

DAVID FOLSOM AND THE EMERGENCE
OF CHOCTAW NATIONALISM

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PREFACE

Few historians have used nationalism as a concept relevant to Native Americans. Because of this oversight there is a need for re-evaluation. During the early nineteenth century the Choctaw Indians of present day Mississippi displayed a strong nationalistic movement that resulted in the overthrow of the old political order and the institution of constitutional government. In all, they passed from a chieftaincy form of organization to a national one with elected officials.¹

What constitutes nationalism has generated much scholarly debate. Its definition has varied from time to time and scholar to scholar. Yet there are certain beliefs and conditions that most academicians agree point to the existence of nationalism. These can be summarized as:

1. A national territory with clearly defined boundaries.
2. Shared cultural characteristics such as language, customs, manners, and social institutions which the nation wants to preserve.
3. The desire for an independent or sovereign government based on the principle of self-determination and loyalty to self-rule.
4. A shared belief in a common history or ethnic identity.
5. Love and esteem for fellow nationals over and above that of "foreigners."
6. A devotion to the national entity.

7. A pride in the past achievements and sorrow for past defeats of the nation.

8. A shared disregard for other nations. This may take the form of hostility if those nations become threatening.

In the early nineteenth century, the Choctaws demonstrated all these characteristics to some extent.²

One of the first Choctaw nationalists was David Folsom, and his life illustrates the development and early growth of Choctaw nationalism. He was the leader of a rising group of comparatively wealthy first generation mixed-bloods who were bicultural in outlook but considered themselves Choctaws. Folsom was more conscious of American society than most of his contemporaries. Viewing the progress of mankind from a rational perspective, he saw Choctaw society as a historical reality which the white man threatened to destroy. Folsom belonged to both of the societies which were confronting one another and he experienced inwardly the clash between the two. Both were a part of him, and the destruction of one of them meant the symbolic annihilation of a part of himself. His resolution of this conflict turned him into a "new man."

David Folsom derived his identification as a Choctaw from a new kind of understanding. Whereas traditionally the Choctaws justified their existence through myth, Folsom replaced this with the Lockean concept of "human rights." His most significant contribution to Choctaw thought was the idea that the Choctaws inherently possessed rights and

deserved justice because they were human beings. The Anglo challenge to their rights gave rise to the concept of Choctaw solidarity, on which he based his political career. The logical fulfillment of this mode of thought was the creation of a Choctaw Nation in which nationalism would replace myth as a means to sanctify the existence of the Choctaw people.

To accomplish his goals Folsom developed a program which stressed the preservation of the "national homeland" and self-strengthening through education, the development of industry, and rigid morality. He enlisted Christian missionaries as allies in the task of transforming a people who were uneducated, by Anglo standards, into citizens of a modern republican state. His staunch defense of the Choctaw territory in present-day Mississippi contributed most to the success of the Choctaw Christian nationalist movement. By offering the best strategy for preserving Choctaw sovereignty over their mythical homeland, he received the support of many who still thought in mythical terms despite the fact that his movement opposed such modes of thought.

During the course of completing this thesis I have become indebted to many people. Special thanks go to W. David Baird for his patient direction and editing of the manuscript. Professors James L. Huston and Helga H. Harriman both contributed thoughtful suggestions for improvement. Thanks to the History Department at the Oklahoma State University for offering me an assistantship to pursue my studies. To Mary Jane Warde and Clyde Ellis

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ENDNOTES

1. For works dealing with Native American nationalism see: William G. McLoughlin, Cherokee Renascence in the New Republic (Princeton: Princeton University Press, 1986); Robert Berkhofer, Jr., "The Political Context of a New Indian History," Pacific Historical Review 40 (August 1971): 357-382.

2. Adapted from Boyd C. Shafer's, Nationalism: Its Nature and Interpreters, AHA Pamphlet 701 (Washington: American Historical Association, 1976), 10-11; For a discussion of Nationalism see: Anthony D. Smith, Theories of Nationalism (New York: Harper & Row, 1971); *ibid.*, The Ethnic Revival (New York: Cambridge University Press, 1981).

