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"RELATIONS BETWEEN BLACKS AND SEMINOLES AFTER REMOVAL"

by

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Volume 2

CHAPTER 6

SEMINOLE SLAVERY IN THE 1850s

By 1850, relations between Seminoles and Blacks in the Indian Territory had reached a low ebb. The problems had their roots in the initiatives taken by General Thomas S. Jesup during the Second Seminole War and the policy adopted by the United States government in removing the Seminoles. To effect their speedy removal from Florida, Jesup had successfully divided the races and broken the military alliance between the Blacks and Seminoles by dealing with the two groups independently. While many of the Blacks had been promised their freedom if they would separate from the Indians and remove to the west, the Seminoles had been assured that they would be allowed to retain their "bona fide" slave property in the Indian Territory. After removal, Seminole suspicions that the Blacks had procured a good deal for themselves at the Indians' expense had found early manifestation in their attacks upon leading Black interpreters and, as time had gone by, the two groups had become increasingly independent, separated and estranged. The mutual interest and need that had characterized their earlier relations had been left behind in Florida and, in less than a decade, many Seminoles and Blacks had switched from being trusted allies to armed antagonists.

No one single factor had been more responsible for the decline in Seminole-Black relations during the 1840s than the United States' policy of uniting the Seminoles and Creeks in the Indian Territory. For a number of years after removal, groups of Seminoles and Blacks had refused to settle on their assigned Creek lands and had remained as virtual squatters in the Cherokee nation; fragmentary, dislocated, suspicious and fearful. With the 1845 Tripartite treaty, officially uniting the two tribes, the Seminole Blacks had become subject to Creek slave codes. Shortly after-

wards, the more militant Blacks had responded by disassociating themselves from the Seminoles and seeking refuge at Fort Gibson. Here they had remained for more than three years, claiming freedom under Jesup's emancipation proclamation, asserting their independence and depriving their Seminole owners of their labour.

In the late 1840s, the Creeks had sought increasingly to extend their laws regarding Indian-Black relations over the Seminoles in an attempt to rationalize the position of the Seminole Blacks within their society. At the same time, enterprising Lower Creek and white slaveholders had presented a whole series of obscure or fraudulent claims and had engaged in kidnapping ventures to procure Seminole Blacks for personal gain. The Seminoles, meanwhile, had become factionalized. While the conservative majority had favoured the retention of the old ways, the progressive leadership had come to be increasingly influenced by acculturated Lower Creek slaveholders and scheming whites and had attempted to exert greater control over the Black population. These developments had resulted in the exodus of the militant Seminole Blacks from the Indian Territory with Wild Cat's recalcitrant traditionalists. The removal policy of the United States and Jesup's initiatives had thus been largely responsible for dividing the Seminoles and driving a wedge between them and their Blacks. By late summer of 1850, most of the Seminole Blacks had chosen to risk the perilous journey across the Plains to an uncertain future in Mexico rather than remain associated with the Seminoles in the Indian Territory.

In the absence of reliable census statistics, it is impossible to state with any certainty exactly how many Seminole Blacks remained in the Indian Territory after the migrations of 1849 and 1850. A reasonable estimate can be made, however, by basing calculations upon what is known of the Seminole Black population before and after the exodus. Almost 500 Blacks had removed to the Indian Territory with the Seminoles between

1838 and 1843.[1] Of these, a small number had been sold out of the Seminole country while others had fallen victim to disease and death during and after removal. Clearly, N. Sayer Harris' estimate that there were 1,000 Blacks among the Seminoles in 1844 was far too high.[2] However, these losses seem to have been offset by natural increase and an infusion of free Blacks and runaways from the other slaveholding tribes, particularly the Cherokees and Creeks. General Matthew Arbuckle would appear, therefore, to have underestimated when he suggested that there were only 400 Blacks associated with the Seminoles in the Indian Territory in 1848.[3] It is fairly safe to assume that, on the eve of the Mexican migrations, the Seminole Black population numbered about the same as it had at the time of removal.

Of these 500 Seminole Blacks, some 280 tried to escape to Mexico in 1849 and 1850 and around 180 successfully made it across the border. Of the other 100, some were killed or sold into slavery by the Comanches but most were returned to the Seminole country by the Creek lighthorse. Thus some 220 Blacks associated with the Seminoles did not try to leave for Mexico and at least 60 others, and probably more, were returned to the Seminoles.[4] It can thus be estimated that around 300 Blacks were living among the Seminoles in the Indian Territory in the early 1850s. Once again, though sales reduced the population during the course of the decade, this seems to have been counter-balanced by natural increase and immigration so that the Seminole Black population remained at least constant and may, indeed, have been on the increase by the outbreak of the Civil War. The Seminoles forbade any census of their Blacks in 1860, fearing that enumeration would lead to more claims for their slaves from outsiders. An 1867 census of the loyal Seminoles, however, listed 335 Blacks.[5] Allowing, on the one hand, for an infusion of Blacks from the surrounding tribes and states and, on the other, for losses incurred during the Civil

War, one can safely estimate that there were around 300 Seminole Blacks in the Indian Territory in 1861.

The Seminole Indian population experienced a sharp reduction between removal and the Civil War. Due largely to disease and epidemics, the Seminole population declined by 60.95% in less than 20 years, from 4,883 at the time of removal to 1,907 in 1857. Between 1857 and 1860, owing mainly to an influx of Seminole immigrants from Florida and Mexico, their numbers increased by 37.91% to 2,630, yet the Indian population still showed a 46.13% reduction since the Seminoles' arrival in the Indian Territory.[6] If, indeed, the Seminole Black population was around 300 in the late 1850s, the ratio of Blacks to Indians would have been fairly high, as it was in the other slaveholding tribes, at about 1:6 or 1:7 in 1857 and 1858.[7] As was the case in Mexico, the Seminole Blacks were much less susceptible to smallpox, cholera, fevers and malaria than their Indian associates and seem to have been able to offset reductions in their population by natural increase with far greater facility than the Seminoles. The point would be proven emphatically after the Civil War. While the Seminoles only managed to avoid a severe decline in their numbers by intermarrying extensively with Creeks, the Seminole Black population increased at a prolific rate and almost tripled in the 40 years between emancipation and statehood.

The Blacks who were still living among the Seminoles in the Indian Territory after the exodus to Mexico were faced with a great many problems. Jesup's emancipation proclamation had been overruled by Attorney General Mason's opinion which had directed that the Blacks be restored to the Seminoles as slave property.[8] The Seminole Blacks were subject to Creek codes and could expect to become objects of slave claims and targets for speculators and kidnappers with no hope of further support from military officials. The Blacks had also lost most of their head men, and almost

all of the militants, to Wild Cat's confederacy. Gone were Gopher John, John Kibbetts, Dembo and Hardy Factor, Cuffy, and Jim Bowlegs and those who remained behind were left leaderless, fragmentary and disorganized. Gone too were most of their strongest supporters among the Indians and the progressives were now firmly in control of Seminole affairs. In view of what had transpired since the 1845 treaty, the Seminole Blacks could expect little sympathy from Jim Jumper and his followers. Since the transfer, some Seminole slaveholders had displayed their intention to seek compensation for the 3 years of lost labour by exerting greater control over their property. The Blacks, in turn, had remained fiercely independent and had totally refused to accede to the will of their owners, to the point of armed rebellion and defection. These developments forbode ill for the future of the Seminole Blacks in the Indian Territory.

Contrary to what might have been expected, however, the Seminole Blacks fared relatively well in the 1850s and certainly much better than most of the Blacks associated with the other slaveholding tribes. Although there was a greater likelihood of slaves being sold out of the Seminole country than before and slaves and free Blacks alike lived under the constant threat of being claimed or kidnapped by Creeks or whites, the quality of life of Blacks associated with the Seminoles remained comparatively high and they continued to enjoy a great deal of autonomy and independence and a large measure of control over their own destinies. The 1850s, in fact, witnessed at least a partial return to the situation that had existed in Florida and a re-emergence of many of the characteristics of the pre-removal Seminole Black experience.

There were four major reasons for this. First of all, the ethnic and historical experience of the Seminoles, which largely determined the course of their relations with Blacks, was fundamentally different to that of the other slaveholding tribes. Long after removal, they remained,

essentially, a nation of "uncivilized" fullbloods, holding fast to their traditional native tenets and practices. In consequence, they continued to practise the peculiarly liberal form of aboriginal Black slavery they had developed in Florida which was similar to the system employed by full-bloods of the Cherokee, Creek, Choctaw and Chickasaw tribes but in no way resembled the institution adopted by the mixed blood plantocracy. Secondly, though individual owners were becoming influenced by their more acculturated neighbours, the Seminoles, as a whole, remained fiercely independent, resisted claims from outsiders for their property and refused to exert Creek codes over their Blacks who continued to live among them with few formal restraints. Thirdly, it would appear that, in the absence of controls over Black mobility in the Seminole country, slaveholders responded to the threat of others running away to Mexico by imposing very few demands upon their Blacks in order to keep them in the Indian Territory. Finally, the Seminole Blacks greatly aided their own cause by adopting a more conciliatory attitude. Instead of provoking or confronting the Seminoles, they paid their small tribute, kept themselves to themselves, and worked at raising families, building homes and accumulating property.

Before going on to look at Seminole slavery and the Seminole Black experience in the Indian Territory during the 1850s, it is necessary to explore in greater detail the reasons why Seminole-Black relations took the course they did after the Mexican migrations. First of all, the Seminoles had the lowest instance of white intermarriage and were the least acculturated of the slaveholding tribes. During the antebellum period, as native customs went into decline due to both internal and external pressures, wealthy white and mixed blood slaveholding elites arose within the Cherokee, Creek, Choctaw and Chickasaw tribes, assumed positions of economic, social, political and cultural leadership, and came to direct policy regarding Indian-Black relations. This highly

acculturated plantocrat class instigated the adoption into the Four tribes of most of the essential elements of southern white civilization including capitalist economies, institutionalized slavery, constitutional governments, Christianity, education, sophisticated legal systems and severe Black codes. In contrast, the Seminoles experienced few of these changes affecting the other slaveholding tribes. Native traditions continued to be strong and their general lifestyle, government and institutions, including the system of Black slavery they employed, remained essentially primitive and aboriginal. By the time of the Civil War, the Seminoles could best be described as a nation of fullblood subsistence farmers governed by hereditary chiefs, and the least "civilized" of the Five Civilized tribes.

Whereas the initial European contact of the Cherokees, Creeks, Choctaws and Chickasaws had come through British merchants, traders and adventurers, that of the Seminoles had come through the Spanish colonists in Florida and this factor proved decisive in determining the course of their relations with Blacks. Generally speaking, the Spanish practised a milder, more liberal form of slavery than the British. They frequently allowed their slaves to live apart, retain arms and own property, and were not averse to using Black troops in warfare. This system was easier to accommodate within existing native conceptions of servitude than that of the British and the Seminoles were able to incorporate a modified version into their society without first undergoing the massive internal changes which necessarily preceded the adoption of institutionalized bondage by the other slaveholding tribes. The Blacks assumed the tasks formerly associated with Indian slaves, offering tribute and deference to the chiefs, and their separate settlements fitted easily into the Seminole confederacy. In time, they assumed positions of importance as interpreters, counsellors and intermediaries, became trusted allies, and ties of mutual affection came to bind the Indians and Blacks.

The pre-removal ethnic and historical experience of the Seminoles was very different to that of the Cherokees, Creeks, Choctaws and Chickasaws. The Seminoles were vehemently opposed to white intermarriage, to the point of having laws against it, and militantly resisted white interference in their affairs. In consequence, no mixed blood internal catalyst for change emerged within Seminole society and external pressures to accept elements of white civilization were successfully withstood by the fullbloods. Nativism continued to be strong and the tribe remained, essentially, unacculturated. Between 1810 and 1858, the Seminoles and their Blacks allied in opposition to white expansionism in Florida in three protracted wars against the United States and the main body was removed only after it had imposed great damage upon the financial resources and manpower of the enemy. Long after their removal to the west, the Seminoles continued to harbour grievances and resentment against the whites for the loss of their homeland and loved ones.

The story was much the same in the Indian Territory. There were three basic reasons for this. First of all, the tribe had a history of opposition to whites and did not quickly forgive its former adversaries or accept their civilization. White agents of acculturation, moreover, tended to ignore the hostile and problem-ridden Seminoles and concentrate their efforts on the more receptive members of the other slaveholding tribes. Secondly, the Seminoles continued to have a low incidence of white intermarriage. By 1860, there were only 35 whites living among the Seminoles in the Indian Territory[9] and there were so few mixed blood white-Seminoles included in the tribal population that they were almost certainly outnumbered by mixed blood Seminole-Blacks. Finally, the Seminoles experienced many problems in adjusting to life in the Indian Territory which hindered their advancement. As had been the case in Florida, frequent removals, fragmentation, isolation and factionalization precluded any sustained

effort at their acculturation. Between 1838 and 1860, groups of Seminoles settled, at various times, in the Cherokee nation, on both assigned and unassigned Creek lands and in their own country. The tribe was further disrupted by the militant Blacks' residence at Fort Gibson between 1845 and 1848, the defections to Wild Cat's confederacy in 1849 and 1850 and the immigration of recalcitrants from Florida and Mexico in 1858 and 1859. Leadership changes, opposition to the Creeks and tribal factionalism in the late 1840s and 1850s merely compounded the problems. The Seminole tribe was indeed an infertile area for the growth of acculturative influences during the antebellum period.

The result was that a mixed blood elite failed to emerge among the Seminoles before the Civil War and the fullbloods continued to predominate. The tribe remained, essentially, traditionalist and retained most of its native tenets and practices. Slave owners were almost invariably full-bloods who tended to cling to aboriginal notions of servitude and the economy, in consequence, remained primitive. The Seminoles, as a whole, persisted in showing little interest in the capitalist ethic and plantations, manufacturing industries and commercial agriculture failed to develop within the tribe after removal. Rather, they preferred to engage in subsistence farming on small acreages, raising corn, potatoes, rice, melons, pumpkins and beans, keeping cattle, hogs, horses and chickens, and producing modest surpluses for trading purposes. Some were living "solely by the 'hunt'" as late as 1846 and Marcellus Duval predicted that thereafter many would be completely dependent upon the chase for their livelihood. Not until 1857 could it be said that hunting had been reduced to a pastime.[10] With the exception of the hereditary chiefs and their relatives, wealth seems to have been fairly equally distributed among tribal members and Seminole society continued to be basically class-less. Pascofar, a slaveholding town chief, claimed only $4,726 compensation

for his property losses during the Civil War yet was considered "rich" by his compatriots.[11] No equivalent of a "Rich Jim" Vann, Benjamin Marshall, Pittman Colbert or Robert M. Jones emerged among the Seminoles before 1861.

Seminole slaveholders thus had no need for either the cheap labour force provided by institutionalized slavery or the rigid controls usually erected to preserve it. Due to the nature of the tribe's native philosophy and the strength of its cultural traditions, Black slavery never assumed the same connotations among the Seminole fullblood slave owners that it did among the mixed bloods of the other slaveholding tribes. Right up to the Civil War, they continued to practise their peculiarly Indian form of slavery, allowing their Blacks considerable freedom and independence.

Not only the tribal economy but also the lifestyle, government and institutions of the Seminoles remained primitive after removal. Few could speak English, Muskhogean continued to be the first language of the majority and there was no equivalent of Sequoyah's syllabary. Throughout the 1840s and 1850s, Black interpreters were used by both United States government and Seminole tribal officers in official capacities and were viewed by white missionaries as vital to the process of establishing communications with the Indians. Roads and bridges were few and of poor quality and travel was difficult in the Seminole country. Most of the tribe lived in rude log cabins with only the most basic of furnishings. The Seminole sub-agent reported in 1846,

> Their cabins are much better than those they have heretofore lived in... a stool or two, pestle and mortar, 'hominy baskets,' two or three pots or kettles, with 'sofky' spoons, and a beef hide in the corner, which serves as a bed.[12]

And in the late 1850s, the Seminoles again chose to construct log cabins in their "new country" further west after having achieved independence from the Creeks.[13] The majority continued to wear traditional dress and eat native food. Calico and skins were used extensively and the hunting

shirt, leggings and turban were generally preferred to the clothes of the white frontiersman. In the Seminole diet, native meat, vegetable and corn dishes - particularly sofky - predominated. Little interest was shown in the written word or white institutions and printing presses, tribal newspapers, museums, and improvement societies failed to emerge within Seminole society prior to the Civil War.

The two great pillars of white civilization, Christianity and education, which had been so eagerly embraced by the mixed bloods of the other slave-holding tribes, made little headway among the Seminole fullbloods. In 1845, the Presbyterian minister, Robert M. Loughridge, visited the Seminoles with a view to establishing a church within the tribe. Though welcomed by some, he was opposed by the majority who did not want the ways of white men, such as "schools, preaching, fiddle-dancing, card-playing and the like" brought among them.[14] A Baptist minister later recalled, moreover, that when James Factor, a leading slaveholder, council member and interpreter was converted to Christianity in the mid 1850s,

> The Seminoles were very indignant. Factor was arrested and brought before a large council. Some advocated that he be shot; others that he be expatriated; and others, that he be severely beaten and compelled to renounce Christianity.[15]

It was only through the machinations of his friend, Chief John Jumper, that Factor escaped punishment. One historian has even suggested that the Seminoles went so far as to enact laws prohibiting the preaching or practice of Christianity within the tribe.[16] As the native religion remained strong and prejudice against whites ran high, the path of the early missionaries to the Seminoles was clearly fraught with obstacles.

The Presbyterians, Methodists and Baptists were all active in the Seminole country between removal and the Civil War but their efforts met with little success among the Indians, the congregations being composed mainly of Blacks. John Bemo, a Presbyterian of Seminole extraction, was sent out from Philadelphia as a missionary to the tribe in 1843.[17] A year

later, however, his congregation included only "several Seminoles".[18] Bemo was joined in October 1848 by the Reverend John Lilley and his family and the Seminole mission was established at Oak Ridge, about 20 miles southeast of the future site of Wewoka, on Little River.[19] The mission was used mainly for school purposes, however, with only small congregations meeting for preaching on Sundays. In 1854, Reverend Loughridge held a meeting at Oak Ridge and received two native members into the first Seminole Presbyterian church. The following year, William Templeton of the Creek church brought another 20 Seminoles into the fold.[20] Reverend James Ross Ramsay was appointed missionary to the Seminoles in the early spring of 1856 and steady gains were made under his tutelage until the number of communicants peaked at 43, the most notable being Chief John Jumper who was converted in the winter of 1857-58. The Presbyterians were disrupted by having to remove further west following the 1856 treaty and never regained the numerical strength at their new "Prairie Mission" at Pond Creek, near Wewoka, that they had enjoyed at Oak Ridge. Unfortunately for them, John Jumper became a Baptist in 1860 and took with him "a large portion" of the Presbyterian congregation.[21]

The first Methodist congregation among the Seminoles included just 16 Indian members in 1848 and the minister, Reverend James Essex, reported considerable opposition within the tribe to his Little River Mission.[22] The first Baptist contact with the Seminoles came with the arrival of Joseph Smedley, a general Indian missionary of the American Mission Association, in 1842, but activity was confined almost solely to Blacks during the 1840s and 1850s and the Indians only began to take an interest in Baptism after Reverend Joseph S. Murrow arrived in January 1860. In the new Seminole nation, Murrow quickly established the Little River Station and, with the help of John Bemo, who had become a Baptist some years earlier, organized the first Seminole congregation at Ash Creek Church near

Sasakwa during early February. Seven members were initially received and two more were added the same day but, in spite of the Presbyterian defectors, the congregation had increased to only 30 by 1861.[23] At the outbreak of the Civil War, therefore, there were fewer than a hundred Christian Seminole Indians living in the Indian Territory.

During the period under consideration, the great majority of Seminoles were either not interested in or opposed to education and few received any schooling. From the time of removal until they became independent of the Creeks, the Seminoles had no tribal funds set aside for educational purposes and the establishment of the few schools which opened among them was totally attributable to the efforts and benevolence of Christian missionaries. Under the terms of the 1856 treaty, the Seminoles were to receive $3,000 annually for 10 years for the support of schools[24] yet, though their agent reported a year later than the council was "very much alive to the importance of the speedy establishment of schools", no public school programme was instigated and education remained in the doldrums.

The first school to operate among the Seminoles was opened by John Bemo at Prospect Hill, near the Creek agency, on 15 March 1844. Fifteen boys were initially enrolled[26] but the institution failed to flourish and in 1846 Duval reported that the tribe neither had nor wanted a school.[27] The following year, the Seminole sub-agent observed,

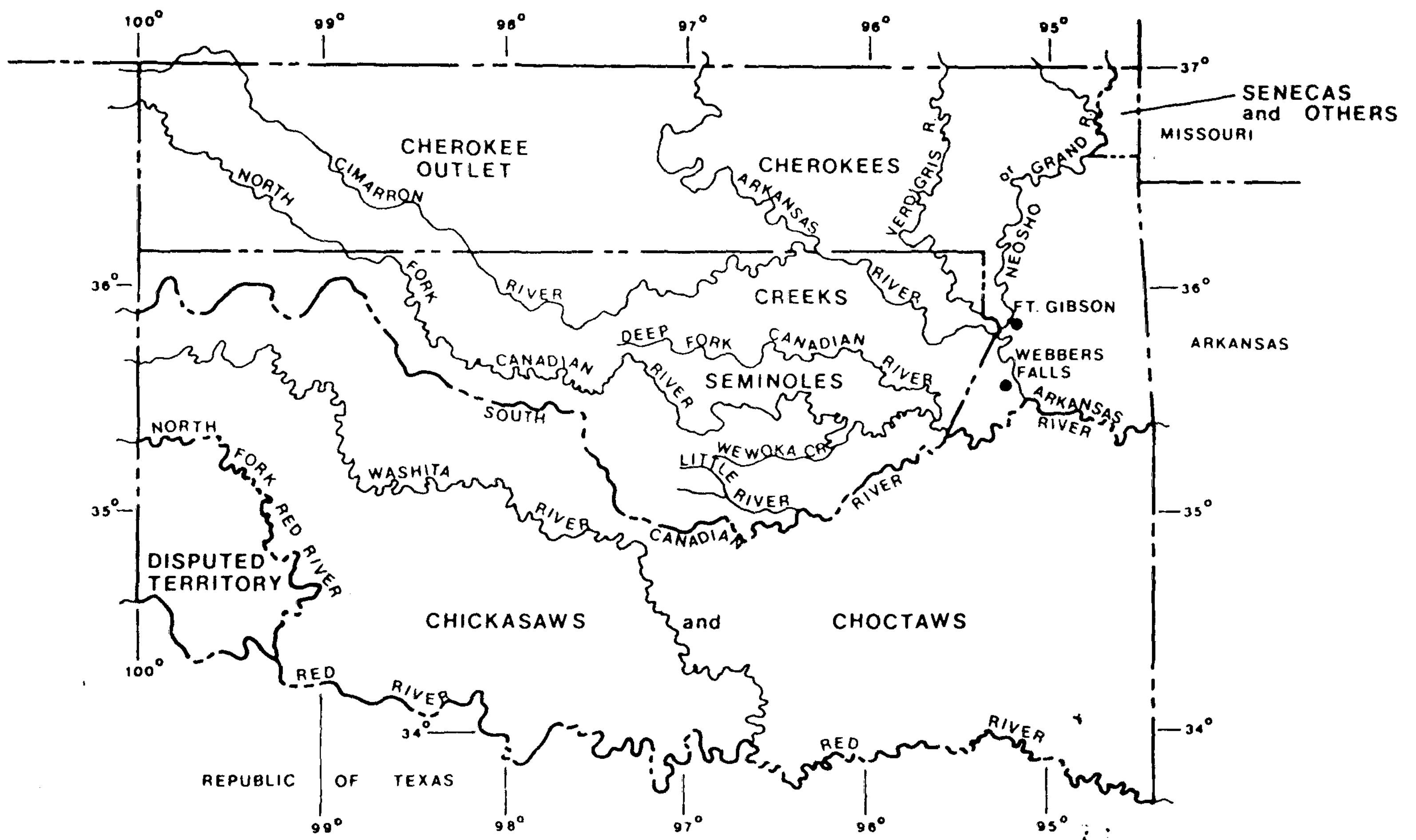
> The subject of education is thought about as little of, as if it was only intended for White people. They feel themselves, and desire to be considered, as decidedly beyond the pale of civilization, perfectly satisfied to walk in the 'footsteps of their predecessors,' showing, as far as mental improvement is concerned, a philosophy in being satisfied with their present state...[28]

Undaunted, John Lilley opened a second Presbyterian school, at Oak Ridge, in October 1849. This school, which was fashioned after the manual labour institutions operating in the other slaveholding tribes, accepted both boarders and day students and had an initial enrollment of eleven.[29]

Held in a small, one-room, log cabin, the Oak Ridge Mission School ran for 10 years and comprised the principal centre of learning in the Seminole country prior to the Civil War. Though Lilley was hopeful that his school would succeed, Duval remained sceptical, commenting in 1851, "There is little or no disposition among the Seminoles to have their children educated; if they are willing to send them to school, it is to have them clothed and fed".[30] Lilley's optimism proved to be unwarranted, as witnessed by the low enrollment at the school. The number of Seminole children attending Oak Ridge rose by just two in four years, from 17 in 1853 to 19 in 1857, and peaked at a mere 22 in 1859.[31] The efforts of the Methodists and Baptists also met with little success. Just 15 students were in attendance at the Methodist school at the Little River mission in 1848[32] and when Murrow's daughter, Clara, opened a Baptist neighbourhood school near the Ash Creek Church in 1860 she could attract only "several children" to its sessions.[33] Throughout the period, the Seminoles remained an uneducated and illiterate people, largely unversed in the machinations of white civilization.

Unlike the other slaveholding tribes, the Seminoles adopted neither a constitution nor written laws after removal and consequently failed to develop a strong, centralized, democratically elected government, sophisticated legal systems or law enforcement agencies prior to the Civil War. As no mixed blood elite had arisen to promote the incorporation of the democratic process, the two most basic and dynamic units in Seminole society, the town and the clan, continued to predominate. In consequence, the Seminoles remained content to practise their loose, confederate form of government under hereditary chiefs.

Though technically subject to the Creek national council for much of the period, the Seminoles actually continued to manage most of their own affairs. Following the 1845 treaty, the Seminoles settled in 25 towns,



MAP 2: The Creek-Seminole Country 1845-1856

Taken from, Daniel F. Littlefield Jr., Africans and Seminoles: From Removal to Emancipation (Westport, Connecticut and London, Greenwood Press, 1977).

each having its own hereditary governor and local laws. The main tribal officers were the principal chief, who derived his political power from matriarchal descent rather than the will of an electorate, and an executive council which again was selected by lineage rather than merit. The Seminole national council was composed of the town leaders and had the power to pass laws for all the tribe.[34] In practice, however, it was an impotent body and the towns held most of the real political power in the tribe. The Seminoles had no written laws,[35] no court system or justices, and no enforcement agencies. In cases of national importance, the Seminole council served as both judge and jury. Behaviour was seen as essentially an ethical question beyond the pale of written rules of conduct and the few deterrents the Seminoles employed to control crime were mostly restricted to the local level. In keeping with their philosophy, the Seminoles developed few rules to regulate the behaviour of their slaves and had no equivalent of the Black codes operating in the other slave-holding tribes. Several earlier laws, in fact, were designed to benefit the slave community by prohibiting both the sale of Blacks out of the Seminole country and the breaking-up of their families. Seminole Blacks do not appear to have been treated unequally before the law and, on several occasions, the Indians found it impossible to enforce their laws in the almost autonomous Black towns.

After achieving independence from the Creeks in 1856, the Seminoles had their greatest opportunity to create a centralized, federal government. In the summer of 1859, the tribe held a general council in which was discussed the possibility of establishing a national government similar to those functioning in the other slaveholding tribes. As the Seminoles had no funds set aside for such purposes, the progressives wanted U.S. officials to withhold from their annuities, and turn over to the headmen, a sum sufficient to meet the expenses of the new government. Stress was

placed upon education, the progressives favouring the setting up of a national manual labour school with funds accruing from the Tripartite treaty. Also suggested were the establishment of a lighthorse company to enforce national laws, the creation of other paid national offices, and making the chief executive and council membership salaried position. Not surprisingly, these propositions failed to be approved due to the conservatism of the traditionalist majority who preferred, the agent observed, "their former habits and customs".[36] As late as the eve of the Civil War, therefore, the Seminole tribe, as a whole, lacked the level of acculturation and political maturity necessary to instigate the massive changes the progressives were advocating and chose, instead, to cling tenaciously to its ancient and primitive governmental system and institutions.

In view of the overwhelming differences between their antebellum experience and that of the Cherokees, Creeks, Choctaws and Chickasaws, it could well be argued that the Seminoles did not deserve to be classified as one of the Civilized tribes before 1861. In contrast to the other slaveholding tribes, the Seminoles were a nation of traditionalist full-bloods either not interested in, or opposed to, acculturative influences. Though they were sedentary town dwellers and slaveholders, their economy, general lifestyle, political system and institutions remained primitive, and nativism continued to predominate. Nowhere were the differences between the Seminoles and the Cherokees, Creeks, Choctaws and Chickasaws more apparent than in the system of servitude practised by the majority of the tribes' slaveholders. Seminole slavery in the Indian Territory retained most of its aboriginal characteristics and in no way resembled the institution adopted by the mixed bloods of the other slaveholding tribes.

Contemporaries were quick to point out the differences between the Seminoles and their more "civilized" Indian neighbours. In their correspondence and reports, the agents, superintendants and commissioners of

Indian affairs frequently listed the progress being made by the Cherokees, Creeks, Choctaws and Chickasaws and then either gave the Seminoles a brief mention, stressing their problems and lack of advancement, or ignored them completely. Somewhat typical is the Commissioner's annual report for 1854 in which he first praises the achievements of the Four tribes and then describes the Seminoles as being "ignorant, more or less debased, idle and addicted to dissipation".[37] John W. Barber and Henry Howe, in their mammoth 1861 history of the U.S., lauded the progress being made in "the arts of civilization" by the Four tribes but failed to even mention the Seminoles in this context.[38] The _Southern Literary Messenger_ made it perfectly clear: for an Indian tribe to be considered civilized it had to have adopted "The Peculiar Institution". Significantly, the system of slavery employed by the Seminoles was so unlike the "_Southern Institutions_" incorporated by the other slaveholding tribes the _Messenger_ did not consider them worthy of being categorized alongside the Cherokees, Creeks, Choctaws and Chickasaws as a Civilized tribe.[39]

Thus, the Seminoles' retention of native practices was the main reason why Blacks associated with the tribe fared so well in the 1850s. A second reason was that, although they were technically a constituent part of the Creek tribe for most of the period, the Seminoles acted independently and refused to apply Creek codes to their Blacks. Seminole opposition to the 1845 treaty and Creek hegemony was reported by Duval in 1847[40] and this proved to be one of the chief reasons behind the defections to Mexico in 1849 and 1850. The departure of the recalcitrants in no way weakened the resolve of the tribe to manage its own affairs, however. The Seminoles who remained behind continued to assert their independence and, as early as 1851, Duval portentously noted "their unwillingness to submit to Creek laws or Creek authority".[41]

With the removal of the scheming Duval from the sub-agency in the

fall of 1852, the death of the white-influenced progressive Jim Jumper soon afterwards and the accession to the principal chieftainship of his brother, the then more traditional, John Jumper,[42] the Seminoles became more vehement in their opposition to the Creeks. One of the main problems was that the Creeks continued to interfere with their Blacks. In his annual report for 1853, the new Seminole sub-agent, Bryan H. Smithson, wrote,

> Their unwillingness to submit to Creek laws or Creek authority, still continues, and there is at present the appearance of a difficulty between them and the Creeks in regard to the right of trial of some negroes belonging to the Seminoles. The Creeks claiming the right of having the matter investigated by and through the Creek council, whilst the Seminoles claim the right of settling the same by their own laws.[43]

Feelings ran so high that, after 1853, the Seminoles, believing that they constituted too small a minority to influence its decisions, stopped sending representatives to the Creek council and deprived those choosing to live among the larger tribe of a share in their annuities.[44]

Throughout the period of their unification with the Creeks, the Seminoles sought to determine the course of their relations with Blacks independently. They refused to apply the Creek codes to their Blacks and allowed them to live appart, with few restraints, and own arms, live-stock and other property, all of which were prohibited by Creek law. This proved to be a constant source of friction between the two tribes punctuated, on the one hand, by Creek attempts to enforce their laws and dispossess the Seminole Blacks and, on the other, by armed resistance on the part of the Seminoles and their Black associates. The Blacks were the main beneficiaries of the Seminole policy of independent action.

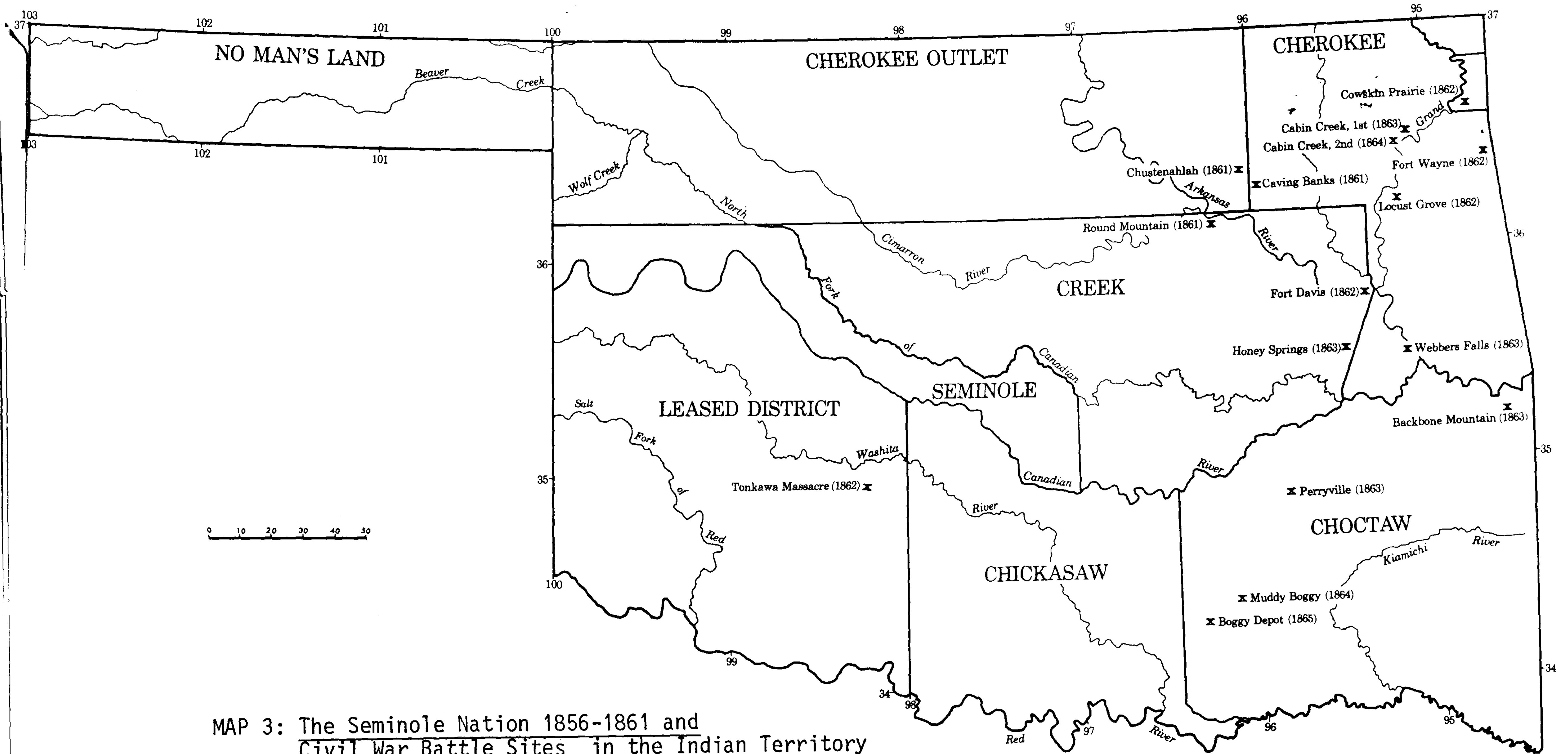
Due largely to the continuing and escalating slaving activities of individual Creeks pursuing dubious or fraudulent claims to Blacks living in the Seminole country, matters came to a head in 1855. In that year it was reported that, as they no longer had a voice on their councils,

the Seminoles did not consider themselves bound by the Creeks' laws which were seen as "domineering, unequal and unjust".[45] The question of the Seminole Blacks remained a major problem as the Creeks sought to subject the Seminoles to their will and the Seminoles reserved the right to decide all claims to Blacks associated with them independently, ignoring the findings of the Creek council in such matters. The Seminoles, it was observed, took delight in defying or evading the laws of the Creeks "as often as possible"[46] and thus were "practically without government or law".[47] By 1856, it was plain to see that the unification of the Creek and Seminole tribes was no longer viable.

Arrangements were made for treaty negotiations to take place in Washington D.C. and Creek and Seminole delegations were sent to the city in the spring of 1856. During the ensuing discussions, the Seminole delegation focused attention upon one of the tribe's major concerns when it requested, in part,

> That a plan be agreed upon, in the present convention, whereby all contested claims for negroes, or other property, between the Seminoles and Creeks, may be clearly, satisfactorily and finally adjusted, agreably [sic] to both parties.[48]

There was, in fact, no need for such a provision to be included in the treaty which eventually emerged on 7 August 1856.[49] On that date, the Seminoles finally regained their political and territorial independence, and the right to manage their own internal affairs. Under the terms of the treaty, the Creeks ceded to the Seminoles over two million acres of land, between the North Fork and the South Canadian, to the west of where they were then settled,[50] in return for a payment of a million dollars from the United States. The Seminoles were to remove to their new domain as soon as was practicable and would there constitute an independent, sovereign nation with the "unrestricted right of self-government, and full jurisdiction over persons and property" within its boundaries. The tribe would have its own agency and receive funds for educational purposes, agricultural assistance,



MAP 3: <u>The Seminole Nation 1856-1861 and Civil War Battle Sites in the Indian Territory</u>

Taken from Morris, John W., Goins, Charles R. and McReynolds, Edwin C., <u>Historical Atlas of Oklahoma</u> (Norman, University of Oklahoma Press, 1976).

the support of blacksmiths' shops and per capita payments in the form of annuities. For the first time, provision had been made for the establishment of a separate, clearly defined, Seminole nation in the Indian Territory.

The 1856 treaty must have come as a considerable relief to the Seminole Blacks who stood to benefit greatly from its stipulations. For the last 11 years, they had been subject to Creek codes and, though these had not been in operation in the Seminole country, the Creeks had retained the right to enforce them if they so chose and, on several occasions, had attempted to do so. Because of their geographical proximity to the interested parties, the Blacks had also lived under the constant threat of being fraudulently claimed and carried off, or kidnapped, by Creek slave hunters. The Tripartite treaty finally placed the Seminole Blacks outside the pale of Creek jurisdiction and actually encouraged them to remove further west, away from their potential enemies. From that point on,they would be subject only to Seminole law and they and the Seminoles could determine the course of their future relations independently and without fear of Creek interference. Unlike the Chickasaws who adopted many of the laws of the Choctaws after their separation from the larger tribe in 1855, the Seminoles did not copy the Creek codes after they had gained their independence and their Black associates continued to enjoy at least as much freedom and independence as they had formerly.

The Creeks continued to exercise jurisdiction over those Seminoles and Blacks who did not remove to their new country after the treaty. In the late 1850s, the Creek codes became increasingly severe and, in 1860, renewed difficulties, arising from "the stringent exercise of the Creek laws over the Seminoles and their property", were reported. Significantly, the Seminole agent predicted that this would provide the stimulus needed for those remaining behind "to move and settle in their own country" once they had gathered their crops.[51] Sharing the sentiments of their com-

patriots who had removed a little earlier, these Seminoles and Blacks were no longer prepared to live under the yoke of Creek oppression and were determined to control their own destinies.

The third reason why the lot of the Seminole Blacks continued to be better, on average, than that of most Blacks associated with the other slaveholding tribes resulted from the response of Seminole slave owners to the problem created by the establishment of Wild Cat's confederacy. Throughout the 1850s, rumours continued to abound that more Blacks were prepared to leave for Mexico and these reached a peak during periods of intense activity by Creek and white slave hunters. In the fall of 1854, for example, at the height of a disputed claim involving a great many Seminole Blacks, reports circulated that a large number planned to run away the following spring to either Mexico or Canada and military officials made ready to prevent their escape.[52] There were few restrictions upon Black mobility operating in the Seminole country. In view of this, some owners occasionally responded to the threat of further defections by selling their slaves. This was unusual, however, and most seem to have employed persuasion rather than coercion to keep their slaves in the Indian Territory. Rather than trying to exert stricter control over the Black population after the Mexican migrations, the Seminoles chose, instead, to demand little of their slaves and allow them to control most facets of their daily lives. Because of the absence of institutionalized slavery and systematic controls, Seminole slave owners, in effect, had little choice but to resort to such measures in order to keep their holdings intact. Once again, the Blacks benefitted greatly from the strength of the tribe's cultural traditions.

Fourth and finally, the Seminole Blacks who remained behind in the Indian Territory tended to be more pacific than those who had left for Mexico and this greatly facilitated the re-establishment of much of their

former relationship with the Seminoles during the 1850s. The militant supporters of Gopher John had used Jesup's emancipation proclamation as a springboard to unqualified freedom. For three years they had defied the will of their owners by taking up residence at Fort Gibson and, upon being returned to the Seminoles as slave property, they had entered into an alliance with the recalcitrant traditionalists in opposition to the Creek and white influenced progressive leadership of the tribe. In the late 1840s, these militants had adamantly refused to subject themselves to greater control, had continued to assert their right to independence and had been prepared to protect it by force of arms, if necessary. When the situation had deteriorated still further at the end of the decade, most had chosen to quit the Indian Territory for Mexico with Wild Cat's conservatives. They had risked the perils of the Plains for the promise of liberty in an unknown and dangerous land. In short, the militant Seminole Blacks had been prepared to die for their freedom.

Once they were settled in Mexico, the supporters of Gopher John had to repel incursions by white slave hunters and Indian raiders and overcome a hostile terrain in order to survive. They fiercely defended their hard-won freedom, lived apart from the Seminoles, thought of themselves as a separate group, and acted independently under Black leadership. Not surprisingly, they were actively opposed to any re-establishment of slavery, no matter how qualified, and were unwilling, even, to accept the overall authority of the Seminoles. This inevitably led to friction and altercations between the two groups and eventually resulted in their going their separate ways in the late 1850s. The militants preferred the uncertainty of life on the Texas-Mexican frontier to the certainty of slavery in the Indian Territory and would only consider returning to the Seminole country after slavery had been abolished. These Blacks were truly freedom-fighters, in the classic sense of the word.

In contrast, the more moderate Seminole Blacks were not prepared to go to such lengths to gain their freedom. Most had not removed to Fort Gibson in the mid 1840s but had stayed among the Seminoles on Elk Creek, the Deep Fork and Little River. These Blacks had continued to live in much the same way as they had formerly, the slaves raising crops and livestock and offering their small tributes to the chiefs, and the free Blacks subject to few restraints. They had preferred not to openly defy the Seminoles by pressing for their freedom and asserting their independence but to comply with the few demands made of them. During the 1850s, the moderates would continue to pursue this policy of compliance and derive substantial benefits from its results.

In view of the lack of restrictions on Black mobility and the absence of an effective police force in the Seminole country, it seems clear that most of the Seminole Blacks who remained behind after the Mexican migrations had chosen to do so. These people were not prepared to face the possibility of re-enslavement under whites or death at the hands of hostile Indians en route to the mere promise of freedom in a strange and distant country. Better the devil they knew. They fully realized that they could do far worse than a life of slavery among the Seminoles. Consequently, while the militants refused to obey the Seminoles in Mexico, the moderates living in the Indian Territory continued to comply. These Blacks were tired of wars, removals, trauma and insecurity and, during the 1850s, they attempted to return to some sort of normal lifestyle by building farms and raising crops and herds. If peace and stability could be secured through the payment of a tithe to their Indian owners, so be it. The policy paid dividends. The Seminoles continued to demand little of their slaves and generally left the Blacks to their own devices.

Having looked at the reasons behind the developments which took place in Seminole-Black relations after the migrations to Mexico, attention can

now be focused upon the system of slavery operating among the Seminoles during the 1850s. Let it be stressed at the outset: in order to fully understand why Seminole slavery assumed the form it did, one must first appreciate who actually owned or controlled the tribe's Blacks. Three important conclusions relating to slave ownership can be drawn from the available evidence. First of all, there were relatively few slaveholders among the Seminoles; secondly, what few there were were almost invariably fullbloods; and finally, the great majority of these were either chiefs or their descendants. Thus, most tribal members had no direct interest in slavery and those that did were held in check by their ethnic background and the strength of Seminole nativism. Most of the largest Seminole slaveholders, in fact, were hereditary chiefs, the very people expected to display the greatest diligence in guarding and preserving the tribe's cultural traditions.

Seminole slave ownership was largely determined by the tribe's native customs. A Seminole's allegiance lay first with his clan, then with his town and finally with the tribe as a whole. This was clearly reflected in the way Seminoles bequeathed and inherited slaves. Every effort was made to retain the owner's Blacks and other property within his, or her, matriarchal clan and this resulted in a fairly complex system of inheritance. When he died, a male slaveholder's Blacks would generally pass not to his children but to his nearest clan relatives, that is, his sister's offspring. If he lacked such nephews and nieces, his property might pass to a sister, a maternal aunt or her offspring, a child of a son by a female member of the clan or, occasionally, a brother or maternal uncle but rarely their issue. Female slaveholders could simply leave their Blacks to their children but if they died without issue their property would also pass through the maternal line to their closest clan relatives. Billy Bowlegs furnished a good example of the system in April 1850 when

he asked that his slaves be given to the nieces of his "poor brother Holatoochee" after he died.[53] In such ways, substantial numbers of Blacks passed into the hands of Seminole women. Prominent among Seminole slave-holders of the post-removal period were Nelly Factor, the niece of Black Factor, a former Creek chief and member of Mulatto King's, or Walker Pachassee's, town on the Appalachicola in Florida;[54] Mah-pah-yist-chee and Mah-kah-tist-chee, or Molly, the grand-daughters of the Mikasuki chief Kinhijah;[55] and Harriet and Eliza Bowlegs, the descendants of the late Principal Chief King Bowlegs and the relatives of Billy Bowlegs.[56]

The Seminole custom of retaining property within the clan had two important effects on slave ownership. First of all, it complemented the system of matrilineal descent and was the means by which hereditary chiefs retained the slave property of their predecessors. In general, Seminole chiefs were succeeded by the same nephews that inherited their Blacks. Descent and inheritance, therefore, worked hand-in-hand to preserve the leadership positions, propertied interests and economic and social hegemony of the tribe's chieftain elite. Secondly, while the ties linking male Seminole heirs with their inherited Blacks were generally strong, those between female heirs and their inherited slaves were frequently weak. Seminole slavery continued to be associated with leadership and status and, while this was of great importance to male heirs, it was less relevant to women, particularly those without male issue. Hence, evidence suggests that, whereas male heirs tended to retain their slaves, female inheritors were fairly likely to either sell or manumit their Blacks. These two factors had a great bearing on developments in Seminole-Black relations after removal.

Most of the Seminoles' slaves were either owned or controlled by the chiefs and tribal mechanisms worked to keep it that way. If a slaveholder died without heirs, his Blacks would most often revert to

the town or, more accurately, the town chief. The Seminoles also employed a system of guardianship whereby Blacks were given over to the protection of chiefs if the heirs were minor, infirm, or incompetent. During their period of guardianship, the chiefs had complete control over their wards' property and some occasionally chose to abuse the privilege by selling their Black charges for personal gain. Because of the strength of their control, guardians were frequently referred to, by U.S. officials, Indians and Blacks alike, as being the actual owners. For all practical purposes, however, it made but little difference if the person controlling the Blacks was their owner or guardian. Sometimes, such protectorship lasted for many years and, if the ward died without issue, the guardian eventually assumed the right of ownership. Generally, the guardian selected was the town chief but if the person seeking a guardian happened to be a town chief, as was frequently the case, the position usually fell to the principal chief. Thus, for example, it was said that Micanopy owned only one slave of his own but acted as guardian over many others.[57] In this way, the town chiefs and principal chiefs retained either ownership rights to, or control over, a large percentage of the tribe's Blacks. In Muskhogean, the title of "Micco" signified chieftainship. Included among the ranks of the most prominent Seminole slaveholders and guardians after removal were Micco Nope or Micanopy, Miccopotoke, Micco Michuassar and Hemha Micco, the latter two being better known as the principal chiefs Jim and John Jumper.

Statistics relating to Seminole slave ownership clearly reflect the continuing strength of nativism within the tribe. The great majority of Blacks were either owned by, or under the guardianship of, a small, elite group composed of hereditary principal and town chiefs, their immediate relatives and their descendants. Due to the tribe's matriarchal system of inheritance, moreover, many Blacks owed their allegiance to Seminole women.

In the summer of 1845, 299 Seminole Blacks were named in conjunction with the emancipation proclamation delivered by Jesup in 1838.[58] The resultant list provides a fairly representative cross-section of the Seminole Black population at that time. Sixteen of the 299 were either free or owned by unknown or unspecified individuals. These have been discarded, leaving behind a sample of 283 Seminole Blacks listed as having specific owners. The 283 Blacks were owned by 16 individuals. The 7 largest slaveholders, or guardians, listed in the sample, however, accounted for 238, or 84.10% of them. These included Micanopy with 79 Blacks, Nelly Factor with 51, Billy Bowlegs with 45, Miccopotokee with 23, Holatoochee with 18, Harriet Bowlegs with 11, and the town chief Charley Emarthla also with 11. Thus, each of the 7 was either a chief or the relative or descendant of one, and two of the largest, Micanopy and Billy Bowlegs, who were the owners, or guardians, of fully 43.81% of all the slaves in the sample, were the respective principal chiefs of the Seminoles in the Indian Territory and Florida after the main removals. Miccopotokee was the nephew of Kinhijah and acted as guardian for the chief's two granddaughters, Mah-pah-yist-chee and Molly. If the 23 Blacks under his protection are added to those held by Nelly Factor and Harriet Bowlegs, it emerges that a further 85 Blacks, or 30.03% of the sample, were owned by Seminole women. Molly, in fact, claimed, in July 1850, to be the owner of 79 Blacks "besides many infant children",[59] a figure that would have made her the largest slaveholder in the tribe at that time.

Information compiled under the auspices of the Dawes Commission during tribal enrollment at the turn of the century casts additional light on the makeup of Seminole slaveholders.[60] If applicable, the Blacks were asked to name their former owners. Excluding the new-borns, who obviously were not affected by slavery and were categorized separately, 857 Seminole Freedmen were enrolled by the commissioners. Of these, 164 were born before,

or during, 1865 and were therefore eligible to have been slaves. Fifty five of them either did not specify an owner or were born free, however, and these have been excluded from the sample leaving, for analytical purposes, 109 listed as having had a specific owner.

The 109 Seminole Freedmen in the sample claimed to have been owned by 34 separate invididuals.[61] The 3 largest slaveholders, however, accounted for 57, or 52.29%, of them. These included John Jumper with 25 slaves, Eliza Bowlegs with 19, and Billy Bowlegs with 13. Other principal chiefs listed as owning slaves included King Bowlegs, King Payne and John Chupco who held 4 Blacks between them. If these are added to those owned by the 3 largest slaveholders, it emerges that Seminole principal chiefs and their descendants were responsible for 61, or 55.96% of the Blacks in the sample. Three owners of 7 Blacks, moreover, were acknowledged as having been Creeks. If these 7 are excluded from the calculations, the share held by the chiefs jumps to almost 60%. This leaves 41 Blacks claiming 25 different owners. While some of the owners are recognizable as Seminoles, others, though not acknowledged as such, were clearly of Creek, Cherokee or white extraction, while others are unidentifiable. Significantly, however, if 20, or less than 50%, of the remaining Blacks had been owned by non-tribal members, the share of Seminole-owned Blacks held by the principal chieftain elite would have been around 75%. Evidence gathered from a number of sources strongly suggests that several of the slaveholders named were not of Seminole extraction. The figure of 75%, therefore, does not appear unreasonable and is probably fairly accurate. It should be borne in mind, also, that this figure does not include the holdings of town chiefs and their posterity. Clearly, these figures support the contention that the great majority of the Seminoles' slaves were held by a small, elite, group composed of tribal leaders and the descendants of chiefs.

A second example has been produced from information pertaining to the

mothers and fathers of enrolled Seminole Freedmen who were said to be citizens of the tribe but were not included in the rolls. Most of these were deceased while some were said to be living but, for reasons such as residence elsewhere, were not enrolled. Whenever possible, however, information about them, including the names of their former owners, was furnished in the enrollees' census card. Of necessity, the information furnished on unenrolled Seminole Freedmen was almost invariably gathered from second-hand sources and is, therefore, far less reliable than that pertaining to enrollees which was usually given first-hand. Consequently, it should be treated with a great deal of caution and weighed against other, more reliable, evidence.[62] Nevertheless, the resultant sample is useful in that it provides supplementary evidence closely supporting the findings among the enrollees.

Thirty-five specific former owners were listed for the 156 unenrolled mothers and fathers who were said to be Seminole citizens. Once again, the 3 largest slaveholders were Eliza Bowlegs with 36, John Jumper with 24, and Billy Bowlegs with 12, and their combined holdings accounted for 46.15% of the entire sample. Other principal chiefs listed were King Payne with 6 Blacks, King Bowlegs with 4, and Micanopy with 2. "Pin" Bowlegs, who may have been either King Bowlegs or Billy Bowlegs, was listed as having 3 while both Eliza and Billy Bowlegs were cited as the owner of one particular Black. If these are added to those of the 3 largest slaveholders, the share of the principal chieftain elite rises to 56.41%, which is very close to the 55.96% it held among the enrollees. Six owners of 20 other Blacks in the sample were acknowledged as Creeks. If these Blacks are excluded from the calculations the share of the elite rises to 64.71%. The other 48 Blacks in the sample were owned by 22 different individuals but, again, many of the latter were clearly not of Seminole extraction. If just 19, or less than 40%, of the remaining 48 Blacks

had been owned by non-tribal members, which would again appear reasonable, the share of Seminole-owned slaves held by the principal chiefs and their descendants would, once more, have been around 75%. Thus, these figures would seem to support the conclusions drawn from the more reliable sample of enrollees.

A profile of a typical Seminole slave owner, which stands in stark contrast to that of one among the other slaveholding tribes, emerges from these statistics. Whereas a Cherokee, Creek, Choctaw or Chickasaw slaveholder could be expected to be a wealthy, mixed blood, plantocrat or industrialist, a Seminole slave owner was usually a fullblood farmer with few material assets beyond his slave property. A typical slaveholder of the Four tribes wore white dress, was educated and Christian, spoke English, and lived in elegant style in a large house surrounded by improvements. A typical Seminole slaveholder, meanwhile, wore native garb, was uneducated and non-Christian, spoke Muskhogean, and lived in a barely-furnished, crude, log cabin with a small garden. The Cherokee, Creek, Choctaw or Chickasaw slaveholder was usually a member of the new capitalist order that had emerged within the tribes. Institutionalized Black slavery was viewed as both the key to individual success and an integral part of the overall system and he had promoted its incorporation, preservation and expansion within the tribe. In contrast, the Seminole slaveholder was typically a member of the traditional ruling elite and, as such, was expected to preserve the tribe's native practices and oppose the type of changes which facilitated the adoption of institutionalized Black slavery by the other slaveholding tribes. The Seminole slaveholder held on to a world-view which demanded that bondage retain its aboriginal connotations. Thus, his course of action was largely determined by his traditional philosophy, the strength of native practices within the tribe, and his position as custodian over them. In short, there was a world of difference between a Micanopy, or a Billy Bowlegs,

and a Robert M. Jones, or a Benjamin Marshall and this goes a long way towards explaining why Seminole slavery assumed the form it did.

There was a basic division within the ranks of Seminole slave owners between the staunch conservatives and those who were less traditional in their approach to Blacks. The difference came not in their employment of slave labour, for the system of tribute and deference appears to have been universal, but in their attitude towards selling Blacks outside the tribe. All Seminole slaveholders were aware of the concept of personal property and were prepared to defend their rights as owners. For all practical purposes, however, they could exercise precious little control over their Blacks and the latter amounted to little more than intangible assets. Seminole slave owners were thus faced with the problem of whether they should sell their Blacks, in order to secure the highest returns from their property, or retain them, as was traditional, and it was here that the split took place.

The more conservative slaveholders, epitomized by the recalcitrant traditionalist Bowlegs' group, were extremely loathe to sell their Blacks. The ties that bound these owners with their slaves were almost invariably strong, spanning many years, and were based on their shared history, joint alliance and mutual affection. Though they derived little material benefit from their property, these individuals attached great importance to the fact that they were slave owners and tended to keep their Blacks. Even when the ties appeared to be weak, such as when they assumed the role of guardian or the owners were female inheritors, the conservatives generally retained their traditional approach and refused to sell. Harriet Bowlegs, for example, held on to her Blacks throughout her lifetime and emancipated them at her death, thus becoming the leading manumittor among the Seminoles. Significantly, the philosophy of the conservatives included the notion that their slaves were, above all, Seminole Blacks and should continue to be associated

with the tribe.

In contrast to the conservative slaveholders were those who had weaker ties with their Blacks. This group included members of, what can loosely be termed, the progressive faction, epitomized by the Jumper brothers, who owned few slaves of their own but acted as guardians over many others, and the less traditional female inheritors. Generally speaking, these individuals had either acquired their property fairly recently, were acting as guardians, or were women who had inherited their slaves from a distant relative. Thus, they had only a short history of association with their Blacks. Consequently, these slaveholders were more susceptible to the influence of outsiders than the conservatives and, on occasion, were prepared to compromise their native beliefs for monetary gain by selling their slaves to the highest bidder.

Financial considerations were becoming increasingly important to the more progressive owners who realized that they derived little material benefit from their slave property. During the 1850s, the customary annual tribute of 10 bushels of corn was worth only $5 but the going rate for a healthy Black was anything from $250 to $1,200 for one with particular talents or skills. It did not take a genius to work out that there was no hope of a Seminole slave ever producing for his owner the equivalent of his market value. Furthermore, assets in slave property were a liability, particularly to a progressive, as there was a strong possibility that the Blacks would run off to join Wild Cat's confederacy on the Rio Grande. Seminole nativism tended to hold the progressives in check and they were unable to impose stricter controls over their slaves. As a solution to the problem, some chose to hire out their Blacks to traders, military officials and missionaries but others turned to sales for greater financial remuneration. Thus, John Jumper, for example, who was to become the leading Seminole progressive by the outbreak of the Civil War, is known to have sold several

slaves to non-tribal members during the 1840s and 1850s.[63] In this way, a number of Blacks were dispatched from the Seminole country and lost their association with the tribe.

The progressive chieftains acted as guardians over a great many more slaves than they actually owned and they occasionally disposed of their wards' property and kept the proceeds. Southern Superintendant Charles W. Dean reported in June 1856 that, as there was "no inducement" for them to retain their Blacks, "the shrewder of the Indians" were engaging in speculative enterprises with whites. Referring specifically to the progressives, Dean concluded,

> Many cases of oppression and spoliation, in which women and orphan children suffer the loss of property, are produced by this cause.... The relationship of guardian as it exists among them is simply a means whereby the guardian, if so disposed, possesses himself of the property of the ward. In cases like this the White speculator too frequently becomes the possessor of the slaves to the loss of the real owner.[64]

The prime example of such exploits was provided by Jim Jumper in the early 1850s. Jumper worked in cahoots with the scheming Duval to run off a number of Blacks belonging to his wards and Seminoles absent in Florida to prevent them from joining Wild Cat in Mexico.[65] This was merely one instance, however, of a trend which Dean believed was "on the increase".[66] The threat of sale by such progressive owners and guardians proved to be a great source of concern to the Seminole Blacks during the 1840s and 1850s.

Finally, several female owners, who had only loose ties with their Blacks, disposed of slaves to non-tribal members. Women, generally, were less affected by the prestige attached to slave ownership and, hence, more open to offers from outsiders than their male counterparts. While the more traditional female inheritors tended to retain or manumit their slaves, those who were less conservative and more concerned with financial considerations were more likely to dispose of them. The latter consisted, primarily, of women who had just recently acquired the property from a

distant relative and, therefore, had only a short history of association with their Blacks. Thus, Sally Factor had sold 10 of her own slaves and 20 others belonging to her nephews and nieces, for whom she had acted as guardian, to a Creek, Siah Hardridge, prior to removal.[67] And in 1843, Nelly Factor also sold him a number of her inherited Blacks.[68] But the most important example of a female owner selling her inherited property outside the tribe took place in the early 1850s when old Molly sold her slaves to Daniel B. Aspberry, a mixed blood Creek. Claims and counter-claims to Molly's Blacks were pursued throughout the decade and the information arising out of the ensuing testimony and reports provides the principal body of evidence pertaining to Seminole slave ownership at that time. It is to this important case that we must now turn our attention.

The Blacks in question had originally been the property of the Mikasuki chief Kinhijah, or Capichee Micco. Most were the descendants of Pompy and his two wives, Melinda and Dolly, whom Kinhijah had bought near Saint Augustine during the English reign in Florida. Upon his death, Kinhijah's slaves had passed to his maternal nephew, Miccopotokee. For unknown reasons, Miccopotokee had refused to accept the property and had given over the Blacks to Tuskeneehau, the son of Kinhijah, and his sisters. Prior to removal, however, Tuskeneehau had committed suicide and his sisters had also died. The property had then returned to Miccopotokee who had acted as guardian for Tuskeneehau's daughters, Mah-pah-yist-chee and Mah-kah-tist-chee, or Molly.[69]

During the late 1830s and 1840s, a number of these Blacks had been claimed by Hugh Love, a white Georgian and licensed trader to the Western Creeks, and his heirs. The claim had been based on Love's supposed purchase, in 1835, of the said property from members of a mixed blood Creek family named Gray who claimed to have been the original owners of the slaves and that their Blacks had been stolen by the Seminoles in, or around, 1795.

Love had died shortly after his purchase and the claim had been taken up by his brother, John, and other heirs.[70]

John Love had travelled to New Orleans with the intention of apprehending the Seminole Blacks en route to the Indian Territory. In May 1838, he had succeeded in persuading the local courts to prohibit the army from removing the 67 slaves he claimed outside the city limits. Shortly afterwards, however, he had been forced to drastically reduce his claim. Love had been able to identify 32 of the Blacks but the remainder were living elsewhere and, when they had heard of his impending arrival, all the Blacks in the camp had disguised themselves with paint, thus rendering positive identification impossible. The 32 had been quickly apprehended and transported from Fort Pike to the local gaol. Here they had remained while the other emigrant Blacks and Seminoles were taken up the Arkansas to Fort Gibson. On 17 June, the U.S. District Attorney had obtained an order demanding that the Blacks be delivered to the emigration agents and the suit dropped. Love had been given 10 days in which to appeal but he had failed to do so and, on 27 June, the 32 Blacks had been handed over to Lieutenant John G. Reynolds to be sent on to Fort Gibson. The Blacks had been dispatched almost immediately and had arrived safely in the Indian Territory on 5 August.[71] The Love claim had then fallen temporarily into abeyance.

During the summer of 1840, John Love had tried to enlist the aid of some of the leading Creeks and Seminoles in acquiring the Blacks he claimed. On 3 July, General Matthew Arbuckle had met in council with Creek and Seminole chiefs who had agreed that Love's claim was good. Later, however, Micanopy, Cloud and Nocose Yahola had visited Arbuckle at Fort Gibson and had informed him that it was their opinion that the Blacks were the property of Mah-pah-yist-chee and Molly. This change of heart was attributable to the fact that Miccopotokee had recently died, leaving the slaves under the guardianship of Micanopy. The principal chief thus

had a direct interest in retaining his wards' property in the Seminole country. According to the chiefs, some of the Blacks had been among the Seminoles for more than 50 years and their owners had never agreed to sell them. Thus, when Love had presented his claim in Washington, in May 1841, it had come to nothing.[72] Undaunted, Love had again raised the claim in the spring of 1842 and in 1844, when it had gone before the Creek council. But again, the Seminole chiefs had declared the Blacks to be the property of Tuskeneehau's daughters.[73] After the Blacks, who had been residing at Fort Gibson, had been handed over to the Seminoles in January 1849, W.E. Love, another heir of the original claimant, had demanded to receive those he had allegedly inherited. The military officials in charge of the transfer had refused his demands, however, and the Love claim had come to an end.[74]

With the death of Micanopy in January 1849, Molly came into possession of her grandfather's Blacks with the understanding that when she died they would pass to Mah-pah-yist-chee. Their number had evidently increased since the death of Kinhijah as, in August 1850, Molly claimed to be the owner of 79 slaves and a number of small children. Jim Jumper and several of the other Seminole chiefs agreed, however, that 34 of them should be given over to William J. Duval, the brother of the agent, in partial compensation for the services he had rendered the tribe as attorney in securing the return of the Blacks residing at Fort Gibson. Thirty one women and children belonging to Molly were forcibly seized and just 3 men escaped capture. Molly complained that her Blacks had not even fled to the post but had continued to live approximate to her. Furthermore, she had never agreed to part with any of her slaves and the chiefs had assumed the right to dispose of them without her consent.[75] Molly's protests seem to have fallen on deaf ears, however, and her slaveholdings were substantially reduced by these dealings.

By the early 1850s, Molly was said to be "very considerably advanced in years" and totally unable to control her slaves. The relationship between the slave owner and her Blacks was thus described by Superintendant Dean,

> Her negroes, as far as the disposition of their own time and labor was concerned, were only nominally in a state of servitude; they did not, nor was she able to compel them, to labor regularly for her, neither did they pay her for the liberty of disposing of their own time and labor; they would not support her in an establishment, residence or home of her own, or cultivate fields separately for her. But if she would reside or live with any of them they would support her, and in this way she passed from one family of her slaves to another, - now with one - now with another. As the infirmities of age increased she grew more dissatisfied with the state of things, and sought means by which she could more effectually control her servants and force them to maintain her in comfort.[76]

In essence, while her Blacks wished to preserve the old ways and maintain the traditional relationship between slave and slaveholder, Molly strove to derive more material benefits from her property and was prepared, if necessary, to dispose of her inheritance to do so.

Molly was, thus, a prime candidate to become involved in the sale of Blacks to non-tribal members. First of all, she was a female inheritor who stood to gain little from maintaining possession of her slaves. Secondly, she was only distantly related to the person from whom she had inherited the property. Because of Miccopotokee's refusal to accept his inheritance, Molly had acquired the slaves through the male line. It is unlikely that she enjoyed a close relationship with Kinhijah, who was her paternal grandfather, and hence the ties binding her to her inherited Blacks would have been relatively weak. Thirdly, there was a long history of guardianship in the case and Molly's association with her slaves was fairly recent. Thus, there were few obstacles in the way of their disposal. Fourthly, these Blacks were clearly a liability and Molly might, at any time, lose her assets altogether. They had already been coveted by Hugh Love and his heirs and a large percentage had been disposed of by the Seminole chiefs

without either her consent or her receiving any compensation whatsoever for her loss. There was no guarantee that the Loves would not revive their claim or that others of her Blacks would not either be given away or sold by the chiefs, become the object of kidnapping ventures by outsiders, or runaway to Mexico. Finally, because of her age and infirmity, Molly felt the need to receive more from her slaves than she was doing. She had tried to exert greater control over them, but had been unable to do so. The Blacks were militant in their refusal to accede to any form of bondage that even hinted of institutionalized slavery and the strength of Seminole nativism combined with the weakness of her position rendered punitive action practically impossible. Hence, in order to accrue tangible benefits from her inheritance and receive the financial support she felt she needed, Molly's only recourse was to break with tradition by selling her Blacks to the highest bidder. The fact that the highest bidders were invariably non-tribal members who were interested solely in profit-returns seems not to have bothered her at all. Concern over the fate of the Blacks was sacrificed to the wish for monetary aggrandizement and financial security.

In the spring of 1853, Molly was persuaded by the mixed blood Creek Daniel Boone Aspberry to part with her slaves. On 7 April, an understanding was reached whereby Aspberry would capture as many of Molly's slaves as he could, pay her $100 for each one taken, and sell them outside the Seminole country for whatever they would fetch. Though he paid her no money at this juncture, Aspberry received a bill of sale which would later be used as evidence of his right to Molly's property and prove a great bone of contention. During the summer, Mah-pah-yist-chee died, without issue, and her slaves passed to Molly. In September, they, too, were sold to Aspberry. Before he could capture any of the Blacks or pay her any compensation, however, Molly died, leaving the way open for him to claim sole possession of the rights of ownership.[77]

Molly's death opened up a Pandora's box of speculation and disputed claims. The resultant case lasted for 6 years and pointed to a wide circle of dealings in Seminole Blacks. Mixed bloods and whites from neighbouring tribes and states became involved and added further complications to existing claims by either purchasing slaves who were still resident in the Seminole country or disposing of them before the title was clear and undisputed. Conflicting reports on the actual number of Blacks included in the claims and their rightful owners, together with unsubstantiated accusations of bribery, corruption and complicity levelled at both Indian agents and Creek and Seminole chiefs alike by interested parties, only served to cloud the issues. What clearly emerges, however, is an image of the speculator in diametrical opposition to the Seminole chieftain. The one attempted to remove the Blacks from the Seminole country and dispose of them for profit, the other sought to utilize his power and existing tribal mechanisms to retain them within his sphere of influence. For an extensive narrative account of the role played by speculators, government agents and military officials in the various claims to Molly's slaves, the reader is referred to Daniel F. Littlefield's Africans and Seminoles.[78] The intention here, however, is not to recount every detail of this long and complex case but to focus attention on those aspects of it which throw light upon the nature of Seminole slave ownership and the state of Indian-Black relations at that time.

With Molly's demise, Aspberry determined to move immediately to capture her slaves before the bill of sale could be disputed. The Blacks heard of the circumstances of the "sale", however, refused to accept him as their master, "... And notified him that they would resist unto death any attempt by him to seize them; — and in this determination they appear to have been supported by some of the Seminole Indians".[79] Undaunted, Aspberry sought the aid of the Creek authorities. Soon afterwards, the chiefs, in council, decided that his claim to the Blacks was

good and ordered the lighthorse to assist him in securing his property. One night during early November 1853, therefore, Aspberry, together with 30 Creek policemen and several of his white associates, rode over to Molly's late residence, about 12 miles distant from the Oak Ridge mission. There they captured 27 of her slaves, most of whom belonged to one large family, while they were asleep.[80] Mary Ann Lilley, the wife of the Presbyterian minister, later recounted the scene,

> The Father belonged to another person and they tore them all away from him leaving him wounded and bleeding behind. He tried to rescue them and they cut him down with their knives, poor fellow he died not know[ing] that the law gave them a right to his flesh and blood.[81]

The alarm soon spread to the Blacks living close by and Aspberry and his men were forced to beat a hasty retreat from the Seminole country, carrying their captives with them.[82]

The captured Blacks were taken to North Fork town in the Creek nation and there sold to various white residents of Arkansas. A Black man who was there at the time the company arrived related to John Bemo that,

> ...It was heart rending to see the mother of the large family... It was all scattered and she would walk from one to another putting her hand on their heads saying in a pitiful tone, 'Oh! Lord, Oh Lord!' untill [sic] she fell down in a swoon and in that state she was put in a wagon by a white Baptist minister, and drove off.[83]

But Aspberry's raid had not resulted in his securing all of the Blacks he claimed were his. In February 1854, he claimed 16 of them were still at large in the Seminole country. In view of the danger involved in trying to capture Blacks associated with the Seminoles, however, Aspberry's two leading associates apparently retired from the enterprise and he sold his title to those remaining to Cornelius D. Pryor, a white U.S. citizen and trader at North Fork.[84]

Aspberry's part in the affair did not end here as he was behind a second kidnapping venture in April 1854. This time the raid was aimed at the family members of a free Black, George Noble. George appears to have

been the son of Noble and the nephew of Polly, a mulatto wife of the former Principal Chief, King Bowlegs. Noble and Polly were children of Beck, who was one of King Bowlegs' slaves. The chief emancipated his wife and her two children, Margarita and Martiness, in 1819 but Beck's other children, including Noble, and their offspring, were bequeathed to Harriet Bowlegs. Sometime after removal, Harriet manumitted George and he continued to reside among the Seminoles as a free Black.[85]

Though George Noble was a free man, his wife and children became a target for speculators. In the fall of 1853, plans were laid to send a delegation to Florida with a view to persuading Billy Bowlegs and the remaining recalcitrants to remove west. Because of his association with the Bowlegs' family, it was felt that George could most usefully serve the expedition as an interpreter and intermediary. In early December, therefore, he was asked by government officials to accompany the delegation. Knowing that Aspberry was in possession of a bill of sale for his family, and being familiar with the circumstances surrounding the recent raid into the Seminole country, George, at first, refused. Upon receiving assurances from Lt. John Gibbons and Seminole agent Bryan Smithson that his family would not be molested during his absence, however, he relented and travelled to Florida with the delegation. Aspberry, meanwhile, sold the title to the family to other parties in the Creek nation. Taking advantage of George's absence, in mid April 1854, a company of Creeks attacked his wife and children by night, killing the eldest son, who tried to defend them, and carrying off the rest. They also stole, or destroyed, property valued at $370. Fifty bushels of corn were lost and a "fine brooding sow" killed, while "one very fine horse" and 3 ponies were taken away. George's wife and children were later "sold into slavery in Louisiana" and, though he petitioned government officials to seek redress for the outrage, no action was ever taken in his behalf to recover his family or his property.[86]

Pryor, meanwhile, expanded his interests in Seminole slave property. During the spring of 1854, a number of Seminole Blacks who had been claimed by Aspberry urged Pryor to purchase the title to them all. They would then either buy their freedom of him or find purchasers of their choice in the Seminole and Creek nations. These Blacks thus emphasized the comparative laxity of the Seminole system of slavery. While they were content to live as slaves among the Seminoles, they were prepared to buy their freedom rather than be purchased by non-tribal members. Pryor favoured the arrangement and, on 24 November 1854, he gave Aspberry a promissory note for $7,800 for the Blacks. With this latest purchase, Pryor claimed to own the title to 25 Blacks associated with the Seminoles as well as 5 others living in the Creek country. He proceeded to the Seminole country to dispose of the Blacks, as arranged, but when he arrived there he learned that some of the Seminole chiefs were opposed to the arrangement and disputed his title.[87] His principal opponents turned out to be Halleck Tustenuggee, Necksucky and John Jumper and these three would shortly thereafter commence a prolonged period of obstructionism aimed at frustrating Pryor's efforts to dispose of the Blacks and retaining them within their own spheres of influence.

The Seminole chiefs claimed that, as Molly had died without issue, they should either inherit her Blacks or act as guardians over them for her, as yet undetermined, heirs. Under Seminole law, the property should pass first to Molly's town chiefs, then to the principal chief, John Jumper. In his capacity of town chief, Halleck informed Pryor that he and Necksucky were the guardians of Molly's Blacks "and would not suffer them to be taken from the country". Pryor suggested that the matter be brought before the Creek authorities for a decision and Halleck concurred. When the council met on 26 December, however, Halleck failed to show up. In January 1855, Pryor turned to Superintendant Thomas S. Drew for assistance,[88]

and commenced a 4 year period of personal appeals and written petitions to government officials for redress of his grievances. His industry would produce a mass of correspondence and a plethora of conflicting reports, contradictory testimony and personality clashes but, ultimately, it failed to secure the Blacks he claimed. In the end, the efforts of the Seminole chiefs would be rewarded with the retention of the disputed property within the tribe.

