 1861–1865* (1956; reprint, Lawrence: University Press of Kansas, 1987), 69–75; Josephy, *The Civil War in the American West*, 319–23, 350–51; and Clarissa Confer, *The Cherokee Nation in the Civil War* (Norman: University of Oklahoma Press, 2007), 95–96.

especially the sabotage of the railroad bridge over the Platte River near St. Joseph on September 3, 1861, which caused a passenger train to plunge into the river, killing seventeen civilians. Furnas was strongly committed to preserving the Union and advocated harsh suppression of the rebellion. As early as September 1861, he asked:

Could the governors of Nebraska and Iowa, in connection with the Governor of Missouri form an organization by pressing, if need be, every Union man into service and then creating an army to march from the northern border of Missouri southward, gathering strength as it advanced? My opinion is the result would be most beneficial. This war, in my humble opinion, has yet to be one of extermination. Our enemies are desperate, blood thirsty and unprincipled and desperate means must be resorted to on our part.¹¹

On April 2, 1862, Adjutant-General Lorenzo Thomas, who later played a critical role in the organization of the U.S. Colored Troops, ordered Furnas to “organize a regiment of true loyal Indians now in Kansas,” a task Furnas reportedly completed on April 30.¹²

When the First Indian Home Guards mustered into federal service on May 22, 1862, it contained 1,009 men organized into ten companies. Eight of the companies were composed primarily of Creeks (including one of affiliated Yuchis), while the other two (Companies A and F) were made up mostly of Seminoles (table 1). The few Seminoles who had left with Opothleyahola responded favorably to army service, and one Union officer estimated that “nearly all of the able-bodied men of the tribe have joined the army.” In most volunteer regiments the men selected their own officers, and at least thirty-one Indians were commissioned, despite the efforts of General James G. Blunt, who was commanding the federal forces in Kansas, to block some appointments. In the months that followed, the army raised two more Indian regiments, the Second and Third Indian Home Guards, from among the

11. Robert W. Furnas to General Leavitt L. Bowen, September 6, 1861, Outgoing Correspondence, microfilm 11, Robert W. Furnas Papers, Nebraska State Historical Society, Lincoln (hereafter cited as “Furnas Papers”).

12. Robert W. Furnas to Major General Henry W. Halleck, April 30, 1862, in Robert W. Furnas Service Record, Compiled Service Records of Union Volunteers from the State of Kansas, First Indian Home Guards, box 6, RG 94, National Archives, Washington, D.C. (hereafter cited as “CSR”).

Table 1: Tribal Affiliations of 309 of the 1,773 Soldiers of the First Indian Home Guards

Tribe	Number	Percentage of Sample
Creek	215	70%
Cherokee	68	22%
Seminole	14	4%
Choctaw	7	2%
Chickasaw	5	2%
Total	309	100%

Source: “Compiled Service Records of Union Volunteers from the State of Kansas, First Indian Home Guards,” box 6, RG 94, National Archives, Washington, D.C.

refugees in Kansas and loyal Indians in Indian Territory, and over three thousand eventually served in the Union Indian Brigade during the war.¹³

In an attempt to reduce the number of Indian officers and replace them with white officers who could handle the unit’s paperwork, General Blunt ordered the first lieutenants of each company to submit identical resignations. The statements, all dated either September 9 or 10, 1862, read: “I hereby respectfully tender my resignation as First Lieutenant of Company ___, First Regiment, Indian Home Guards to make a vacancy for a white Lieutenant, as it is impossible for me as an Indian to do the company business, such as making out Muster Rolls.” All ten first lieutenants, who signed with an “X,” were replaced by literate white officers who were capable of handling the company’s records.¹⁴

13. W. A. Phillips to the Secretary of War [Edwin Stanton], January 8, 1865, in U.S. War Department, *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, ser. 1, vol. 48, pt. 1 (Washington, D.C.: General Printing Office, 1896), 456; Annie Heloise Abel, *The American Indian as Participant in the Civil War* (Cleveland, Ohio: Arthur Clark, 1919), 108; McReynolds, *The Seminoles*, 306; James G. Blunt to Samuel R. Curtis, March 27, 1864, U.S. War Department, *The War of the Rebellion*, ser. 1, vol. 34, pt. 2 (1891), 755; and R. U. Johnson and C. C. Buel, eds., *Battles and Leaders of the Civil War* (1887; reprint, New York: Yoseloff, 1956), 767.

14. W. A. Phillips to Samuel R. Curtis, January 19, 1863, in U.S. War Department, *The War of the Rebellion*, ser. 1, vol. 22, pt. 2 (1888), 57. For an example of such a signed document, see Absolan Kanel Service Record, CSR. Similar documents appear in the records of Hopiyemarlak (whose record indicates he was ordered to resign by General Blunt), Konepaahola, Kowassotteh, Nukkepakee, Okganyahola, Paskova, Sukkorah, Tustanukemareh, and Yarhollanduy, CSR.



Desperate for manpower to help with the war effort, the Lincoln administration debated the use of Indian troops but was initially hesitant. But Kansas Senator James H. Lane urgently advocated the use of both Indian and black troops. Lane had personal experience recruiting Indians for his Kansas Brigade, as depicted in "Indian Scouts at Gen. Lane's Camp," from the November 23, 1861, issue of Harper's Weekly. The War Department finally conceded to Lane and authorized recruitment of the Indian Home Guards to begin in April 1862.

All of the Indian captains, who actually led the companies, were allowed to retain their commissions, and several served for the duration of the war, assisted by white junior officers. Occasionally this resulted in a conflict with the new white officers. While at Tallahassee Mission on March 14, 1865, Lieutenant Francis J. Fox, who replaced one of the resigned first lieutenants, preferred charges against his company commander, Captain Nokosolochee, for allegedly mocking Lieutenant Fox as he attempted to drill the company. Fox accused the captain of "cutting up in front of the men" and challenging every order Fox issued. While to Fox the captain's efforts appeared insubordinate, they were also quite popular with his men and demonstrated his ability to lead by sympathizing with their disdain for formal military procedures. The two men reached an accommodation, so that by March 16 Fox reported that "Captain Nokosolochee is getting good. I got him to head his company at dress-parade yesterday evening for the first [time]; also to superintend his roll calls."¹⁵

15. Nokosolochee [alternatively Nokosolochee] Service Record, CSR; Francis J. Fox to W. A. Phillips, March 16, 1865, in U.S. War Department, *The War of the Rebellion*, ser. 1, vol. 48, pt. 1 (1896), 1193.