TABLE OF CONTENTS

Chapter	Page
I. THE PATH TOWARD NATIONALISM, 1776-1816	1
II. A POLITICAL LEADER, 1815-1820	26
III. THE PATH TOWARD REVOLUTION, 1820-1825	50
IV. THE CHOCTAW REVOLUTION, 1825-1830	68
V. THE REMOVAL CRISIS, 1829-1830	89
VI. DAVID FOLSOM AND THE CHOCTAW REPUBLIC IN THE WEST, 1830-1849	107
BIBLIOGRAPHY	127

LIST OF FIGURES

Figure	Page
1. Choctaw Land Cessions, 1801-1830	11
2. The District Divisions of the Choctaw Nation Before Removal	20
3. American Board Mission Stations	43
4. Choctaw District Divisions in the Indian Territory	112



David Folsom. (Courtesy Oklahoma
Historical Society.)

CHAPTER I

THE PATH TOWARD NATIONALISM, 1776-1816

David Folsom was a revolutionary Choctaw thinker whose heritage and formative years were exceptionally critical to his intellectual development. He was born on 25 January 1791, to Nathaniel Folsom, a prosperous white trader, and Ai-Ne-Chi-Hoyo, who was descended from a proud and prominent "royal" family of chiefs. This mixed parentage imbued David with prestige, wealth, and the opportunity to learn of two societies. Because his father kept an inn for whites traveling through the Choctaw country, young David frequently conversed with learned white men. He became obsessed with education and obtained a short stint of formal learning at a school on the Elk River in Tennessee. His heritage and early experiences caused David to view the relative weakness of the Choctaws as the result of historic processes--a failure on the part of the Choctaws to adapt to their changing environment. For Folsom, reason was superior to myth and this explained the white man's superiority. Wanting to preserve such historical Choctaw attributes as political independence and language, he concluded that his people must substitute the rationalism of the white man for their mythic reality.¹

At the outbreak of the American Revolution, David

Folsom's father, Nathaniel Folsom, moved with his family from Georgia into the Choctaw country. As Loyalists, they perhaps hoped to escape persecution from local revolutionaries. Having learned that land in the Choctaw country was extremely fertile and the opportunities for trade abundant, Nathaniel's father determined to make his fortune in that land where people said "money grew on bushes." But as the family entered the Choctaw country, they met some of their former neighbors from Georgia who had emigrated earlier and were leaving as a result of illness; they warned Nathaniel's father not to settle in that territory because the climate was not healthful. Unwilling to risk the lives of his family, Nathaniel's father sought a new location farther north within the Chickasaw country. As the family prepared to depart, Nathaniel quarreled with his father and elected to stay among the Choctaws.²

Nathaniel was not alone for long. He soon entered into a joint trading venture with a man named Welsh, initiating a partnership that flourished for the next thirty years. Nathaniel then married I-Ah-Ne-Cha and Ai-Ne-Chi-Hoyo, two sisters from a "Royal" Choctaw family.³ Marriage into such a prominent family apparently brought him instant prestige among the Choctaws. The three settled at Bok tuklo, near present-day Philadelphia, Mississippi, where Nathaniel prospered and fathered a large family of mixed-blood children.⁴

Nathaniel held strong English Loyalist/nationalist sympathies. When, in 1777, the British Superintendent of

Indian Affairs purchased from the Choctaws a tract of land along the Mississippi River as a Loyalist refuge, Nathaniel used his influence to restrain the Choctaws from attacking the Natchez settlement. In 1781, two years after the passage of British West Florida to Spain, Folsom led a band of about fifty Choctaws warriors in conjunction with a Loyalist attempt to regain control of West Florida. Nathaniel promised the Anglo rebels refuge within the Choctaw country should the enterprise fail. Such an offer demonstrated that Nathaniel was influential among the Indians. Ultimately the revolt failed, but his spirit of nationalism would reappear later in David Folsom.⁵