Though they nominally accepted his title, the Seminole chiefs employed a number of devices to frustrate Pryor's attempts at securing Molly's Blacks. First of all, they claimed to have been opposed to the original sale. At the time of Kinhijah's death, he had "enjoined upon the town chiefs to see that the property was kept together, and that the negroes made corn for his children, which they had always done". John Jumper had advised Molly not to sell her slaves, but she had chosen to ignore him. Not only that but she had also failed to comply with the old Seminole custom of obtaining the consent of the town chief before making the sale. The chiefs also claimed to be unhappy with Aspberry's subsequent conduct in the affair and deeply distressed over the kidnapping incursions into their country.[90] Clearly, they were stalling for time and had no intention of allowing Pryor to remove or dispose of Molly's Blacks.

The chiefs next turned to existing tribal customs to further obstruct Pryor's efforts at gaining possession of the Blacks. It was claimed that, under Seminole law, if a slaveholder died without heirs his, or her, property would pass to the town chiefs and, if the heirs were minor, the chiefs would "in all cases" assume the role of guardian. Furthermore, it was said to be general practice for the Seminole chiefs "to levy a tribute upon large estates in their country". As Molly's town chief, Halleck now demanded $100 for each Black claimed by Pryor before he would allow them to be removed from their present location.[91] Thus, if it were to be

decided that he did not qualify as either the owner or the guardian of Molly's property, Halleck could still demand to be paid a substantial amount in taxes. But the $100 tribute applied to each Black was obviously a highly inflated figure designed to make payment impossible. The intention was not to extract taxes from Pryor, but to force him to drop his claim.

The Seminole chiefs discovered that the persistent Pryor would not be put off so easily and were forced to resort to still other methods to be rid of the stubborn claimant. Their next ploy was to introduce other heirs to Kinhijah's property. Halleck and Passock Yohola now stated that the Blacks belonged to two minor children of Charley Brown, who had died a few years earlier; that Charley Brown was the same Cubbitche Micco, or Kinhijah, who had originally owned the slaves; and that Molly had only acted as guardian of the property for his children as he had not removed to the Indian Territory. Later, Halleck and other Seminole chiefs claimed that no division of Kinhijah's estate had ever been made and that there were other grandchildren who were equally entitled, with the children of Tuskeneehau, to a share of his property. At various times, 6, 7, 8 and even 14 other heirs were mentioned in this context.[92] This was merely another way of placing obstacles in the way of Pryor's claim, however. The chiefs were well aware, for instance, that Charley Brown was not Kinhijah but a distant relative with no claim to his property. The object was to add complications and confuse the issues thus preventing the matter from being brought to a speedy conclusion.

But by far the most effective device employed by the chiefs was their policy of non-co-operation with Pryor in his attempts to have the matter formally decided. Again, several ploys were used. The chiefs would arrange to meet with Pryor at a certain time and place and then fail to show up. If Pryor attended one of their council meetings they would appear to comply with his requests but would later decide differently. The Seminoles were

still supposedly subject to the ultimate authority of the Creek council and Pryor, on several occasions, arranged for the case to be decided by that body. The Seminole chiefs attended but one time, stating that "they would not hold themselves bound by the decision of the Creek Council, and that the proper place to try the matter was before the Seminole agent and council", and leaving forthwith. Thereafter, though they occasionally agreed to attend the Creek councils and even went so far, one time, as to suggest that the case be decided there, they always failed to turn up and refused to be bound by its findings. There was talk of mixed blood Creeks becoming involved in speculation and of Seminole chiefs being bribed by interested parties. The matter was bandied about between the various councils but, as time went by, the likelihood of Pryor securing his claim became ever more remote. And so the case dragged on through the mid 1850s until, except for Pryor's incessant petitioning, it fell into abeyance. Pryor, apparently, continued to speculate in Seminole slaves as in April 1856 he claimed to be the owner of 37 of them, the largest number mentioned thus far.[93] He raised his claim again in both February 1857[94] and April 1859[95] but to no avail and the case finally drew to a close after 6 long years with the Seminole chiefs and, hence, the disputed Blacks the clear victors.

Three important conclusions, pertaining to Seminole slave ownership, can be drawn from this affair. First of all, it was clearly unusual for a Seminole slaveholder to sell so many Blacks outside the tribe and the practice was frowned upon by the chiefs. Molly's circumstances were exceptional,in fact, in that she possessed almost all of the qualifications associated with amenability to disposing of slave property. The ties binding her to her slaves were relatively weak. She was a female inheritor, had acquired her property from a distant relative and had only a recent history of association with her Blacks. In addition, the Blacks had a

troubled history, were a proven liability and offered few material benefits to an owner intent on finding financial security. Thus, Molly was particularly susceptible to the influence of speculators and, for this reason, cannot be described as a typical Seminole slaveholder. She chose to ignore traditional practices and the advice of tribal leaders in disposing of her property in this way. In so doing, she displayed both a lack of understanding of the potential value of her slaves and poor business sense and was plainly "had" by Aspberry, who stood to make a fortune on the deal.

Secondly, it emerges that Seminole slaveholders were not at complete liberty to dispose of their Blacks to whoever they pleased, whenever it suited them, but were held in check by native customs designed to retain slave property within the tribe. The chiefs assumed a patriarchal role in such matters. Slave owners were expected to seek their advice before entering into transactions and their consent was required before large-scale sales or purchases could take place. If these traditional practices were ignored, or the transaction conducted in a manner unacceptable to them, the chiefs were prepared to exert their considerable influence to prevent any transference of property from taking place. Furthermore, though they were still technically subject to its overall authority, the Seminole chiefs totally refused to accept the findings of the Creek council in such matters. They insisted upon having the sole right to investigate and decide all claims to slave property owned by Seminoles, and were prepared to go to great lengths to protect it.

Finally, Seminole customs relating to slave ownership were intended not just to retain Blacks within the tribe, but within the grasp of the chiefs. The system of taxation, guardianship and inheritance employed by the Seminoles enabled the town and principal chiefs to gain possession of the great majority of slaves associated with the tribe. Nowhere was this process more clearly displayed than in this case. The slaves in question

had been originally owned by a Mikasuki chief and had had town and principal chiefs for guardians. When Molly died without issue, other chiefs stood to become inheritors, guardians or eventual owners of the property and these individuals subsequently built a wall of obstacles, founded on native customs, to frustrate the efforts of speculators and prevent the Blacks from being removed from the tribe. Among the Seminoles, power and status continued to be attached to slave ownership. In view of what transpired during this affair, therefore, it is clear that a number of traditional Seminole practices were specifically designed to consolidate and strengthen the positions of economic, social and political leadership held by members of the chieftain elite by fostering their monopoly of the tribe's slave property.

Because of the continuing strength of nativism within the tribe and the ethnic background of its slaveholders, Black slavery among the Seminoles changed but little after removal. In the Indian Territory, the Seminoles resisted acculturative influences and retained much of their native heritage, including their peculiarly liberal form of slavery. As in Florida, almost all Seminole slaveholders were fullbloods and the great majority of slaves were owned by chiefs who were more concerned with maintaining status and their positions of leadership than making profits. In consequence, the system of slavery they employed evolved but slowly and remained essentially aboriginal and primitive. Seminole slave owners placed as few demands upon their slaves in the Indian Territory as they had in Florida and the Blacks continued to enjoy a great deal of freedom and independence.

Contemporary descriptions of Seminole slavery in the Indian Territory closely resemble those of the pre-removal period. Immediately after removal, slaves of mixed bloods among the Cherokees, Creeks, Choctaws and Chickasaws were put to work on a variety of tasks and those slave owners with the largest holdings held a clear advantage over the other tribal members. In

contrast, Western Superintendant William Armstrong reported in 1839 and 1840 that the Seminole Blacks who had settled between the Arkansas and the Deep Fork were "indisposed to labor" and exercised "an important influence" and "great control" over their Indian owners.[96] By 1842, however, the Blacks seem to have accepted their role as the superior agriculturists, as Armstrong observed,

> That portion of the Seminoles who have settled on the Deep Fork of the Canadian have raised a surplus of corn, beans, pumpkins, melons, all of which grow to great perfection, and a few have raised small patches of rice. The labor, however, is principally performed by the Seminole negroes, who have thus far conducted themselves with great propriety.[97]

Two years later, when he made his tour through the Indian Territory, N. Sayer Harris reported that slaves of the Seminoles paid merely "a small tribute to their master, say two or three bushels of corn, or when they raise stock a beef or two".[98] Thus, prior to the 1845 treaty, uniting the tribe with the Creeks, there seems to have been a positive attempt made by some of the Seminoles and Blacks to re-establish in the Indian Territory the essential elements of their pre-removal relationship.

Following the traumas of the late 1840s and early 1850s, which had resulted in the emigration of Wild Cat's recalcitrants and Gopher John's militants, those Seminoles and Blacks who remained behind in the Indian Territory again attempted to reconstruct much of their former relationship. During the 1850s, Seminole owners made no more of a sustained effort to exert greater control over their slaves than they had formerly. Nor did they attempt to punish their Blacks for the actions of their compatriots by placing more demands upon them. After so much upheaval they embarked upon a period of consolidation and seem to have been content to exact their small tributes and allow their slaves to live their own lives, much as they had in Florida.

In June 1856, Southern Superintendant Dean penned the major contemporary description of Seminole slavery as it was then being practised in the

Indian Territory,

> It is well known that the slaves are only slaves in name. In nine cases out of ten they live with their masters or not as they please; work, if they work at all, when and where they please, and make their own bargains; come and go according to their own inclination, sit at the table with their masters, and speak to them as tho' they were equals. I have seen some exhibitions of these traits that would scarcely be believed without being witnessed. It is very rare indeed that the Indian owner of this class of property holds them in proper subjection to himself. The consequence of this condition of things is that no profit is derived from the property; the slaves are really of no value to their owners beyond the imaginary distinction that attaches to the name of master; and hence when the Indians are removed from intercourse with the Whites, there is no trouble among them about titles &c., to their negroes.[99]

These comments could easily have come from an observer looking at the system operating within the tribe before removal. Dean's description thus vividly illustrates the continuity inherent within Seminole slavery.

Strange to say, Littlefield takes issue with Dean's comments and is of the opinion that, "the system as he described it was no longer widespread".[100] Littlefield, however, seems to have concentrated too heavily upon the various claims to Seminole Blacks set up by non-tribal members, attached undue weight to occasional sales by some Seminole owners, and failed to differentiate between what chiefs with vested interests in disputed slave property said and what they actually did. In consequence, he has misinterpreted, somewhat, the true nature of Seminole-Black relations in the 1850s. Everything points to the fact that Dean's comments fairly accurately describe Seminole slavery at that time. Though some chose to dispose of their Blacks, there is no evidence that Seminole slave owners ever employed, or even advocated, any system of slavery which even remotely approximated to the institutionalized bondage adopted by the mixed bloods of the other slaveholding tribes. Seminole Freedman Primus Dean later recalled that his mother told him that the Seminoles "didn't consider them slaves" but members of the family and that the Indians and Blacks ate together and worked and slept side-by-side.[101] Dave McIntosh, another Seminole Freedman, meanwhile, recounted that the Blacks' forbears had enjoyed so much freedom

as slaves that emancipation had hardly affected their daily lives.[102] But perhaps most tellingly of all, slavery among the Seminoles was apparently so lax that the census takers of 1860, though carefully enumerating both slave owners and bondsmen in the Cherokee, Creek, Choctaw and Chickasaw tribes, were led to believe that it did not exist at all, concluding, "The small tribe of Seminoles... hold no slaves, but intermarry with the colored population".[103]

Seminole slavery was fundamentally different to the system being operated by the mixed bloods in the other slaveholding tribes. As Seminole slave owners were almost invariably fullbloods who were unconcerned with deriving profits from their property, except through occasional sales, little was demanded of their slaves and no special laws were instituted to govern their behaviour. Such laws, in fact, ran contrary to the philosophy behind Seminole nativism. Consequently, during the period of their unification with the larger tribe, the Seminoles ignored and flouted Creek Black codes and, after they had gained their independence, made no effort to establish codes of their own. A number of Seminole customs, in fact, were designed to protect the Blacks from speculators by placing restrictions upon the sale of slaves to non-tribal members. The right of the individual owner to dispose of his slave property when, and to whom, he pleased was not always acknowledged and the chiefs, at times, made concerted efforts to keep Blacks within the tribe.

After removal, the Seminole Blacks continued to be allowed a great deal of economic, social, political and cultural freedom and were granted many privileges denied Blacks associated with the Cherokees, Creeks, Choctaws and Chickasaws. Seminole slavery was so lax, in fact, that there was little difference between slaves and free Blacks, except that the former were expected to give a small amount of their produce to their owner and lived under the threat of being sold. Though the Blacks lived apart

from the Indians and were largely excluded from Seminole social and political life, they were apparently equal to Seminoles before the law and granted every opportunity for economic and cultural advancement. No effort was made to create a slave or Black mentality. Slaves had the potential to achieve freedom through purchase or manumission, free Blacks were not subject to special taxes, re-enslavement or removal and slaves and free Blacks alike could enter Seminole society through intermarriage. Because of the Seminole Blacks' freedom, independence and separation, a strong, viable and clearly identifiable culture emerged within their towns in the Indian Territory, and many facets of it have survived to the present-day.

Seminole slaves were allowed to live apart from their owners, possess property, including horses and firearms, and conduct their own bargains, free of restraints of trade. Under Creek law, it was forbidden for slaves to own such property and that tribe clearly took exception to the fact that the Seminoles permitted their Blacks to do so. In the first week of September 1848, Creek and Cherokee slave hunters kidnapped Clary and her 5 children, who were all owned by Micanopy. During the course of the raid, the kidnappers took a gun from Thomas, Clary's husband, and a horse, saddle and bridle belonging to a free Black named Margaret. The raiders claimed that they were acting under the orders of Chief Roly McIntosh and that they had the right to dispossess the Blacks of such property according to Creek law. The Seminoles would not yield on the point, however, and demanded that the Blacks' property be returned. The affair helped add to the friction between the Seminoles and Creeks and kept tensions high during the period just prior to Wild Cat's defection.[104]

Under the terms of the 1866 treaty, those Seminoles and Blacks who remained loyal to the Union during the Civil War were to receive monetary compensation for property lost or destroyed during the conflict. A $50,000

award was set aside for this purpose and all claims were to be adjusted accordingly.[105] The information which was subsequently compiled for the purpose of assessing who was eligible to partake in the award revealed a great deal about the lifestyle of the Seminole Blacks and the position of Blacks within Seminole society. As such, it is an invaluable source for the study of Seminole-Black relations.

Statistics relating to Seminole Black property ownership and comparing Indian and Black holdings have been produced from this information.[106] The results of the ensuing analysis should be treated with a degree of caution, however. There are two reasons for this. First of all, the claims were for losses incurred and did not necessarily include all of the claimants' property. All that is known for sure is that the claimant owned at least as much property as that for which he received compensation. Nevertheless, it would appear unlikely that the Indians lost a higher percentage of their property than the Blacks overall, or vice versa, and with so large a sample the differences probably cancel out. Most of the loyal Seminoles and Blacks, in fact, simply lost all they had. As Principal Chief John Chupco later observed, "Of their worldly goods all or nearly so, was left when we took our march northward. On our return after the war scarce a vestige of the property abandoned by us could be found".[107] Thus, comparative statistics would appear to be fair to both parties. Secondly, though it seems to have been generally accepted that all the Blacks associated with the Seminoles were loyal, the only Seminoles who were eligible for the award were those who had actively supported the Union or had been coerced into removing south with the Confederates. These were generally the conservative followers of Billy Bowlegs and may not have been as wealthy, on average, as the more progressive Confederates. The award, however, included the majority of the Indian population and apparently encompassed almost all of the recalcitrant traditionalists.

Thus, the comparisons with the Blacks take on an added significance as the Seminoles under consideration would appear to have been the least acculturated members of the tribe.

Fifty nine heads of Seminole Black households claimed a total of $27,640.45 [108] for property lost during the Civil War. The claims ranged from $76 to $1,322 and averaged $468.48 per household. Ben Bruner was the largest claimant among the Blacks. His property included 60 head of cattle worth $428, 20 head of horses worth $400 and farming tools valued at $185.50.[109] Prior to the Civil War, in fact, the Bruners established themselves as the most affluent family among the Seminole Blacks, their wealth being solidly based on livestock holdings. Five members of the Bruner family, Ben, Sancho, Caesar, John and Affy, claimed for 53 head of horses worth $1,210, 11 head of cattle worth $783 and 33 cows and calves worth $495, a total of $2,488 between them.[110] Each of the five claims was far higher than the Black average. Their combined total was $3,977.20, or an average of $795.44 per claimant, which was $326.94, or 69.78%, higher than the average Black claim. During the postbellum period, the Bruners would use the compensation they received under the 1866 treaty to rebuild their livestock holdings and become the wealthiest dynasty among the Seminole Freedmen. Ben Bruner was chosen as band leader of the Jim Lane band during reconstruction and soon afterwards it changed its name to the Bruner band. Caesar Bruner later took over the leadership and became the most famous of the Seminole Freedmen band chiefs. The band became known as the Caesar Bruner band, and the name has been retained to the present day.

Perhaps surprisingly, the Blacks do not appear to have engaged in as much agricultural diversification as the Seminoles. While the Blacks seem to have concentrated almost exclusively on staples such as corn, cattle, poultry and hogs, the Seminoles claimed for such items as sheep, beehives, hungarian grass, wheat, rice, peanuts, peas, beans, Irish potatoes,

onions, cabbage, fresh and dried pumpkins and salt. Many of the Indians claimed only for staples, however, and most of the tribe's wealth appears to have been in horses, cattle and hogs. One of the most interesting Black claims was that of Rebecca Payne, a close associate of the Bruners. Besides the customary staples, Rebecca's property included 2 yoke of oxen, 8 bushels of peanuts, 11 bushels of potatoes, 3 bushels of onions, 3 bushels of beans, 60 lbs. of bacon and a wagon and horses, the whole being valued at $1,173,75.[111] But Rebecca's was clearly an exceptional case.

The statistics vividly illustrate the Blacks' lack of diversification. Ten items accounted for all of 51 of the 59 Black claims and their combined value added up to 99.87% of the total amount of property that the Blacks claimed to have owned. These were, in order of their total value, horses; cattle, cows and calves; hogs; corn; household goods; farm tools; yokes of oxen; firearms; poultry; and potatoes. Significantly, there were no claims for rice and only 8, or 13.56% of the Black heads of households claimed to have owned any items other than the 10 above mentioned. Of these 8, 3 claimed for bacon, 2 for beans, 2 for fodder and one each for wheat, oats, onions and bee hives. The sum of these articles was $134.50, or just 0.49% of the total Black claim.[112] Three of the 8, moreover, claimed for just bacon or fodder. Thus, just 5, or 8.47%, of the 59 Black claimants raised anything in addition to the staples listed among the 10 items above. These 5 individuals were Rebecca Payne, who raised peanuts, onions and beans; Ben Bruner, who raised wheat and oats; Davy Dilley, who raised peanuts and kept bees; Jack Shortman, who raised beans; and Daily Davis, who grew peanuts.[113] As they were constantly reported to be more skilled than the Seminoles in agricultural techniques and are known to have engaged in diversified farming both before and shortly after removal, it would seem that the lack of innovation apparent in the Blacks' property returns was caused by the disruption and removals that dogged their progress in

the late 1840s and 1850s. In short, the Blacks had been forced to become more agriculturally conservative, preferring tried and trusted products to risky experimentation.

The four most valuable items owned by the Black claimants were horses; cattle, cows and calves; hogs and corn. 55, or 93.22%, of the 59 Black heads of household claimed for horses. The claims ranged from Calina Payne's one mare to Abram Payne's 34 head.[114] 447 horses in all were claimed at an estimated value of $10,246, an average of 8.13 head per owner. In addition, 39 yearlings, worth $195, were listed by 3 claimants. Thus, the sum value of the horses and yearlings owned was $10,441, a figure which represented 37.77% of the total Black claim. Cattle, cows and calves, which were differentiated, came next. Only 11 of the 59 did not claim for one or the other and 4 claimed for both. 81.36% of the Black claimants, therefore, owned either cattle or cows and calves, or both. The claims ranged from Calina Payne's and Adoca Coody's 2 head each to Ben Bruner's 60 head.[115] 643 head of cattle in all were claimed by 42 Blacks, an average of 14.95 head per owner. 7 Blacks claimed just for cows and calves and 4 more for cows and calves in addition to cattle. 79 head in all were claimed, an average of 7.18 head per owner. The sum value of the cattle, cows and calves listed was $5,634, which represented 20.38% of the total Black claim. Next in line were hogs and corn. 54, or 91.52%, of the 59 Black claimants listed hogs. 1,577 hogs in all, valued at $3,916, were claimed, an average of 29.2 head per owner. Their value represented 14.17% of the total Black claim. 43, or 72.88%, of the 59 Blacks claimed to have owned corn. 4,640 bushels in all were claimed, an average of 107.91 bushels per owner. Corn had a low market value of ¢50 per bushel and the sum of that listed by the 59 amounted to just $2,320, or 8.39% of the total Black claim.

Next in order of value behind these four items were household goods,

farm tools, yokes of oxen, guns, poultry and potatoes. 55, or 93.22% of the 59 Black claimants listed household goods. The sum value of the goods listed was $1,865.95, an average of $33.93 per owner. 48, or 81.36%, of the 59 claimed for farm tools. Of these, six, Rebecca Payne, Caesar Bruner, Abram Payne, Cathrine Payne, Swamp William Bowlegs and Philip Sayers claimed for wagons and horses lost during the war.[116] The tools were valued at $1,834.25, an average of $38.21 per owner. 17, or 28.81%, of the 59 claimed for yokes of oxen. 11 claimed 1 yoke, 5 claimed 2 yokes and one, Jim Bowlegs,[117] claimed 3. 24 yokes in all, worth a total of $960, were listed. 22, or 37.29%, of the 59 claimed for guns. Two of them, Robert Johnson and Ned Cudjo, claimed 2 guns each.[118] Thus 24 guns, valued at $294, were claimed. 36, or 61.02%, of the 59 claimed for poultry. The total value of the birds was set at $189.75, an average of $5.27 worth of poultry per owner. Finally, 15, or 25.42%, of the 59 claimed for potatoes. 151 bushels in all, worth $151, were listed, an average of 10.07 bushels per owner. As percentages of the total value of the Black claim, household goods represented 6.75%, farm tools 6.64%, yokes of oxen 3.47%, guns 1.06%, poultry 0.69% and potatoes, which had only a low market value, 0.55%. Their combined total of 19.16%, however, was way below that of the 4 major items listed above.

Three important deductions can be drawn from these property returns. First of all, horses and firearms were owned by both slaves of the Seminoles and free Blacks. A number of Seminole Blacks, in fact, owned large herds of horses and were probably raising the animals as a commercial venture. The Blacks were also in possession of dangerous weapons. 22 of the 59 heads of household listed claimed to have lost guns during the war, but this figure is probably far below the number who actually owned firearms in 1861. Though they were forced to abandon property at the onset of the Civil War, the Blacks' guns would have been the last things to be surrendered.

Prior to the war, guns were vital to the Seminole Blacks for hunting and for defence against speculators and kidnappers. Unarmed Blacks made easy targets and the gun was the family's most important possession. As more than a third of the claimants are known to have owned firearms, therefore, it would seem reasonable to expect that they all did. Thus, the Seminoles either allowed the Blacks to own such property or were unable to prevent their doing so. In view of the evidence, the former would appear to have been the case. The Seminoles opposed Creek efforts at removing such property from their Blacks and, in September 1849, Wild Cat informed General Arbuckle that the Seminoles were willing to allow the Blacks to retain their arms for hunting purposes.[119] Though the Seminoles would have met with resistance if they had attempted to take the Blacks' guns and horses from them, the situation never arose. The Seminoles, apparently, were unconcerned that their slaves would use their horses to run off and did not feel threatened by the proximity of armed Blacks. The Indians, for the most part, seem to have adopted a policy of "live and let live" and left the Blacks in peace.

Secondly, the Seminoles clearly allowed the Blacks to use tribal lands for their own benefit prior to the Civil War. Throughout the antebellum period, Seminole land was not individually owned but held in common. Each tribal member had the right to claim sole usage of unclaimed acreage as long as it was not within a short distance of another person's land. The products of the land, and all improvements put upon it, became the exclusive personal property of the individual working it. In contrast to the mixed bloods of the other slaveholding tribes, however, the Seminoles were generally uninterested in profits, opposed to institutionalized slavery and content to remain subsistence farmers. In consequence, individual acreages were small and there was plenty of land available to the Blacks. The Seminoles made no attempt to stop their slaves from using tribal lands

or settling apart from them in, what amounted to, virtually autonomous towns. Except for the small annual tribute to their owners, Seminole slaves were permitted to keep the products of their labour. Free Blacks, meanwhile, went about their business unhindered by property taxes. Both slaves and free Blacks alike, in fact, appear to have been as free of restrictions as the Seminoles themselves and a number of them came to work larger acreages, raise substantial herds and crops, and become comparatively wealthy. That the Blacks had enjoyed the right to own property and utilize tribal lands to raise crops and herds of their own during the antebellum period was formally recognized by both the Seminole authorities and the U.S. government in 1867 when they chose to include them in the award granted to the loyal Seminoles as compensation for their losses.

Finally, the property returns tell us much about the lifestyle of the Seminole Blacks. The chances were better than 9 in 10 that a Black family kept horses and hogs and possessed household goods; better than 8 in 10 that it owned cattle, or cows and calves, and farm tools; better than 7 in 10 that it raised corn and better than 6 in 10 that it kept poultry. Only 1 family in 4 raised potatoes or owned oxen, however, and far fewer still engaged in any other agricultural pursuits. The Blacks' main assets were in horses; cattle, cows and calves; hogs and corn and the value of these items comprised more than 80% of the total they claimed. Though corn accounted for only 8.39% of the total, however, it held an importance to the Blacks far in excess of its market value and was central to their existence. It was the basis of their diet, the product most usually given as tribute by slaves to their owners, and was used, on occasion, as animal feed. Farm tools and guns were also down the list of the most valuable commodities claimed, but were of vital importance to the Black's welfare and survival.

A picture begins to emerge of an average Seminole Black family on the

eve of the Civil War. The family lived in a fairly basic one or two room log cabin, containing around $34 worth of household goods, and had a gun for hunting and defence. Chickens ran around in the yard. It owned around 8 head of horses, 30 head of hogs, 15 head of cattle, 100 bushels of corn and some $38 worth of farm tools. The family was unlikely to grow potatoes, but if it did it would own around 10 bushels. If it was doing well, the Black family might own a yoke of oxen or a wagon and horses. It might also be more willing to diversify and raise a little wheat or oats, grow a few beans or peanuts, or keep bees. The family was far more likely to remove the risk of losses through crop failure by concentrating on tried and trusted products, however. Livestock was its main asset and was traded for other necessities. Corn was its most important staple. The family's diet would be geared to its produce. Some hunting was done but the Blacks' meals would normally be based upon beef, pork and, in particular, southern and Indian corn dishes. Though subsistence farming was the way in which it supported itself, the family was not poverty-stricken but rapidly acquiring assets. Each family member was assigned chores and expected to work hard. The lifestyle was rugged, demanding and fraught with danger, yet it had its compensations. The Seminole Black family unit and sense of community was very strong, and industry could lead to success.

The wealth of the Blacks as a group compared quite favourably with that of the loyal Seminoles. 281 heads of loyal Seminole households claimed a total of $185,564.75 for property lost during the war. The claims ranged from $55 to $5,375.25 and averaged $660.37 per household, thus exceeding the average Black claim by 40.96%. This latter figure is a little misleading, however. Wealth was fairly evenly distributed among both the Indians and Blacks but a fairly small, elite group of town chiefs and other leading individuals held an inordinate share of that held by the loyal Seminoles. 254 of the 281 Seminole claims, in fact, fell within

the Black range. Of the 27 that fell outside it, 24 were larger than the highest Black claim while only 3 were smaller than the lowest. These 24 included all 10 of the loyal Seminole town chiefs, and town chiefs were also responsible for 3 of the top 5 claims. The largest Seminole claim, that of town chief Foos Harjo,[120] was more than 8 times the Indian average whereas the largest Black claim was less than 3 times the Black average. If the claims of the top 10 Indian claimants and those of the 7 remaining town chiefs are excluded from the calculations, the average claim of the remaining 264 loyal Seminole households falls to $550.17, or just 17.44% higher than the Black average. From looking at the individual claims, this latter figure would appear to more accurately reflect the actual state of affairs. The loyal Seminoles were made up, mainly, of the more conservative and traditionalist members of the tribe and, with the exception of a few wealthy individuals, who were generally included in the chieftain elite, these Indians were not much better off than the average Black.

A number of the Seminole Blacks used the opportunity afforded them by the lack of restrictions on land usage to become quite affluent. 10 Blacks claimed more than the Indian average, even if the loyal Seminole elite were to be included. Three of them, moreover, owned more than $1,000 worth of property prior to the Civil War and the Bruners and Paynes, in particular, seem to have taken full advantage of the situation. Significantly, only 24 of the loyal Seminoles claimed to have owned more property than Ben Bruner, a free Black, while 254 claimed less.

Perhaps the most remarkable fact to come out of these property returns is that slaves of the Seminoles, at times, owned more than their owners. The classic example of this was furnished by Jim Bowlegs, a slave of Nancy Chupco. Jim acted as a witness in Nancy's claim and testified that, "She was my mistress,- I belonged to her". Nancy was driven from her home by the Confederates in September 1861 and forced to abandon all her property,

save that which she could carry with her. Later, she and her sister Nellie were captured at Bird Creek where "the rebels took her horse and bundles and money (in a tin box) - took everything from her". All of Nancy's property would thus appear to have been included in her claim for \$625.80.[121] Jim Bowlegs, meanwhile, claimed to have owned \$758 worth of property prior to the war.[122] Thus, Jim's possessions were worth 21.12% more than those of his owner. Jim, in fact, was doing very well for himself and had acquired extensive livestock holdings. His property included 7 head of horses, 40 head of cattle, 50 head of hogs and pigs, and 3 yoke of work oxen. His owner, by comparison, owned just 9 head of horses, 9 head of cattle, 14 head of pigs and a work steer. No one instance brings out better the differences between Seminole slavery and that practised by the mixed bloods of the other slaveholding tribes. The relationship of Jim and Nancy illustrates perfectly the equality of opportunity afforded slaves of the Seminoles and the potential for Black economic advancement within the tribe.

In keeping with the independence and personal freedom they enjoyed, slaves of the Seminoles were allowed a great deal of personal mobility. The Blacks lived apart from the Indians, were permitted to own horses and were subject to few formal controls. In consequence, they were able to travel around at will. The ease with which the Blacks eluded their masters in the 1840s by first removing to Fort Gibson and later departing for Mexico points to the lack of laws operating in the Seminole country to restrict their movements. Seminole slaves were allowed to seek paid employment outside the tribal domain. Thus, Joe, the son of Primus, the striker in the Seminoles' blacksmith's shop, and his wife Hannah, for example, waited upon several officers at Fort Gibson and in 1848 was working for Lt. F.F. Flint at Fort Smith.[123] At harvest time, slaves of the Seminoles would journey to the garrisons looking for work. Before

setting out, however, the Blacks were supposed to obtain a pass from their owner stating that they had received permission to partake in the enterprise, and Blacks without passes were not permitted to remain about the posts.[124] Seminole owners cared little for this practice, however, and their lack of concern led to its abuse. In 1860, the laxity in enforcement of restrictions upon Seminole Black mobility came into full view during an important incident involving a runaway slave from the Creek nation. The event caused a great deal of controversy, threatened the position of Presbyterian missionaries within the Creek and Seminole tribes and led to dramatic changes in the Creek Black code.

In the summer of 1860, Luke, the slave of a mixed blood Creek, ran away from his owner and headed for Mexico.[125] During the course of his escape, Luke killed one of his pursuers, a white man named West, and by the time he reached the Oak Ridge Mission in the Seminole country he was wanted by the Creek authorities as both a runaway and a murderer. Luke was the cousin of Reverend Ramsay's Black interpreter, Robert Johnson,[126] and the brother of a "noted preacher in the Baptist Church". His wife, who accompanied him, meanwhile, was a half-sister of Ramsay's Black nurse. The couple purported to be visiting Robert and stayed at the mission several days.[127] At this stage, Ramsay had no means of knowing what had transpired and no reason to suspect that anything was amiss.

After a short stay with his cousin, Luke approached Ramsay with a view to obtaining a pass for him. Luke told Ramsay that he had the permission of his owner to find work gathering hay at one of the southwestern garrisons, either at Fort Cobb, Fort Sill or Fort Arbuckle. He stated that he had forgotten to obtain a pass from his owner and asked the minister to issue him with one. As Robert vouched for his relative and supported his application, Ramsay complied with his request; a decision he would later greatly regret. Ramsay's statements, offered later in defense of his action, give

a clear insight into the paucity of restrictions affecting Black mobility in the Seminole country. As few of the Indians could read or write, Ramsay was often called upon to provide such written authorisation,

> ... It is well known in that region especially among the Seminoles that I have been in the habit of writing passes for their slaves when they are about starting to the garrisons to hunt work. They have been so accustomed to this that their slaves often come and get passes without any written order from their owners... this is the way in which I was betrayed into the present difficulty...[128]

Luke subsequently made his way to Fort Cobb and found work at the post. Soon afterwards, however, word arrived that he was wanted by the Creek authorities. A force of militiamen was sent out from the garrison and Luke was found hiding in a hayfield. Ramsay later learned that,

> ... They had arrested him, and sat him on a horse; and on the way, he had pulled out a knife, and had cut his own throat, from ear to ear. And when the surgeon came and sewed up his throat, in order to save his life: he had torn it open again, and had thus bled to death.[129]

Though Luke's life had ended, Ramsay's problems were just beginning.

The pass that Ramsay had issued was subsequently found in Luke's pocket. The minister had not attached his name to the document but Luke's wife was threatened with "instant death" if she did not divulge its author. Ramsay was named and the woman was subsequently returned to the Creeks and whipped as a runaway. The pass, meanwhile, was sent to Moty Kennard, the principal chief of the Creeks. A council was called and retribution demanded. Since Luke's departure, Ramsay had received timely permission from the Presbyterian Board to return to the east on a visit. At North Fork town, he learned of Luke's crimes and the circumstances surrounding his death and immediately wrote to Kennard exonerating both himself and Robert Johnson, who had attached his name to the pass, claiming that they had been duped. The Creeks, however, believed Ramsay to be an abolitionist and had determined, "With violence, <u>Even to Tar and Feather Him</u>". Fearing the worst, Ramsay hastily left North Fork town but, in less than a hour, "a band of Creek men, painted and whooping" started after him. Fortunately

for him, however, the minister took a wrong turn outside the town and unwittingly escaped his pursuers without being harmed.[130] Ramsay remained in the east until after the Civil War when he finally felt safe in returning to the Seminole country.

The Creeks were outraged by this tampering with their slave property and were determined that the like would not happen again. The crux of the problem lay not with the Presbyterian minister, however, but with the Seminole system of slavery which encouraged such behaviour. The Seminoles, seemingly, had no objection to their Blacks moving around freely to procure work and allowed men such as Ramsay to issue them passes without their owners' consent. By this time, the Seminoles were independent of the Creeks and in total control of their own internal affairs. The Creeks, however, clearly wished to disassociate themselves from such practices and prevent similar occurrences from taking place again. Consequently, they passed a series of laws which placed more restrictions upon the movements of their slave population than any other Indian tribe.

Beginning in 1860, Creek slaveowners were required to keep their Blacks "immediately around their improvements". Slaves were prohibited from hiring themselves out to employers during their "free time" and those so doing were to be fined $50 for each offence. No slave was to be permitted to travel more than 2 miles from his owner's premises at any time, or any distance at night, without a written pass from his owner. Slaves violating the law were to receive 25 lashes. Owners issuing passes, meanwhile, were to state the slave's destination, or be fined $10. Another Creek law resulting from this affair forbade individuals to issue passes to slaves they did not own. Those so doing were to receive a $100 fine and 100 lashes and inability to pay would result in an extra 100 lashes. If the slave were to escape, the person issuing the pass would receive 100 lashes and be required to pay the owner the full value of the escapee. Failure to pay would result in death. Creek Black runaways, moreover, were to receive

100 lashes while those found harbouring them would be fined $50, or also receive 100 stripes. A reward system was also established for those capturing runaways.[131] These laws, which so dramatically increased the severity of the Creek Black code, were thus a direct response to the laxity inherent in the Seminole system of slavery. Significantly, the Seminoles failed to respond in a similar manner to these events. They passed no regulatory legislation restricting their slaves' mobility and the Blacks associated with the tribe continued to enjoy almost complete freedom of movement.

Avenues were also open for slaves of the Seminoles to acquire their freedom. The tribe, apparently, had no laws prohibiting owners from manumitting their slaves. From the emigration rolls we learn that "Wann 1st" was freed by his owner Sawakee before her death,[132] that Long Bob, a leading Black partisan during the Second Seminole War, was freed by Jumper,[133] and that, "Holatoochee was to retain his negroes during his life, but they were never to be sold or separated and were to be ultimately free".[134] Such snippets of information help full out a picture which strongly suggests that emancipation within the Seminole tribe was a fairly common practice, particularly among the recalcitrant traditionalists.

Seminole slaves became good candidates for manumission if they were included in one or more of the following three categories. Firstly, there were those who were related to their owner through either marriage or descent. Thus, for example, King Bowlegs emancipated his mulatto wife Polly and her two children, Margarita and Martiness, in 1819.[135] Secondly, there were those who were inherited by conservatives whose families had a long history of association with their Blacks. Chieftains would occasionally will their slaves to heirs with the understanding that they would be freed upon the inheritor's death. Other conservative inheritors, particularly females without male heirs, stipulated that, upon their death, their slaves

were to be freed. The best example of this was provided by Harriet Bowlegs who, at her death, emancipated the slaves she had inherited from King Bowlegs.[136] Finally, there were those who had performed an outstanding service for either their owner or the tribe as a whole. Ben Bruner, for instance, Billy Bowlegs' interpreter, counsellor and "leading Black", appears to have been emancipated for services rendered prior to, and during, his owner's removal. Gopher John, meanwhile, had earlier been freed by the chiefs for providing the cost of transporting a party of Seminoles from the Arkansas River to their assigned lands in 1842.[137] In such ways, a number of Seminole slaves were emancipated by their owners at various times, and for different reasons.

Seminole Blacks were also permitted to purchase either their own freedom or that of others. As Seminole slaves were allowed to own property and raise crops and livestock of their own, such purchases were quite a feasible proposition for many of them. Few seem to have taken advantage of the opportunity, however, as so little hardship was attached to Seminole slavery. The only real benefit Seminole slaves stood to gain from purchasing their liberty was that this would remove the possibility of their being sold legitimately. The door to fraudulent claims and kidnapping would remain open. Consequently, though a number of Seminole slaves appear to have been wealthy enough to buy their freedom, most preferred to continue in their state of limited servitude and retain their assets.

The slaves who were most interested in acquiring their freedom were those in immediate danger of being claimed and forcibly seized by non-tribal members. Thus, for instance, Polly, the widow of King Bowlegs, purchased the freedom of her latest husband, Toney Barnett,[138] and Abraham bought his son Washington from Micanopy and later emancipated the youth as they were being actively sought by claimants from outside the tribe.[139] Perhaps the best example of this, however, was furnished by the slaves purchased

by Cornelius Pryor. Rather than face removal from the tribe, the Blacks asked to be allowed to either find Seminole owners or purchase their liberty. One of them, a Black named Bob, actually did so, buying his freedom for $300. The transaction was sanctioned by the Seminole chiefs, who "expressed themselves highly gratified" that Pryor had agreed to permit the Blacks to remain associated with the tribe.[140] By allowing owners to emancipate their slaves and Blacks to purchase their freedom, the Seminoles made it perfectly clear that they were not interested in creating a slave mentality or unduly concerned by the prospect of a potentially large free Black population within their midst.

Though free Seminole Blacks could not be bought or sold legitimately, they remained targets for kidnappers and slave hunters with fraudulent claims. The fact that two of the leading free Seminole Blacks, Denis and Abraham, became the objects of speculative enterprises and kidnapping ventures during the 1850s drove home the point that no Black living in the Seminole country was entirely safe, whether a slave or free. Denis and his wife were included in Jesup's emancipation proclamation, and Denis had a document signed by General Zachary Taylor to prove it. Denis, moreover, had been manumitted by his former owner, Harriet Bowlegs, along with her other Blacks. Nevertheless, while his Indian "protector" was absent in Florida with a Seminole delegation sent to try and persuade Billy Bowlegs to remove to the Indian Territory, Jim Jumper and Marcellus Duval carried off his wife to Arkansas. The pair, with the assistance of a storekeeper named Aird, planned to capture Denis also and, on 9 May 1852, he was forced to seek protection from the military at Fort Arbuckle. What became of Denis' wife is unknown, but his statements became the focus of charges filed against Duval which led to his eventual removal from the agency.[141]

In the mid 1850s, Abraham's family became the object of a claim pursued

by William Sena (or Billy) Factor, a mixed blood Seminole-Black. Billy was an interesting character. The son of Rose Sena Factor, who was described as "a mixed blood Seminole and negress",[142] Billy and his mother had themselves been a target for claimants and slave hunters in Florida and the Indian Territory. In 1821, Rose had been bought near St. Augustine by Matteo Solano and Miguel Papy. After living for about a year with Solano, she escaped and ran away to the Indians. Rose was eventually captured, with a child, near Tampa Bay by Captain William Miller, a mixed blood Creek, who took them to the Creek country and sold them to Chilly McIntosh. Rose subsequently became the property of Black Factor and she and her family thus began their association with the Appalachicolas. Black Factor later gave Rose to his son Sam for a wife. When he died, however, the property of Black Factor was claimed by his niece, Nelly, who was the legitimate heir. Nelly disputed Sam's right to Rose and her family but, in September 1828, the Seminole chiefs decided that he was their rightful owner. Sam, meanwhile, later claimed that he had bought Rose and her two children, Billy and Sarah, from Nelly. In 1832, Sam manumitted his wife, Billy, Sarah and Sarah's sons Daniel and Paladore, granting them the right "to enjoy all the freedom and privileges of the tribe".[143]

Billy Factor was subsequently claimed by Levin Brown, a white resident of Jackson County, Florida. In July 1834, Levin's brother Isaac and a man named Douglas led a party of slave hunters and two trained dogs to take Billy from his home, but the raid was unsuccessful. Sometime afterwards, Rose and her family were taken captive by a party of raiders led by Ezekiel Robertson. Rose and Billy managed to escape but Sarah and her sons were carried off to Georgia and never heard of again. At the outbreak of the Second Seminole War, Rose, Billy and his wife Nancy owned a substantial amount of property in herds and crops which they subsequently lost, in part to the Seminoles and in part to the American forces. Rose

and Billy served the United States in a number of capacities during the war. In 1837, Billy was hired as an army herdsman and later he served as a guide, courier, and interpreter for the Creek regiment and U.S. navy. Of most significance, however, he acted as an intermediary during the negotiations with Wild Cat and played a crucial role in persuading him to remove to the west. Rose, meanwhile, was employed as an interpreter at Tampa Bay. On 11 October 1841, she, together with Billy, his wife Nancy and two children, left Florida for the Indian Territory.[144]

During the post-removal period, Billy Factor acquired a bad reputation in the Indian country. In December 1855, Seminole agent J.W. Washbourne referred to him as "a hybrid Seminole and negro" and made the following observation,

> He is a scoundrel unwhipt of justice, or rather he has been whipped several times by both Creeks and Seminoles, once in my presence, for horse-stealing. He has also murdered a Cherokee, and many years ago burned a Creek woman to death. He is an outlaw and dare not show his head by daylight in the Seminole country.[145]

Because of this, Billy and his wife settled outside the Indian Territory, in Sebastian County, Arkansas. Billy was also heavily in debt. In 1852, he claimed $2,000 for the property he and his mother had lost during the Second Seminole War. In 1854, he received $300 of it but $700 more was sent to Superintendant William Drew to be paid to Billy's creditors while the other $1,000 was set aside for Joseph Vandever, the administrator of Rose Factor's estate.[146] Apparently flushed with his success and desperately seeking additional funds, Billy subsequently began to pursue other claims.

One of Billy Factor's schemes involved old Abraham who, in 1855, was accused of selling 5 slaves belonging to Black Factor to a white man named Hanson, some 30 years before. Billy had previously sold any interest he had in these Blacks several times over but he now actively sought compensation for his "loss". During the harvest period, Abraham and his family had been

working at Fort Arbuckle in the Chickasaw nation and were living close to the post. Though Abraham had purchased and emancipated the members of his family and was himself a free Black, Billy, together with a party of "wild young Creeks", attacked his household one night during mid September and carried off his wife and 3 of his children. Factor was still not satisfied, for he later brought a suit against Abraham before the Creek council. The plan misfired, however. The Creek authorities decided that Abraham was not liable for the Blacks sold in Florida and returned his family to him.[147]

The affair did not entirely end here. In late December, Abraham left his family at home and fled to Fort Arbuckle for protection, stating that Billy Factor was after him again. Agent Washbourne was unsympathetic, however, believing that he was in no further danger. If he was being pursued, why did he leave his family behind for the kidnappers?

> He did not fly to Fort Arbuckle for protection but for something to eat; having raised no corn for the past season because at the time he should have been planting corn he was constrained to appear before the United States' District Court at Van Buren Arks., whither his sons had been taken on a charge of selling whiskey to the Indians. He is a wily old negro and his influence upon the Seminoles is bad. I have been obliged to reprimand him more than once for inebriety.[148]

Washbourne later concluded that Abraham considered himself "a personage entitled to great attention" and had been "spoiled by notice paid him by U.S. officers heretofore".[149] Whether this was true or not, the affair brought to light the perils facing all Blacks living in the Seminole country, no matter what their status was, or how famous they were. The problem may have been alleviated somewhat in the late 1850s by the decisions passed down in the case involving the Beams family, a group of free Blacks living in the Indian nations, but even this is open to debate.[150] There can be little doubt that kidnapping continued to be an ever-present source of danger to free Seminole Blacks right up to the Civil War.

Except for the fact that they were not obliged to give tribute to an

Indian owner, the lives of free Blacks were very similar to those of Seminole slaves. Free Seminole Blacks were allowed to own property, including horses and firearms, live in separate settlements, and move about at will. In consequence, several of them became quite wealthy. Abraham's son Washington, for example, later recalled that his father was a successful cattle-raiser and would return from market "with a sack full of gold and silver" which he kept under the floor-boards of his cabin.[151] Free Blacks also continued to retain positions of importance as interpreters. Thus Gopher John, Cudjo, Toney Barnett, Abraham, George Noble and Ben Bruner were all free Blacks who, at various times during the 1840s and 1850s, were used in an official capacity as tribal interpreters. Some of these, moreover, acted as counsellors to Seminole chiefs and advised the Indians on important matters affecting the tribe.

In contrast to the action taken by the Cherokees after the slave revolt of 1842, the Seminoles made no effort to pass punitive legislation against their free Black population after the defections to Mexico in 1849-1850. This in spite of the fact that the Black contingent was organized and led away by a free Black, Gopher John. Nor did free Seminole Blacks come under the yoke of property or poll taxes, or the threat of either removal or re-enslavement, as they did in the other slaveholding tribes. The Seminoles seem not to have viewed free Blacks as necessarily subversive and continued to allow them to reside among their slave population. They were, apparently, able to accept the idea of different classes of Blacks being associated with the tribe. In short, no attempt was made to create a depressed Black consciousness by equating Blacks with bondage. Though all slaves were Black, not all Blacks had to be slaves.

Because of the similarities in their lifestyles, it is often hard to differentiate between Seminole slaves and free Blacks. During the post-removal period, slaves and free Blacks continued to live together in Black

towns under free Black leadership. After they were returned to the Seminoles in 1849, the Blacks settled apart from the Indians in 3 towns,[152] their principal settlement being on Wewoka Creek under the leadership of Gopher John. Mary Ann Lilley thus described the Black town at that time,

> ... Mr. Lilley used to go to a place called Rocky Mountain, it was a high rocky bluff, and then went down a long distance to the river bottom, to where they lived and cultivated the river bottom. The colored people lived there and Uncle Warren was the Patriarch of the clan.[153] Their masters were scattered all around there. Uncle Warren was set free by the Seminoles before they came here and all his children were slaves save Catherine who was born free.[154]

Wewoka continued to exist as a Black town after Gopher John and the militants had left for Mexico. Reverend Ramsay referred to "an African town over on the Wewoka, called Uncle Charles town"[155] being in existence in the summer of 1856 and Alvin Rucker has stated that the Arkansas Gazette made "frequent mention of Wewoka as a place of refuge for runaway slaves from Creek, Seminole and Cherokee masters, where they joined free negroes".[156] Thus, primarily for protection and mutual convenience, Seminole slaves and free Blacks banded together in towns. The Seminoles could exercise little control over these Black towns and were unable to enforce their laws there. When they attempted to do so, as in the case involving the horse-thief Walking Joe, they generally received short change from the Black residents.[157] The towns came to constitute virtually autonomous settlements of armed Blacks, under free Black leadership, and their residents enjoyed a large measure of control over their own destinies.

Though their association with the tribe was recognized by the Indians, both slaves and free Blacks lived on the fringe of Seminole society. The Blacks were allowed to use tribal lands for their own benefit and intermarry with the Indians but they were only rarely included in Seminole clans or towns and appear not to have been considered members of the tribe. In 1857, Southern Superintendant Elias Rector made a very interesting observation,

> Among the Creeks and Seminoles, in particular, are also many negroes of unmixed African blood, and many persons partly of that blood free, and enjoying the rights among the Indians themselves of citizenship, intermarrying with the latter and, sharing their annuities and other moneys [sic]; an offence committed by one of these against the person or property of an Indian, and vice versa, is, by the letter of the law, punishable, under the laws of the United States, in the courts of the United States. It is evident that this should not continue to be the case, but that over these persons the Indian tribunals should have exclusive jurisdiction.[158]

Though this statement adds to our perception of the position of free Blacks within Seminole society, it would appear to be only accurate in part. It is to the relative merits of these observations that we must next turn our attention.

In order to gain a true understanding of the position of free Blacks within Seminole society, it is important to appreciate what constituted citizenship rights or, in other words, what advantages were derived from tribal membership. The Blacks could only be classified as bona fide tribal members if it could be shown that they actually possessed these rights. Three major benefits were attached to membership in the Seminole tribe: the right to protection under the law, the right to share in per capita annuity payments, and the right to political representation. Yet free Blacks were denied privileges in each of these areas. First of all, though they were not legislated against, as Rector indicated, free Blacks were not protected by Seminole law and lived outside the pale of tribal justice. Secondly, no evidence has been found that free Blacks were included in annuity payments. Their names do not appear on the annuity rolls of the late 1850s. The 1860 roll,[159] for example, does not list Abraham or Ben Bruner though both are known to have been living in the Seminole country at that time. Finally, no evidence can be produced to show that free Seminole Blacks were included in the tribe's political process. There is no indication that the Black towns were afforded political representation or that Blacks sat on the Seminole councils. The signatures of free Black leaders do not appear on official tribal documents of the 1850s. Though

they frequently acted as interpreters and advisers and could, at times, exert great influence over the tribe's decision-making process, free Blacks were not considered by the Seminoles to be an integral part of that process. Thus, it seems clear that, unless their's was an exceptional case, free Seminole Blacks did not enjoy the benefits accruing from tribal membership. In a nutshell, they retained the somewhat anomalous position they had held in Florida of being closely associated with the tribe, but not part of it.

The question then arises of why free Blacks were not accepted as tribal members. The simple answer is that the great majority of Blacks were not included in the two great cornerstones of Seminole Indian society, the clan and the town. In former times, Indian slaves of the Seminoles had usually been incorporated into the clan system and they and their children would eventually become fully-functioning members of the tribe.[160] No evidence has been found to support the theory that it was general practice to incorporate Black slaves into the system, however, and everything points to the opposite. Whether the Seminoles were influenced by relations between whites and Blacks in the southern states or racial and cultural differences between themselves and their African slaves or, more likely, a mixture of the two, is uncertain. It is safe to suggest, however, that the Blacks were less assimilable than other Indians. Blacks were occasionally adopted into Seminole clans but this was seemingly a rare occurrence which perhaps took place in appreciation for outstanding service or because of ties of affection, intermarriage, or kinship. Free Blacks associated with the tribe were almost invariably former slaves who had been born outside the clan system and their adoption into a clan was neither a usual nor even a frequent accompaniment of manumission.

Intermarriage with an Indian could lead to a Black's entry into Seminole society but, again, this was not automatic. Because of the tribe's system of matriarchal descent, it would have been extremely unusual for a Black

woman to be accepted into Seminole society. Even if she were to marry an Indian it would be highly unlikely that she would be adopted by a clan as all of her offspring thereafter, whether Indian-Black or simply Black, would automatically become members also. The children of marriages between Indian men and Black women were thus thought of, and treated, as Blacks. Such children would not be members of Indian clans or towns but raised as Blacks and excluded from Seminole society. There were thus genuine disadvantages attached to a Black marriage for a Seminole male as his tribe would not consider his offspring Indian. On the other hand, if the mother of a mixed blood Seminole-Black was Indian the child would automatically be a member of her clan and town and be raised as a Seminole. It would be much more likely, therefore, that the Black father would move in Seminole circles and the chances of his being adopted by a clan would be greatly increased. Yet, even here, it would seem that social mores tended to work against such marriages and that the resultant mixed blood offspring were a rarity within the tribe.

Elias Rector[161] and the census takers of 1860s[162] intimated that intermarriage between Seminoles and Blacks was fairly common prior to the Civil War and this notion has been accepted by a number of leading historians.[163] These contemporaries seem to have been overly influenced, however, by familiarity with the situation that had existed formerly, in Florida, and by the contrast between Seminole-Black relations and those that existed between mixed bloods or intermarried whites and their slaves in the other slaveholding tribes after removal. In consequence, they mistook close association for assimilation. Due to the absence of substantial evidence, it is impossible to make hard-and-fast statements on the amount of Indian-Black intermarriage that took place within the Seminole tribe between removal and the Civil War. During the postbellum period, however, there was a remarkably low incidence of such marriages,[164] and this after the Blacks had

been officially accepted into the tribe. This, when added to our knowledge of Black separatism and isolationism during the antebellum period and of the overriding continuity in Seminole-Black relations, particularly after 1850, would suggest that mixed Indian-Black marriages were of, at least, equally rare occurrence prior to the Civil War. It would seem that, after the wedges associated with removal and the events of the 1840s had been driven between the two groups, much of the mutual affection that had existed between the Seminoles and Blacks in Florida evaporated, and intermarriage suffered a resultant sharp decline.

Thus, with the exception of a few who were either adopted or mixed bloods with Indian mothers, Blacks were not included in the Seminole clan system or Indian towns. It cannot be stressed too strongly just how significant this was. A Seminole's clan played a large part in determining his political affiliation, leadership potential, closest relatives, rights of inheritance, marital partners and social life. The clan was the core, indeed the very fabric, of Indian society. Membership of a Seminole town, meanwhile, brought with it the right to protection under the law, to be politically represented and to receive tribal monies. Being outside the clan and town system meant exclusion from virtually every facet of Seminole economic, social and political life. Thus,the Blacks kept themselves to themselves, residing in separate towns, remote and isolated. Though they were accepted by the Seminoles as associates and afforded certain privileges, the Blacks were members of no society but their own. Whether slaves or free men, the Seminole Blacks were essentially exiles living in maroon communities on a hostile frontier.

Though Seminole slaves were obliged to pay a small "tax" to their "absentee" owners, the Black towns were, nevertheless, essentially self-governing communities with independent economic, social and political systems. There was a fairly high level of organization within these Black

settlements. The residents chose their own leaders and, at times, such as when threatened by slave hunters, were capable of acting in concert for the good of the community. Communications also appear to have been excellent, not only within the community but also with other Black settlements in the Indian Territory. Thus, the Seminole Blacks were able to overcome geographical separation and congregate en masse at Fort Gibson in 1845; Seminole, Creek and Cherokee Blacks were able to meet at a pre-arranged time and place before leaving for Mexico in 1849; and,during Aspberry's slave hunting raid of November 1853,the alarm spread quickly among the Black population and the kidnappers were forced to withdraw in haste.

Slaves of the same owner tended to congregate together and this fostered a great sense of community within the Black towns which persisted beyond the Civil War. Of the 97 enrolled and unenrolled Blacks whose named appeared on Seminole Freedman census cards at the turn of the century and who claimed to have been a slave of either King Bowlegs, King Payne, Eliza Bowlegs or Billy Bowlegs, for instance, 92 were members of the Dosar Barkus band while only 5 were associated with the Caesar Bruner band.[165] The residents of Seminole Black towns were both independent and inter-dependent, relying almost totally upon themselves and each other. They would trade with each other, help one another out at harvest time, or during busy or difficult periods, and interact socially. Because of the nature of their society, featuring, as it did, large extended families and fairly small communities, many of the residents were related to each other in some way. The Seminole Blacks thus came to be bound by ties of mutual need and affection, intermarriage and kinship.

A separate, vital and clearly identifiable Seminole Black culture emerged within these communities during the antebellum period. Certain facets of it, such as food preparation and clothing, were adopted from the Seminoles, while others plainly reflected the Blacks' African heritage and

history of bondage under both southern whites and Indians. In consequence, the overall society and culture of the Blacks was very different to that of the Seminoles. Three key elements in Seminole Black culture, language, naming practices and religion, illustrate perfectly these differences and point to its unique nature. All three reflect the Blacks' diverse background and cultural independence and each, to a greater or lesser extent, was passed on to the Seminoles.

While the Seminoles first language was Muskhogean that of the Seminole Blacks was, what linguist Ian F. Hancock has termed, Afro-Seminole Creole. This language has been retained to the present-day by the Texas group of Seminole Blacks and is strongly suspected to have survived in Oklahoma and among various other groups, also. Afro-Seminole is a unique English-related creole whose roots date back some 400 years to the west coast of Africa. An offshoot of the most conservative form of Gullah, its lexicon contains mainly English-sounding words but also includes some African, Spanish and Muskhogean expressions.[166] Though many Seminole Blacks could speak Muskhogean, Afro-Seminole was the language spoken in the Black towns during the antebellum period. The Seminole Blacks never needed interpreters when addressing whites and indeed were usually employed as such by the latter during their dealings with the Seminoles. Significantly, while each of the loyal Seminoles required an interpreter when filing their claim for compensation in 1867, not once was one needed by the Blacks.

There is perhaps no greater indicator of a group's sense of cultural identity than its language. Instead of accepting Muskhogean as their native tongue, the Seminole Blacks chose to retain a language which was alien and unintelligible to their Indian associates. In so doing, the Blacks picked linguistic isolation over assimilation, asserted their independence and exhibited a strong sense of group pride. Afro-Seminole recognized the Seminole Blacks' unique heritage and was the medium used to preserve their

history and traditions. Significantly, the Seminoles' principal and often sole contact with "English" came through their Black associates. The Indians were thus heavily exposed to Afro-Seminole and this may have been responsible for the development of a pidgin English among them. Joe Dillard has put forward a controversial thesis which argues that, "... There is a clear African-to-Indian transmission in the case of the Seminoles.... We find Pidgin and Creole English spoken by the Seminoles and the African slaves who escaped to them, respectively...".[167] Unfortunately, Dillard restricts his argument almost entirely to Florida. How much, if any, and for how long the use-of-English of the Seminoles living in the Indian Territory was influenced by Afro-Seminole is still to be determined, and much important work remains to be done in this field.

The naming practices of the Seminole Blacks also reflect the diversity inherent in their heritage. West African day names were used widely within the group, the most common being Cudjo and Cuffy, the male equivalents of Monday and Friday respectively.[168] Two names of months, July and August, were also used, on occasion. Men with untranslated day names generally held positions of high standing within the Black community. Thus, King Cudjoe was one of the leading Seminole Black interpreters prior to removal while Cuffy played the role of intermediary between the Blacks and Seminoles in 1849 and later became a prominent member of the Nacimiento community. The same would appear to be true for those bearing names of months as men by the name of July and August played important roles as guides, interpreters and Black leaders during the Second Seminole War. The modern-day place-names of Cudjo Key in Florida and Cudjo Creek in Seminole County, Oklahoma, bear witness to the importance of the African name among the Seminole Blacks. Cudjo, in fact, is a prominent surname among the Oklahoma group to this day, and two of the leading Seminole Freedmen bear the name. The brothers Lance and Lawrence Cudjoe, educators and administrators who are now based

in Oklahoma City, are Seminole council members from the Caesar Bruner band and generally considered to be the most able of the Black leaders.

The Seminole Blacks' use of famous biblical and historical names, such as Abraham, Sampson, Caesar, Nero and Cyrus, dated back to their experience on southern plantations when they were forced to drop their African names and adopt those chosen by their white owners. Other names, such as Carolina and Tennessee, referred to the state where the individual or his ancestors were born or raised while, occasionally, some, such as Slavery or Guide, were used to depict the person's, or his forebears', status or function within the tribe. Still other prominent Black surnames, such as Payne, Bowlegs and Bruner, were taken from a current, or former, Indian owner. Often, the names of Seminole Blacks included an exotic mixture of these diverse elements. Leading figures in the history of the Mexican, Texas and Oklahoma groups include, for example, Sampson July, Friday Bowlegs, Slavery Pompey, Cuffy Payne and Caesar Bruner.

There was some African to Indian transmission, and vice versa, but it seems to have been on a fairly small scale. Black names, such as Scipio, Sampson, Caesar and Nero, were occasionally used by the Seminoles after the Civil War and appear on the final Indian rolls. Several Blacks, moreover, are known to have taken the busk name Warrior, the English equivalent of the Seminole title of Tustenuggee. Thus Gopher John was, at times, referred to as John Warrior during the 1840s,[169] John Kibbetts signed himself as Snake Warrior in 1870[170] and the surname Warrior appeared on the Seminole Freedman rolls at the time of allotment.[171] Indeed, the name has survived among the Freedmen to the present-day. Ben Warrior, for instance, is the current leader of the Dosar Barkus band and the longest serving Black on the Seminole council. These appear to have been but isolated examples confined to particular individuals, however, and there is no evidence to suggest that the one influenced the naming practices of

the other. There were no Black Miccos, Tigers or Harjos and no fullblood Cuffys or Cudjos.

The naming practices of the Seminole Blacks suggest that their society was very different to that of the Indians. It was general practice for a Black male to take his father's Christian name as his surname, a custom which was unknown among the Seminoles. Hence, Caesar, Abraham, Cyrus, Pompey and Nero, for example, became Seminole Black surnames as well as Christian names. Occasionally, a child would bear the name twice. Thus, a Cudjo Cudjo was listed on the Seminole Freedman rolls in the late Nineteenth Century. This suggests that the Black father played a more important role within the family than his Indian counterpart. Indeed, it seems probable that a Black would trace his descent and inheritance rights through the male line. In short, whereas Seminole society was matrilineal, the suggestion is strong that Seminole Black society was patrilineal. As with their language, the Blacks' naming practices point to a history and tradition that was very different to that of the Seminoles. In preserving these important aspects of their heritage, the Blacks developed a culture which was essentially alien to the Indians and, in many ways, unique. It was neither Seminole nor Black, but Seminole Black.

Cultural differences between the Seminoles and Blacks were also made manifest in their attitudes towards Christianity. While the great majority of Seminoles continued to practise their native religion and were either opposed or indifferent to the efforts of missionaries after removal, many of the Blacks came to embrace Christianity in some form or other. Though the ratio of Blacks to Indians was only around 1:6, there were more Black than Seminole Christians by the outbreak of the Civil War. In contrast to the situation that existed in the other slaveholding tribes, the Seminole Blacks were permitted to receive religious instruction and practise Christianity in their towns. Consequently, the religion became an integral

part of Seminole Black culture between removal and the Civil War and the church has continued to play a central role in the society of the Oklahoma group to this day.

The Seminole Blacks were exposed to Christianity long before the Indians as many of them would have received religious instruction on either southern white or Spanish plantations. This, together with their familiarity with the English language, made them more amenable than the Seminoles to the teachings of Christian missionaries in the Indian Territory. Of these latter, the Baptists, Presbyterians and Methodists were the most active and the Blacks who became Christians invariably joined one of these churches. The Methodists apparently met with only limited success, counting just 4 Blacks among their Seminole converts in 1848.[172] Baptism, however, appealed greatly to the Seminole Blacks. Much of their initial contact with the religion came through their own kind, in the form of Creek Black missionaries, and the Presbyterian ministers woefully lamented their attraction to its simple, yet dramatic ceremonies, epitomized by immersion. In consequence, most Black converts joined this faith, while others joined the Presbyterians. Thereafter, as interpreters and instructors and through their own example, the Blacks played a vital role in transmitting their own version of Christianity to the Seminoles. Indeed, it could well be argued that, without their efforts few, if any, of the Seminoles would have become Christians prior to the Civil War.

Blacks played an important role in helping to establish Baptism within the Creek tribe. During the pre-removal period, Reverend Isaac Suttle opened a mission station among the Creeks in Alabama. His congregation was composed almost entirely of Blacks, however, and the converts included Jacob or Jake, Harry, Jesse and Uncle Billy, men who would subsequently become important religious leaders in the Indian Territory. In 1822, Reverend Lee Compere established the Withington Mission Station at

Tuckabatchee town on the Chattahooche River. Included among the small congregation were a number of Creek slaves. In 1828, Opothleyohola and a party of Upper Creeks, jealous of the power exerted by the missionary, broke up Compere's assembly and whipped the Blacks before him. The following year, the Baptist Board withdrew its support from the Creek missions because of such incidents and the station was forced to close.[173]

Immediately after removal, the Creek Baptists were said to be headed by Brother Jacob, a mixed blood Indian-Black who subsequently became a dominant force in the church.[174] Shortly afterwards, a church composed almost entirely of Blacks was organized by Reverend John Davis near Bruner's town, north of the Arkansas.[175] On 9 September 1832, Isaac McCoy founded Ebenezer Station, the first Indian church in the Indian Territory, in the region of what now constitutes present-day Muskogee. The original membership of 6 included Quash,[176] Ned and Bob, 3 Black slaves who had been baptized by Reverend Compere in Alabama. After the initial service, McCoy wrote, "We retired from our meeting, not only with solemn countenances, but many faces, both black and red, were suffused with tears, and every heart seemed to be filled".[177] By January 1833, about 50 more had been added to the congregation, McCoy adding that, "Many of these were Indians: - a majority were blacks who were slaves to the Indians and one was a white person". In 1834, Reverend Lewis was dismissed by the Baptist Board, leaving the church without a minister. McCoy reported later, however, that the Blacks had retained the faith and "kept up public worship".[178]

During the mid 1830s, the Ebenezer congregation continued to be predominantly Black. In 1835, for example, the membership of 82 included 54 Blacks, 22 Indians and 6 whites.[179] Due to opposition from the Upper Creeks, the missionaries were ordered from the nation in this latter year, but the faith remained strong among the Blacks. By 1841, the congregation had been reduced to 29, but 28 of these were Blacks.[180] The services,

moreover were conducted by two slaves, Jacob and Jack. Jacob, by this time, had been ordained and Jack, according to Reverend Evan Jones, who visited the church in September 1842, was a public blacksmith and "a good interpreter". Jones continued, "He and Brother Jacob are allowed one day in the week to support themselves and families in food and clothing. These days they devote to the service of the church, and hire the working of their little corn and potato patches".[181] Through such devotion and zeal, Baptism survived within the Creek tribe and was eventually passed on to the Seminole Blacks.

In 1843, a revival took place within the Ebenezer congregation under Black leadership. During that year, Reverend Charles R. Kellum reported that around 100 had been baptized by Jacob and, "Red, white and black attend the meetings. Jake preaches in the morning in English, Jack in the afternoon in Indian, and James Marshall at his own house in the evening".[182] In response to this, the Creek council passed a law that same year forbidding any Indian or Black to preach, under penalty of a whipping, and no whites were to be allowed to preach without a permit. Significantly, in his annual report for 1843, Creek agent J.L. Dawson noted that the white missionaries had been, "... Rigidly excluded from the nation - a necessary consequence of which was, an increased degree of idleness, licentiousness, and immorality, measurably checked by the moral and religious tendencies of a very small portion of the nation, chiefly through the agency of negro preachers".[183] It was largely through the efforts of these "negro preachers" that Baptism spread to the Seminole Blacks.

Creek Blacks had also been prominent in the establishment of Baptism at North Fork town. Black preachers had been responsible for many conversions and, in 1842, Joseph Islands, who subsequently became the most famous of the Creek Indian Baptist preachers and came to be known as the "Apostle to the Creeks", was converted by an illiterate old Black slave named Uncle

Billy. On 19 July 1844, in spite of the recent law, the North Fork Baptist Church was established by missionary Sydney Dyer with an initial membership of 14 Creeks and 12 Blacks and a number of these latter suffered persecution and physical abuse for their faith. Creek Black preachers playing an important role in the early life of this church included Jesse, Harry, Jacob, Mundy Marshall and Monday Durant. In 1849, formal Creek opposition to Christian missionaries came to an end. On 7 March, Henry F. Buckner, who would subsequently become the most famous of the Baptist missionaries to the Creeks, arrived in the nation with just $4.50. Upon meeting Jack, he gave the interpreter ¢50 to tell the other Blacks that he had come to help them. He need not have bothered. At the time of his arrival, the Creek Baptist church consisted of 312 members and included 105 Blacks.[184]

As North Fork town was so near to the Seminole country, it is quite likely that Seminole Blacks attended these illegal religious meetings and came under the influence of Creek Black Baptist preachers. The North Fork community subsequently became the home base for missionary operations among the Seminole Blacks and Joseph Islands and Monday Durant were largely responsible for the establishment of Baptism within the group. The earliest known Baptist missionary contact with the Seminoles dates from the arrival of Joseph Smedley in 1842. In 1846, he was planning to establish a church of 30 to 40 members called the Deep Fork or Seminole Church and a year later the American Indian Mission Association announced that Islands had organized a Seminole Baptist church of 50 members, but needed additional assistance.[185] This early Seminole congregation was composed almost entirely of Blacks, however. Shortly after John Lilley, the Presbyterian missionary, had established the Oak Ridge Mission he was visited by Gopher John. As the Blacks living at Wewoka "called themselves Baptists", John was anxious to learn the ministers' religious affiliation. The Black leader later surprised the Lilleys further by exhibiting a

knowledge of the bible which he referred to as "de big book".[186] In all probability, the Seminole Blacks had been introduced to Baptism either at North Fork town or by Indian and Black preachers from that community.

In 1852, Monday Durant, a free Creek Black Baptist preacher, began visiting and preaching to the Blacks living in the Seminole country. Monday owned a store at the mouth of the Little River[187] and thus lived close by the Seminole Blacks. From this advantageous position he conducted his missionary labours. Buckner reported from North Fork town on 1 December 1853 that, "Monday preaches on Little River to the Seminoles every fourth week; and had baptized four the last time I saw him".[188] In 1854, Monday organized his converts into a church the congregation of which was later described by Reverend Murrow as "composed wholly of negroes".[189] Though there was no official prohibition on Christianity within the tribes at this time, the Black Baptists were still subject to persecution by individual Creeks and faced constant danger. The life of Monday himself, in fact, was at one time threatened by Echo Harjo, Chief of the Upper Creek Canadian district, who wished to stamp out Christianity in his province.[190] For this reason, the Seminole Black Baptists would have taken great precautions to remain undiscovered. As Robert Hamilton has suggested, the Blacks could be expected to have "secretly held their meetings, baptizing after mid-night in the streams, with guards posted to keep from being surprised and arrested".[191]

Monday Durant's Black church was directly responsible for the spread of Baptism to the Seminoles. Though wishing to maintain secrecy, the Seminole Black Baptists became overly enthusiastic about their new religion and it was reported that "there was much shouting among them". The Seminoles were deeply suspicious of these Black assemblies and believed that their behaviour was the result of "bewitchment". Consequently, they sent James Factor, one of the few English-speaking Seminoles, a tribal interpreter and Chief John Jumper's right hand man, to investigate. At the meeting,

Factor fell under the influence of the Black preachers and became converted himself. The Seminoles debated the case for some time and finally expelled Factor from the council. A.J. Holt, a Baptist missionary to the Seminoles during the 1870s, later recalled, "John Jumper, telling me of this later, said he was sure James Factor was a better man than he. John Jumper was dissatisfied with what the council had done and resolved that he would investigate for himself concerning this bewitchment. The result... was that he himself in turn became bewitched".[192] Thus, the chief of the tribe and his interpreter and privy counsellor had both been converted to Christianity through the influence of Creek and Seminole Black Baptists. Jumper at first became a Presbyterian but, with the coming of Reverend Murrow to the Seminole country, later changed his religious affiliation to Baptism. James Factor and John Jumper were both ordained to the ministry in 1865 and they became the leading lights in the Seminole Baptist church during reconstruction.

In the mid 1850s, John Bemo came under the influence of Buckner and switched from being a Presbyterian to a Baptist preacher. This move severely weakened the Presbyterian cause and aided that of the Baptists as Bemo was extremely successful in gaining Black converts. Reverend Ramsay later lamented that Bemo,

> ...Had a great facility of interesting Colored people; and he became our great opponent in that field of labor. Wherever we went preaching, he went also and immersed the Colored people. And Mr. Lilley supposed that he had got all the people of Charles Town to be willing to be Presbyterians; and went over there one day for the purpose of trying to organize them into a church... but he found when he got there, that Bemo had been there, and had got them all persuaded to go under the water, and that they were Baptists.[193]

Under Bemo, the Seminole Black Baptist church grew rapidly in the late 1850s. So much so, in fact, that when Reverend Murrow visited the Seminole country for the first time in 1859 Bemo informed him that services were being conducted to more than 100 members.[194]

It is deeply ironic that the religion that Blacks had so firmly embraced

and passed on to the Seminoles became associated with the progressive faction of the tribe. By the early 1860s, Baptism had become a rallying cry for Jumper's supporters in opposition to the more conservative followers of Bowlegs. Jumper was undoubtedly heavily influenced by the leader of the Seminole church, Reverend Murrow, who was both Southern in sympathy and a fierce supporter of the Confederacy. During the Civil War, Murrow would become the Confederate agent of the Seminoles and see the position expanded to include commissary duties for the refugee Indians. When he arrived in the Seminole country to assume his missionary duties in January 1860, Murrow immediately set about organizing a separate Seminole Indian congregation at the Ash Creek Church. Later that year, the Seminole Baptist church was formally divided into Indian and Black congregations, each with its own structure, the reason given being, "To benefit...the church in its church capacity, and also... the community in its social relationships".[195] Thus, though a number of them shared a common religion, the social and cultural differences between the Seminoles and Black were again recognized and provided for.

The Presbyterians were also active in the Seminole country between removal and the Civil War but they did not enjoy as much success among the Blacks as the Baptists. Nevertheless, a number of them embraced Presbyterianism and Blacks again played an important role in spreading the religion to the Seminoles. In 1844, Seminole agent Thomas L. Judge reported that John Bemo preached regularly once or twice a week "to full houses". His congregation included only a few Seminoles, however, and was composed almost entirely of Blacks.[196] The efforts of the Presbyterians were severely hampered by the growth of Baptism among the Blacks. By the time John Lilley arrived in the Seminole country in 1848, Baptism was already firmly established as the principal religion of the group. The Presbyterians, nevertheless, attempted to make inroads into the Black community. Though

the people of Gopher John's town professed to be Baptist, the Lilleys "often hired them and had preaching there".[197] During a visit to the Lilleys in early September 1849, just a few weeks prior to the Seminole and Black defections to Mexico, Reverend Ramsay, together with Bemo and the Lilleys' two daughters, organized a service at Rockey Mountain, near Wewoka. Ramsay later recalled, "We had a very pleasant meeting, Africans and Indians made the house full. Mr. Bemo remarked if I had given each of those people ten dollars apiece, I could not have pleased them as well as by giving them the sermon which I gave".[198]

In spite of their Baptist leanings, John Lilley was still preaching to the Seminole Blacks at Wewoka in the summer of 1856. Ramsay remarked that, "The colored people professed to have a great deal of confidence in Mr. Lilley. They got him to do all their writing for them; and said that they loved to hear him preach". It was only through the influence of the newly-converted Bemo, the minister believed, that the Blacks at Uncle Charles town became Baptist rather than Presbyterian. Even after this major setback, however, the Presbyterians maintained links with the Seminole Blacks. When he left the Oak Ridge Mission to establish a station in the new Seminole country, Ramsay was escorted by Robert Johnson, Big Jim and Short Billy, three Blacks who were subsequently employed in building the cabins for the new Prairie Mission at Pond Creek. Moreover, a number of Seminole Black horse-thieves had moved into the surrounding area to hide out from their owners and several of these were hired by Ramsay to build a second house, haul rails and build a fence around his 10 acres.[199] In a frontier environment, morals, ethics, and law and order frequently had to take a back seat to practicalities, even among Christian missionaries.