Those who worked closely with the Indian regiments realized the value of having Indian officers lead men in the field. Colonel William A. Phillips wrote that Indian officers "have in some cases influence that no white men have," and that the policy of dismissing all Indian officers was "a fallacy into which most new experimenters fall." After assuming command of the Indian Brigade, Phillips initially recommended white captains and first lieutenants for each company, allowing only an Indian second lieutenant; he later came to realize the error of his ways.¹⁶

Indians treated their issued firearms as personal weapons in ways that would have landed white soldiers in the stockade. The army supplied the unit with rifles, obtained from Fort Leavenworth. The weapons were made in Belgium and were intended for distribution with the tribe's annual allotment. In

the long term, this weapon probably served the Indians well, as they were accustomed to using rifles for hunting and enjoyed the increased range the weapon offered in combat. But quartermasters struggled to keep Indian troops supplied with the specialized ammunition the weapon required, as soldiers often treated their rifles as personal property (which, in the absence of war, they very well might have become). They took their weapons hunting and discharged so many cartridges that the regiment's quartermaster began deducting the cost of the spent cartridges from the troops' pay.¹⁷

The First Indian Home Guard wore the same blue uniform coat as other federal forces, but preferred the broad-brimmed "Hancock hat" to the service kepi.¹⁸ While the Native soldiers appreciated the added protection from sun and rain, one observer thought "the Indians with their new uniforms and small military caps on the

16. W. A. Phillips to Samuel R. Curtis, March 7, 1864, in U.S. War Department, *The War of the Rebellion*, ser. 1, vol. 34, pt. 2 (1891), 525; and Phillips to Curtis, January 19, 1863, 58.

17. Wiley Britton, *The Union Indian Brigade in the Civil War* (Kansas City, Mo.: Franklin Hudson, 1922), 61; and First Lieutenant Marquis D. Salisbury Service Record, Compiled Service Records of Union Volunteers from the State of Kansas, First Indian Home Guards, box 16, RG 94, National Archives, Washington D.C.

18. Britton, *The Union Indian Brigade*, 226.

Huge Heads of hair made rather a Comecal Ludicrous [sic] appearance." Despite their appearance, the observer, Indian agent William G. Coffin, had "little doubt that for the kind of service that will be required of them they will be the most efficient troops in the Expedition."¹⁹

Some of those who enlisted had managed to bring their mounts with them, but many more had lost their stock during the flight north and throughout the harsh winter, when little forage was available. Appreciating the need for mobility in the vast area he was to control, Colonel Furnas attempted to remount his men before they moved south but was only partially successful. When the unit left LeRoy, Kansas, in May 1862, only 359, or about one-third, of the men were mounted. As a result the command was split into mounted and dismounted elements, with those on horseback engaged in scouting while the men on foot escorted the main column. The mounted portion saw combat far more frequently, especially while pursuing weaker Confederate forces. Furnas had been ordered to mount the remainder of the regiment from the stock of the enemy and, upon reaching the Grand River on July 15, 1862, reported that he had obtained an additional 205 horses on the march and mounted roughly half his command, a percentage that remained relatively unchanged throughout the war. Colonel Phillips, who would command a brigade of all three Home Guards regiments for the last two years of the war, also struggled to obtain mounts for his men, believing they "ought invariably to be mounted" as "they make poor infantry, but first-class mounted riflemen." Phillips later changed his assessment of the Indians' infantry capabilities, noting that in over four hundred miles of marching, his men "did remarkably well."²⁰

Colonel Furnas likewise attempted to attend to the medical wants of his men. He arranged for his "family physician for six years past," Dr. Andrew S. Holleday, to accompany him and treat the men. Furnas had difficulty obtaining medicine for his surgeon and on one occasion purchased eighty-four dollars' worth of medicine from Brownsville, Nebraska, on his own account to supply his men. His efforts to secure a surgeon's commission for Dr. Holleday were less successful, as the doctor's examiner was unable to report "the result of his examination to the Surgeon general in as favorable light as possible."²¹

19. William G. Coffin to William P. Dole, June 25, 1862 in Abel, *The American Indian as Participant*, 123.

20. Robert W. Furnas to William J. Weer, July 15, 1862, in Furnas Papers; Phillips to Curtis, January 19, 1863, 58; and Phillips to Curtis, March 7, 1864, 526.

21. Robert W. Furnas to William P. Dole, May 4, 1862, in Holleday Service Record, CSR.

Training the regiment proved as difficult as properly equipping it, as Furnas and his staff labored to indoctrinate the Indians in camp life and the army's way of fighting.²² With some difficulty, the officers were finally able to drill the regiment in the basic formations and tactics. On June 9, 1862, the regiment's adjutant, Lieutenant Alfred. C. Ellithorpe, reported favorable progress to the commissioner of Indian Affairs: "You would be surprised to see our regiment move. They accomplish the feat of regular time step equal to any white soldier, they form in line with dispatch and with great precision; and what is more they now manifest a great desire to learn the entire white man's disciplin [sic] in military matters."²³

Ellithorpe's estimations of the Indian's preference for army discipline may have been premature, but the commander of the assembled troops, Colonel William J. Weer of the Tenth Kansas Infantry, felt they were sufficiently trained to accompany the Indian Expedition south into the territory. On June 11, 1862, he issued orders for the command to depart, preceded by a day of festivities. The activities would begin with an artillery drill followed by "a grand 'Ball Play' in the day time and a War dance at night, no Indians to participate in either who are not mustered in as soldiers." Whether the added inducement was necessary to spur enlistment is not clear, but Weer hoped that "the chiefs of the different tribes will be present during the exercises of Friday the 13th inst. and will encourage their young men to enlist as soldiers." Weer also ordered that "the dance may not continue so late as to unfit the Indians for the next day's march."²⁴ The rest seems to have done its work, as agent Coffin observed that the next morning the Indians were anxious to depart and "marched off in Columns of 4 a breast singing the war song all joining in the chourse [sic]."²⁵

When the expedition finally left Fort Scott, it made rapid progress, reaching Baxter Springs on the Kansas-Indian Territory border on June 26. Two more white regiments, the Ninth Wisconsin Infantry and the Second Ohio Cavalry, augmented the expedition there, bringing the total Union strength to over six thousand effectives. During the advance, the mounted portion of the regiment scouted far ahead of the main body, but the Indian troops

22. Abel, *The American Indian as Participant*, 123.

23. *Ibid.*, 115.

24. William J. Weer to Robert W. Furnas, June 11, 1862; and Special Orders, Headquarters, Indian Brigade, June 11, 1862, in Furnas Papers.