Intermarriage to Europeans, the exceptional influence of white men, and the growing materialism of the Indians caused tremendous societal stress for the Choctaws. The accumulation of material wealth by certain individuals created distinct social classes which threatened traditional concepts of power and prestige. Contact with Europeans brought dramatic changes in the forms of economic activity. Hunting for the skin trade supplanted the old self-sufficient economic system, and the Choctaws developed a dependency upon a market they could not control. The basis of their economy was unsound because the demand for manufactured goods constantly exceeded the supply of deer used as a medium of exchange. Generally the intermarried white population opposed the skin trade and promoted cattle herding and agriculture. This created further societal fragmentation as the Choctaws became polarized over which

pursuit, hunting or agriculture, was better. Even the chiefs began clamoring over the right to control trade or distribute annuities. Indeed the Choctaws were suffering through a painful transition from which they could not retreat. Some Choctaw leaders realized, by the time of David Folsom's birth, that their people must change if they hoped to maintain their separate existence. As chief Franchimastabe explained in 1792, the era "of living and hunting by the gun was ending."⁶

David Folsom began life during a life-threatening period for the Choctaws. A drought which began the previous summer destroyed much of the tribe's crops, and an unknown disease killed many of their horses and cattle. The lure of the skin trade had prompted many warriors to pursue the hunt exclusively and ignore their traditional subsistence agricultural system. Yet over-hunting reduced the native game population to such an extent that it became virtually impossible to obtain enough skins for trade with white traders. To make matters worse, the added demands of the hunting economy forced many Choctaws to abandon any form of horticulture altogether. The dearth of food caused desperate warriors to raid the Spanish country for beef, an action that prompted the Spanish to retaliate through their Creek allies.⁷

Aside from these natural and political disasters, the Folsom family experienced their own share of catastrophes. David's mother, AI-Ne-Chi-Hoyo, contracted pneumonia prior to his birth. This affliction, which spread throughout the

Folsom household, had earlier taken the lives of David's older brother and sister. Called away on an important trading enterprise, Nathaniel left his wife in her mother's care and alerted a local doctor. Ai-Ne-Chi-Hoyo remained ill and after giving birth to David, she was so weak the doctor believed she would die. Fortunately AI-Ne-Chi-Hoyo's mother cared for the infant until AI-Ne-Chi-Hoyo recovered. When Nathaniel returned from New Orleans a month later, he rejoiced that both mother and child had survived.⁸

David Folsom grew up amid two worlds. Like most Choctaw youths, he played in the woods and prairies of his homeland. He listened to stories of how the Choctaws originated and came to inhabit the region, of how his ancestors were buried there and would return to the region after its cosmic destruction sometime in the future. But at home, which Nathaniel operated as an inn for travelers on the way between Natchez and Tennessee, David was far removed from that mythic world. His family lived as white families elsewhere on the frontier. They raised cattle and maintained a trading house on the Robinson Road, which led south through the Choctaw county to Natchez.⁹ From Nathaniel, David learned the trade business. Living in close contact with white men, David developed an awareness of the "outside" world which was unusual among most full-blood Choctaws.¹⁰

Perhaps Folsom was too young to realize it at that time, but the Choctaws were entering a new era of Indian-white relations. The primary concern of the new American

government was to preserve peace on the frontier. But President George Washington also believed that the United States had a moral obligation to promote the advancement and the happiness of the Indians contained within the recognized limits of the United States. He did not believe that the Indians could continue to maintain their "primitive" institutions. He therefore advocated governmental support for the promotion of religion and industry among the Indians. More importantly, he acknowledged the Choctaws as an independent nation.¹¹

Choctaw acceptance of American offers to "civilize" them led indirectly to the creation in 1798 of the Mississippi Territory which encompassed the Choctaw country. After the founding of the United States, Spanish officials sought to create an Indian buffer zone between Florida and the Americans. But loyalties depended upon trade and the Spanish colony was too poor to attract the Choctaws away from the Americans. Unable to establish her Indian buffer zone, Spanish Florida resorted to stirring up frontier violence to scare Americans away from the Florida frontier. For a brief period after the outbreak of the Anglo-Spanish War, the Spanish officials adopted a more conciliatory stance and in 1795 signed Pickney's Treaty by which Spain ceded her claim to all lands north of the thirty-first parallel to the United States. Three years later the Spanish finally removed south of the thirty-first parallel. But immediately thereafter they reinforced Fort Natchez and ordered their agents to offer large quantities of presents

to any Indian in exchange for "American hair." The United States acted quickly to provide an administrative government to protect its settlers in that region. To this end Congress established the Mississippi Territory in 1798. From its inception, the territorial administration was inimical to the presence of the Choctaws within its borders.¹²