With the exception of Bemo, the Presbyterian missionaries sent to the Seminole country were white and in great need of reliable interpreters. At various times, Lilley employed "a half African and half Indian" named

Willis and "an old colored man, named Uncle Fay". By the summer of 1856, however, the situation had reached a crisis point as Willis had died, Uncle Fay "understood both languages imperfectly" and could not be trusted and Bemo had defected to the Baptists.[200] As a matter of necessity, the newly-arrived Ramsay secured the services of Robert Johnson, a Black interpreter with whom he had become familiar at the Kowetah Mission in the Creek country.

Robert Johnson was a colourful character who pursued a most interesting career. In time, he would become the most frequently used and influential Black interpreter in the tribe and play a major role during the Civil War and the negotiations leading up to the treaty of 1866. Robert would also father a son, J. Coody Johnson, who, as an interpreter, attorney and politician, was destined to become the most important Black in the Seminole tribe by the time of enrollment. Coody would subsequently become famous as a protector of the interests and rights of Freedmen and a political organizer of Blacks during the early days of statehood. Indeed, it could well be argued that "The Black Panther", as Coody came to be known, became the most influential and powerful Black leader in Oklahoma during the early part of the twentieth century.

Robert was born in Alabama in December 1824 and came to the Indian Territory with the Creeks along the Trail of Tears. The slave of a Creek named A. Foster, Robert lived at Econchata town on the Arkansas river. During the late 1840s, he became a member of the predominantly Black Presbyterian congregation at the nearby Kowetah Mission. Here he became familiar to the Lilleys and Reverend Ramsay before they went out to the Seminole country. Mary Ann Lilley later recalled that she tried to teach Robert how to spell in the class she held on Sunday mornings. At first he "was very anxious to learn... but after he learned a little he stopped". The novelty had indeed worn off as it was later noted that he was still

unable to read or write in 1869. Up to this point, Robert had never tried his hand at interpreting but Lilley persuaded him to accompany him one day to an Indian settlement across the Arkansas from Kowetah which had no meeting.[201] In this way, Robert commenced a career that would eventually lead to his becoming the most sought-after interpreter in the Creek and Seminole nations.

Soon after his initial introduction to interpreting, Robert was hired to work on the farm at Kowetah and be trained as an interpreter. Robert's owner was to receive $8 per month in consideration for 5 days work each week from his slave. At that time, Creek Black slaves were afforded the privilege of working Saturdays for themselves. Robert would thus receive his training on that day and be paid for his time. He moved into a small cabin in the southwest corner of the mission station and soon became a familiar figure about the place. As Robert was also the name of both the Presbyterian minister Reverend Loughridge and his son, the mission's new employee was usually referred to as Robin to avoid confusion. During his time at Kowetah, he was known as Robin Foster but after he moved to the Seminole country he was again referred to as Robert. It is not known how he acquired the name Johnson but the change took place sometime during the Civil War. From then until his death on 13 December 1893 he was known as Robert Johnson.[202]

Robert was a valuable asset to the mission as both a farm-hand and handy-man. Indeed, as evidenced by this contemporary description by Augustus W. Loomis, he was something of a jack-of-all-trades,

> ... One of our stated interpreters at the Kowetah Mission, was Robin, a negro, and he occupied the cabin in the corner. Robin was also a man of all work, and very "handy" at repairing tools, and preparing many little "make shifts," which cannot be obtained in that far off country, except by making. Within, his cabin was like a boatswain's locker, having a great many things, but all in confusion. Under the window was the tool chest, which served also for a seat, and sometimes for a table; there was a stool, and one chair with a piece of green cowhide, with the hair

> still on, drawn on it for a seat. Hanging about, you see scraps of old harness, buckles, spurs; and there are hatchets and hoes, axe-helves, broom-handles and brooms, and some of these in process of construction; for this man occupies himself at such labour in the evening, by way of overwork, to earn pocket money for himself.[203]

Skills such as these, especially at so low a price, were extremely hard to come by in the Indian Territory at that time. If for no other reason than this, the mission was anxious to retain Robert's services.

Reverend Ramsay first became acquainted with Robert shortly after his arrival in the Creek country in the summer of 1849. One day, during the harvest, Robert and another hired slave, Daniel Carr, were cutting hay when Ramsay and his associate, Reverend Hamilton Ballentine, determined to teach them how to build a Pennsylvania haystack. The prairie hay did not bind together as well as timothy, however, and the stack fell apart with Ramsay tumbling to the ground. At this, the Blacks let out a knowing laugh.[204] Ramsay and Robert soon grew to be close associates and good friends and the missionary came to rely heavily on the Black slave to interpret his message to the Indians.

Ramsay set about training Robert as an interpreter on his free Saturdays and paid him for his troubles. The minister later recalled,

> He was unable to read, and of course at that time was very ignorant. When he first began, he made a great many mistakes and as a part of the congregation understood both English and Creek, they would laugh at his mistakes; so that he grew discouraged; and it was only after much praise on our part, that he was induced to persevere; and after a few months, he became a very proficient interpreter. We paid him for interpreting and he received the money himself.[205]

In his capacity as a trusted interpreter, Robert soon made himself indispensable to the Presbyterians. In 1851, Ramsay wrote to Walter Lowrie, the corresponding secretary of the Presbyterian Board of Foreign Missions, asking his permission to purchase Robert, if he could obtain him for $600 or $700 or less, "In order that he may work out his time and at length become a free man". The idea was not unprecedented as, a year earlier, Loughbridge had bought his Black cook, Celia, from William Drew for $400 with the

understanding that she could earn her freedom. Ramsay described Robert as "a young, healthy man and one of natural talent" and proposed that he employ both his brain and muscle power to earn his freedom.[206] Though the move would have meant little sacrifice to the board, the proposal was not implemented at this time. Ramsay did not give up on the idea, however, and only awaited the most opportune moment to re-introduce it to the board.

During the early 1850s, as they rode along on their "long missionary excursions" to the Indians, Robert, who "was fond of talking" explained to his white associates the Muskhogean version of the origin of the races and the reasons why they were employed in their chosen fields of labour. The white missionaries also learned from Robert, "... Many facts concerning the country, and the habits of the people, their civil polity, and religious superstitions; as well as many things relating to the extent and influence of Christianity amongst the Indians", and in the course of these sessions Loomis remarked upon, "... That large and intelligent eye of the interpreter, rolling quicker as some new idea enters his understanding, or a new thought springs up in his own mind".[207] On one occasion, Robert saved Ramsay from being physically abused by a drunken Indian. While Ramsay was escaping, Robert picked up half a fence rail and challenged the Indian but the latter just laughed and went back to his house, whooping.[208] As one can well imagine, a strong bond grew between the white missionary and his Black interpreter and when Ramsay was ordered to take up his duties in the Seminole country in the spring of 1856 he determined, once again, to secure Robert's services.

While serving as the interpreter as Kowetah, Robert had married Elizabeth Hawkins, a Creek Black woman. His wife did not live with him at the mission, however, and every other Saturday he rode off to spend the day with her. A female associate of Loomis once asked Robert how he passed the time on the long journeys, "He answered, 'Why, ma'am, some of the way

I prays, and some of the way I preaches.' 'Preach, Robin! and to whom do you preach?' she asked. 'Oh, to myself, ma'am'." Robert would subsequently put the oratorical skills he had worked at perfecting to full use in his dealings with the Seminoles and cause a great deal of concern for the conservative Ramsay. In the early summer of 1856, Ramsay asked Foster to let him hire Robert as an interpreter and soon afterwards he and Elizabeth moved out to the Oak Ridge Mission and commenced their association with the Seminoles.[209]

Ramsay was clearly unhappy with having to rely so heavily upon his interpreter and wished to communicate personally with the Seminoles. Consequently, he determined to learn Muskhogean himself and, soon after Robert's arrival, he set about making a dictionary of the Seminoles' language. Ramsay would ask Robert the Muskhogean equivalent of common English words and set his answers down on paper. Though Ramsay found this interesting, it was terribly dull to the interpreter and he frequently fell asleep during the sessions. Ramsay then worked at constructing sentences. He would read the English to Robert, then his Muskhogean translation, and the interpreter would correct his grammatical errors.[210] It is interesting to note that this first recorded attempt at making a dictionary of the Seminole language was only made possible through the co-operation of an illiterate Black slave.

Ramsay's worst fears about his reliance on the Black interpreter seem to have been borne out. In December 1857, the missionary wrote a most important letter back to the Presbyterian Board in Pennsylvania. Ramsay complained that Robert was transmitting Africanisms along with Presbyterianism to the Seminoles and that the Indians had been greatly influenced by his "interpretive notions and prejudices". He went on,

> Our interpreter at present is an African... and he will have African ways and will try to lead our people in the same way. And they most willingly follow him as all the Creeks do the

> negroes among them in such things as having frequent fasts followed by feasts, great camp meetings, observing Christmas which they call "Big Sunday" with a great fast and sitting up all Christmas night singing and shouting and praying.

Such goings-on could be carried too far and ultimately prove subversive to the church. Robert was "almost adored" by the Indians he spoke to and Ramsay felt himself "pretty much at his mercy". He could preach only when the interpreter had the notion, and, even then, he could only discuss "what he loves to talk about". Ramsay concluded by stating that he was more determined than ever to learn the language, if at all possible.[211]

Ramsay's statements tell us something of the influence Blacks had in the transmission of Christianity to the Seminoles, and hint at a great deal more. The Blacks, apparently, modified the religion to include elements of their African heritage and one can well imagine the differences between orthodox Presbyterianism or Baptism and that practised in the Seminole Black towns. This modified version is the one that was first accepted by the Indians. Just as James Factor was "bewitched" by the Black Baptists so other Seminoles were entranced by the Africanized Presbyterianism preached by Robert Johnson. Due to an unfortunate lack of evidence, the degree of Black influence contained in early Seminole Christianity is hard to assess. Certain it is, however, that the white missionaries were most concerned by this problem. Murrow's reaction was to divide the Seminole Baptist Church into Indian and Black congregations and Ramsay could almost be heard to breathe a sigh of relief when he reported in February 1858, "Our interpreter, Robert, was called home to the Creek agency by his master and soon after he left our people began again to return to order".[212] It would thus seem that, for the same reasons Blacks were attracted to Christianity, Seminoles were attracted to Black Christianity.

Though he was not at all happy with the influence his interpreter was exerting over the Indians, Ramsay was unable to preach to the Seminoles without the aid of Robert. By March 1858, he was back at the Oak Ridge

Mission but Ramsay had had to pay his owner $150 for the slave's services and "Robin received nearly the same for interpreting".[213] In the winter of 1859, Ramsay sought to put an end to such future outlays by making arrangements to purchase Robert from Foster. This practice was not unusual among Presbyterian missionaries working in the Indian Territory and was but one of several compromises they were prepared to make in order to spread the word of God.[214] Nor was the idea unheard of at the Seminole mission. In November 1853, Mary Ann Lilley had written to the Presbyterian Board requesting that it furnish the money needed to buy her Black cook, Mary, who lived "in constant dread for fear her owners will sell her off".[215] Ramsay himself, it will be remembered, had tried to secure Robert's services on a permanent basis in 1851 but the proposal had fallen through. By 1859, however, the Black slave had become a much more accomplished and sought-after interpreter and, in consequence, his owner could command a far higher price.

By December 1859, Ramsay felt that the purchase of Robert had become a necessity. It had become increasingly more expensive to hire him, his owner might order him to return at any time, thus leaving the mission without an interpreter, and, most important of all, Buckner was trying to secure Robert's services for the Baptist church. Ramsay thus stated the case, "... Although he is not in every respect what we could wish him to be, yet he is a very popular interpreter and the best that we are at all likely to get". Ramsay, therefore, informed the Board that Foster had agreed to sell Robert for $1,200 and that he had the means to complete the purchase. Ironically, most of the money was provided by Chief John Jumper, who shortly thereafter became a Baptist himself. Jumper provided Ramsay with an interest free loan of $800 and the balance was to be made up by Ramsay's "brethren, the other missionaries". On 19 January 1860, the minister triumphantly reported that he had completed the purchase for $1,200.

$800 was put up by Jumper, $200 by the missionaries, and Ramsay himself gave a promissory note for the other $200. Robert was faced with the burden of repaying the sum to his creditors but Ramsay was of the opinion that "by industry and economy" he could achieve this in 5 years and thus obtain his freedom.[216]

The transaction must have come as a considerable relief to Robert, who stood to gain greatly from it. No longer would he be subject to the whims of his owner, or liable to be sold out of the country, away from his wife and family, at any time. Instead, he could go about his work as an interpreter and handy-man at the Seminole mission, knowing that he was gradually earning his freedom. Yet events would soon make the enterprise turn sour on Robert. First Ramsay fled from the Indian Territory following the affair involving Robert's runaway cousin Luke, then Jumper became a Baptist and finally the Civil War broke out before he had had a chance to repay his debt. As the majority shareholder, Jumper assumed the rights of ownership over Robert and thus would begin a new and dangerous period in the life of the Black interpreter. But these events belong in the next chapter and will be discussed anon.

Ramsay was delighted with the purchase. It had been concluded just in time as, shortly afterwards, Murrow came out to the Seminole country to team up with Bemo without an interpreter. John Read, who had been interpreting for Bemo, had taken to drink and the Baptists would have been prepared to pay Foster $400 per year for Robert. As it was, they were forced to hire another Black, Sancho, as an interpreter at $150 per annum and he and his wife, who was hired as a domestic at $6 a month, moved out to the Little River Station with the Murrows.[217] Thus, by the beginning of the 1860s, a separate Black Baptist Church was operating in the Seminole Black towns and African interpreters were still playing important roles, and exerting considerable influence, in spreading both

Baptism and Presbyterianism to the Indians.

To sum up, most of the Blacks who remained among the Seminoles in the Indian Territory after the defections to Mexico fared reasonably well during the 1850s, and certainly far better than might have been expected. Though they lived in constant fear of being sold or kidnapped, their lot can only be described as far superior to that of the great majority of Blacks associated with the other slaveholding tribes. The course of Seminole-Black relations in the 1850s was largely determined by the ethnic makeup, historical background and fierce independence of the tribe. The Seminoles were a nation of fullbloods with a history of opposition to white acculturation. After removal, most tribal members continued to reject white intermarriage, acculturative influences and Creek interference and strove to retain their native customs and institutions. In consequence, external agents of acculturation met with little success and no mixed blood internal catalyst for change emerged within the tribe. Seminole society thus remained static - conservative and aboriginal, and its institutions primitive. So different, in fact, was their post-removal experience from that of the other slaveholding tribes that it could well be argued that the Seminoles did not constitute a "civilized" tribe at all at this juncture.

In keeping with the strength of Seminole nativism, the system of slavery employed by the tribe continued to be essentially aboriginal in nature. Almost all Seminole slaveholders were fullbloods largely disinterested in profits or the capitalist ethic and most were members of an elite group of hereditary chiefs and their descendants who were regarded as the custodians of the tribe's native tradition. As a result, Seminole slavery continued to be associated with leadership, status, tribute and deference, and generally brought little material gain to the owner. Institutionalized Black slavery could not be accommodated within native Seminole philosophy and the tribe's customs and traditions worked to keep potentially ambitious owners in check.

Though Seminole slaveholders frequently referred to their Blacks as property, much of this was rhetoric designed either to impress white leaders or discourage slave hunters and kidnappers. No evidence can be found that institutionalized bondage on the southern white model ever developed within the tribe and, consequently, Seminole slavery in no way resembled the system operated by the mixed bloods of the other slaveholding tribes. Blacks were not legislated against, no effort was made to create a depressed slave or Black mentality and the Black population was afforded a great deal of mobility and many other privileges. Indeed, there were very few differences between the lives of Seminoles slaves and free Blacks. A number of Seminole Blacks became quite wealthy during this period and several of them assumed positions of importance within the tribe.

The 1850s was essentially a period of reconciliation and consolidation for the Seminole Blacks. It was a time for building farms, raising families and establishing communities; a time in which the Blacks endeavoured to remove themselves from the limelight and put the traumas of the 1830s and 1840s behind them. In this, they were helped enormously by the relationship they shared with the Seminoles. The Blacks were allowed to live apart in separate towns and use tribal lands for their own benefit. They could raise crops and livestock, own property, including horses and weapons, and move around freely. They could choose their own leaders and defend their settlements. In short, the Seminoles imposed few restrictions on their Blacks and permitted them to control most aspects of their daily lives. Consequently, the decade witnessed the return of many of the characteristics associated with Seminole-Black relations in Florida prior to removal.

Though Indian-Black intermarriage was permitted within the Seminole tribe, it seems to have occurred only infrequently after removal. Besides their racial and cultural differences, the main reason for this was that

the Blacks were only rarely members of Indian clans or towns and were thus excluded from almost all facets of Seminole economic, social and political life. The Blacks thus lived on the fringe of Seminole society, closely associated with the tribe but not part of it. Their status was more akin to that of the Black allies in Florida during the pre-removal period than that of constituent members of the tribe. The Black towns were easily accommodated within the Seminole confederacy yet they were not represented on the council, did not receive tribal monies and were, for all intents and purposes, beyond the pale of Indian law. In effect, therefore, these Seminole Black towns, situated on the frontier of the Indian Territory, closely resembled autonomous maroon communities. Their inhabitants were largely independent of, and different to, the Indians and they exhibited a strong sense of group pride in seeking to preserve their unique heritage. A separate and vital Seminole Black culture, featuring elements from the group's experience in Africa, on southern white and Spanish plantations, and among the Seminoles, and clearly traceable in its language, naming practices and religious tendencies, emerged within these towns during the antebellum period. Several features of it, including a number of Africanisms, were apparently transmitted to the Indians prior to the Civil War and, perhaps of greatest significance as it underlines the strength of the Seminole Blacks' sense of community, much of this unique culture has survived intact among the Freedmen to the present day.

The control that the Seminole Blacks were able to exercise over their own destiny proved to be short-lived. By the end of the decade dark clouds began to appear on the horizon. First of all, the Blacks were again forced to abandon their settlements and remove to a new location further west following the tribe's acquisition of its own lands from the Creeks. Then, in 1858, Billy Bowlegs and his Florida recalcitrants removed to the Indian Territory. The arrival of Bowlegs revived the factionalism of the late

1840s and caused a rift in the tribe between his conservative supporters and those of the increasingly progressive John Jumper that would last for many years and largely determine the future course of Seminole-Black relations. Finally, as the national debate over the future of slavery in the U.S. turned into war, the Seminole Blacks were once more involved in a military conflict. With the coming of the Civil War to the Indian Territory, the Seminoles and Blacks were thrown into flux and again forced to flee from their homeland. Just as the Blacks had participated in the First and Second Seminole Wars in Florida to prevent being returned to southern plantations, so they would fight for their freedom in "The White Man's War" in the Indian Territory. This time, however, they were asked to fight not only whites but Seminoles also. The Civil War would prove to be the most important in the Seminole Blacks' history as it led to their eventual emancipation and incorporation into the tribe. These events, and their outcome, will be discussed in the next chapter.

Footnotes

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20. Presbyterian Church, Historical Sketches, p.27.

21. "Indian Pioneer Papers," 116 Volumes, Indian Archives Division, Oklahoma Historical Society, Vol.104, No.7727, Nettie Cain, p.195, hereafter cited as "Indian Pioneer Papers"; Ramsay, Rev. James R., "Autobiography," 100 pp. typewritten manuscript, Santa Paula, California, James Robinson Ramsay, 1939, pp.31, 38, 42-46, 58. This has been reproduced on microfilm by the American First Title and Trust Company of Oklahoma City, 1 reel, 1970. A copy is housed in the library section of the Western History Collections of the University of Oklahoma at Norman and filed under Microfilm 42-66.

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23. Carleton, William A., Not Yours But You (Berkeley, Pub. by the author, 1954) pp.53-54. 64; Gaskin, J.M., Trail Blazers of Sooner Baptists (Shawnee, Oklahoma Baptist University Press, 1953) p.42; Jordan H. Glenn, "Joseph Samuel Morrow: The Man and his times" (Ph.D. dissertation, University of Oklahoma, 1982) pp.34-35, 272n.82; Moffit, James W., "A History of Early Baptist Missions among the Five Civilized Tribes" (Ph.D. dissertation, University of Oklahoma, 1946) pp.144-148; Routh, Eugene C., The Story of Oklahoma Baptists (Oklahoma City, Baptist General Convention of Oklahoma, 1932) pp.42-43.

24. Kappler, Charles J. (comp.), Indian Affairs, Laws and Treaties, 3 Volumes (Washington, Government Printing Office, 1904) Vol.2, Article 8, p.573.

25. A.R.C.I.A. 1857, Doc.92, Report of Washbourne, p.228.

26. A.R.C.I.A. 1844, Doc.14, Table p.356, and Doc.31, Report of John D. Bemo, p.379.

27. A.R.C.I.A. 1846, Doc.14, Report of Duval, p.280.

28. A.R.C.I.A. 1847, Doc.20, Report of Duval, p.889.

29. Foreman, Grant, The Five Civilized Tribes (Norman, University of Oklahoma Press, 1934) p.246; Presbyterian Church, Historical Sketches, p.27.

30. A.R.C.I.A. 1851, Doc.40, Report of Duval, p.406.

31. Lowrie, John C., A Manual of Missions; or, Sketches of the Foreign Missions of the Presbyterian Church: with maps, showing the stations, and statistics of Protestant Missions among unevangelized nations (New York, A.D.F. Randolph, 1854) p.22; A.R.C.I.A. 1857, Doc.93, Report of Lilley, p.229; A.R.C.I.A. 1859, Doc.59, Report of Lilley, pp.186-187.

32. Hinds, "Creek Missions," pp.55-56.

33. Jordan, "Joseph Morrow," pp.35, 272n.82.

34. A.R.C.I.A. 1845, Doc.20, Report of Duval, pp.529-530; A.R.C.I.A. 1846, Doc.14, Report of Duval, p.278.

35. A.R.C.I.A. 1859, Doc.46, Report of Elias Rector, p.159.

36. Rutherford to Rector 15 August 1860, quoted in, Foreman, Five Civilized Tribes, p.276.

37. A.R.C.I.A. 1854, pp.12-13.

38. Barber, John W. and Howe, Henry, Our Whole Country: or, The Past and Present of the United States, Historical and Descriptive (Cincinnati, Henry Howe Pub., 1861) Vol.2, pp.1477-1478.

39. Southern Literary Messenger, 28, (1859), 333-335, passim.

40. A.R.C.I.A. 1847, Doc.20, Report of Duval, p.888. See also, A.R.C.I.A. 1848, Doc.13, Report of James Logan, pp.521-522; A.R.C.I.A. 1849, Doc.4, Report of Duval, p.1127.

41. A.R.C.I.A. 1851, Doc.40, Report of Duval, p.406.

42. "The Autobiography of Mary Ann Lilley," 64 pp. typewritten manuscript, Section X, Case 5, Drawer 3, Seminole Indians File 1, 3a-522-a-1, Indian Archives Division, Oklahoma Historical Society, p.39; McReynolds, Edwin C., The Seminoles (Norman, University of Oklahoma Press, 1957) p.190.

43. A.R.C.I.A. 1853, Doc.63, Report of Bryan H. Smithson, p.399. See also, A.R.C.I.A. 1854, Doc.54, Report of Washbourne, p.128.

44. A.R.C.I.A. 1855, Doc.47, Report of Charles W. Dean, pp.120-121; Arkansas Intelligencer 29 June 1855.

45. A.R.C.I.A. 1855, Doc.87, Report of Washbourne, p.172.

46. Ibid.

47. Ibid., Report of Commissioner, p.9. See also, Doc.47, Report of Dean, pp.120-121 and Doc.56, Report of W.H. Garrett, pp.136-137.

48. John Jumper, Tus-te-nuc-o-chee, Pars-co-fer, and James Factor to George W. Manypenny 3 May 1856, National Archives Microfilm Publications, Microcopy M234, Letters Received by the Office of Indian Affairs, 1824-1881, 962 rolls, Roll 802, Seminole Agency 1856-1858, J151-56. Microcopy M234 is hereafter cited as M234, followed by the roll number.

49. Kappler, Indian Affairs, Vol.2, pp.569-576.

50. See map 3.

51. A.R.C.I.A. 1860, Doc.51, Report of Rutherford, p.126.

52. Major G.W. Andrews to Post Adjutant 23 November 1854, National Archives Record Group 393, Records of the United States Army Continental Commands, 1821-1920, Fort Gibson, Letters Received, Box 3, hereafter cited as Fort Gibson, Letters Received, or Letters Sent; Thomas S. Drew to Manypenny 14 March 1855, M234-833, Southern Superintendancy 1851-1856, D816-55; Cornelius D. Pryor to Dean 10 April 1856, M234-802, D153-56; "Foreman Transcripts," 7 typewritten manuscript volumes, Indian Archives Division, Oklahoma Historical Society, Vol.7, p.71.

53. William Bowlegs to Jim Jumper and the Chiefs 12 April 1850, National Archives Record Group 393, Records of the United States Army Continental Commands, 1821-1920, Second and Seventh Military Departments, Letters Received, Box 8, hereafter cited as Second and Seventh Military Departments, Letters Received, or Letters Sent.

54. Decision of the Appalachicola Chiefs 15 June 1827, Statement of Nelly Factor 4 September 1828, Statement of Wm. P. Duval 10 September 1828 and Wm. P. Duval to Wm. J. Worth 22 December 1842, M234-289, Florida Superintendancy 1838-1850, S3398-43.

55. Deposition of Molly, Fort Smith, Arkansas, 15 August 1850, M234-802, D153-56 enc. E.

56. John C. Casey to Major Isaac Clark 11 July 1838, 25 Congress, 3 Session, House Document No.225, pp.119-121, hereafted cited as House Doc. No. 225; Statement of Eliza 15 August 1850, Second and Seventh Military Departments, Letters Received, Box 8; Luther Blake to Luke Lea 18 November 1852, M234-801, Seminole Agency 1846-1855, B149-52; Ramsey, "Autobiography," p.46. Considerable confusion exists over the relationship between Harriet, Eliza, Billy and King Bowlegs. Harriet was occasionally said to be the daughter of King Bowlegs but, as she inherited his Blacks, she was more likely his niece. Harriet could have been either the sister or, more likely, the aunt of Billy Bowlegs but was probably not his niece as was sometimes stated. If Harriet was his aunt, Billy was probably the great nephew of King Bowlegs. Eliza would appear to have been either the cousin or niece of Billy Bowlegs. Hence she was possibly the daughter, grand-daughter, niece or great niece of Harriet, but was probably not her sister. For a good discussion of the problems one will encounter in trying to trace the lineage of the Bowlegs family see, Porter, Kenneth W., "Billy Bowlegs (Holata Micco) in the Seminole Wars," Part 1, Florida Historical Quarterly, 45, No.3, (January 1967), 219-243, pp.221-223 and, Porter, Kenneth W., "The Cowkeeper Dynasty of the Seminole Nation," Florida Historical Quarterly, 30, No.4, (April 1952), 341-349, p.346n.21.

57. Deposition of Molly 15 August 1850, M234-802, D153-56 enc.E.

58. "List of Negroes who surrendered under a proclamation of Major General Jesup when in command of the Army in Florida, who were entitled to freedom or were to accompany the Seminoles as a part of the Nation

under the protection of the United States and were never to be separated or sold," Filed in the Adjutant's Office at Fort Gibson, C.N., 24 July 1845, by General Thos. S. Jesup, M574, Roll 13, File 96.

59. Deposition of Molly 15 August 1850, M234-802, D153-56 enc.E.

60. The following statistics are based on information furnished in the Seminole Freedman Census Cards, 147 in number, which were completed under the direction of the Dawes Commission at the turn of the century. The census cards have been reproduced on microfilm and can be viewed at the Indian Archives Division of the Oklahoma Historical Society, the Federal Archives and Records Center, Fort Worth, Texas, or the Indian Records Division of the National Archives in Washington, D.C. Hereafter, these will be referred to as the Seminole Freedman Census Cards.

61. It is possible that in certain cases different names or spellings were used when referring to the same owner. What may have actually constituted just one owner possibly has been listed as two or more. A small reduction in the number of owners does not alter the thrust of the argument, however.

62. The chief danger in working with the unenrolled Seminole Freedmen is the risk of duplication. Information on these individuals was generally provided by their children, yet, clearly, some would have had children by different marriages and this can lead to problems. Thus, for example, a Rina Pompey becomes a Rina Davis through a second marriage. Men, meanwhile, sometimes were given merely a Christian name, at others, a surname also. Yet another problem is the similarity of several names. Thus, 4 different owners were listed for people bearing the name Betsey Bowlegs. As both Betsey and Bowlegs were common names among the Blacks this appears quite reasonable yet a problem occurs when two people sharing the same name list the same owner. Thus, for instance, it is quite feasible that two Sam Bruners, who were formerly slaves of the same owner, were married to the same woman at different times. Unfortunately, therefore, at times, two people may have been listed as one. Wherever possible, information furnished on the unenrolled Freedmen has been checked against other sources, primarily by comparing it with other censuses taken between 1866-1898 and information on individual families gathered from numerous other sources. Yet there is still a fairly wide margin of error and information pertaining to the unenrolled Freedmen should be treated with caution. No such problems exist when working with the enrolled Freedmen as each was given an individual number, thus removing the risk of duplication. Information was also usually provided by the individual first-hand. The statistics pertaining to the enrollees are therefore far more reliable than those relating to the unenrolled Freedman and the latter should merely occupy a supportive role.

63. John Q. Tufts to H. Price 26 March 1884, National Archives Record Group 48, Records of the Department of the Interior, Indian Division, Special Files Box 48, Indian Territory Division, Choctaw Freedmen File, 6172-84, enclosed with H.M. Teller to Commissioner of Indian Affairs 2 May 1884, 8582-84; Pryor to Dean 10 April 1856, M234-802, D153-56.

64. Dean to Manypenny 24 June 1856, M234-802, D180-56.

65. Lt. F.F. Flint to John Drennen 10 September 1849, Indians-Creek and Seminole, 33 Congress, 2 Session, House Executive Doc. No.15, pp.28-29, hereafter cited as Indians-Creek and Seminole; Deposition of Molly 15 August 1850, M234-802, D153-56 enc.E; Bvt. Major John C. Henshaw to Charles M. Conrad 9 May 1852, and Secretary of War to A.H.H. Stuart 18 June 1852, M234-801, W107-52 and enc.

66. Dean to Manypenny 24 June 1856, M234-802, D180-56.

67. James L. Dawson to Captain Nathan Boone 10 April 1844, Fort Gibson, Letters Received, Box 2.

68. Captain J. Lynde to Flint 12 October 1849, Second and Seventh Military Departments, Letters Received, Box 7.

69. "List of Seminole Negroe Prisoners turned over at Fort Pike, March 21, 1838, etc.", National Archives Record Group 75, Records of the Bureau of Indian Affairs, Miscellaneous Muster Rolls 1832-1846: Seminole, hereafter cited as R.G.75, Seminole Muster Rolls; Casey to Clark 11 July 1838, House Doc. No.225, pp.119-121; "List of slaves owned by Miccopotokee or Copiah Yahola April 29, 1835," "List of negroes belonging to Cubbitchar Micco," compiled by Marcellus Duval 14 June 1849, Deposition of So Nock Yohola 31 January 1854, Deposition of Tuckabatchee Micco 7 August 1855, Deposition of G.W. Stidham n.d., Deposition of Benjamin Marshall 4 December 1855, Deposition of Jacob Denisaw 2 April 1856, and Deposition of James Logan 9 December 1856, M234-802, D153-56 encs J,M,F,G,H,T, and I503-56.

70. John H. Love to Logan 3 July 1840, M234-923, Western Superintendancy, 1840-1846, A899-40 enc.

71. Heirs of Love v. E.P. Gaines n.d., Clark to C.A. Harris 3 May 1838, Harris to Clark 11 May 1838, Harris to Thomas Slidell 12 May 1838, Lt. John G. Reynolds to Harris 15 May 1838, Gaines to Jones 18 May 1838, Reynolds to Harris 21 May and 28 June 1838, Nathaniel F. Collins to Harris 29 July 1838, and Tod Robinson to Reynolds 2 October 1838, House Doc. No.225, pp.31, 47, 92, 124, 97, 104, 124, 30; Collins to Reynolds 25 June 1838, Second and Seventh Military Departments, Letters Received, Box 2; Reynolds' Journal, M234-291, Florida Superitendancy Emigration, 1839-1853, R415-39; "Muster Roll of Seminole Indians who arrived west on 5th August, 1838," M234-924, Western Superintendancy Emigration, 1836-1842, S1114-38; John Love to Logan 3 July 1840, M234-923, A899-40 enc.

72. Arbuckle to Roley McIntosh 8 June 1840, and Arbuckle to Logan 19 July 1840, Second and Seventh Military Departments, Letters Sent; John Love to Logan 3 July 1840, Armstrong to Crawford 17 October 1840, and Mark A. Cooper to John Bell 17 May 1841, M234-923, A889-40 and enc., C1411-41; Crawford to Bell 7 June 1841, National Archives Microfilm Publications, Microcopy M348, Bureau of Indian Affairs, Report Books 1838-1885, 53 rolls, Roll 2, 21 March 1840-31 August 1841, p.420, hereafter cited as M348 followed by the roll number; Deposition of Dennisaw 2 April 1856, and, Pryor to Dean 10 April 1856, M234-802, D153-56 and enc. T.

73. T.F. Foster to Secretary of War 7 January 1842, M234-226, Creek Agency 1839-1842, F251-42; Crawford to Foster 21 January 1842, National

Archives Microfilm Publications, Microcopy M21, Bureau of Indian Affairs, Letters Sent, 166 rolls, Roll 31, 2 August 1841–23 February 1842, p.389, hereafter cited as M21 followed by the roll number; W.T. Colquitt to John C. Spencer n.d., M234-289, C1710-42; Crawford to Spencer 13 May 1842, M348-3, p.142; Pryor to Dean 10 April 1856, M234-802, D153-56.

74. W.E. Love to Brig. Gen. Wm. G. Belknap 3 January 1849, and Belknap to Arbuckle 3 January 1849, Fort Gibson, Letters Received, Box 3.

75. Deposition of Molly 15 August 1850, M234-802, D153-56 enc. E.

76. Dean to Manypenny 29 April 1856, M234-802, D153-56.

77. Ibid. and, Pryor to Drew 6 January 1855, M234-833, D782-55.

78. Littlefield, Africans and Seminoles, pp.162-175.

79. Dean to Manypenny 29 April 1856, M234-802, D153-56.

80. Smithson to Manypenny 24 and 27 November 1853, and A.H. Rutherford to Manypenny 6 December 1853, M234-801, D476-53 and encs.; Dean to Manypenny 29 April 1856, and Rector to J.W. Denver 25 September 1857, M234-802, D153-56 and R341-57. Rector estimated the number of abducted Blacks to be 23.

81. Mary Ann Lilley to Walter Lowrie 30 November 1853, Letters from the American Indian Correspondence (Missions) 1841-1887, in the Presbyterian Historical Society, Philadelphia, Pennsylvania, 7 rolls of microfilm housed in the Manuscripts Division of the Western History Collections, University of Oklahoma, Roll 7, Box 12, Vol.2, "Creeks and Seminoles Oklahoma 1850-1859," no.237, hereafter cited as Presbyterian Mission Correspondence, followed by the roll number.

82. Dean to Manypenny 29 April 1856, M234-802, D153-56.

83. Mary Ann Lilley to Lowrie 30 November 1853, Presbyterian Mission Correspondence, Roll 7, No.237.

84. Daniel B. Aspberry to W. Bright 16 February 1854, and Dean to Manypenny 29 April 1856, M234-802, M383-57 enc. and D153-56.

85. "Registry of negro prisoners captured by the troops commanded by Major General Thomas S. Jesup, in 1836 and 1837, and owned by Indians, or who claim to be free," and Casey to Clark 11 July 1838, House Doc.No.225, pp.66-69, 119-120; Statement of David Barnet 2 February 1842, M234-226, H1047-42 enc.; Gad Humphreys to Col.R.B. Mason 5 December 1845, National Archives Record Group 393, Records of the United States Army Continental Commands, 1821-1920, Fort Gibson, Indian Affairs, p.15, hereafter cited as Ft. Gibson, Indian Affairs; Statement of Washbourne 14 October 1854, and Deposition of George Noble 16 October 1854, M234-801, D709-54 encs.

86. Deposition of George Noble 16 October 1854, and see also, Drew to Manypenny 25 October 1854, M234-801, D709-54 and enc.

87. Pryor to Drew 6 January 1855, M234-833, D782-55 enc.; Aspberry, Bill of Sale and Receipt, 24 November 1854, Pryor to Dean 10 April

1856, and Chilly McIntosh to Commissioner of Indian Affairs 2 November 1857, M234-802, D153-56 and enc. A., M383-57; Foreman, Carolyn T., "John Jumper," Chronicles of Oklahoma, 29, No.2, (Summer 1951), 137-152, p.138.

88. Pryor to Drew 6 January 1855, M234-833, D782-55 enc.

89. Pryor to Dean 10 April 1856, M234-802, D153-56.

90. John Jumper et al to President Franklin Pierce n.d., and Washbourne to Manypenny 10 April 1855, M234-801, D698-54 enc. and G462-55 enc.; Washbourne to Drew 5 January 1855, M234-802, D153-56 enc. A; Drew to Manypenny 27 January 1855, M234-833, D782-55.

91. Drew to Manypenny 14 March 1855, M234-833, D816-55.

92. Pryor to Dean 10 April 1856, and Deposition of Washbourne n.d., M234-802, D153-56 and enc. N.

93. Pryor to Dean 10 April 1856, and see also, Dean to Manypenny 24 June 1856 and Chilly McIntosh to Commissioner of Indian Affairs 2 November 1857, M234-802, D153-56, D180-56 and M383-57.

94. Pryor to R.N. Johnson 14 February 1857, Jacob Thompson to Acting Commissioner of Indian Affairs 12 June 1857, Pryor to Rector 20 May 1857, Rector to Commissioner 21 June 1857, and Rector to Denver 7 July and 25 September 1857, M234-802, I569-57 and enc., R270-57 and enc., R274-57 and R341-57; Charles E. Mix to J. Thompson 6 June 1857, M348-10, 2 January 1857-31 May 1858, p.224; Denver to Rector 17 June 1857, M21-57, 26 May 1857-31 October 1857, p.57.

95. Mix to M. Thompson 7 April 1859, M21-60, 25 October 1858-29 April 1859, p.415

96. A.R.C.I.A. 1838, Doc.43, Report of Armstrong, p.472; A.R.C.I.A. 1840, Doc.17, Report of Armstrong, p.314.

97. A.R.C.I.A. 1842, Doc.25, Report of Armstrong, pp.450-451.

98. Harris, Journal of a Tour,p.16.

99. Dean to Manypenny 24 June 1856, M234-802, D180-56.

100. Littlefield, Africans and Seminoles, p.174.

101. Doris Duke Oral History Collection, 55 Volumes, Library Division, Western History Collections, University of Oklahoma, Vol.43, Interview T-280, Primus Dean, 28 June 1968.

102. Ibid., Vol.45, Interview T-211, Dave McIntosh, pp.23-24.

103. Preliminary Report of the Eighth Census, 1860 (Washington D.C., Government Printing Office, 1864) pp.10-11.

104. Captain W.S. Ketchum to Roley McIntosh 8 September 1848, Roley McIntosh to Ketchum 14 September 1848, William Whitfield to Ketchum 14 September 1848, Flint to Ketchum 25 September 1848, and Logan to Belknap 30 January 1849, Fort Gibson, Letters Received, Box 3;

Ketchum to Roley McIntosh 11, 13 and 28 September 1848, Fort Gibson, Indian Affairs, pp.39, 41, 40.

105. Kappler, Indian Affairs, Vol.2, pp.696-697; Lollar, W.B., "Seminole-U.S. Financial Relations 1823-1866," Chronicles of Oklahoma, 50, No.2, (Summer 1972), 190-198, p.196. The loyal Seminoles and Blacks claimed a total of $213,205.20 in lost property, yet received just $50,000 compensation.

106. The following statistics are based on information found in M574, Roll 11, File 87. This was found to be the most detailed and reliable source. The addition made by the Commissioners has been checked, and their mistakes corrected. See also, "List of claims of Loyal Seminole Indians adjudged and determined by J. Tyler Powell and J.N. Caldwell - Commissioners - approved under the provisions of the treaty of the 21st March 1866," and "Pro rata computation of claims awarded by Commissioners Powell and Caldwell to Loyal Seminoles under the provisions of the treaty of March 21st, 1866," M234-803, Seminole Agency 1859-1867, P207-67 encs.; "List of Loyal Seminoles," Doc.39522-A, Smn, 2-7, Section X, File 2, Indian Archives Division, Oklahoma Historical Society; "Receipt Roll for $50,000 payment made to Loyal Seminoles, 1868," Doc.100595-A-20-7 1868, Federal Archives and Records Centers, Fort Worth, Texas; "'Loyal Seminole Roll,' as prepared by Jas. E. Jenkins, Special Indian Agent, 8 March 1901," Grant Foreman Collection, Box 49, R14, Archives Division, Thomas Gilcrease Museum, Tulsa. This latter traces the claimants and their descendants to 1901.

107. John Chupco to Hayt 13 May 1879, M234-871, Union Agency 1879, 523-25.

108. Errors in addition were occasionally made by the Commissioners. The figures cited here, therefore, are the result of my own calculations.

109. M574, Roll 11, File 87, Claim 291, frames 1549-1553.

110. Ibid., and Claims 274, 285, 290 and 292, frames 1519-1523, 1464-1468, 1544-1548 and 1554-1558.

111. Ibid., Claim 280, frames 1494-1498.

112. The discrepancy in the total, the whole amounting to 100.36%, was caused by using just two decimal places in the calculations.

113. M574, Roll 11, File 87, Claims 280, 291, 306, 307 and 312, frames 1494-1498, 1549-1553, 1624-1628, 1629-1633 and 1654-1658.

114. Ibid., Claims 286 and 282, frames 1524-1528 and 1504-1508.

115. Ibid., Claims 286, 328 and 291, frames 1524-1528, 1734-1738, 1549-1553.

116. Ibid., Claims 280, 285, 282, 318, 326 and 327, frames 1494-1498, 1519-1523, 1504-1508, 1684-1688, 1724-1728, 1729-1733.

117. Ibid., Claim 329, frames 1739-1743.

118. Ibid., Claims 268 and 294, frames 1434-1438, 1564-1568.

119. Arbuckle to Jones 14 September 1849, Indians-Creek and Seminole, p.31.

120. M574, Roll 11, File 87, Claim 128.

121. Ibid., Claim 173, frames 945-950.

122. Ibid., Claim 329, frames 1739-1743.

123. Captain B.L.E. Bonneville to Flint 21 April and 3 May 1848, Second and Seventh Military Departments, Letters Received, Box 7; Flint to Bonneville 23 April and 1 May 1848, Fort Gibson, Letters Received, Box 3.

124. Ramsay to Reverend J.L. Wilson 19 October 1860, and J. Lilley to Wilson 3 November 1860, Presbyterian Mission Correspondence, Roll 2, Box 6, Vol.3, "Creeks, Chickasaws, Seminoles, Oklahoma; Kickapoo, Kansas 1850-1864," No's. 150, 152.

125. Reverend Robert M. Loughridge, Presbyterian minister to the Creeks, reported from Tullahassee mission on 6 August 1860,

> A Mexican was taken lately who was said to be the pilot for the negroes on their way to Mexico. The people met yesterday a few miles distant to hang the Mexican, but I understand they concluded to turn him over to the United States authority.

Quoted in, McLoughlin, William G., "Indian Slaveholders and Presbyterian Missionaries, 1837-1861," Church History, 42, No.4, (December 1973), 535-551, pp.546-547.

126. Robert Johnson was frequently referred to as Robin Foster. For the reasons behind these name-changes see above p.462.

127. Ramsay to Wilson 19 October 1860, Presbyterian Mission Correspondence, Roll 2, No.150.

128. Ibid.

129. Ramsay, "Autobiography," p.47.

130. Ibid.; Ramsay to Wilson 19 October 1860, and J. Lilley to Wilson 3 November 1860, Presbyterian Mission Correspondence, Roll 2, No.'s. 150, 152.

131. "Laws of the Creek Nation," in, "Creek-Laws," Manuscript File, Grant Foreman Collection, Box 6, 83-229, Indian Archives Division, Oklahoma Historical Society, Laws 32-33, 37, 112-115, 118-119; second series, beg. p.14, Laws 110-111, 115-116; Loughridge to Ramsay n.d., Presbyterian Mission Correspondence, Roll 2, No.161c.

132. "List of Seminole Negroe Prisoners turned over at Fort Pike, March 21, 1838, etc." R.G. 75, Seminole Muster Rolls.

133. "Negroes brought in by August and Latty at Fort Jupiter," included in, "List of Negroes who surrendered under a proclamation of Major General Jesup etc.," M574, Roll 13, File 96.

134. This was attached as a footnote by Jesup to, "Negroes brought in by August and Latty at Fort Jupiter to General Jesup under a

proclamation by him offering freedom to all who should separate from the Seminoles and surrender," National Archives Record Group 94, Records of the Office of the Adjutant General, General Jesup's Papers, Box 15, hereafter cited as Jesup's Papers.

135. Statement of Washbourne 14 October 1854, based upon "Manumission Document made before Edward Law judge of Probate for the country of St. Johns, Territory of Florida, in 1821 and recorded in Clerk's office of said county 30 January 1822, Book "B" pp.3-4," M234-801, D709-54 enc.

136. Henshaw to Conrad 9 May 1852, and Henshaw to Manypenny 7 June 1853, M234-801, W107-52 enc. and H251-53.

137. Miscellaneous papers relating to Gopher John, and L. Thomas to R.B. Mason 18 December 1844, Fort Gibson, Indian Affairs, pp.1-2, 8; R.B. Mason to R. Jones 3 November 1844, Fort Gibson, Letters Sent.

138. Armstrong to Seminole Agent 25 January 1845, Second and Seventh Military Departments, Letters Received, Box 6.

139. Porter, Kenneth W., The Negro on the American Frontier (New York, New York Times, Arno Press, 1971) pp.323-324.

140. Pryor to Dean 10 April 1856, M234-802, D153-56.

141. Henshaw to Conrad 9 May 1852, Conrad to A.H.H. Stuart 18 June 1852, Drennen to Luke Lea 27 September 1852, Lea to Stuart 10 November 1852, and M. Duval to Commissioner of Indian Affairs 8 April 1853, M234-801, W107-52 and enc., I131-52 and enc., D298-53.

142. M. Thompson to J. Thompson 6 December 1858, M234-802, T346-58.

143. Decision of Appalachicola Chiefs 15 June 1827, Statement of Nelly Factor 4 September 1828, Statement of Wm. P. Duval 10 September 1828, Manumission Papers 27 May 1832, Statement of Sam Factor 14 February 1835, Wm. P. Duval to Worth 22 December 1842, Bill of Sale of Toney Proctor 26 April 1841, T.S. Brown to Crawford 28 April 1842, and Statement of Arbuckle n.d., M234-289, S3398-43 and encs., B1773-43 and encs.; Crawford to Josiah Vose 16 September 1842, M21-32, 24 February 1842–2 October 1842, p.463.

144. Chief John Walker to Wiley Thompson 31 July 1834, and W. Thompson to Elbert Herring 23 September 1835, M234-800, Seminole Agency 1824-1845, frame 429; Daniel Boyd to Harris 29 August 1838, and J.T. Sprague to Commissioner of Indian Affairs 30 April 1843, M234-289, B576-38 and S3398-43; Jesup to R.K. Call 14 October 1837, Jesup's Papers, Letters Sent; Worth to Commissioner of Indian Affairs 1 August 1842, and Adjutant General to Commissioner 25 August 1842, M234-291, A1282-42; Statement of Gen. Zachary Taylor n.d., Memorial of Wm. Sena Factor n.d., and W.K. Sebastian to Commissioner 1 May 1852, M234-801, S90-52; M. Thompson to J. Thompson 6 December 1858, M234-802, T346-58; Potter, Woodburne, The War in Florida (Baltimore, Lewis and Coleman Pubs., 1836. Repr. by Uni. Microfilms Inc., Xerox, 1966) pp.15-16. At the time of, and subsequent to, the Factor family's removal, Solano pressed for compensation for his losses. His claim proved unsuccessful, however. See, Littlefield, Africans and Seminoles, pp.65-67 n.60.

145. Washbourne to Dean 24 January 1856, M234-802, D92-56.

146. Memorial of Wm. Sena Factor n.d., Drew to Manypenny 24 October 1854, R. McClelland to Mix 5 July 1855, and Mix to McClelland 9 July 1855, M234-801, S90-52 enc., D708-54, I1053-55 and I1068-55; M. Thompson to J. Thompson 6 December 1858, M234-802, T346-58.

147. Washbourne to Dean 24 January 1856, M234-802, D92-56.

148. Washbourne to Dean 20 December 1855, and see also, Dean to Commissioner of Indian Affairs 31 December 1855, M234-802, D27-56 and enc.

149. Washbourne to Dean 24 January 1856, M234-802, D92-56.

150. Littlefield, Daniel F. Jr. and Mary Ann, "The Beams Family: Free Blacks in Indian Territory," Journal of Negro History, 61, (January 1976), 16-35, pp.33-35. Much of the documentation pertinent to the case has been conveniently gathered together and reproduced as, "Beams Negroes, suits for freedom and attorneys' claims for fees, 1854-1859," M574, Roll 75, File 277.

151. Porter, Negro on the Frontier, pp.329-330.

152. Flint to Drennen 10 September 1849, Indians-Creek and Seminole, pp.28-29.

153. "Uncle Warren" (Whan or Juan) was clearly Gopher John. Ramsay later referred to his wife as "Aunt Sue," Ramsay, "Autobiography," p.19. "Patriarch of the Clan" should here be read as "town chief."

154. Mary Ann Lilley, "Autobiography," pp.47-48.

155. Ramsay, "Autobiography," p.33.

156. Daily Oklahoman 13 November 1932.

157. M. Duval to Belknap 7 June 1849, Fort Gibson, Letters Received, Box 3.

158. A.R.C.I.A. 1857, Doc.82, Report of Rector, p.200.

159. National Archives Record Group 75, Records of the Bureau of Indian Affairs, Seminole Annuity Roll, 1860.

160. Bartram, William, Travels through North and South Carolina, Georgia, East and West Florida (Philadelphia and London, 1794) p.140.

161. A.R.C.I.A. 1857, Doc.82, Report of Rector, p.200.

162. Preliminary Report of the Eighth Census, pp.10-11.

163. See, for example, Abel, Annie H., The American Indian as Slaveholder and Secessionist: An Omitted Chapter in the Diplomatic History of the Southern Confederacy (Cleveland, Arthur H. Clark Co., 1915) p.23 n.14.

164. See below, Chapter 7.

165. Seminole Freedman Census Cards.

166. Hancock, Ian F., Creole Features in the Afro-Seminole Speech of Brackettville, Texas (University of the West Indies, Mona, Jamaica, Society for Caribbean Linguistics Occasional Paper No.3, April 1975), Hancock, Ian F., Further Observations on Afro-Seminole Creole (University of the West Indies, Society for Caribbean Linguistics Occasional Paper No.7, March 1977), Hancock, Ian F., The Texas Seminoles and their Language (University of Texas at Austin, African and Afro-American Studies and Research Center, No.1, May 1980), and Hancock, Ian F., "Texas Gullah: The Creole English of the Bracketville Afro-Seminoles," pp.305-333 in, Dillard, Joseph L. (ed.), Perspectives on American English (The Hague, Mouton, 1980).

167. Dillard, Joseph L., Black English: Its History and Usage in the United States (New York, Random House Pubs., 1972) p.150. See also pp.86, 150-155.

168. Ibid., pp.124-127.

169. Fort Gibson, Indian Affairs, pp.1-2.

170. See above, Chapter 4.

171. National Archives Microfilm Publications, Microcopy T529, Final Rolls of Citizens and Freedmen of the Five Civilized Tribes in Indian Territory, 1907, 1914, 3 rolls, Roll 3, Creek and Seminole rolls.

172. Hinds, "Creek Missions," pp.55-56.

173. Hamilton, Gospel among the Red Men, p.74; Hinds, "Creek Missions," p.49; Littlefield, Daniel F. Jr., Africans and Creeks: From the Colonial Period to the Civil War (Westport, Connecticut and London, Greenwood Press, 1979) p.87; Peck, Solomon, "History of the Missions of the Baptist General Convention," in History of American Missions to the Heathen (Worcester, Mass., 1840) pp.394-395; Rister, Carl C., Baptist Missions among the American Indians (Atlanta, Home Mission Board, 1944) p.68.

174. Routh, Eugene C., "Henry Frieland Buckner," Chronicles of Oklahoma, 14, No.4, (December 1936), 455-466, p.459.

175. Foreman, Grant, Advancing the Frontier (Norman, University of Oklahoma Press, 1933) p.19; Moffit, "Early Baptist Missions," p.70.

176. Quash or Quashee is a West African day name meaning Sunday. See Dillard, Black English, p.124.

177. McCoy, Isaac, History of Baptist Indian Missions, ed. by Morrison, Wm. M. (New York, H. and S. Raynor, 1840) p.45.

178. Isaac McCoy to the Baptist Weekly Journal 18 January 1833, reprinted in the Baptist Messenger, XIX, No.32, (7 January 1932) pp.1, 13.

179. Routh, "Buckner," p.459. By 1837, the congregation had fallen to 80 but the percentage of Blacks had risen. The membership included 58 Blacks, 18 Indians and 4 whites. McCoy, Isaac, Periodical Account of Baptist Missions Within the Indian Territory for the Year Ending December 31, 1836 (Westport, Missouri, n.d.) p.39.

180. Hinds, "Creek Missions," p.50.

181. *Baptist Missionary Magazine*, 23, (1843) pp.33, 141.

182. Quoted in, Wyeth, *Poor Lo*, p.70.

183. *A.R.C.I.A. 1843,* Doc.92, Report of J.L. Dawson, p.423.

184. Belt, James L., "Baptist Missions to the Indians of the Five Civilized Tribes of Oklahoma" (Th.D. dissertation, Central Baptist Theological Seminary, 1955) pp.82, 85; Foreman, Carolyn T., "North Fork Town," *Chronicles of Oklahoma*, 29, No.1, (Spring 1951), 79-111, p.81; *Hamilton, Gospel among the Red Men,* pp.78, 80-82; *Indian Advocate*, 2, (April 1849) p.2; Moffit, "Early Baptist Missions," p.70; Routh, "Buckner," pp.459-460; Routh, *Oklahoma Baptists*, pp.34-36, 64; Wyeth, *Poor Lo,* p.74.

185. Jordan, "Joseph Morrow," p.34; Moffit, "Early Baptist Missions," p.143.

186. Mary Ann Lilley, "Autobiography," pp.48-49.

187. National Archives Record Group 75, Records of the Bureau of Indian Affairs, Records Relating to Loyal Creek Claims, 1869-1870, Claim 177.

188. *Indian Advocate*, 9, (1854), p.7.

189. Murrow to Wyeth 10 March 1896, quoted in, Wyeth, *Poor Lo,* p.112.

190. Carleton, *Not Yours*, pp.47-48.

191. Hamilton, *Gospel among the Red Men*, p.98.

192. Holt, A.J., *Pioneering in the Southwest* (Nashville, Sunday School Board of the Southern Baptist Convention, 1923), pp.110-111.

193. Ramsay, "Autobiography," p.33.

194. Moffit, "Early Baptist Missions," p.146.

195. Rehoboth Association, *Minutes,* 1861, quoted in, Jordan, Joseph Morrow," p.47.

196. *A.R.C.I.A. 1844*, Doc.80, Report of Judge, pp.477-478.

197. Mary Ann Lilley, "Autobiography," p.48.

198. Ramsay, "Autobiography," p.19.

199. *Ibid.*, pp.33, 45-56, and Mrs. Eliza Ramsay, letter to her parents in diary form, ca. February 1860, Presbyterian Mission Correspondence, Roll 2, No.163½.

200. Ramsay, "Autobiography," pp.19, 33.

201. Ramsay to Wilson 28 December 1859, Presbyterian Mission Correspondence, Roll 1, Box 6, Vol.1, "Creeks Oklahoma, Seminoles Oklahoma, 1854-1859," No.231; Statement of Loyal Seminoles through E.J. Brown 13 September 1867, T.A. Baldwin, "Report of Employees in the Seminole Agency for the Year 1869," and Baldwin to Ely S. Parker 31 October 1869, M234-804, Seminole Agency 1868-1871, W777-67, B376-69 and B459-69; Drake, Samuel, *Indians of North America* (New York, 1880) pp.763-764; "Information on Johnson Cemetery, Seminole County, by Otis Hume, 21 June 1937," Indian Pioneer Papers," Vol.56, pp.423-425A; Mary Ann Lilley, "Autobiography," pp.18-19, 21.

202. "Indian Pioneer Papers," Vol.1, Int.55, F.G. Alex, p.73; Mary Ann Lilley, "Autobiography," p.29; Loomis, Augustus W., *Scenes in the Indian Country* (Philadelphia, Presbyterian Board of Publication, 1859) p.52; Ramsay, "Autobiography," pp.18-19, 21. The Johnson Cemetery is situated ca. 1 mile N. of Wewoka, in Seminole County; Section 17, Township 8, Range 8.

203. Loomis, *Scenes*, pp.52-54.

204. "A Letter from Kowetah Mission, 1850," *Chronicles of Oklahoma*, 46, No.3, (Fall 1968), 338-340, p.338; Ramsay, "Autobiography," pp.18-19.

205. Ramsay, "Autobiography," p.21.

206. McLoughlin, "Indian Slaveholders," pp.539-540.

207. Loomis, *Scenes*, pp.54-57, 76.

208. Ramsay, "Autobiography," pp.21-22.

209. Loomis, *Scenes*, pp.57-58; Ramsay to Wilson 9 July 1856, Presbyterian Mission Correspondence, Roll 1, No.73; Ramsay, "Autobiography," p.34.

210. Ramsay, "Autobiography," pp.37-38.

211. Ramsay to Wilson 7 December 1857, Presbyterian Mission Correspondence, Roll 1, No.139.

212. Ramsay to Wilson 2 February 1858, *ibid.*, No.151.

213. J. Lilley to Wilson 11 March 1858, *ibid.*, No.155.

214. For a good discussion of the compromises the Presbyterian missionaries were prepared to make see, Lewitt, Robert T., "Indian Missions and Antislavery Sentiments: A Conflict of Evangelical and Humanitarian Ideals," *Mississippi Valley Historical Review*, 50, (1963), 39-55, McLoughlin, William G., "The Choctaw Slave Burning: A Crisis in Mission Work among the Indians," *Journal of the West*, 13, (1974), 113-127, and McLoughlin, "Indian Slaveholders."

215. Mary Ann Lilley to W. Lowrie 30 November 1853, Presbyterian Mission Correspondence, Roll 7, No.237.

216. Ramsay to Wilson 28 December 1859, 19 January 1860 and 2 March 1861, Presbyterian Mission Correspondence, Roll 1, No.231, Roll 2, No's. 138 and 161B; Ramsay, "Autobiography," pp.39-40.

217. Ramsay to Wilson 19 January 1860, and Mrs. Ramsay to her Parents n.d. Presbyterian Mission Correspondence, Roll 2, No.'s 138 and 163½.

CHAPTER 7

THE SEMINOLES AND BLACKS IN THE CIVIL WAR

With the coming of the Civil War to the Indian Territory, Seminole-Black relations were once again thrown into turmoil. The factional divisions of the late 1840s were revived as the Seminoles split into Northern and Southern sympathizers, the recalcitrant traditionalists supporting the Union and the progressives the Confederacy. Once more, the best interests of the Seminole Blacks seemed to lie with the conservatives and most of them fled northward with the followers of Billy Bowlegs and became loyal refugees in Kansas. Many of these loyal Seminoles and Blacks would later join Indian and Coloured regiments and play a leading role in winning the Indian Territory for the Union. Thus, as fellow members of the Union army and refugees in Kansas and the Indian Territory the Seminole conservatives and Blacks retained their long tradition of alliance and this would prove to be a deciding factor in determining the course of Seminole-Black relations during reconstruction. As we shall see, however, the relationship of the two groups was again one of close association rather than assimilation.

The Southern Seminoles, meanwhile, being clearly influenced by their new white and mixed blood allies, hardened their attitudes towards Blacks. They not only retained slavery but also adopted sections of the Creek code in re-enslaving free Blacks and confiscating their property. For the duration of the war, all Blacks associated with the Confederate Seminoles were to be slaves. Thus, the differing attitudes of the conservatives and the progressives towards Blacks widened still further the rift between the two factions. During the military campaigns, the Union Seminoles and Blacks engaged the Confederate Seminoles in mortal combat on the battlefields of the Indian Territory. Though the loyalists would eventually

emerge victorious, there were no real Seminole winners of "The White Man's War". Both the Northern and Southern Seminoles and their Blacks suffered under tremendous hardships in the refugee camps as disease and shortages of food, clothing, shelter and medical supplies took their toll. Lives and property were lost and tribal lands ravaged and ruined. The end of the war found the Seminoles exhausted, demoralized, divided and in disarray.

When the time came for the tribe to re-establish formal relations with the U.S.,the question of the Freedmen's status would be high on the agenda. Though the conservative leadership could be expected to look favourably on the Blacks,it was unclear what attitude the powerful progressives would adopt towards their former slaves and recent foes. Thus, as the tribe left the Civil War behind and prepared to enter the era of post-bellum treaties and reconstruction, the future of Seminole-Black relations was again hung in the balance.

In the spring of 1858,an event of great importance to the future of Seminole-Black relations took place when Billy Bowlegs and his band of recalcitrant traditionalists were removed from Florida to the Indian Territory. Bowlegs and his followers had managed to avoid the main removals of the 1830s and 1840s by remaining secluded in the Everglades. U.S. officials had attempted on a number of occasions to persuade the recalcitrant chief to remove. Several delegations of Seminoles, employing Black interpreters familiar to Bowlegs, had been dispatched from the Indian Territory to Florida but each had failed in its objective. Beginning in 1855, however, the United States made one last effort to forcibly remove from Florida this final obstacle to its complete mastery of the southern peninsula. The resultant Third Seminole War, which lasted from 1855-1858, lacked the drama of its two predecessors and offered no episodes to compare with the Negro Fort engagement, the Battle of Suwannee or the Dade

Massacre. Evidence nevertheless suggests that there were several important skirmishes and that the Seminole Blacks again assumed a leading role in the hostilities.

Bowlegs realized that his force of less than a hundred warriors was hopelessly outnumbered. In his position as principal chief and military commander of the remaining Florida Seminoles, therefore, he instigated a guerrilla campaign against the U.S. forces using "hit and run" tactics. Bowlegs' band of warriors was described at the time as a "... treacherous, troublesome set of Seminoles and escaped negro slaves".[1] Once again, moreover, the Blacks appear to have been the more valiant warriors, General Rufus Saxton noting, ".. In the war between the U.S. troops and the Florida Seminoles... the negroes would often stand fire when the Indians would run away".[2] Bowlegs' resistance to removal had been based on his opposition to unification with the Creeks in the Indian Territory. Under the terms of the treaty of 1856, however, the Seminoles living in the west were granted their independence and a tract of land separate from the Creeks. Generous inducements were subsequently offered to Bowlegs to leave Florida and the chief, realizing the futility of further opposition to American expansionism, finally agreed to remove to the Indian Territory in March 1858.[3]

In early May 1858, Bowlegs and his followers left Tampa Bay for the Indian Territory on board the U.S. steamer "Grey Cloud". The party of 165 consisted of 39 warriros and 126 women and children but included only 2 Blacks, one being an old man in Bowlegs' band.[4] En route to the west the emigrants stopped in New Orleans and spent a week there. Here the Seminoles were seen as something of a curiosity and a great deal of attention was focused on them, some of it producing useful information on the Bowlegs' party. An article which appeared in Harper's Weekly shortly after the Seminoles had left New Orleans described Bowlegs as

having "two wives, one son, five daughters, fifty slaves, and a hundred thousand dollars in hard cash". His privy council was said to consist of his brothers-in-law Long Jack, or John Chupco, and No-kush-adjo, described as his "Lieutenant" and "Inspector General" respectively, and Ben Bruner a Black slave of the chief.[5] Clearly, the tradition of Seminole chiefs' employing leading Blacks as trusted counsellors had survived in Florida after the main removals.

Ben Bruner was said to be the "guide, philosopher and friend" and "the interpreter, adviser, confidant and special favorite of King Billy..."[6]. In fact, it had been reported as early as 1846 that Bowlegs spoke English fluently.[7] It seems probable, therefore, that Ben was more of a counsellor than interpreter and was employed as the chief's "principal Black" in the same way that King Bowlegs had used Nero; Micanopy, Abraham; and Wild Cat, Gopher John. This was largely borne out by the article in Harper's, which continued,

> Ben Bruno... is a fine, intelligent-looking negro. Unlike his master, he shows a decided predilection for civilized life, and an early visit to a ready-made clothing establishment speedily transformed him into a very creditable imitation of a 'white man's nigger'. He has more brains than Billy and all his tribe, and exercises almost unbounded influence over his master.... I would advise any one who wishes to get into the good graces of Billy Bowlegs to pay special attention to Ben Bruno.[8]

Elsewhere, Ben was described as "a huge negro, typical of the African race", whose father had "run away from his owner and escaped to the indians".[9] By the time of his removal, Ben had already acquired considerable assets and he used these as a springboard to become the wealthiest Seminole Black in the Indian Territory, with substantial livestock holdings, and property valued at $1,322, by the outbreak of the Civil War.[10] He was also employed in the salaried position of U.S. interpreter to the Seminoles at the government agency[11] and from here he was able to keep in close touch with Seminole affairs and events affecting the interests of his people. Ben Bruner consequently became one of the leading Blacks

in the tribe and after the Civil War he became a band leader and sat on the Seminole councils.

Bowlegs and his party arrived at Fort Smith on 28 May 1858. After remaining about the post for almost a week, the immigrants made their way to the Little River country by wagon. It rained continuously throughout the journey and the party took 13 days to reach its destination. Four died along the way and others perished soon afterwards in the Seminole country.[12] Bowlegs' arrival led to a resurgence of factionalism within the tribe. John Jumper was the principal chief of the Seminoles living in the Indian Territory but Bowlegs had been chief of the Florida remnant and, as the descendant of King Bowlegs, had a strong claim to be considered the overall leader of the tribe. Bowlegs immediately set about strengthening his base of support in order to launch a serious challenge to Jumper's principal chieftainship. It was reported that the Florida immigrants were unhappy with the new country the Seminoles had acquired from the Creeks and wished to settle in the Little River area.[13] Bowlegs had his slaves construct houses for him near their settlement on the Wewoka and thus surrounded himself with Black supporters.[14] He then headed a Seminole delegation to Florida in an attempt to persuade the remaining recalcitrants to remove west. Though he received $200 for his pains, Bowlegs had the ulterior motive of trying to add to his retinue of followers in the west. The venture was at least partly successful as, on 15 February 1859, a party of 75 Seminoles left Florida for the Indian Territory, thus completing the last of the major removals.[15]

There were close parallels between the earlier Wild Cat-Jim Jumper contest and the struggle that developed between Billy Bowlegs and John Jumper after 1858. Essentially, both involved a fight for the leadership between a recalcitrant traditionalist and a progressive for the right to chart the Seminoles' future. Personalities, individual rivalries and

ambition played important roles in both contests and philosophical differences between the two candidates became the most important issue. Following the treaty of 1856 and the establishment of a separate Seminole nation in the Indian Territory, John Jumper became increasingly more progressive in his outlook and something of an exponent of acculturation. He came to favour the adoption of Christianity, education, white men's clothing, the English language, a centralized, constitutional, form of government and more sophisticated legal systems. In 1860, he became a Baptist and fell under the influence of Reverend Joseph S. Murrow, who espoused many of the ideals of the Old South. Under his leadership, Seminole Baptism became a vehicle for the progressives. Significantly, one of Murrow's first moves was to divide the church into Indian and Black congregations. An attempt thus seems to have been made to begin to bring the Seminoles into line with the other slaveholding tribes. In view of this, it was not surprising that many of the leading progressives embraced Baptism, and later the Confederacy.

In contrast to the progressive John Jumper, Billy Bowlegs favoured the retention of the old ways and was generally opposed to acculturative influences. While Jumper had been accepting elements of southern white culture, Bowlegs had been fighting U.S. troops in the Florida swamps; and whereas Jumper engaged in speculative enterprises involving slave property and later supported segregation in the church, Bowlegs employed the son of a Black runaway as his principal adviser. It is deeply ironic that Jumper had played such an important role in persuading the Florida immigrants to remove to the Indian Territory. It can well be imagined that Jumper would have been somewhat embarrassed to be even associated with these latest primitive and superstitious, Muskhogean-speaking, calico-laden, battle-scarred immigrants, without being challenged for the principal chieftainship by their leader.

Thus, as had been the case with Wild Cat and Jim Jumper a decade earlier, there was a fundamental difference in the world views of Billy Bowlegs and John Jumper. While Jumper was increasingly favouring the white man's road, Bowlegs had spent most of his life in militant opposition to it. Jumper wished to incorporate elements of southern white civilization; Bowlegs wished to retain Seminole native customs and traditions - the tribe's aboriginal form of government, its clothing, language, religion and other cultural manifestations. The differences between the two men extended to their views on Blacks. Jumper was not of mixed blood and did not own a plantation or practise institutional slavery but his views on Blacks were clearly becoming influenced by his more acculturated Indian neighbours and his white associates. Blacks were seen increasingly as property retained to make their owner profits. Bowlegs, on the other hand, though also a slave owner, viewed his Blacks more as associates, allies, vassals or tenants than property or chattels. His family had a long history of close association with Blacks and ties of a shared experience, mutual affection and intermarriage cemented the relationship. By the late 1850s, the two chiefs' views on Blacks was alien to each other; the one aboriginal, the other ever-more progressive. This added fuel to the fires of factionalism and helped widen the rift within the tribe.

Events, at first, moved rapidly. On 10 March 1859 Murrow wrote to a friend from North Fork Town,

> Billy Bowlegs and his party are still in the Creek country and he acts and speaks very independently. He has written word to the Creek Chief that he is not ready to move and does not intend to move until he does get ready. Billy is very popular among his own people who speak very strongly of turning their present Chief, John Jumper, out of office and making Billy chief....

Yet less than a month later it was reported that Bowlegs was dead, Murrow observing on 2 April,

> Billy Bowlegs... is dead. He died a few days since while on a visit to the "New Country" for the purpose of selecting a

> place to settle. A few of his followers were with him and buried him in the true old Seminole style: viz. with everything he had with him. They first killed his pony, and were hardly prevented from killing a negro man who he had with him in attendance. His rifle, money, and everything else, were buried. Billy was very wealthy, owning, it is said, more than one hundred negroes, besides large herds of cattle, ponies etc. He was very popular with the Seminoles, who spoke frequently of raising him to the office of principal chief.[16]

Bowlegs' death was "confirmed" by Southern Superintendent Elias Rector in his annual report for 1859.[17] In spite of the detailed nature of Murrow's account, however, his report was erroneous. Billy Bowlegs subsequently became quite celebrated as an officer in the Union Indian Brigade during the Civil War until he finally died of smallpox at Fort Gibson in the winter of 1863-1864. Unfortunately, following Murrow's report, Bowlegs disappeared for a time from the records and developments in his factional struggle with Jumper are impossible to trace. At the outbreak of the Civil War, however, attention was again focused on him as he sided against Jumper's Confederates and led his Indian and Black supporters out of the Indian Territory to Kansas.

As a result of the political events of 1860, 6 states had seceded from the Union by late January 1861 and Arkansas was contemplating doing the same. While the Federal government treated the Indian Territory as a low priority, politicians in Arkansas and Texas quickly realized the strategic importance of the area and actively began to court Indian support. On 29 January 1861, Governor Henry M. Rector of Arkansas wrote to John Ross, the principal chief of the Cherokees,

> Your people, in their institutions, productions, latitude, and natural sympathies are allied to the common brotherhood of the slaveholding States. Our people and yours are natural allies in war and friends in peace. Your country is salubrious and fertile, and possesses the highest capacity for future progress and development by application of 'slave labor'.

Rector went on to explain that the Lincoln administration viewed the Indians' land as "fruitful fields ripe for the harvest of abolitionism, free-soilers, and northern mountebanks". He pledged the South to the

protection of the tribes' territorial integrity and monetary interests and requested their support in the forthcoming struggle.[19] These were the themes that the Confederates would stress time and again in their efforts to win over the Civilized tribes and control the Indian Territory, and the Seminoles would shortly thereafter be courted in this way.

There were three basic reasons why the Civilized tribes were receptive to the appeals of the Confederates. First of all, with the exception of the Seminoles, the leadership of each of the tribes was in the hands of wealthy mixed blood slaveholders who identified their political, economic, social and cultural interests with those of the South. Secondly, Southern sympathizers held, or had access to, every governmental position in the Southern Superintendency of Indian affairs and controlled all sources of information available to the tribes. All of the Indian agents and the Superintendent himself were strongly Southern in sympathy and they undoubtedly influenced the leadership of the tribes to support the Confederacy. Finally, Southern postmasters told the Indians that the Confederates were winning the war and that the administration had fallen, and otherwise undermined confidence in the Federal government.[20]

The Seminoles, at first, were unimpressed by the Confederate overtures. They were the only tribe without a mixed blood plantocrat leadership, their institutions were aboriginal, they were unquestionably the least civilized of the Five tribes, and Black slavery was not of vital importance to their economy. In consequence, there were fewer advantages to be gained from a Confederate alliance than there were for the other slaveholding tribes. During March 1861, therefore, the Seminoles voted in council not to meet with the Confederates but to remain neutral and honour their existing treaties.[21]

Several factors finally worked to draw the progresssive Seminole leadership into the Confederate camp. First of all, John Jumper was becoming

increasingly influenced by his friend and minister Reverend Murrow and by the Seminole agents Henry Washbourne and Samuel Rutherford, who were all deeply sympathetic to the Southern cause. As early as March 1860, Murrow wrote of the impending crisis,

> ... If this must come, then the South should be on the watch. If this country belongs to any part of the Union, that portion is the South. The Indians are all slave-holders and their feelings and sympathies are all southern. The soil and climate both are altogether suited for slaves. Negroes are healthier here, and there are more cases of longevity among them than either Whites or Indians.
>
> Let southern champions stand ready then to defend their just title to this territory, when the time comes that defense is necessary.[22]

At a later date, Murrow made reference to "Black Republican Kansasites" and subsequently was appointed Confederate agent to the Seminoles.[23] It seems probable that his influence on Jumper was considerable. Washbourne, the Seminole agent from 1854 to 1857, was described in a Union intelligence report as being one of the most rabid Southerners in the Indian Territory. He subsequently worked for the Confederacy among the Seminoles, helped split the tribe, and persuaded many of the Indians to organize militarily in support of the South. Rutherford, his successor, had been prominent in Arkansas politics. Beginning around the time of Lincoln's election, he put his considerable talents to work for the Confederacy, pointing out that the Seminoles were slaveholders, of Southern origin, and inhabitants of the South.[24] In view of his progressive leanings, Jumper could not but be impressed by the arguments of his eminent white associates.