25. William G. Coffin to William P. Dole, June 25, 1862 in Abel, *The American Indian as Participant*, 123.



Colonel Robert W. Furnas, a newspaper editor from Brownsville, Nebraska, served as the first commander of the Indian Home Guards from April to September 1862. Although he worked to properly outfit and train his command, in his resignation letter he stated he had "always doubted the propriety and policy of arming and placing in the field Indians. Five months connection with an Indian Regiment only confirms me in the opinion." The following year Furnas organized an all-white unit and spent the last years of the war as agent to the Omaha Indians. He later served two years as a Republican governor of Nebraska. Photograph of Furnas (back row, second from left) with a group of Winnebago chiefs in 1865 courtesy of the Nebraska Historical Society, Lincoln.

were hindered by the effects of the flinty ground on their unshod ponies.²⁶

Aware of the federal movement, Confederate forces in the territory had moved north to oppose them, despite being grossly outnumbered. On July 3 the mounted portion of the Union column surprised a small force of approximately four hundred Confederates under Colonel James Clarkson near Locust Grove. The First Indian Home Guards led the attack, which resulted in the capture of over one hundred prisoners, including the colonel, and over fifty wagons and an equal number of kegs of powder. For their role in the action, and harkening back to an older system of compensating Indian auxiliaries, the army rewarded the men of the First Indian Home Guards with an undetermined number of captured horses, some of which the soldiers recognized as having been "stolen from them before and during their flight to Kansas." It

is unclear whether any of the white Union troops were involved in the skirmish, but the commissioner of Indian Affairs claimed it was "a victory gained by the 1st Indian regiment," and that it would be "the height of injustice to claim this victory for the whites." The day before the encounter, Colonel Weer reported: "the Indians are behaving well, with a few exceptions, and seem full of fight." When faced with the possibility of combat, they likewise "manifested a perfect willingness."²⁷

The expedition proceeded as far as Fort Gibson, Cherokee Nation, near the junction of the Neosho and Arkansas rivers. From this strategic post, Union forces controlled not only the rivers but also the road from Fort Scott to Texas. If the position could be held, that portion of the territory north of the Arkansas River could be denied to Confederate forces and additional protection provided for southern Kansas. Many Cherokee refugees

26. William J. Weer to Thomas Moonlight, July 2, 1862, in U.S. War Department, *The War of the Rebellion*, ser. 1, vol. 13 (1885), 460.

27. McBride, *Opothleyaholo and the Loyal Muskogee*, 197; Robert W. Furnas to William J. Weer, July 15, 1862, Furnas Papers; Abel, *The American Indian as Participant*, 131; Weer to Moonlight, July 2, 1862, 461.

accompanying the expedition returned to their homes while the Creeks awaited an advance across the river into their nation. Unfortunately for the Indians, Confederate forces entered southern Missouri, necessitating a retrograde movement by the majority of the Union forces. Furnas, now in command of all three Indian regiments, was permitted to remain in the territory to protect the refugees who had returned, but, after briefly occupying Fort Gibson, was forced to retreat to Fort Scott, Kansas, a move that thoroughly demoralized his command. Many of the men deserted and returned to their families, who followed the troops back to the refugee camp at LeRoy. While in command of the reduced forces, Furnas did plan and order the arrest of Cherokee Chief John Ross, primarily to relieve him of his treaty obligations to the Confederacy.²⁸ Ross had been coerced into aligning his people with the South and had been negotiating with federal forces for some time for protection. Retiring to Kansas, along with the Cherokee Nation's archives and treasury, Ross spent the remainder of his years lobbying for his people in Washington.

Furnas, growing tired of his duties and absent from his business longer than he had anticipated, resigned his position on September 1, 1862, and returned to Nebraska. In his resignation letter, he attempted to deal a crippling blow to the unit he had organized and led: "I have always doubted the propriety and policy of arming and placing in the field Indians. Five months connection with an Indian Regiment only confirms me in the opinion that full-blood Indians cannot be made soldiers and that to attempt it is a useless waste of both time and money." Furnas cited language barriers and complained that his troops "cannot be made to feel the obligations of a soldier and especially the necessity of discipline. . . . It has been no uncommon occurrence to find half the Sentinels asleep at their posts or leaving them entirely on stormy nights, and Grand [River] Guards and Pickets deserting, or leaving their stations to go hunting!"²⁹ The following year Furnas organized the Second Nebraska Cavalry, an all-white unit, and spent the last years of the war as agent to the Omaha Indians. He later served for two years as a Republican governor of Nebraska.³⁰

Fortunately, Furnas's recommendations regarding the Indian Home Guards went unheeded, as just after his resignation from the unit a reversal of fortunes in Missouri and northwestern Arkansas necessitated every available man to repel a Confederate advance. In late September 1862, Confederate forces moved north out of Arkansas and occupied Newtonia, Missouri, just across the border from Fort Scott. Union troops responded to the foray by attacking the town on October 4 and driving out the invaders. The Indian regiments' performance in this battle continued to dispel the prejudices felt against them by white troops. After the battle, a white soldier remarked, "In this Contest the Indians behaved well, the officers and soldiers of our own regiments now freely acknowledge them to be valuable Allies and in no case have they as yet faltered, until ordered to retire, the prejudice once existing against them is fast disappearing from our Army and it is now generally conceded that they will do good service."³¹

The federal Indian units followed the retreating Confederates into northwestern Arkansas, where they continued to demonstrate their ability to fight effectively alongside white units, even in major engagements with strong Confederate forces. In late October a raid by two Kansas and two Indian units on Old Fort Wayne, Cherokee Nation, just across the border from Maysville, Arkansas, netted four brass field pieces, which were assigned to a federal battery that would accompany the Indian Brigade.

Meanwhile, Union forces in Missouri, under General Francis J. Herron, cooperated with General Blunt's federal army from Kansas in forcing the Confederates back over the Boston Mountains into the Arkansas River Valley. General Thomas Hindman, commanding the Confederate forces, recognized an opportunity to defeat the separated Union forces and engaged Herron's army on December 7, 1862, near Prairie Grove, Arkansas. Hearing of the action, General Blunt raced his command to the assistance of the outnumbered Herron and fell on the attacking Confederates' flank at a critical point in the battle. The First Indian Home Guards was closely engaged, and the unit's major, A. C. Ellithorpe, claimed he fired thirty-two rounds from his Henry rifle during the fight, "at very short range." Officially, the unit suffered two men killed and four wounded at Prairie Grove, but the regiment's new commander, Lieutenant Colonel Stephen A. Wattles, noted "the Indians entertain a prejudice against speaking

28. Robert W. Furnas to W. A. Phillips, July 31, 1862, in Furnas Papers.

29. Robert W. Furnas to Edwin Stanton, September 1, 1862, Furnas Papers.

30. Douglas A. Bakken, ed., *Guide to the Microfilm Edition of the Robert W. Furnas Papers* (Lincoln: Nebraska State Historical Society, 1966).