In recognition of the significance of trade, the act which created Mississippi Territory gave the newly appointed territorial governor, Winthrop Sargent, the responsibility for supervising trade with the Indians. But it soon became apparent that the governor, pressed by administrative duties and not in a position to develop intimacy with the tribes, was not the best person to assume the task. By 1800 Governor C.C. Claiborne, the second governor of Mississippi Territory, began appointing Indian agents to perform this important duty. Gradually the obligation passed entirely to the agents. In a move to maintain the loyalty of the Indians, American owned trading posts suddenly appeared to supply the wants of the Choctaws.¹³

The increased white presence resulting from the establishment of trading posts and the appointment of Indian agents affected David Folsom's life profoundly. His half-sister, Molly, married one of the newly appointed Indian agents, a white man named Samuel Mitchell, who became Choctaw agent in 1796. Mitchell developed a fatherly fondness for his wife's intelligent half-brother and requested that Nathaniel let the boy live with them so that

David might perfect his English and be of company to Molly, whose health was faltering. With his father's consent, seven-year-old David went to live at the Choctaw Agency. Over the next three years David became fluent in English and even began playing the violin. He showed such a desire to learn that Mitchell encouraged him to seek a formal education.¹⁴

David Folsom's residence in the Mitchell household ended in 1801 upon the death of Molly. Yet his three years there impressed him deeply. There he learned about Christianity and the value of an education. In addition, he developed an naive appreciation for western politics and the Lockean concept of human rights which was highly esteemed by leading Americans of the time. Most importantly, his presence in the Choctaw Agency raised David's consciousness about American views of the Choctaw people. Although Samuel Mitchell was sympathetic to the Indians, Folsom learned that the administration of Mississippi Territory considered the presence of the Choctaws as a impediment to the growth and progress of the territory. It is probable that during this period David first became fully conscious of the Choctaws as a nation. For this reason the events of the subsequent five years, which resulted in the loss of portions of the Choctaw National domain, deeply troubled him.¹⁵

At about the time young David Folsom returned home from the Mitchell household, the Choctaws entered into another treaty negotiation with the United States. At issue was the desire for a land purchase from the Choctaws. Late

in 1801, President Thomas Jefferson dispatched Brigadier-General James Wilkinson of Maryland, Benjamin Hawkins of North Carolina, and Andrew Pickens of South Carolina, as commissioners plenipotentiary to renew the pledges of Choctaw-American friendship made at a previous treaty at Hopewell, South Carolina in 1796. The Spanish scheme of stirring up Indian hostility against American settlers was a major concern for the United States. Reports circulated that some Choctaw warriors from the southernmost part of their country had participated in some Spanish-inspired raids. Choctaw leaders regretted this and felt that they must do something to demonstrate their willingness to co-exist with the United States. Thus, when the American commissioners asked to purchase a tract of land lying from the mouth of the Yazoo River south to the thirty-first parallel, Choctaw leaders agreed. In addition, the commissioners requested that the tribe consent to the construction of a wagon road running north from the Mississippi settlements through the Choctaw country to the southern boundary of the Chickasaw domain. In return, the United States would renew its vows of friendship and protection plus pay two thousand dollars to the tribe in "goods and merchandise." The Choctaws agreed and on 17 December 1801 signed the treaty with the United States.¹⁶

Wilkinson returned to the Choctaws ten months later to negotiate another treaty. The borders separating the Choctaw territory from the United States were not clearly established. The Jefferson administration felt it essential