Secondly, though obligated by treaty to do so, the Federal government had failed to pay the Seminoles their annuities for 1860.[25] This became even more important as that year witnessed the worst drought in the Indian Territory in 30 years. By the spring of 1861, many Seminoles were completely destitute and the Confederates were promising to honour the obligations of the U.S. government. Thirdly, in April, the Choctaws and Chickasaws, as expected, went over to the Confederacy. Finally, and of

greatest importance, the Federal forces relinquished their control over the military posts in the Indian Territory in late April and early May and beat a hasty retreat to Fort Leavenworth, Kansas.[26] Again, promises were broken as treaty stipulations had provided that these posts would protect the Indians from attack. It now appeared that the Indians had been abandoned by the Federal government. In his Annual Report for 1861, Commissioner of Indian Affairs William P. Dole ascribed the defection of the Civilized tribes to the Lincoln administration's failure to explain "its intended policy in relation to slavery" and to its withdrawal of military support from the Indian Territory.[27] By the late spring of 1861, the secessionists were at the Seminoles' doorstep.

Soon after the Federal retreat, troops from Texas occupied Forts Washita, Cobb and Arbuckle. On 13 May, the Confederate states created the military district of the Indian Territory and placed it under the control of Benjamin F. McCulloch. A bureau of Indian affairs was created with David Hubbard as commissioner and on 17 May the Indian Territory was annexed. The Confederacy extended its protection over all the Indians in the Territory and Albert Pike of Arkansas was sent out to negotiate treaties with each of the tribes.[28] Pike proved to be an excellent choice as commissioner. Shrewd and effective, he was well known to the Indians and convinced that it was vital to secure their support for the Confederacy. By the end of the year, he had negotiated treaties with all the major tribes in the Indian Territory.

In June 1861, an intertribal council of Choctaws, Chickasaws, Seminoles and Creeks sympathetic to the Confederacy was held at North Fork Town and on 1 July a "United Nations of the Indian Territory was formed". Included in the constitution was a provision granting the Grand Council of Delegates the right to raise Indian troops to oppose "invading forces of Abolitionist hordes under Abraham Lincoln".[29] Between the 10th and 12th July 1861, the

Choctaws, Chickasaws and Creeks signed treaties with Pike at North Fork Town.[30] Jumper had also recently received a letter from George W. Welch who signed himself, "Capt. - Commanding the Texas troops in the service of the Southern Confederacy". Again, emphasis was placed upon the themes that the Confederacy had stressed throughout;[31] the Union was determined to take away the tribe's land and Blacks, the Federal government could not meet its treaty obligations, and the Seminoles best interests lay with the South.[32] These factors, together with the early Confederate military successes and the withdrawal of Federal troops from the Indian Territory were the most immediate reasons behind Jumper's decision to throw in his lot with the South.

Pike, together with Elias Rector, Rutherford and Moty Kennard, the principal chief of the Confederate Creeks, travelled to the Seminole country and concluded a treaty with Jumper at the tribal council house on 1 August. As had been the case with the Creeks, however, the tribe as a whole had not agreed to support the Confederacy. E.H. Carruth later stated that Pike had conducted his negotiations with Jumper and 4 of his cohorts in secret and that the 5 were eventually bribed for their support.[33] No proof of this has been found but certain it is that just 12 town chiefs, representing approximately a third to a half of the total population, signed the treaty. Of massive significance to the future of Seminole-Black relations, Bowlegs, Chupco and other recalcitrant town chiefs refused to sign and stood in opposition to Jumper's Confederates.

There was a clear and logical line of reasoning behind Jumper's decision to support the Confederacy. Apart from his disenchantment with the Federal government and the obvious military advantages to be gained from a Southern alliance, the Confederacy seemed to offer the best hope for the future of his tribe. To the tribes living in the Indian Territory, the South was closely associated with enlightenment, progress and prosperity. Jumper

realized that Seminole civilization was still essentially aboriginal and that the tribe lagged far behind its more acculturated slaveholding Indian neighbours. His support for the Confederacy, therefore, seems to have been firmly based on the belief that it offered the likelier prospect for rapid and sustained Seminole advancement. He listened to the words of his informed Southern white and mixed blood associates and noted that the most educated, wealthy and sophisticated members of the neighbouring tribes were espousing the cause of the Confederacy. If men such as Murrow, Rector, Rutherford, Robert M. Jones, the Colberts and the McIntoshes were Southern in sympathy, surely the Confederacy offered the best hope for a brighter Seminole tomorrow.

The treaty that the Seminoles signed with the Confederacy[34] seemed to fulfil Jumper's hopes and offer the prospect of future advancement. It undoubtedly contained the most favourable terms the tribe had ever received and it was, in many ways, a remarkably progressive document. The Seminoles' territorial and political integrity was guaranteed. Their boundaries were confirmed and the partition and disposal of lands was left to the tribe. The Indians were granted the right to unrestricted self-government and full jurisdiction over persons and property within their borders, the right to sole control over citizenship and tribal membership and the promise of military aid to remove intruders. The legal rights of Indians in the Confederate states were to be greatly increased and there was to be no discrimination because of Indian blood before the law. The Confederacy pledged itself to establish military posts, post offices and rights of way and the Seminoles and Creeks were to be permitted to send a delegate to the Confederate Congress to represent their interests. One of the most important clauses in the treaty provided that the Confederacy would assume responsibility for present and former U.S. monetary obligations to the Seminoles. The Confederates agreed to honour the annuities secured by

former treaties, which amounted to $25,000 plus arrears, $300 for schools, $2,000 for agriculture and $2,200 for blacksmiths' shops. The South also assumed responsibility for money invested in U.S. and Northern state bonds. The Seminoles, in addition, were not to bear any expense of the war. Thus, the tribe was to receive many more benefits from its alliance with the Confederacy than it ever had from its association with the Federal government. But perhaps of greatest importance to Jumper, the Confederate commissioners had treated the Seminoles as their peers.

Though support for slavery had not been the major factor in Jumper's decision to support the Confederacy, its importance to the progressives was recognized in the treaty. Black slavery was acknowledged and declared to be legal. Slaves were defined as personal property and the Seminoles were to be entitled to determine individual titles by their own laws and customs. Upon the death of a slaveholder, his Blacks were to be distributed according to existing tribal practices, which were considered binding. The fugitive slave laws were extended to include the Seminole country and were to apply not only to slaves who might flee to the Indian Territory but also to Seminole slaves who might escape to other Indian nations or to the Confederate states. Besides these general provisions, the Seminole treaty also contained very specific clauses relating to slavery. Tribal members were to be reimbursed for all the slaves illegally seized during their removal from Florida. The Confederacy agreed to investigate the various claims and determine a just and equitable settlement which was to be paid either to the owners or their heirs. The Seminoles' claims for $52,650 in compensation for the loss of slave labour during the Blacks' 3 year residence at Fort Gibson would also be settled.[35] Finally, the Confederacy agreed to pay $5,000 to the heirs of Sally Factor for the services of her two slaves July and Murray who had been used as interpreters by the U.S. army during removal. The two Blacks had been kept in service for 4 years

and had died in the Second Seminole War but their owner had received neither payment nor compensation.

Thus, the continuance and possible extension of Black slavery was clearly an integral part of Jumper's vision of the Seminoles' future. By siding with the Confederacy, the chief threw his support behind progress and acculturation and showed his willingness to lead the tribe along the white man's road. It had been frequently impressed upon the Indians by white southerners that institutionalized Black slavery was fundamental to civilized society. The Seminoles, up to that point, had continued to practise their peculiarly liberal, aboriginal, form of bondage and were the only Civilized tribe not to have incorporated the institution. The suggestion is strong, however, that the progressives were becoming increasingly influenced by such attitudes and were willing to adapt their relations with Blacks to conform to Southern notions of racial superiority. Certainly, the actions taken by the Confederate Seminoles both during and shortly after the Civil War, when they sought to exert far greater control over their slave population and reduce all Blacks to bondsmen, support this contention. In 1861, John Jumper stood at the crossroads; the path he chose was the one taken by the mixed blood slaveholding elites.

Billy Bowlegs stood against Jumper as a man but he was also opposed to all that he stood for. The archetypal recalcitrant traditionalist, Bowlegs wished for nothing more than to retain the old ways: the tribe's native customs and practices. He wanted no part of a programme for rapid advancement or accelerated acculturation. This view included his attitude towards Blacks. Bowlegs was a slave owner himself and even took his Blacks north with him when he left the Seminole country. He could thus hardly be classified as an abolitionist. Yet he was opposed to institutionalized slavery on the southern white model; it simply could not be accommodated within his native philosophy. Once again, therefore, the irony inherent

in the fullbloods' view on Blacks came to the fore. Slavery was sanctioned as long as it remained aboriginal, but would be opposed if it became institutionalized. Thus, Bowlegs' support for the Union stemmed mostly from his opposition to Jumper's blueprint for the Seminoles' future. By the outbreak of the Civil War, there was a world of difference between John Jumper and Billy Bowlegs. Whereas Jumper had chosen to support progress and followed the mixed blood plantocracy, Bowlegs chose reactionary traditionalism and threw in his lot with the dissident fullbloods.

The Seminoles were not the only tribe to be rent apart by the Civil War. With the exception of some of the fullbloods, the Choctaws and Chickasaws were solidly behind the Confederacy but the Cherokees and Creeks were divided in their allegiance. Again the split came along old factional lines. The Cherokees finally signed a treaty with Pike at Tahlequah on 7 October 1861,[36] but it was not supported generally within the tribe. The National party, under John Ross, subsequently came out in support of the Union while the old Treaty party, under Elias Boudinot and Stand Watie, continued to side with the Confederacy. Once more, the lines were drawn between the Keetoowahs and the Knights of the Golden Circle; the fullbloods and the mixed bloods. The Creeks experienced the same problems. The Confederate treaty was solely the work of the mixed blood Lower Creek leadership and the ancient divisions within the tribe soon came to the fore. The Upper Creeks took instant exception to the treaty and began to band behind the old recalcitrant traditionalist, Opothleyohola.

The split within the Creek tribe had close parallels with that which occurred among the Seminoles. Opothleyohola was a wealthy slaveholder but he was also a staunch conservative and opposed to white acculturation. He had fought at Horseshoe Bend, resisted removal and, like Bowlegs, he stood against the opposition's blueprint for his tribe's future.[37] The two recalcitrant chiefs were thus natural allies. During the summer and early

fall of 1861,Opothleyohola ignored the appeals of the Confederacy to side with them and stood in militant opposition to the mixed bloods. He massed his supporters into camp near the junction of the Deep Fork and the North Fork, around the site of present-day Eufaula, and prepared to quit the Creek country and head northwards. He was joined by the loyal Seminoles under Bowlegs, Chupco, Halleck Tustenuggee and Pascofar; Seminole and Creek Blacks; runaway slaves from other parts of the Indian Territory; and disaffected Chickasaws, Cherokees, Quapaws, Euchees, Keechis, Caddoes, Ionies, Shawnees, Delawares, Wichitas, Kickapoos and Comanches.[38] Various estimates of the size of Opothleyohola's force have been made but it seems fairly certain that, at its peak, it included around 2,000 warriors, at least as many women and children, and between 200 and 300 Blacks.[39]

Heads of Seminole Black households who are known to have made the journey north with the loyalists at this time included Hagar, Cyrus and Dolly Bowlegs; Hattie Charles; Jack Shortman; Jacob Davis; Sam Cudjo and Betsy Miller. These individuals, together with other unnamed heads of Black households who left their homes to follow Bowlegs, would, of course, have been accompanied by their families. Not all of the slaves of the loyal Seminoles followed their owners at this time, however. Jim Bowlegs, for example, the slave of Nancy Chupco, who emigrated at this time, remained behind in the Seminole country for another year.[40] The loyal Seminoles and Blacks took with them all that they could, and in most cases this amounted to all that they had. Food, clothing, blankets, guns, tools and cooking utensils were gathered together and loaded into wagons or onto horses, or carried by hand. The emigrants also took their livestock with them and herds of horses, cattle and hogs, flocks of sheep, and chickens were driven along by the various families. Some of the Indians and Blacks rode in wagons, and others on horseback, but most were on foot.

At Opothleyohola's camp grounds, the final preparations were made for

the great march north and, on 5 November 1861, the loyalists broke camp and headed in the direction of Kansas.[41] One can almost sense the noise, the excitement, the colour and the smells as the dramatic Indian-Black caravan moved out of the Creek country. The precise intentions of the emigrants at that time are not exactly clear but it appears that they hoped to remain in the north of the Indian Territory and receive aid from both sympathetic Cherokees and U.S. officials behind the Union lines. If the situation became desperate, the loyalists could simply cross over into Kansas.

Though substantial evidence is sadly lacking and interpretations vary, it appears that the loyalists split into three groups.[42] The first group, headed by Opothleyohola himself, contained most of the Creek Blacks in the party. It was certainly in the best interests of these Blacks to get as far north as they could in the shortest possible time. On 31 October, Kennard and other Lower Creek chiefs had written to Douglas H. Cooper informing him of their intention to put down Opothleyohola's movement. All free Blacks found in the party were to be sold as slaves and all captured slaves that did not belong to Lower Creeks in the expedition would also be sold. Runaways from other nations, moreover, would be "dealt with according to Creek laws".[43] Thus, Blacks were included in the vanguard, the apparent threefold intention of the first group being to act as a decoy for the rest of the train, to rebuild old Fort Arbuckle for protection against attack and as a possible base for guerrilla operations in the Indian Territory, and to later assist the other loyalists to cross the Arkansas. The second group contained mostly women and children, with the old people and their slaves, and the third and final group, bringing up the rear, included the Seminoles, the Seminole Blacks and the members of the other tribes.

Colonel Cooper, the former Choctaw agent, having failed to persuade the loyalists to defect to the Confederacy, led an armed force into the Creek

country to apprehend Opothleyohola but, by the time he reached North Fork Town on 15 November, the emigrants had long since gone. Cooper sent an order to the loyalists to stop with "a McIntosh negro slave" but the message was ignored.[44] Cooper then set out in pursuit. His force of 1,400 was composed entirely of Indian troops except for a detachment of Texas cavalry and included the First Seminole Battalion of Mounted Volunteers which had been mustered into service on 21 September under the command of Major John Jumper. Meanwhile, the second and third groups in Opothleyohola's train were in the process of crossing the Arkansas, probably by means of flat boats made and operated by Blacks from the first group. While the main crossings were taking place, Opothleyohola's group acted as a decoy, leading the Confederate troops away from the train. Cooper came upon this vanguard at Round Mountain, just north of the Cimarron River, near its confluence with the Arkansas, on 19 November. An engagement ensued but the action was indecisive and, under the cover of darkness, the loyalists crossed over the Arkansas into the Cherokee nation and rejoined their compatriots. Though the action was limited, Cooper later deemed Jumper's conduct at Round Mountain "worthy of high commendation".[45]

The Confederates believed Opothleyohola to be heading for Walnut Creek, Kansas, but he moved back south down the Arkansas and took up a strong position at the Horseshoe Bend of Bird Creek, at Chusto-Talasah, or Caving Banks. Cooper finally caught up with the loyalists on 9 December and a second engagement took place with Jumper leading the Creek-Seminole column on the left wing of the Confederate force against his fellow tribesmen and their Black associates. Again, however, the action was indecisive and, on the 11th, the loyalists slipped away once more. The frustrated Cooper then retired his force to Fort Gibson for reinforcements and additional supplies.[46]

While Cooper was regrouping at Fort Gibson, a Confederate force of

1,600 white troops under Colonel James M. McIntosh attacked the loyalists at Chustenahlah on Hominy Creek, just west of present-day Skiatook, on 26 December. The superior arms, equipment and horses of the Confederates, combined with the loyalists shortage of ammunition and exhaustion following their long trek and the previous two engagements, proved decisive. Though the Seminoles under Halleck fought gallantly and bore the brunt of the attack, they, together with their Indian and Black allies, were eventually driven from the field and the engagement turned into a rout. As So-nuck-harjo, the brother of Billy Bowlegs, later observed,

> In this third fight we were whipped and our people cut to pieces badly. During this fight our men were killed and women and children were not spared. Those that escaped death did not escape without some wound being inflicted on them and all our horses and provisions were captured.[47]

McIntosh later claimed that upward of 250 loyalists had been killed while 160 women and children and 20 Blacks had been captured.[48] One of these latter was Betsy Miller, who was subsequently imprisoned and returned to the Seminole country.[49]

Opothleyohola's supporters were put to headlong flight and made to head for Kansas in disarray. They resumed their journey under terrible conditions and along the way suffered almost unspeakable hardship. In their panic, the Indians and Blacks had left everything behind and were forced to travel on without food, clothing, shelter or horses. Many were practically naked and totally without subsistence. Almost all, by now, were on foot and few had shoes. To add to their misery, a blizzard blew in their faces out of the northwest and further slowed their progress. Stand Watie, McIntosh and Cooper, meanwhile, commenced mopping-up operations and pursued the loyalists to within 10 miles of the Union lines, killing some, wounding others and capturing women and children.[50] Some of the emigrants froze to death or died of starvation along the way and bodies littered their trail. Others contracted frostbite and later had to have limbs amputated.

Women gave birth to their offspring on the open snow without clothing or shelter. Still others "were reduced to such extremity as to be obliged to feed upon their ponies and their dogs".[51] In this desperate state, the depleted and utterly destitute Indian and Black refugees struggled over the Union line into Kansas during the early part of January 1862.

The loyalists went into camp on the bleak Kansas plains between the Verdigris and Fall Rivers, Walnut Creek and the Arkansas, the Seminoles and their Blacks settling near Roe's Fort.[52] By 5 February 1862, the refugees included 3,168 Creeks, 53 Creek slaves, 38 free Creek Blacks, 777 Seminoles, 136 Quapaws, 50 Cherokees, 31 Chickasaws and perhaps 300 from the various other tribes, some 4,500 in all.[53] It would seem that, though differentiation was made between Creeks, Creek slaves and free Creek Blacks, the figure given for the Seminole population included both Indians and Blacks. Conditions in the camps were dreadful. General Hunter wrote to Commissioner Dole, "Their condition is pictured as most wretched - destitute of clothing, shelter, fuel, horses, cooking utensils and food".[54] Many of the refugees were starving, naked and suffering from either wounds, frostbite or disease. Almost all faced the bleak winter without blankets or shelters and were in need of some kind of medical attention. Within two months of their arrival, 240 Creeks alone died while 100 frozen limbs had to be amputated. The Union officials and Kansas residents were totally unprepared to deal with the problem of the refugees whose "number was being constantly augmented by the daily arrival of other camps and families".[55] By late January, the loyal Seminoles and Creeks were already clamouring to return to their homes in the Indian Territory.[56]

Before the warm weather of spring arrived, it was decided to move the refugees to a new location in the Neosho River valley, some 130 miles north and east. The main reason for this was to prevent the risk of disease

arising from the presence of hundreds of dead and rotting ponies around the refugees' camp grounds. It was also intended to remove the Indians and Blacks closer to a centre of administrative control at the Sac and Fox agency. George C. Snow, who had been appointed the Union Seminole agent on 7 January, prepared to move his charges in early March. Many were unable to make the journey without help and Kansas teamsters were hired to aid in their removal. The sick among the Indians and Blacks, along with the women and children and whatever effects they still possessed, were piled into wagons and hauled away. The men followed along behind, generally on foot. On 6 March, the Seminoles refused to go any further and made camp near Le Roy in Coffey County.[57] Their stay here would prove to be short, however, and they would soon be moved to another location.

In mid April, the refugee Indians and Blacks camped on the Neosho were visited by special agent George N. Collamore, who thus described the scene,

> ...I found them encamped upon the Neosho river bottom, in the timber, extending a distance of some seven miles. Not a comfortable tent was to be seen. Such coverings as I saw were made in the rudest manner, being composed of pieces of cloth, old quilts, handkerchiefs, aprons and c & c. Stretched upon sticks and so limited were many of them in size that they were scarcely sufficient to cover the emaciated and dying forms beneath them.

Consumption, pneumonia and exposure were prevalent and there was an extremely high death rate among the refugees. By this time, there were 7,600 refugees in all, including 1,096 Seminoles. Many were almost naked, deprived of shelter and starving, Collamore commenting, "... I went from lodge to lodge, and tribe to tribe, and the suffering of the well to say nothing of the sick is beyond description".[58]

One of the refugees' biggest problems was the lack of food. On 3 March, Congress had passed an act providing that the annuities of the "hostiles" - those Indians sympathetic to the Confederacy - should be applied to the relief of refugees from the Indian Territory.[59] To the Indians, this

translated into a per capita weekly ration of 1lb. of flour, a piece of spoiled bacon and a "scanty supply of salt". The chiefs described the bacon as "not fit for a dog to eat". It had been condemned at Leavenworth and many of those who ate it became ill.[60] The lot of the Seminole Blacks was even worse, Benjamin F. Van Horn reporting later, "... The Government did not make any allowance, all they got to eat was what the Indians gave them, consequently they were on short rations".[61] Many of the other goods distributed to the Indians, moreover, were unsuitable and had to be traded off for "green corn, chickens, eggs, etc. for half their value".[62] It was hardly surprising, therefore, that Collamore reported that the refugees, "Ardently desire to return to their farms, rebuild their cabins, renew their fences, [and] plant the seed....".

Bowlegs wasted little time in securing his position of leadership over the loyal Seminoles and Blacks and reorganising the party under his principal chieftainship. On 14 April, he, together with the other loyal Seminole leaders, informed Dole that they had "organised as a Nation, by the election of head chief, and subordinate chiefs", and were "as fully prepared to do business as we were before the rebellion". They asked to be formally recognised as the Seminole nation and that the tribe's annunities be paid to them. The Confederate Seminoles had "forfeited all right and claim to any annuities or any property belonging to the Seminole Nation" and were "no longer entitled to be considered a part of the Seminole Nation". A year later Bowlegs was signing himself "Head Chief Seminole Nation" and "King of the Seminoles".[63] Clearly, Bowlegs viewed the factional split as a _fait accompli_ with himself as clear victor. It seemed to forbode ill for any future unification of the tribe or normalization of relations with the Jumper party.

Following pressure by irate local inhabitants and persuasion from the agent, Snow managed to remove his charges from Le Roy further upstream to

Neosho Falls in Woodson County on 24 April.[64] Here, the Seminoles and Blacks made camp, as was their custom, a short distance from each other, in the woods just below the dam.[65] Most of them would remain in this location until they were finally returned to the Indian Territory in 1864 and 1865. Though conditions improved steadily as food and medical attention became more available and rations more substantial, the Indians and Blacks continued to lack many of life's necessities. Disease would come to constitute the biggest problem in the camps and would plague the lives of the refugees until the end of the war.

It quickly became clear to Federal officials that the cost of supporting so many refugees was extremely prohibitive and that it would be cheaper to enlist the able-bodied men in the army than subsist them in Kansas. The Indians and Blacks were anxious to return to their homes and, following a major Confederate defeat at Pea Ridge, Arkansas, earlier in the month, the idea of their being used to regain the Indian Territory for the Union was proposed by Dole on 13 March. Within a week, he was promised an expeditionary force of two white regiments and 2,000 Indians appropriately armed. Once the refugees had recovered their homes, the understanding was that they would be left in such a position as to be able to protect and defend themselves. Consequently, during the spring of 1862, the Union Indian Brigade, or Indian Home Guard, was organised with a view to its participation in a Federal invasion of the Indian Territory planned for that summer.[66]

The First Regiment of the Union Indian Brigade came to include 8 companies of Creeks and 2 of Seminoles. The two Seminole companies were Company A, which had 100 members under Captain Halleck Tustenuggee and Lieutenant Fus Harjo, and Company B which contained 106 members under Captain Billy Bowlegs and Lieutenant John Chupco.[67] Besides the Indians, Blacks were also enrolled in the Brigade as both interpreters and soldiers.

Wiley Britton later recalled, "Nearly all the negro men fit for the military service who had belonged to the Cherokees and Creeks joined the Indian regiments" and Daniel F. Littlefield Jr. has named 15 Creek Blacks, apart from interpreters, who are known to have served in the First Regiment.[68] Seminole Blacks are also known to have served in the Brigade. Jim Bowlegs, for example, stated that he had been a member of the same unit as his owner's husband[69] and Robert Johnson subsequently became the main interpreter for the Seminole companies.

Between its inception and the spring of 1865, when it was mustered out of service, the Union Indian Brigade took part in over 30 actions in Missouri, Arkansas and the Indian Territory, frequently in concert with Coloured regiments.[70] As members of the Brigade, Blacks also participated in many of these engagements and, as Kenneth Porter has pointed out, "Since Creek, Seminole and Cherokee Negroes served in the Union Indian regiments on equal terms with the Indians, when one reads of an action in which Union Indians were involved one should envisage black as well as brown faces in the ranks".[71] In the spring of 1864, the Blacks were mustered out of the Union Indian Brigade and into the Coloured regiments. This development was lamented by John T. Cox who noted, "It is well known that the interpreters in the Indian regiments, especially the Creeks, are almost exclusively colored persons, residents in the Indian Country; they are therefore indispensable for the maintenance of discipline and good service". "Those of the most active and efficient of the First Regiment", that containing the Seminole and Creek companies, were the first to be mustered out[72] and thereafter their history belonged to that of Black regiments.

Thus, as fellow members of the Union Indian Brigade, Seminoles and Blacks participated in the First Federal Invasion of the Indian Territory in the summer of 1862. With the exception of a white auxiliary, the Union force was composed entirely of Indians and Blacks. The Indian Brigade

included over 1,000 Creeks and Seminoles, with their Black associates, Cherokees, Quapaws and "full companies of wild Delawares, Kechees, Ironeyes, Cadoes and Kickapoos... besides sixty Delawares from the Delaware Reservation, and about two hundred Osages".[73] The expedition set out on 28 June and met with quick success, defeating the Confederates at the Battles of Locust Grove, 3 July, and Bayou Bernard, 27 July. The Union force quickly established its dominance north of the Arkansas and for a time it looked as though the Confederates would be swept south to the Red River but dissension among the officer corps resulted in the arrest of the expedition commander, Colonel William Weer, and an eventual retreat to Baxter Springs, Kansas, in August.[74] For the time being, the Indian Territory was once again left to the Confederates.

It has been estimated that some 1,500 Indian refugees alone followed the expedition into the Indian Territory in the hope of returning to their homes. These were forced to retreat north with the Union army and spend another winter in the camps in Kansas. Most of the other loyalists who had remained in the Indian Territory also followed the army north in the subsequent months and a large refugee camp sprang up around Baxter Springs.[75] A second wave of Seminole Blacks fled to Kansas in October 1862. Heads of Seminole Black households who are known to have made their way north at this time included Thomas Noble; Polly Sayers; and William, Mollie and Jim Bowlegs. Other Seminole Black heads of household who made the journey to Kansas during the Civil War, but at an unknown date, included Caesar Bruner; Calina Payne; Bob Davies; and Johnson and Tony Bowlegs.[76] Some of these joined the Indian Brigade, others later enlisted in the Coloured regiments, and still others spent the rest of the war in the Seminole Black refugee camp at Neosho Falls.

In his annual report for 1862, forwarded on 29 September, agent Snow reported on the number of Seminoles and Blacks under his care. The loyal

Seminole population included 107 men, 372 women and 440 children - 919 in all - in camp at Neosho Falls. Most of the men in camp were old and unfit for military duty. In addition, 193 Seminole warriors had joined the Union Indian Brigade. The loyal Seminoles, Snow reported,

> ...Have brought with them about sixty colored people, and over one hundred have come from the nation since and joined them. These coloured people are generally intelligent and talk the English language, and understand how to do common work on a farm, but it is evident that they have not been brought up to labor like those among the Whites. The greater portion of them, however, claim to be free, under the pretext that their masters were secesh.[77]

Whether this number included Seminole Black men who had joined the Indian Brigade is uncertain. The following year, however, following the arrival of the second wave of Seminole and Black refugees, Snow could report, "... Nearly two-thirds of these Indians, as well as all their negroes, have left their country and come here to be protected by the government".[78] Though Snow exaggerated the level of their emigration from the Indian Territory, it is clear that a substantial majority of Seminole Blacks made their way to Kansas during the Civil War.

The winter of 1862-1863 brought more widespread suffering to the refugees in Kansas. The weather was again severe and the Indians and Blacks were, once more, left wanting for clothes and blankets. Shelter and food were more plentiful than the previous year but the poor quality of the provisions continued to cause illness and often led to death. Plans were meanwhile being made to return the refugees to their former homes during the spring.[79] As a result, after the Union had secured its position in northern Arkansas and southern Missouri, the Indian Brigade occupied Fort Gibson on 18 April in what became known as the Second Federal Invasion of the Indian Territory.[80] The Union troops subsequently fortified the post with a view to using it as the base of their operations against the Confederates.

A great many refugees from the Neosho followed the Federal advance into

the Indian Territory in the hope of returning to their homes. Wiley Britton later noted that "these families were mostly Creeks and Seminoles, the families of the soldiers of the First and Second Indian regiments".[81] Seminole, Creek and Cherokee Blacks were also included among their ranks, Britton again observing,

> Most of the colored men who had belonged to Indian masters had enlisted in the Indian regiments, and of course their families encamped with the Indian families. There was no recognized difference of social status between the Indians and negroes, so they mingled together on terms of perfect equality.[82]

Other loyal Indians and Blacks had taken refuge in the Cherokee country during the Confederate ascendancy in the Indian Territory and these also flocked to the post for protection at this time.[83]

The refugees, at first, planted fields around Fort Gibson but, following repeated attacks by Watie's guerrillas, they were forced to retire within the confines of Phillip's fortifications. By early June 1863, there were approximately 3,000 Indian and Black soldiers and an estimated 6,000 refugees including, perhaps, 500 or more Blacks, living within a 1½ mile square mile area within the fort. A recent smallpox epidemic, combined with the usual problems of dysentery, unsanitary conditions and lack of food, clothing, shelter and medical attention, led to a great deal of suffering. The military and refugees were almost completely dependent upon supplies being furnished from Federal posts in Kansas and it was vital to both their welfare and the future prospects of the Union in the Indian Territory that lines of communication be kept open.[84] As members of the Kansas Coloured regiments, Blacks from the Indian Territory would subsequently play an important role in helping to achieve this object.

Although the First South Carolina Coloured Volunteers Regiment had been the first to recruit, organize and arm Blacks for the Union during the early summer of 1862, it had been quickly disbanded due to political pressure and lack of official sanction. The First Kansas Coloured Volunteers

Regiment, mustered into service that winter, was, in fact, the first unit of Black troops to receive Federal recognition and approval. The impetus behind the organization of the Coloured regiment came from Senator James H. Lane, a strong proponent of the utilization of Black troops, who was designated recruiting agent in the Department of Kansas on 22 July 1862. Colonel James M. Williams and Captain H.C. Seaman were put in charge of enlisting Blacks for the new regiment and during the fall recruitment went on apace. By early January 1863, 6 of the 10 companies needed to create an infantry regiment were complete and, on the 13th, the First Kansas Coloured was mustered into service. During the next 3 months, recruitment for the new regiment continued to be heavy and, on 2 May, the 4 remaining companies needed to complete the unit were mustered in.[85]

One of the 4 companies to be mustered into service in May was Company I, which contained most of the eligible Blacks from the Indian Territory. Its recruitment was due almost entirely to the work of Benjamin Van Horn who had earlier taken the contract to supply cattle for the refugee Indians and Blacks living on the Neosho and at the Sac and Fox agency. Van Horn informed Senator Lane and Brigadier General James G. Blunt, in charge of Union operations in southern Kansas and the Indian Territory, of the refugee Indians' Black associates and he was then asked to recruit the able-bodied men for the Coloured regiment. Van Horn was made a recruiting lieutenant and furnished with a "full company cooking utensals [sic] and camp equipage and rations, six new wall tents, 80 guns, some ammunition, two wagons and teams for transport, and a drill master". With these, he set off for the Neosho to recruit the Indian Blacks. Between mid March and late April, the full company quota of 80 men was enlisted. Van Horn triumphantly marched the group of enlisted refugees to Fort Scott to join the rest of the regiment. Here, they were mustered in as Company I while Van Horn was made a captain and the company commander. The Indian Blacks

exchanged their "old rags" for new uniforms and "were as proud as a little boy with a red wagon". They were to stay at Scott but a short while as they were soon ordered to Baxter Springs to commence drilling exercises with a view to supporting and reinforcing the Indian Brigade at Fort Gibson.[86]

Many of Van Horn's recruits were Creek and Seminole Blacks. Four of the Creek Blacks, Scipio Gouge, James Goodin, Thomas Herrod and Elias Hardridge, had enlisted in the Union army a year before, presumably in the Indian Brigade. In his haste to enlist the requisite number for his company, Van Horn was apparently none too fussy in his choice of recruits. Nero and Elias Hardridge, for example, were both minors who were enlisted without their parents' consent. Some may have been recruited as a result of impressment and this probably contributed to the high desertion rate within the company during 1863. As time went by, however, desertion became far less prevalent. The Seminole Black recruits included Sam Cudjo; Cyrus, George and Robert Bowlegs; and Simon Noble. The service records of these 5 men give an indication of the diversity of experience and fortune encountered by the members of Company I. Sam Cudjo was promoted to corporal and later claimed to have been made a sergeant before being mustered out with the regiment on 1 October 1865; Cyrus Bowlegs was discharged for disability at Fort Smith, Arkansas, on 4 December 1863; George Bowlegs deserted at Fort Gibson on 8 December 1863; Robert Bowlegs died of disease at Fort Smith on 26 May 1864, and Simon Noble was killed in action at the Battle of Poison Spring, near Camden, Arkansas, on 18 April 1864.[87] Thus, victory, defeat, promotion, disability, death, honourable discharge and desertion were all facts of life to Seminole Black troopers serving in the Union army during the Civil War.

The First Kansas Coloured Infantry would soon play a major role in the two most important Civil War battles in the Indian Territory, those of Cabin Creek and Honey Springs fought on the 2nd and 17 July 1863.[88] In late

June, General Blunt dispatched a large wagon train from Fort Scott with supplies for the troops and refugee Indians and Blacks at Fort Gibson. Major John A. Foreman was sent out from Fort Gibson to Baxter Springs with a force of 600 mounted men of the Indian Brigade to strengthen the escort. As the train moved into the Indian Territory, however, news came to Baxter Springs that Watie and a large force of Confederate Indians and Texans were preparing to attack before the supplies could reach their destination. Blunt had long intended to reinforce the garrison at Gibson with the First Kansas Coloured and it now appeared like the optimum moment to put the plan into effect. Consequently, the Black infantrymen marched out of Baxter Springs on 26 June and they came upon the supply train later that same day.

From captured prisoners, it was learned that Watie and some 1,600 Confederates were on the south bank of Cabin Creek waiting for the train to arrive. An equally large Confederate force under General William C. Cabell, moreover, was on the east bank of the swollen Grand River merely awaiting a drop in the water level before joining Watie's offensive. Watie's immediate goal, therefore, was to delay the train and await Cabell's arrival. The Union force clearly realized the need to move quickly to its destination. By the morning of 2 July, the train was ready to cross Cabin Creek. Under covering fire, Foreman and a mounted company of the Third Indian Regiment advanced across the creek. As a result of heavy fire from concealed Confederates, Foreman was shot from his horse and the Indian troops retreated hastily to the north bank. At that point, the First Kansas Coloured, which comprised the second Federal line, opened fire on the Confederate position and drove the enemy from the creek. This was unquestionably the turning point in the engagement. The Union troops were subsequently able to cross the swollen creek and attack the enemy, one contemporary noting that the Blacks "charged through the water up to their necks, holding guns over their heads and firing".[89] The Confederates were

soon put to flight, scattering in all directions, and the engagement turned quickly into a rout.

The Battle of Cabin Creek was an overwhelming victory for the Federal forces. The Union losses were just 3 killed and 30 wounded while the Confederates had perhaps 50 killed, the same number wounded, and 9 taken prisoner. The wagon train completed the journey to Fort Gibson without further incident and arrived at the post on 5 July. The military and refugees thus received their much needed supplies and the garrison was strengthened by the addition of the reinforcements. The success of the Union army at Cabin Creek was due largely to the bravery, initiative and determination of the First Kansas Coloured. It was reported that the Blacks had been anxious to prove themselves in battle to dispel some of the myths concerning their unwillingness to engage in combat and their inability to respond to military situations. The fact that Confederate officers had stated openly that "no quarter" would be given to the Coloured regiments and that no Black prisoners would be taken only strengthened their resolve to excel.[90] The battle marked the first Civil War engagement in which Black, Indian and white units had fought side-by-side and the First Kansas Coloured had proved that it could hold its own with the best. The Black infantrymen had answered their critics by sticking to the task and obeying orders. William S. Burke commented that "they evinced a coolness and true soldierly spirit which inspired the officers in command with... confidence...".[91] Britton, meanwhile, praised "their soldierly appearance and splendid conduct at Cabin Creek" which did much to reduce prejudice against the use of Black troops.[92]

Following the debacle at Cabin Creek, Watie's men moved off to join Cooper's troops at the Honey Springs depot, some 25 miles south of Fort Gibson, the intention being to await the arrival of Cabell and then mount a three-pronged attack on the Federal garrison. Aware of the Confederates'

design, Blunt arrived at Gibson on 11 July with 600 white cavalrymen, his plan being to attack Cooper before Cabell could reach him. The force of nearly 3,000, which Blunt led towards Honey Springs, included the First Kansas Coloured, the First and Second Regiments of the Indian Brigade and some white artillery and cavalry units. Cooper's force, meanwhile, included two Cherokee and two Creek regiments and a reserve of the Choctaw and Chickasaw Regiment, as well as Texas Rangers and cavalry and artillery units. In all, the Confederate army amounted to more than 6,000 men. During the ensuing encounter, Union Black and Indian troops fought side-by-side against the Confederate Indians and Texans for control over the Indian Territory. Despite being outnumbered by more than two to one, the Union forces would emerge victorious.

The Battle of Honey Springs, 17 July 1863, actually took place at Elk Creek about 3 miles north of the depot. The Confederates had assumed a strong position but the turning point in the engagement came when the First Kansas Coloured broke through the centre of the Confederate line, causing the enemy to retreat. The Blacks even shot down the standard-bearer and captured the Confederates' colours. The First Regiment of the Indian Brigade, including the Seminole Companies, then helped drive the enemy across the creek. Once again, the Confederates were put to headlong flight, with the Union Blacks and Indians in pursuit, and the engagement turned into another rout. At the Honey Springs depot some 300-400 sets of handcuffs were discovered. From captured prisoners it was learned that the Confederates had intended to use these to shackle Black captives before carrying them off to slavery in the South as the spoils of victory.[93] Events such as this merely served to strengthen the resolve of the Black troops in the Union army.

Cabell's force was sighted later that afternoon but, by then, the battle was over. During the night Cabell's men retreated south with Cooper's

defeated army leaving the northern Indian Territory firmly in the hands of the Union. The Federal losses at Honey Springs were just 14 dead and 62 wounded. The Confederates, meanwhile, had 150 killed, 400 wounded and 77 captured. That the Blacks had borne the brunt of the fighting was reflected in the list of casualties. The First Kansas Coloured had 2 killed and 30 wounded during the engagement. In addition, the First Regiment of the Indian Brigade had 2 killed and 6 wounded. Captains No-ko-so-lo-chee and "So-nuk-mik-ke", or Billy Bowlegs, were commended by their commanding officer, Colonel Stephen H. Wattles, for "efficient service" and "gallant conduct" during the campaign.[94]

Praise was lavished upon the Black infantrymen by their commanding officers. Lieutenant Colonel John Bowles reported,

> ... The officers and men throughout the entire regiment behaved nobly, and with the coolness of veterans. Each seemed to vie with the other in the performance of his duty, and it was with the greatest gratification that I witnessed their gallant and determined resistance under the most galling fire.[95]

General Blunt further observed,

> The First Kansas (colored) particularly distinguished itself; they fought like veterans, and preserved their line unbroken throughout the engagement. Their coolness and bravery I have never seen surpassed; they were in the hottest of the fight, and opposed to Texas troops twice their number, whom they completely routed. One Texas regiment (the Twentieth Cavalry) that fought against them went into the fight with 300 men and came out with only 60.[96]

Blunt later informed his department commander, General Schofield, that he would prefer one Black soldier to ten Indians and concluded, "The question that negroes will fight is settled; besides they make better soldiers in every respect than any troops I have ever had under my command".[97] The allusion to "veterans" was an interesting one. A number of the Seminole Blacks in the First Kansas Coloured had taken part in the Florida Wars and indeed qualified as seasoned campaigners.

The Battle of Honey Springs was not only the largest but also the most significant military engagement ever to take place in what is now

Oklahoma. Significantly taking place in the same month as the fall of Vicksburg and Lee's defeat at Gettysburg, Honey Springs was unquestionably the turning point of the Civil War in the Indian Territory. Indeed, the battle has been described by LeRoy H. Fischer, the leading historian on the subject, as "the Gettysburg of the Civil War in the Indian Territory" and even, in terms of results, "the Gettysburg of the trans-Mississippi West".[98] The battle destroyed the power of the Confederacy in the north of the Indian Territory and marked the beginning of a vigorous Federal offensive which culminated in the capture of Fort Smith, some six weeks later, on 1 September.[99] By the end of the year, the Confederate forces had been swept into the Choctaw and Chickasaw nations, almost to the Red River. The Confederates were reduced to pinning their hopes on guerrilla raids conducted mainly by Indian troops under Watie. While this served to prolong the war, it did little, in effect, to threaten Federal supremacy in the Indian Territory. With the exception of a few, less significant, engagements in 1864 and 1865, the Civil War in the Indian Territory was effectively at an end and much of the credit for it was due to Indian and Indian Black troops who fought in the Union army.

In early September 1863, the First Kansas Coloured was ordered to Fort Smith. There, it was joined by the newly-formed Second Kansas Coloured Volunteers Infantry Regiment, which also came to include some Seminole and Creek Blacks.[100] On 2 November, Brigadier General John McNeil wrote of the First Kansas Coloured, "The negro regiment is a triumph of drill and discipline, and reflects great honor on Colonel Williams, in command. Few volunteer regiments that I have seen make a better appearance. I regard them as a first rate infantry".[101] Between September and December, the two Black regiments conducted various operations deep within Confederate Indian Territory. On 1 December, however, the First and Second Kansas Coloured were transferred to the field of operations in Arkansas to help

combat the operations of Major General William Steele, who was mounting a counter-offensive against the Union.[102]

In the late winter and early spring of 1864, the First Kansas Coloured became involved in heavy fighting in Arkansas. As part of the Camden Expedition, the Black regiment was present at the disastrous Battle of Poison Spring, 17 April 1864, when a Federal supply train and escort was attacked and overwhelmed by a far superior Confederate force under Generals Maxey, Cabell and Marmaduke.[103] The Confederate army included the 29th Texas and Tandy Walker's Choctaw Indian Brigade, two of the units which had been humiliated by the Blacks at Honey Springs, and they were clearly bent on revenge.

The Blacks fought gallantly at Poison Spring and the commanding officer of Company I, that containing most of the Indian Blacks, later commended his men for their "coolness, bravery, and promptness with which they obeyed and executed orders".[104] The sheer weight of numbers proved decisive, however, and the Confederates inflicted terrible losses on the Union troops, particularly the Coloured Infantry. The Black regiment suffered its greatest losses of the war at Poison Spring, having 117 killed and 65 wounded. Company I lost 11 killed, including the Seminole Black Simon Noble, and had 6 wounded.[105] The Confederates showed no mercy to the Coloured regiment, Colonel Williams reporting that captured Blacks were "murdered on the spot".[106] Only 4 Black prisoners were taken. Britton wrote that the Confederates, "with a wild hurrah and war whoop of the Indians", shot and bayoneted the Black soldiers where they had fallen. Some Blacks feigned death and crawled off after dark to try and reach the Union camp, marching while they had strength, then resting. Several were bitten by snakes while hiding in the weeds and by the time they reached camp their bodies were swollen with the poison.[107] Suffering from exhaustion, and with their numbers severely depleted, the men of the First Kansas

Coloured were transferred back to Fort Smith in May for temporary garrison duty and fatigue detail, but they were soon to see further action in the Indian Territory.

In February 1864,Colonel Phillips led a Union expedition south of the Arkansas that had both military and political objectives. His force consisted of 3 companies of the 14th Kansas Cavalry, a section of howitzers, and detachments of the First and Third Regiments of the Indian Brigade. Phillips carried with him copies of Lincoln's amnesty proclamation translated into the various native languages of the Confederate Indians, and distributed them freely. He also sent messages of good will and encouragement to John Jumper and other prominent chiefs, urging them to surrender and transfer their allegiance to the Union. On 13 February,the Federal force came upon John Jumper's Confederate Seminoles, a company of the First Choctaw and Chickasaw Cavalry, and a detachment of the 20th Texas Regiment in camp at Middle Boggy, about 1 mile north of Atoka in the Choctaw Nation, on the old Boggy Depot road. A battle ensued in which the Seminole members of the Indian Brigade clearly seized the opportunity to punish their Confederate compatriots. John Chupco later wrote, "We met our old Chief "John Jumper" in the Chickasaw Nation, he had with him all the Rebel Seminoles. He gave us fight - we whipped him - we killed many....". The Battle of Middle Boggy lasted for just 30 minutes, during which time the Confederates lost 47 killed and others wounded. It was reported that Confederate reinforcements were on their way from Boggy Depot so the Union army quickly retreated in the direction of Fort Gibson with the victory safely secured.[108]

Phillips' messages to John Jumper fell upon deaf ears. Since first signing the treaty with Pike, Jumper had remained true to the Confederacy. He had commanded first the Seminole Battalion then, when this was raised to a regiment, the First Seminole Regiment. He had fought at the Battles of Round Mountain, Chusto-Talasah and Pea Ridge and,on 21 November 1862,he

had been made an honourary Lieutenant Colonel. After Pea Ridge, Jumper, together with his fellow Seminole officers, Major James Factor, Captain Fus-Hutche-Cochokonee and Lieutenants George and Thomas Cloud and John F. Brown, were active in the Confederate guerrilla campaigns in the Indian Territory.[109] Following the Battle of Middle Boggy, Jumper renewed his pledge of allegiance to the Confederacy at the Armstrong Academy and, on 6 July 1864, delivered a speech to the First Seminole Regiment urging his men to re-enlist. The speech was fiercely loyal to the Confederate states and graphically illustrated the chief's sentiments, "I do not think we have any cause to regret our choice. Our interests and feelings are Southern. Our homes, our families, everything we have in short, is in the South".[110] Jumper succeeded in persuading his men to re-enlist and the Confederate Seminoles subsequently played an important part at the Second Battle of Cabin Creek.

The Union Black regiments pitted their might against that of the Confederate Indian troops in two more battles during June and September 1864 which proved to be the last major engagements of the Civil War in the Indian Territory. In these, the Kansas Coloured Regiments met with mixed success. The Blacks emerged victorious from the first. Following the Confederate capture of the Union supply boat "J.R. Williams" on the Arkansas, the Second Kansas Coloured marched out of Fort Smith and won a convincing victory over Stand Watie's guerrillas at Iron Bridge, Choctaw Nation, on 16 June.[111] But the story would be different in the subsequent engagement, the Second Battle of Cabin Creek, a few months later.

With the failure of the "J.R. Williams" to deliver supplies to Fort Gibson, it became all the more vital to the Union to retain communications between that post and Fort Scott. Consequently, on 14 September, the First Kansas Coloured, strengthened by the addition of mustered-out Blacks from the Indian Brigade since Poison Spring, was ordered to Gibson to help

keep open the supply routes. Shortly after their arrival, 37 of the Blacks from 4 separate companies were ordered to help operate a hay station at the Union outpost at Flat Rock Ford, a few miles north, on the Grand River. The Confederate high command, meanwhile, had determined to launch the largest raid into Federal-held northern Indian Territory since Honey Springs, the intention being to close the enemy's supply routes. The force of 2,000 included the First Seminole Regiment under Jumper and the whole was led by Watie and Brigadier General Richard Gano. The first target for the Confederates was the hay station at Flat Rock and they arrived there on 16 September. The Federal commander of the 125 man detail at the station, Captain Edgar A. Barker, misjudged the size of the Confederate army and elected to fight. The result was the almost complete annihilation of the Union force and the burning of the station. By nightfall, only 4 of the Blacks were still alive. They had escaped certain death by hiding in the prairie grass and water holes. After dark, they slipped through the Confederate sentries and made their way to Gibson to warn the garrison of the enemy's presence.[112]

While the action at Flat Rock was taking place, an immense Federal wagon train was making its way south from Fort Scott to Fort Gibson along the old Texas Road. On 18 September, the train arrived at the Federal stockade at Cabin Creek and was joined there by reinforcements from Gibson. The Union troops were aware of the proximity of the Confederates and prepared to defend themselves against the onslaught. The entire Federal force only amounted to 610 men, however, and was hopelessly outnumbered. Moving up from Flat Rock, the Confederates mounted a night attack in the early morning of 19 September. The Confederate Indians fought with great enthusiasm and the Union army was completely routed, with the loss of the entire train. The Confederates were subsequently pursued by the First Kansas Coloured under Williams but, under the cover of night, the forces of Gano and Watie

escaped across the Verdigris with their booty and chalked up the greatest Confederate military victory in the Indian Territory.[113]

The Second Battle of Cabin Creek was to be the last major campaign for the Black troops in the Indian Territory. Immediately after the battle, most of the Black units were transferred to neighbouring states. In the summer of 1864, the Black regiments had been reorganized, the First Kansas Coloured becoming the 79th U.S. Coloured Infantry and the Second Kansas Coloured becoming the 83rd U.S. Coloured Infantry. On 1 February 1865, the 79th U.S. Coloured was transferred into the Second Brigade of the Seventh Army Corps and the regiment was subsequently stationed at Little Rock and Fort Smith. The 83rd U.S. Coloured, meanwhile, saw service at Camden and Little Rock during the last year of the war. The 79th and 83rd were mustered out of service on 1st and 9 October respectively and the men received their final pay and discharge at Leavenworth later that month.[114] Some of the Indian Blacks re-enlisted in Black regiments after the war but most made their way home to begin new lives as free men.

Clashes between Confederate Indians and loyal Indians and Blacks dominate the history of the Civil War in the Indian Territory. The antagonists took the field against one another in all of the major campaigns in the area. Indians and Blacks fought in the Opothleyohola engagements, the First and Second Federal Invasions of the Indian Territory, and the Battles of Cabin Creek, Iron Bridge and Honey Springs and, in each, one or the other played a decisive role. At the First Battle of Cabin Creek and the Battle of Honey Springs, Black soldiers of the First Kansas Coloured helped drive the Confederate Indians from the field and provided the springboard for major Union victories. At Iron Bridge, the Second Kansas Coloured defeated Watie's guerrillas and, at the Second Battle of Cabin Creek, Confederate Indian troops helped rout detachments of the First Kansas Coloured at Flat Rock and were later pursued south to the Verdigris by the remainder of that

regiment. There can be no question that the loyal Indians and Blacks played a vital part in regaining and holding the Indian Territory for the Union and that without the active support of the Confederate Indian troops the South would have been pushed across the Red River into Texas long before the end of the war.

As fellow refugees in Kansas and the Indian Territory and soldiers in the Union army, the Seminole conservatives and Blacks continued their long tradition of alliance. Once again, however,the story was one of close association rather than integration. It began with the flight to Kansas in 1861. The Blacks and Indians travelled northward in separate groups much the same as the followers of Gopher John and Wild Cat had done when making the journey through Texas 12 years earlier. When attacked by the Confederates, moreover, the Blacks fought in their own units under Black leadership as they had during the Seminole Wars and in Mexico. As refugees in Kansas, the Seminoles and Blacks lived in separate camps, a short distance from each other, on the Neosho. Some of the Seminole Blacks subsequently joined the Indian Brigade but more joined the Coloured regiments and eventually almost all the Blacks in the Union army were mustered into Coloured units. Thus, as had been the case in Florida and Mexico, Seminoles and Blacks fought side-by-side for a common cause. For the most part, however, they lived apart and fought in separate units.

It is of the greatest significance that the more conservative Seminoles and the Seminole Blacks allied in opposition to the Confederate progressives and ultimately emerged victorious. The loyal Indians and Blacks experienced the horrors of the refugee camps, life in the Union army, and the general traumas of the Civil War, together. Strong bonds inevitably developed between the two groups, as they had in Florida. But more than this, the two fought together on a number of occasions against Jumper's Confederates. The loyal Seminoles and Blacks, first of all, fought off the Southern

Seminoles at Chusto-Talasah. Then, as members of the Indian Brigade and the First Kansas Coloured, they helped defeat Jumper at Middle Boggy and push his regiment south of the Verdigris after the Second Battle of Cabin Creek. In short, the loyal Seminoles regarded their Blacks as allies and the Confederate Seminoles as the enemy and this would have a dramatic effect upon the development of Seminole-Black relations during reconstruction. When the loyal Seminoles eventually won the day and assumed the overall leadership of the tribe their Black associates were rewarded for their support with full tribal membership. The conservatives would continue to direct tribal policy, and hence the course of Indian-Black relations for many years after the war. An appreciation of this is vital to an understanding of why Seminole reconstruction was so successful and the Blacks were so easily accommodated within the tribe during the postbellum period.

By the summer of 1863,the loyal Seminole and Black refugees were split into two groups, one living at Neosho Falls and the other with the Indian Brigade and the Black regiments at Fort Gibson. In August,Charles Monroe Chase visited the Seminoles and Blacks in their camps on the Neosho. Of the Seminoles he wrote, "By treaty the Government provides for their necessary wants. All they do is to draw their rations and cook them, occasionally catching fish or picking a few blackberries, which they sell in the village for rum money. Their time is spent in lounging in the shade or tents supplied by the Government". Chase then visited "the slave camp a few rods away from the camp of the Indians", and noted, "The negroes were very sociable, I could not help but observe the contrast between the negro and Indian characters. The little darkeys at our approach, would run towards us with open ivory, and dance for joy at our notice. The older ones were pleased and so anxious to answer our questions, that one was scarcely asked before "yes massa" or "no massa" was out of half a dozen mouths at a time".[115] From Chase's comments, the reader catches a rare glimpse of

life in the Seminole and Black refugee camps in Kansas at the height of the Civil War.

The lot of the refugees at Neosho had apparently improved somewhat since the previous winter. On 29 July, Pascofar, who had been made the "Business Chief" of the loyal Seminoles, had written to Commissioner Dole asking for more sugar, coffee, tents and heavy clothing for the women and children. He was quick to add, however, "... I am not going to complain of our treatment. We have had plenty the most of the time of good substantial food", and emphasized the point with a similar letter to Dole a month later.[116] In his annual report for 1863, written in September, moreover, Seminole agent Snow noted, "The general health of the Indians has been remarkably good and the mortality among them quite small.... They have been well fed, clothed and their medical wants well attended to".[117] This relatively calm period for the Seminoles and Black would prove to be short-lived, however, as matters subsequently took a dramatic turn for the worse.

In the autumn of 1863, the Seminole and Black camps at Neosho Falls were struck by smallpox. The Indian office vaccinated the refugees immediately but the virus proved to be inert and the disease quickly spread to all the camps on the Neosho and at the Sac and Fox agency. The Seminoles were particularly badly hit. By the end of the year, there were only 622 Seminoles in camp at Neosho Falls, a reduction of 106 since the previous summer. While some of these had followed the Union army to Fort Gibson, most were clearly victims of the disease. Agent Snow, in fact, later claimed that 80 Seminoles had died of smallpox between the autumn of 1863 and spring 1864. It was another winter of discontent in the Seminole refugee camps.[118]

How badly the Seminole Blacks were affected by the epidemic is unknown. It may well be, however, that, as had been the case in Mexico a few years earlier, the Blacks had more resistance to the disease than the Indians. A census of their camp at Neosho Falls in late December 1863 listed 112

Seminole Blacks. 69 Cherokee and Creek Black women and children whose husbands had joined the army were also living with the Seminole Blacks for protection.[119] In all probability, many of these latter would have remained associated with the group, particularly if their husbands were lost to disease, or in battle. Thus, by the beginning of 1864, Blacks accounted for 22.54% of the total Seminole refugee population at Neosho Falls. It should be borne in mind that the figure of 112 did not include the Seminole Black soldiers and refugees at Fort Gibson. It would seem likely, therefore, that the Seminole Black population was far less seriously depleted by the epidemic than that of the Indians.

One of the victims of the smallpox outbreak was Billy Bowlegs. Like his great friend and fellow recalcitrant traditionalist, Wild Cat, before him, Bowlegs had managed to avoid the enemy's bullets but finally succumbed to the malignant disease and died in exile. The precise date of his death is unknown but it happened sometime between September 1863 and March 1864 and probably took place in November 1863.[120] The old chief was buried on the military reservation at Fort Gibson and a stone marking his grave was subsequently placed in the officers' circle.[121] Bowlegs was succeeded by his brother-in-law John Chupco, another recalcitrant traditionalist town chief, who had removed from Florida with him in 1858. By March 1864, Chupco was signing himself "Head Chief of the Seminole Nation" and acting in that official capacity. Pascofar assumed his former position as second chief of the loyal Seminoles.[122] Chupco would eventually become the overall principal chief of the Seminoles after the war and bring the weight of sympathetic leadership behind the process of incorporating the Blacks into the tribe during reconstruction.

The Indian and Black refugees at Fort Gibson, while generally faring better than those at Neosho Falls, were also living in terrible conditions. Overcrowding, lack of sanitation, disease and malnutrition continued to be

the major problems and the refugees became almost totally dependent upon the Federal supply trains sent from Fort Scott. Chupco later related that the Seminole troops stationed at Fort Gibson had constantly gone hungry and been forced to forage for food in the surrounding area and vie with the Confederates for stray cattle.[123] The shortage of food and medical supplies became a cause of great concern among Union officials. On 16 March 1864, Cox complained to William Coffin that the Black refugees who had fled to Fort Gibson for protection were consuming large amounts of supplies which could otherwise have been used to subsist the Indians at the post. Inducements had been presented to them to remove further north but ... "Their attachment to the Indian race and the Indian country, together with the discouragements presented by those who express apprehension that the north will be overrun by a dependent non-producing class, render it almost impossible to shake them off...".[124] Yet by the time Cox lodged his complaint, plans were already underway to return the remaining refugees in Kansas to the Indian Territory.

The plan had first been suggested by Senator Lane in early March. In a joint resolution, he called for the removal of refugees from Kansas to their former homes in the Indian Territory. The total number of refugees in Kansas was estimated at 9,200 and the cost of their maintenance $60,000 per month. In late March, Congress appropriated the necessary funds for an immediate removal so that the refugees could plant a crop that season. When the train finally left Kansas for the Indian Territory in mid May, it included nearly 5,000 refugees, most of whom were Creeks. Because of the persistence of the smallpox epidemic at Neosho Falls, most of the Seminoles were unable to make the journey and 470 of them remained behind in Kansas.[125]

Those Seminoles and Blacks who were able to travel with the train arrived at Fort Gibson on 15 June. As it was still unsafe to remove to their former homes, the latest arrivals settled within the confines of the military

reservation with the army and the other refugees. The numbers within the fort were swelled to such an extent that, in the summer of 1864, William Coffin estimated the refugee population alone to be 16,000. The latest settlers had arrived too late to plant a crop and were utterly dependent upon Federal rations.[126] Consequently, they were subsisted as they had been in Kansas, but at an even greater cost. The Confederate seizures of the "J.R. Williams" in June and the Federal supply train during the Second Battle of Cabin Creek in September, coupled with a general crop failure in the Indian Territory that summer, resulted in widespread destitution among the refugees at Fort Gibson. There was a subsequent rise in crime within the group and the Blacks, in particular, were prone to steal food, livestock and other items in the surrounding area, pillaging "indiscriminately, as well as from the Union Indians as from the rebels".[127] If anything, the situation was even worse at Neosho Falls. Because of the smallpox epidemic, those Seminoles and Blacks who had remained behind had been forced to burn most of their clothing and, by the summer, they were reported to be naked and starving. Snow pleaded for more clothing for his charges but his petitions met with little success.[128] It would be another long, cold and hungry winter for the Seminole and Black refugees at both locations.

At the end of the Civil War, the loyal Seminole and Black refugees were still camped at Neosho Falls and Fort Gibson waiting to be returned to their homes. They continued to live off Federal rations, which remained in short supply and of poor quality due to maladministration and malpractice by the Indian agents and military officials alike, and what little they could raise themselves. In his annual report for 1865, George A. Reynolds, the latest Seminole agent, wrote that he had rented 50 acres of land for the group at Gibson and furnished seed and farming implements to some 500 refugees. As a result, the Seminoles and Blacks raised corn and garden produce worth $2,500.[129] Even after the threat from Confederate guerrillas

was removed, however, the refugees continued to lose tools, crops and livestock to Kansas jawhawkers, Texas bushwhackers and renegade Indians and Blacks and it was still considered unsafe to venture outside the confines of the military reservation. One last problem-ridden winter was spent in the refugee camps at Gibson and Neosho Falls before most of the loyal Indians and Blacks were resettled on their former lands the following year.[130]

Though the great majority managed to escape northward to either Kansas or the Cherokee country or Fort Gibson during the early stages of the war, some of the tribe's Blacks remained behind among the Confederate Seminoles. Adhering to the terms of the treaty they had entered into with Pike, Jumper's supporters retained Black slavery throughout the war. The Confederate Seminoles bought and sold Blacks and profitted from their labour.[131] Soon after the outbreak of hostilities, moreover, Jumper's followers adopted sections of the Creek code in passing a law designed to re-enslave all the free Blacks in the tribe and confiscate their property. It was later estimated that "about seventy" free Blacks had been re-enslaved under this law but this figure appears far too high and may, in fact, have included all the Blacks associated with Jumper's party at that time. The Blacks were "distributed... among the Nation" and made to work for the Confederate Seminoles.[132] Thus, the progressives had made rapid strides towards accepting the racial notions of their new mixed blood allies. From that point on, all Blacks were to be slaves.

An insight into the nature of Confederate Seminole-Black relations can be gained through looking at the Civil War experiences of three particular individuals, John Bruner, Ben Bruner and Robert Johnson. According to his son, John Bruner was born a Creek Black in Alabama. In the Indian Territory, he married Grace "a full blood Seminole" and had children by her. John was a slave but because Grace was Indian both she and the children were free. During the Civil War, John's brothers Perry, Caesar and Will managed to

escape to the North with the Seminoles and later served with the Union army. John and another brother, however, remained behind. James Factor, Jumper's interpreter and chief adviser, bought John for $3,000 in Confederate money and later took the Bruner family south to the Seminole refugee camps. The Confederate Seminoles appear to have retained the tribe's comparatively lax system of Black slavery; John's son, Ben F. Bruner, later noting that his father had been allowed to "rent land" and, by way of payment, had given his owner "part of what he made". Factor, a "big slave owner" was also described as being "very kind and good to his slaves". Thus, the suggestion is strong that the Confederate Seminoles continued to place few demands on their Blacks and practise a system of slavery that most closely approximated to sharecropping. After the war, the Bruner family returned to the Seminole country and became part of the Freedman community, eventually settling near present-day Shawnee in Pottawatomie county.

Ben Bruner, Billy Bowlegs' principal Black, had removed to the Indian Territory from Florida in 1858. By 1861, he had become the wealthiest of the Seminole Blacks, and a free man. He was also employed as the U.S. interpreter to the Seminoles at an annual salary of $400.[134] At the outbreak of the Civil War, the Seminole agent, Samuel Rutherford, left his post and instructed Ben to remain at the agency and maintain the buildings, tribal records and other government property, until he returned. In September 1862, the new Confederate agent, Reverend Murrow, arrived at the agency to assume his duties and reported, "The buildings, archives, & C., were then in the charge of a free mulatto man. He had done all he could to preserve them, but everything was in confusion, the old agent having been absent nearly a year".[135] But Ben's steadfast efforts and devotion to duty were soon to cost him his freedom.

It is uncertain when Ben actually left the agency. Conflicting dates of October 1863, July 1864 and "the close of the year 1864" were later set

on his departure. Certain it is, however, that he was re-enslaved and his property confiscated by Jumper's Confederates. Although he was a free Black, Ben stated that he was "forcibly taken away in bondage" and "compelled to go south by the Southern Forces commanded by John Jumper". His livestock, moreover, was either taken from him, or driven off. Thus, though he was the tribe's official interpreter, a wealthy, intelligent man and the counsellor of Seminole Chiefs, Ben was re-enslaved by the Confederates along with the other free Blacks. Ben later claimed that he had only received payment for his services at the agency up to January 1860 and petitioned for back-pay in 1866, 1870 and 1879. Though his statements were supported by Jumper and John F. Brown, however, Ben's petitions fell upon deaf ears. The Indian Bureau adopted the following line, "There seems to be no more reason for paying this claim than for paying all interpreters of Rebel Indian Agents", and Ben's loyalty went unrecognized and unrewarded.[136]

Robert Johnson also found himself in an awkward position at the outbreak of the Civil War. Robert, it will be remembered, had been bought from his Creek owner to act as an interpreter for the Presbyterian minister, Reverend James Ross Ramsay. John Jumper had put up some $700 towards the cost of his purchase with the understanding that he would be repaid from Robert's wages, the interpreter being thus permitted to earn his freedom. Although Robert was in the employment of Ramsay, therefore, Jumper, as the majority shareholder in the enterprise, had the strongest claim to ownership. Following the affair involving Robert's runaway cousin, Luke, Ramsay was forced to remain in the east, for fear of his life, and Robert was left without an employer. Jumper immediately assumed the rights of ownership over Robert and, during the early stages of the Civil War, "took him wherever he went, as waiting boy". The Black interpreter thereafter determind upon a daring plan to achieve his freedom by fleeing across the Union lines.

Robert's wife, Elizabeth, worked as a cook at the Presbyterian mission for Reverend John Lilley and his family, who had remained behind in the Seminole country. Confederate Seminole masters apparently continued to allow their slaves a great deal of personal mobility as Robert managed to secure a furlough from Jumper to visit Elizabeth at the mission. Robert saw his chance and decided to launch his bid for freedom. Early one morning, he rode out of the Seminole mission in the direction of the Creek agency, near to which lived his mother-in-law, "Big Sarah" Davis. In the evening, he stopped for a while at the home of Timmy Barnett, a Creek Black, but, as the area was teeming with Confederates, he soon continued his journey under the cover of darkness. Some time later, he arrived at Big Sarah's and slept for a few hours. Early the next morning, Sarah awoke him saying, "Bob, now is your time or never". Robert dressed quickly, saddled his horse, and headed for the Arkansas River, about a mile distant. He plunged his horse into the water, pushing him along with all his might, all the while looking behind to see if he was being pursued. When he reached the opposite bank, he found a group of Union soldiers in the river bottom, whereupon "... He took off his hat, whirled it round and round, and said; 'Hurrah! hurrah!! HURRAH!!! He was in the land of freedom". Robert had indeed made a narrow escape as Jumper and his men had found him missing and set out in hot pursuit. On this occasion, however, the Confederates were unsuccessful, and had to return home empty-handed.[137]

The very day that he had crossed the Arkansas, Robert enlisted in the Union army. As he was an excellent interpreter, he was employed by the officers at Fort Gibson to interpret for the Seminole and Creek companies of the First Regiment of the Indian Brigade stationed at the post. Because of the importance of his position, Robert was not mustered into the Coloured regiments with the other Blacks in the spring of 1864 but remained as an interpreter at Gibson until the end of the war.[138]

Shortly after Fort Gibson was occupied by Phillips' troops at the onset of the Second Federal Invasion of the Indian Territory, more than a hundred Confederate Seminoles and Creeks defected to the Union. "A good many... at once joined the First Indian Regiment which was composed of loyal Creeks and Seminoles",[139] and Robert interpreted the oath of muster to the new recruits.[140] During the winter of 1863-1864, Robert accompanied a Seminole rescue party which succeeded in bringing in the Lilley family and John Bemo, who had remained loyal to the Union.[141] In 1864, a son, J. Coody Johnson, who would subsequently become one of the leading Blacks in the Indian Territory, was born to Robert and Elizabeth at Fort Gibson.[142] After the war, Robert acted as tribal interpreter during the conference at Fort Smith in 1865, the negotiations in Washington leading up to the treaty of 1866, and the hearings on the claims for compensation pressed by the loyal Seminoles and Blacks in 1866 and 1867. He and his family duly returned to the Seminole country and eventually made their home near Wewoka. Robert retained his position as U.S. interpreter to the Seminoles for many years, represented the Jim Lane band on the tribal council, and remained a prominent member of the Freedman community until his death in 1893.

Thus, under the Confederate Seminole regime, slaves were to remain slaves, free Blacks were to be re-enslaved and lose their property, and Black runaways were to be hunted down, incarcerated, and returned to bondage. Most of the Blacks associated with Jumper's party continued to reside in the Seminole country until 1863. Following the reoccupation of Fort Gibson by the Union forces in April and the defeats at Cabin Creek and Honey Springs in June and July, however, the position of the Confederates in northern and central Indian Territory became untenable and they were forced to flee south. The Southern Seminoles, Creeks and Cherokees left their homes and retreated to the Choctaw and Chickasaw nations, taking their Blacks with them. They established refugee camps on the Blue, Boggy,

Red, Washita and Kiamichi rivers and some even settled in northern Texas near the towns of Sherman, Bonham and Paris. But by far the heaviest concentrations of Confederate Indians and their Blacks were in the southern Indian Territory.[143]

Following Phillips' incursions into the southern Indian Territory and the Battle of Middle Boggy, the Confederate Seminole slaveholders were reported in early 1864 to be running their Blacks into Texas, as far south as the Brazos, for safety.[144] These Indians and Blacks appear to have returned to the Choctaw nation soon after the danger had passed, however. The main Confederate Seminole refugee camp was situated in the woods near Oil Springs, some 50 miles west of Fort Washita, and came to be known as "Yellow Camp". In August 1864, there were 574 Seminole refugees living in this camp as well as 441 Creeks who were associated with the group "by ties of consanguinity or affinity".[145] The Blacks' camp ground was probably situated nearby, as in Kansas. A "Camp Jumper", located by a spring about 5 miles north of McAlester, is also listed as a Civil War site by the Oklahoma Historical Society.[146]

The Southern Indian refugees seem to have fared somewhat better than their Northern counterparts, at least until the later stages of the war. Those in the refugee camps were subsisted by the Confederate government. Rations consisted of 1 1/8lbs of flour or 1 1/4 lbs of cornmeal, 1 1/2 lbs of beef and 2 qts of salt per 100 rations. Children under 10 received half rations. The Seminoles were supplied by private contractors and, although these occasionally failed to deliver the goods, the group was indeed fortunate in having a scrupulously honest and highly efficient issuing agent and administrator in Reverend Murrow. In the summer of 1864, Jumper could make the comment, "The Confederate States have not deserted us; we have been provided for; our women and children are fed...".[147]

In addition to what they received from the Confederate government, the

refugee Indians were also able to produce food of their own, chiefly by means of slave labour. The Blacks, for their part, did not receive Confederate rations and were completely reliant upon what they could raise themselves and the few supplies they were furnished by their owners. The Cherokee and Chickasaw slaveholding elites used their Blacks to raise crops and livestock, weave clothing and generally supply their own needs and those of the men serving in the Confederate army. There is a suggestion, also, that some of the Seminoles' slaves were employed in commercial agricultural pursuits as, on 6 July 1864, Jumper applied for a permit to export 200 bales of cotton to Mexico.[148] Clearly, therefore, while the lot of the Confederate Indians may have been superior to that of their Union counterparts, the Blacks associated with them suffered at least as many hardships as their kinsmen in the North.

By the spring of 1865, the resistance of the Confederacy was virtually at an end. In the Indian Territory, desertions were frequent, supplies scarce and conditions in the refugee camps rapidly deteriorating. On 9 April, Lee surrendered the army of Northern Virginia to Grant at the Appomattox court house and soon afterwards the other Confederate units capitulated. On 26 May, General Kirby Smith surrendered the Trans Mississippi Department, thus bringing to a close armed resistance in the west. Cooper surrendered the white Confederate troops stationed in the Indian Territory in early June but the Indian nations reserved the right to capitulate independently. The Choctaws and Chickasaws formally laid down their arms on 19 June and 14 July respectively. Stand Watie, meanwhile, had under his immediate command the Cherokee, Creek, Seminole and Osage troops and these he surrendered on 23 June.[149] With this, the Civil War in the Indian Territory officially came to an end.

The problems did not end here, of course. At the end of the war the loyal Seminole and Black refugees were still split into two groups, one

at Fort Gibson, the other at Neosho Falls. Both were destitute, disease-ridden, exhausted and, in spite of their victory, low on morale. The situation among the Southern Seminoles and their Blacks, meanwhile, had worsened dramatically. Crude shelters, disease, and acute shortages of food, clothing and medicine, due to financial and transportation problems within the Confederacy, had begun to take their toll. According to Ta-tek-ke Tiger, the Seminole refugees at Yellow Camp, like their loyal compatriots, were smitten by a smallpox epidemic "which caused lots of sickness and deaths".[150] Though the Southern Seminoles and their Blacks raised a good crop in 1865, it was insufficient to meet their needs and they were shortly afterwards described by Superintendent Elijah Sells as "poor", "destitute of subsistence and clothing" and totally lacking in "all kinds of farming implements".[151] The Federal government subsequently took up the burden of caring for the estimated 950 Southern Seminoles along with the other Confederate Indian refugees. The Commissioner of Indian Affairs established supply depots, let out contracts for the systematic feeding of all the destitute, and appointed a special agent to see that the contracts were carried out in good faith. The indigent of both factions thus received at least partial support from the government. Starvation would remain a major problem among both loyal and Confederate Seminoles and their Black associates, however, until they were able to return home and reap the harvest in 1866.[152]

As soon as the war was over, the Federal government began making plans to re-establish formal relations with the Five Civilized tribes. One of the most important questions to be settled concerned the status of the tribes' former slaves. The Seminoles had conspicuous advantages over the other slaveholding tribes in coming to terms with the problems posed by the Blacks' newly-acquired freedom. In spite of the problems they had experienced in the 1840s, the Seminoles had clearly enjoyed better relations

with their Blacks during the antebellum period than had any of the other tribes. The Seminoles had no plantation economy or Black codes to dismantle, and no legacy of institutionalized slavery to overcome. The new order, moreover, would be governed by conservative traditionalists who, with Black support, had just won a resounding victory over the progressive opposition. Finally, and of great significance, after years of war, dislocation and internal factionalism, all parties within the Seminole tribe were yearning after peace, security, consolidation and stability and neither the conservatives nor the progressives appeared anxious to engage in a power-struggle over the status of the Freedmen.

Having said this, it would still have been hard to predict the outcome of Seminole reconstruction in 1865. Though the loyal faction could be expected to be reasonably disposed towards incorporating the Freedmen into the tribe, it was far from clear how the Southern Seminoles would react. Some of them had lost substantial holdings in slave property while others had received wounds and lost friends and relatives at the hands of Black militiamen. Jumper's party, moreover, had opted for the side favouring the retention and advancement of institutionalized slavery. The Confederate Seminoles had kept intact the tribe's system of slavery, re-enslaved free Blacks, taken their property from them and derived benefit from their labour. They had engaged in mortal combat against the loyal faction and would clearly be resentful of both the Blacks' success and their own defeat. Thus, as the Seminoles turned from the battlefield to the negotiating table, it remained to be seen if the two factions could put both their differences and the bitterness of the Civil War experience behind them and once again learn to live in peace with each other, and with the Black population. The course and outcome of these postwar negotiations and the subsequent history of Seminole-Black relations during reconstruction and the years prior to statehood will be looked at in the final chapter.

Footnotes

1. Quoted in, Porter, Kenneth W., "Billy Bowlegs (Holata Micco) in the Seminole Wars," Part 1, Florida Historical Quarterly, 45, No.3, (January 1967), 210-243, p.238 n.30.

2. Ibid.

3. McReynolds, Edwin C., The Seminoles (Norman, University of Oklahoma Press, 1957) pp.286-287.

4. Elias Rector to Charles E. Mix 9 May 1858 and L.B. Dunn to Mix 7 July 1858, National Archives Microfilm Publications, Microcopy M234, Letters Received by the Office of Indian Affairs 1824-1881, 962 rolls, Roll 802, Seminole Agency 1856-1858, R596-58 and D560-58. Microcopy M234 is hereafter cited as M234 followed by the roll number.