31. E. H. Carruth to William G. Coffin, October 25, 1862, in Abel, *The American Indian as Participant*, 195.



When the First Indian Home Guards mustered into federal service on May 22, 1862, it contained 1,009 men organized into ten companies. In most volunteer regiments the men selected their own officers, and at least thirty-one Indians were commissioned, despite the efforts of General James G. Blunt, commanding the federal forces in Kansas, to block some appointments. Later that year, in an attempt to reduce the number of Indian officers and replace them with white officers who could handle the unit's paperwork, Blunt, shown seated at center with members of his military staff, ordered the first lieutenants of each company to submit identical resignations.

of dangerous occurrences in battle, and report no wounds but such as the necessities of the case demand." Wattles also cited several Indian officers including "Captain Jon-neh, of the Uches, and Capt. Billy Bowlegs, of the Seminoles, and Captain Tus-te-nup-chup-ko," a Creek, for bravery.³²

Shortly after the battle, Major Ellithorpe temporarily assumed command of the regiment and attempted to rebuild it, as the numbers had dropped to some four hundred effectives. He was concerned for his command, and professed to take "a deep Interest in the welfare of these loyal refugee Indians who have sacrificed all rather than fight against our flag."³³ Ellithorpe preferred charges against two officers, including the absent Colonel Wattles, for misappropriating funds allocated to pay the unit's interpreters, who had been employed to relay orders from

32. A. C. Ellithorpe Service Record, CSR; and "Report of Lieut. Col. Stephen H. Wattles, First Indian Home Guards," December 12, 1862, in U.S. War Department, *The War of the Rebellion*, ser. 1, vol. 22, pt. 1 (1888), 94.

33. A. C. Ellithorpe to William G. Coffin, September 12, 1862, in Abel, *The American Indian as Participant*, 210.

the white, English-speaking senior officers to the Indian soldiers. Most interpreters were black and had lived with the Indians and learned their languages.³⁴ During his tenure, Colonel Furnas had complained:

But one company officer and but few men . . . can speak or understand a word of English. All communication has been through Interpreters, all of whom are ignorant uneducated Negroes who have been raised among the Indians and possess to a great degree their peculiar characteristics. The commander has but little assurance that orders are correctly given and none that they are understood or appreciated.

Without these interpreters, Furnas's job would have been much more difficult, if not impossible. Fortunately, other officers recognized their necessity and attempted to obtain compensation for them. Still, even amongst those

34. The Compiled Service Records reveal at least fourteen black or "mulatto" Indians serving with the unit.

who worked to find pay for the interpreters, there were those whose self-interest won out. First Lieutenant George Dobler, one of the replacement officers brought in after the forced resignations of the unit's Native leaders, obtained ninety-five dollars from the paymaster but distributed only twenty to his black interpreter, who had not been paid since Dobler's appointment. Dobler attempted to keep the balance for himself but was convicted of fraud and dismissed from the service.³⁵

On the whole, officers were unable to obtain funds to pay their interpreters because the entire amount allotted, over five hundred dollars, had been in the possession of Lieutenant Colonel Wattles for several months. On December 3 Major Ellithorpe preferred charges against Wattles, who was absent at Fort Scott, but withdrew them two weeks later after Wattles arrived and paid eight different interpreters eighty-three dollars each. Ellithorpe noted that one of the men compensated was not an interpreter but, in fact, Wattles's body servant. Wattles was also accused of selling government horses for personal profit, but he remained in command of the unit for most of the war, except for intermittent periods of illness necessitating lengthy convalescent visits to Michigan.³⁶

The First Indian Home Guards remained in Arkansas for several months and pursued Hindman's defeated forces over the Boston Mountains to Van Buren, Arkansas, where they captured a large quantity of Confederate stores. On December 26, 1862, the regiment entered Indian Territory and crossed the Arkansas River as far as the old Creek Agency (present-day Muskogee, Oklahoma), capturing and burning the Confederate stockade known as Fort Davis along the way. Several men were reported missing in the raid, but they may have simply returned to their homes. Both endeavors served to again clear the Cherokee Nation of Confederate forces, opening the way for a spring advance back to Fort Gibson.

The First Indian Home Guards arrived at Camp Curtis, near Maysville, Arkansas, on January 11, 1863, and spent the remainder of the winter with a large number of both white and Indian refugees. One Kansas soldier who wintered with the Indian regiments described the unsanitary conditions in camp and the efforts of the "Surgeons of the Indian command" to mitigate the suffering.³⁷ The unit's chaplain, the Reverend Evan Jones, received permission to distribute provisions among the

white refugees; several women returned the favor by serving as matrons in the regimental hospital. Jones was a Baptist minister from Georgia who had spent his life with the Cherokees and followed them to their new lands. He remained committed to the Union and, arriving in Kansas at about the same time as the Creek refugees, labored to tend to their needs.³⁸

The 1862 campaign to reestablish federal control over Indian Territory had failed, largely due to inadequate numbers and incompetence on the part of the white troops, especially Colonel Weer, who was reportedly inebriated for much of the campaign. Unable to return to their homes in Indian Territory, many of the soldiers of the First Indian Home Guards left and returned to the refugee camps to be with their families, who were still suffering from neglect in the squalid camps along the Neosho. Rather than charge them with desertion, the army instead sent emissaries to encourage Opothleyahola to order the men back into the ranks. The soldiers returned only when a renewed effort in 1863 appeared to offer greater prospects for their return home.