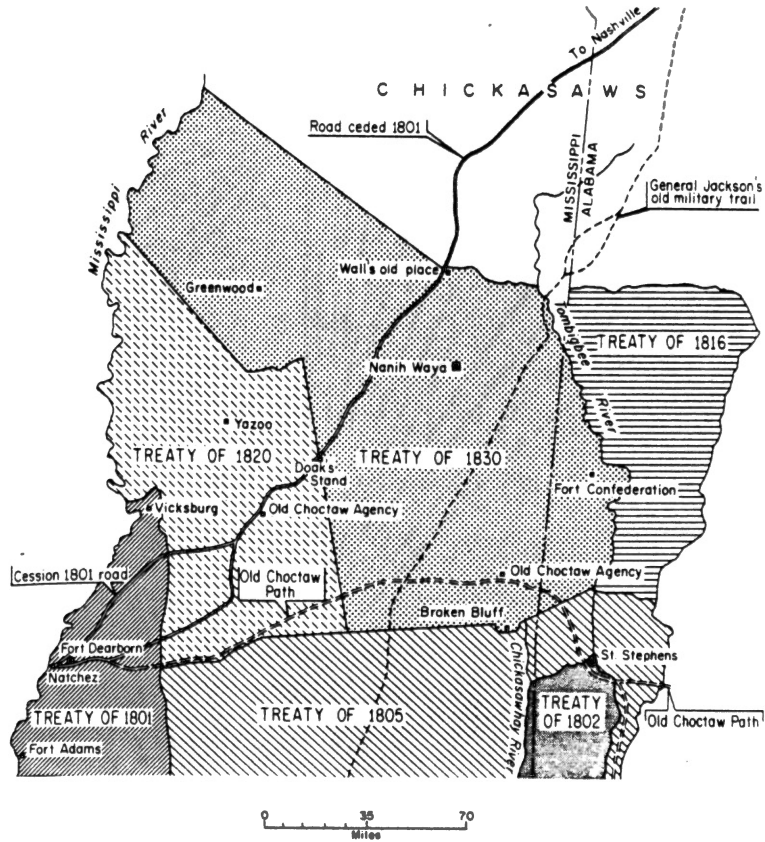


Figure 1. Choctaw Land Cessions, 1801-1830. Reprinted from Debo, Rise and Fall, 35.

that the borders be better defined so that ignorance of the exact boundary line could not constitute a just defense for wrongs committed by Americans crossing into Choctaw country or by Choctaws raiding American settlements along the border. As a remedy Wilkinson proposed that the Choctaws agree to set their boundaries in accordance with a treaty made by them with the British in 1765.¹⁷

The resulting Treaty of 1802 established the foundation for Choctaw nationalism, a national territory with clearly defined boundaries. The Choctaws knew that by the treaty terms they would lose land. Wilkinson, moreover, only offered to pay the paltry sum of one dollar for the entire region. But the Indians understood the potential for conflict if the boundary separating them from the Americans was not well established. They also feared the withdrawal of American friendship and support should the tribe not come to terms. Aware that the amount of land they would lose was small, the leadership signed the treaty on 17 October 1802. The natural boundaries of the Choctaw domain established by the treaty stimulated feelings of nationalism among the Choctaws. They possessed a clearly defined territory over which they exercised sovereignty, a sovereignty recognized by the United States. The Choctaws left the negotiations in 1802 convinced that they had proven their friendship. Thereafter they stiffened their resistance to any further land cessions. 18

But Thomas Jefferson was insecure about the future of the new territory in the Southwest, and he developed a plan

to enable the United States to purchase additional land from the Indians. He proposed that the United States instruct its agents to prepare the Choctaws for "participation in our government." The development of a domestic economy based upon trade, Jefferson reasoned, would make the Indians more dependent upon the United States as a trading partner. This would also reduce the Choctaws' need for a vast hunting area, thus freeing lands for purchase by the United States and eventual settlement by American frontiersmen. By this means the Mississippi Territory could build a population equal to its own defense.¹⁹