5. Harper's Weekly, 12 June 1858.

6. Ibid.

7. Porter, "Billy Bowlegs in the Seminole Wars," p.230.

8. Harper's Weekly, 12 June 1858.

9. Eyma, Louis X., La Vie dans le Nouveau - Monde (Paris, Poulet-Malassis, 1862) p.214. The quote is my own translation.

10. "Return of Property received and issued by Elias Rector, Special Agent and Commissioner for the Removal of the Florida Indians in 1859," M234-834, Southern Superintendency 1857-1862, R1394-59; "Claims of Loyal Seminole for Losses suffered during the Civil War, submitted under provisions of the treaty of March 21, 1866," National Archives Microfilm Publications, Microcopy M574, Special Files of the Office of Indian Affairs, 1807-1904, 85 rolls, Roll 11, File 87, Claim 291, frames 1549-1553. Microcopy M574 is hereafter cited as M574, followed by the roll and file number.

11. Samuel M. Rutherford to Mix 27 July 1858 and E. Rector to Mix 23 August 1858, M234-802, R824-58 and R828-58; T.A. Baldwin to Ely S. Parker 26 April 1870, M234-804, Seminole Agency 1868-1871, B706-70.

12. The Annual Report of the Commissioner of Indian Affairs 1858, hereafter cited as A.R.C.I.A. followed by the year, Document 51, Report of Rutherford, pp.152-153; Foreman, Grant, The Five Civilized Tribes (Norman, University of Oklahoma Press, 1934) p.274; McReynolds, The Seminoles, p.287.

13. A.R.C.I.A. 1859, Doc.58, Report of Rutherford, pp.183-185.

14. John Lilley to Rev. J.L. Wilson 10 August 1858, Letters from the American Indian Correspondence (Missions) 1841-1887, in the Presbyterian Historical Society, Philadelphia, Pennsylvania, 7 rolls of microfilm housed in the Manuscripts Division of the Western History Collections, University of Oklahoma, Roll 1, Box 6, Vol.1, "Creeks Oklahoma, Seminoles Oklahoma, 1854-1859," No.169, hereafter cited as Presbyterian

Mission Correspondence; "Indian Pioneer Papers," 116 Volumes, Indian Archives Division, Oklahoma Historical Society, Vol.52, Interview 6950, Elizabeth Ross, pp.466-467, hereafter cited as "Indian Pioneer Papers"; Daily Oklahoman, 23 May 1923.

15. Foreman, Five Civilized Tribes, pp.274-275; McReynolds, The Seminoles, p.287.

16. Quoted in, Foreman, Carolyn T., "Billy Bowlegs," Chronicles of Oklahoma, 33, No.4, (Winter 1955), 512-532, pp.529-530.

17. A.R.C.I.A. 1859, Doc.46, Report of E. Rector, p.161.

18. Carolyn Foreman accepted the report of Murrow and Rector and put forward the proposition that the Billy Bowlegs of Civil War fame was another Seminole of the same name, Foreman, "Billy Bowlegs," p.530. Kenneth Porter rightly took her to task, however, pointing out that premature reports of deaths of Seminole and Seminole Black leaders were neither unprecedented, nor unusual, Porter, "Billy Bowlegs in the Seminole Wars," pp.241-242 and n.38, and Porter, Kenneth W., "Billy Bowlegs (Holata Micco) in the Civil War," Part 2, Florida Historical Quarterly, 45, No.4, (April 1967), 391-401, p.394 n.3.

19. Henry M. Rector to John Ross, 29 January 1861, United States Department of War, The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies, 4 Series, 130 Volumes (Washington D.C., Government Printing Office, 1880-1901) Series 1, Vol.13, pp.490-491, hereafter cited as O.R. followed by the series and volume number.

20. A.R.C.I.A. 1864, No.162B, John T. Cox to William G. Coffin 18 March 1864, p.333.

21. A.R.C.I.A. 1861, E.H. Carruth to Major General D. Hunter, pp.46-49; Wright, Muriel H., "Seal of the Seminole Nation," Chronicles of Oklahoma, 34, No.3, (Autumn 1956), 262-271, p.266.

22. Murrow, Reverend Joseph S., "Scrapbook," Reverend Joseph S. Murrow Collection, Manuscripts Division, Bacone College Library, Bacone, Oklahoma, p.29.

23. Carleton, William A., Not Yours, But You (Berkeley, California, pub. by the author, 1954) pp.60-61; on Murrow's Southern sympathies see, Jordan, H. Glenn, "Joseph Samuel Morrow: The Man and his Times" (Ph.D. dissertation, University of Oklahoma, 1982) pp.38-40, and Mackey, Alice H., "Father Murrow: Civil War Period," Chronicles of Oklahoma, 12, No.1, (March 1934), 55-65, pp.58, 60-61.

24. Brown, T.E., "Seminole Indian Agents, 1842-1874," Chronicles of Oklahoma, 51, No.1, (Spring 1973), 59-83, pp.72, 74-75.

25. E. Rector to A.B. Greenwood 4 August 1860 and John Jumper et al to Rutherford 15 November 1860, M234-803, Seminole Agency 1859-1867, R1005-60 and R1335-60.

26. O.R., 1, 1, pp.647-668. To list all the relevant individual pieces of correspondence contained in the O.R., both here and elsewhere, would literally take pages of footnotes. Except where a precise citation of a particular item is required, therefore, page references only have been listed to keep the notes clear and concise.

27. A.R.C.I.A. 1861, William P. Dole to Caleb B. Smith 27 November 1861, pp.9-10.

28. Abel, Annie H., The American Indian as Slaveholder and Secessionist: An Omitted Chapter in the Diplomatic History of the Southern Confederacy (Cleveland, Arthur H. Clark Co., 1915) p.83 et seq.; Brown, Walter L., "Albert Pike 1809-1891" (Ph.D. dissertation, University of Texas, 1955), p.539 et seq.

29. Debo, Angie E., The Road to Disappearance (Norman, University of Oklahoma Press, 1941) pp.144-145.

30. O.R., 4, 1, pp.426-466.

31. Journal of the Provisional Congress of the Confederate States of America, 7 volumes, 58 Congress, 2 Session, Senate Document No.234, Vol.1, p.105; O.R., 4, 1, pp.322-323.

32. Carruth to "Sir" 11 July 1861, quoted in, Abel, Slaveholder and Secessionist, pp.84-86 n.122.

33. A.R.C.I.A. 1861, Carruth to Hunter 26 November 1861, p.47.

34. O.R., 4, 1, pp.513-527. For a good discussion of the tribes' Confederate treaties see, Frank, Kenny A., "An Analysis of the Confederate Treaties with the Five Civilized Tribes," Chronicles of Oklahoma, 50, No.4, (Winter 1972), 458-473.

35. Abel, Slaveholder and Secessionist, pp.164-165 n.280.

36. O.R., 4, 1, 669-687.

37. Meserve, John B., "Chief Opothleyohola," Chronicles of Oklahoma, 9, No.4, (December 1931), 439-453, pp.440-442.

38. Debo, Road to Disappearance, pp.149-150; McReynolds, The Seminoles, p.297.

39. O.R., 1, 8, pp.6-7, 23. Historians' estimates of the size of Opothleyohola's party vary from Muriel Wright and LeRoy Fischer's 3,500-4,000, through Lary and Donald Rampp's "over 7,000 Indians," to McReynolds "nearly 9,000," but it most likely included ca.4,000 Indians and Blacks. See, Wright, Muriel H. and Fischer, LeRoy H., "Oklahoma Civil War Sites," Chronicles of Oklahoma, 44, No.2, (Summer 1966), 158-215, pp.202, 208; Rampp, Lary C. and Donald L., The Civil War in Indian Territory (Austin, The Presidial Press, 1975) p.7; and McReynolds, The Seminoles, p.294.

40. M574, Roll 11, File 87, Claims 299, 300, 301, 302, 307, 310, 322, 289, 173 and 329.

41. Abel, Slaveholder and Secessionist, p.254. The epic trek of the Indian and Black loyalists has captured the imagination of historians and become the subject of a great many studies. One of the better ones is, Trickett, Dean, "The Civil War in the Indian Territory, Part 4," Chronicles of Oklahoma, 18, No.3, (September 1940), 266-289, pp.269-280.

42. The following interpretation is based on Wright, Muriel H., "Civil War Report on the Battle of Round Mountain," Chronicles of Oklahoma, 39, No.4, (Winter 1961), 352-397. In the light of the evidence presented, this comes across as the most convincing view. Angie Debo, however, takes strong exception to Wright's theory. See Debo, Angie E., "The Location of the Battle of Round Mountains," Chronicles of Oklahoma, 41, No.1, (Spring 1963), 70-104.

43. Moty Canard, Echo Harjo et al to Douglas H. Cooper 31 October 1861, "Creek Nation - Civil War" file, Section X, Indian Archives Division, Oklahoma Historical Society.

44. Debo, Angie E., "The Site of the Battle of Round Mountain, 1861," Chronicles of Oklahoma, 27, No.2, (Summer 1949) 187-206, p.200.

45. O.R., 1, 8, Report of Cooper, pp.5-7; "Enlistment Records 1st Seminole Mounted Volunteers," Grant Foreman Collection, Box 34, Vol. 73, p.114(21), Archives Division, Thomas Gilcrease Museum, Tulsa; Moore, Jessie R., "The Five Great Indian Nations," Chronicles of Oklahoma, 29, No.3, (Autumn 1951), 324-336, p.330 and n.12. A lack of substantial evidence has given rise to considerable controversy concerning the actual site of the Battle of Round Mountain(s). See, for example, Debo, "Site of the Battle of Round Mountain, 1861,"; "Communication from the Payne County Historical Society concerning the site of the First Battle of the Civil War in the Indian Territory," Chronicles of Oklahoma, 28, No.2, (Summer 1950), 210-211; "An Interim Report on Site of the Battle of Round Mountain," Chronicles of Oklahoma, 28, No.4, (Winter 1950), 492-495; Russell, Orpha B., "Ekvn-hv-lwuce, site of Oklahoma's First Civil War Battle," Chronicles of Oklahoma, 29, No.4, (Winter 1951), 401-407; Wright, "Civil War Report on the Battle of Round Mountain," and Debo, "Location of the Battle of Round Mountains." The sites of Civil War engagements named here are the ones accepted by the Oklahoma Historical Society. See, Wright and Fischer, "Oklahoma Civil War Sites," passim.

46. O.R., 1, 8, pp.8-11; Fischer, LeRoy H. and Franks, Kenny A., "Confederate Victory at Chusto-Talasah," Chronicles of Oklahoma, 49, No.4, (Winter, 1971), 452-476; McReynolds, The Seminoles, pp.299-300.

47. So-nuck-harjo to Commissioner of Indian Affairs, 3 October 1883, National Archives Record Group 75, Letters Received by the Bureau of Indian Affairs, 1881-1907, 18503-83.

48. O.R., 1, 8, Report of Colonel James McIntosh 1 January 1862, pp.22-25; see also accompanying reports pp.26-31.

49. M574, Roll 11, File 87, Claim 289.

50. O.R., 1, 8, pp.12-13, 24-25, 31-33.

51. A.R.C.I.A. 1862, George W. Collamore to Dole 21 April 1862, p.156. For a vivid description of the horrific journey by one who survived it see, A.R.C.I.A. 1865, Statement of Sands, Chief of the Upper Creeks, pp.328-329.

52. George C. Snow to Wm. Coffin 13 February 1862, M234-803, S307-62. For good accounts of the loyalists' refugee experience in Kansas and the Indian Territory see Banks, Dean, "Civil-War Refugees from Indian Territory in the North, 1861-1864," Chronicles of Oklahoma, 41, No.3, (Autumn 1963), 286-298, and Danziger, Edmund J., "The Office of Indian Affairs and the Problem of Civil War Indian Refugees in Kansas," Kansas Historical Quarterly, 35, No.3, (Fall 1969), 257-275.

53. A.R.C.I.A. 1862, Archibald B. Campbell to Joseph Barnes 5 February 1862, pp.151-152.

54. Hunter to Dole 6 February 1862, quoted in Abel, Slaveholder and Secessionist, pp.272-273.

55. A.R.C.I.A. 1862, Campbell to Barnes 5 February 1862, pp.151-152. See also ibid., Report of Dole, p.27, and Doc.24, Report of Coffin, pp.136-137.

56. O.R., 1, 8, Opothleyohola and Halleck Tustenuggee to President Abraham Lincoln 28 January 1862, p.534.

57. A.R.C.I.A. 1862, Doc.27, Report of Snow, p.142; Hamilton, J.P. Snr., "Indian Refugees in Coffey County," reprinted in the LeRoy Reporter, 14 and 21 August 1931.

58. A.R.C.I.A. 1862, Collamore to Dole 21 April 1862, p.156.

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114. Boyd, "Use of Negro Troops," pp.47-48; Burke, "History of Kansas Regiments," p.255: Cornish, "Kansas Negro Regiments," p.429.

115. Chase, "Letters to the True Republican and Sentinel," Doc.43207, 21 August 1863.

116. Pas-ko-fa to Dole 29 July and 29 August 1863, M234-803, P76-63 and D235-63.

117. A.R.C.I.A. 1863, Doc.86, Report of Snow, p.185.

118. A.R.C.I.A. 1864, Archibald V. Coffin to Wm. Coffin 26 August 1864, and Doc.149, Report of Snow, pp.307, 317-318; "Census of the Southern Refugee Indians in Kansas and the Cherokee Nation," Office of Superintendent of Indian Affairs, Leavenworth, Kansas, 6 June 1863, and Wm. Coffin to Dole 26 January 1864, M234-835, Southern Superintendency 1863-1864, frames 231, 600-601.

119. "Number of Seminole Negroes together with the number of Cherokee and Creek Negro women and children, whose husbands and protectors are in the U.S. Army and who are under charge of Dec. 30th 1863," compiled by Snow at Neosho Falls, Woodson County, Kansas, M234-835, frame 601.

120. On 4 September 1863 Bowlegs had signed a letter to the other Seminole chiefs and on 10 March 1864 his death was referred to by both Chupco and Pascofar, Abel, American Indian under Reconstruction, pp.44-45 notes 76-77; Pas-ko-fa to the President of the United States 10 March 1864, and Speech of Long John 10 March 1864, M234-803, S291-64. Klee-harjo, testifying in the claim of So-nock-harjo-gee, Bowlegs' brother, for compensation for property losses as a loyal

Seminole, after the war, stated that Bowlegs "died of smallpox at Fort Gibson in November 1864". Though the year cited was clearly a mistake, it is likely that the circumstances of his death and the time of year in which it occurred, would have been more vividly recalled. November 1863, therefore, may well have been the month when Bowlegs met his death. See, M574, Roll 11, File 87, Claim 263, frame 1412.

121. Fort Gibson Post, 22 April 1909; Porter, "Billy Bowlegs in the Civil War," pp.400-401 and n.23.

122. Pas-ko-fa to the President of the United States 10 March 1864, and Speech of Long John 10 March 1864, M234-803, S291-64.

123 Speech of Long John 10 March 1864, M234-803, S291-64.

124. A.R.C.I.A. 1864, No.162A, Cox to Wm. Coffin 16 March 1864, p.332.

125. A.R.C.I.A. 1864, Doc.142, Report of Wm.Coffin, pp.303-304, and Doc.149, Report of Snow, pp.317-318; Wm. Coffin to D.N. Cooley 15 December 1865, M234-803, C1665-65; Abel, American Indian Under Reconstruction, pp.49-62.

126. A.R.C.I.A. 1864, Wm. Coffin to Dole 16 June 1864, pp.342-343.

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131. "Indian Pioneer Papers," Vol.89, Int.12836, Ben F. Bruner, p.259, and Vol.93, Int.13642, Carrie Marshall Pitman, p.347; John Lilley to Walter Lowrie 12 August 1864, Presbyterian Mission Correspondence, Roll 2, Box 6, Vol.3, "Creeks, Chickasaws, Seminoles, Oklahoma; Kickapoo Kansas 1850-1864," No.175.

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133. "Indian Pioneer Papers," Vol.89, Int.12836, Ben F. Bruner, pp. 259-260.

134. John Jumper to Commissioner of Indian Affairs 11 January 1876, M234-804, C71-76, enc.

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136. Reynolds to Cooley 29 January 1866, and reply written on the same M234-803, R21-66; Baldwin to Parker 26 April 1870, Ben Bruner to Baldwin 27 April and 1 September 1870, E. Rector to A.W. Cram

31 August 1875 and Jumper to Commissioner of Indian Affairs 11 January 1876, M234-804, B706-70 and enc., B962-70, and C71-76 and enc., Bruner to Col.A.B. Meacham 16 April 1879, Statement of John F. Brown on the same, and C.M. Carter to Commissioner of Indian Affairs 28 April 1879, M234-871, Union Agency 1879, frames 492-495.

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CHAPTER 8

FROM RECONSTRUCTION TO STATEHOOD: RELATIONS BETWEEN THE SEMINOLES AND FREEDMEN IN THE INDIAN TERRITORY, 1865-1907

During the Civil War, factional divisions within the Seminole tribe had been widened as fellow Indians and Blacks had engaged each other in mortal combat on the battlefields of the Indian Territory. Though the Union sympathizers and their Black allies had fought on the winning side, there were no Seminole winners of "The White Man's War". Lives and property had been lost, the land ravaged, and the tribe split into two parties. At the conclusion of the war, the Seminoles were forced to accede to American demands during treaty negotiations. Included in the terms of their reconstruction treaty were provisions for the surrender of the tribe's former domain and its purchase of a far smaller tract further east at an inflated price. Slavery was to be abolished and the Freedmen incorporated into the tribe on an equal footing with the Indian members. Though formally reunited as one tribe after the treaty, the Seminoles had inherited a bitter legacy from the events of the previous five years and clearly had many problems to resolve during reconstruction. The Freedmen had officially become tribal members, but it remained to be seen if they would be treated as such.

As it turned out, the Seminole reconstruction experience was a great success as the Indians honoured their treaty obligations towards the Freedman population. The Seminoles found the adjustments needed to incorporate Blacks into the tribe far easier to make than any of their slaveholding Indian neighbours. Consequently, the Seminole Freedmen came to be afforded all the rights and privileges associated with tribal membership.

The Blacks were allowed to organize politically and send representatives

to the governing bodies, they were protected by Seminole law and treated equally before it, and they were granted equal economic, social and cultural rights. Freedmen subsequently sat on the Seminole councils and a number of them attained prestigious positions within the tribe as interpreters, law enforcement officers and advisers to the chiefs. The Blacks were permitted to utilize tribal lands, raise crops and livestock, and retain the products of their labour. They attended schools supported by tribal funds and received per capita annuity payments and other Seminole awards. The Seminoles passed no discriminatory legislation aimed specifically at their Black population but afforded the Freedmen equality of opportunity. No effort was made to disfranchise the Freedmen and there was an extremely low incidence of violence between Indians and Blacks. At the time of the dissolution of the tribal domain under the auspices of the Dawes Commission, the Seminoles made no objection to the Blacks' sharing in the apportionment of their lands. In consequence, the process of enrollment and allotment was completed much quicker and with far fewer problems than it was among the Cherokees, Creeks, Choctaws and Chickasaws. The Seminole Freedmen were allowed to retain their substantial share in the tribe's lands and received individual acreages equal in value to those of the Indians.

The secret behind the success of Seminole reconstruction lay in the fact that the Indians and Blacks continued to live apart and maintain a social distance. In effect, the Seminole Freedmen were "separate but equal". Though they were accepted as tribal members, the Blacks were still not included in Indian clans or towns. The Freedmen again made their homes in separate settlements and, in so doing, the group retained a large measure of independence and its unique cultural identity. The Seminole Black towns which arose during reconstruction had their own leaders, schools, churches, political organizations and economic and

social arrangements and again came to resemble maroon communities on the frontier.

As the Seminole Indians and Blacks were members of the same tribe and lived approximate to each other in a relatively small area, economic, social and political interaction inevitably took place between the two groups. Yet, surprising though it may seem in view of their long history of close association, such intercourse appears to have been minimized. The traditional alliance between the more conservative Indians and the Blacks was retained after the Civil War and marks an important theme running through the course of Seminole-Black relations during this period. It was a major factor behind the success of Seminole reconstruction and gained strength rapidly after 1900, with dramatic manifestations. The alliance usually only found expression in the support of reactionary movements, however, and was not marked by extensive social contact between Indians and Blacks. There was no spiritual union between the two groups or even, always, identity of interest.

Certain individual Blacks moved freely in Seminole circles but their circumstances tended to be exceptional. The typical Seminole Freedman had relatively little contact with his fellow Indian tribal members and interacted mostly with other Blacks. As a result, there were relatively few instances of intermarriage between Seminoles and Blacks during the postbellum period. What little took place, moreover, generally involved unusual characters. The offspring of such unions appear to have lived on the fringe of the Freedman Community, been classified as either Indian or Black, depending upon the racial makeup of the mother, and moved uneasily between the two societies.

The separation of the Seminoles and Blacks was most marked at the time of tribal enrollment at the turn of the century. Although they were not authorized to take such action, the Dawes commissioners found it

expedient to create two Seminole rolls; one for the Indians and one for the Freedmen. The rolls indicate a low instance of intermarriage between Seminoles and Blacks after the Civil War and provide useful examples for case studies. Furthermore, a study of land holdings in the Seminole nation drawn from the allotment records of the Commission proves conclusively that separate Seminole Black communities were well established by 1900 and that the Indians and Freedmen chose to continue to live apart in their own settlements after statehood. In a nutshell, the relationship that existed between the Seminoles and Blacks during the period from reconstruction to statehood can best be described as one of peaceful co-existence.

At the conclusion of the Civil War, the Federal government looked to quickly re-establish formal relations with the Five Civilized tribes through the negotiation of new treaties. The first steps were taken in September 1865 when a board of commissioners was sent to Fort Smith to meet with the various tribal leaders. The distinguished U.S. representatives included D.N. Cooley, the Commissioner of Indian Affairs; Elijah Sells, the Southern Superintendent; Thomas Wister of the Society of Friends; Brigadier General W.S. Harney of the U.S. army and Colonel Ely S. Parker of General Grant's staff who later succeeded to the position of Commissioner of Indian Affairs.[1] As the conference prepared to open, the Seminoles, Creeks and Cherokees, in particular, were still badly divided. Clearly, the Loyal and Confederate factions would have different views and it was uncertain if unity of purpose and action could be accomplished. The Indian delegates were thus very poorly prepared to make important decisions affecting the future of the tribes. The U.S. commissioners, by comparison, were well organized and entered the talks with clear and far-reaching objectives.

The board was instructed by Secretary of the Interior James Harlan

to submit seven major propositions to the Indian delegates as the basis for negotiations. The propositions reflected the government's thinking that, although some of the Indians had remained loyal, all of the tribes had sided with the Confederacy to a greater or lesser extent and should be punished for their actions by having their lands reduced and being forced to accede to various other U.S. demands. Two of the most controversial propositions concerned the position of Blacks within the tribes. Slavery was to be abolished and should never again "exist among them, otherwise than in the punishment of crime", and immediate steps should be taken "for their incorporation into the tribes on an equal footing in all respects with the original members".[2] Clearly, this would be a hard pill for the former Confederate sympathizers to swallow.

When the Fort Smith Council opened on 9 September, the Confederate Seminoles had not yet arrived and the tribe was represented by the Loyal delegation consisting of John Chupco, Pascofar, Fo-hut-she, Fos Harjo and Chutcote Harjo. Robert Johnson and Caesar Bruner, who later became a Seminole Freedman band leader and a most important character in the Black community, acted as interpreters. Cooley opened the conference with a message from the President stating that he wished to renew the alliances with the Indian nations. By aligning themselves with the Confederacy, the tribes had forfeited their former treaty rights and should be prepared to accede to U.S. demands. The commissioners assured the loyal factions, however, that they would receive compensation for losses suffered during the war. Pascofar spoke for the Seminoles that afternoon. He stated that the Loyal delegates had travelled to Fort Smith with the intention of making peace with the Confederate Seminoles and were not prepared to make new treaties or conduct other business. More time was needed to consider the matters put before them.[3]

The following day, Cooley reiterated the need to negotiate new

treaties and put Harlan's requirements before the Indian delegates. Included in the stipulations was the third proposition, that requiring the incorporation of the Freedmen into the tribes on an equal footing with the Indian members. On the fourth day of the council, 12 September, the Loyal Seminole delegates addressed the commissioners. They were fully prepared to accept all the requirements put to them as the basis for a new treaty except for the third proposition. They asked that the wording be changed so as to make it clear that the only Freedmen who were to be adopted into the tribe were "colored persons lately held in bondage by the Seminole people, and free persons of color residing in the nation previous to the rebellion". The delegates went on to make their position perfectly clear, "We are willing to provide for the colored people of our own nation, but do not desire our lands to become colonization grounds for the negroes of other States and Territories".[4] The Loyal Seminoles had thus displayed their willingness to accept the Freedmen into the tribe, but it remained to be seen if the Confederate faction would be so compliant.

The Loyal Seminoles did not consider themselves authorized to enter into treaties at this stage but suggested that they refer the propositions to the tribe as a whole, come to an understanding with the Confederate faction, and appoint delegates to engage in treaty negotiations at a later date. The U.S. commissioners had come to the conclusion that the projected treaties could not be finalized at Fort Smith and instead drafted preliminary agreements to be signed by those delegates present at the council. Under the terms of these agreements, the Indians rescinded their treaties with the Confederacy, reaffirmed their allegiance to the U.S., and stated their intention to live in peace from then on. The Loyal Seminoles signed the agreement on 14 September.[5]

On 16 September, the Confederate Seminole delegation, consisting of

John Jumper, George Cloud, Foos-Hatchee-Co-Chuehue, Pahsuch Yohola, James Factor and John F. Brown, arrived at Fort Smith. The Loyal and Confederate delegates immediately began the process of reconciliation and the Southern Seminoles signed the agreement with the U.S. commissioners.[6] Later that same day, however, the Confederate Seminole delegates issued a statement to the effect that they regretted their action as they had not completely understood the terms of the agreement. They agreed to all the propositions put forward except for articles 3 and 6, the latter having as its object a consolidated government for the Indian Territory. Their strongest opposition, however, was centred on the clause requiring their adoption of the Freedmen.

The Southern Seminole delegates were willing to accept the abolition of slavery and the unconditional emancipation of the tribe's Blacks but delivered this pointed statement regarding the status of the Freedmen,

> ... The proposition to "incorporate" the free negro with us on "equal footing with the original members" of the Seminole tribe, is presented to us so suddenly that it shocks the lesson we have learned for long years from the white man as to the negro's inferiority. We honestly think that both the welfare of the Seminole and the freed negro would be injured if not destroyed by such "incorporation". The emancipated black man must, of necessity, be "suitably provided for". Such provision requires time and consultation as to how it shall best be done, and we, consequently, beg the indulgence of further time before we decide.[7]

At this early stage, it was clearly asking too much of the Confederate Seminoles to put both their recently-acquired Southern racial notions and the bitterness of the Civil War experiences behind them and accept the Blacks as equals.

On 18 September, the two Seminole factions presented a joint resolution to the commissioners. They stated that they had both signed the agreement with the U.S. and subscribed to all its provisions. They were determined to settle their differences, meet with their people and elect delegates empowered to enter into treaties with the U.S. government.

With this,they requested permission to return home to their families until called upon by the President to negotiate the new treaty. The Confederate Seminoles were quick to make it clear, however, that they did not accept all of the government's stipulations. John F. Brown delivered an address stating, once more, that the Southern Seminole delegation did not agree to propositions 3 and 6. He also requested that their earlier statement be read before the council. The Fort Smith conference adjourned two days later having achieved little more than familiarizing the Indians with the government's intentions and making arrangements for delegates to proceed to Washington to negotiate new treaties.[8] There was still a great deal of friction between the Loyal and Confederate Seminoles, particularly regarding the status of the Freedmen within the tribe. Much still needed to be decided and the future of the Seminole Freedmen hung in the balance.

The differing attitudes of the Loyal and Confederate Seminoles towards the adoption of the Freedmen found expression in late 1865 and early 1866. In October 1865, Elijah Sells reported that the Loyal Seminoles and Creeks had, "A large number of negroes - their former slaves - living with them and they desire to have them incorporated into their tribes as citizens, with equal rights".[9] The Southern Seminoles did not share these sentiments, however. On 5 December, Seminole agent George A. Reynolds reported, "The Seminoles lately in Rebellion are not acting in good faith towards the Freedmen, in every instance they are holding them as slaves as long as they can. They have taken from them their crops they had made and left them entirely destitute of everything".[10] As was expected, the Loyal Seminoles were finding it far easier to adjust to the Blacks' new status than their Southern compatriots.

In the wake of the Fort Smith Council, concern for the safety and welfare of the Freedmen in the Indian Territory, particularly those

associated with the Indians who had been strongest in their support for the Confederacy, was felt by U.S. government officials. In November, Major General John B. Sanborn was assigned as a commissioner "for regulating relations between Freedmen in Indian Territory and their former masters." Sanborn was instructed not to interfere where relations between Indians and Blacks were satisfactory to both parties but to assist the Freedmen and furnish relief where they were subject to abuse. The commissioner arrived at Fort Smith on 24 December, made his headquarters at the post, and subsequently made his policies known in the Indian Territory through a series of circulars.[11]

On 1st and 2 January 1866, Sanborn met with Pascofar, the representative of the Loyal Seminoles, at Fort Gibson. Pascofar stated to the commissioner,

> I understand what you want to accomplish in regard to the Coloured folks. This has been accomplished. We receive them as brethren on the same footing and rights.... We are not willing to receive the coloured folks of other tribes.... We can take care of the Negroes of our own Nation, without any aid from the Federal Government.

Asked if there was any abuse of the Freedmen by the Southern Seminoles, Pascofar informed Sanborn that some of their Blacks were still being held as slaves while others had been set free. The Southern Seminoles did not feel compelled to free the Blacks as they were drawing the same government rations as the Loyal faction.[12] Clearly, the two parties still held very different views about the Black population.

Basing his comments largely on Pascofar's statements, Sanborn reported on 5 January,

> The Creek nation look upon the freedmen as their equals in rights, and have, or are in favor of, incorporating them into their tribes, with all the rights and privileges of native Indians. The Seminoles entertain the same or nearly the same sentiments and feelings as the Creeks.
>
> The freedmen of the Seminole and Creek tribes believe that the national laws and customs of their tribes are sufficient for their protection....[13]

Sanborn made no mention of the divisions within the tribe or the varying treatment that the Freedmen were receiving from the Loyal and Confederate factions. As was so often the case with his reports, the government commissioner ignored the obvious problems arising out of emancipation, and gave only half the story.

Included in Sanborn's first report were a number of general observances on the Freedmen resulting from his initial tour of the Indian Territory. He found the Freedmen "the most industrious, economical, and in many respects the more intelligent portion of the population of the Indian Territory" and was of the belief that they all wished to remain in the area "upon lands set apart for their own exclusive use". The Indians who were willing for the Blacks to remain in the Territory also felt that "they should be located upon a tract of country by themselves".[14] Sanborn remained in and around the Indian Territory until the spring but his other reports were either of an extremely general nature or dealt with the difficulties encountered by Indians and Freedmen in adjusting to the new economic and social arrangements arising out of the breakup of the plantation system: problems alien to the Seminoles.[15]

Sanborn's correspondence was unfortunately marred by preconceived notions, a naïve approach and sweeping remedies which were usually removed from the reality of the situation. The commissioner never came to terms with the complexities inherent in his task or the depth of the problems he faced. This was, perhaps, best illustrated in the way he left office. On 13 April, he asked to be relieved from duty, believing his task had been completed. He reported that the rights of the Freedmen were "fully acknowledged" and recommended the discontinuance of the commission.[16] Yet with the exception of the Seminoles, and to a lesser extent the Creeks, this assessment was highly inaccurate. The status of the Freedmen within the Cherokee, Choctaw and Chickasaw tribes would prove

a major source of contention until the Indian lands were alloted in severalty. Thus, the U.S. government effectively divested itself of any responsibility for directing the course of Indian-Black relations in the Indian Territory. In so doing, it left the fate of the Freedmen in the hands of the tribes themselves. As we shall see, the Seminole Blacks would have good reason to be grateful for their tribal affiliation.

In December 1865, Commissioner Cooley instructed Reynolds to select a delegation from both the Northern and Southern Seminoles to repair immediately to Washington to partake in treaty negotiations with the U.S. government. The two Seminole factions held a joint council but friction occurred over the choice of delegates and the Loyalists' insistence that the Southern Seminoles adhere to the principal chieftainship of John Chupco. The two sides failed to reconcile their differences and remained divided, the result being the assumption of overall tribal leadership by the Northern Seminoles. Consequently, of the four Seminole delegates chosen to visit Washington, three, Chupco, Foos Harjo and Chicote Harjo, were of the loyal party with only one, John F. Brown, representing the Southern faction. Robert Johnson accompanied the delegation in the official capacity of tribal interpreter and also acted as adviser to the loyal Seminole chiefs.[17]

The Seminole delegates travelled to Washington with the Creek delegation, consisting of three Indians, Oktarharsars Harjo, Coweta Micco and Cotchoche, and their Black interpreter, Harry Island, the whole being in the charge of the Seminole and Creek agents. The party of 7 Indians, 2 Blacks and 2 whites arrived in St. Louis on 8 January 1866 and the agents purchased first class rail tickets for each of them. Things went smoothly until they reached Bellaire, on the Ohio river. Here, the conductor allowed the agents into the first class compartment but sent the Indians and Blacks to the second class car. He was informed that the Indians were Creek and

Seminole chiefs who had been ordered to Washington by the government, but his objections were based on their association with the Blacks. It was pointed out by the agents that Johnson and Island were interpreters to the chiefs, members of their respective tribes, and in possession of first class tickets, but to no avail. The conductor remained unmoved and the Indians and Blacks were forced to travel the rest of the way in the second class car.[18] In Washington, the government paid for the Seminole delegation to be housed in a hotel, the cost being $2 per person, per day.[19]

The Northern and Southern Seminole delegates failed to act in unison during the treaty negotiations but followed independent courses of action. The loyal Seminoles were willing to comply with American demands. On 30 January, the three Northern delegates informed the Commissioner of Indian Affairs,

> We have agreed in council to recognize the colored people formerly belonging to the Seminoles as a part of us with equal rights among us in property protection and the enjoyment of all the benefits arizing [sic] out of treaty stipulations made or to be made with the United States Government.[20]

Brown, however, was not a party to this communication and clearly entertained different sentiments regarding the Freedmen. The loyalists were thus well-disposed towards formally adopting their Black allies into the tribe while the former Confederate Seminoles held strong reservations. As the loyalists were in the majority and the incorporation of the Freedmen was the most controversial requirement put before them, negotiations proceeded fairly quickly and the Seminoles were the first of the Five Civilized tribes to reach an agreement with the U.S.

The tribe's reconstruction treaty, signed on 21 March, was a major landmark in the history of Seminole-Black relations. Article 2 stipulated that slavery and involuntary servitude were to be abolished "except for and in punishment of crime" and went on,

> And inasmuch as there are among the Seminoles many persons of African descent and blood, who have no interest or property in the soil, and no recognized civil rights, it is stipulated that hereafter these persons and their descendants, and such other of the same race as shall be permitted by said nation to settle there, shall have and enjoy all the rights of native citizens, and the laws of said nation shall be equally binding upon all persons of whatever race or color, who may be adopted as citizens or members of said tribe.[21]

Thus, freedom had finally arrived for the Seminole Blacks and they were to be slaves no more. The threat of sale, kidnap, the break-up of families, forced labour and persecution was forever removed and henceforth the Blacks would be able to keep all the products of their labour and live normal, peaceful, lives. Not only this but also the Freedmen were to enjoy all the rights and privileges accruing from Seminole tribal membership and be considered the equals of the Indians. The signing of the treaty marked the beginning of a new era for the Seminole Blacks.

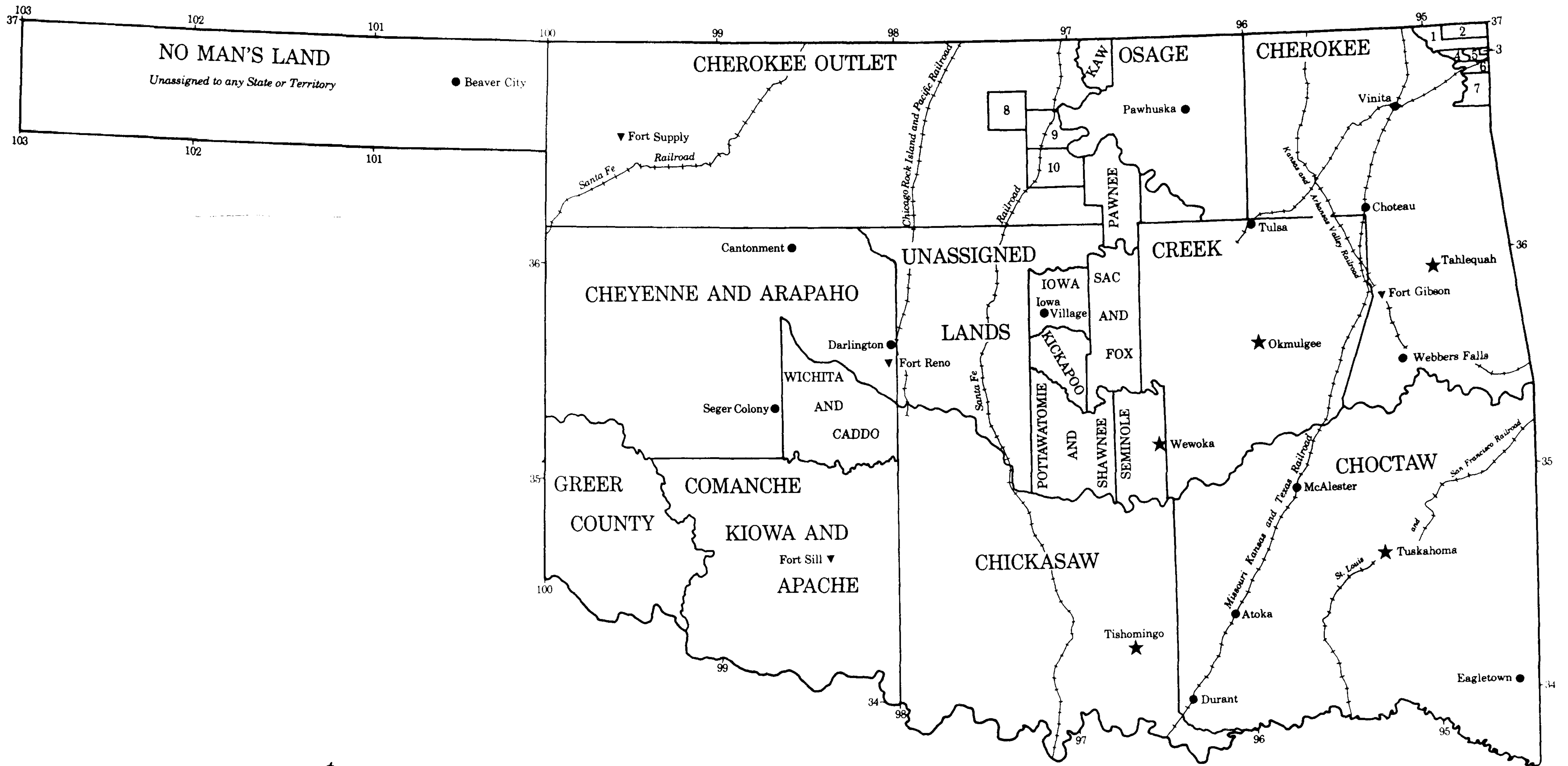
The 1866 treaty contained a number of other major provisions which greatly affected the future of the tribe. The Seminoles agreed to "cede and convey to the United States their entire domain" in the Indian Territory, estimated at 2,169,080 acres, for which they were to be paid 15 cents an acre, or a total of $325,262. It was found in 1889, after the land had been properly surveyed, however, that the ceded tract had actually consisted of only 2,037,412.62 acres, but the tribe was neverthless awarded an additional $1,912,942.02 in return for the relinquishment of "all claims of every kind and character" to the land. The bulk of this sum, $1.5 million, was to be held in trust for the tribe and the interest paid semi-annually to the Seminole national treasurer for disbursement as per capita payments to both Indian and Black citizens.[22]

Having thus ceded their entire domain, the Seminoles were to be permitted to purchase a much smaller reservation from the U.S. government further east. The tract in question was part of the Creek cession and consisted of 200,000 acres lying between the North Fork and South Canadian,

just east of the old Seminole reservation. The Seminoles paid the U.S. 50 cents an acre for the new reservation, or a total of $100,000.[23] In February 1881, the tribe managed to purchase a further 175,000 acres from the Creek nation, through the U.S. government, at $1 an acre.[24] With this addition, the Seminole nation's landholdings remained at 375,000 acres until statehood when the tract was increased slightly to become Seminole County, Oklahoma.

The land ceded by the Seminoles was projected as being utilized to "locate other Indians and freedmen thereon".[25] In actual fact, however, the land was used for Indian and white settlement and the government did not pursue a policy of colonizing groups of Freedmen on the old Seminole reservation. Bands of Pottawatomies, Absentee Shawnees, Sac and Fox, Iowas and Kickapoos were resettled in the eastern section of the Seminole cession and the "unassigned lands" further west were opened to white settlement in the run of 1889 and subsequently became part of the Oklahoma Territory. Various schemes were put forward for relocating Freedmen on the old Seminole reservation. In 1869, and again in 1883, groups of Choctaw and Chickasaw Freedmen asked to be resettled there.[26] In November 1880, moreover, "quite a large number" of Freedmen in southern Kansas requested permission to relocate on the Seminole cession the following spring and, in December 1886, a similar request was made by some Blacks at Topeka.[27] Though nothing came of these schemes at the time, they should be viewed in the wider context of adding weight to the Freedman colonization programmes of the late 1880s which had as their objective the creation of Oklahoma as an all-Black state and culminated in Edwin P. McCabe's movement and the founding of the Black city of Langston in Oklahoma Territory.[28]

The balance between what the Seminoles were to receive for their old lands and what they were to pay for their new reservation was to



MAP 4: The Indian Territory During Reconstruction

Taken from Morris, John W., Goins, Charles R. and McReynolds, Edwin C., Historical Atlas of Oklahoma (Norman, University of Oklahoma Press, 1976)

be expended on the entire tribe and be of direct benefit to both the Indian and Black citizens. $40,362 was set aside to deal with the immediate problem of subsistence, the only discrimination permitted being "in favor of the destitute". A further $30,000 was to be disbursed to tribal citizens to "occupy, restore and improve their farms, and to make their nation independent and self-sustaining", and $20,000 more was to be made available for the purchase of agricultural implements, seed and stock. $15,000 was to be spent on the erection of a tribal mill. $70,000 was to be held by the government as a permanent trust fund for the tribe. Of this, $50,000 was set aside for educational purposes and $20,000 designated for the support of the tribal government. The interest on the sums was to be paid yearly to the Seminole treasurer, the one for the support of schools and the other for the payment of tribal officers. The remaining $50,000 was to be used to compensate for their losses the "loyal members of said tribe, irrespective of race or color, whether at the time of said losses the claimants shall have been in servitude or not; provided said claimants are made members of said tribe by the stipulations of this treaty". Finally, the U.S. reassumed its former treaty obligations to the tribe and agreed to renew all annuity payments, the difference now being, however, that the Blacks would also partake in the awards.[29]

It would appear that the two Black interpreters, Robert Johnson and Harry Island, had played a large part in gaining such favourable terms for the Seminole and Creek Freedmen. With the exception of Brown, the Seminole and Creek delegations were composed of conservative fullblood, Muskhogean and Mikasuki-speaking[30] loyalists who had a history of paying close attention to Black advisers. Robert's oratorical prowess, diplomatic skills and powers of persuasion were well developed by this time and Harry Island was also said to be "as sharp as tacks".[31] It was later

claimed that Harry had managed to obtain "the most favorable concessions for the negroes, and that he misrepresented to the Creeks what was in the agreement, and they did not know at the time they agreed that the negro had been given equal rights with the Indians".[32] It was indeed significant that the loyal Creeks also signed the Seminole treaty and that Robert and Harry acted as interpreters for the combined delegation.[33] Brown subsequently opposed the clause favouring the adoption of the Freedmen and similar protests were later heard from a Southern Creek delegation sent to Washington to try to prevent ratification of the treaty.[34] A persuasive argument can thus be put forward that the Black interpreters had exerted considerable influence over the loyal delegates and directly affected the outcome of the negotiations. This was certainly the line adopted later by the Southern parties and, even today, a number of bitter Seminole progressives still adhere to this theory.

The Seminole reconstruction treaty was signed by the three loyal delegates in Brown's presence, but the representative of the Southern faction was clearly unhappy with many of its provisions. The very day it was signed, he penned a three point protest to the Commissioner of Indian Affairs and asked that it be filed on record with the treaty. Brown was of the opinion that the price paid for the Seminoles' old lands was too little and that the tribe's new reservation was altogether too small. He also protested against "any interference with the internal and municipal officers and regulations of the Seminole Nation heretofore recognized by the United States".[35] On 23 March, Brown entered into an agreement with one E.B. Grayson whereby the latter promised to work against the ratification of the treaty. As compensation, Grayson would receive 15% of whatever monies the Southern Seminoles were awarded under the new treaty. That same day, Brown addressed a second letter of protest to President Andrew Johnson complaining of the provisions included in the treaty he had

witnessed two days earlier. Again he insisted that the price the Seminoles were to receive for their ceded lands was too little while that they had to pay for their new reservation, which was far too small in area, was too high. Significantly, Brown also disapproved of the incorporation of the Freedmen into the tribe on equal terms and the use of tribal funds to compensate the loyal Seminoles and Blacks.[36] Thus it can be seen that, at this stage, the Southern Seminoles, as represented by their delegate in Washington, still had grave misgivings about adopting the Freedmen.

On 26 April, Sells and Reynolds issued a joint rebuttal to Brown's protests. 15 cents an acre for the tribe's old reservation was deemed a fair price as it was among the worst land in the Indian Territory. The 50 cents an acre purchase price was also fair as the new reservation included the very best lands ceded by the Creeks. Sells and Reynolds also insisted that the vast majority of the Seminoles favoured equal rights for the Blacks. The Freedmen, moreover, were the most enterprising people in the Seminole nation and, if placed in a position of equality, would be of great assistance to the Indian in his "march towards civilization". Finally, it was right and fitting that the tribe indemnify those Indians and Blacks who had remained loyal to the Union.[37] Whether Brown was convinced by these arguments or acted upon different reasoning is unclear but his signature was added to those of the loyal delegates sometime prior to the ratification of the treaty by the U.S. Senate on 19 July. Thus began the process of acceptance of the incorporation of the Blacks into the tribe by the Southern party. It marked the beginning of reconciliation between the two Seminole factions and offered the prospect of a brighter tomorrow for the Freedmen.

Seminole reconstruction, as it affected the Freedmen, turned out to be a great success. The Seminoles abided by their treaty stipulations, incorporated the Blacks into the tribe, and granted them equal rights.

Contemporary U.S. officials were quick to comment on how successful the Seminoles were in accepting the Blacks' new status. As early as the autumn of 1866, Commissioner Cooley could report, "Slavery is entirely abolished, and the freedmen placed upon an equal footing with the remainder of the people".[38] Referring to the Freedmen of the Indian Territory, the Commissioner of Indian Affairs reported in 1869, "With the Seminoles they seem to find the most favor, as that tribe has accorded to them unconditional citizenship".[39] That same year, in his annual report on the Seminoles, agent Reynolds wrote,

> They formed new treaties; they complied with all the conditions imposed upon them; they adopted their former slaves, and made them citizens of their country, with equal rights in the soil and annuities. Their negroes hold office and sit on their councils. They took hold of the question of reconstruction and settled it at once, practically, peaceably and firmly.[40]

In 1870, the Board of Indian Commissioners reported that among the Seminoles, "There are 400 negroes having all the rights of citizens",[41] and, in 1882, the Commissioner of Indian Affairs noted that "no distinction" was made in the Seminole nation between Indians and Freedmen.[42] Finally, in 1890, the U.S. census commissioners' report on the Seminole nation stated,

> The adopted freedmen are the most progressive, and here, as in the Creek Nation, they enjoy every right of native born Indians; some of them are quite wealthy, dress well, take an active interest in education, and in advancing the moral and social condition of their people.[43]

Thus, throughout the period, impartial observers were deeply impressed with the treatment the Freedmen received at the hands of the Seminoles.

Contemporaries indeed had reason to be impressed as the Seminole Freedmen were granted equal political, economic and cultural rights, protected by and treated equally before the laws of the tribe, and afforded equality of opportunity. The Blacks received the franchise and could vote during tribal elections for the offices of principal and second chief. There was nothing, in theory, to stop a Black standing for principal

chief, but this was never likely to happen as the overall leadership of the tribe continued to be dominated by the traditional ruling Indian clans. The Freedmen, nevertheless, became an important political factor[44] and their support was actively courted by the conservatives. They consequently played a large part in allowing both Chupco to retain power until his death in 1881[45] and Hulbutta Micco to defeat John F. Brown in 1902. Robert Johnson and his son, J. Coody Johnson, came to exert considerable political influence in Seminole tribal affairs as the interpreters and advisers of these two chiefs. Other Freedmen, moreover, came to hold important tribal offices or otherwise became well-known personalities in the nation. The careers of these enterprising and talented individuals graphically illustrate the great potential for Black advancement that existed in the Seminole nation for reconstruction to statehood.

Robert Johnson was to remain the most influential and powerful Black in the Seminole nation during reconstruction. Following the signing of the 1866 treaty, Robert returned to the Indian Territory and subsequently helped Elijah J. Brown, a white trader from Kansas, remove the refugee Seminoles and Blacks from Neosho Falls and Fort Gibson to the new reservation. As a reward for their labours, both men were formerly adopted into the tribe.[46] Robert's wife, Elizabeth, however, remained a Creek Freedwoman and retained her association with Arkansas Coloured town.[47] Her mother, Big Sarah Davis, who had aided Robert in his escape across the Union lines during the Civil War, continued to live there and kept an inn near the Creek agency during reconstruction.[48] Thus, through the tribes' system of matriarchal descent, Robert and Elizabeth's son Coody was actually classified as a Creek Freedman and enrolled and allotted land as such by the Dawes Commission.[49] Because of his father's influence, however, Coody was able to move easily in Seminole circles

and, in the early twentieth century, became the virtual ruler of the nation. The career of this important Black leader will be discussed at a later stage.

Though he still could not read or write, Robert was retained as U.S. interpreter to the Seminoles at a salary of $400 per year.[50] In 1870, he was described by the Seminole agent as a man of "truth and honesty" who could "speak the english language as well as any of the colored or Indian Citizens of the Seminole Nation".[51] In his position as interpreter, Robert was based at the government agency and was thus in close touch with official tribal business. He subsequently came to exert considerable influence over Seminole affairs. In November 1869, Reynolds, who had been replaced as Seminole agent by Captain T.A. Baldwin, met with Robert, Chupco and the Upper Creek chief Sands with a view to persuading them "to use their influence with the National authorities to have a certain steam mill purchased and erected under his supervision, accepted by the Nation". The scheme was opposed by Baldwin and Reynolds actively sought his removal. Robert then became instrumental in the circulation of a petition that ultimately resulted in Baldwin's replacement as Seminole agent by Henry Breiner.[52]

Robert was not only the U.S. interpreter to the Seminoles but also the interpreter and adviser of Chief John Chupco. As such, he acted in an official capacity on a number of occasions, secured other important offices, and consequently came to exert even more influence over tribal affairs. In the winter of 1872-1873, Robert accompanied Chupco, Jumper, James Factor and Elijah Brown to Washington, in the capacity of Seminole delegate and interpreter, with the object of purchasing more lands for the tribe west of the new reservation. When the party returned to the Indian Territory, Robert was paid $46 for using his team to transport two of the other delegates from the Seminole agency to their homes.

In January 1874, Robert acted as interpreter to another Seminole delegation that visited Washington to try to procure an amendment to the 1856 treaty to have all tribal monies paid to the Seminole treasurer instead of on a per capita basis. Two years later, Robert was again in Washington as a Seminole delegate acting on official tribal business. Besides his duties as interpreter, the adviser of chiefs and tribal delegate, Robert was employed at various times as guard at the Seminole agency, presumably to protect the annuity payment, and the superintendant of the tribe's blacksmiths shops. He was also elected as a representative of the Jim Lane or Bruner band and sat on the Seminole councils.[53]

As Chupco's right-hand man, Robert's influence within the tribe continued to grow so that, by 1875, he was one of the five most powerful men in the Seminole nation. In August of that year, special commissioner John P.C . Shanks wrote to Commissioner of Indian Affairs E.P. Smith,

> Robert Johnson is a negro, and is interpreter to the chief.... The truth is that though they have a council, John Jumper, James Factor, John Chupco, E.J. Brown, and Robert Johnson together, and they work together, are in fact the Government of the Seminoles.... These men control the council....[54]

The position of power that Robert had managed to acquire would be surpassed by only one other Black before statehood, and it is not surprising that this was his son. From his various salaried positions and landed interests, Robert became quite a wealthy man. In March 1875, for example, he received $623 for claims he held against the Seminole nation.[55] Robert's powerful position gave rise to the Johnson dynasty that has survived intact in the Seminole and Creek nations to the present day. In his later years, Robert remained active in the affairs of his band and tribe and continued to be an important and well-respected figure until his death in 1893 at the age of 69.

Caesar Bowlegs was another important Freedman to rise to prominence in the Seminole nation during the late Nineteenth Century. Caesar was

born in 1844, the son of Sharper Bowlegs and Chosto. He was a slave of Eliza Bowlegs, as were both of his parents.[56] Little is known of his early life but by the time of the Civil War he had acquired property valued at $114.00, consisting of 3 horses worth $85 and 15 hogs and pigs worth $29.[57] During the Civil War, Caesar went north with the Seminole conservatives and Blacks to Kansas. After the war, he was classified as a member of the John Chupco band, an affiliation he retained through 1870.[58] How Caesar became a member of the Chief's band is unknown, but membership was perhaps bestowed as an honour for some service rendered during the war. By 1890, however, Caesar had become a member of the Freedman Joe Scippio band and was later enrolled as a member of the Dosar Barkus band.[59]

Shortly after the Civil War, Caesar made his home at Wewoka and by 1870 he was married to Dolly Bowlegs. Dolly, it will be remembered, had emigrated to Kansas with the loyal Seminoles, Creeks and Blacks in the fall of 1861. In 1867, Dolly had had a son, Billy Bowlegs, by George Bowlegs who had also been a slave of Eliza Bowlegs, and in 1868 she had had a second son, Peter Cyrus, by Paldo Cyrus. In 1870, a son, Jack Bowlegs, was born to Dolly and Caesar but Dolly unfortunately died that same year. Jack Bowlegs later married Rina King who had been born in 1872 the daughter of Jim King, a non-citizen, and Dora, a Seminole Freedwoman and former slave of Micanopy. Jack and Rina Bowlegs had two sons who appear on the Seminole Freedman rolls: August, who was born in 1894, and Bud, who was born in 1896. The couple apparently separated soon afterwards, however, as in 1898 Rina had a daughter, Dora Noble, by Simon Noble, the child unfortunately dying in the summer of 1902. Rina also had a son, Lou Charles, by Mike Charles, a non-citizen, in March 1902. In 1901, Jack Bowlegs was reported to be living in Columbus, Ohio.[60]

Almost immediately following his wife's death, Caesar married

Lessie Rentie, a Creek Freedwoman and six years his senior. The couple subsequently had four children: Amy, born in 1870; Jimmie, born in 1878; Johnie, born in 1880; and Stella, born in 1884. Because of the matrilineal system of descent, these children were classified as Creek Freedmen and consequently were enrolled and allotted land as such. Caesar and Lessie were still together at the turn of the century. Caesar's was the first name to appear on the Seminole Freedman rolls and he selected his allotment just north of the Wewoka townsite. Lessie was included in the Creek Freedman rolls and chose here lands near the Creek-Seminole border.[61]

Caesar Bowlegs became an important figure in the Seminole nation in the late Nineteenth Century. In the 1880s and 1890s, he operated and maintained a toll bridge over Wewoka Creek.[62] Caesar thus provided a vital service in linking those citizens living in the north of the nation, including those Freedmen living at Noble town and Scipio, with the important trading centre at Wewoka, which was located south of the Creek. Caesar was also employed by the tribe, with an Indian named Checote, to bury criminals after they had been executed by the lighthorsemen.[63] But it was as an interpreter that Caesar acquired his reputation, and in this capacity he came to make a major contribution to Seminole history.

Through his close association with the Chupco band, Caesar was well-acquainted with both the language and ways of the Seminoles. In the 1870s, petition for a national physician for the Seminoles had been made by agent Breiner, who was himself a M.D.,[64] and, in the early 1880s, one was finally appointed. The first white doctor to practise in the Seminole country was Dr. C.P. Lynn and, in the late 1890s, Dr. Virgil Berry succeeded him to the post.[65] Wewoka was made the physician's base of operations. As he was bi-lingual, known to both Indians and Blacks and familiar with the country, Caesar was appointed the physician's inter-

preter and guide, a position of considerable importance. Caesar came to accompany Lynn every time he was called out to a patient. By the 1890s, he was also acting as interpreter "for all the white men who have business with any members of the tribe unless the governor is present". It was said that he knew "personally every family of the tribe" and was "highly regarded by everybody for his courtesy and intelligence".[64] Dr. Berry later described him as "faithful and efficient" and went on, "In all the time I was with Caesar I never knew him do a mean act".[67] The Black interpreter thus became a familiar and respected figure both in the Seminole and Black communities.[68]

Caesar was to strike up a very special relationship with Dr. Berry, important aspects of which were later recounted by the physician.[69] Berry was appointed to the post in May 1898 and was to labour among the Seminoles for three years. During this time, Caesar proved invaluable to the doctor as a guide, interpreter, go-between, expert on Seminole and Black mores, and medical assistant. The Black interpreter escorted the white physician on all his calls. As they drove along in their buggy, Caesar would tell Berry stories about the Seminoles, using animated gestures, just as Robert Johnson had done with the Presbyterian missionaries, half a century earlier. Indeed, it has been said by one familiar with him that, "Caesar loved to talk about the subject he knew best, for he was as much like the Seminoles as it was possible to be".[70] Sometimes the doctor and his interpreter would be caught at night far away from Wewoka with a full day's work ahead of them. In summer, they would drive off the road, feed the team, and Caesar would produce a snack of chittlin' cornbread or jerky from the sack of essential supplies he always carried with him. If there were time, he would kill a rabbit or quail and roast it over the open fire. When the two grew tired, Berry would sleep under the buggy and Caesar, who preferred the open ground, would sleep under a

nearby tree.[71]

Caesar had acquired a good general medical knowledge over the years and this enabled him to help the physician attend to the patients, even to the point of administering anaesthetics. During Berry's term of office, a devastating smallpox epidemic hit the Seminole nation and the two were constantly in action. After first vaccinating themselves, Berry and Caesar set out to vaccinate the entire nation. They each kept two sets of white canvas overalls and gloves. While one set was being worn, the other was soaked in disinfectant, boiled and laundered to prevent infection. The two worked day and night, only returning to Wewoka for a fresh team, food, and a change of suits. At last they completed their mammoth assignment, but they were then faced with the task of combating the disease itself where it broke out. Yet again, the Seminole population was seriously depleted by a smallpox outbreak. The physician and his assistant worked long and hard to fight the disease but the epidemic was still raging when Berry left the Seminole country to take up private practice at Wetumka in the summer of 1901.[72] It would be four more years before the epidemic died out completely, and the Seminole death rate returned to its 1898 level.[73] It has been said that Caesar died soon after Berry's departure, but the actual date and circumstances of his death are unknown.[74]

Caesar Bowlegs was a truly remarkable individual and an important figure in the history of the Seminoles. Berry described him as being "as black as pitch" yet he was accepted by both the Indian and Freedman communities and clearly felt at ease in the company of white men of standing. He lived in a Black settlement, had Seminole and Creek Freedwoman wives and was allotted land as a Seminole Freedman yet he also had a deep knowledge of Indian customs and traditions. As a slave of Eliza Bowlegs, a loyal supporter of Billy Bowlegs and an adopted member of

Chupco's band, Caesar had a long history of close association with the Seminole conservatives. He became thoroughly familiar with their native practices and fluent in Muskhogean. During one particular incident, when he was assisting Berry, the close relationship that he enjoyed with many of the leading Seminoles came graphically to light. Following the untimely death of a child of the Seminole band chief Kinkehee, Caesar consoled the father in Muskhogean and later drew on his experience as a gravedigger in helping the chief to bury the child.[75] A great deal of admiration and affection for the Black interpreter was clearly felt by many of the leading Seminoles.

Caesar's greatest contribution to Seminole history was that he facilitated and speeded the process of white acculturation within the tribe. The Black interpreter was undoubtedly progressively-minded. He was said to be educated and "a pillar in the colored Presbyterian church".[76] Apparently he could read, as he carried a bible with him at all times. He also favoured the dress of the whites. In an undated photograph, housed in the Western History Collections of the University of Oklahoma at Norman, Caesar appears as a fairly stout man sporting a moustache, a three-piece corduroy suit, and a straw boater.[77] When the first white physicians arrived, the Indian and Black medicine-men were the only doctors administering in the Seminole country. Even at the turn of the century, many Seminoles still preferred their medicine-men to white doctors and were afraid to go against their advice. Berry and his Black assistant began a programme of education, however, and soon the physician "was seldom refused permission to use 'the white man's medicine'". As the actual communicator of these ideas, Caesar played a vital part in this educational process, it being noted that "his persuasive powers were considerable" and that he deserved "a great deal of credit" for his work in this field.[78] Caesar thus acted as a powerful agent of white

acculturation in helping to undermine the power of the Seminole medicine-man and gain the widespread acceptance of sound scientific principles and modern medical technology by the Indians and Freedmen at the turn of the century.

A number of Freedmen served with the Seminole lighthorse, the tribal law enforcement agency created during reconstruction. The force of 10 consisted of a captain, a lieutenant and 8 privates. Suitable candidates were nominated by the various bands and elected to 4 year terms by the national council. Should a lighthorseman resign, be found guilty of a crime, or die in office, the vacancy would be filled by the council. The officers were paid an annual wage and, by the end of the century, the rates stood at $500 for the captain, $450 for the lieutenant and $300 for privates.[79] Though a Freedman never attained either of the top positions, the Blacks were always well represented on the Seminole lighthorse, generally supplying two of the eight privates.

These Black officers were considered better able than Indians to combat crime in the Freedman townships as they spoke English and were familiar with both the inhabitants and the terrain. They could also speak Muskhogean and hence were able to deal with Indian criminals and their victims. Like the Seminole Black Scouts, who were being used by the U.S. military against depredating Indian bands on the Texas-Mexican frontier at this same juncture, the Freedmen officers were excellent horsemen, expert with firearms, seasoned campaigners, and familiar with the ways of the Indian. Thus, they were admirably suited to the task of enforcing the laws of the nation.

The duties of the Seminole lighthorse were essentially threefold: to transport and guard tribal funds, to apprehend suspected criminals and take them to trial before the council, and to administer punishment to those found guilty. The Seminoles and Freedmen received their annuity

payments every three months. The lighthorse met the shipment of money at the Creek agency and hauled it out to the Seminole nation in a covered wagon. One man drove, one rode in front, 2 behind, 2 on each side and 2 in the wagon with the shipment. Joe M. Grayson later recalled, "All were heavily armed. Nobody ever had the courage to attack them, so they were never robbed". As Seminole Freedwoman Carrie Cyrus put it, "All of the people feared them".[80]

The Seminole lighthorsemen acquired a considerable reputation for their proficiency in apprehending criminals and it has been said that, like the Canadian mounted police, they always got their man.[81] As there were no tribal gaols, the lighthorsemen were sometimes required to keep prisoners in their homes until they could be tried. If the Council was not due to sit for some time, several of the officers would keep the prisoner for a month each. On such occasions, the officers received compensation for their outlay and inconvenience. On the basis of a tribal 'code of honour', convicted criminals were generally allowed to go free with the understanding that they would return to receive their punishment at the assigned time. The lighthorsemen administered the punishment which, unless the offence was murder, was invariably a whipping. 50 lashes were generally given for a first offence, 100 for a second and so forth. Two or more lighthorsemen administered the stripes. Murderers were executed by being shot. Again, two of the lighthorsemen carried out the order, the privates being selected for the duty in rotation. As members of the Seminole lighthorse, Freedmen officers thus served the nation by guarding tribal monies and apprehending and punishing criminals.

Both the Indian and Freedman lighthorsemen subscribed to the power of the Seminole medicine-men and sought their aid during difficult or dangerous times. Before they set out in search of a notorious outlaw,

the lighthorse would meet with the Snake doctor. Carrie Cyrus, whose husband Dennis served as an officer for many years, thus described the ensuing ceremony,

> ... The Snake Doctor... would mix a quantity of herbs together; such as, Devil shoe string, Conquer John and others not known. Hewould put these into a big kettle and put a fire under it and boil this all together until it looked like tea. Then the Horsemen would gather around the fire and spit till they put the fire out. But during this time the Snake Doctor was spitting in their faces with the medicine that was in the pot. This was supposed to carry them through battle without getting shot.[82]

The lighthorsemen who were selected to execute a criminal were given prior notice so that they could receive the appropriate "ministration by the medicine man". After the execution had been carried out, the two officers repaired to a nearby pool of water and each dived in four times "to cleanse them of the death of their fellow man at the hands of the law".[83] The Black lighthorsemen, therefore, spoke Muskhogean, interacted extensively with the Indian population and subscribed to Seminole native beliefs and customs. As we shall see anon, however, they were members of a small, elite group of Freedmen whose experience was atypical of that of the Seminole Black population as a whole.

Blacks who served with the Seminole lighthorse included Tom Payne, Grant Bruner, John Dennis, Thomas Bruner, Dennis Cyrus, Caesar Payne, Pompey Davis and Tecumseh, or Cumsey, Bruner, with the latter four being the best remembered. Dennis Cyrus, in fact, received 50 lashes for stealing before he became a lighthorseman. He later served on the force for 25 years and was still with the lighthorse at the time of statehood along with Tom Bruner and Caesar Payne. Dennis also worked as a deputy U.S. marshall for 5 years, serving under John Cordell. He died on Christmas Eve, 1912. Caesar Payne, like John Horse before him, was said to have ridden a white horse. He also was a long-serving member of the force. Together with Pompey Payne, Caesar frequently accompanied criminals to Wewoka for trial before the council. When his turn came,

a Freedman lighthorseman would administer punishment with either an Indian or another Black officer. Pompey Davis and a Seminole officer, Chuckaleese, for example, were responsible for executing Lige Brown, a fullblood, during the latter stages of tribal government while Caesar Payne and Cumsey Bruner carried out the last execution under Seminole law.[84] This latter involved Pul-musky, who had murdered John Factor during a drunken brawl. Pul-musky was apprehended, tried before the council, found guilty and sentenced to death. In accordance with Seminole custom, he was released with orders to return at the appointed time for his execution. The subsequent scene was later described by one who was there,

> When the time, day and hour, came the prisoner was there among the crowd and he walked forward. He was blindfolded and he sat on a rock by a tree; a white paper heart was cut and placed over his heart and then two light-horsemen were selected to shoot him. Cumsey Bruner and Caesar Payne were the ones and they were negroes.[85]

Thus it can be seen that Blacks became fully-functioning members of the Seminole lighthorse and, as such, played a significant role in the maintenance of law and order within the nation.

The reasoning behind the utilization of Freedmen as Seminole lighthorsemen was closely akin to that behind the employment of Black deputy U.S. marshals in the Indian Territory during the late Nineteenth Century.[86] The lighthorse had jurisdiction over cases involving tribal citizens but the Federal government had jurisdiction where crimes involving non-citizens or both citizens and non-citizens were committed in the nations. Persons arrested by U.S. marshals were taken to either the court for the western district of Arkansas at Fort Smith or that for the eastern district of Texas at Paris. A Federal court within the limits of the Indian Territory was finally established at Muskogee in 1889. Black officers were again employed because of their knowledge of the terrain and their familiarity with the languages and ways of the various tribes. A number of them, in fact, were Freedmen of the tribes while others were

from neighbouring Arkansas or Texas. It was also felt that the Indians and Freedmen preferred Black to white law enforcement officers.[87] As a result, a number of Black deputy U.S. marshalls rode the Indian Territory trails in the years prior to statehood, concentrating their efforts mainly on capturing Indian and Black criminals.

The Black deputies included Edward D. Jefferson, Robert Love, Isaac Rogers, John Joss, Zeke Miller, Dick Roebuck, Neely Factor, Bob Fortune, Morgan Tucker, Bill Colbert and John Garrett, but by far the best known were Grant Johnson and Bass Reeves. Both of these latter spoke Muskhogean and worked extensively in the Seminole and Creek country. Johnson, the son of a Chickasaw Freedman and a Creek Freedwoman, was appointed a deputy U.S. marshall in the late 1880s and served with distinction until 1906. Reeves was unquestionably the most famous of the Black deputies. Born in 1824 near Paris, Texas, Bass spent the early part of his life a slave in Texas and Arkansas. His career as a law enforcement officer began in 1875 and, before he retired in 1907, he worked under seven different marshals. Between 1875-1889, Fort Smith was his base of operations and he concentrated heavily on the "Seminole whiskey trail" which ran from Denton, Texas, via Sasakwa, into the very heart of the Seminole and Pottawatomie reservations. On one occasion, John F. Brown's store at Sasakwa was robbed and Reeves caught the culprits in the Creek nation, east of Keokuk. Interestingly enough, Reeves stated later that, of all the criminals he had had dealings with, Seminole Indian and Black fugitives were the most difficult to apprehend.[88] From 1882 until the opening of the Oklahoma Territory in 1889, moreover, detachments of the 9th and 10th cavalry, or Buffalo Soldiers, were used to prevent intruders entering the unassigned lands ceded by the Seminoles.[89] As Seminole lighthorsemen, deputy Federal marshals and soldiers in the U.S. army, Blacks played a vital role in combating crime both in and around the Seminole nation

during the postbellum period.

A number of other Seminole Blacks rose to prominence and assumed positions of importance within the tribe after the Civil War. In 1870, Joseph McGillrey, a Black Civil War veteran, was employed as a tribal blacksmith. Thomas Noble and Don Marshall were other Freedmen who became blacksmiths during this period. By 1886, Seminole Freedman Isaac Bottley was carrying the mail from Wewoka to Sasakwa and this post was later filled by Dave McIntosh, another Black. Bottley subsequently became well-known in Wewoka and was often called upon to act as interpreter for businessmen visiting the area. Caesar Bruner, who had been employed as tribal interpreter during the Fort Smith negotiations, became a clerk and interpreter at the Wewoka Trading Company and later came to own and operate a store himself in the north of the Seminole country. He also became a Black band and religious leader and ultimately assumed the position of one of the most influential figures in the Freedman community. Caesar Simon, a Freedman with strong Indian connections, being an adopted member of the Simon Brown or Newcomers band and having children on the Creek Indian rolls, was elected to the office of janitor of the Seminole national capital in 1894.[90] As we shall see below, still other Blacks represented the Freedman bands on the Seminole council and assumed important political roles within the tribe. Thus, Freedmen took up positions as interpreters, delegates, advisers to chiefs, superintendents of blacksmiths shops, agency guards, toll bridge operators, grave-diggers, medical assistants, guides, mediators, law enforcement officers, blacksmiths, mail carriers, clerks, shop keepers, janitors and politicians and, as such, illustrated clearly the opportunities open to Blacks in the Seminole nation during the postbellum period.

The Freedmen were afforded equal political rights in the Seminole nation between reconstruction and statehood. The Blacks were given the franchise and permitted to vote for the principal chief and second chief

in popular elections every 4 years. No effort was made by the Seminoles to disfranchise the Blacks at any time during this period. The Freedmen were also allowed to organize politically and send representatives to the tribal council. The band succeeded the town as the basic political unit in the nation. Originally, the concept was similar to that employed in the early Seminole confederacy, with each band representing a particular community. In time, however, the band became associated with political affiliation as well as geographic location as its members sometimes moved to different areas because of economic or social reasons. Right up to statehood, however, the Freedman bands continued to be essentially regionally based.

At the conclusion of the Civil War, the tribe split into 23 bands, 21 of which were composed of Indians and 2 of Blacks. Each band sent 3 representatives to the tribal council, a band leader and 2 council members. In 1870, there were 2,336 members of the Seminole nation of which 1,952 were in Indian bands and 384 in the 2 Freedman bands. Thus, at this stage, the Blacks, as a whole, were under-represented on the tribal council. Though they constituted 16.44% of the total Seminole population, their interests were represented by only 8.7% of the council members. Representation on the council was not proportional, however. Okfusky's band, with 29 members, had 3 representatives on the council just the same as Short Bird's band, which had 178 members. Moreover, of the 2 Freedman bands, only the William Noble band, with 274 members, was actually under-represented. Six of the Indian bands, in fact, contained more members than the Ben Bruner band.[91] As far as is known, there was nothing to stop the Blacks organizing into more than 2 bands, had they so wished. It cannot be argued, therefore, that the Freedmen were subjected to discrimination when it came to political representation.

In the early 1870s, the discrepancies were evened out somewhat as

the tribe moved towards a more centralized, constitutional form of government.[92] The Seminoles re-organized into 12 bands while the Freedmen remained in 2 and this new political arrangement far more accurately represented the racial division within the tribal population.[93] The Seminole council continued to be composed of 36 Indian and 6 Freedmen representatives until the dissolution of the tribal government at statehood. By the turn of the century, however, the Blacks were again severely under-represented. The Black population had risen dramatically against the Indian population and the Freedmen had come to constitute a third of the tribe, yet they still had only a seventh of the representatives on the council. Again, however, it would appear that Seminole and Black conservatism rather than racial discrimination was responsible for this situation. The Seminoles had neither reduced the number of Black council members nor increased the amount of Indian representatives. The Blacks, in fact, would have had to create 4 new bands to receive proportional representation on the council. Some of the Indian bands, moreover, contained twice as many members as others. There was no deliberate plot to discriminate against the Freedmen. Seminole political institutions simply remained static and failed to accommodate the new demographic situation.

The band's leader and 2 counsellors were elected by a popular vote of its members every 4 years. The band generally took the name of its leader. Hence, both the Indian and Freedman bands went through many name-changes during this period. Six Freedman representatives sat on each session of the Seminole council and took part in the decision-making process that affected most aspects of tribal life. The council assumed the duties of both the legislative and judicial branches of the Seminole government. Its members fulfilled 5 basic functions. First of all, at the parochial level, they represented the views, wishes and problems of their constituents before the chief and council. Secondly, they created and codified Seminole

tribal laws. Thirdly, they tried criminal cases and passed sentence upon those found guilty. Fourthly, they appointed those tribal officers whose positions were not decided by popular election. These included the treasurer, the superintendent of schools, 2 schools trustees, the superintendent of blacksmiths shops and the members of the Seminole lighthorse. Fifth and finally, they gave advice to the chiefs and helped to formulate tribal policy.[94] Freedmen were Seminole council members during one of the most crucial periods in the tribe's history. At the turn of the century, Black leaders took part in treaty negotiations with the Dawes Commissioners and helped to facilitate tribal enrollment and the allotment of Seminole lands, prior to statehood.

The Blacks were not only granted equal political rights but also protected by Seminole law. As with the Indians, the Freedmen were governed by the laws of the tribe in cases involving other Seminole citizens but were subject to American law when U.S. citizens were involved.[95] There is no evidence to suggest that the Blacks were treated differently to the Indians before Seminole law. The Freedmen, moreover, were represented on both the lighthorse and the council, the tribe's law enforcement agency and judiciary. Friction between the Indians and Blacks also appears to have been rare. There was no "negro baiting", lynching, or such like, by the Seminoles and violence between the two races was minimal.