Warren Day, a white sergeant originally assigned to the Thirteenth Kansas Infantry but detailed to the First Indian Home Guards to keep one company's records, observed that the army apparently made this concession in exchange for the Indians' service. In discussing a later effort to drive Confederate forces out of Indian Territory and pursue them into Texas, Day noted that the army "will not be likely to take the Indians farther south than the southern boundry [*sic*] of their own country as that was an agreement between them and the government when they entered the service and to attempt it would be folly for they would nearly all desert." Such a concession was likely a result of the attitude held by some in the army that the Indians were allies and sovereign subjects of an independent nation despite their status as mustered in soldiers in a volunteer regiment. Regardless, both the Union and Confederate armies often had similar difficulties when trying to transport state units that had been mustered for home defense beyond state boundaries.³⁹

35. McBride, *Opothleyahola and the Loyal Muskogee*, 147, 195; and Evan Jones Service Record, CSR.

36. Stephen A. Wattles Service Record, CSR.

37. Britton, *The Union Indian Brigade*, 169.

38. McBride, *Opothleyahola and the Loyal Muskogee*, 147, 195; and Evan Jones Service Record, CSR.

39. Day's letters to his wife during this service offer a valuable insight into the units operations. Warren Day to Mary Day, November 28, 1863, Warren and Mary Day Letters, 1857-1878, microfilm MS 175.01, Kansas Historical Society, Topeka (hereafter cited as "Day Letters"). For an extreme example, see William Scaife and William Bragg, *Joe Brown's Pets: The Georgia Militia, 1861-65* (Macon, Ga.: Mercer University Press, 2004).

35. George Dobler Service Record, CSR.

36. Stephen A. Wattles Service Record, CSR.

37. Britton, *The Union Indian Brigade*, 169.



Through the summer and fall of 1862 two additional Indian regiments, the Second and Third Indian Home Guards, were organized. The Second Regiment was formed at Big Creek and Five Mile Creek, Kansas, and was made up of Delaware, Kickapoo, Quapaw, Seneca, Shawnee, Osage, and Cherokee fighters. Pictured is an Osage warrior in Native dress, who perhaps served with the Second Indian Home Guards as they fought in Arkansas, Missouri, Kansas, and Indian Territory. Carte de visite, WICR 31894, courtesy of Wilson's Creek National Battlefield, National Park Service.

Even before the spring thaw active operations had resumed, beginning a year that would prove as decisive in Indian Territory as it would on the banks of the Mississippi or in the hills of Pennsylvania. The Indian Home Guards departed for Fort Gibson in order to arrive with sufficient time for the Cherokee refugees to plant their crops. On February 18 the regiment broke camp and moved to Bentonville, Arkansas, where it engaged a small party of Confederate forces on February 27. In early March several

companies returned to Fort Gibson and rebuilt the fort, which had fallen into disrepair. Despite being christened Fort Blunt, in honor of the Army of the Frontier's commander, the structure continued to be known as Fort Gibson. In April all three Indian Home Guard regiments reoccupied the fort, along with the Sixth Kansas Cavalry, and formed a brigade under the Third Indian Home Guard's commander, Colonel William Phillips, who received what was essentially an independent command with broad authority. His instructions were to protect the area northeast of the Arkansas River and the loyal Indians who resided there.

The area was home to the Cherokee Nation, so many Creeks continued to be concentrated in refugee camps around Fort Gibson. Brigadier General John M. Schofield ordered Phillips to assist the refugees in obtaining subsistence and, if possible, to "make peace with the rebel Indians."⁴⁰ Phillips kept his force concentrated to prevent the capture of small detachments but was held liable to return to Arkansas or Missouri if necessary to reinforce federal forces there. Major Ellithorpe, still in command of the First Indian Home Guards, was confident of their prospects for success but hesitant to serve outside the territory: "This brigade; well equipped and filled, will hold the Indian countries, and I am of the firm opinion that the Indians can be used in no other locality to so good an advantage; in fact, I believe that to divert them to any other field of operations than the Indian countries will tend to demoralize them to dissolution."⁴¹

The Confederates recognized the significance of the new post, but could not muster sufficient forces to expel the Union troops stationed there. Instead, they attempted to remove them by severing the garrison's supply line. The Southerners first attempted to drive off the large herd of beef cattle used to victual the fort, but failed. Units of pro-Southern Indians lingered in the area until the June 16 skirmish on Greenleaf Prairie, during which four men of the First Indian Home Guards were killed and another eight wounded. In the engagement, Colonel Wattles commanded the detachment of 316 men and one howitzer, and sent 75 men under the Seminole Captain Bowlegs to flank the enemy while he attacked their front. Wattles left the field when his ammunition was expended, but the Confederates had already retreated back across the Arkansas River.⁴²

40. John M. Schofield to W. A. Phillips, January 11, 1863, in U.S. War Department, *The War of the Rebellion*, ser. 1, vol. 22, pt. 2 (1888), 33.

41. A. C. Ellithorpe to N. P. Chipman, January 16, 1863, in U.S. War Department, *The War of the Rebellion*, ser. 1, vol. 22, pt. 2 (1888), 49.

42. "Report of Col. Wattles," December 12, 1862, in U.S. War Department, *The War of the Rebellion*, ser. 1, vol. 22, pt. 1 (1888), 350-52.

Unable to destroy the supplies on hand, Confederates next attempted to sever the supply line to Kansas by attacking the critical wagon train that arrived each month from Fort Scott. Aware of their plans from loyal Cherokees, who functioned as a network of spies, Colonel Phillips requested a strengthened escort for the June train. The reinforced column was halted on July 1 near Cabin Creek by a force of Confederates, which included pro-Southern Creeks and Cherokees posted in thick cover behind the flooded creek. Troops from Blunt's Kansas command, including the First Kansas Colored Infantry and the Second Colorado Cavalry regiments, augmented by six hundred mounted men from Fort Gibson, succeeded in forcing the crossing the next day and escorted the train safely to Fort Gibson. Colonel James M. Williams, commanding the First Kansas Colored, praised the white, black, and Indian troops involved in "crossing this difficult ford," for "forming in the face of the enemy, with as much ease and as little confusion as if on parade."⁴³

Alerted to the possibility of a combined offensive by Confederates through Indian Territory towards Kansas, General Blunt arrived at Fort Gibson on July 11 to coordinate a preemptive attack against the forces marshaling against him. General Douglas Cooper commanded several regiments of Texans, Choctaws, and Chickasaws, about three thousand men, at a camp on Elk Creek, twenty-five miles southwest of Fort Gibson, and was awaiting reinforcement by an equal-sized force from Arkansas. On July 16 Blunt and his troops left Fort Gibson and spent most of the day crossing the flooded Arkansas River in boats. Early the next morning they encountered the Confederates entrenched on the south side of Elk Creek, and Blunt formed his men into a line, with the First Indian Home Guards holding the left-center. After breaking a Confederate attack, the Union forces succeeded in driving their opponents from the field. The second Confederate command arriving from western Arkansas withdrew back to Fort Smith after seeing that Cooper's forces had been routed. The First Indian Home Guards suffered two men killed and six wounded in what General Blunt named the "Battle of Honey Springs."⁴⁴ Colonel Wattles, commanding the First, reported his men crossed Elk Creek, "under a most galling fire from the enemy," who were "desperately contesting every foot of ground." The regiment captured twenty-four weapons from the



Colonel William A. Phillips, who commanded a brigade of all three Home Guards regiments for the last two years of the war, realized the value of having Indian officers lead men in the field. Indian officers, he noted, "have in some cases influence that no white men have," and that the policy of dismissing all Indian officers was "a fallacy into which most new experimenters fall." In civilian life, Phillips was a journalist; a lawyer and judge; a founder of Salina, Kansas; and a free-state politician who, after the war, went on to serve in the U.S. House of Representatives.

enemy in their charge and two Indian officers, Captains Nokosolochee and Sonukmikko, were praised for their gallant conduct.⁴⁵ Union forces destroyed Cooper's supply depot at Honey Springs, permanently removing the threat of a major Confederate offensive north of the Arkansas River.