Jefferson's Secretary of War Henry Dearborn found a devious way to frustrate Choctaw attempts to preserve their national homeland. He, quite by accident, stumbled across an effective method to obtain Choctaw land. The idea developed when Sub-Agent John McKee informed Dearborn that the English firm of John Forbes and Company (formerly Panton, Leslie and Company), unable to obtain payment in specie on their Choctaw accounts, approached him asking to receive payment in land. When Dearborn recovered from the shock of contemplating a Choctaw land cession to a British company operating for the benefit of Spain, he immediately informed McKee that the cession was not legal. But when Dearborn learned that the Choctaws were sincerely aggrieved at not being able to pay their debts, he proposed that the tribe might cede part of its land to the United States for funds sufficient to repay the debts. General James Wilkinson and Agent Silas Dinsmoor soon presented this

proposal to the Choctaw headmen, suggesting that they cede a parcel of land above present-day Mobile, Alabama. The Indians, however, refused to part with that land, proposing instead that the United States accept a cession in the forks of the Alabama and Tombigbee Rivers. Dearborn, engrossed in the business of the Louisiana Purchase, refused their offer.²⁰

The Louisiana Purchase caused the Jeffersonian administration to rethink its entire Indian policy. In his 1803 draft of a proposed constitutional amendment to justify the purchase, Jefferson stated that the "legislature of the Union shall have authority to exchange the right of occupancy in portions where the U.S. have full rights for land possessed by Indians within U.S. on the East side of the Mississippi: to exchange lands on the East side of the river for those of the white inhabitants on the west side thereof..." This was the genesis of what would become known as the Indian Removal Policy. Through it Jefferson intended to compact white settlement east of the Mississippi River and to create an Indian buffer zone west of that river. This would protect the United States from the Spanish possessions farther west. To his credit, Jefferson did not propose forced removal. The Indians possessed treaties which guaranteed them their lands east of the Mississippi. He felt these treaties could not be directly broken. But it did not take Jefferson long to find indirect means to obtain "full rights" for possessing the Choctaw lands.²¹

Jefferson's removal idea quickly gained the support of

the United States Congress. On 26 March 1804 the legislature authorized the president to "stipulate with any Indian tribes owning land on the east side of the Mississippi, and residing thereon, for an exchange of lands the property of the United States on the west side of the Mississippi." The intent of this act was to give the president power to negotiate for the purchase of Indian lands. In fact it empowered the United States to engage the Choctaws in unrelenting negotiations for the sale of their lands.²²

Throughout 1804 John Forbes pressured the Choctaws for a settlement of their overdue debts. Following the passage of the March, 1804 act, he exacted from them a petition to the United States calling for the reopening of negotiations for a land cession so the tribe could pay its debts. Secretary of War Dearborn quickly commissioned James Robertson of Tennessee and Silas Dinsmoor to negotiate a treaty that would only accept a cession of lands on the Mississippi River. Negotiations opened on 6 November 1805 and lasted for ten days. The commissioners failed to persuade the Choctaws to give up their land on the Mississippi River. Ultimately all parties reached an agreement whereby the tribe ceded about 4,142,720 acres of fertile land located on the eastern side of their domain in exchange for an annual annuity of \$3,000 in goods and \$48,000 cash. The cash went to Agent Silas Dinsmoor in behalf of the tribes' creditors. As an added inducement to get the chiefs to sign, the commissioners agreed to pay

Puckshenubbee, Homastubbee²³, and Pushmataha \$500 for past services and an annual salary of \$150 for as long as they remained in office. In addition, Interpreter John Pitchlynn, an intermarried white man, received \$2500 "to compensate him for the depredations committed on stock, and other property by evil disposed persons...and as a grateful testimonial of the nation's esteem."²⁴

David Folsom witnessed the Choctaw land cessions of 1802 and 1805 with, after the latter, growing disapproval. Unable to influence the decisions of the chiefs, Folsom busied himself helping with his father's inn on Robinson Road. David often conversed with white travelers about events in the United States and in the Choctaw country. This alerted him to the rapid growth and development of American nationalism. These conversations convinced David that the Choctaws needed education if they hoped to defend their political sovereignty. Determined to lead his people in the future, he sought a formal education. But no schools existed within the nation where an Indian boy might be taught, and very few Choctaws as yet had left their homes to seek educations outside the nation. But Folsom did not let this deter him. Confident in his own abilities, he decided to obtain an education in the United States. To finance his scheme, Folsom planted his own crop and went into the forest to chop wood for sale.²⁵

In 1807, at sixteen years of age, Folsom accumulated enough money to leave for a semester of schooling. He chose to attend a school located on the Elk River in Tennessee.