The Freedmen were also granted equal economic rights and afforded equality of opportunity in the Seminole nation during the postbellum period. The right of the Blacks to partake in tribal awards was immediately recognized by the Seminole authorities as they were allowed to share in the compensation granted to the loyal members of the tribe for their property losses during the Civil War.[96] Throughout the period from reconstruction to statehood, the Blacks received per capita annuity payments as members of the Seminole tribe and no attempt was made by

the Indians, at any time, to deny them this right. Freedmen council members and other Black government officers, moreover, received the same salaries as Seminoles in similar positions. Thus, for example, each Indian and Black band chief was paid $90 per annum in 1870[97] and by 1908 this had risen to $350 per annum. The other Indian and Black council members each received $250 per annum in this latter year.[98] Thus, there was no discrimination on the basis of race in the disbursement of tribal funds or government salaries.

The Seminole Freedmen were allowed to utilize tribal lands for their own exclusive benefit and keep the products of their labour. Right up to statehood, the Seminoles retained their native system of communal landholding. An Indian or Black individual could use as much land as he wished provided that he did not infringe upon the rights of others. He could improve the land and keep as his own the crops and livestock raised upon it. Unlike the Chickasaws and Choctaws, the Seminoles made no effort to limit the amount of acreage available to the Freedman population. Consequently, a number of the more enterprising and industrious Seminole Blacks came to acquire substantial holdings. The Bruners, for example, became veritable cattle barons, with large landed interests, during this period. Even as slaves, the Blacks had been permitted to use Seminole land and keep most of their produce. Now, however, the Freedmen truly had a stake in the tribe's land holdings. The Blacks' right to own land as Seminole citizens was recognized by both the tribal authorities and the U.S. government at the turn of the century when they received individual allotments equal in value to those of the Indians under the Dawes Commission. In consequence, more than a third of the old Seminole nation passed into the hands of the Freedmen.

Finally, the Seminoles afforded the Freedmen equal social and cultural rights in the nation. The Blacks were permitted to attend schools

supported by tribal funds. They were free to practise their various religions under Black ministers and, in general, were left to their own devices. No effort was made by the Indians to undermine Black culture or make the Freedmen conform to Seminole beliefs and practices. The Freedmen had their own town chiefs, religious leaders, medicine-men and educators, practised an Africanized form of Presbyterianism and Baptism, and retained their distinctive system of naming practices and Afro-Seminole language. In short, the unique Seminole Black culture that had developed in Florida and the Indian Territory during the antebellum period continued to thrive in the Black towns between reconstruction and statehood.

A number of Seminole Freedmen intimated later that they "scarcely knew the difference between being free and being in slavery".[99] In actual fact, however, there were several noticeable differences. The Blacks no longer had to offer tribute to the Seminoles and the threat of sale and kidnap had finally been removed. The Freedmen, moreover, were granted political representation, protection by the law, a share in the tribe's annuities and other awards and equality of educational opportunity. They enjoyed all the rights of Seminole citizens and were able to control their own destinies, free of interference, for the first time. Certainly in terms of their chequered history, it is not an overstatement to say that the postbellum period in the Indian Territory was a golden age for the Seminole Blacks.

The vital question then arises of why Seminole reconstruction was so successful when the Cherokees, Choctaws and Chickasaws, in particular, experienced problems similar to those of the Deep South in accommodating the Freedmen within their societies. In his Annual Report for 1866, Commissioner of Indian Affairs Dennis N. Cooley wrote of the Five Civilized tribes,

> Slavery is entirely abolished, and the freedmen placed upon

> an equal footing with the remainder of the people. This equality was the more easily accomplished in the case of the Seminoles, since there had already been a considerable intermingling of the races before the tribe removed from Florida....[100]

Though it was almost completely inaccurate, the Commissioner's assessment subsequently became widely accepted as the best explanation for the success of Seminole reconstruction.

In 1890, the Federal Census Commissioners added weight to Cooley's statement when they reported of the Seminoles, "... The negroes constitute a very considerable portion of the nation, with whom many Indians are intermarried".[101] The contemporary J.A. Newsom concurred, noting that "many" of the Seminoles "were crossed with the Negro race".[102] At the time of tribal enrollment and allotment, this notion was seized upon by commentators seeking to explain Indian-Black relations within the Five Civilized tribes. The experience of the Seminoles and Creeks was usually contrasted with that of the Cherokees, Choctaws and Chickasaws who, it was believed, did not intermarry with their Blacks. On 27 June 1901, the El Reno News reported, for example,

> There are few fullblood Seminoles. There are but two white men married to Indians, but the admixture with negro blood is very large. About a half of the citizens of the nation are mixed Indian and negro blood.[103]

The Vinita Weekly Chieftain, meanwhile, after pointing out that, generally speaking, "Indians dislike Negroes", noted, "The prejudice against the negro is less severe among the Creeks and Seminoles, because many of the members of these tribes have negro blood in their veins".[104]

The most extreme example of this view was furnished by L.J. Abbott in an article written in 1907 entitled "The Race Question in the Forty Sixth State". Abbott, who appeared to have reached his conclusions only after extensive research, argued,

> Soon after the Five Civilized Tribes settled in Indian Territory, the negroes were accepted as an integral portion of the Creek and Seminole tribes, for, long previous to their settlement in the

> Indian Territory, members of these tribes had intermarried with the Negroes. Intermarriage became common so that now (on the writer's authority) there is not a Seminole family that is entirely free from Negro blood; and there are but three Creek families (some make it two) that are pure blood.

The Cherokees, Choctaws and Chickasaws, however, "seldom or never mixed their blood with the Negro" but intermarried extensively with whites. As a result, Abbott believed, in "but a generation or two" these three tribes would lose their identity among the whites, "But the Creeks and Seminoles, except a few instances where Caucasian blood largely predominates, will be counted as negroes".[105]

Thus, the myth arose that there had been a high incidence of Indian-Black intermarriage in the Seminole nation both before and after the Civil War and that this had been largely responsible for determining the course of relations between the two groups. The myth has been perpetuated by more recent commentators and historians. Frederick Hodge wrote of the Seminoles in 1910, "In 1908 they were reported officially to number 2,138, largely mixed with negro blood, in addition to 986 Seminole freedmen".[106] G.E.E. Lindquist, in a paper prepared for the 1931 Federal Census, moreover, reported, "There does not seem to be a tendency to intermixture of white and Indian among the Seminoles as it is true among the Five Civilized Tribes as a whole. This may be due, in part at least, to instances of intermarriage with Negroes".[107] In 1934, Otis D. Duncan observed that, while intense antagonism had characterized relations between Blacks and the Cherokees, Choctaws and Chickasaws during the postbellum period, "The Creeks and Seminoles... admitted the freedmen into their tribes and intermarried with them rather freely".[108] The Daily Oklahoman of 23 April 1939, meanwnile, recounted that, after the Civil War, the Freedmen, "...Entered into the tribal life of the Indians, sat in their councils, became interpreters, and especially among the Creeks and Seminoles, through marriage, formed blood relationships...".[109] Perhaps

most surprisingly of all, Kenneth Porter, one of the foremost historians of Indian-Black relations on the frontier, adopted the Abbott line as his own, in stating that interaction between Blacks and the Seminoles and Creeks had led to "the Africanizing of two of the principal Indian tribes".[110]

In actual fact, however, there appears to have been an extremely low incidence of Indian-Black intermarriage, resulting in a paucity of mixed blood offspring, in the Seminole nation after removal and particularly during the postbellum period. The intermarried Blacks, moreover, appear to have been members of that small elite group that moved widely in Indian circles but was largely unrepresentative of the Seminole Freedman population as a whole. There was precious little "passing" between the races. As we shall see below, the lack of Indian-Black intermarriage, the unwillingness of the two groups to risk friction by attempting integration and the resultant continuation of Indian and Black separatism were largely responsible for the success of Seminole reconstruction. In other words, the "intermarriage thesis" was ill-conceived and erroneous and the exact opposite was actually the case.

Several perceptive and informed contemporaries, in fact, overcame the prevailing view and more accurately described the nature of Seminole-Black relations during the postbellum period. In 1870, the Board of Indian Commissioners reported that in the Seminole nation, "There are 400 negroes having all the rights of citizens. The Indians and negroes do not intermarry".[111] The Indian Journal of 12 April 1877, meanwhile, in an article entitled "The Seminoles: or history corrected", made the following observation,

> It is a mistake that the Seminoles intermarried with the negroes who ran to them from Southern slave owners. There is not among all the five civilized tribes a purer Indian stock than the Seminoles.... If they had married negroes, then bees wax and tallow would have been in demand to this day, to keep

> their hair straight. For pure blooded unmixed Indians, of the finest type, commend me to the Seminoles.[112]

In 1896, John M. Thornton wrote,

> The Seminole people are mostly full-blood Indians or full-blood negroes, there being very little perceptible admixture. The slaves owned by these people prior to emancipation become [sic] Indian citizens with freedom and they now constitute about 500 of the total population of 2,900 and enjoy all the educational, annuity and governmental privileges accorded other citizens.[113]

Charles H. Coe took up the theme two years later when he described the Seminole population as including, "... Several hundred negroes, most of them descendants of the famous Maroons, who are recognized as Seminoles by the tribe, and who enjoy all rights of the others except intermarriage with the Indians, although there are some admixtures".[114] Finally, in 1901, D.C. Gideon suggested that, "The Seminoles have not largely intermarried with the white man, and there are but few half-breed negroes",[115] a notion echoed by Ora Eddleman Reed some 5 years later.[116]

The observations of these contemporaries were generally ignored as the myth that massive Indian-Black intermarriage was behind the success of Seminole reconstruction became the accepted interpretation. Of the leading Twentieth Century historians working in the field, only J.B. Thoburn and Muriel Wright have really challenged this dominant view, albeit briefly, in arguing that, although the Seminoles accepted the Freedmen into the tribe after the Civil War, "The majority... did not accept the Negroes socially".[117] How then did the intermarriage theory come about, and why has it proved so enduring?

First of all, the argument was persuasive, appearing to be based solidly on fact. Intermarriage between Seminoles and Blacks had certainly taken place in Florida. More particularly, however, such intermarriages had frequently involved leading Indians and Blacks who were known to U.S. government officials. Thus, for example, it was well-known that King Bowlegs had married Polly, the daughter of Beck, and freed both her and

her children in 1819.[118] Government agents had also become aware that Abraham, the leading Black interpreter in Florida had been rewarded by the Seminoles for his services by being given for a wife, "the widow of the former chief of the nation".[119] Still other intermarriages had come to public light through subsequent slave claims involving the Black participants, or their mixed blood offspring. The marriage of Black Factor's son, Sam, and Rose Sena Factor, for instance, had become known during Nelly Factor's claim to Rose and her children. Thus, Seminole-Black intermarriages had been generally conspicuous, noteworthy affairs and by their very nature had grabbed the imagination and attention of white commentators. While mixed marriages had never been common occurrences, they had been almost invariably noticed.

Secondly, the nature of antebellum Seminole-Black relations gave credence to the theory. By the time of the Second Seminole War, it was felt that the Indians and Blacks had identical interests and were integrating accordingly. General Thomas S. Jesup, the U.S. Commander in Florida at the height of the war, gave vent to the paranoia of southern white slaveholders when he declared that, "The two races, the Negro and the Indian, are rapidly approximating",[120] and subsequently adopted a "Divide and rule" policy in dealing with the allies. This feeling seemed to have been confirmed after removal. In the Indian Territory, the Seminoles had failed to incorporate a plantation economy, institutionalized slavery or Black codes but had allowed their Blacks to own arms, horses and other property, live under few restraints, and control most aspects of their daily lives. Surely, it seemed, widespread intermarriage was a necessary ingredient in this formula. The continuing alliance between the Seminole conservatives and the Blacks with its resultant manifestations, their joint emigration to Mexico in 1849 and Kansas in 1861, merely added weight to the theory. The whole was fuelled by the tribe's low incidence

of white intermarriage and its opposition to acculturative influences, a lack of detailed knowledge on Seminole-Black relations, and a general feeling of fear and suspicion on the part of the whites. It seemed quite reasonable to assume that these "uncivilized" Indians and Blacks frequently engaged in mixed marriages.

Thirdly, the large and ever-increasing number of Blacks living in the Seminole nation and enjoying the same rights as the Indians gave rise to the mistaken belief that many of them were of mixed blood. During the postbellum period, in fact, the Freedman population tripled while that of the Indians remained, at best, constant. The mixed blood Indian-Black population, however, continued to be fairly small. At the time many of the commentators made their observations,in the early 1900s, the Blacks constituted a third of the total Seminole population and a number of them had attained important positions within the tribe. Once more, it seemed reasonable to assume that intermarriage and integration had been responsible for this development. Insufficient and inaccurate information again led to hasty and erroneous conclusions.

Fourth and finally, the intermarriage theory provided a simple and convenient answer to a difficult problem. At a stroke, it offered a tangible explanation as to why the Seminoles were so successful in coming to terms with the problem posed by the Freedmen when the Cherokees, Choctaws and Chickasaws all failed, to a greater or lesser extent. In so doing, however, it ignored both the economic, social and political situation in the Seminole nation and the complexities inherent in Seminole-Black relations. Consequently, it totally failed to explain the rise of separate and virtually autonomous Indian and Black townships, with very different social arrangements and cultural manifestations, after the Civil War. The prevalence of the all-encompassing intermarriage thesis has had the unfortunate effect of stifling debate on the nature of

Seminole-Black relations during the postbellum period. A more analytical and critical approach is clearly called for.

Having thus discounted the intermarriage theory, it remains to suggest what really lay behind the successful accommodation of the Freedmen within Seminole society between reconstruction and statehood. There were five basic reasons for this. Though each will be looked at individually, the five reasons should be viewed as largely inter-dependent, the whole relying upon the sum of the parts. Had one or more of these ingredients been missing, the success of Seminole reconstruction might have been far more limited, and Indian-Black relations may well have taken a different course.

First of all, all of the various factions within the Seminole nation were desperately tired of wars and strife and anxious to secure peace and stability. The progressive and conservative Indians and the militant and conciliatory Blacks alike shared a wish to preserve harmony and showed an unwillingness to engage in racial conflict after the Civil War. For most of their lives, the Seminoles and Blacks had been subjected to trauma in one form or another. Most had fought in the first two Seminole Wars. They had been uprooted from their homes, removed to a distant territory, and settled upon the land of others. Many of the Blacks had openly split with the Indians and taken refuge at Fort Gibson. There had been problems with dubious and fraudulent slave claims, kidnappers, and an overly-dominant Creek government. The result had been the factionalization of both the Indians and the Blacks in the late 1840s and the eventual emigration of the recalcitrant traditionalist Seminoles and the militant Blacks at the end of the decade.

The 1850s had continued to be troubled times for the Seminoles and Blacks. Those who had emigrated from the Indian Territory had spent much of the decade fighting hostile Indians, Texas filibusters and pro-

fessional slave catchers on the Mexican frontier. Those who had remained behind, meanwhile, managed eventually to acquire their own land, but only at the cost of yet another removal further west. The Blacks continued to live under the threat of sale and kidnap. The recalcitrant traditionalists in Florida had fought a Third Seminole War before most had finally agreed to remove west. Like the former supporters of Wild Cat, who had returned to the Indian Territory just afterwards, these recalcitrants had arrived just in time to take part in the American Civil War. Factionalism had again come to predominate and the tribe had split into Union and Confederate supporters along traditional conservative and progressive lines. The Civil War had been a disastrous affair for all the Seminole and Black participants. All had been subjected to freezing weather, starvation, disease and property losses. Many had suffered personal injury or the loss of loved ones. Their homes had been destroyed, their livestock stolen and the land ravaged. Most had lost all that they owned.

By 1866, all parties in the Seminole nation were united in a wish for peace and freedom from strife. Though factionalism, at first, was rife and continued to play an important role in the political life of the tribe to statehood and beyond, it failed to hinder the success of Seminole reconstruction. The members of each party showed a willingness to put the past behind them and get on with the process of building new lives for themselves in the Seminole nation. This theme was repeated constantly by Seminole leaders after the Civil War. In December 1874, James Factor observed,

> I am safe in saying I and my people are satisfied - we have no trouble; all our Indians are obedient to the law.... It is my business to report my people peaceable. We make our meat and our bread - we have churches and schools.... We have tried to live in peace.[121]

In May 1885, Principal Chief John Jumper put the point in a nutshell when he wrote,

> Our people in the past have seen enough of turmoil and strife and greatly desire peace. We are enlarging our farms, our stock is increasing, our people are more industrious and prosperous.[122]

The Seminoles and Blacks wished to farm and raise families, not engage in race wars. The Seminoles were satisfied with conducting their lives on their own land, under their own government, free from outside harassment. The Blacks, for their part, were free, had all the rights of Indian citizens and, in general, had good reason to be content with their lot. The whole made for good relations between the two groups.

Secondly, it was the conservative faction that led the Seminoles during reconstruction and this undoubtedly facilitated the process of incorporating the Freedmen into the tribe. The conservatives emerged from the Civil War as clear victors. John Chupco, a recalcitrant traditionalist who had fought in the Third Seminole War and succeeded Billy Bowlegs as leader of the Loyal Seminoles in Kansas, became principal chief of the entire tribe after peace was declared. Fos Hutchee, another conservative, became second chief.[123] Chupco and his supporters had fought alongside the Blacks in Florida, and during the Civil War, and favoured the incorporation of the Freedmen into the tribe. The Union faction dominated the Fort Smith talks and 1866 treaty negotiations and subsequently oversaw the formal adoption of the Blacks. The alliance between the Seminole conservatives and the Blacks remained strong during reconstruction and greatly influenced its outcome. Chupco's interpreter and principal adviser was a Black, Robert Johnson, and it was noted by contemporaries that the Chief counted the Freedmen among his strongest supporters.[124] By the time of Chupco's death in 1881, the Freedmen were long-established members of the Seminole nation and in full possession of all the rights of Indian citizens.

For the first few years of reconstruction, the progressive faction continued to function as a separate political entity in the south of the

Seminole nation with its own chief, John Jumper, and council. The former Confederates were based around present-day Sasakwa and it was said that Middle-Creek, situated about 6 miles south of Wewoka, constituted the tribe's Mason-Dixon line.[125] Little is known of relations between these progressives and the Freedmen at that time. Certainly, the Southern Seminoles experienced more initial problems than their Northern counterparts in coming to terms with the Blacks' new position in tribal society. Evidence suggests, however, that relations improved somewhat thereafter. The Freedmen were permitted to move off to themselves and form townships north and west of the progressives' settlements. There are no reports of progressive interference with the Blacks or of conflict between the two groups. Subsequent developments also suggest that, like the conservatives, the progressives adopted a "live and let live" attitude towards the Freedmen. They, too, wished to live in peace and were not prepared to provoke racial strife.

Though John Jumper was termed "Chief of the Southern band" in the late 1860s and worked with Chupco on matters of national concern, it was Chupco who was treated as principal chief by the U.S. government and who made the executive decisions directing the course of Indian-Black relations. During the re-organization of the early 1870s, the tribe formally re-united under one government, with Chupco as principal chief and Jumper as second chief. By 1875, however, the Seminole government again had a decidedly progressive slant with many former Confederates in positions of power. Besides Jumper, James Factor was a council member and delegate, the superintendent of blacksmiths shops and the tribal treasurer; Thomas Cloud was the superintendent of schools; and John F. Brown was a delegate and the clerk of the council.[126] Chupco, moreover, was succeeded as principal chief by Jumper, who continued in office for 5 years. Jumper, in turn, was succeeded by his progressive, mixed blood,

son-in-law John F. Brown who remained the principal chief until 1902, when he was finally defeated by the conservative fullblood, Hulbutta Micco. Brown again became chief three years later, upon the death of Hulbutta. Thus,the progressives effectively controlled the leadership of the tribe for all but 3 of the 26 years between Chupco's death and statehood, yet they failed to offer any challenge to the position of the Freedmen within Seminole society or attempt to alter the nature of Indian-Black relations.

By the time the progressives were returned to power, the Freedmen had been members of the tribe for 15 years and, during that time, had received all the benefits associated with Seminole citizenship. The progressives accepted the situation albeit, one gets the distinct impression, grudgingly. The contrasting reactions of the progressive leadership and the Freedmen to the proposed and actual immigration of Seminole Blacks from Texas in the 1880s and 1890s points to a continuing racial tension between the two groups. While the Freedmen extended a warm welcome to their kinsmen, the progressives were clearly opposed to a flood of Seminole Black immigrants entering the country. Having said this, it must be stated that the progressives made every effort to preserve harmonious race relations and maintain the status quo within the Seminole nation. Indian-Black relations appear to have remained as cordial under the progressives as they were under the conservatives. Of the utmost significance, it was during Brown's administration that the Freedmen were given allotments equal in value to those of the Seminoles, the progressive leadership offering no protest. This, above all else, gave a true insight into the attitude adopted by the progressives during the postbellum period.

Thirdly, throughout the period from reconstruction to statehood, the Seminoles failed to adopt the racial notions of their white and mixed

blood neighbours. They continued to be the least "civilized" of the Five Civilized tribes and consequently their attitudes towards Blacks remained more native and less discriminatory. The Seminoles' political institutions, economic and legal systems, social arrangements, cultural manifestations and general lifestyle continued to be essentially aboriginal. Though there was some attempt to adopt elements of the more sophisticated federal system operating among the Cherokees, Choctaws and Chickasaws, the Seminole nation remained a loose confederation of townships under a weak central government, based on the Florida model. Popular national elections were introduced but the traditional ruling clans continued to exert considerable political influence. There was an incomplete separation of powers within the central government, the council acting as both the legislative and judicial branches. The council itself was but a weak body and dominated by the chiefs. During the late Nineteenth Century, Brown exploited this to the full and became a virtual "benevolent despot" in the Seminole nation. By 1900, moreover, the Seminoles were the only Civilized tribe not to have a written constitution or their acts of council published.[127]

The tribal economy continued to be primitive. The Seminoles remained, essentially, a tribe of subsistence farmers producing, during good years, small surpluses for trading purposes. The necessities they could not produce, together with certain "luxury" items, were purchased with their per capita annuity payments. The great majority lived in rude log cabins with basic furnishings, and owned few personal possessions. There was little large-scale, profit-based, agriculture, a paucity of industries and few exports. Communications were poor with but a system of trails and loose dirt roads linking the various settlements. Bridges across rivers and creeks were scarce and, what few there were, were often washed away during heavy rains. Little money was available and the barter

system prevailed.[128]

John F. Brown and his brother, Andrew J. Brown, came to dominate Seminole economic life. They owned the only two major stores in the nation, at Sasakwa and Wewoka, and established a commercial monopoly. The brothers issued scrip or "due bills" against each citizen's annuity payment and this came to be the major currency in circulation in the Seminole nation. As credit was given in advance and the scrip was only redeemable at the Browns' stores, this had the effect of keeping most of the tribal members in perpetual debt and retarding economic growth. The Browns thus pocketed almost all of the available cash in the nation and became quite wealthy, building a financial empire based on commerce, industry and agriculture that became famous throughout the Indian Territory.[129] Most of the Seminoles, meanwhile, carried on farming their small patches and remained disinterested in profits or competition.

The Seminoles created a judiciary and a unit of law enforcement officers but the tribe did not produce written laws until the early Twentieth Century.[130] The Seminole system of justice continued to rely heavily upon trust and honour. Convicted criminals frequently went unguarded, for example, and were expected to appear for corporal punishment or execution on the appointed day of their own accord. Punishment almost invariably consisted of whipping or execution, other, less violent, forms of control, such as incarceration, being rarely, if ever, employed.

Native practices continued to predominate in the Seminoles' social arrangements and cultural manifestations. Seminole society remained matriarchal and both clan and town affiliation were determined through the female line. The clan remained at the centre of Seminole social life, deciding family relationships, marriage partners, political affiliation and rights of inheritance. The great majority of the Seminoles were fullbloods, few could read and write or speak English and many continued

to wear traditional dress, at least in part, for many years. Polygamy was still rife among both the Indians and Blacks at the time of statehood. Only a small percentage of Seminoles accepted Christianity and education and most preferred the tribe's native religion. There were few schools or churches in the nation. The stomp grounds, the busk ceremonies and the Green Corn Dance remained at the heart of Seminole civilization. The medicine-man retained his powerful position within the tribe's society and the stickball game continued to play a vital role in Seminole culture to statehood and beyond. At the turn of the century, contemporary observers unanimously agreed that the Seminoles lagged way behind the other Civilized tribes in terms of their "advancement".[130]

The important point is that the great majority of Seminoles continued to be either not interested in or actively opposed to white acculturative influences. The main exponents of white civilization and catalysts of change in the other Civilized tribes, the Indian agents, the missionaries and educators, and the intermarried white and mixed blood elites, all failed to make any significant impact on the Seminoles during the postbellum period. The Seminoles remained, for the most part, a nation of unacculturated fullbloods who tended to retain their traditional views on Blacks.

The Seminoles had their own agent, stationed at Wewoka, between 1866 and 1874 but the agencies of the Five Civilized tribes were then consolidated into the Union agency, which based its headquarters at Muskogee. The postbellum Seminole agents do not appear to have exerted a great deal of influence in tribal affairs or accelerated the process of acculturation. Henry Breiner, for example, failed to have implemented a plan for a tribal hospital and physician.[131] Muskogee was more than a hundred miles away, by rough wagon road, from the Seminole nation and the Union agent was too remote to have had any great impact on

Seminole affairs. Nowhere was this more apparent than in Union agent John Q. Tufts' failure to effect the removal of the illegal Seminole Black immigrants from Texas in the mid 1880s, though ordered by the Indian Office to do so.[132] Clearly, as catalysts of acculturation in the Seminole nation, the Indian agents were largely ineffective.

Missionaries and educators also met with relatively little success. Reverend Joseph S. Murrow did not return to the Seminole nation after the Civil War and the Baptist ministry was left in the hands of native preachers. John Jumper and James Factor were ordained as ministers and they were later joined by John F. and Andrew J. Brown. These four individuals dominated the history of the Seminole Baptist church from the Civil War to statehood. With the exception of brief spells when missionaries were stationed in the nation, native ministers led the Baptist congregations throughout the period. Consequently, perhaps the best opportunity for promoting the institutions and attitudes of white society within the Seminole nation was lost. Baptism was potentially the most powerful vehicle for accelerating Seminole acculturation yet, because of the absence of white ministers and its association with the former Confederate party, it failed to achieve widespread popularity. In 1866, there were 150 Seminole Indian Baptists and, 2 years later, this number had grown to 250 members attending 3 churches. Seminole Baptist membership appears to have peaked at a mere 367, however, in 1883. Its staunchest and almost sole support lay with the progressives or those Indians who had already accepted elements of white culture. The great majority remained unaffected by Baptist philosophy.[133]

As the Methodists remained largely inactive in the Seminole nation after the Civil War, the Presbyterians again offered the only viable Christian alternative to Baptism. The Presbyterians had the advantage of a fully-fledged white minister in J. Ross Ramsay but, ironically,

the faith continued to attract the Seminole conservatives as it had prior to the war. Seminole Christianity continued to reflect the factionalism inherent in the tribe's society, the progressives supporting Baptism and the conservatives Presbyterianism. The Presbyterians were successful at first, their membership rising from 66 in 1867 to 110 two years later.[134] In 1870, however, the conservatives' flirtation with Christianity came to an end. During that year, many of the Seminole Presbyterians returned to their former ways by participating in a traditional stickball game near Wewoka. The event had a dramatic effect on the Presbyterian community. Many, thereafter, "remained in their heathenish course", and the church membership was reduced from 150 to 30.[135] Ramsay stayed in the Seminole nation until the 1890s but the Presbyterians never recovered. By 1902, the Seminoles had just one Presbyterian church, under a native licentiate, with a membership of 55.[136]

At the time of statehood, it appears that about 20-25% of the Seminole Indian population was Christian. Many of these, however, also continued to practise their native religion and could hardly be described as regular church goers. As Alexander Spoehr has pointed out, "... The situation may be envisaged as a small nucleus of devout Christians, containing a number of the most influential men of the tribe, surrounded by several hundred followers of varying degrees of faithfulness, while the remainder of the people preferred to follow in the footsteps of their forefathers".[137] The growth of Christianity among the Seminoles was essentially a post-statehood development.

Education similarly failed to make major inroads into the Seminole nation between reconstruction and statehood. Only 9 schools were established in the nation during this period: 5 day schools, 2 boarding schools, and 2 academies. Only 6 of these ever operated at any one time. Two of the day schools, moreover, were situated in Black townships and

catered exclusively for the children of Freedmen. The Indian day schools were run on a small scale and were poorly attended, generally averaging only 20 students each. Most of the teachers' efforts were concentrated upon the teaching of English and in this they met with little success. Only 95 Seminole Indians could read in 1876 and a year later it was noted that only 6 fullbloods could speak English. In 1884, it was estimated that, of the total tribal population of around 3,000, only 800 Seminole citizens could speak English[138] and, of these, 70-75% were Freedmen.

White teachers tended to stay but a short while in the Seminole nation before moving on. Consequently, they had little opportunity to make a lasting impact on Seminole society. Interestingly enough, one of the white day school teachers, Mrs. D.C. Constant, sang the praises of integrated education and taught Indian, Black and white children under the same roof. Reverend Ramsay did the same at the Presbyterian boarding school. Thus, it could hardly be argued that these teachers were attempting to seduce the Seminoles with southern white racial notions. Significantly, Mrs. Constant was eventually evicted from the nation for interfering with Seminole customs, in particular the tribe's punishment of witchcraft.[139] Traditionalism and superstition continued to heavily outweigh the desire for knowledge. Throughout the period, the tribe supported schools in the nation from its annuity payments. Seminole education received a considerable boost during Brown's administration, moreover, with the opening of the Seminole Female Academy, the Mekasukey Academy for boys and its twin the Emahaka Academy for girls in the 1880s and early 1890s. But these came too late to transform Seminole society and this would be left, in the end, to allotment and statehood. With the exception of the progressives, education remained a low priority to most Seminoles and, by the turn of the century, the tribe had a lower percentage of students, English speakers,

a lower level of literacy, and fewer schools per head of population than any of the other Civilized tribes.

The majority of Seminoles remained opposed to whites intermarrying or settling among them. Very few whites were adopted into the tribe. For many years, Elijah Brown was the only adopted white in the nation.[140] Though Brown was later joined by adopted intermarried whites such as Alexander W. Crain,[141] white adoption into the Seminole tribe continued to be a rare occurrence throughout the period. Intermarriage did not automatically confer citizenship in the Seminole nation, moreover. Unless he was formally adopted into the tribe, the intermarried white enjoyed but the bare rights of residency, was regarded as a U.S. citizen, and was not protected by Seminole law.[142] Traditionalism and the clan system remained strong and white intermarriage continued to be scorned by most tribal members. The few instances that took place invariably involved members of the progressive party and usually those with mixed blood. Thus, for example, James Factor married a white woman,[143] and John Brown's sisters, Lucy and Alice, took white men for husbands.[144] There continued to be an extremely low instance of white intermarriage in the Seminole nation throughout the period from reconstruction to statehood. At the time of allotment, the Seminole Indian roll showed 1,256 fullbloods, and 643 mixed bloods and adopted citizens. These figures are misleading, however, as the figure for the mixed bloods included those of mixed Indian blood. The great majority of the mixed bloods, in fact, were fullblood Indian, usually a mixture of Seminole and Creek. The Seminole Indian population was thus composed almost entirely of fullbloods. The intermarried and adopted whites and mixed blood white Seminoles, in fact, were outnumbered by the mixed blood Seminole-Blacks, their combined totals including only around a hundred individuals, or less than 5% of the Seminole Indian population.[145]

Not only was there an extremely low incidence of white adoption and intermarriage among the Seminoles but also there were very few white residents in the nation. There were just 31 non-citizen whites living in the Seminole nation in 1876, for example, this number including teachers, missionaries, government employees and traders.[146] The following year, it was noted that there was just one adopted white citizen in the nation, 35 whites residing on the reservation by permission of the Seminole authorities and 6 by permission of the U.S. authorities.[147] The experience of the Seminoles was once more radically different to that of the other Civilized tribes, which were all swamped by white settlers. In 1890, it was estimated that the total population of the Five Civilized tribes in the Indian Territory was 180,000, of which 110,000 were whites. The racial ratio within the combined tribes was approximately 60% whites to 30% Indians and 10% Blacks.[148] Among the Seminoles, however, the ratio was more like 65% fullblood Indians, 30% Blacks and just 5% adopted and intermarried whites and mixed blood white Seminoles and Seminole-Blacks. Thus, there were very few whites living among the Seminoles and precious little admixture between the two groups.

There were reasons for this on both sides. The Seminole nation was not a particularly attractive location for white settlers. The reservation was small, remote, difficult to reach, and had nothing to compare with the rich bottom lands prevalent in the Cherokee, Choctaw and Chickasaw nations. Communications were poor. There were no major roads or waterways and few bridges. The Seminole nation was also distant from supply depots, commercial outlets and industrial centres. The Seminole economy was primitive with subsistence agriculture the norm, little money in circulation, a scarcity of capital for investment and a poor labour supply. Most Seminoles were not interested in wages or profits. Language constituted a major problem as most of the inhabitants did not speak English, and

Black interpreters were considered a necessity. There was, indeed, little to recommend the Seminole country to white settlers.

Intermarriage into the Seminole tribe was a similarly unattractive proposition, offering few economic and social incentives to prospective candidates. Cultural differences and the prospect of social ostracization by the majority of the population also presented large obstacles. In contrast, it was noted, "A White intermarried man in the Cherokee Nation has all the privileges substantially that a Cherokee has", and, "His rights in the Choctaw Nation and Chickasaw Nation are as if he were a native Choctaw or Chickasaw".[149] These nations, moreover, had plenty of good land available, excellent communications, links with important commercial centres and advanced, capitalist, economies. There was a large labour supply and pool of capital for investment, and industrial, agricultural and commercial enterprise was sponsored by their intermarried white and mixed blood leaders. These three nations were near to white settlements and English was widely spoken. Christianity was accepted and education freely available. Hardly surprising then that most white settlers chose the Cherokee, Choctaw and Chickasaw nations. Few whites were prepared to live in virtual isolation, outside the pale of American justice and civilization, in the Seminole nation. The ones that chose to do so were usually rugged frontier types and thus were likely to have had little effect as agents of acculturation.

The Seminoles, for their part, hardly encouraged white settlement. Their previous dealings with whites had left them suspicious of both their motives and intentions. The whites had engaged them in three Seminole wars and forcibly removed them from their homeland. Slave-hunters, kidnappers and fraudulent claimants had attempted to deprive them of their Blacks and the American Civil War had taken a heavy toll of their numbers. Wishing to preserve the tribe's customs and traditions,

the Seminoles continued to be uninterested in what the white man had to offer.

The Seminoles' fears were realized when white cattle-rustlers from the Pottawatomie country and Oklahoma Territory conducted raids into the nation and made off with their stock. This resulted in the Seminoles building a barbed wire fence along the entire western border of the nation,[150] thus isolating themselves still further from white encroachment. Some of the younger Seminoles fell prey to white liquor stores, saloons and gambling dens that arose along the border in the 1880s and 1890s and this led to further resentment within the tribe. Mutual suspicion and conflict characterized relations between Seminoles and whites on the Indian Territory frontier during these years. The almost inevitable explosion took place in 1898 during the infamous Mont Ballard case when two young Seminoles were accused of raping and murdering a white woman in the Pottawatomie country and were subsequently burned alive by a white mob. Tensions ran high and for a time there was talk of a fourth Seminole war on the frontier.[151] Though it came to nothing, the affair vividly illustrated the ill-feeling and distrust that existed between Seminoles and whites during the postbellum period. As late as 1903, it was noted that the Seminoles "wouldn't talk to white settlers".[152] They clearly did not listen to them either.

Thus, it can plainly be seen that white agents of acculturation failed to make a significant impact on the Seminoles after the Civil War. The tribe remained either uninterested in or opposed to acculturative influences and Indian agents, missionaries, educators and white settlers alike made little headway in bringing the Seminoles into line with the other Civilized tribes. The Seminoles retained not only many of their traditional customs and institutions but also much of their native philosophy, and this extended to their views on Blacks. The Freedmen

were not seen as being inherently inferior just because they were Black. They were, quite simply, different. As the Seminoles had no desire to impress their white and mixed blood neighbours, and were unconcerned with competition and the profit motive, they had no need to discriminate against Blacks or relegate them to the bottom rung of the economic and social ladder in order to bolster their own status. This largely explains why the Blacks were afforded equality of opportunity and left to their own devices. In short, the Freedmen derived great benefit from the refusal of the majority of Seminoles to adopt the capitalist ethic.

The fourth reason behind the success of Seminole reconstruction lay with the nature of antebellum relations between the Seminoles and Blacks. Unlike the other Civilized tribes, the Seminoles had failed to adopt a profit-based capitalist economy and the racial notions of the white south in the years prior to the Civil War. No intermarried white and mixed blood elite had arisen within the tribe and there had been no plantations, industries, or substantial commercial enterprises in the Seminole country. The Seminoles had remained a tribe of fullblood subsistence farmers holding native views of slavery. The fullblood Seminole slaveholder had thus felt no need for a large slave labour force, or the controls thought necessary to preserve it. In consequence, Black slavery in the Seminole nation had had no sound economic base but had continued to be associated with tribute and deference. Though a number of the progressives had become increasingly aware of the value of slave property, had frequently adopted the rhetoric of their white and mixed blood plantocrat neighbours and, on occasion, had engaged in purchasing and selling Blacks, Seminole slaveholders had tended to be held in check by the strength of the tribe's traditions and had usually retained their Blacks and treated them well.

Seminole slavery had thus come to include few, if any, of the stereo-

types associated with "the Peculiar Institution". The Seminole Blacks had had few demands placed upon them and had controlled most aspects of their daily lives. They had been allowed to utilize Seminole land and keep most of the products of their labour, own arms and horses, live apart from the Indians in their own towns under Black leadership, move around freely both within and outside the Seminole country, and maintain a separate and unique culture. Manumission had not been unusual and Indian-Black intermarriage, though not frequent, had not been unknown. Both slaves and free Blacks had attained positions of importance within the tribe as interpreters and advisers to chiefs, and religious leaders. The traditional alliance between the Seminole conservatives and the Blacks had survived the traumas of removal and had been strengthened in the late 1850s by the arrival of Billy Bowlegs and his recalcitrant followers. Thus, the tribe's retention of its native practices, and its failure to adopt the culture and attitudes of the white South had largely determined the course of Seminole-Black relations during the ante-bellum period. An appreciation of this is vital to a clear understanding of the success of Seminole reconstruction.

As a result of their antebellum experience and the events of the Civil War, the Seminoles found themselves peculiarly well-prepared to cope with emancipation and reconstruction. The Seminoles were led by sympathetic conservatives and incorporating the Freedmen into the tribe and granting them equal rights required few adjustments. The tribe had no system of institutionalized slavery or Black codes to dismantle. Though they had lost assets in slave property, former Seminole slaveholders were less concerned with profits than their mixed blood neighbours and so felt less resentment. Seminole slaves, moreover, had been largely intangible assets and emancipation had not resulted in a substantial loss of labour to the slaveholder. As there was no plantation

agriculture or industry in the nation, former Seminole slaveholders lacked the incentive to create a depressed Freedman labour force to take the place of their slaves. The Seminoles were thus removed from the economic pressures that dogged the course of Indian-Black relations in the other Civilized tribes during reconstruction.

Though the Seminole Blacks made very real gains during reconstruction, their incorporation into the tribe caused barely a ripple. It was, after all, but a small step to give the Blacks a stake in the land they had formerly used almost exclusively for their own benefit. Likewise, the move from interpreters and advisers to Seminole council members was easily accommodated. As in Florida, the Black townships fitted easily into the confederate system employed by the Seminoles during reconstruction. The previous pattern of Indian and Black social separation, moreover, was repeated and facilitated good relations between the two groups by reducing the possibility of racial friction. The Seminoles and Blacks carried on much as they had during the antebellum period, farming their small plots and keeping themselves to themselves.

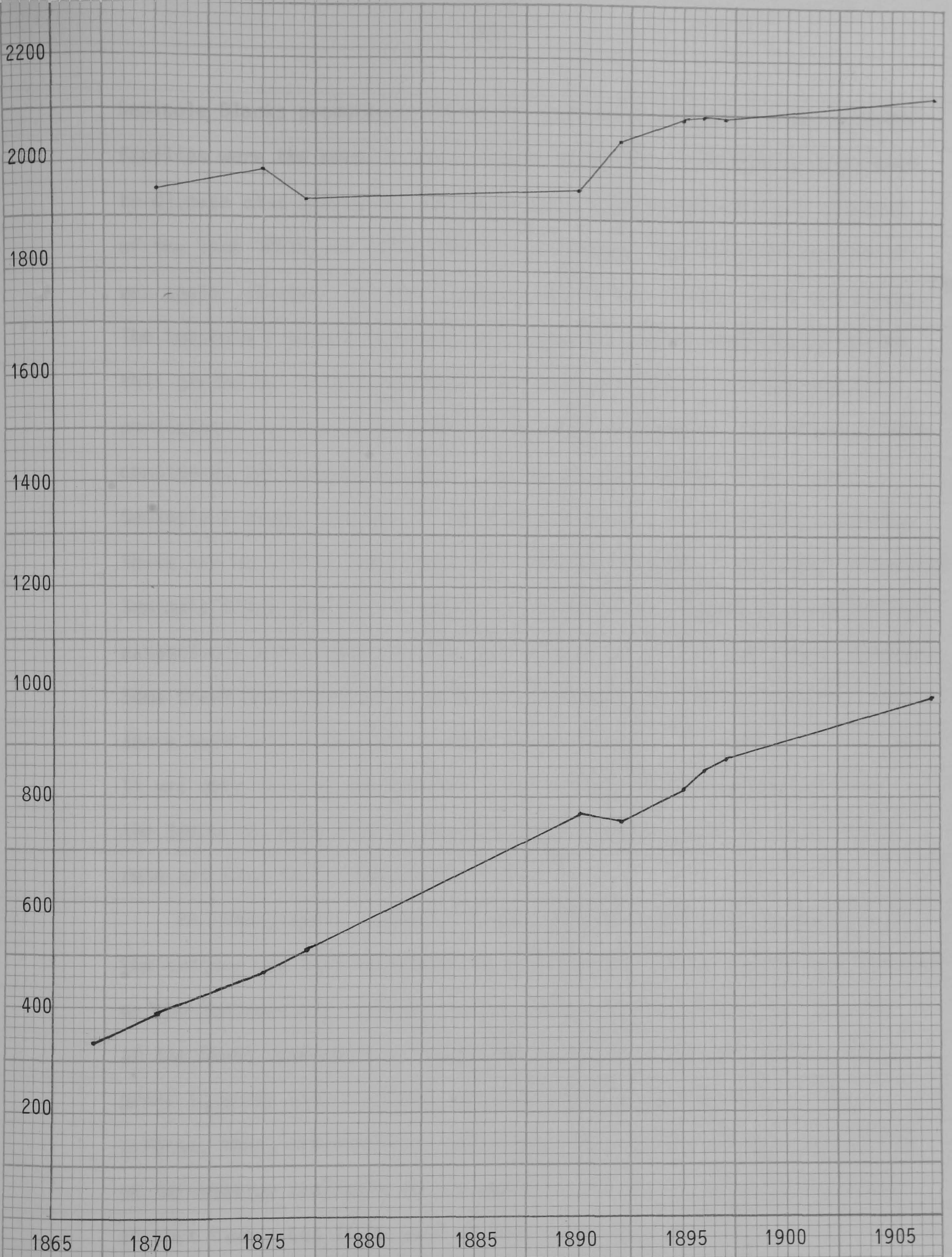
The final and most important reason for the success of Seminole reconstruction lay with the continued social separation of the Indians and Blacks. In essence, the Seminoles and Freedmen adopted a policy of "peaceful co-existence" or "separate but equal" that proved to be enormously successful. The arrangement was not enforced racial segregation or a rigid code of conduct but a tried and trusted formula for negating conflict. The Seminoles and Freedmen were not interested in integration, they simply wished to be left to their own devices and both parties gave their full consent to the arrangement.

Though they were incorporated into the tribe and given equal rights, the Freedmen were not, as a rule, adopted into Indian clans or towns, which continued to constitute the two great pillars of Seminole civilization.

In consequence, social interaction and intermarriage between Seminoles and Blacks remained minimal. As the two groups were fairly large and living in a relatively small area, some interaction inevitably occurred. Occasional reference was made, for example, to the fact that the Seminoles and Freedmen sometimes attended religious meetings and ball games together.[153] The alliance between the Seminole conservatives and the Blacks remained fairly strong, moreover, the two supporting the Creek recalcitrants during the Green Peach War, for instance.[154] For the most part, however, the Seminoles and Freedmen lived apart in separate towns, attended separate schools and churches, and maintained different cultural traditions. Those Freedmen who moved widely in Seminole circles were members of a small elite group. These Blacks generally had a long family tradition of close association with the Seminoles, spoke Muskhogean, and held positions of power within Seminole society. The members of this group were far more likely than other Freedmen to intermarry with the Indians. The great majority of Blacks, meanwhile, appear to have had relatively little to do with the Seminoles, conducting their lives almost entirely in the virtually independent Freedman townships.

During the period from reconstruction to statehood, the Freedman population rose dramatically while that of the Seminoles remained static (see Chart One). Between 1871 and 1875, for example, the Freedman population rose by 20.83% while that of the Seminoles rose by just 1.95%. Between 1870 and 1907, moreover, the Freedman population rose by 156.77%, from 384 to 986, while that of the Seminoles rose by just 9.53%, from 1952 to 2138. In 1870, the Freedmen had constituted 16.44% of the total tribal population but by 1907 they accounted for fully 31.56%.[155]

The enormous rise in the Freedman population was not attributable to intermarriage with the Seminoles or an infusion of immigrants but to a high birth rate and low death rate among the Blacks themselves. The



KEY

— Seminole Indians

— Seminole Freedmen

CHART ONE

Population of the Indians and Freedmen in the Seminole Nation, 1866-1907

Seminole Blacks produced children at a prolific rate and large, extended families were the norm in the Freedman townships. The Blacks' resistance to disease also played an important role. During the smallpox epidemic of the late 1890s and early 1900s, for example, the Seminole population was again ravaged but the disease made little headway among the Blacks.[156] The Seminole Freedmen intermarried extensively with Creek Blacks during this period but only occasionally with Creek Indians. If the female participant in such unions were a Seminole Freedwoman, the offspring were considered Seminole Black also. While it would appear that as many Seminole Freedmen engaged in such intermarriages as Seminole Freedwomen, there can be little doubt that the infusion of Creek Black blood stimulated Seminole Black population growth. The Seminoles, meanwhile, intermarried extensively with Creek Indians, but only occasionally with Creek Freedmen. Some Creek Black blood did pass into the Seminole Indian population, but there were only a handful of such mixed bloods in the nation at statehood. It was only through substantial intermarriage with Creek Indians that the Seminoles were able to counter their low birth rate and high death rate and keep their population steady.[157]

An ethnographic analysis of the Seminole population at the turn of the century has been conducted by studying the family information divulged on the Seminole and Freedman census cards compiled under the auspices of the Dawes Commission. Though the cards are difficult to work with, prone to error and, at times, provide insufficient detail for the purpose, they, nevertheless, constitute the largest and most useful body of information available on the genealogy of the Seminoles and Freedmen at that time. Let it be said at the start, because of the inadequacies of the cards and the errors contained therein, it is impossible to put an exact figure on the amount of Seminole-Black intermarriage that had taken place since the Civil War or state with any certainty the number of

mixed blood Indian-Blacks living in the nation at statehood.[158] Nevertheless, the cards give a clear indication of the extent of Indian-Black intermarriage in the Seminole nation and the type of participant engaging in such unions.

A number of important conclusions relating to racial intermixture can be drawn from the information contained in the census cards. First and foremost, there appears to have been an extremely low incidence of intermarriage between Indians and Freedmen, resulting in but a small population of mixed blood Seminole-Blacks. Secondly, there were more cases of intermarriage between Seminole Freedmen and Indian women than between Indian men and Seminole Freedwomen, but both types of union appear to have been rare. The census cards indicate that there were just 30 mixed blood Seminole-Blacks on the Seminole rolls and 15 on the Freedman rolls. A further 23 individuals on the Indian roll are known to have been mixed blood Seminole-Creek Blacks.[159] Only 7 Seminole women of no known Black blood are indicated as having had children by Freedmen of no known Indian blood. Just 2 men on the Seminole roll of no known Black blood, moreover, had children by Seminole Freedwomen. Of these 2, one was an adopted white and the other an Indian who died before allotment. Finally, only 5 Seminole Freedmen of no known Indian blood fathered children by Seminole women of no known Black blood. Though these figures should be viewed as indicators of trends rather than accurate statements of fact, they clearly point to a paucity of Indian-Black racial intermixture in the Seminole nation. Including the mixed blood Seminole-Creek Freedmen, the total number of mixed blood Indian-Blacks indicated in the census cards was only 68, or just 2.18% of the total Seminole population. Even allowing for a large margin of error, their numbers were clearly very small.

The third conclusion that can be drawn is that it was generally prominent Freedmen who participated in intermarriage with Seminole women. Two of the Blacks of no known Indian blood who had children by fullblood

Seminole women, for example, were Tom Noble and Grant Bruner, sons of the prominent postbellum band chiefs William Noble and Caesar Bruner respectively. These Blacks spoke Muskhogean and held important positions in the tribe, Tom Noble being a blacksmith and Grant Bruner a council member and lighthorseman.[160] It seems likely that they had extensive contact with the Indians through their fathers and their office. Thus, it would appear that Freedmen participants in Indian intermarriages were usually members of that small, elite group of Blacks that held important positions in Seminole society and interacted extensively with the Indians. Status was probably attached by Blacks to an Indian marriage. Such marriages would have bolstered the position of these leading Blacks within Freedman society, their children being included in Indian clans and towns and considered to be Seminoles. The opposite appears to have been true for Seminole men. A Black intermarriage brought no social advantage for an Indian male, his children being effectively excluded from Seminole society and treated as Freedmen.[161]

Fourthly, Freedman naming practices were carried into Seminole society through intermarriage. Though the children of Black men by Indian women were considered Seminoles, they took the surname of the father. Characteristic Seminole Black christian names, such as Nero, were also used occasionally.

Fifth and finally, mixed blood Seminole-Blacks were far more likely to engage in further intermarriages than other Indians or Freedmen. Mixed bloods who were considered Indian through a Seminole mother married both Indians and Freedmen, and mixed bloods who were considered Black did likewise. Mixed blood families also tended to have close ties and engage in intermarriage with each other. This led to a peculiar development. Because of the matrilineal system of descent, it was possible for predominantly Black mixed bloods to be considered Seminole while predominantly

Indian mixed bloods could be considered Black. A study of land holding in the Seminole nation at the time of allotment, drawn from the records of the Dawes Commission, has indicated that mixed blood Seminole-Blacks tended to live on the fringe of Indian and Freedman society (see Chart Two).[162] The suggestion is strong that these individuals passed uneasily between the two societies, some marrying Freedmen, others Seminoles, still others both. One is left with the impression that they never really belonged to either society and experienced identity problems. Little is known about Seminole or Freedman attitudes to the mixed bloods, however, or indeed, how they viewed themselves. Many questions remain unanswered and much important research still needs to be done in this area.[163]

A great deal of light can be thrown upon the nature of Seminole-Black intermarriage by looking at the experiences of the three most prominent mixed blood families in the nation, the Nobles, the Coodys and the Warriors. The two latter had close ties and all three exhibited the traits mentioned above. Perhaps the most interesting of the three was the Noble family.[164] Tom Noble, the son of the Black band chief William Noble and the Seminole Freedwoman Dinah, married the fullblood Seminole Wasutke prior to the Civil War. The couple had 5 children: Rinah, born in 1860; Albert, born in 1870; Nero, born in 1872; Logan, born in 1875; and Leah, born in 1879. All of these were half Seminole and half Black but because of the matrilineal system of descent they became members of their mother's Indian band, the Oktiarche band, and were eventually enrolled as Indians. The marital experiences of these 5 individuals say much about the ill-defined position of mixed bloods in Seminole society.

By the time the census cards were compiled, Rinah Noble had 9 children by 5 different husbands, at least 4 of whom were Black. Rinah married 2 Seminole Freedmen, Robert Davis and March Doser; 2 Creek Freedmen, Jim

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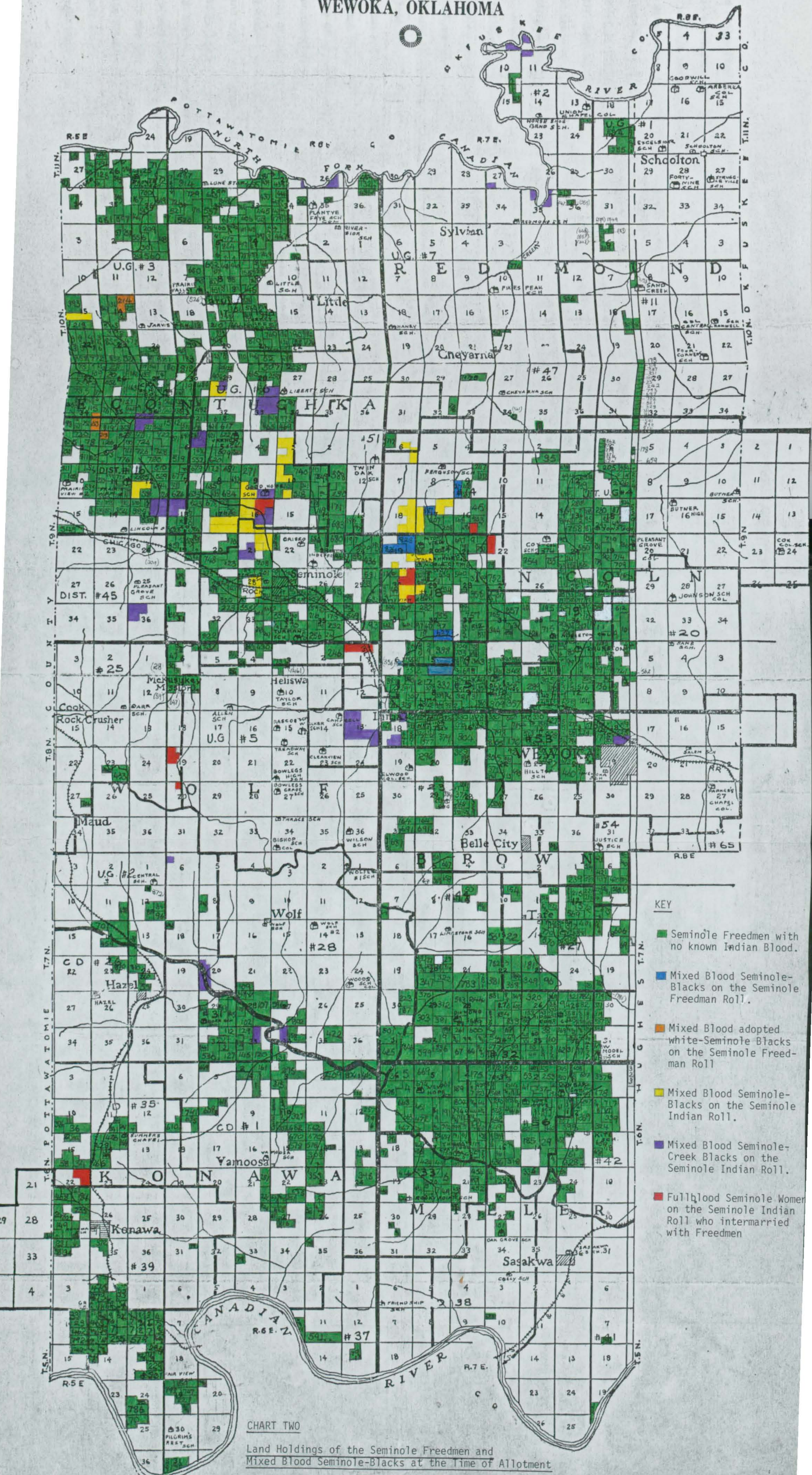


CHART TWO

Land Holdings of the Seminole Freedmen and Mixed Blood Seminole-Blacks at the Time of Allotment

Carter and Philip Eleck; and a non-citizen, Prairie Bill, whose racial make-up was not indicated. 6 of Rinah's children, therefore, were 3/4 Black and just 1/4 Seminole while the other 3 were at least 1/4 Black, but all 9 were enrolled as 1/4 blood Seminoles through the mother. Albert Noble, meanwhile, had children by both a Freedwoman and an Indian. Albert had a daughter by Seminole Freedwoman Rebecca Andrews and the child was subsequently enrolled as a Black. He also had 4 children by Lousianna, a fullblood Seminole. These children became members of Lousianna's Indian band, also the Oktiarche band, and were later enrolled as 3/4 blood Seminoles. Interestingly enough, after Albert's death in 1903, Lousianna married a fullblood Seminole, and had a daughter by him.

Nero Noble, meanwhile, married Seminole Freedwoman Rachael Carter, a daughter of one of his sister Rinah's husbands, Jim Carter, by another woman. Nero and Rachael had three daughters, but although these children were 1/4 blood Seminole, the same as those of Rinah, they became members of a Black town and went on the Freedman roll through their mother. Logan Noble had two children by Seminole Freedwoman Susie Mills, the half-sister of one of his brother Albert's wives, Rebecca Andrews. These children were also enrolled as Freedmen. Finally, Leah Noble married Seminole Freedman Bob, or Bud, Carter, another child of Jim Carter, and had 3 children by him. Like most of Rinah's children, Leah's offspring were 3/4 Black and only 1/4 Seminole but were included in the Oktiarche band and enrolled as Indians. Leah also had a daughter, Polly, by Seminole Freedman Bob Bowlegs, the former husband of Rebecca Andrews. Polly, also 3/4 Black, apparently lived with her fullblood grandmother, Wasutke.

Thus, by the time the cards were compiled, the one Indian-Black intermarriage between Wasutke and Tom Noble had given rise to 28 mixed blood Seminole-Blacks. 8 of these were enrolled as Freedmen and 20 as Seminoles. Of these latter, at least 10 were 3/4 Black and a further 5

were 1/2 Black. The 8 mixed bloods who were enrolled as Freedmen were 1/4 Indian the same as those 10 that were enrolled as Seminoles. Cousins and half-sisters of the same racial make-up, moreover, were divided into either Indians or Freedmen, depending upon the mother. Though it is hard to assess how accurately the rolls reflected Seminole society, band affiliation alone suggests that some mixed bloods were considered Indian while others were considered Black. How they considered themselves is another matter. They had children by both Indians and Freedmen and close links with other intermarried and mixed families. Perhaps there was a camaraderie of colour, caste or circumstance among these families. It would be most interesting to trace the marriage patterns of the predominantly Black mixed blood Nobles who were enrolled as Seminoles, during the Twentieth Century. But that, unfortunately, lies beyond the scope of both the census cards and this work and must, for now, remain a fertile field for study.

These same traits were displayed by the Coody and Warrior families, which became closely linked.[165] Seminole Freedman Dosar Coody, a former slave of Bill Coody, married Tar-thloga (variously spelt Tuthoka and Toth-hoga), a fullblood Seminole, sometime before 1870 and probably shortly after the Civil War. The couple had 5 children, 4 sons and a daughter: Tom Coody, born in 1870; Daniel Coody, born in 1873; Sarah Coody, born in 1876; Joseph Coody, born in 1883; and Bob Coody, born in 1886. All 5 became members of their mother's Indian band, the Echoille band, and were later enrolled as Seminoles. Their marital experiences were very similar to those of the mixed blood Nobles.

The eldest child, Tom Coody, married the Seminole fullblood Jennie and had 2 daughters, Amey and Nellie, by her. Amey and Nellie became members of Jennie's band, which happened to be the same as that of their father, the Echoille band. The girls would have been enrolled as 3/4 blood

Seminoles but both died in August 1899 and were not given roll numbers. Daniel Coody, meanwhile, also married a Seminole fullblood, Wisey, but the young couple died before they could have any children.

The only daughter, Sarah Coody, married Jack Warrior in what was perhaps the most interesting union of all, as Jack was also of mixed Indian-Black blood. Jack's Seminole father, John Factor, was a member of the Thomas Palmer band and may well have been the man murdered by Pul-musky in the drunken brawl mentioned earlier. Pul-musky, it will be remembered, was subsequently shot by Black lighthorsemen in what proved to be the last execution in the Seminole nation. Jack's mother, Dicey Harred, was a former slave of Lucinda Edwards, and a Seminole Freedwoman. Like his mother, therefore, Jack became a member of the Caesar Bruner band and was later enrolled as a Seminole Freedman. How Jack acquired the name Warrior is unknown but it probably derived from the Seminole busk title "Tustenuggee" and may have been given him by his father's clan. Jack and Sarah Warrior (née Coody) had a daughter, Stella, who was born in 1898 and enrolled as 1/4 blood Seminole. This classification ignored the Indian blood in Jack's veins, treating him, like all other mixed bloods on the Freedman rolls, simply as Black. Jack had previously had 3 other children by 2 Seminole Freedwomen. He had first married Sarah Cudjoe and had 2 sons, Amos and Levi, by her. He then married Affie Davis and another son, Mattea Davis, was born to them. Interestingly enough, the name Warrior has survived among the Freedmen to the present day. Ben Warrior, the long-serving leader of the Dosar Barkus band, in fact, is the grandson of Jack Warrior.[166]

The fourth child, Joseph Coody, died on 31 May 1900 without issue. In 1898, the 12 year old Bob Coody was living as the ward of the Seminole fullbloods Nocosilla Thlocco and his wife Tina. The reason for this appears to be that Tar-thloga had died sometime earlier, leaving Dosar Coody a widower. Dosar had already had 2 children by Louvina Roberts, a

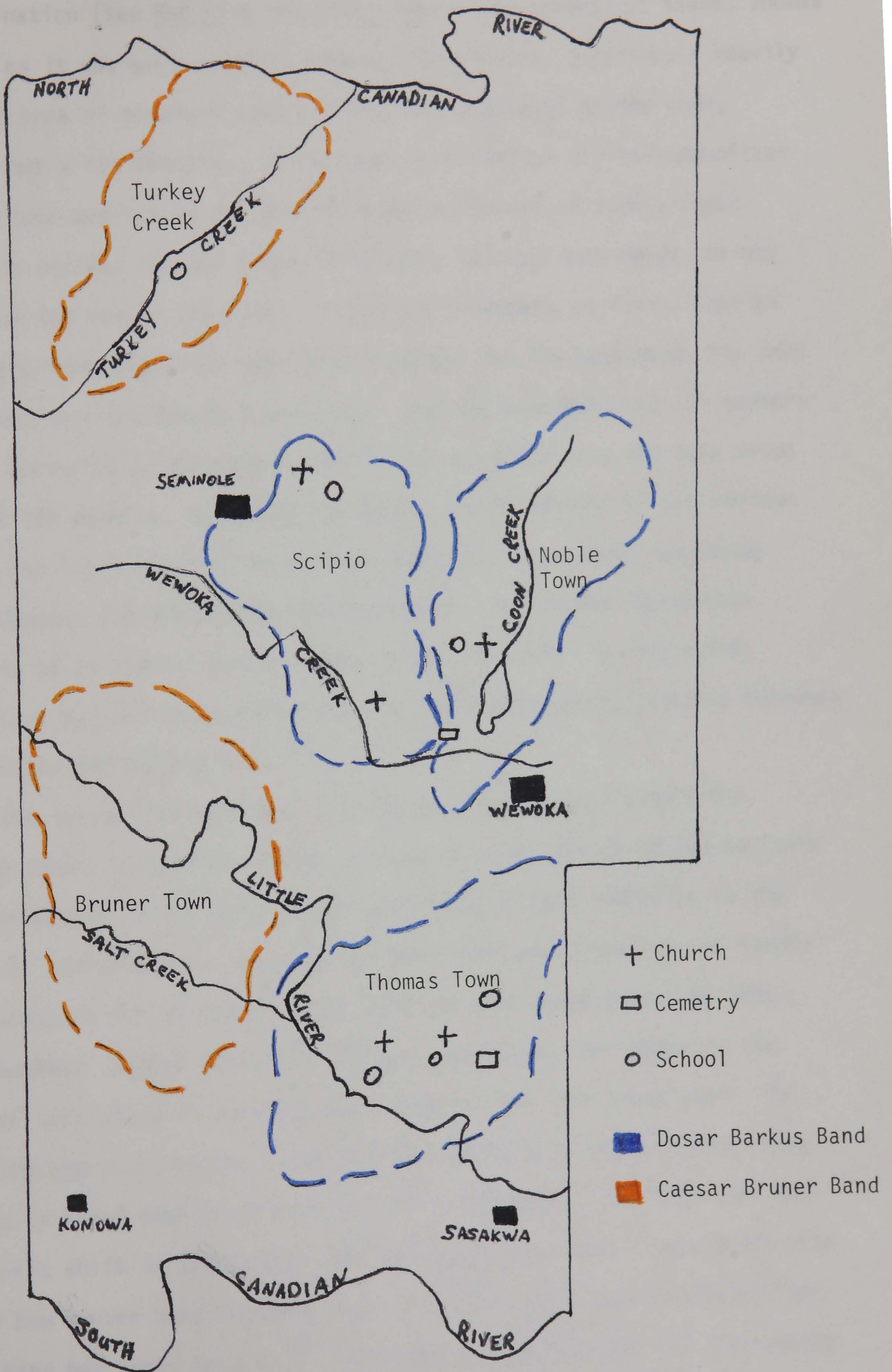
Creek Freedwoman. After Tar-thloga's death he married a Seminole Freedwoman, Hannah, the daughter of Pompey and Hester. It would appear, therefore, that when Dosar re-married into the Freedman community, his mixed blood minor son was adopted by the relatives or friends of his late Seminole wife.

Thus, with the exception of but a few individuals, the Seminoles and Blacks preferred not to cross racial lines but to marry within their own groups. Most mixed marriages in the Seminole nation, moreover, appear to have involved the mixed blood offspring of a handful of earlier Indian-Black intermarriages. By the turn of the century, there were so few mixed blood Indian-Blacks living in the Seminole nation that there could be no hope of their bridging the gap between the two societies, or blurring the colour divide. As a result, they lived on the fringe of Indian and Freedman society, positively identifying with neither and really belonging to none but their own. One can only conclude that the great majority of Seminoles and Blacks preferred to maintain a social distance and refrain from engaging in mixed marriages.

After the Civil War, the Seminoles and Blacks, in their customary fashion, settled apart in separate towns. The Freedmen, at first, settled in 4 towns: Thomas town, situated between present-day Sasakwa and Wewoka, and based on the northern banks of the Little River; Noble town, situated just north of Wewoka; Bruner town, situated midway between present-day Konawa and Seminole, on Salt Creek to the south of Little River; and Pompey town, said to be situated "some 20 miles from Seminole agency"[167] but not designated a precise location. The Black towns were named after the most prominent men in the various communities, Thomas H. Thomas, William Noble, Ben Bruner and Pompey Payne. Three major changes took place in the Freedman townships between reconstruction and statehood, and Thomas town was the only one not to be affected. First of all,

Pompey town proved to be but a short-lived settlement and most of its residents apparently moved to Bruner town in the late 1860s. Secondly, in the early 1880s, Caesar Bruner took most of the residents of Bruner town and moved north of Seminole to establish a fourth Freedman settlement at Turkey Creek. And finally, at some stage prior to 1890, the precise date unknown, a fifth Freedman settlement, that of Scipio, was established. The settlement appears to have been named after Scipeo Davis and was situated just west of Noble town. The fact that the two settlements were so close and, as Art Gallaher has indicated,[168] shared a common graveyard suggests that the residents of Scipio were former members of Noble town who, for unknown reasons, decided to move off to themselves.

The most significant of these developments was the establishment of the Turkey Creek settlement. Even before the Civil War, the Bruners had been engaged in stock-raising. During reconstruction, they increased their holdings substantially. Their eventual removal from Bruner town, in fact, was prompted by the activities of cattle-rustlers based across the Seminoles' western border, in the Pottawatomie country. As Caesar Bruner put it later, his followers were "much troubled by parties stealing their stock".[169] Turkey Creek offered a safer environment and plenty of good open country for grazing. Thus began the large-scale ranching operations of the Bruner families in the northwest corner of the Seminole nation. As a result of these operations, the Turkey Creek settlement came to assume a different character from that of Noble town, Scipio and Thomas town which were all based primarily on farming and raising crops. There also came to be a disparity of wealth, the Bruner cattle barons outstripping the Little River farmers, but this appears to have had little effect upon the Freedmen's camaraderie and sense of community, and relations between the various Black settlements remained cordial. Thus, by the time of allotment, there were 5 Freedman settlements in the



MAP 5: The Seminole Freedman Townships 1866-1900

After Gallaher, Arthur Jr., "A Survey of the Seminole Freedmen"
(M.A. thesis, University of Oklahoma, 1951)

Seminole nation (see Map Five and Chart Two). The largest of these, Thomas town, or as it was more commonly known, Little River, comprised a heavily populated area of around 4 square miles; the smallest, Bruner town, included but a few families. In between were the two allied communities of Noble town and Scipio and the thriving settlement at Turkey Creek.

It is unclear how the Blacks originally divided into bands, or why they chose the number they did. Though the Freedmen, at first, settled in 4 towns, they organized into just 3 bands: the Jim Lane band, the John Brown band, and the Pompey Payne band. The Jim Lane band had 124 members and was dominated by the Bruner family and its offshoots; the John Brown band had 149 members, including the Nobles and 65 members of the various Bowlegs families; and the Pompey Payne band had 62 members, including Robert Johnson and his family, and 29 Paynes. The Pompey Payne band proved to be as short-lived as Pompey town, its base. By the spring of 1868, it had affiliated with the Jim Lane band leaving just two Freedman bands in the Seminole nation.[170]

There appears to have been considerable realignment within the Freedman bands in the late 1860s, perhaps in anticipation of the Seminole re-organization of the early 1870s that resulted in a reduction in the number of Indian bands. When the Jim Lane band was joined by the Pompey Payne band, it had 37 members more than the John Brown band. By 1868, Billy Bowlegs' former adviser Ben Bruner had become the leader of the Jim Lane band and William Noble the leader of the John Brown band. By 1870, the names of the two bands had been changed to those of their new leaders, a trend that would continue until allotment, and there had been a dramatic shift in membership from the one to the other. The membership of the Ben Bruner band had been reduced to 110 while that of the William Noble band had grown to 274.[171] Gallaher has put forward the interesting notion that the Little River acted as a dividing line between the two Freedman bands, the Bruner band encompassing those residing to the south

and the Noble band those to the north.[172] This would seem reasonable in view of the fact that the Noble band would have encompassed three Freedman townships to the Bruner band's one, thus accounting for their disproportionate membership. Furthermore, a study of Seminole Black band membership at the time of allotment, drawn from the records of the Dawes Commission, has revealed that the great majority of Freedmen living in Noble town, Scipio and Little River were members of the Dosar Barkus band (formerly the William Noble band) while most of the Bruner band members lived either at Bruner town or Turkey Creek (see Chart Three).[173] Gallaher's conclusions would thus appear to be sound.

The two Freedman bands went through a number of changes in leadership, and hence also name, during the period. In this, they mirrored the Indian bands which also underwent numerous name-changes. Ben Bruner remained the leader of his band through 1879. In that year, Caesar Bruner was a council member. Shortly afterwards, however, he removed most of the band to Turkey Creek and probably assumed the leadership at that time. The band became known as the Caesar Bruner band and Caesar remained its leader through allotment. By 1906, the aging Caesar had been replaced as band leader by his son, Ucum Bruner, but the band retained his name and has continued to do so to the present day. William Noble also remained the leader of his band through 1879. By 1890, however, Joe Scipio was the band leader and Joe Davis succeeded him shortly thereafter. In 1892, Dosar Barkus assumed the leadership and retained it through allotment. Though Reynolds Cudjo was band leader by 1906, the band kept the Dosar Barkus name and, like the Bruner band, has done ever since.[174]

Freedmen band leaders and council members were also members of that small elite group of Blacks that moved easily within Seminole society. The band leaders wielded considerable power at both the local and national level. Consequently, a band leader was expected to possess certain

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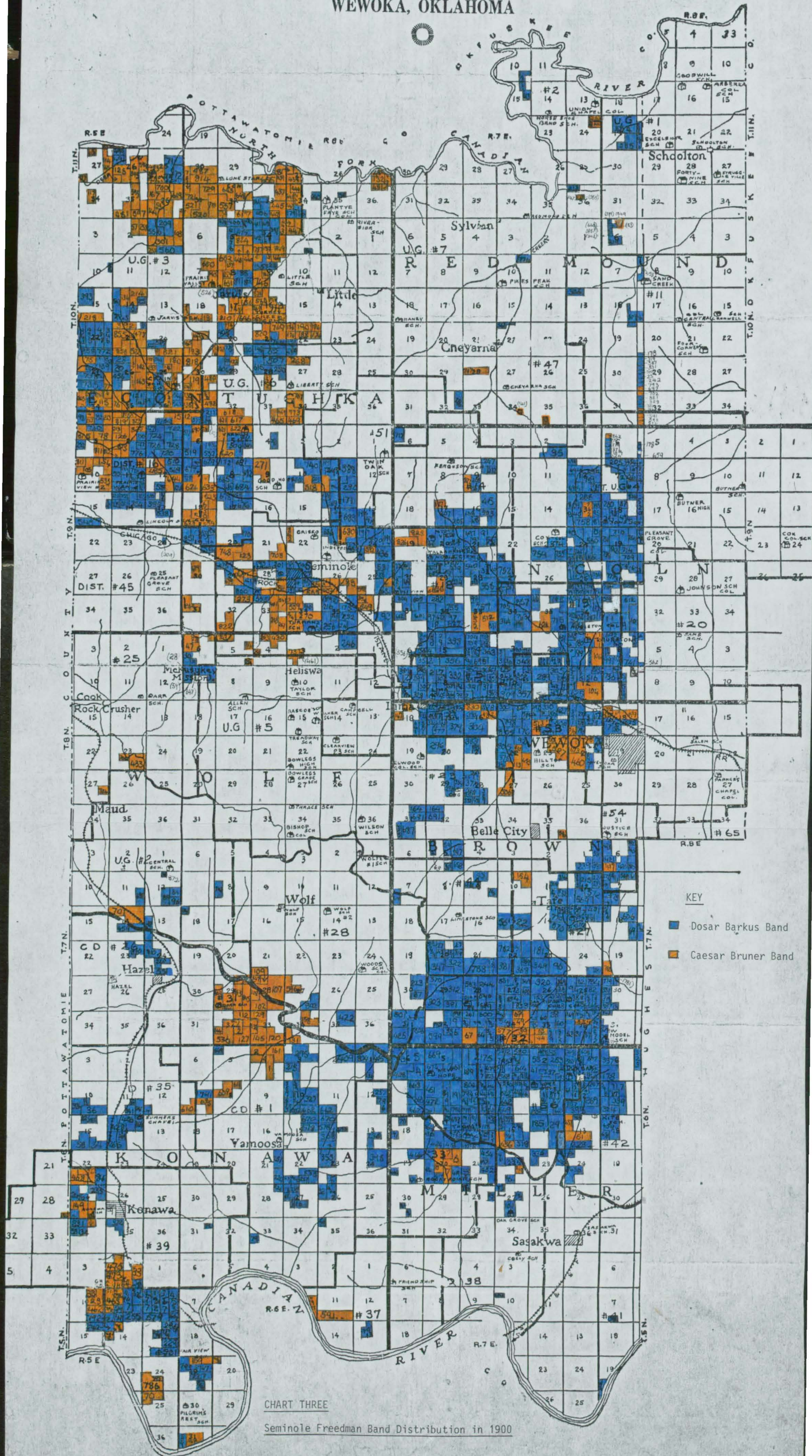

CHART THREE

Seminole Freedman Band Distribution in 1900

qualities and usually the office fell to the outstanding individual in the community. He was to be of good character, honourable, experienced, familiar with the other band members and physically able. It was also essential that he spoke the Seminole language, as council meetings were conducted in Muskhogean. Thus, as Muskhogean-speaking tribal politicians, the band leaders and their families assumed prominent positions in Seminole society, interacted a great deal with the Indians and occasionally engaged in intermarriage. Caesar Bruner furnishes an excellent example. One time tribal interpreter and clerk at the Wewoka Trading Company, Caesar became one of the leading Freedmen in the Seminole nation during reconstruction. He fathered at least 8 children and gave rise to a veritable dynasty of Bruners that came to dominate Freedman economic, social and political life. With the profits from his cattle interests and the store and post office he established at Heliswa, 3 miles south of Seminole, Caesar sent his children to eastern colleges. His son George Washington Bruner and his daughter Louisa became teachers; his son Ucum, a band leader and preacher; his son Tecumseh, a lighthorseman; and his son Grant, a lighthorseman and council member. It was not surprising therefore, that both Caesar and Grant fathered children by women enrolled as Seminoles.[175]

Thus, separate Freedman townships and political organizations became a prominent feature in the Seminole nation between the Civil War and statehood. The Seminole Black town was, in fact, an almost independent and autonomous unit having its own leaders, doctors[176] and preachers, economic and social arrangements, system of local law enforcement, and cultural institutions and activities. The Freedman township comprised a community in every sense of the word. The towns tended to consist of large, closely-knit, extended families living on farms or ranches within a relatively small area around a nucleus of a church, a school, a store and a graveyard. The residents were largely self-sufficient,

requiring little from outside the town. They interacted most of all with each other and Seminole Blacks from other towns, quite extensively with Creek Freedmen, but only rarely with Seminoles.