43. "Report of Col. Williams," U.S. War Department, *The War of the Rebellion*, ser. 1, vol. 22, pt. 1 (1888), 381.

44. "Report of Maj. Gen. Blunt, U.S. Army," July 26, 1863, in U.S. War Department, *The War of the Rebellion*, ser. 1, vol. 22, pt. 1 (1888), 448-49.

45. "Report of Col. Wattles," July 18, 1863, in U.S. War Department, *The War of the Rebellion*, ser. 1, vol. 22, pt. 1 (1888), 455-56.



After a less than successful campaign in Indian Territory the previous year, in 1863 the Indian Home Guards pushed south to Fort Gibson in Cherokee Nation. The Confederates recognized the significance of the new post, but could not muster sufficient forces to expel the Union troops stationed there. Instead, they attempted to remove them by severing the garrison's supply line by attacking the critical wagon train that arrived each month from Fort Scott in Kansas. The Confederates occasionally succeeded in interrupting the supply lines, forcing the garrison to ration food. During such times the army relied on Indian soldiers to hunt and forage on their own and to survive with fewer supplies than white units. Drawing of a Civil War supply train moving through a thunderstorm by Edwin Forbes, courtesy of the Library of Congress, Prints and Photographs Division, Washington, D.C.

Lacking the necessary strength to attack the garrison of Fort Gibson directly, Confederate forces instead turned their attention to the supply trains traveling south from Kansas, and occasionally succeeded in interrupting the supply lines. Writing during the winter of 1863–1864, Warren Day noted that the Confederates “can starve us out of this place much sooner than they could whip us out.”⁴⁶ When supply difficulties forced the garrison to ration food, the army relied on the Indian soldiers to hunt and forage on their own and to survive with fewer supplies than white units. In January 1864, Day noted, “the Indians are suffering very much for the want of tents. They have but few and what they have are almost worthless. They are also scarce of provisions.”⁴⁷ Such scarcity would not have been as easily tolerated in white units. On December 11, 1863, Day reported:

A provision train came in this evening from Ft. Smith which has been anxiously looked for [for] several days as the Indians have been without bread stuff for several days[. I]f the 13th Kansas [Day's former unit] had been as short of

provisions as the Indians have for the last ten days you would have never heard the like of the dissatisfaction expressed in the letters that would have been sent home, but they [the Indians] say nothing as long as they can get a plenty of meat and a little corn to make hommony [sic].⁴⁸

While the three regiments of the Union Indian Brigade could be placed on short rations without political consequences, the physical effects were not as easily avoided and the reduced rations would soon have a greater effect than inconvenient letters from dissatisfied troops.

In the second half of 1863 the Indian forces at Fort Gibson would face a far deadlier foe than any Confederate force they had engaged. Beginning in June, an epidemic of smallpox swept through the camps. The first case was probably contracted during the winter encampment in Arkansas but by summer whole companies had been exposed to the disease. When surgeons first detected the disease in March, they established quarantine stations and attempted to vaccinate the command, but by mid-summer an epidemic was raging in the crowded camps

46. Warren Day to Mary Day, December 18, 1863, Day Letters.

47. Warren Day to Mary Day, January 3, 1864, Day Letters.

48. Warren Day to Mary Day, December 11, 1863, Day Letters.

Table 2: Causes of Death for 425 of the 1,773 Soldiers of the First Indian Home Guards

Tribe	Number	Percentage of Sample (425)	Percentage of Regiments (1,773)
Smallpox	178	42%	10%
Unknown Disease	156	37%	9%
Fever	14	4%	1%
Other Illnesses	23	5%	1%
Total Disease	371	88%	21%
Combat	40	9%	2%
Murder	8	2%	1%
Accidental	6	1%	0%
Total non-disease	54	12%	3%
Grand Total	425	100%	24%

Source: "Compiled Service Records of Union Volunteers from the State of Kansas, First Indian Home Guards," box 6, RG 94, National Archives, Washington, D.C.

clustered around Fort Gibson. Most Indians had little natural immunity and suffered fearfully. One hundred and seventy-eight men of the First Indian Home Guards died from the disease, some taking their lives rather than permitting the disease to run its course. On August 26 Private Fashutseharjo "had the Small Pox and got crazy and cut his throat." Two days earlier, Private Cat Killer, also afflicted, shot himself. Both men, along with all the others who perished at Fort Gibson that fall, were buried with all their equipment in keeping with Indian beliefs in the articles' utility in the afterlife. Ordinarily, army regulations required that all personal effects be inventoried and, if serviceable, reissued, but it routinely made concessions for deceased members of the First Indian Home Guards.⁴⁹

Even if the men, most frequently the younger soldiers, survived the disease, they still faced the winter with weakened immune systems. A host of other ailments plagued the command throughout the following winter, as fevers and lung complications claimed more lives. Of the 425 men who died while in the regiment, 371 succumbed

to disease, compared to only 40 killed in action (table 2). Murders claimed another eight lives, as men from different villages and even different tribes engaged in quarrels with deadly results. The army court-martialed several members of the regiment for killing members of their own command.⁵⁰

To replenish his losses to disease, Phillips continued to recruit Indians in the area, especially Cherokees who were growing dissatisfied with the Confederacy. By the end of the war, Cherokees were well represented in the regiment, but never outnumbered the Creeks (table 1). Like many Southern troops who also grew disenchanted with the Confederacy, a number of Creeks and Cherokees who had initially sided with the South renounced their allegiance and traveled to Fort Gibson to enlist in the Union army.⁵¹ Many of the soldiers who had previously deserted returned to their command, and absences of several months were not uncommon. Most were restored to their duties with only a loss of pay, representing another concession to Indian behavior. White troops occasionally faced death penalties for desertion while Indians benefited from several amnesty proclamations.