Some light was thrown upon the Freedman family unit by the annuity rolls of the period, which sub-divided the population under heads of household. The 1870 roll, compiled at the height of reconstruction, furnishes a good example. In 1870, the Ben Bruner band included 100 persons divided into 19 family units headed by that of the band chief, his wife Rachael, and their 7 children. Two males, Fred Cuffee and old Abraham's son, Washington Abraham, were listed alone. The smallest family units included 3 persons and one of these consisted of Robert Johnson, his wife Lizzie, and their son Coody. The largest unit, that headed by Matt Bowlegs, had 10 members and was typical of the extended Freedman family. Listed with Matt were his sister Lydia, her daughters Delilah, Sarah and Hattie; Lydia's sons Mack and Jake; Delilah's daughter Martha; Matt's nephew Guss; and one Gracy, whose relationship to the family was not specified. The William Noble band included 274 persons divided into 40 units with 17 individuals listed alone. The largest of the extended families was that headed by Joseph Barkus and consisted of 15 members, including the future band chief Dosar Barkus. Thomas Payne's family had 14 members and those of Scipio Davis and Lottsy 13 each. Many of the Blacks' names told the story of their past. Included in the Freedman rolls were "Guide", Gibson Payne, Ralina (Carolina) Payne and Ransom Tecumseh.[177]

The pattern of large extended Black families was repeated in all the annuity rolls of the period and, indeed, in the final rolls of the Seminole Freedmen. In preparing Charts Two and Three, it became clear that the Freedman townships were dominated by a handful of large families, notably the Barkuses, Bruners, Bowlegs and Davises. Children also tended to settle near their parents producing remarkably tightly-knit settlement

patterns. For many years, Freedman marriages usually involved members of the same town or, if not, of the same band. It was possible to change band affiliation but few apparently chose to do so. As a result, Chart Three gives a clear indication of the enduring stability of the Freedman townships. Though Seminole Black society was becoming more mobile, with Scipio fast advancing on Turkey Creek, the old town and band affiliations remained strong, particularly in the Little River, Nobletown and Scipio settlements.

The daily lives of the residents of the Black townships changed but little after the Civil War. The great majority lived in log cabins of native timber chinked with clay. Some had a continuous roof, others utilized clap-boards. A rock chimney held together with mud acted as the fireplace and stove. A front "porch" was usually built in and, if the cabin belonged to a band chief or preacher, this often acted as a venue for informal meetings. If a Freedman required shelter, but lacked either the tools or timber necessary to complete a cabin quickly, he generally lived in a dug-out, roofed over with wooden poles and soil. A few are said to have lived in sod houses. There were frame houses among the Seminoles by 1880 but, as there were no lumber mills in the nation and the materials had to be hauled a long distance over poor roads, these were expensive, inconvenient and thus rarely used.[178]

The Freedman family usually owned few household goods or personal possessions, concentrating their resources on agricultural equipment, improvements, seed and livestock. Consequently, the interior of their homes was generally spartan. J.A. Newsom, while travelling to the Sacred Heart Mission in the Pottawatomie country in the early 1880s, passed through Bruner town and visited one of the Blacks' cabins. Though beautifully situated on a small prairie amidst a cluster of trees, the home was but rudely furnished,

> The household goods consisted of two chairs with rope bottoms, a small bench and spring seat. Their bedding consisted of a pile of sage grass in two corners of the hut and two or three well worn quilts for covering. Their cooking utensils consisted of a water bucket, the old time bake oven, a frying pan, a few tin cups, and some knives and forks without handles. The floor and the yard were used for the table.[179]

Clearly, while the Seminole Freedmen fared relatively well throughout the period, and certainly much better than most Blacks associated with the other Civilized tribes, their lot was never easy.

Each Freedman household owned its own cabin and fields. The cabin was invariably placed close to the nearest available water supply. Thus, each of the Freedman townships came to extend along the course of a river or creek. The cabins were originally situated some 50 to 100 yards apart but, as more land came under cultivation, these distances became progressively wider. The fields were not contiguous but scattered, single areas usually consisting of 2 to 3 acres and rarely exceeding 5. The uneven quality of the land meant that the Freedmen tended to concentrate their efforts on small, fertile, areas of bottom land. A family's fields, therefore, were often half a mile or more from the cabin. The Bruners were the obvious exception as they became involved in the range cattle industry and settled in more open, prairie country for grazing purposes. The need for water remained, however, and they eventually populated both banks of Turkey Creek. The country was free range for much of the period. Cattle, horses and sheep were branded, and hogs marked on the ears or nostrils. A stray-pen was erected in each of the towns. After allotment, with its resultant influx of white settlers, however, most of the Freedmen erected rail fences around their farms and ranches.[180]

The Freedman farm was a co-operative family enterprise. Rice and corn were the main crops growing in the fields but some cotton, wheat, oats and barley was also raised. The women planted the rice and worked it with hoes. When the rice came to head the children would act as

bird-scarers. The women then harvested the rice with butchers knives and thrashed out the seed in a hollow stump using fans to blow away the husk. The children prepared the cotton seed by rolling it in damp ashes. The men then planted it in rows, by hand, and later thinned it with hoes. Only enough cotton was grown to make the family's clothes. The cotton was seeded by hand, spun into thread and then woven into cloth. All of the family members threw in their lot at sowing and harvesting time and helped tend to the livestock, which usually consisted of cattle, hogs, horses and chickens with perhaps a yoke of oxen, a mule or two, or a few sheep.

The Seminole Black family was almost completely self-sufficient. Besides its crops and livestock, the family invariably kept a garden and orchard. Beans, peas, sweet and Irish potatoes, squash, turnips, peanuts and pumpkins were grown in the garden. The harvested turnips and potatoes were preserved by being buried in pits underground. Apples, peaches, cherries, melons, apricots, gooseberries and quince were grown in the orchard, a number of these fruits being dried as preserves. Wild fruits, vegetables and herbs were also picked by the Freedwomen and children. Game was plentiful in the Seminole nation during these years and the men engaged in hunting. Deer, quail, wild turkey, prairie chickens, racoons, squirrels and rabbits were all readily available. The naming of Coon Creek and Turkey Creek, on which two of the Freedman towns were based, derived from the preponderance of wildlife in the area. The fishing was also excellent in the many rivers and creeks that threaded through the area.[181] As Seminole Freedman Dave McIntosh put it later, "There was plenty in the country, plenty.... Now you could eat meat of a different kind every day, if you wasn't too lazy to get out and kill it".[182]

Although some small patches of tobacco were sometimes grown in the Black towns, it and several other "luxuries", such as coffee, sugar,

wool and calico, were generally purchased at the nation's stores. Money was scarce and the family used its annuity payments, together with whatever it could earn by trade or industry, to buy these goods. The men tanned cowhides and buffalo hides for quilts and rugs. The women made the family's clothes by hand, using cotton, hides, wool and calico. Again, at times, this became a co-operative effort, the men, for example, tanning squirrel hides for the palms of gloves knitted by the women. The women also prepared the food with the help of the children. This consisted almost entirely of what the family had managed to produce, gather, or kill. Indian corn dishes were again prevalent in the Freedman diet. The corn was soaked in water until soft, then dried, and finally pounded on a rock to produce flour. The Freedwomen then prepared sour-dough cornbread and blue corn fry bread. Sofky, meanwhile, remained a feature of the Blacks' diet. Fresh fruit and vegetables, when in season, and either fresh or dried meat were the other foods most commonly utilized by the Freedmen.[183] Thus, the Seminole Black family continued to control most aspects of its daily life, free of interference. Orphans were adopted and the aged and infirm cared for.[184] The only conclusion left to draw is that, throughout the period from reconstruction to statehood, the Seminole Freedman townships were populated by large, extended Black family units that were almost entirely independent and self-sufficient.

The Freedmen townships not only produced law enforcement officers but also their fair share of criminals. Most Black crime, however, appears to have been committed outside the perpetrator's township. This possibly stemmed from two reasons: respect for family, neighbours and friends, and fear of community action and reprisals. Most of the Black criminals were convicted of horse-stealing. Two of those whipped for this crime were Reynolds Stewart and Stephus Cudjo. Other Freedmen who received

whippings during this period were Wallace Stone and the mixed blood Amos Warrior. One old Black, aged 84, was found guilty of stealing a hog and sentenced to 50 lashes. He died while the punishment was being administered. It was said that the Seminoles took their whippings without comment, making only deep groans. The pleas and cries of the Freedmen criminals, however, could be heard a mile away. The last Freedman to be whipped in the Seminole nation was Harry Thomas for the attempted rape of Adeline Foster, who subsequently married Ned Cudjo.[185]

The most notorious Seminole Black outlaws of the period were the members of the Bob Dosar gang. Listed among Bob Dosar's crimes was the murder of his brother, and he was considered to be highly dangerous. The Freedman lighthorseman, Caesar Payne, was hired to kill Dosar for a fee, it was said, of $1,000. Payne, who was a cousin of Dosar, tricked the outlaw and killed him. In this way, Payne gained many enemies in the Freedman community and was himself killed by Joe Barkus, also a relative of Dosar. Barkus was sentenced to the "pen" at McAlester, served his term, returned to the Seminole nation, and died a short time later.[186]

Seminole Freedmen committing crimes against non-citizens were tried before the Federal courts. In consequence, a number of Freedmen appeared before the court of "Hanging Judge Parker" at Fort Smith. On 19 April 1889, for example, James Mills, a Black, was executed for murdering another Black, John Windham, in one of the Seminole Freedman townships on 15 December 1887.[187] Mills thus joined the list of notorious Black criminals that were given the death sentence by Judge Parker. The list came to include the mixed blood Creek-Black Rufus Buck gang, which included Buss Luckey Davis, a cousin of Carrie Cyrus, whose body was subsequently sent to Wewoka for burial.[188] The gang had been convicted of robbery, rape and murder in the Creek nation. The most famous member of the list, however, was the mixed blood Cherokee-Black, "Cherokee Bill",

whose father, George Goldsby was at one time a Buffalo Soldier. Bill was convicted of robbery and multiple murders and hanged in 1894 at the age of 22.[189] Some Seminole Freedman criminals did not make it to the scaffold. In May 1880, Charley Bowlegs, a Seminole Black, led a party of 4 Indians on a horse-stealing raid into the Chickasaw nation and murdered two white settlers. Bowlegs subsequently committed suicide, one of the Indians was killed in a quarrel, two escaped, and the fifth, Tulwa Harjo, was captured and convicted of murder but was later released.[190]

One particular crime involving Seminole Blacks highlights the sense of community inherent in the Freedman townships. In the early 1890s, Philip (alias George) Lincoln, Renty Scipio and Esau Gardiner were convicted of stealing horses in the Chickasaw nation by the U.S. Court, Eastern District of Texas in Paris, and sentenced to 5 years imprisonment in the house of correction in Detroit, Michigan. Philip died in prison on 25 June 1896 but was subsequently enrolled as a member of Dosar Barkus band by the Dawes Commission and allotted land in the Seminole nation. This later turned out to be a successful ploy of his band chiefs. Though they knew of Philip's death, they said nothing of it to the commissioners so that his "old" and "needy" mother, Eliza, could utilize the land. The plan proved to be extremely successful. Not only did his mother inherit his allotment but also, in 1934, it was decided by the Commissioner of Indian Affairs that his heirs were entitled to his per capita annuity payments.[191] This one example perfectly emphasizes that the Freedman band leaders, wherever possible, looked after their own.

A number of the most famous outlaws in the history of the American West rode through the Seminole nation during this period and a number of them hid out in the Freedman townships. They were attracted by the remoteness of the settlements and their lack of contact with the outside world. Just as the Freedmen secreted the Bowlegs immigrants from Texas,

so they would at various times, for rich rewards, hide the Daltons, the Youngers, the Christy gang and Dick Glass.

Dan Marshall, the father of Carrie Cyrus, was a blacksmith in Wewoka. The outlaws would have him put their horses' shoes on backwards to out-fox the deputies. A number of outlaws came to the Marshall's home for food. They would tie their horses in the woods and await the signal that it was safe for them to come in. The outlaws would sometimes pay $25 for one meal, as money was no object. Carrie baked bread and cookies for Cole Younger and his gang while the small Black boys took care of their horses. The outlawswould sometimes pay $1 for every ear of corn fed to their horses. Carrie became the sweetheart of Gypsy Bill, a member of the Bob Dosar gang but, ironically, later married Dennis Cyrus, who eventually became one of the leading Freedman lighthorsemen.[192]

The notorious Creek Black murderer Dick Glass also 'holed up' in the Seminole Freedman townships in 1885. At one time,he appears to have been at the Little River settlement, giving Sasakwa as an address, and, at another, he seems to have been among his Creek Black associates at Bruner town.[193] It was also said that the Dalton gang sometimes hid out with the Caesar Dindy family at Little River.[194] Because of these clandestine activities, the Seminole Freedman townships, like Marshall town in the Creek nation, acquired the reputation of being lawless communities and the dens of outlaws and murderers.[195] Newsom observed that the residents of Bruner town, "...Were noted, at least a number of them, as being very desperate, they having committed a number of murders and other minor crimes".[196] The Little River community, meanwhile, acquired almost legendary notoriety. It was generally held that lawmen did not dare enter the settlement, for fear of their lives. In a highly emotive article, written in 1914, entitled, "Indian Standard lowered by Seminole Negroes sent to Oklahoma", E.A. Macmillan referred to

the "unenviable reputation... for criminality... of that band of outlaws" and concluded that this tendency was a result of the law of heredity, the Freedmen being descendants of "the cannibalistic clans that infested the west African coast".[197] The article, in fact, was merely repeating many of the notions that circulated in the late Nineteenth Century. Such ideas served to increase still further the notoriety of the Freedman settlements, and deepen their isolation.

The Seminole Freedman band leader was responsible for seeing that life in the community ran smoothly. One of his main functions was to co-ordinate community action. There is no evidence that communal fields were ever utilized by the Blacks but rail splitting, road maintenance, church construction and such like were group projects. The Freedmen probably also helped one another out at harvest time. There seems to have been a system of local law enforcement and occasional community action against criminals, such as in the raising of posses. The Blacks would also have had some kind of alarm when the town came under threat, the men meeting in an agreed-upon spot. Thus, the Blacks were prepared to deal with bandits and desperadoes in the 1870s, 1880s and 1890s as they had with slave hunters and kidnappers in the 1840s and 1850s. Most of the activities would have been arranged and organized by the band chief.

The band leader acted as a clearing house for local problems, either deciding issues himself, or referring them to the council. He was also given the role of a justice of the peace, enforcing local laws, determining the rights of inheritance, and deciding land or property disputes. He was responsible for keeping records of his members and disbursing annuity payments. He also made decisions regarding requests for changes in band affiliation, though these were few. The band chief was also, usually, the town's religious leader, instigating and co-ordinating social events, and relating items of news to the populace, from the pulpit. In such

ways, the band chief became familiar with each of the families in his town and band and, in turn, was treated as a known and trusted adviser. He was consulted on personal matters, and asked to choose between suitors and such like.[198] Thus, the Black township was steered along a smooth course by the guiding hand of the Freedman band chief.

One of the most interesting and important institutions to arise in the Freedman townships during reconstruction was the Black neighbourhood school. Again, this highlighted the separation of the races in the Seminole nation. Though Freedman children were permitted to attend Indian schools, they rarely did so. The Blacks preferred to construct their own schools in the Freedman townships and send their children there. There were some attempts at integrated education in the mission schools and academies but these were on a small scale, ran for a limited period, and sometimes led to friction. The Freedman neighbourhood school would remain the main centre of Seminole Black education throughout the period.

After the Civil War, some of the interest on the funds accruing from the Seminole treaty of 1866 was used to create a system of education within the nation, albeit of a limited nature. Two new school houses were built in the summer of 1867, one for the Blacks at Noble town and the other for the Indians at Wewoka.[199] Following agent Reynolds' suggestion, the Presbyterian Home Mission Board provided the teachers for the schools, Reverend Ramsay initially assuming control at Noble town and Miss Mary M. Lilley at Wewoka. Though both the Freedman and Indian children were beginners, it quickly became clear that the Black students held an enormous advantage. Much of the curriculum was concentrated upon the teaching of the English language. With this requirement the Indians experienced great difficulty "but few knowing even the alphabet, and none speaking English".[200] As an English-based creole was their first language, the Black children fared far better, Reverend Ramsay reporting in August 1868,

> ....Nearly all commenced with the alphabet, but some of these could read well in Wilson's second reader before school closed. Such eagerness to obtain an education as they manifested is rarely seen. Although very destitute of clothing, and the winter very severe, they would not miss a day from school, many of them coming through the snow on bare feet.

The Noble town school ran for 6 months and averaged 30 pupils in its first year.[201]

In the summer of 1868, Ramsay took over at the Wewoka school and Mrs. Cora Shook assumed control at Noble town. On 27 May 1870, she reported,

> The scholars have progressed very well; behaviour generally good. Average attendance per day, 20; more girls than boys. Different studies, First, Second, and Third Readers, geography, arithmetic, spelling and writing. Most of the scholars and people have taken an interest in the school, and some of them have taken a great deal of interest in their studies.[202]

Mrs. Shook remained at Noble town school until 1871 when she was dismissed for incompetency and replaced by Maggie Washburn.[203] That same year a second Freedman school was opened at Bruner town. Agent Breiner furnished around $70 from the school-fund to purchase flooring, windows and rails and the Bruner town residents completed the construction. By 1872, there were two Seminole schools in operation as well as the two Freedman schools. The Bruner town school, however, was considered to be "the most complete and comfortable school-house in the nation".[204]

In that latter year, J.L. Lilley, the son of the former missionary to the Seminoles, was the teacher at the Bruner town school. Apart from his duties as school teacher, Lilley also conducted a Sunday school for the local residents which both children and parents attended. Agent Breiner considered this to be,

> ... A very important branch of education, for, although many of them profess to be Christians, and no doubt desire to conform to its rules, yet their knowledge of its teachings and requirements is very limited, and so much mixed with superstition and heathenish customs that it would be very difficult to determine whether they have built upon the rock or the sand.[205]

The statement echoed that of Ramsay in the late 1850s when the minister

was concerned that Robert Johnson was imparting "heathenish" ideas to the Blacks along with his Presbyterian teachings. It would appear that Africanisms were still included in the Seminole Black version of Christianity.

In his annual report for 1872, agent Breiner made important observations regarding the state of Indian and Freedman education in the Seminole nation. The district schools had made commendable progress during the last session, "especially the colored schools". The Indian children were hampered by not having English as their first language or teachers that spoke Muskhogean. As the Blacks could "all speak a jargon English", their children held a great advantage over the Indian children in acquiring an education. Both the teachers of the Freedman schools spoke encouragingly of the progress their pupils had made last session and hoped and believed that some would become qualified to assume "useful and important stations among their people". Breiner concurred with their assessment, believing that, in time, the Black children would grow up to become "the principal men and women of the nation". Their success would be attributable not to "a superior intellect or greater aptitude to learn than the Indian" but to their "partial knowledge of English".[206] Breiner's prophecy was largely fulfilled in the early Twentieth Century as the educated and talented Freedman J. Coody Johnson came to dominate Seminole tribal affairs during the chieftainship of the Muskhogean-speaking fullblood, Hulbutta Micco.

Once equality of educational opportunity for the Freedmen was assured, reports on the schools in the Seminole nation tended to become of a more general nature and usually failed to differentiate between Indian and Black educational establishments and students. Consequently, detailed knowledge is lacking on the history of the two Freedman neighbourhood schools during this period. But at least a partial picture can

be pieced together from various sources. In the fall of 1874, Mr. David C. Constant was assigned to the Noble town school and he apparently continued to teach there until around 1878. In the spring of 1886, Mrs. Junkin of Columbus, Ohio, took over the running of the school and she was afterwards assisted by her husband, Dr. Junkin. The two remained at the school until 1888 when they resigned and returned home to Ohio. In 1890, the Noble town school was being taught in the church house by a Freedwoman, Louisa Bruner, of whom more will be said in a moment. The school ran for 9 months that year. The children attended for part of the day and then returned home to work in the fields, particularly at harvest time. Pupils at the school at that time included Ned and Joe Allen; Whistler and John Noble; Harry Cyrus; and Dave McIntosh. All of the children were Blacks except for two Indians, Robert and Millie, the son and daughter of Este Larney, Captain of the Seminole lighthorsemen.[207]

When the Bruners removed to Turkey Creek, they constructed there the Mount Zion Baptist Church at a total cost of $600. $200 of this was donated by the Seminole council from the tribal school fund provided that the church was also used for educational purposes. The Turkey Creek school, in consequence, continued to operate through the time of allotment.[208] In 1877, there were represented as being 5 neighbourhood schools in the nation, one having recently opened at Wewoka, with a total enrollment of 100 Indian and 80 Black students.[209] By 1881, however, there again were just 2 Indian and 2 Black schools among the Seminoles. The census-takers of 1890 reported that there were 4 neighbourhood schools in operation in the nation, "Two of these public schools are set apart for the education of negro children, and have an average attendance of 47 pupils, as against 34 for the Indian schools".[210] Thus, though they only constituted between a sixth and a third of the tribe throughout the period, the Blacks had half of the neighbourhood schools and nearly half of

the total number of students. The average daily attendance in the Freedman schools was also higher than that in the Indian schools. The Blacks, in general, seem to have been more interested in education than the Seminoles, and the Freedman children clearly found it easier to adapt to its requirements. The Black neighbourhood school became an integral part of the Freedman township and was joined in a close association with the local church.

A number of experiments in integrated education were conducted by the missionaries in the Seminole nation during the period, but on a limited scale. The most interesting of these integrated institutions was the school established at Wewoka by Mrs. Antoinette C. Snow Constant. The Constants left their home in Labelle County, Kansas, for a tour of Presbyterian missionary duty in the Seminole nation in the summer of 1873, arriving at the old Oak Ridge mission near Wewoka in early September. The Constants opened their first school, "In a log cabin near the mission", soon afterwards, which met with but little success. In 1874, Antoinette opened a school in the basement of the new Presbyterian church in Wewoka, some two miles south of her home at the mission. Each day, she rode to the school by pony or buggy.[211] The school came to include both Indian and Black students. Moses Chapone, who was subsequently enrolled as a fullblood Seminole, was one who attended this establishment, later describing it as "a mixed school for the Indians and a few negro children".[212] That same fall, David Constant became a teacher at the Noble town school.

The basement in the Presbyterian church was dark and damp, having no stove or fireplace to provide heat and light. Consequently, in the winter of 1875, Mrs. Constant removed the school to the nearby and recently-vacated Seminole agency. The Constants also used the building as their home and base of operations. One of the rooms was fitted out with modern desks and charts. The walls were decorated with scripture texts and

mottoes and a small Mason and Hamlin rosewood organ was installed, which gave a great deal of pleasure to the children. In no time at all, it became "one of the best equipped and attended school-rooms among the Seminoles". At its peak, the school had an enrollment of over 50 Indian and Black children. Among the Indian students were the fullbloods Anna Nulcup Harjo and "Billy", a nephew of Chief Chupco. Among the Blacks were Carrie Cyrus, J. Coody Johnson and Louisa Bruner, the daughter of the Freedman band Chief Caesar Bruner.[213]

As their fathers were both prominent interpreters in the Seminole tribe, Coody and Louisa had learned Muskhogean at an early age and thus assumed the role of interpreters in the class. Coody was about 10 years old at this time and was described as being "bright and always ready to do his part in the school". When Louisa first entered the school, "She came barefooted, with a kerchief on her head, thinly clad but neat and clean" and knowing "but little of civilized life". Mrs. Constant claimed that Louisa was, "... A mixed blood, tall, with negro features. In appearance the Indian predominated, but she claimed the negro race". Louisa had an insatiable thirst for knowledge,

> She early accepted Christianity and became a great help in Bible-work and in the class-room in our school. She was the first girl among the Seminoles to learn to play the organ; and with her fine voice became a leader in the school.

For several years, Louisa lived in Mrs. Constant's home, serving as the teacher's interpreter in all her dealings with the Seminoles.[214]

Mrs. Constant appears to have held some remarkably liberal racial notions, particularly when one considers her background and the prevailing attitudes at the time. She wrote in her journal, "I make no differentiation in my work on account of race or color. They are all bright children. All must be educated and christianized". And again, later, "There was <u>ostracism</u> on the part of many because of the education of the two races

together, 'But God, that made the world, made of one blood, all nations of men'". Mrs. Constant held firm to the belief that integrated education benefitted both the Indians and Blacks. She later recalled, "The two races, educated together, made greater progress in learning the English language, in school work, and in Bible Study", and, finally, the education of the Black children, "Proved to be helpful to the Indians and a blessing to both races".[215] Mrs. Constant corresponded on this subject with the President of the Hampton Normal Institute for the education of Indians and Freedmen in Hampton, Virginia, Chapman Armstrong. The two exchanged notes based on personal experience and their relationship would eventually result in a number of Seminole and Freedman children attending the institute.[216]

The Wewoka school closed on 30 May 1880 for, what proved to be, the last time. Mrs. Constant became involved in a case of alleged witchcraft within the tribe. An old Indian woman was found guilty by the council and ordered to be shot. It was only through a personal appeal by Mrs. Constant to Union Agent Tufts that the woman was spared. This action cost the school teacher her job, however. She was ordered by the Chief and council to leave the nation for interfering with the tribe's system of justice. As a result, the Wewoka school was broken up and the students scattered.[217]

Before leaving the Seminole nation, Mrs. Constant urged many of her students to enroll at the Hampton Institute under her enlightened mentor, Chapman Armstrong. Louisa Bruner expressed a strong interest in becoming a student. Money was raised for her travelling expenses by the women of the Presbyterian Board and Louisa subsequently made her way east, the journey being an education in itself for a Seminole Black girl who knew little of life outside the Indian Territory. Louisa put the same energy into her studies at Hampton that she had at Wewoka. Armstrong wrote,

soon after she had entered the Institute, that, "Among all his five hundred Indian and Colored girls, he could trust Louisa most". Louisa remained at Hampton for more than four years. After her graduation, she wrote to her former teacher, "The happiest day of my life was when I stepped upon the rostrum to receive my Diploma in my simple calico dress!"[218] Louisa subsequently returned to the Seminole nation and became the teacher at the Noble town school. In so doing, she became the first member of the Seminole tribe to run one of the nation's schools.

With the demise of Mrs. Constant's school, a number of her Indian and Black pupils subsequently enrolled at the Ramsay mission school in Wewoka. The mission school had originally opened in the late fall of 1871 with 12 Seminole boarders and a total enrollment of 16. The mission was closed between 1872 and 1877 but in the fall of the latter year it recommenced with 12 Indian pupils and the missionaries' children. Ramsay's daughter, Maggie, became the principal teacher at the school in the fall of 1879 and the enrollment rose to 33. Soon afterwards, however, Maggie was transferred to the Bogota mission in South America. As she was about to leave the Seminole nation, "Many were the calls made on her by different individuals, both Indians and Africans expressing their regrets at her departure, and asking God's blessing on her".[219] Following the influx of Mrs. Constant's former students, the enrollment at the Ramsay mission school rose to 63 in 1883. Again, both Seminoles and Freedmen attended the school. Prominent Seminole students included Thomas McGeisey, later to become the superintendent of public schools, and Alice Brown Davis, who became the first woman to be a Seminole principal chief, in the Twentieth Century. The leading Black students at the school were King Cudjo, Isaac Bottley and J. Coody Johnson. The Ramsay mission school finally closed in 1894 and both teachers and pupils were transferred to Nuyaka in the Creek nation.[220]

Several Freedmen attended the three other major educational establishments in the Seminole nation, the Sasakwa female academy, the Emahaka academy and the Mekasukey academy, prior to statehood. The Sasakwa Female Academy was run by the Methodist Episcopal Church, South, between 1880 and 1887. In that latter year, however, control was turned over to the Baptists. The Baptist missionary William P. Blake re-opened the school in January 1888 and found both Indians and Blacks among the enrollment of 30. Blake later observed, "The laws of the Seminoles extends [sic] the same privileges to the Negro people among them as to the Seminoles, and so we had negro children from two bands of the Nation".[221] The Sasakwa academy was enlarged into a much larger institution, the Emahaka academy for girls, at a nearby location, in 1893. Three Black girls known to have attended Emahaka were Mary McIntosh, Jeannetta Wisner, and an unnamed daughter of Dan Brown. It seems that a few Black and Indian boys also attended this girl's school for a while. Included among these were Newman Jacobs, John Goat, Ezra (or Israel) Dean, and Willie and Jonas Barkus.[222]

A few of the Freedman boys also attended the male equivalent of Emahaka, the Mekasukey mission, or academy, which opened in 1891. The language problem remained. While many of the Blacks could speak "Indian", the Seminoles found English difficult and received demerits if they were caught speaking their native tongue. Perhaps this was the reason behind the friction that appears to have marred relations between the Indian and Black students. Billy Spencer, a Seminole and former student at Mekasukey, later recalled,

> ... We tried to get along with them as good as we know how to get along, but it seems like there was something there that it never could be solved, which the Indians and the colored people there could never get along. And there was always a fight and it come to where they got to stabbing each other with knives and so on.[223]

Seminole Freedman Primus Dean attended Mekasukey academy for some

4 years, beginning in 1906. In 1910, however, he, together with the other Blacks were "Jim Crowed" out of Mekasukey. Thereafter, some were sent to Boley,[224] apparently to attend the Creek-Seminole College and Agricultural Institute for Freedmen and mixed blood Indian-Blacks founded by John C. Leftwich in 1905.[225] It was said that several were later killed in a fire at the school. Most of the Freedman students, however, "went back to their localities to go to school"[226] and "the colored never did go back up there to school any more".[227]

Though integrated education was introduced in the Seminole nation during reconstruction, it included few Blacks other than the children of the Freedman elite. While, at times, it seems to have been most successful, as at Mrs. Constant's school, at others, it caused racial friction, as at the Mekasukey academy. The great majority of Blacks seeking an education for their children sent them to their local neighbourhood school. In consequence, the Freedman neighbourhood school continued to constitute the main source of Black education in the Seminole nation until the end of the century. The trend, in fact, appears to have continued after allotment. With the rapid influx of new settlers in the Seminole nation in the early 1900s, the number of neighbourhood schools was increased to 20: 15 for Indians and whites and 5 for Seminole Freedmen and non-citizen Blacks.[228] The process of re-classification and formal separation had begun. It would be only a matter of time before the voluntary "peaceful co-existence" policy of the Seminoles and Blacks was corrupted by white legislators into a system of enforced racial segregation.

The great pillar of the Freedman township during the period from reconstruction to statehood was the local church. Each of the Seminole Black settlements constructed a church after the Civil War. The Thomas town church was founded in the late 1860s by Thomas H. Thomas, the maternal great-grandfather of Ben Warrior. Ben has informed the author

that the Seminoles and Blacks, at first, worshipped together at the Spring Creek Baptist Church in Sasakwa but the Freedmen "had some trouble with the Indians", in this case probably the progressive former Confederates, and so built their own. The Thomas town Church still has a service one Sunday each month. The closely associated Middle Creek Church was also founded during this period, it being a split-off of the Thomas town Church.[229] The residents of Noble town established a second Spring Creek Church and a church was built at Scipio that is still active today. The Bruners established the Salt Creek Church shortly after the Civil War. When most of the group removed north to Turkey Creek, they constructed there the Mount Zion Baptist Church. The lumber for the building was hauled a considerable distance. A deep well was dug, a graveyard established, rails were split and fences made, and various out-buildings constructed. The Mount Zion Church remained the focus of community life in the Turkey Creek settlement to statehood and beyond.[230]

Unfortunately, little is known of the activities of the Seminole Freedman Churches during this period. As the townships were so remote, they received only occasional visits from passing missionaries, hence reports were few and far between. The Freedman Churches were led by the Blacks themselves, with the band leader usually adopting the role of minister. Thus Thomas H. Thomas, William Noble, Caesar Bruner and Ucum Bruner are known to have served in this capacity between reconstruction and statehood. The leaders of the Noble town Church between 1880 and 1900 were John Stepney, first deacon; Sauree Boley, deacon; Dick Bruce, Bob Davis, William Noble, July Sango and Fred Stepney, deacons and leaders; Rina Henderson, first mother; Hagar Syms, second mother; Ann Simon, third mother; Iza Winters, first missionary; and August Bruner, second missionary.[231] The Freedman Churches thus seem to have been well

organized, with ordered power structures including both sexes. They also came to be at the centre of the Seminole Blacks' social life, constituting the only truly organized facility in the towns. The church was the one place where the Freedmen community met on a regular basis.

The Seminole Freedman churches were based on Baptism, but it seems likely that they were very different to the Baptist churches of the white south. In the absence of white missionaries, the Freedman preachers probably leaned heavily on what they had learned from the Creek Black preachers prior to the Civil War, plus the customs and practices that had survived through the oral tradition. In all likelihood, therefore, the Seminole Freedmen practised a form of corrupted Baptism, perhaps including aspects of Presbyterianism, and certainly punctuated with Africanisms and elements of Seminole culture they had adopted formerly. Thus, for example, the Blacks held camp-meetings as well as religious services. In these meetings, the participants would camp out for about a week and conduct various open-air services and ceremonies. Such a meeting is still held every year at the Scipio Church, during the first week of September.[232] Several of the features of the Seminole Blacks' religion hardly conformed to white Baptist standards. Polygamy was sanctioned, for example, and their burial practices reflected their African and Indian heritage. Night-long wakes with prayer, singing, periods of prolonged wailing and mourning, and food and drink, preceded burial. An "Indian doctor" frequently treated the grave dirt and the dead person was often buried with all his worldly possessions. A small 'house' was sometimes built over the grave as protection.[233] Thus, Africanisms and Indianisms permeated into the Seminole Black Baptist churches.

Some of the Blacks continued to embrace Presbyterianism after the Civil War. Leading Freedman Presbyterians during the period included,

for example, Robert and J. Coody Johnson, and Caesar Bowlegs. The teachers in the Freedman schools were also Presbyterian and they usually conducted Sunday schools in the townships, also. The Methodists remained inactive among the Seminole Blacks for most of the period and it was not until 1898 that a Black Methodist Church and Sunday school was established in Wewoka by the Freedwoman Viola Chandler.[234] The great majority of Seminole Freedmen, however, remained Baptist. Accurate statistics are sadly lacking. In 1883, there were said to be 125 Black Baptists in the Seminole nation and four years later there were 8 church buildings among the Seminoles and Freedmen. In 1888, there were 20 Black Baptist churches with 20 ordained ministers and 1261 members in the Creek and Seminole nations.[231] Finally, in March 1896, Reverend Murrow wrote, "There are now four Indian, and two or three negro churches, with about four hundred members, among the Seminoles".[236] Murrow seems to have underestimated somewhat. By 1896, there were 5 Seminole Black Baptist church buildings and it seems likely that most of the 851 Freedman were church members. Thus, it can be seen that, while only a minority of the Seminoles accepted Christianity, the majority of Blacks became Baptists. The corrupted form of Seminole Black Baptism was a unique cultural manifestation, however, restricted solely to the Freedman townships.

Several other cultural traits were unique to the Freedmen. Afro-Seminole Creole continued to be the language spoken in the Black townships, whereas Muskhogean predominated among the Seminoles. The Freedmen retained their system of naming-practices which contained elements of their experience in Africa, on southern plantations, and among the Seminoles, and frequently produced quaint mixtures of the three. The Freedman custom of male children taking the christian name of their father as a surname was also unknown among the Seminoles. The Blacks,

moreover, kept a number of holidays either unknown to or unrecognised by the Seminoles. The Freedmen, for instance, celebrated the Fourth of August, the fore-runner of the emancipation proclamation and considered by the group to be of great importance. The holiday featured, typically, a big get-together and picnic, followed by dancing which continued throughout the night. The Blacks also continued to celebrate Christmas, or "Big Sunday" as it was formerly known, and Easter. All-night prayer-meetings preceded the main celebrations which again consisted of feasting and dancing.[237] These Black celebrations and Christian ceremonies meant nothing to the average Seminole fullblood. The Indian towns, filled with Seminole-speaking fullbloods practising native customs, thus contrasted sharply with those of the Freedmen.

Considerable cultural differences thus separated the Indian and Black townships. That is not to say that interaction between the Seminoles and Freedmen did not take place, merely that it was limited. The two groups, at times, interacted extensively for mutual gain. Joint Indian and Black posses, for example, were sometimes raised when dangerous criminals entered the nation.[238] The Seminoles and Blacks also traded quite extensively with each other. Social interaction, however, appears to have been minimal. Much has been made of Blacks joining Indian clans and participating in stomp dances. That this went on is undeniable but its extent appears to have been exaggerated, first of all by those subscribing to the intermarriage theory and secondly by the Blacks themselves who, as a result of declining status in the Twentieth Century, have been anxious to emphasize their Indian connections. It would appear that only a handful of Freedmen and mixed bloods engaged in substantial relations with the Seminoles. The average Freedman, in contrast, lived in a Black town, had a Black wife and family, and had relatively little contact with the Seminoles.

From the reasons listed, it can be seen that there was a solid logic behind the success of Seminole reconstruction. The Seminoles' opposition to acculturative influences, their retention of native institutions and notions and the Indians' and Blacks' policy of separation, rather than massive intermarraige and integration, were responsible for the successful incorporation of the Blacks into the tribe and the subsequent maintenance of cordial relations between the two groups. Continuity and consistency are the watchwords in the history of Nineteenth Century Seminole-Black relations, and the period from reconstruction to statehood was no exception. The Seminoles and Freedmen had but few adjustments to make and thus were able to accommodate the new order extremely easily. This was the key to their success.

In contrast to the Seminoles, the Cherokees, Choctaws and Chickasaws had a great many adjustments to make during reconstruction and they thus experienced far more difficulty in coming to terms with the problems posed by emancipation and incorporation. During the antebellum period, all of these tribes had been led by intermarried white and mixed blood elites that had sponsored a programme of rapid acculturation based on the adoption of the institutions, attitudes and lifestyle of the white south. As their policies had gained widespread acceptance, nativism, which had tended to act as a check to the worst excesses of capitalism, went into decline. The tribes had developed advanced economies, featuring plantation agriculture, substantial industries and large-scale commercial enterprises. To supply the requisite labour force, the tribes adopted a system of institutionalized slavery controlled by harsh Black codes. As racial attitudes had hardened, Indian-Black intermarriage and manumission had been prohibited and free Blacks re-enslaved. Slaves had had little say in the utilization of their labour and no stake in the goods they produced. They had been able to exercise little control over their daily lives. The attempt had been made, moreover, to reduce all

Blacks to slavery. Thus, the plantocrat elites within the three tribes had had a vested interest in instigating policies designed to create a depressed Black consciousness.

Of the Five Civilized tribes, the Chickasaws, Choctaws and Cherokees had been strongest in their support for the Confederacy. While the Cherokees were more divided than the Choctaws and Chickasaws, most of the leading mixed bloods in the tribe followed Stand Watie in support of the South. The Choctaws and Chickasaws, meanwhile, had been the first of the tribes to conclude treaties with the Confederacy and the most committed in their overall support, putting large numbers of troops into the field. These three tribes were clearly going to experience many problems in coming to terms with the Freedmen during reconstruction.

The Chickasaws, Choctaws and Cherokees all had established systems of institutionalized slavery and Black codes to dismantle. They also faced the problem of finding a cheap and compliant replacement for their former slave labour force on the plantations and thus again had a vested interest in reducing the Blacks to a depressed condition. The Choctaws, Chickasaws and the Confederate faction among the Cherokees were bitter in defeat and resentful of the fact that they were expected to incorporate the Freedmen and grant them equal rights. Many members of the old Confederate mixed blood plantocrat elites also regained political power in the nations and brought with them their racial attitudes and policies. The geographic location of the three tribes in the Indian Territory, next to the former slave states of Arkansas and Texas, only made matters worse as they continued to be deeply influenced by ex-Confederate settlers and southern white rhetoric. Thus the Cherokees, Choctaws and Chickasaws experienced problems in dealing with their Freedmen that were similar to those of the Deep South, but alien to the Seminoles.

As might have been expected, the Choctaws and Chickasaws proved to

be the least successful of the Five Civilized tribes in coming to terms with the Freedmen.[239] During the 1866 treaty negotiations, the U.S. government hoped to either persuade the Choctaws and Chickasaws to adopt their Freedmen or, failing this, secure the Leased District (see Map 4) for Black colonization programmes. The ensuing Choctaw and Chickasaw treaty of 28 April 1866 provided for the surrender of the territory by the tribes. The U.S. agreed to pay $300,000 for this land in a ratio of 3:1 in favour of the Choctaws, if the two tribes agreed to adopt their former slaves. Should the tribes fail to adopt the Freedmen within two years, the U.S. agreed to remove these Blacks from the nations and expend the money appropriated for the Leased District for their benefit. Between 1865 and 1866, vigilantes combed the Choctaw and Chickasaw nations and the Freedmen suffered under a reign of terror. Special commissioner Sanborn was afraid to enter the nations and recommended that the country be placed under martial law. Wishing to be relieved of his post, however, Sanborn subsequently stated that his initial impressions were misguided and that the Freedmen were in no danger but faring well. With that, the U.S. effectively divested itself of responsibility for the Choctaw and Chickasaw Freedmen.

Seemingly accepting the accuracy of Sanborn's observations and hoping to put added pressure on the tribes to adopt the Freedmen, the U.S. handed over two thirds of the money appropriated for the purchase of the Leased District to the Choctaws and Chickasaws in September 1866. The government's plan back-fired, however, as the majority in both tribes favoured the Blacks' removal. The Choctaws and Chickasaws now had much less incentive to adopt their Freedmen and the U.S. had effectively divested itself of any real bargaining power. In 1867, the tribes formally requested the Commissioner of Indian Affairs to remove the Blacks but, as most of the Leased District funds had been paid to the tribes, that was no longer a viable alternative. Thus the future of the Choctaw and Chickasaw Freedmen

would be determined by the tribes themselves.

For 20 years after the conclusion of the Civil War, the Choctaw Freedmen had no clearly defined status in the nation. In general, they were treated as U.S. citizens both before the law and as individuals. They had no rights in the public domain but were permitted to utilize tribal lands for their own benefit. In effect, they were tenants without any right of tenure. They also were denied educational opportunities by the Choctaws, although the Federal government took the first steps towards establishing a system of schools for the Freedmen in 1874. In order to better define the position of Blacks within Choctaw society, a movement for their partial adoption arose within the tribe after 1875 but was, for a time, halted by the opposition of the Chickasaws. The Choctaws eventually elected to act independently and,on 21 May 1883,passed a law adopting the Freedmen into the tribe. On 3 March 1885, Congress agreed to forward the balance of the Leased District funds to the tribe, and the process of adoption was completed.

The Choctaws afforded the Freedmen only limited rights in the nation after 1885. The Blacks were granted all the rights, privileges and immunities of native citizens, with the exception of three important areas. They were denied the right to a share in tribal monies, per capita annuity payments, and the public domain. In the event of allotment, the Freedmen were to receive just 40 acres each. Though the Blacks could vote, moreover, they were not permitted to sit on the council or stand for elective office as these posts were restricted to citizens of known Indian blood. The Freedmen were, however, given equal educational opportunities. 34 neighbourhood schools were established for the Blacks in 1885 and a boarding school was opened for their exclusive use in 1891. Little social interaction took place between the Choctaws and Freedmen. As soon as their adoption was put into effect, a law was passed prohibiting

Indian-Black intermarriage. The Choctaws viewed adoption as the granting of specific privileges to the Freedmen and not a doorway to extensive interaction. The Choctaw Freedmen lived in separate towns, attended Black schools and constituted an independent voting bloc. Throughout the period, they were separate and unequal. At the time of allotment, the clause restricting the Freedmen's acreage was utilized. The Blacks received the equivalent value of 40 acres of Choctaw land while the Indians received eight times that amount.

The Chickasaws were even less successful in solving the Freedman problem than the Choctaws and never adopted their former slaves into the tribe. The Chickasaws consistently favoured removal over incorporation. Under the terms of the 1866 treaty, joint Chickasaw-Choctaw action was required before either could adopt the Freedmen. In consequence, the Chickasaws effectively prevented the Choctaws from adopting their Blacks earlier. Special measures had to be taken before the Choctaws were able to act independently to incorporate their former slaves in the mid 1880s. Throughout the postbellum period, the Chickasaws made only one fleeting move to adopt their Blacks. Tired of waiting for congressional action, the Chickasaws passed a law on 10 January 1873 adopting the Freedmen and their descendants. As approval was forthcoming from neither the Choctaws nor the U.S. government, however, the law fell into abeyance and was formally rescinded in both 1876 and 1885.

The last real chance for the Chickasaw Freedmen came and went when the Choctaws adopted their Blacks in 1885. Their hopes were quickly dashed. In the fall of that year, the Chickasaw legislature again rejected the adoption of the Freedmen and requested their removal. Two basic reasons were given for this. First of all, the legislators failed to see why the Chickasaws should be required to do more for their freed slaves than their white neighbours in former slaveholding states.

And secondly, the Chickasaws did not feel responsible for the Freedman problem. White men had influenced them to purchase slaves and had then ordered their emancipation. They, then, should have the responsibility of dealing with the Freedmen. Thus, the Chickasaw legislature notified the Department of the Interior that the tribe refused to accept or incorporate the Freedmen "under any terms or conditions whatever". The U.S. government was requested to provide the means to remove the Blacks from the nation and the Freedmen were given two years to dispose of their property and remove, though this was not, in fact, enforced. One of the biggest problems was the number of Blacks involved. No roll of the Chickasaw Freedman had been taken after the Civil War, it being hoped that they would soon be removed. A flood of Black immigrants into the nation during reconstruction made positive identification of those entitled to consideration impossible. The fear of Freedman dominance was a major factor behind Chickasaw reticence. By 1893, the Black population in the Chickasaw nation outnumbered that of the Indians.

As a result of these developments, the period from reconstruction to statehood was a hard time for the Chickasaw Freedmen. For 40 years, they lived in the nation without any rights whatsoever. The Chickasaws, in effect, treated them like Black U.S. citizens. To American officials, however, the Freedmen were Chickasaw citizens and thus were not entitled to protection by the law of the U.S., except in criminal cases. The Chickasaw Freedmen were permitted to use tribal lands but held no rights of tenure and faced the constant prospect of being driven from their homesteads and forcibly removed outside the nation. They had no vote, could not hold office, and went unprotected by Chickasaw law. They suffered ill-treatment and educational deprivation. They were outcasts, caught between two worlds, belonging to neither. On 12 February 1890, Union agent Leo E. Bennett wrote,

> The close of twenty-five years of 'freedom'(?) finds the Chickasaw Freedmen the most wretched people in this Western Country. They are poor, deplorably ignorant, and are buffeted around from pillar to post, abused, degraded, debased and denied. No home, no country, no government, no schools; it is impossible for them to be lower in the moral scale.[240]

At the time of allotment, the Chickasaws objected to sharing their lands with the Freedmen. Only through the insistence of the Dawes Commission did the Blacks receive their 40 acres. The Chickasaws later brought suit against the U.S. government and received compensation for the lands allotted to the Blacks. The experience of the Choctaw and Chickasaw Freedmen was, clearly, far removed from that of the Seminole Blacks.

The Cherokee Freedmen fared somewhat better than the Blacks associated with the Choctaws and Chickasaws.[241] They too, however, faced an uphill struggle for their rights and many Blacks, formerly associated with the tribe during the antebellum period, were denied citizenship. Under the terms of the tribe's 11 August 1866 treaty with the U.S. government, the Canadian district was set apart for the freed slaves of Cherokees and free Blacks resident in the nation on 1 June 1861. Those Freedmen wishing to remove there would be given two years to do so. The inhabitants of the district would be empowered to exercise the functions of Cherokee citizens, elect officials, control local affairs and administer justice so long as these actions were not inconsistent with the Cherokee constitution or the law of the U.S. The Ninth Article of the treaty was the one that would cause so many problems later. Under this clause, all former slaves of the Cherokees and free Blacks associated with the tribe at the start of the Civil War and who were then resident in the nation, or returned within six months after the signing of the treaty, would be entitled to all the rights of native Cherokees. In the winter of 1866, amendments were added to the Cherokee constitution confirming these provisions.

The clause allowing the Freedmen only six months to return to the

nation was the cause of great hardship to many Blacks and much controversy within the Cherokee nation. Those Blacks who heard of the deadline returned to the nation within the specified time. Many others, however, were living as refugees in remote areas and received no word of the provision. Some husbands and fathers returned without their wives and children who were either ill or living too far away to arrive in time. Still others were still being held as slaves in Texas when the deadline expired. In theory, those Blacks who did not return within the six months were to be treated as intruders and expelled from the nation. The U.S. agents failed to act upon this, however, and allowed the Blacks to stay in the nation. They were of the opinion that to do so would entail separating family members and removing those who would have had a right to citizenship had the six months clause not been included. Like the Chickasaw and Choctaw Freedmen, therefore, these Blacks continued to live in the Cherokee nation without any legal rights or clearly defined status. They were allowed to cultivate land, but their ownership of improvements was never secure. In addition, they were denied access to the courts, the political system and the tribal schools.

Claims by Freedmen to Cherokee citizenship and the mountain of resultant court cases dragged on throughout the period and came to dominate Cherokee-Black relations between reconstruction and statehood. The Indian Bureau continued to refuse to remove those Blacks deemed by the Cherokees to be intruders and subsequently undermined the autonomy of the tribe by not allowing it to determine its own citizenry. The Cherokee Citizen Court was established in 1877 and subsequently passed on hundreds of claims affecting thousands of individuals. Those who were classified as intruders, however, were not removed but continued to live in the nation without rights, legal status, or the benefits associated with Cherokee citizenship. Only twice during the period did it ever really

appear that these Blacks might be incorporated into the tribe. In 1870-1871, Principal Chief Lewis Downing recommended the adoption of these intruders as citizens but the bills failed to pass the legislature. And again, in 1880, a bill was introduced into the Cherokee Senate granting citizenship to those who had not returned within the six month period but, once more, this was defeated despite the support of the principal chief. In the end, it would be left to the Dawes Commissioners to solve the knotty problem of which Blacks were entitled to land as Cherokee citizens.

In contrast, those Freedmen who were recognized as members of the Cherokee tribe eventually received most of the benefits associated with citizenship. They were protected by tribal law, sat on juries, served as elected officials, were secure in their ownership of improvements and had access to limited, if segregated, public school facilities. As was the case throughout the Five Civilized tribes, the Freedmen tended to settle apart, constitute a definite bloc within society and maintain a social distance.

The Cherokee Freedmen were, however subjected to discriminatory policies when it came to land and money. On 18 May 1883, the Cherokees received $300,000 for land cessions but authorized disbursement only to citizens by blood. Between 1883-1888, moreover, the Cherokee Strip Livestock Association leased the Cherokee Outlet (see Map Four) for a total of $600,000, but again the Freedmen were excluded from the payments. Finally, in 1891, the Outlet was ceded for some $9 million, but the Blacks were not considered as beneficiaries. In March 1884, Cherokee officials defended their decision to exclude the Freedmen from the payments by adopting the posture that, while the Blacks could have homes, voting privileges, educational opportunities and the chance to hold office, they had "neither legal nor equitable claim to the common

or public property of the Cherokee Nation". A bill was finally passed by the U.S. government on 19 October 1888 which specified the inclusion of Freedmen in these payments but the problem of deciding who was eligible was again left to the Dawes Commission and the Blacks only finally received their share in the late 1890s.

At the time of allotment, the Cherokees clung to their 1884 line, wishing to allow the Freedmen just 40 acres each. Again, the problem was raised of which Blacks were entitled to be considered as citizens. The Dawes Commissioners reverted to the wording of the 1866 treaty and enrolled only those Blacks who had returned to the nation within the specified six month period, together with their descendants. Thus, many Blacks who had been associated with the tribe since the antebellum period and had been living in the nation for the 40 years since the Civil War were deprived of land and the rights of ownership to their improvements. Due to the insistence of American officials, however, those Freedmen fortunate enough to be enrolled as Cherokee citizens were eventually allotted acreages equal in value to those of the Indians.

Next to the Seminoles, the Creeks were the most successful of the Civilized tribes in coming to terms with emancipation and incorporation.[242] Though the Lower Creeks had adopted a system of institutionalized slavery and Black codes during the antebellum period, the Upper Creeks had more closely resembled the Seminoles in their lack of acculturation. As with the Seminoles, nativism remained strong within the tribe as a whole and the conservative fullbloods emerged victorious from the Civil War and plotted the course of reconstruction. In consequence, developments in Creek-Black relations between reconstruction and statehood mirrored those taking place in the Seminole nation, if on a slightly more limited scale.

During the 1866 treaty negotiations, the Black-influenced loyal Creeks stated that Opothleyohola had promised equality to all the slaves

who supported him during the conflict, and they insisted on abiding by the pledge. The ensuing treaty of 14 June was signed by the Northern faction without the approval of the mixed blood Confederates. Like the Seminole progressives, however, the mixed bloods were anxious for peace and did not provoke racial strife, choosing instead to abide by the provisions included in the treaty. The Creek treaty not only abolished slavery but also stipulated that the Creek Freedmen would "enjoy all the rights of native citizens, including an equal interest in the soil and national funds". In most respects, the Creeks proved true to their word.

Like the Seminole Freedmen, the Creek Blacks were granted political, economic and cultural rights equal to those of native citizens. The Creek Freedmen received the franchise and political representation and were allowed to hold office within the government. They were given an equal stake in the land, annuity payments and tribal monies. They were afforded equality of economic opportunity and access to education, and they were treated equally before the law. They were allowed to practise their religion and maintain their cultural traditions in their separate townships. As with the Seminole Freedmen, the Creek Blacks lived in separate towns with their own economic and social arrangements. Social interaction between the Creeks and Blacks was limited and the level of intermarriage between the two groups was low. The "intermarriage theory" extended to the Creeks as well as the Seminoles, because of the cordial nature of their relations with Blacks. Again, however, this was an erroneous interpretation, the success of Creek reconstruction being also based on the retention of nativism and continued Indian-Black separatism.

By 1867, the Creeks had settled in 41 towns and the Freedmen in 3. The Creek Black towns were Arkansas Coloured, Canadian Coloured and North

Fork Coloured, and the three were still in existence at statehood. The Black towns were permitted to send representatives to the national council the same as Indian towns. An element of proportional representation was also included in the political system. Each town could send one representative to the House of Kings, or Senate, and one to the lower House of Warriors, with one additional representative to the latter being permitted for every 200 residents. The interests of the Freedmen, therefore, appear to have been fairly represented at the national level. A number of Creek Blacks, moreover, assumed leading positions in the tribe as judges, delegates, law enforcement officers and tribal politicians. By 1882, of the 30 public schools among the Creeks, 8 were for Blacks, and, by 1896, the Freedmen also had a separate boarding school and orphans' home. In 1882, it was said of the Creeks, "These Indians have respected their treaty stipulations relating to their freedmen, and have granted them every right of other citizens".[243] Thus, there were close parallels between the Creek and Seminole experience during reconstruction.

Upon closer investigation, however, it becomes clear that the path of the Creek Freedmen was not always as smooth as that of the Seminole Blacks. The adopted Freedmen only received a share of the $200,000 granted to the Creeks to restore their farms after a considerable struggle, it having been first decided that they were not entitled to a portion of this grant. Throughout the period, there were reports of friction between the Indian and Freedman townships, moreover. There is also a strong suggestion that the Creeks were more segregationist than the Seminoles. In 1872, one observer noted, "None but the poorest and lowest of the Creeks will live among these Freedmen".[244] The 1890 Constitution, meanwhile, called for 50 primary schools to be divided between the Indian and Freedman citizens in proportion to population. The acts of council of the Creek nation appropriating funds for charitable purposes also

specified in each instance an apportionment between Indians by blood and Blacks. Finally, at the time of allotment, Chief Isparhecher wished to limit the holdings of the Freedmen to 40 acres. Though the Freedmen were subsequently allotted 60 acres the same as the Indians, their right to share in the equalization funds was also questioned. Thus, it would seem that the Creeks lagged some way behind the Seminoles when it came to their relations with Blacks.

There can be little doubt that the Seminoles were the most successful of the Five Civilized tribes in incorporating the Freedmen into their society. In retrospect, the Seminole Freedmen had good reason to be grateful for their tribal affiliation. Next to the Seminoles in accordance with the level of their success came the Creeks, followed by the Cherokees, then the Choctaws, and finally the Chickasaws. The degree of racial antipathy and level of acculturation experienced by each of the Five Civilized tribes during the antebellum period thus directly affected the course of Indian-Black relations during reconstruction. The Seminoles, being the least acculturated of the tribes, both before and after the Civil War, consequently enjoyed the greatest success in their dealings with the Freedmen.

The contrast between the Seminoles and the other Civilized tribes was most marked at the time of tribal enrollment and allotment at the turn of the century. Whereas the Cherokees, Creeks, Choctaws and Chickasaws all attempted either to exclude the Freedman from the allotment process or reduce his holdings to a disproportionate 40 acres, the Seminoles quietly agreed to share their land on an equal basis with the Blacks. The Seminoles were the first of the tribes to come to an agreement with the Dawes Commission and the first to complete the process of allotment. There were no protests from the Seminoles over Freedman rights, and very few contests over individual allotments or the rights

to citizenship. The process of dissolving the Seminole nation into individual pockets of land owned by Blacks and Indians thus went through very smoothly and contrasted sharply with the experience of, for example, the Cherokees, who were faced with a mountain of contests regarding Freedman citizenship. The Seminole Freedmen had, after all, been bona fide members of the tribe for more than 30 years and had a legitimate right to the land. At no time prior to statehood was that right contested by the Seminoles. There could be no greater testament to the success of Seminole reconstruction.

The opening of the Oklahoma Territory in 1889 signalled the beginning of concerted efforts to open the Indian Territory to settlement through the dissolution of tribal lands. In the early 1890s, the Dawes Commission was appointed with a view to enrolling the members of the Five Civilized tribes prior to allotment of the tribal lands in severalty, the object being to free large surpluses for sale and facilitate their purchase by whites. The Dawes Commission arrived in the Indian Territory in January 1894 and opened negotiations with the various tribes. After initially rejecting the Commission's proposals, the Seminoles signed an agreement on 16 December 1897 that became the basis of their enrollment and allotment programme. Though the Chickasaws, Choctaws and Creeks also reached early agreements with the Dawes Commission, the Seminoles were the only tribe to ratify theirs. It would be left to the Curtis Act of June 1898 to signal the beginning of the process in the other Civilized tribes. By then, the Seminoles were ready to commence enrollment.[245]

The Seminole agreement stipulated that land, "Shall be divided among the members of the tribe so that each shall have an equal share thereof in value". No discretionary clauses were inserted regarding the rights of the Freedmen. The Blacks were to receive acreages equal in value to those of the Indians. Land was to be arbitrarily divided into classes

with a fixed value placed on each. First class land was to be worth $5 an acre, second class $2.50 and third class $1.25. Each member of the tribe was to be permitted to select his allotment so as to include his own improvements and each was to have an equal share in value "so far as may be, the fertility of the soil and location considered". Thus, acreages would be of differing size, according to quality. For their own protection, each Seminole and Freedman allottee was to select a 40 acre homestead which was to be inalienable and non-taxable in perpetuity.[246] The intention was eventually to free the surplus lands of individual allottees for sale and so facilitate white settlement of the area. In this regard, the policy would prove to be most successful.

The process of enrollment ran very smoothly. The 1897 roll was used to determine tribal membership and the band chief provided information on questionable applicants, new born babies and so forth. The Dawes Commissioners encountered comparatively few problems. There were relatively few Seminoles to enroll, their government was free of corruption and there were few fraudulent claims. The main problems were that English was not widely spoken among the Indians and there was a paucity of established family names in the nation.[247] One can well imagine the difficulties faced by the white commissioners in coming to terms with a complex, interracial, matrilineal society. Yet, under the circumstances, they coped remarkably well.

Intermarriage into the tribe did not automatically confer citizenship and there were few "intruders" in the nation hence two of the "problem groups" encountered in the other Civilized tribes were missing. The Blacks, moreover, had been accepted into the tribe and given equal rights in its lands and monies. During the process of enrollment, therefore, the Freedmen were treated simply as Seminole citizens. They were, however, given a separate roll. Neither the Seminole agreement of 1897 nor the

Curtis Act of 1898 called for separate rolls of the Indians and Freedmen. While the Curtis Act required separate rolls for the Freedmen of the other Civilized tribes, it specified only one for "Seminoles, Indians and Freedmen". The Dawes Commissioners found it expedient, however, to create two rolls, one for Indians by blood and one for Freedmen. They thus adhered to existing social arrangements in the nation and perhaps to the wishes of the Seminole delegates who assisted them in their work. As the two races in the Seminole nation were so distinct, it seemed only natural to give each its own roll.

The initial Seminole tribal enrollment was quickly completed. The process took just two months, beginning in July 1898 and ending in August, and the rolls were finally closed on 31 December 1899. There were few citizenship contests. The 1897 roll contained 2,964 names. To this were added 7 omissions and 299 children born prior to 31 December 1899 for a total of 3,200. From this number were subtracted 443 names: 20 errors and duplications, 7 who were enrolled as Creeks, 5 who were rejected on the grounds of non-residence and 411 whose deaths were reported. This left a total of 2,757 enrolled Seminoles: 1,899 Indians by blood and 858 Seminole Freedmen.[248]

Of the 5 rejected on the grounds of non-residence, 4, Dickey Wiley, Jim Brown, Ed. Stewart and Henry Bowlegs, were Freedmen. The history of these Blacks makes fascinating reading. Seminole Freedman Dickey Wiley had left the nation in 1873 and had last been seen driving an ox cart to Fort Arbuckle in the company of white men.[249] Jim Brown, as a young boy, was "sent off" by his father, John Brown, around 1880. Jim, "... Went west and was with the wild Injuns somewhere". When his sister, Charlotte Davis, last heard from him in July 1898, "He was at Fort Sill, married to a tribe woman".[250] Ed. Stewart, a Civil War veteran, had moved to Fort Smith, Arkansas, around 1895, leaving his wife and at least 5 children behind in the Seminole nation. At first, he returned to the nation periodically

and talked of building a home but he later became a porter in a store at Fort Smith and married again. He then wrote to his wife telling her that "if she wanted to marry again to go ahead and marry".[251] Henry Bowlegs was the son of John Bowlegs, a former slave of Billy and Eliza Bowlegs. In 1862, John had fled to Kansas with his wife, Bess, and family. Bess had died at Fort Scott and John had remained there with the children. He visited the Seminole nation occasionally but only returned there to settle in 1891. Henry was left behind in Kansas City with his nephews and cousins. By 1900, Henry, who was aged about 27, was said to be "living in the States somewhere... St. Louis or Chicago, Kansas City, some place in there. He travels all the time". When his father last heard from him in 1898, Henry, "...Was in Nebraska, just from one town into another, travels all de time with the minstrels".[252]

Two of the other major citizenship cases of the period involved a Freedman and Freedwoman. The first involved Sam Mahardy, a mixed blood Indian-Black. Sam's father, Wyatt McHardy, was described as a "living Chickasaw Freedman", who was enrolled as a Chickasaw by blood. This came about because Wyatt's mother was at least part Chickasaw on her maternal side while his father was a Chickasaw Freedman. Sam's mother, Betsy Mahardy, was a Seminole Freedwoman and, following the system of matrilineal descent, he was enrolled as a Seminole Freedman. Sam lived in the Chickasaw nation and was recognized by Chickasaws as a Freedman. He married into the Chickasaw Freedman community, as did his brother, Lyman. Sam contested the fact that he had been enrolled as a Seminole Freedman and wished to be enrolled as a Chickasaw by blood. Under the terms of the Curtis Act, where dual citizenship was claimed, the tribes involved had the right to determine the case. If agreement could not be reached, the claimant had the right to select which tribe he wished. The Chickasaws contested his claim and it became clear that he had always been recognized

as a Seminole citizen, drawing annuity payments as a member of the Caesar Bruner band. As the Seminoles did not contest his claim, he was enrolled as a Seminole Freedman.

The matter did not end here, however. Sam Mahardy insisted that he was a Chickasaw by blood and appeared before the Dawes Commission on at least three occasions in an effort to effect a transfer. On 28 June 1902, the Seminoles arbitrarily allotted Sam his homestead and surplus, and his appeal for transfer was turned down by the Commission on 19 November 1902. In December, Sam appealed directly to the Secretary of the Interior, but without success. When allotment restrictions on Freedmen were lifted in 1908, Sam leased, mortgaged and disposed of his lands in the Seminole nation. In 1911, however, he again sought further investigation of the case. As late as 1928, Sam was still trying to be recognized as a Chickasaw. On 24 April of that year, he wrote to the Secretary of the Interior requesting still further investigation but again nothing came of it.[253] Though too much should not be made of this one case, it does suggest that mixed blood Indian-Blacks preferred to be enrolled as Indians rather than Freedmen. This statement can be supported by other examples. Jenetta Eleck, for instance, the mixed blood daughter of Creek Freedman Phillip Alleck and the mixed blood Seminole-Black Rinah Eleck (née Noble) was originally listed on the rolls of both the Creek Freedmen and the Seminoles by blood. Subsequently, however, "Both parents expressed a desire that if it was found Jenetta had rights in both Nations, she should be enrolled as a Seminole and given rights as such". Jenetta and her brother and sister, subsequently appeared on the Seminole rolls.[254] Clearly, in the final days of the Seminole nation, it was becoming better to be Indian than Black.

The other major citizenship case involved a Seminole Freedwoman, Eliza Lottie. Eliza's mother and father had both been slaves of Billy

Bowlegs. In the Indian Territory, her parents had been "run off by slave drivers" when she was about 10 or 11 years old. Eliza and her sister had been sold to a slave dealer and had tried to run away to Mexico but had been overtaken by John Jumper's men and brought back to the Indian Territory. Jumper had then sold the sisters to a slave dealer from Missouri. After the Civil War, Eliza married and moved to Kansas, living there until 1891 when she returned to the Seminole nation with John Bowlegs. One of her brothers and a sister were enrolled but, as Eliza had not been officially adopted into the tribe in 1866 and had not lived in the nation until 1891, she was classified as a "Missouri freedman" and her application for enrollment was denied.[255]

By the act of 3 March 1905, Congress authorized the enrollment of children born to Seminoles and Freedmen between the time the first rolls were made and the day following the act.[256] As a result, two more rolls were completed: the New Born Seminole roll, and the New Born Freedman roll. 248 Seminole and 129 Freedman children were subsequently enrolled, a total of 355. A number of applicants for enrollment as New Born Freedmen were rejected because they were born too late. These included Josephine Cudjo, John Willis Moore, Luther Whitfield, Sam Dindy, Florence Cudjo, Osceola Glass and Angeline Payne. For some, the deadline came just too early. Luther Whitfield and Sam Dindy, for example, were both born on 4 March but because they were not born prior to that date, they were not entitled to enrollment. Sam Dindy, in fact, was born at about 6 a.m., thus missing the chance of 40 acres of land and a share in tribal annuity payments and other monies by just a few hours.[257] The Final Rolls of the Seminole nation, as verified by the Commissioner of Indian Affairs in 1907, included 1,890 Seminoles by blood, 248 New Born Seminoles, 857 Freedmen and 129 New Born Freedmen, for a total of 3,124.[258]

The appraisal and allotment of Seminole lands proceeded as smoothly

as enrollment. The appraisal began on 15 April 1899 and took only 7 months to complete. The Seminoles and Freedmen were in possession of a total of 365,854.39 acres, set at a value of $858,524.28. The vast majority of acreage was classified as second class land. The breakdown was as follows: first class land, 24,055.89 acres, valued at $120,279.35; second class land, 248,837.48 acres, valued at $623,093.68; third class land, 92,961.02 acres, valued at $116,201.25. The allotment of land to the original Seminole and Freedman enrollees was completed by 1902.[259] Each Indian and Black citizen received an average of 120 acres, 40 of which was designated as a non-taxable and inalienable homestead. Problems over land were few, usually involving such matters as filing for the same acreage and owning improvements on the allotment of another.[260] These were quickly and easily dealt with and, by 30 June 1902, there were no Seminole or Freedman allotment contests pending before the Dawes Commission or on appeal.[261] In 1903, it was reported that initial enrollment was complete, allotment complete, and "matters in general in this nation progressing satisfactorily".[262] As insufficient land remained in the nation to give the New Born Seminoles and Freedmen their full quota, these children were apportioned 40 acre tracts arbitrarily, by drawing their names, in order to prevent any complaint of unfairness.[263] With this, the allotment of the Seminole lands was completed and the nation passed into the hands of individual Indians and Blacks.

Significantly, three of the key features of relations between the Seminoles and Freedmen during reconstruction - Indian and Black separation, their low instance of intermarriage and the continuing alliance of the Freedmen and the Seminole conservatives - all came to light in dramatic fashion at the time of allotment. As mentioned above, the Seminole and Freedman rolls indicated that there had been little intermarriage between the two groups during the postbellum period. Separate Black townships, moreover, were well established by this time as illustrated in the land

holding records of the Dawes Commission. The Freedmen took their allotments in and around the Black towns and, in so doing, chose to continue living apart from the Seminoles. The final development emerged in the early 1900s when enrollment and allotment was virtually complete in the Seminole nation. In a reaction against the dissolution of the nation and the increase in acculturative influences, the Seminole conservatives and Freedmen revived and strengthened their dormant alliance. The direct result was their joint involvement in the Crazy Snake Rebellion, and the rise to prominence of the colourful and talented Black politician, J. Coody Johnson.

There appears to have been considerable support for Crazy Snake, or Chitto Harjo, among the Seminole conservatives, the Freedmen and the mixed blood Indian-Blacks. Crazy Snake, a former recalcitrant traditionalist supporter of Isparhecher during the Green Peach War, attempted to turn back the hands of time by calling a halt to acculturative influences and the allotment process and returning to traditional native values. For some 10 years between 1899-1909, it constituted a separatist movement within the Creek tribe, punctuated by violent outbursts. Its supposed goal was the eventual creation of a new nation with a traditional constitution. The movement relied heavily on the hopes and dreams of nostalgic fullbloods and Blacks wishing to return to a mythical golden age and it rapidly became a vehicle for the disillusioned and dispossessed.

Many of the "Snakes" had been cheated or robbed of their allotments. Others sold all they had and donated the proceeds to the new messiah. By 1909, Crazy Snake's followers were camped out at the capital of the new nation, the Hickory Stomp Grounds, in shanty towns. Most were poor and hungry. By this time, the Black supporters of Crazy Snake outnumbered the fullbloods and the latter appear to have become disillusioned with the movement and scattered. The Black settlement attracted criminal

elements and soon acquired a reputation with law enforcement officers. Some of the Blacks took to stealing from local farms and ranches to feed their starving families and this led to the inevitable outbreak. A number of Black 'Snakes' stole some barbecued bacon from a nearby resident and officers were sent to arrest the guilty parties. A fight broke out and, in what subsequently became known as the "Smoked Meat Rebellion", several were killed on either side. Crazy Snake fled along with his Black right-hand man, Charlie Coker, but whether he was later killed or managed to escape across the Canadian River remains unclear. Certain it is, however, that his disappearance, or demise, resulted in the end of the Crazy Snake movement.[264]

The dramatic rise to power of J. Coody Johnson was the second manifestation of the Seminole conservative-Black alliance. As a young boy, Coody learned the Muskhogean language from his father and, at the age of 10, was acting as an interpreter at Mrs. Constant's school in Wewoka. Coody next attended the Ramsay Mission school and was noted as being a bright student.[265] He later served as the interpreter at Judge Parker's court at Fort Smith for two years and it was here that he developed his interest in law. Coody returned to the Indian Territory, studied under a lawyer and was admitted to practise. He became an excellent trial lawyer and it was said that "no Indian that Coody defended was ever convicted". Coody represented Arkansas Coloured town, of which he was a member, through his mother, in the Creek House of Warriors and his influence grew rapidly. It has been said that, "When Coody announced that he was going to speak on some policy or problem of government, that the full blood Creeks from all over the Nation gathered in to hear his speech". John F. Brown, who was himself fluent in Muskhogean, described Coody as "the finest interpreter of the Creek language or Seminole language that has ever lived".[266] By the turn of the century,

Coody was already considered to be a powerful figure in the Creek and Seminole tribes.

Though Coody was technically a Creek Freedman and also held political power in that tribe, he succeeded his father as the leading Black in the Seminole nation. In 1902, the aging fullblood Hulbutta Micco defeated John F. Brown in the Seminole election for principal chief. Hulbutta could not speak a word of English and lacked both the business sense and administrative skills required to deal with the complex problems of enrollment, allotment and tribal dissolution. The first, and perhaps the wisest, executive action of this recalcitrant chief was to appoint Coody as his personal secretary,

> ... With full powers to transact all business and sign the Chief's name, and this power and authority was delegated to Coody Johnson by the Council and by the Chief, and Coody, in fact, became the Chief.[267]

The "intelligent and shrewd" Black secretary came to dominate Seminole affairs for three full years. He interpreted to the Chief, travelled to Washington on his behalf, attached his signature to official documents, and conducted most aspects of important tribal business.[268] During one two-month period between February and March 1905, Hulbutta travelled to Mexico with a Seminole delegation to investigate the possibility of reclaiming Wild Cat's land grant at Nacimiento. While the Chief was away, Coody was left in effective sole control of the Seminole nation. Thus, for all intents and purposes, the Seminoles were led, during one of the most crucial phases in their history, by a Black. Just as Micanopy had Abraham; Wild Cat, Gopher John; and John Chupco, Robert Johnson; so Hulbutta had J. Coody Johnson. The continuity inherent in Seminole-Black relations during the tribal period was truly remarkable.

When Hulbutta died in 1905, he was succeeded for a short time by Jacob Harrison, the second chief. Though Harrison was enrolled as a fullblood Seminole,[269] it is strongly suspected that he was of mixed Indian–

Black blood. In an interview conducted during the 1930s, F.G. Alex noted that during the Civil War,

> When the Southern soldiers found a negro with the Indians they always took them if possible. The Southern soldiers started to take four children from their mother, the oldest boy Jacob Harrison was taken they thought he was a negro boy. A meeting was called and proved he was an Indian.[270]

Harrison, who was also at one time the head of the Seminole lighthorsemen, was described by Virgil Berry as "a tall, athletic type, part Indian, part negro, and part white".[271] The South McAlester Capital meanwhile, referred to him as "a man of negro blood",[272] and he is known to have fathered children on the Creek Freedman roll.[273] Hulbutta died on 24 March and on 2 May a special session of the Seminole council impeached Harrison for incompetency, ousted him from office and subsequently appointed John F. Brown in his place. During Harrison's administration, however, Coody Johnson maintained a firm grip on the affairs of state.[274] For 6 brief weeks in the spring of 1905, therefore, it appears that Seminole interests were placed in the hands of a Freedman and a mixed blood Indian-Black.

When Brown returned to office, Coody turned his skills, primarily, to his Wewoka-based law practice and subsequently represented a great many Indians and Freedmen in their battles against the land grafter. He came out in support of the creation of the Indian state of Sequoyah from the old nations and attended the ensuing Sequoyah Convention as a Freedman delegate. He also became President of the Negro Protective League of Oklahoma and Indian Territory which fought, unsuccessfully, to prevent Oklahoma entering the Union as a segregationist state. One one occasion, 27 March 1907, Coody presided over a convention of delegates representing 75,000 Oklahoma and Indian Territory Blacks, including 15 Seminole Freedman delegates, in Oklahoma City, the convention being called to discuss the issues arising out of Oklahoma's forthcoming statehood. Coody came to

be quite wealthy, owning a number of farms in the Seminole and Creek nations, a 560 acre ranch in the north east of Wewoka and a thriving law practice in the town. He also became involved in the Barney Thlocco land claim and reaped considerable benefit from his interests in the Black Panther Oil Company in the 1920s. From his dealings in the law courts and with oil companies, Coody Johnson attained a national importance as one of Oklahoma's foremost Black leaders. It has been said that he was a great friend of Booker T. Washington and was visited by him on several occasions, at Wewoka.[275]

The allotment of the Seminoles' land threw the Indians and Freedmen into a strange world they knew little about. Moves were quickly made to facilitate the purchase of their lands by white settlers. The first came on 21 April 1904 when an act of Congress removed the restrictions on the surplus lands of all allottees of the Five Civilized tribes, except for minors, who were not of Indian extraction. For citizens by blood, sales were left to the discretion of the Department of the Interior. Then, on 26 April 1906, a second act was passed removing restrictions on the surplus lands of all allottees save for fullbloods, who were not permitted to dispose of their lands for 25 years. Finally, on 27 May 1908, an act was passed removing restrictions from all lands, including homesteads, of allottees of less than 1/2 Indian blood. Restrictions were also removed from the surplus lands of 1/2 to 3/4 blood Indians but the fullbloods' lands remained fully restricted.[276] In other words, the Blackswere free to sell all but their 40 acre homstead after March 1904 and could dispose of all of their lands after May 1908. Most mixed blood Indian-Blacks were also included in these provisions.

The Seminoles and Blacks were ill-equipped to deal with the land sharks and grafters that moved into the nation. Many were cheated out of their land by fraudulent methods. Others sold all they had, sometimes

for as little as a bottle of whisky. The Indians and Blacks were ignorant of the concepts and laws governing individual land ownership and could not comprehend what was happening to them. Though Black leaders like Coody Johnson attempted to protect the Freedmen, the numbers involved and the guile of the grafter rendered the task impossible. Many lost all their lands and died in poverty.

On 5 May 1906, Violet Crain of Earlsboro, which bordered the Seminole country, wrote to the Secretary of the Interior, "Explaining as near as possible the condition of things here in the Seminole Nation among the Freedmans and mix-bloods",

> Its a burning shame in the sight of God the way these people are being treated in this land buying business. This country is made up of a class of cold hearted land gobblers who've left all thoughts of fair dealing behind and are here for no other purpose than to rob and cheat these ignorant people out of their homes, for a few baubles barely enough to cover notary fees and the paper which the so-called deeds are written upon.

Second class lands were being sold for as little as 26 cents per acre. Though appeals were made on behalf of these "poor", "ignorant", and "uneducated" people by Mrs. Crain and such like,[277] no help came from the American government.

Angie Debo, in her excellent work, <u>And Still the Waters Run,</u> has described in great detail the methods by which the Indians and Blacks were cheated of their land.[278] Suffice it to say here that the Seminoles and Freedmen were among the worst affected. In 1911, cases of alleged fraud in Seminole County were so numerous that Congress recognized the necessity of giving special assistance and made provision for the employment of a special assistant to the attorney general to aid in prosecutions.[279] A special report of the Board of Indian Commissioners, written in 1917, stated the case bluntly,

> ... Probate matters in Seminole County are in a deplorable condition and... the graft perpetuated around Wewoka has made that particular

> section of the country notorious above all the notorious graft centers of the Indian portions of Oklahoma.

The Commissioners concluded that, "The Seminole situation is so bad it could scarcely be worse and that radical measures must be taken at once if anything at all in the way of relief is to be accomplished....".[280] Needless to say, none was forthcoming.

By an act of Congress of 3 March 1901, all members of the Five Civilized tribes were made U.S. citizens in preparation for statehood.[281] Under the terms of the earlier Seminole agreement of 1897, moreover, the tribal government officially ceased to function on 4 March 1906. Almost overnight, it seemed, the Indians and Freedmen went from being Seminole citizens to U.S. citizens and from being residents of the Seminole nation to residents of Seminole County, Oklahoma. With but scanty preparation, little education and scarcely time for reflection, the Seminoles and Blacks were thrust into the mainstream of American society.

Racism was fundamental in the founding of the new state of Oklahoma. During the election campaign for delegates to the Constitutional Convention to be held at Guthrie, in Oklahoma Territory, commencing in November 1906, race was a major issue. The Democrats subsequently won a landslide victory on a platform featuring support for separate schools, coaches and depots, and opposition to mixed marriages and the election of Blacks to public office. They also favoured the insertion of a Jim Crow provision in the state constitution. Under the threat of a Presidential veto, however, they deferred from including this provision in the Constitution. Instead, the Democrats sponsored the passage of a Jim Crow law during the very first legislative session of the new state, on 5 December 1907. The law went into effect on 16 February 1908 and subsequent laws were passed prohibiting mixed marriages and segregating public institutions. Finally, in a move that exhibited graphically the strength of racism running through southern Progressivism, Oklahoma adopted the grandfather

clause in 1910. At a stroke, the Black population of the new state was effectively disfranchised.[282]

Such was the Seminole Blacks' introduction into the white man's world. Legislated and discriminated against, they entered a segregated society loathed by most elements within it. The new order could hardly fail to drive a wedge between the Seminoles and Blacks. While the Indians were treated as whites, the Freedmen were deemed to be Blacks. The Seminole Freedmen saw themselves as more than "just Blacks", however. They retreated into their township fastnesses, in the process maintaining a strong pride in their history, traditions and identity that has allowed them to overcome the odds and survive as a clearly identifiable social group to the present day. Though a great deal changed for the Seminole Blacks at the time of statehood, much remained the same.

Footnotes

1. Abel, Annie H., The American Indian Under Reconstruction (Cleveland, A.H. Clark Co., 1925) pp.174-177.

2. Ibid., p.221; The Annual Report of the Commissioner of Indian Affairs 1865, hereafter cited as A.R.C.I.A. followed by the year, Document 105½, Report of D.N. Cooley, p.298.

3. A.R.C.I.A. 1865, Doc.106, Official Report of the Proceedings of the Council with the Indians of the West and Southwest, Held at Fort Smith, Arkansas in September 1865, pp.313-316.

4. Ibid., pp.318-325.

5. Ibid., pp.332-333.

6. National Archives Microfilm Publications, Microcopy T494, Documents Relating to the Negotiations of Ratified and Unratified Treaties with Various Indian Tribes, 1801-1869, 10 rolls, Roll 8, Unratified 1821-1865, frame 1260.

7. Southern Seminole Delegates to U.S. Commissioners 16 September 1865, ibid., frames 1270-1273.

8. Address of John F. Brown to President of the Commission 18 September 1865, ibid., frame 1283; A.R.C.I.A. 1865, Doc.106, pp.342, 350-351.

9. A.R.C.I.A. 1865, Doc.86, Report of Elijah Sells, pp.255-256.

10. George A. Reynolds to Sells 5 December 1865, National Archives Microfilm Publications, Microcopy M234, Letters Received by the Office of Indian Affairs, 1824-1881, 962 rolls, Roll 837, Southern Superintendancy 1866-1867, frames 551-555. Microcopy M234 is hereafter cited as M234 followed by the roll number.

11. James Harlan to Cooley 18 November 1865, M234-836, Southern Superintendency 1865, I1382-65; Harlan to John B. Sanborn 20 November 1865, Sanborn, Circular No.1, 1 January 1866, Sanborn to Harlan 10 January 1866, Sanborn Circular No.6, 27 March 1866 and Sanborn to Major Pinkney Lugenbeel 7 April 1866, M234-837, I56-66, S91-66, S203-66 and S216-66.

12. "Statement of Indian Chiefs to Genl. Sanborn at Fort Gibson Jany 1st and 2nd 1866," M234-837, frames 646-648.

13. A.R.C.I.A. 1866, Doc.147, Report of Sanborn 5 January 1866, pp.284-285.

14. Ibid., pp.283-284.

15. See, for example, ibid., Doc.148, Report of Sanborn 27 January 1866, pp.285-286.

16. Ibid., Report of Cooley, p.56 and Doc.149, Report of Sanborn, 13 April 1866, p.287.

17. Reynolds to Cooley 13 January and 16 February 1866, John Chupco, Fos Harjo and Chicote Harjo, Loyal Seminoles to Commissioner of Indian Affairs 30 January 1866 and Reynolds to Sells 6 April 1866, M234-803, Seminole Agency 1859-1867, R14-66, R26-66, R23-66 and S199-66 enc.; "Statement of Indian Chiefs to Genl. Sanborn at Fort Gibson Jany 1st and 2nd 1866" and J. Harlan (Creek Agent) and Reynolds to Cooley 15 January 1866, M234-837, frames 646-648, 212-214; Drake, Samuel S., Indians of North America (New York, 1880) pp.763-764.

18. J. Harlan (Creek Agent) and Reynolds to Cooley 15 January 1866, M234-837, frames 212-214.

19. Reynolds to Cooley 16 February 1866, M234-803, R26-66.

20. Chupco et.al. to Commissioner of Indian Affairs 30 January 1866, M234-803, R23-66.

21. Kappler, Charles J. (comp.), Indian Affairs, Laws and Treaties, 3 Volumes (Washington, Government Printing Office, 1904) Vol.2, p.695.

22. Ibid., Vol.2, pp.695-696 and Vol.1, pp.340-341.

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24. A.R.C.I.A. 1882, Report of Commissioner, p.lx.

25. Kappler, Indian Affairs, Vol.2, p.695.

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39. A.R.C.I.A. 1869, Report of Commissioner, p.9.

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42. A.R.C.I.A. 1882, Report of Commissioner, p.lx.

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Copy furnished by courtesy of Miss Welch and in the possession of the author.

154. Debo, Angie E., The Road to Disappearance (Norman, University of Oklahoma Press, 1941) pp.275-276; Meserve, John B., "Chief Isparhecher," Chronicles of Oklahoma, 10, No.1, (March 1932), 52-76, pp.53-69; Russell, Orpha B., "William G. Bruner, Member of the House of Kings, Creek Nation," Chronicles of Oklahoma, 30, No.4, (Winter, 1952), 397-407, p.397.

155. Chart One is based on the following sources: M574, Roll 11, File 87; Seminole Annuity Roll, 1870, R.G. 75, B.I.A. Annuity Rolls; "Voucher No.2, Abstract E, 2nd Quarter 1875, Per Capita Roll of Seminole Nation," Grant Foreman Collection, Archives Division, Thomas Gilcrease Museum, Tulsa, Box 49, R12; "Statistics of Indian Tribes in Union Agency, Indian Territory...." 8 November 1877, M234-868, frame 922; "Ledger" showing family groupings and band affiliation in 1890 and 1892, Cutlip Collection, Box 4; "Headright" Payment Rolls, 1895, 1896 and 1897, National Archives Record Group 75, Bureau of Indian Affairs, Records of the Commissioner to the Five Civilized Tribes relative to Enrollment, Tribal Rolls Seminole, 1868-1897, housed at the Federal Archives and Records Center, Fort Worth, Texas, Docs.100594, A-5-20-7 1895-1896, 100595, A-5-20-7 1895-1897 and 100592, A-5-20-7 1897; Seminole Indian and Freedman Census Cards; and National Archives Microfilm Publications, Microcopy T529, Final Rolls of Citizens and Freedmen of the Five Civilized Tribes in Indian Territory, 1907, 1914, 3 rolls, Roll 3, Creek and Seminole rolls.

156. Thanks are due to Dick Sattler, graduate student in the Department of Anthropology at the University of Oklahoma, for pointing this out to me. Sattler is conducting research on clan and town relationships among the Oklahoma Seminoles and is also analysing the difference in the C.B.R. and C.D.R. of the Indians and Blacks at the time of allotment.

157. This conclusion is based upon the masses of information gathered from the Creek Indian and Freedman Census Cards and the Seminole Indian and Freedman Census Cards in preparation for the drawing of Chart Two.

158. The ensuing figures are based upon information furnished in the Seminole Indian Census Cards, the Seminole Freedman Census Cards, the New Born Seminole Indian Census Cards, the New Born Seminole Freedman Census Cards, and the Creek Indian and Freedman Census Cards. Campbell's Abstracts were used as a starting point for tracing Seminole, mixed blood Indian-Black, and Freedman families in all four communities. Wherever possible, additional genealogical information from other sources, such as annuity rolls, was consulted to try to increase accuracy. Those designated "fullblood" on the Seminole rolls were excluded from further investigation. Though some of these may have had Black blood in their veins, it is virtually impossible to trace. The study then was restricted to those Seminoles classified as of mixed blood and the Freedmen. Band affiliation was the key to discovering primary intermarriages. Though the child invariably became a member of its mother's band, the father's band was also specified. Thus, one can easily spot

an enrolled Freedman father of an enrolled Seminole child, and an enrolled Indian father of an enrolled Freedman child. Because blood qauntum was specified on the Seminole Census Cards, the task was made easier, and probably produced more accurate results, when tracing mixed marriages of Black men and Indian women. As blood quantum was not specified on the Freedman rolls, band affiliation was the only pointer to intermarriage. A wide margin of error is involved, arising from the following reasons:

(1) The rolls were compiled for the purpose of allotting land to legitimate Seminole citizens, not for conducting genealogical research. The Dawes Commissioners were concerned with ensuring that the applicant's claim to citizenship was legitimate; the details of his family history were of secondary importance. It should also be remembered that the Census Cards reflect a complex matrilineal system as seen through the eyes of the white beholder. Relationships were obviously not as straight-forward as was made out. Polygamy was apparently rife and a system of primary and secondary marriages was probably in operation. Seminole society was interpreted in Dawes Commission terms, i.e. those of marriage, illegitimacy, race and so forth. Thus, the Commissioners clearly had difficulty with names and broke traditional Seminole names into Christian and surnames on numerous occasions. Duplication with regard to unenrolled parents was, therefore, a major problem. Moreover, an intermarriage has to be defined, in the Commissioners' terms, as a union that produced offspring. There is no way of tracing childless intermarriages. One is left with the distinct impression that Seminole and Freedman society was far more complex than it appeared through the eyes of the Commissioners. It would seem that only half the story was told.

(2) The Census Cards were prone to error. Mixed bloods were sometimes enrolled as fullbloods and hence were removed from investigation. The same parent was in various places listed as being both living and dead. Frequently, parents were said to be living Seminole citizens but were not enrolled.

(3) The Census Cards frequently provided only inadequate information for the purpose. No blood quantum was given for enrolled Freedmen, for example. Hence it was quite possible for 1/2 blood Seminole-Blacks, whose Indian blood was derived through their father, to have 1/4 blood Seminole-Black children by a Freedwoman, but who were listed simply as Freedmen. The simple listing of "Living Seminole" also frequently disguised the fact that the person in question was a Freedman citizen. Where a parent was listed as dead, moreover, it was again virtually impossible to trace lineage. Parents were also, on occasion, listed as "Unknown". Even if band affiliation were indicated, racial composition was ignored. "Non citizens" could also have been Indian, white or Black.

Thus, the information contained in the Census Cards, and hence in this analysis, should be treated with a great deal of caution. The Cards do not tell us the precise racial make-up of Seminole society. Nor could this be achieved by following the rolls back to the pre-removal period. At no time could individuals be said to be "fully Indian" or "fully Black" for an accurate statistical analysis of the mixed blood population.

But, although caution is advisable in approaching the Cards, it has to be said that they do tell us something about the nature of intermarriage in Seminole society, and hint at a great deal more. At the time of allotment there were mixed blood Seminole Blacks on both the Indian and the Freedman rolls. Intermarriage thus took place, but apparently on an extremely small scale. There appear to have been more intermarriages between Black males and Indian females than vice versa but that number seems to have been at least matched by the number involving their resultant mixed blood offspring. In the final analysis, the statistics compiled should be viewed as an indicator of trends rather than a completely accurate statement of fact.

159. Some of the Creek Black husbands appearing on the Seminole Indian rolls were designated "Creek Freedman". Others, however, were simply listed as "Creek", here meaning Creek citizen rather than Creek Indian. The 23 individuals listed here are known to have had Creek Black fathers, either by their designation on the Cards or by tracing them through the Creek and Seminole Freedman rolls and assuring their accuracy with additional family information. 23 represents only the known number of mixed Seminole-Creek Freedmen on the Seminole roll. There may well have been more; but probably not many more.

160 Harry H. Rogers to U.S. Indian Agent, Muskogee, 23 February 1906 and Grant T. Bruner to Kelsey, 27 February 1906, Docs.39518-L and 39518-M, Smn.2-7, Section X, File 2, Indian Archives Division, Oklahoma Historical Society.

161. Diament to Secretary of the Indian Department 8 February 1899, Dawes Commission, Seminole 1897-1905, 497-99.

162. Chart Two is based on information contained in the Seminole Indian, Seminole Freedman, Creek Indian and Creek Freedman Census Cards; Campbell's Abstract of Creek Freedman Census Cards; Campbell's Abstract of Seminole Indian Census Cards; and Moore's Seminole Roll and Land Guide. As the New Born Seminole Indians and Freedmen were arbitrarily allotted 40 acres each by the tribal authorities their landholdings were not representative of Indian and Black settlement patterns. Their allotments have therefore not been included in Chart Two.

163. The only researcher to attempt a study of racial intermixture among the Oklahoma Seminoles was Wilton M. Krogman in 1930. His original intention was to study the Seminole Freedmen but unfortunately,

> The problem of legal status, the pride of race, the superstitious fear of "bein' measured" (for one's coffin) and other factors entered in: we simply could not attempt a study of the Freedmen and their mixture in the Seminole Nation.

As a result, Krogman fell prey to the usual generalizations, "The very number of Negroes associated with the Seminoles is almost *a priori* evidence of intermixture". He concludes, "Intermixture there has been, surely. Complete infiltration, no. The exact extent of crossing must remain a problem". Krogman, Wilton M., *The Physical Anthropology of the Seminole Indians of Oklahoma* (Roma, Italia, Failli, 1935), pp.viii, 10, 13.

164. Information on the mixed blood Noble family was derived from Seminole Indian Census Cards, Census Cards 231, 232, 253, 284, 288, 313, 354; New Born Seminole Indian Census Cards, Census Cards, 79, 94, 103, 180; Seminole Freedman Census Cards, Census Cards 623, 638, 656, 657, 705, 808; New Born Seminole Freedman Census Cards, Census Cards 2, 6; and Creek Freedman Census Cards, Census Card 1810.

165. Information on the Coodys and Warriors was derived from Seminole Indian Census Cards, Census Cards 303, 314, 343, 354, 592; Seminole Freedman Census Cards, Census Cards 625, 645, 652, 664, 737; Creek Freedman Census Cards, Census Cards, 259, 1290.

166. Personal Interview with Ben Warrior, conducted with Susan Miller, 1 March 1983.

167. Tyler Powell to Taylor 7 March 1868, M574, Roll 11, File 87, frame 53.

168. Gallaher, Arthur Jr., "A Survey of the Seminole Freedmen" (M.A. thesis, University of Oklahoma, 1951) pp.22-24. Gallaher's excellent but little-used study has provided a great deal of information on the Seminole Black towns that survived only in the oral tradition. By conducting extensive interviews with Seminole Freedmen, Gallaher did a great deal to prevent the Seminole Black town assuming a position of historical obscurity.

169. Deposition of Caesar Bruner 4 May 1911, R.G. 75, L.R. B.I.A. 1907-1939, 50266-11, enc. with 14334-11, File 816.21.

170. Tyler Powell to Taylor 7 March 1868, M574, Roll 11, File 87, frame 53.

171. M574, Roll 11, File 87; Seminole Annuity Roll, 1870, R.G. 75, B.I.A. Annuity Rolls.

172. Gallaher, "Seminole Freedmen", p.111.

173. Chart Three is based on information contained in the Seminole Indian and Seminole Freedman Census Cards, and Moore's Seminole Roll and Land Guide. As in the case of Chart Two, the allotments of the New Born Freedmen have not been included as they are not indicative of Black settlement patterns.

174. Seminole Annuity Roll, 1879, R.G. 75, B.I.A. Annuity Rolls; "Ledger" showing 1890 and 1892 band membership, Cutlip Collection, Box 4; Warrant Vouchers, Seminole Nation, Seminole Officers Payment for Quarters beginning 1 April 1906, 1 July 1906 and 1 October 1906, Dawes Commission, Seminole 1906-1913.

175. Rogers to U.S. Indian Agent, Muskogee, 23 February 1906 and Grant T. Bruner to Kelsey 27 February 1906, Docs. 39518-L and 39518-M, Smn.2-7, Section X, File 2, Indian Archives Division, Oklahoma Historical Society; "Caesar Bruner," 6 pp. typewritten manuscript, based on interviews with people who knew Caesar, written by a former high school student of Miss Louise Welch of Seminole, copy furnished by Miss Welch and in the possession of the author, Chaney, "Seminole Indians," p.89.

176. Old Abraham of Second Seminole War fame was said to be fulfilling the role of medicine-man in the Freedman community after the Civil War. He apparently died in the early 1880s, Indian Journal, 27 March 1884.

177. Seminole Annuity Roll, 1870, R.G. 75, B.I.A. Annuity Rolls.

178. A.R.C.I.A. 1871, Stats., p.627; Baum, "Agriculture", p.105; Chaney, "Seminole Indians," pp.87-88; "Duke Collection," Vol.43, T-280, Primus Dean, pp.22-23; Randall, Ben, "Early Occupational Life of the Negro," 2 pp. typewritten manuscript, Grant Foreman Collection, Library Division, Oklahoma Historical Society, Oral History and Ex-Slave Narratives, 1 Box.

179. Newsom, Wild and Modern Indian, pp.63-64.

180. "Duke Collection," vol.45, T-210, Dave McIntosh, p.17; Gallaher, "Seminole Freedmen," pp.19-25; Spoehr, "Oklahoma Seminole Towns," Chronicles of Oklahoma, 19, No.4, (December 1941), 377-380, pp. 378-379.

181. A.R.C.I.A. 1869, Stats., p.471; A.R.C.I.A. 1872, Doc.19, Report of Breiner, p.240, and Stats., p.403; Baum, "Agriculture," pp. 107-108; "Duke Collection," Vol.43, Int.T-280, Primus Dean, pp.6-8, 22-23, Vol.45, Int.T-210, Dave McIntosh, pp.2-3, 11, and Int.T-211, Dave McIntosh, pp.18-22: "Indian Pioneer Papers," Vol.95, Int.13122, Eliza Washington, p.369; Randall, "Life of the Negro."

182. "Duke Collection," Vol.43, Int.T-210, Dave McIntosh, p.20.

183. Baum, "Agriculture," p.110; "Duke Collection," Vol.43, Int.T-280, Primus Dean, pp.15-16, Vol.45, Int.T-211, Dave McIntosh, pp.21-22; "Indian Pioneer Papers," Vol.95, Int.13122, Eliza Washington, pp.369-370.

184. This became increasingly clear in working through the Annuity Rolls of the postbellum period, and particularly in studying the Census Cards at the time of allotment.

185. Carter, "Seminole County," p.31; "Duke Collection," Vol.43, Int.T-280, Primus Dean, pp.9-10, Vol.45, Int.T-211, Dave McIntosh, p.12; "Indian Pioneer Papers," Vol.6, Int.47, Charley Lena, p.211; Ralph, "Unique Plight," p.14.

186. "Duke Collection," Vol.45, Int.T-210, Dave McIntosh, pp.8-9; "Indian Pioneer Papers," Vol.93, Int.13642, Carrie Marshall Pitman, pp.348-349.

187. Harmon, S.W., Hell on the Border: A History of the Great United States Criminal Court at Fort Smith and of Crimes and Criminals in the Indian Territory and the Trials and Punishment Thereof Before His Honor, United States Judge Isaac C. Parker (orig. pub. Ft. Smith, Arkansas, Phoenix Pub. Co., 1898; Fort Smith, Hell on the Border Pub. Co., 1953) pp.140-141.

188. "Indian Pioneer Papers," Vol.93, Int.13642, Carrie Marshall Pitman, pp.347-348.

189. On the exploits of Cherokee Bill and the other major Black criminals operating in Indian Territory during these years see, Durham, Phillip and Jones, Everett L., The Negro Cowboys (New York, Dodd, Mead, 1965) pp.174-175; Harmon, Hell on the Border, pp.212-253 et.seq.; Teall, Black History in Oklahoma, pp.127-131.

190. Harmon, Hell on the Border, pp.97-99.

191. Alexander Crain to Kelsey 3 June 1911, Thomas Bruner, Affidavit, J.L. McDonell to J.G. Wright 26 February 1913 and John Collier to A.M. Landman 9 July 1934, R.G. 75, L.R. B.I.A. 1907-1939, Seminole, 31733-34 and encs., File 053; Seminole Freedman Census Cards, Census Card 612, Enrollee 1910.

192. "Indian Pioneer Papers," Vol.93, Int.13642, Carrie Marshall Pitman, pp.347-349.

193. "The Battle of 'Violent' (Violet) Springs," as told by Isaac Bottley, 6 pp. typewritten manuscript, Cutlip Collection, Box 2, passim; Teall, Black History in Oklahoma, p.105.

194. "Duke Collection," Vol.45, Int.T-210, Dave McIntosh, p.10.

195. Debo, Road to Disappearance, p.253; Foreman, Carolyn T., "Marshalltown, Creek Nation," Chronicles of Oklahoma, 32, No.1, (Spring 1954), 52-57, pp.57-58.

196. Newsom, Wild and Modern Indian, pp.63-64.

197. Daily Oklahoman, 15 February 1914. See also, "Indian Pioneer Papers," Vol.26, Int.7013, Bud Gordon, pp.190-191.

198. Gallaher, "Seminole Freedmen," pp.100-104.

199. Ramsay, "Autobiography," p.72.

200. A.R.C.I.A. 1868, No.86, Report of Ramsay, p.286.

201. Ibid.

202. A.R.C.I.A. 1870, No.112, H.C. Shook to Baldwin 27 May 1870, p.304.

203. Breiner to Clum 16 November 1871, M234-798, Schools 1871, frame 45.

204. A.R.C.I.A. 1872, Doc.19, Report of Breiner, p.242.

205. Ibid.

206. Ibid.

207. Constant, Antoinette C. Snow, "A Sketch of Mr. Constant's Work Anong the Seminoles," 2 pp. handwritten manuscript, Constant Papers, p.1; "Duke Collection," Vol.45, Int.T-210, Dave McIntosh, pp.1-2, Int.T-211, Dave McIntosh, p.2; Israel Vore to Hayt 12 August 1878, M234-870, frames 1260-1264; Ramsay, "Autobiography," p.95.

208. Thomas Bruner to Secretary of the Interior, n.d. but recd. by the Department 17 February 1911, also accompanying papers and correspondence, R.G. 75, L.R. B.I.A. 1907-1939, 14334-11, File 816-21.

209. "Statistics of Indian Tribes in Union Agency, Indian Territory..." 8 November 1877, M234-868, frame 927.

210. Census Office, *Five Civilized Tribes in Indian Territory*, p.16.

211. Constant, "Seminoles: Earliest Missionaries," p.14.

212. "Indian Pioneer Papers," Vol.71, Int.12701, Moses Chapone, p.455.

213. Constant, "Seminoles: Earliest Missionaries," pp.15-17; "Indian Pioneer Papers," Vol.93, Int.13642, Carrie Marshall Pitman, p.350.

214. Constant, "Modern Witchcraft," pp.10-11 and Constant, "Seminoles: Earliest Missionaries," pp.16-17.

215. Constant, "Seminoles: Earliest Missionaries," pp.18, 25.

216. Constant, "Modern Witchcraft," pp.10-11.

217. *Ibid.*, pp.1-11 and Constant, "Seminoles: Earliest Missionaries," p.27.

218. Constant, "Modern Witchcraft," pp.10-11.

219. Ramsay, "Autobiography," p.89.

220. *Ibid.*, pp.76, 93, 95, 99; Chaney, "Seminole Indians," p.80; "Indian Pioneer Papers," Vol.113, Int.7733, Leister Reed, p.290.

221. Chaney, "Seminole Indians," Appendix C.

222. "Duke Collection," Vol.43, Int.T280, Primus Dean, pp.12-14, Vol.45, Int.T-210, Dave McIntosh, pp.28-29, Vol.51, Int.T-44, Lizzie Johnson Kernell, p.2; Trevathan, Robert E., "School Days at Emahaka Academy," *Chronicles of Oklahoma*, 38, No.3, (Autumn 1960), 265-273, p.265.

223. "Duke Collection," Vol.52, Int.T-48, Billy Spencer, p.6.

224. *Ibid.*, Vol.43, Int.T-280, Primus Dean, pp.11, 13, 19.

225. J.D. Benedict to Commissioner of Indian Affairs 6 January 1908, and copy of "The Western World: Creek-Seminole College News", Boley, Indian Territory, with accompanying correspondence, R.G. 75, L.R. B.I.A. 1907-1939, 98785-07 and 92801-07, File 811.

226. "Duke Collection," Vol.52, Int.T-48, Billy Spencer, p.7.

227. *Ibid.*, Vol.43, Int.T-280, Primus Dean, p.13.

228. Superintendent of Schools in Indian Territory to Commissioner of Indian Affairs 12 September 1906 (twice), C.F. Larrabee to Superintendant of Indian Schools in Indian Territory 9 November 1906 and Quarterly Report of Red Day Seminole Freedman School, First Quarter 1911, Dawes Commission, Seminole 1906-1913; A.R.C.I.A. 1905, Pt.1, pp.115-116, 749, Pt.2, p.222; Annual Report of the Indian Inspector for Indian Territory 1906, pp.735, 761; Chaney, "Seminole Indians," p.100.

229. Interview with Ben Warrior, 1 March 1983.

230. Thomas Bruner to Secretary of the Interior, n.d. but recd. by Department 17 February 1911, also accompanying papers and correspondence, R.G. 75, L.R. B.I.A. 1907-1939, 14334-11, File 816-21.

231. "Indian Pioneer Papers," Vol.28, Int.5338, Rina Henderson, p.410.

232. Interview with Ben Warrior, 1 March 1983.

233. Gallaher, "Seminole Freedmen," pp.70-75; "Indian Pioneer Papers," Vol.18, Int.6671, George Butner, pp.29-30.

234. "Indian Pioneer Papers," Vol.104, Int.13738, Viola Chandler, pp.273-274.

235. A.R.B.I.C. 1883, p.47; A.R.C.I.A. 1887, Stats., p.355; A.R.C.I.A. 1888, p.123.

236. Quoted in Wyeth, Walter N., Poor Lo! Early Indian Missions: A Memorial (Philadelphia, W.N. Wyeth Pub., 1896) p.114.

237. Gallaher, "Seminole Freedmen," pp.117-119 and n.73.

238. "The Battle of 'Violent' (Violet) Springs."

239. Unless otherwise stated, informaton on the Choctaw and Chickasaw Freedmen was taken from the following: National Archives Record Group 75, Records of the Bureau of Indian Affairs, Records Relating to the Enrollment of the Five Civilized Tribes, Letters Received Relating to Choctaw and Other Freedmen 1878-1884; Annual Report of the Commssioner to the Five Civilized Tribes 1894 (hereafter cited as A.R.C.F.C.T.); Statement of the Chickasaw Freedmen, Setting Forth Their Wrongs, Grievances, Claims and Needs, pp.35-53; Abel, Annie H., The American Indian Under Reconstruction (Cleveland, Arthur H. Clark Co., 1925); Andrews, "Freedmen in Indian Territory;" Bender, Norman J., "We Surely Gave Them an Uplift," Chronicles of Oklahoma, 61, No.2, (Summer 1983), 180-193; Debo, Angie E., The Rise and Fall of the Choctaw Republic (Norman, University of Oklahoma Press, 1941); Flickinger, Robert E., The Choctaw Freedman and the Story of Oak Hill Industrial Academy, Valliant, McCurtain County, Oklahoma (Fonda, Iowa, Journal and Times Press, for Presbyterian Board of Missions for Freedmen, Pittsburgh, 1914); Gibson, Arrell M., The Chickasaws (Norman, University of Oklahoma Press, 1971); James, Parthena L., "Reconstruction in the Chickasaw Nation: The Freedman Problem," Chronicles of Oklahoma, 45, No.1, (Spring 1967), 44-57; Jeltz, Wyatt F., "The Relations of Negroes and Choctaw and Chickasaw Indians," Journal of Negro History, 33, (1948), 24-37;

Kensell, Lewis A., "Phases of Reconstruction in the Choctaw Nation, 1865-1870," Chronicles of Oklahoma, 47, No.2, (Summer 1969), 138-153; Littlefield, Daniel F. Jr., The Chickasaw Freedmen: A People Without a Country (Westport, Connecticut and London, Greenwood Press, 1980). Of these, the last-named work is easily the most thorough and comprehensive in its coverage of the subject.

240. Quoted in, Littlefield, Chickasaw Freedmen, p.151.

241. For information on the Cherokee Freedmen see, Ballenger, T.L., "The Colored High School of the Cherokee Nation," Chronicles of Oklahoma, 30, No.4, (Winter 1952), 454-462; Gammon, Tim, "Black Freedmen and the Cherokee Nation," Journal of American Studies, 2, No.3, (December 1977), 357-364; Hammond, Sue, "Socio-economic Reconstruction in the Cherokee Nation 1865-1870," Chronicles of Oklahoma, 56, No.2, (Summer 1978), 158-169; Kremer Gary R., "For Justice and a Fee: James Milton Turner and the Cherokee Freedmen," Chronicles of Oklahoma, 58, No.4, (Winter 1980), 377-391; Littlefield, Daniel F. Jr., The Cherokee Freedmen: From Emancipation to American Citizenship (Westport, Connecticut and London, Greenwood Press, 1978); Wardell, Morris L., A Political History of the Cherokee Nation, 1838-1907 (Norman, University of Oklahoma Press, 1938); Warren, Hanna R., "Reconstruction in the Cherokee Nation," Chronicles of Oklahoma, 45, No.2, (Summer 1967), 180-189; Willson, Walt, "Freedmen in the Indian Territory During Reconstruction," Chronicles of Oklahoma, 49, No.2, (Summer 1971), 230-244.

242. The only substantial study so far conducted on Creek Freedmen is Sameth, Sigmund, "Creek Negroes: A Study of Race Relations" (M.A. thesis, University of Oklahoma, 1940). See also relevant sections in Debo, Angie E., And Still the Waters Run (Princeton, New Jersey, Princeton University Press, 1940) and Debo, Road to Disappearance.

243. A.R.C.I.A. 1882, Report of Commissioner, p.lx.

244. Beadle, J.H., The Undeveloped West, or Five Years in the Territories (Philadelphia, National Pub. Co., 1873) pp.372-375.

245. A.R.C.I.A. 1894, Report of D.M. Wisdom, p.141; A.R.C.I.A. 1895, Report of Wisdom, pp.159-160; A.R.C.I.A. 1899, Pt.1, pp.113, 197; A.R.C.F.C.T. 1899, Pt.2, pp.11-13; Kappler, Indian Affairs, Vol.1, Laws, pp.662-665.

246. Kappler, Indian Affairs, Vol.1, pp.662-665.

247. A.R.C.F.C.T. 1899, Pt.2, pp.11-13.

248. A.R.C.I.A. 1901, Pt.1, p.152.

249. A.C. Tonner to Secretary of the Interior 11 January 1901, together with 3 enclosures, National Archives Record Group 48, Records of the Department of the Interior, Indian Territory Division, Special Files Box 52, No.123, 12 January 1901, hereafter cited as R.G. 48, R.D.I., S.F. Box 52.

250. Tonner to Secretary of the Interior 11 January 1901, together with encs, R.G. 48, R.D.I., S.F. Box 52, No.124.

251. Tonner to Secretary of the Interior 11 January 1901, together with encs, R.G. 48, R.D.I., S.F. Box 52, No.127.

252. Tonner to Secretary of the Interior 11 January 1901, together with encs, R.G. 48, R.D.I., S.F. Box 52, No.126.

253. W.A. Jones to Secretary of the Interior 11 January and 5 February 1901, Sam Mahardy to Secretary of the Interior 15 November and 27 December 1902, R.G. 48, R.D.I., S.F. Box 48, No. 129 enc. 1, No.497 enc. 2, No.7187 and No.117; Ryan to Commissioner of Indian Affairs 20 February 1901, Dawes Commission, Letters Received and Miscellaneous, Vol.230, pp.79-84; Acting District Superintendent in Charge, Office of Five Civilized Tribes, to Commissioner of Indian Affairs 5 June 1928, Chas. H. Burke to Mahardy 13 June 1928 and Mahardy to Commissioner of Indian Affairs 20 June 1928, R.G. 75, L.R. B.I.A. 1907-1939, Seminole, 21798-28 and encs., File 053; Seminole Freedman Census Cards, Census Card 843, Enrollees 2739, 2741 and 2742.

254. Tams Bixby to Secretary of the Interior 2 January 1906, R.G. 75, L.R. B.I.A. 1880-1907, 1784-06; Bixby to Secretary of the Interior 21 January 1907, R.G. 75, L.R. B.I.A. 1907-1939, Seminole, 10033-07, File 053.

255. Ryan to Commissioner of Indian Affairs 16 January and 8 February 1901, Bixby to Secretary of the Interior 26 January 1901 and Commissioner of Indian Affairs to Secretary of the Interior, R.G. 75, L.R. B.I.A. 1880-1907, 3623-01, 8454-01, 6174-01 and enc. 1.

256. *A.R.C.I.A. 1905*, Pt. 1, p.135.

257. Bixby to Secretary of the Interior 28 July 1906, 5 June 1906, 11 January 1907, and 28 July 1906, with encs., R.G. 75, L.R. B.I.A. 1881-1907, 65698-06, 49069-06, 3865-07, and 65697-06; National Archives Record Group 75, Records of the Bureau of Indian Affairs, Applications for Enrollment from the Five Civilized Tribes, 1910-1915, Chickasaw, Creek, Seminole, 1 Box, Cases 16, 5, 6.

258. *A.R.C.I.A. 1907*, p.294.

259. *A.R.C.F.C.T. 1900*, p.28; *A.R.C.I.A. 1902*, Pt.1, p.206; *A.R.C.F.C.T. 1902*, Pt.2, pp.43-45.

260. Cf. for example, Bixby to Secretary of the Interior 31 March 1903, R.G. 75, L.R. B.I.A. 1907-1939, 12831-08, Creek 313. This refers to Caesar Bowlegs, who apparently held improvements on Creek land allotted to Lillie Harjo. Caesar requested payment for his property.

261. *A.R.C.F.C.T. 1902*, Pt.2, p.49.

262. *Annual Report of the United States Inspector for Indian Territory 1903*, p.10, hereafter cited as *A.R.I.I.T.*

263. A.R.C.I.A. 1905, Pt. 1, pp.627-628; A.R.C.I.A. 1906, p.638.

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TWENTIETH CENTURY RELATIONS AND CONCLUSIONS

Separatism was the dominant feature in the history of relations between Blacks and Seminoles on the frontier. The Seminoles were introduced to Blacks during the first Spanish period in Florida. The Blacks had been granted their freedom and were living in a separate armed settlement close by their Spanish allies. These Blacks were allowed to own property and move around at will and lived under few restraints. The Seminoles were clearly influenced by the system practised by their "civilized" neighbours and adopted many of its elements in their own dealings with Blacks. Blacks became associated with the Seminoles as maroons, runaways and slaves. The maroons entered into a primarily military alliance with the Indians and established separate settlements within the Seminole confederation. Runaways tended to join the maroon communities rather than the Indian settlements but would frequently attach themselves to a Seminole chieftain for protection.

The third group, Black slaves, are the most interesting. The Seminoles apparently held Indian war captives as slaves at the same time as they held Black slaves, but the two were treated differently. While Indian slaves were permitted to enter Seminole society through intermarriage and adoption, this rarely happened in the case of Blacks. The Black slaves were rarely incorporated into Seminole clans or towns but lived apart from their owners in separate villages, situated approximate to those of the Indians. Seminole slaves lived independent lives in the Black villages, being subject to few formal controls. They owned arms, property and horses and were treated as virtual equals by the Seminoles. As the Seminoles were not interested in competition or profits, they had no need for an institutionalized system of slavery, overseers, or Black codes. In consequence, many of the Blacks became quite wealthy. A separate and largely unique Seminole Black culture developed within the Black

townships and several features of this stood in stark contrast to the cultural manifestations of the Seminole Indians. Because of the necessity of their military alliance, the Seminoles not only had no objection to separate settlements of armed Blacks but also encouraged their establishment. In military campaigns, the Seminoles and Blacks fought in separate companies under their own leaders and, though their strategy was well organized and co-ordinated, they frequently acted independently and unilaterally. Finally, during removal negotiations in the Second Seminole War, the Indians and Blacks adopted a policy of looking out for themselves, with the Blacks eventually separating from the Seminoles once they had been assured of their freedom.

Seminole and Black separatism was also prevalent during the first decade after removal. The Blacks effectively split into two factions. The more conciliatory among them continued to be associated with the Seminoles on the Deep Fork but lived in their own villages. The militants, however, separated themselves completely from the Indians and lived on the military reservation at Fort Gibson for three and a half years. Upon being restored to the Seminoles, the Blacks disobeyed the Indians' instructions as to where they should settle and instead established the town of Wewoka some distance away. The militants soon joined in an alliance with Wild Cat's recalcitrant traditionalists that resulted in their joint emigration to Mexico. The allies had different motives and objectives, however, and shared little common interest beyond the wish to escape. On the journey through Texas, the Seminoles and Blacks travelled in separate parties and, once they crossed the border, they were treated as separate "tribes" by government officials during negotiations. The allies eventually established their own villages at Nacimiento, some distance away from each other. During their military campaigns against depredating Indians and Texas filibusters, the Seminoles and Blacks again organized in separate companies under their own leaders. Eventually, the Blacks

pursued an independent initiative and acted unilaterally in refusing to take part in campaigns or defer to the overall authority of the Seminoles. The weaknesses inherent in the alliance came to a head in the late 1850s and the Seminoles returned to the Indian Territory, leaving the Black maroons alone on the Mexican frontier.

Beginning in 1870, the Seminole Blacks in Mexico attempted to return to the Indian Territory. Their intention was not to renew their association with the Seminoles, however,but to return to their kinsmen among the Freedmen and reap the benefits of tribal citizenship. Though they had welcomed the returning Indian emigrants, the Seminoles shunned the Blacks and refused them entry. The Freedmen, however, opened their arms to those Blacks who managed to make the journey independently, and kept them hidden within their communities against the wishes of the progressive tribal government. The Seminole Freedman townships were so remote and isolated at this time that the tribal authorities remained unaware of the illegal immigrants' presence in the nation for some considerable time. The Seminole Blacks that remained in Texas and Mexico again established independent communities on the frontier and these have survived to the present-day.

The Blacks who remained behind with the Seminoles after the Mexican migrations of 1849 and 1850, for the most part, enjoyed a more successful and peaceful decade than their emigrant compatriots, and some grew to be quite prosperous. The system of slavery employed by the Seminoles had apparently changed but little since removal, it still being firmly based on the native concepts of tribute and deference. Though kidnapping continued to be a major problem and slaves were more likely to be sold out of the nation than before, their lifestyle remained much the same. Once again, the Blacks were permitted to live apart from the Indians, own horses, arms and other property, move around freely, utilize tribal

lands and keep all the products of their labour save for the small tribute paid to the owner. The Seminole Blacks continued to live in their own towns under Black leadership and farm the land. By the time of the Civil War, some Seminole slaves owned more property than their owners. Several aspects of the unique Seminole Black culture came to light at this time, in particular their Africanized version of Christianity which was subsequently transmitted to the Indians. Thus, no form of institutionalized slavery or rigid system of controls was ever adopted by the Seminoles and their Blacks continued to live separate, independent lives.

Blacks and Seminoles became close allies once more during the American Civil War. This time, however, one of the Seminole factions took the opposite side to the Blacks. At the onset of the Civil War in the Indian Territory, the Blacks sided with the Bowlegs' recalcitrants in support of the Union. The two groups fled towards Kansas but travelled in separate parties. Once they had arrived at the refugee camps, moreover, they quickly established separate settlements, approximate to each other, on the Neosho. During their retreat to Kansas and the early part of the war, the Indians and Blacks fought side-by-side against their common enemy. Once settled in Kansas, however, the Seminoles fought with the Union Indian Brigade while the Blacks joined Coloured regiments. During the course of the war, Seminole Black members of Kansas Coloured regiments engaged Confederate Seminoles on the battlefields of the Indian Territory, frequently acting in concert with Union Indian troops. The situation was reminsicent of the Seminole Wars. Though Seminoles and Blacks were joined in a close military alliance against a mutual foe, they chose to live apart and fought in separate units.

At no other time during the period under consideration was Seminole and Black separatism more marked than in the years between reconstruction and statehood. The Seminole conservatives rewarded their former and

recent Black allies with incorporation into the tribe and the granting of rights and privileges equal to those of native citizens. The Blacks gladly accepted their new role and the benefits it conferred. In place of their military alliance, the Seminoles and Freedmen adopted a policy of peaceful co-existence that proved to be remarkably successful. In fact, they had relatively few adjustments to make to their former relationship. Incorporation did not bring with it adoption into Indian clans or towns. Thus, the Blacks were again both inside and outside of Seminole society. Though the Blacks were given equal rights within the nation, they were effectively excluded from most aspects of Seminole social life. The Freedmen, however, concurred with this arrangement, preferring to live in Black towns and continue as before. The Blacks were officially recognised as members of the Seminole nation for the first time but there were few concrete changes in their circumstances. The Freedmen no longer had to give their small tribute to the chiefs, were protected by Seminole law, granted a stake in tribal lands and monies, and given the vote and political representation, but economic and social arrangements stayed much the same as they had been before the war. This was the key to the success of Seminole reconstruction.

Immediately after the Civil War, the Seminoles and Blacks settled apart in separate towns. The Freedmen established 4 towns and by the time of allotment this number has increased to five. The Black townships came to constitute almost autonomous units within Seminole society, much as they had before the Civil War. The Blacks had their own town leaders, economic and social arrangements and cultural life. The Seminole Freedman family was highly independent and tended to interact mostly with other members of the Black community. The Freedmen had their own churches, schools, language and naming practices. They also had their own political organizations. Two Black bands came to represent the interests of the

Freedmen on the Seminole council after the Civil War. Social interaction with the Indians appears to have been limited and restricted largely to members of a few leading families that moved easily within Seminole society and constituted the Freedman elite. Seminole and Black separatism came fully to light at the time of allotment at the turn of the century. From the records of the Dawes Commission, it is clear that separate Black towns were well established and featured prominently in the Seminole nation by 1900. Furthermore, there appears to have been an extremely low incidence of intermarriage between Indians and Blacks after the Civil War, hinting at the degree of social separation. What little took place usually involved members of that elite group of Freedmen who already interacted extensively with the Seminoles, and their offspring. The resultant mixed bloods appear to have held an anomalous position within Seminole society, living on the fringe of Indian and Freedman townships and likely to marry either Seminoles or Blacks. They seem to have been too few in number to bridge the gap between Indian and Black society by 'passing' between the races. In short, the great majority of Freedmen lived in a Black town, had a Black spouse and family, went to a Black church, interacted mostly with other Freedmen, and had little to do with the Seminoles.

The Seminole and Black separatism that was so prevalent at the time of allotment was the ultimate expression of a policy first established in Florida at century earlier. The policy had been designed to facilitate a military alliance between the Indians and Blacks with a minimum of social upheaval. Building upon the idea of the old maroon settlements and the free Black communities in Spanish Florida, the Seminoles encouraged their Black associates to settle apart and conduct their lives independently. In exchange for a small tribute and their support during campaigns, the Blacks were left relatively free of interference. The Blacks, for their

part, snatched at the chance of creating their own communities and lifestyles and being able to maintain their cultural traditions, while receiving at least partial protection from their Seminole allies. Here they could hunt, farm, raise families and interact with other Blacks of a similar background and with the same outlook. For the most part, this policy worked extremely well. Afrer the Civil War, as the need for a military alliance was finally removed, the arrangement evolved into a successful formula for living together free of strife. Unlike the other Civilized tribes, the Seminoles were not encumbered by the necessity of dismantling instutionalized slavery and rigid Black codes, or, indeed, by the racial attitudes accompanying such a system. Because of the strength of nativism within the tribe and the groups' history of alliance and close association, the Seminoles and Blacks were able to formulate a blueprint for racial harmony based on living apart, but on equal terms.

As the Seminoles and Blacks lived in relatively small areas over a long period of time, cultural transmission from one group to the other inevitably took place. Thus, for example, the Blacks undoubtedly had an influence on the use of English and music of the Seminoles as well as transmitting Africanisms to the Indians along with Christianity. Joe Dillard has argued convincingly that the Seminoles' use of English was initially influenced by the Blacks, from whom it was learned. As the Seminoles were actually hearing "Afro-Seminole Creole" rather than English, they came to speak a pidgin English.[1] Frances Densmore, in field study research among the Florida Seminoles in the 1930s, noted several Black influences in Seminole music including the use of the "labial m" and improvisation of "Changes of a melody in its repetitions". There were also Seminole songs about Blacks, notably "My old Slaves", which Densmore believed pre-dated the Second Seminole War.[2] There was also clear Black to Indian transmission in the way the Seminoles first accepted Christianity.

Both James Factor and John Jumper were converted by "bewitched" Black Baptists. As the Seminole Blacks had seemingly acquired their Baptism through Creek Black missionaries acting out of North Fork town, it would seem reasonable to suspect that Jumper and Factor received an Africanized version of Baptism. The subsequent action of Reverend Murrow in quickly dividing the Seminole Baptist church into Indian and Black congregations would seem to add weight to this contention. The Presbyterian minister, Reverend Ramsay, also lamented the fact that his Black interpreter, Robert Johnson, was passing on Africanisms to his Indian members. The Seminole rolls include individuals with typical Blacks names such as Nero, Caesar and Moses. There is no evidence, however, that Black naming-practices, such as the adoption of the father's Christian name as a surname by the son, were ever employed by the Indians. The Blacks may well have had an effect upon the artwork, folklore and colourful dress of the Seminoles but this is open to debate, and more research is called for in this area.

There was also clear Seminole to Black transmission in a number of areas. In Florida, according to William H. Simmons, the Blacks lived and dressed "pretty much like the Indians" and employed a communal system of agriculture.[3] The Blacks ate Indian dishes and many learned to speak the languages of the Seminoles for personal communication and to be able to act as interpreters between the Indians and whites. No evidence could be found to suggest that the Blacks adopted the Seminole clan system but they certainly organized into bands, perhaps at an early stage. Among the Texas Seminole Blacks, reference was made in the early 1870s to the Elijah Daniels band and the John Kibbetts band . It was also noted that the Blacks held elections to choose their leaders. In the Indian Territory, meanwhile, Black bands became a prominent feature in Seminole Freedman society during reconstruction. The Freedmen also acceded to the

Seminole system of determining band affiliation through the female line. Art Gallaher has suggested a number of areas in which there appears to have been Seminole cultural transmission to Blacks, including marriage customs and superstitions. One of the most important of these was burial customs, Gallaher believing that those found among the Blacks were "essentially the same as those found among the Creek and Seminole Indians of today".[4] All too often, however, it is uncertain which group kept the custom first, and transmitted it to the other. Gallaher quite rightly concludes, "Although becoming somewhat acculturated to this group, indications are that the Freedmen were never completely culturally identified with the Seminoles. It appears that they accepted several aspects of the Seminole culture, perhaps those which were the most useful to them in their association with the latter group, but overall they appeared to retain much of their original culture".[5]

Seminole transmission, in fact, was instrumental in the development of a unique Seminole Black culture. The Blacks sometimes took for surnames the names of former Indian owners and combined these with West African names and names given to them on southern plantations. The Seminoles also contributed to the Seminole Blacks' very own "Afro-Seminole" language. Finally, Seminole religious ceremonial was added to various mixtures of Presbyteriansm, Catholicism, Baptism and African tribalism to form quite exotic corruptions of Christianity. In 1924, for example, it was reported that the church-goers among the Texas Seminole Blacks called themselves the Mount Zion Baptists, yet they commemorated Advent, prayed continually for the dead, held wakes, had a hog-meat taboo, believed in the literal breaking of bread and put great store upon revelations, an important officer in the church community being the interpreter of dreams.[6] These cultural traits have been discovered in several of the Seminole Black communities but not among the Seminole Indians. The naming practices, for example, are similar among the Oklahoma, Texas and Mexican groups

and each has displayed a blend of the above-mentioned religions. This gives a crucial clue to the way Seminole Blacks see themselves. The various communities all display a strong overall group pride. They share a common heritage and maintain a culture that is unique to the group as a whole. At least three of these communities, those in Oklahoma, Texas and Mexico, have maintained visiting relations during the Twentieth Century but the first two of these lost contact with the Seminoles long ago. Clearly, the members of these communities see themselves not as Seminole Indian, but Seminole Black.

Seminole and Black separatism has been a recurrent theme to the present day. At various times, separate Seminole Black communities are known to have been established at 6 different locations.[7] These were, in chronological order, Florida; Andros Island, Bahamas; Indian Territory; Mexico; Kansas; and Texas. Of these, Florida, the Indian Territory, Mexico, Kansas and Texas have been discussed in the text. The Andros group was apparently established in the 1820s. Following the First Seminole War and the destruction of the Black towns on the Suwannee, a large number of fugitive Blacks headed south with the intention of quitting the Florida peninsula rather than fall prey to slave hunters. They made their way to Cape Florida and there those who could afford to bargained with the captains of wreckers for a passage to Andros, the nearest substantial territory of their former ally, the British. Others, who could not meet the price or would not trust their safety to the wreckers, made the crossing in Seminole dug-out canoes fitted with sails and paddles. Apparently, a fairly large number of Blacks eventually made the journey to Andros over a number of years. The main Seminole Black settlement was situated in the north of the island and named Nicholls towns after the British Colonel who constructed the Negro Fort at Prospect Bluff. One of the early leaders was Scipio Bowlegs and many of his descendants were still alive in 1946. Other Seminole Black communities were established at Mastic Point

and Red Bay on the Northeast coast.[8] Little is known of the group's history, which may well survive only in oral tradition. It seems probable, however, that their relationship with the Seminoles came to an end in the 1820s.

Seminole Blacks apparently remained behind in Kansas after the Civil War but how many, and for how long, is unknown. Ben Warrior has informed the author, however, that there were still groups of Seminole Freedmen in Kansas and that they have kept in contact with the Oklahoma group.[9] Of the other 5 communities mentioned, only 2, the Florida and Oklahoma groups, have maintained relations with the Seminoles. Relations between the Seminoles and the Texas and Mexico groups effectively came to an end when the last of Wild Cat's followers left Nacimiento for the Indian Territory in 1861. Though the Texas group hoped to return to the Seminole nation en masse after 1870 it was not to be and they eventually established a separate Black community at Brackettville. Only a few of their number managed to return to the Seminole country in the early 1880s, and their immigration was opposed by the tribal authorities.

Interestingly enough, the Seminoles made several attempts earlier this century to reclaim for the tribe Wild Cat's old grant at Nacimiento, with a view to removing there. The idea first took shape in the early 1900s when the Seminoles began to realize that the allotment of their lands would put them in closer proximity to white settlers. The projected moves were instigated by prominent members of the tribe and found their strongest support among the conservatives, who wished to return to a simpler way of life in a more remote location.

The first move came in 1903 when a pilot delegation of prominent Seminoles journeyed to Músquiz to discuss the grant with local officials. The party included Chief Hulbutta Micco, Alice Brown Davis, who acted as interpreter, and about 30 other delegates. Some progress was made during

the discussions and the Seminoles returned home with the intention of taking up the matter with the Mexican government at a later date.[10] Consequently, in the early part of 1905, Hulbutta, Davis, Isaac Jones, Parjuck Harjochee and other prominent Seminoles travelled to Mexico City in an effort to substantiate their claim. During the ensuing negotiations, the Seminoles' title to land at Nacimiento was established but a major obstacle to their removing there was presented by the Blacks and Kickapoos who had occupied all of the 4 "Sitios de Ganado Mayor" formerly granted to the 3 groups. To dispossess them would cost more than the land was worth and the Seminoles were not prepared to settle among the Blacks, even if they were to be permitted to do so. Clearly, there was to be no reconciliation between the two groups. Before further discussions could take place, a revolution broke out in Mexico which forced the Seminoles to return to the Indian Territory. Alice Brown Davis attempted to revive the case by returning, once more, to Mexico in 1910 but her efforts again proved unsuccessful and the Seminoles' claim fell into abeyance.[11]

In the winter of 1920-1921, the Chief of the Mexican Kickapoos, Papicua, visited Louis C. Brown, the son of the late Chief John F. Brown, and encouraged the Seminoles to remove to Nacimiento at once, "proferring every assistance in his power".[12] The Mexican Kickapoos apparently preferred their neighbours to be Seminole Indian rather than Seminole Black. As a result, another Seminole delegation was put together to travel to Mexico to investigate the possibility of the tribe's removing to Nacimiento. The party of 5 included Louis Brown, C.C. Patten, Wallace Cully, Isaac Jones and Ahalakochee, the grandson of Wild Cat, who had returned from Mexico with the other Seminoles some 60 years earlier.[13]

The delegation left Wewoka for Músquiz on 16 January 1921 carrying with it the bronze medal which had been cast as proof of the Seminoles' treaty with the Mexican government in 1852. It was known that the Blacks

were now in possession of most of the old grant at the hacienda and the delegates hoped to interview them to "learn their attitude and disposition" towards the projected Seminole removal.[14] During the journey, Ahalakochee told stories of his earlier experiences after leaving the Indian Territory in 1849 and furnished a great deal of valuable information on the Seminole-Black migration to Mexico. The fullbloods' dream of a less complicated existence in a by-gone age found embodiment in his nostalgic descriptions of Nacimiento in the 1850s and, as they approached the border, the delegates' hopes ran high. Once in Mexico, however, they found, "A wild and desolate country infested with bandits and laid waste by revolution".[15] By 30 January, Jones and Cully had seen enough and were ready to return home.[16] The last straw came when the delegation reached Músquiz. Patten thus described the scene, "Here as everywhere we have travělled in Mexico, evidences of long years of destructive wars are seen on every hand, and desolation is resting upon every village and farm".[17] The thoroughly disillusioned delegation returned home during the first week of February, having abandoned the idea of ever finding a suitable reservation in Mexico. Its demise saw the end of perhaps the last best hope for a re-establishment of relations between the Seminoles and the Blacks at Nacimiento.

Following a number of unauthorized investigative missions to Mexico by prominent individuals in the years following the 1921 expedition, the Seminole leadership made two final attempts to reclaim the lands at Nacimiento for the tribe in the late 1930s. In June 1937, a delegation of four prominent Seminoles, Peter Tiger, Edward Harjo, Peter Miller and John Morgan, was sent to Músquiz to appeal its case before local officials.[18] Upon reaching Nacimiento, however, "They found that the land was inhabited by a band of negroes who called themselves Seminoles". Once again, the delegates showed unwillingness to share the land with the Blacks and, as

the Mexican government was not prepared to evict them, the Seminoles were offered another tract elsewhere.[19] The tribe was unimpressed with the proposal, however, and substantial support for the move was not forthcoming. Significantly, as the interest of the Seminoles waned when they learned that the Blacks were residing on the grant, that of the Seminole Freedmen increased. In December, it was reported that the Caesar Bruner band was thinking of removing to Nacimiento.[20] Though it eventually came to nothing, this clearly shows that,while the Seminoles were averse to any renewed association with the Blacks living at the hacienda, the Freedmen still felt they had strong ties with these people, in spite of their long separation.

The Seminole delegation must have gained the support of President Lazaro Cardenas for, in 1938, he offered to give the tribe another piece of land in Mexico. Yet another delegation was sent to inspect the tract but widespread support for the move was again lacking, and none was made.[21] Recent Seminole leaders have been well aware of the tribe's claim to land at Nacimiento and proposals are still put forward occasionally to send representatives to Mexico to investigate the possibility of being permitted to remove there.[22] Whether or not the Seminoles will renew their interest in Wild Cat's old land grant is open to conjecture but, if they do, it seems certain that the results will be similar to those of their previous efforts. As they have occupied the land at the hacienda for so long, it is highly unlikely that the Mascogos and Mexican Kickapoos would be asked to make way for the Seminoles and it is impossible to imagine the Seminoles' consenting to share their land with the Blacks, even if the latter were to permit them to do so. In view of the Seminoles' recent disputes with the Freedmen, their previous refusals to revive their former association with the Mascogos, and the latter's history of separatism and independence, the only conclusion left to draw is that there is today

no prospect of a reconciliation or re-establishment of relations between the Seminoles and the Seminole Blacks at Nacimiento.

While relations between the Seminoles and the Texas and Mexico groups ended long ago, they have been maintained between the groups themselves. The two were always fairly mobile and there was much interchanging between communities in the 1870s and 1880s. They remained closely associated after the Scouts were disbanded. In 1918, for example, it was noted that a number of former scouts had crossed over to Mexico but "desired to cross frontier [sic] frequently to visit relatives at Bracket, Texas".[23] The Blacks' status remained a problem as they were not technically subjects of either country, but both the U.S. and Mexican governments allowed free passage between the settlements into the mid 1930s. The Seminole Black communities shared a fierce pride in their heritage and for many years held aloof from "State Negroes". As a result, they suffered under a shortage of potential marriage partners and tended to intermarry extensively. According to Laurence Foster, most members of the Brackettville and Nacimiento groups preferred that "their children wed 'Seminoles' as they are fond of calling themselves", as late as the 1930s. Foster summarily concluded, "There is... still a very close relationship between the two groups. They make frequent visits to one another and also correspond with each other very often".[24] Visiting relations were maintained between various families in the Oklahoma and Texas-Mexico groups through the 1940s. On 19 June 1981, however, under the sponsorship of Dr. Ian F. Hancock of the University of Texas at Austin, an historic reunion took place between members of the Texas and Oklahoma groups at Brackettville.[25] Car-loads of Seminole Freedmen from the Little River country made their way to west Texas along the American interstates. It was indeed a far cry from the journey of their fore-fathers 132 years earlier.

Not all of the Seminole Blacks had been removed to the Indian Territory during the Second Seminole War. A handful had managed to evade the U.S. army and remained secluded within the Florida swamps and hammocks with the recalcitrant Seminoles. In 1856, Special Indian Agent John C. Casey produced a census of these Indian warriors and Blacks remaining in Florida. He listed 3 Black men: Harry, aged 48, a slave of Assunwah and described as strong and ugly; Simon, aged 28, a slave of Billy Bowlegs and described as well built, with a stutter; and Toney, aged 25, described as dark brown and strong, who was with Assunwah. Casey also listed 4 Black women and children with the Seminoles: Silvia, or Silvy, aged 50, the wife of Toney and with Bowlegs; "A brown woman", aged 24 or 25, the wife of Mah-wah-hee, who was with Echo Emathla Chopko; Ko-mi-kee, aged 15, the daughter of Fatimah, who had emigrated west; and Sal-intah, aged 11, the son of Fatimah by Simon. The latter two were with old Koe-Emathla-Achulee, a brother of Wild Cat.[26] In 1883-1884, Clay McCauley conducted an exhaustive survey of the remaining Florida Seminoles for the Bureau of Ethnology. McCauley discovered amongst the Seminole population of 208, 3 Black women and 7 mixed bloods with Indian fathers and Black mothers who had been adopted into the tribe. No discrimination was discernible among the Florida remnant, "One Indian is, I know, married to a negress, and the two negresses in the tribe live apparently on terms of perfect equality with the other women...".[27] Thus, the Seminole-Black connection continued in Florida even after the final removals.

Beginning just after McCauley's survey was published, reports began to come in that the Florida Seminoles were still holding Black slaves. On 13 March 1885, Special Indian Agent Cyrus Beede reported that the Tallahassee band was situated near old Fort Gardner on the Kissimee River in Polk County and went on, "... Tallahassee's band consists of

16 Indians, including men, women and children and 3 negroes, slaves, one old woman, her daughter and grand daughter, the latter a babe, and the illegitimate child of a white man, total number 19...". "A few negroes" were also associated with Micco's camps, situated near Lake Okeechobee, but were living about 12 miles south of the Indians, in Dade County.[28] Miss Lily Pierpont wrote on 11 January 1887,

> ...I am told these Seminoles have negro slaves! Think of it! One report is that they are willing slaves - another that they are bondsmen and women compelled to do the field work, what little is done - again that the negro men are kept in chains and carefully guarded. Now there is probably some exaggeration here but it is a fact that the Indians have negro slaves. What would General Sherman say?

One of Tallahassee's slaves was the daughter of a woman he bought prior to the Civil War. Mis Pierpont added that she was "as ignorant as the Indians of our language".[29] On 4 March 1889, Miss Pierpont reported a massacre among the Cow Creek Indians, perpetuated, at Old Tony's camp, by, "The half-breed, Jimmy Jumper, the son of the negress Nancy". Jimmy, apparently, ran "amuck" and murdered 7 people including "the big chief, Wocseemico"; Captain Tom Tiger; his brother, Old Tom; and the two small children of Jimmy's sister, Lucy. One report said that he killed Lucy also, and then was killed himself. Lily's main concern, however, was that revenge would be wreaked upon "the slaves".[30]

The debate over whether the Seminoles still held Blacks in slavery reached its peak around the turn of the century. In 1898, Charles H. Coe felt obliged to turn his attention to the issue. He consulted Dr. J.E. Brecht, a teacher at Fort Myers and considered an expert on Seminole affairs who replied that there were no more than 7 Blacks among the Seminoles,

> There is one full-blooded negro woman in the Big Cypress settlement; she has one son, now about twenty-five years old, by an Indian; the negro predominates in him. This woman has no other children to my knowledge. The boy is large, well built, and very industrious, and is a favorite among the Indians. He is not regarded or treated

> as a slave by any one; on the contrary, he sells his own produce and uses his money and time as he pleases. I think this is the case with all of their presumed or so-called 'slaves".

Kirk Munroe, who had been acquainted with the Seminoles for 18 years, concurred, adding, "I would state most emphatically that there is no such thing as negro slavery among the Seminoles of Florida". Coe concluded somewhat cursorily, "This effectually settles the "slave" question".[31]

But the debate over Seminole slavery was not yet dead. In 1908, M.R. Harrington came across "Funko", a Black woman, in Billy Buster's village. Harrington described her as "a huge woman" with "black skin, heavy lips, and kinky grey hair - she was a negress, even though she wore the short waist and long skirt of Seminole women. Unlike most of these Indian women, however, her clothes looked as if they had not been washed or changed for months; and her hair was a mess". Funko had been one of Tallahassee's slaves until Billy Buster purchased her for a yoke of oxen. She had been a slave "as long as any of the Indians could remember". She was fully Black but "Seminole" was her native tongue and she knew only a few words of English. Her tasks were to help the women in Buster's village with the chores such as fetching water and hoeing the garden.[32] One last glimmer of light on Tallahassee's Blacks was shed by Minnie Moore Willson a few years later. She described how when Tallahassee's squaw died, his family of 6 boys "were cared for by the two negro slaves who spoke only the Seminole language and were perfectly content to do the drudgery for the family". Willson went on to describe one of these Black women, Hannah, the last of the Seminole slaves. Hannah was "a full-blooded negress, with thick lips, broad flat nose and kinky hair, which is tied in little plaits with the proverbial string of the Southern negro". She did the work of the family but, though she was treated kindly, "... a certain contempt is felt for her, for Hannah is an <u>este lusta</u> (a negro) and to the haughty Seminole a negro is the lowest

of human creatures".[33] This was a theme that would be repeated a decade later.

Further information on the nature of Seminole-Black relations in Florida surfaced during a Senate investigation into the condition of Indians in the U.S. in 1929-1930. One of the witnesses called was Mrs. F. Stranahan, the Chairman of Indian Welfare, Florida Federation of Women's clubs in Fort Lauderdale. When asked if the Seminoles had ever mixed with the Blacks she replied, "I know that they do not have any contact whatsoever with them now. In fact, the Indians, in their comparative rating of the negroes, place their dogs first and then esta luska". Glenn B. Skipper, a Republican national committeeman for Florida, categorized the Seminoles into three distinct groups, none of which wanted anything to do with the other, "The second group consists of Indians with negro blood in them, headed by Billy Bowlegs,and neither of the pure-blood Indian groups will have anything to do with him". Special Commissioner L.A. Spencer of the Dania reservation estimated that there were only, "7 Indians in Florida that have a small degree of negro blood, and they are confined to two families, 3 in one, and 4 in the other". Roy Nash elaborated in part, "Charlie Dixie in the Big Cypress is the son of a negress by an Indian father; Jim-Sling, his wife, is a full-blood Indian, so their 4 children have only one-fourth negro blood". He concluded, somewhat prematurely, "Under present conditions the negro blood will shortly be eliminated as a recognizable quantity".[34] It was still recognizable in 1970, however. In a case study of the Florida Seminoles, W.S. Pollitzer noted, "... Some Negroid admixture. In general the distribution of both the physical measurements and the serological factors on the reservations at Brighton... and at Big Cypress and Dania... bears out the historical relationship between the two populations...".[35] In 1972, Merwyn S. Garbarino reported that there had been a few recent marriages between

Seminole women at Big Cypress and Black men working on surrounding plantations.[36] It would thus appear that a whole new chapter of Seminole-Black relations is just commencing in Florida.

The most extensive and significant interaction between Seminoles and Blacks this century has taken place in Oklahoma. The new state offered little for Blacks beyond segregation, discrimination and racism. In quite literal terms, under Oklahoma law, Seminoles were considered to be white, and Freedmen, Black. This clearly had a devastating effect on relations, which deteriorated rapidly. A pointer to the effect of statehood on the Freedmen is provided by their support for Black separatist orgnaizations, such as Chief Alfred C. Sam's back-to-Africa movement,[37] and expressions of dissidence, such as the Crazy Snake and Green Corn Rebellions.[38] After 1930, the white-influenced progressives sought to disown the Freedmen and have them removed from both the tribe's future, and its past. This faction, feeling the burden of the prevailing "intermarriage theory", attempted to wash away the Black stain by denying the Freedmen their rights as Seminole citizens. Their actions took two forms: denial of the Freedmen's rights to participate in tribal lands and monies; and denial of their right to participate in the political process. When both are taken together, it added up to the denial of rights of Seminole citizenship and of the contribution of Blacks to Seminole history.

The first method employed was to file suit against the U.S. government for lands allotted to the Freedmen under the Dawes Commission. Here, the Seminole progressives followed the lead of others of the Civilized tribes in denying that they had ever wished to incorporate the Blacks, or actually done so. At least 3 suits have been taken out since 1930, all resulting in the Seminole petitions being denied.[39] The Seminoles also chose to exclude the Freedmen from the $16 million award the tribe recently received for the loss of Florida lands under the treaty of Moultrie

Creek. Here, the line has been taken that, even if they were entitled to allotments, the Blacks were certainly not entitled to land lost before their incorporation into the tribe in 1866. The Seminole Freedmen are contesting this latter case vehemently and are prepared to take it all the way to the Supreme Court, if necessary. At the time of writing, this fascinating case, which could unearth a great deal of information on early Seminole-Black relations in Florida, remains locked in litigation with no-one the beneficiary.[40]

The second method involved disfranchisement and the denial of political representation. Efforts were made to re-constitute the Seminole tribe under the terms of the 1934 Indian Reorganization Act. The progressives made the exclusion of the Freedmen from the projected constitution a top priority. Indeed, it was made clear that they would prefer no tribal government at all to one shared with the Blacks. Constitutional drafts were formulated which excluded the Freedmen but these were not sanctioned and the Black political organizations continued to function on an unofficial basis.[41]

The issue fell into abeyance until after the Second World War. Something of a milestone occurred in 1954 when the two Seminole Freedman bands were recognized by the Area Director of the Five Civilized Tribes in Muskogee, and this seemed to set a precedent for later struggles. In the mid 1960s, the Seminoles again made moves to draft a constitution with a view to re-establishing the Seminole nation in order to conduct more formal relations with the Federal government. In the early part of 1964, the 14 bands in existence at the time of allotment were called upon to name representatives to a constitutional committee. Between May and June, proposals were again made to exclude the Freedmen but they came to nothing. A number of constitutional drafts were produced between 1964 and 1969 containing different proposals for dealing with the Freedmen. One of the more interesting proposals was for the creation of two con-

stitutions, one for the Seminoles and one for the Freedmen. This, in effect, would have created the first Black tribe in America. The Freedmen showed interest in this proposal for a time, but it finally fell through. The notion of excluding the Blacks from the tribal organization was finally scotched by Bureau of Indian Affairs officials. At a time of intense civil rights activity, the issue of the Seminole Freedmen was potentially a political hot potato and the administration was having no part of it.[42]

As a result of these developments, the Freedmen were finally included in the Seminole Constitution of 1969. One more attempt was made to exclude the Blacks from the political process in 1978, this time by way of a constitutional amendment, but it failed to gain approval. Under the provisions of the 1969 constitution, the Freedmen were recognized as Seminole citizens and granted equal political rights. The Seminole Freedmen today still have two bands and six representatives on the tribal council. They are also allowed to vote for the principal and second chief of the nation. A blood-quantum clause regarding office-holding was included in the constitution, however, and it is now virtually impossible for a Black to become the chief of the nation. Though the Freedmen have been granted equal political rights, moreover, they have been excluded from almost every other benefit associated with tribal membership. Seminole tribal programmes come in two forms, those administered by the B.I.A. and those administered by the Seminole nation itself. The Freedmen are excluded from every programme administered by the B.I.A. because of blood quantum definitions of eligibility. The Seminoles have the right to decide who partakes in the programmes they administer, yet they too have adopted blood quantums rather than citizenship as the measure of eligibility. As of January 1979, the Seminole Freedmen received no direct benefits from their tribal affiliation and were unlikely to be eligible for future

considerations.[43]

The Seminole Freedmen today are in an anomalous position. They are clearly very proud of their history and their association with the Seminoles. The older Seminole Freedmen will quickly tell you that they were never slaves but allies of the Indians. This sense of pride in their heritage has helped them survive the traumas of segregation, discrimination, and racial hatred. Yet now it means little beyond a link with the past. The Freedman council members vote on programmes that the Blacks can never share in. While this sense of identity and heritage is clearly of paramount importance to the older Freedmen, it has little relevance or meaning to the younger Blacks. Many Seminoles take the view that Freedman interest and participation in the political process will disappear within a generation.

But there is another side to the story. A new generation of young and talented Freedman leaders is stepping into the breach and challenging the Seminole leadership on issues such as Black participation in tribal programmes. The Seminoles themselves have, of late, begun to accept the role played by Blacks in their history. It was an important step forward for the tribe, for example, when Blacks stood beside Indians in the Trail of Tears pageant during the Bicentennial celebrations in Wewoka.[44] Most encouraging of all, however, has been the stance adopted by the present Principal Chief, James Milam. The Chief has sponsored a project through the tribal newspaper designed to bring to light all aspects of Seminole history, including the part played by the Freedmen. During a recent official visit to Washington, moreover, Chief Milam was accompanied by two Black council members, Lance and Lawrence Cudjo. History seemed to be repeating itself and the future, at last, looked brighter for Seminole-Black relations.

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8. Interviews

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