49. W. A. Phillips to Samuel R. Curtis, March 19, 1863, in U.S. War Department, *The War of the Rebellion*, ser. 1, vol. 22, pt. 2 (1888), 162; Phillips to Curtis, March 20, 1863, in U.S. War Department, *The War of the Rebellion*, ser. 1, vol. 22, pt. 2 (1888), 166; and Fashitseeharjo Service Record, CSR.

50. Data collected from the CSR.

51. McReynolds, *The Seminoles*, 290; enlistments compiled from the CSR.

Despite having his forces decimated by disease, Colonel Phillips still managed to keep patrols out in hostile territory. Occasionally they would intercept bands of Confederate guerrillas, such as those led by William C. Quantrill and others as they passed through Indian Territory to and from bases in Texas. Quantrill, by his own admission, "left a trail of murder through the Indian country" after sacking and burning Lawrence, Kansas, and his men were accused of "killing outright whatever Indians or Negroes they fell in with," as they passed through the territory en route to their winter posts in Texas. On October 10, 1863, Quantrill's party met and captured a detachment of twelve men of the First Indian Home Guard near the Creek Agency. All twelve were reportedly murdered, and five service records list men "murdered by Quantrill" near that date.⁵²

Phillips's men attempted to maintain order in the territory but were frequently opposed by small bands of Confederates, including General Stand Watie's regiment of Confederate Cherokees. On December 18, 1863, near Barren Fork, thirty miles east of Fort Gibson, Captain Tuckabatcheeharjo and Lieutenant William Roberts led Company C against a portion of Watie's men, killing twelve Confederates and wounding twenty-five more. Captain Oliver P. Willets, of the First Indian Regiment, was mortally wounded in the affair. The skirmish was of minor significance in the course of the war, but was one of many times when white and Indian officers combined to successfully lead operations against a common foe.⁵³

By 1864 a rough pattern was in place that would continue for the duration of the conflict. Confederate forces, steadily weakened by their isolation from the rest of the South, continued to raid and attack wagon trains, while Union forces at Fort Gibson attempted to intercept these raids and protect their supply line. Since the capture of Fort Smith and Little Rock in late 1863, the Arkansas River had been reopened to navigation but was no more secure than the wagon trains. In early 1864 a steamboat laden with supplies was intercepted by Watie's men downstream from Fort Gibson and destroyed. Wagons continued to be the primary means of supply, and escort-

ing the cumbersome trains across the plains continued to consume a large percentage of Phillips's manpower.

In an attempt to drive the Confederates away from their supply line, the Home Guards marched south to destroy the Confederate depot at Middle Boggy. In a sharp engagement on February 13, 1864, they scattered the defenders, killing forty-nine, and claimed to have driven the rest over the Red River into Texas. If they did, the defeated Confederates did not remain there long, and by April rebel forces were again operating along the Arkansas River and threatening the vital Union link with Kansas.⁵⁴

In late summer a force of over one thousand Confederates moved north out of Texas and began raiding Union haying parties on the prairie. On September 16 they surprised and overwhelmed 125 men of the First Kansas Colored Infantry, burned the mowing equipment, and allegedly murdered the regiment's prisoners.⁵⁵ Three days later, at the same crossing of Cabin Creek where a supply train had been ambushed the previous July, Confederate forces attacked a train of 205 wagons defended by 310 Home Guardsmen and 260 Kansas cavalymen. In the affair, known as the Second Battle of Cabin Creek, Confederates under Generals Watie and Richard M. Gano captured 130 wagons and their supplies, in what was certainly "the most serious disaster the Federal forces met with in the Indian Territory during the war."⁵⁶ However, the train was the only one of over twenty sent from May 1863 until April 1865 that failed to reach its destination. Without the vigilance of the mounted soldiers from Fort Gibson, Union forces could not have kept such an advanced outpost supplied and would have had to abandon Indian Territory to the Confederates.

While Union Indians were guarding the supplies coming from Kansas, unscrupulous contractors were rounding up all the loose stock in the territory and driving it to Kansas for sale to the government. These animals were the property of Indians serving in both the Union and Confederate armies but the contractors failed to recognize the distinction. In early July, Phillips reported the arrest of "nine men from Kansas, caught with a herd of stolen cattle." Phillips held the men for trial but could

52. Britton, *The Union Indian Brigade*, 321; Abel, *The American Indian as Participant*, 304; "Report of Maj. Gen. James G. Blunt, U.S. Army," October 19, 1863, in U.S. War Department, *The War of the Rebellion*, ser. 1, vol. 22, pt. 1 (1888), 689; and the service records of Charcahpanna, John Deerhead, John Steadham, Tahconthla, and Timischechee, CSR.

53. "Report of Capt. Alexander C. Spilman, Third Indian Home Guards," December 23, 1863, ser. 1, vol. 22, pt. 1, (1888), 782-83; and Record of Events for Company "C," CSR.

54. "Itinerary of the Indian Brigade," in U.S. War Department, *The War of the Rebellion*, ser. 1, vol. 34, pt. 1 (1891), 111-12.

55. Britton, *The Union Indian Brigade*, 439.

56. *Ibid.*, 444.



During the war over three thousand Indians, from among the refugees in Kansas and those loyal to the Union in Indian Territory, served in the Indian Home Guards. Like their white counterparts and other Indians fighting alongside Union and Confederate troops in several states, many died or were wounded. Indian soldiers are among the wounded pictured here, resting on Marye's Heights near Fredericksburg, Virginia, after having fought in the Battle of the Wilderness in May 1864. Photograph courtesy of the Library of Congress, Prints and Photographs Division, Washington, D.C.

not prevent the rustlers from despoiling the Creeks and Cherokees, whose lands bordered southern Kansas. Short of draft animals for the trains, the colonel advocated the purchase of animals from "our loyal Creek soldiers . . . who in turn would be able to support their families with the money." By late 1864 the Creek Nation had been "largely stripped of the herds that had constituted their main wealth before the war." Appropriations of Creek property and land began with the rustling raids and continued throughout the Reconstruction period. Both Union and Confederate Indians suffered under new treaties that supposedly "punished" the tribes for allying with the South, and granted huge right-of-ways across Indian Territory to two railroad companies.⁵⁷

57. Britton, *The Union Indian Brigade*, 431–32; Phillips to Curtis, March 7, 1864, 524–25; and Debo, *The Road to Disappearance*, 163, 165–67, 174–75.

In May 1865 federal authorities mustered out the First Indian Home Guards upon the expiration of its three-year term of service, temporarily ending the experiment of using American Indian soldiers in regular units. But the men had made meaningful contributions to the preservation of Union control in Indian Territory and had generally convinced their commanders of their ability. Upon assuming command of the Indian Brigade, Colonel Phillips had been concerned about the unit but later recorded, "The First Indian Regiment, which I had almost despaired of after it was added to my command, is now being drilled and taught every day, and is learning rapidly. They go through the common evolutions, by company or battalion, very creditably."⁵⁸

58. Phillips to Curtis, March 20, 1863, 166.

But the way they were led required further accommodation by army leadership and demonstrated successful Indian efforts to resist overbearing officers. "The government has to act towards them just [as] a goodnatured Father would towards a house full of small children," reported Warren Day, "to pet and flatter them you can do a great deal with them but to undertake to drive them you would get but little service out of them. From a company of stubborn unsubordinate [sic] men I have now got the best disciplined company in the Regiment and the most prompt to turn out for any duty or emergency."⁵⁹ While Day's paternalistic comments seem to describe white manipulation of Indian soldiers, they also provide evidence of the Indians' successful attempts to negotiate the terms of their service. When treated unfairly, they simply refused to accomplish any assigned task until they received better treatment and respect from their white leaders. General Schofield later observed that the same was true of most American troops. In addressing the 1879 graduating class at West Point, he cautioned:

The discipline which makes the soldiers of a free country reliable in battle is not to be gained by harsh or tyrannical treatment. On the contrary, such treatment is far more likely to destroy than to make an army. It is possible to impart instruction and give commands in such manner and in such tone of voice as to inspire in the soldier no feeling but an intense desire to obey, while the opposite manner and tone of voice cannot fail to excite strong resentment and a desire to disobey. The one mode or the other of dealing with subordinates springs from a corresponding spirit in the breast of the commander. He who feels the respect which is due to others cannot fail to inspire in them regard for himself. While he who feels and hence manifests, disrespect toward others especially his inferiors, cannot fail to inspire hatred against himself.⁶⁰

Both Day's and Schofield's comments reveal that, at its core, there was not much difference in leading Indian or white American troops in combat.

For their part, the members of the First Indian Home Guards left little evidence outlining their motivations for fighting, but the few instances are instructive. In 1864

Paskofa, one of the Indian lieutenants forced to resign his commission due to illiteracy, dictated a letter to President Abraham Lincoln from Neosho Falls, Kansas, and described the events that led to the decision to leave Indian Territory in 1861. According to Paskofa, Opothleyahola had reportedly insisted that he "would have nothing to do with the South," upon hearing of entreaties from Confederate General Albert Pike. Paskofa told John Jumper, a Seminole who agreed to help the South, that "we have made an agreement with the President, and . . . I would not break the law."⁶¹ A Seminole headman who took the name Billy Bowlegs, to honor the chief who had led the resistance to removal in Florida, wrote, "The South counseled us to go with them but we adhered to the old government. We do so still. The love of the country caused me to enlist in the U.S. Service, where I remain." As Bowlegs signed with an "X," his words may have been paraphrased or possibly embellished by his transcriber. The letters may provide evidence of a strong ideological attachment to the Union, but they might also be construed as attempts to play to white passions and secure additional aid for the refugees still in Kansas. One study has suggested that Indian service was not motivated by any real attachment to the Union cause, but was simply another attempt to preserve their way of life. If so, the effort was largely unsuccessful.⁶²

The First Indian Home Guards demonstrated once again that Indian auxiliaries could be valuable allies in warfare, but also that the army's commanders, and the nation they represented, were no longer willing to allow Indians the independence they had previously enjoyed. By enlisting Indians formally in regular units, the army attempted to bring them further under white control, but still had to make concessions to Indian demands and desires in order to secure their cooperation. Indian auxiliaries would again serve in regular units during the Plains Wars, but only under white officers and without all of the freedoms they had enjoyed in earlier campaigns. While some National

61. Paskofa to Abraham Lincoln, March 10, 1864, and Bowlegs to W. P. Dole, March 2, 1863, quoted in Kenneth W. Porter, "Billy Bowlegs (Holata Micco) in the Civil War, Part 2," *Florida Historical Quarterly* 45 (April 1967): 393. Porter erroneously believed that the famed Seminole Chief Billy Bowlegs had also served in the First Indian Home Guards. Evidence suggests that the man who served with the First Brigade was a second man who took the former's name to honor his predecessor.

62. In their book, Christine Schultz White and Benton White argue that Opothleyahola was simply attempting to preserve his people's traditional lifestyle against white encroachment. Christine Schultz White and Benton R. White, *Now the Wolf has Come: The Creek Nation in the Civil War* (College Station: Texas A&M Press, 1996).

59. Warren Day to Mary Day, November 28, 1863, Day Letters.

60. Donald B. Connelly, *John M. Schofield and the Politics of Generalship* (Chapel Hill: University of North Carolina Press, 2006), 173.

Guard units in future conflicts contained formations made up largely of Indian soldiers, by then they were completely subsumed into the larger army bureaucracy. In the First World War, the army deliberately followed a policy of distributing Indian soldiers across many units, in order to speed the acculturation process. The First Indian Home Guards, despite providing valuable service during the sectional conflict, represented the beginning of the end of an earlier pattern of Indian alliances and demonstrated that the reunited nation would no longer tolerate significant Indian agency in warfare.⁶³

It is not unreasonable to expect that Indian and Anglo-American methods of warfare, including organization, equipment and tactics, would eventually merge. As Wayne Lee found, “societies regularly at war with each

other tend to converge, although never absolutely, in their techniques and values of war, partly from military necessity and partly from mutual self-interest.”⁶⁴ Therefore, it is difficult to see how Indians would have been able to maintain separate military organizations and their relative independence forever, even when fighting alongside regular army formations. But they were able to do so for the first 250 years after English contact, including over 80 years of conflict with and alongside the United States Army. Only the forces of assimilation, represented first by the postwar move towards greater professionalization within the military establishment and culminating in the country at large with the Progressive-era reforms of the turn of the century, proved too powerful for either American Indians or the army to resist. [KH]

63. See Flint Whitlock, *The Rock of Anzio: From Sicily to Dachau, A History of the U.S. 45th Infantry Division* (Boulder, Colo.: Westview, 1998); and Lynn-Sherow and Ural, “‘How Cola’ from Camp Funston,” 86.

64. Wayne E. Lee, “Peace Chiefs and Blood Revenge: Patterns of Restraint in Native American Warfare, 1500–1800,” *Journal of Military History* 71 (July 2007): 703.