Outfitted with a new horse and new clothes, he traveled nearly 250 miles alone on his way to the school. The twenty dollars he possessed in expense money was spent quickly. After six months his poverty forced an early return home. The experience boosted his confidence in education, and underscored his belief that it was the key to solving the problems that threatened the political existence of his people.²⁶

David's parents, proud that their son had done so well, determined to underwrite more schooling for the boy. Nathaniel Folsom arranged for a private instructor, an educated Chickasaw named James Allen, to live in the Folsom household for one month to instruct David. The young Choctaw so pleased Allen that he offered to give an additional month's instruction for free if David would accompany him back to the Chickasaw Nation and stay with him in his household. David accepted this arrangement. Living with the Allen family he obtained additional instruction in "figures." This was the last opportunity for formal learning that David Folsom ever received.²⁷

The American plan for promoting domestic economy among the Indians was proving successful as well. The Choctaw Agency employed two full-time blacksmiths and a wheelwright/loom maker on contract by the piece. The tribe also had one doctor and one teacher for its children. Many Choctaw families cultivated their own fields within communal town lots and sold their surplus on the market. Significantly the people refused to recognize individual

claims to ownership of the land, but they did view the produce of their fields as their private property. The utilization of white farming methods accounted for the prosperity of the more progressive farmers. About a dozen families cultivated cotton from which women manufactured considerable quantities of cloth. In October, 1810, Secretary of War William Eustis received some specimens of Choctaw cotton cloth sent him by Agent Silas Dinsmoor. The quality of the cloth impressed Eustis. He wrote Dinsmoor praising the Choctaws on their progress and advised the agent to keep the women well supplied with materials.²⁸

The good relations between the Choctaws and the Americans were strained when Tecumseh, a Shawnee war chief who hoped to establish an inter-tribal Indian alliance to drive away the white man, arrived in 1811 to induce the Choctaws to join in his Indian confederacy. Initially his chances of success seemed good. The two major chiefs, Mushulatubbee²⁹ and Pushmataha³⁰, were noted warriors who had distinguished themselves fighting the Osage west of the Mississippi River. The magnetism of Tecumseh's oratory initially swayed Mushulatubbee to endorse the idea of an Indian confederation to resist white expansion. Mushulatubbee's enthusiasm waned, however, when Pushmataha counselled against taking up arms against the United States. Whether motivated by his hatred of the Creeks, who had burned his home sometime during the 1790's, or fearing the loss of his annual salary from the United States, Pushmataha adamantly refused to support Tecumseh in any conflict

against the Americans.³¹

Tecumseh then visited Puckshunnubbee, chief of the Southern District,³² and persuaded him to call a council at Molasha Town, the home of Chief Mushulatubbee. There Tecumseh appealed directly to the Choctaw warriors. David Folsom and John Pitchlynn played leading roles in opposing the Shawnee. Pitchlynn convinced the tribe that the mystic claims of Tecumseh's brother, the Prophet, were false. The triumphant pro-American faction ordered Tecumseh to leave and then issued an announcement that any warrior who joined the confederacy would be shot if he dared return home. David Folsom and a band of Choctaw warriors assumed the duty of escorting Tecumseh to the Creek country. Near the border a small group of hostile Creeks attacked the Folsom party, inflicting upon David an injury to his right shoulder. Pitchlynn used this as a pretext to convince Pushmataha to retaliate by raiding a small Creek settlement near the Choctaw frontier. This precipitated hostilities between the two tribes which kept the Choctaws out of the Indian confederacy.³³

Tecumseh was more successful in creating allies among the Creeks, a factor in the outbreak of the Creek War of 1813. This led John Pitchlynn to arrange a meeting between Pushmataha and Brigadier General F.L. Claiborne, commander of the Mississippi militia, at which the chief agreed to support the United States in its contest against the Creeks. Throughout the war, the Choctaws aided the United States in hopes that their efforts would be rewarded. Only a small

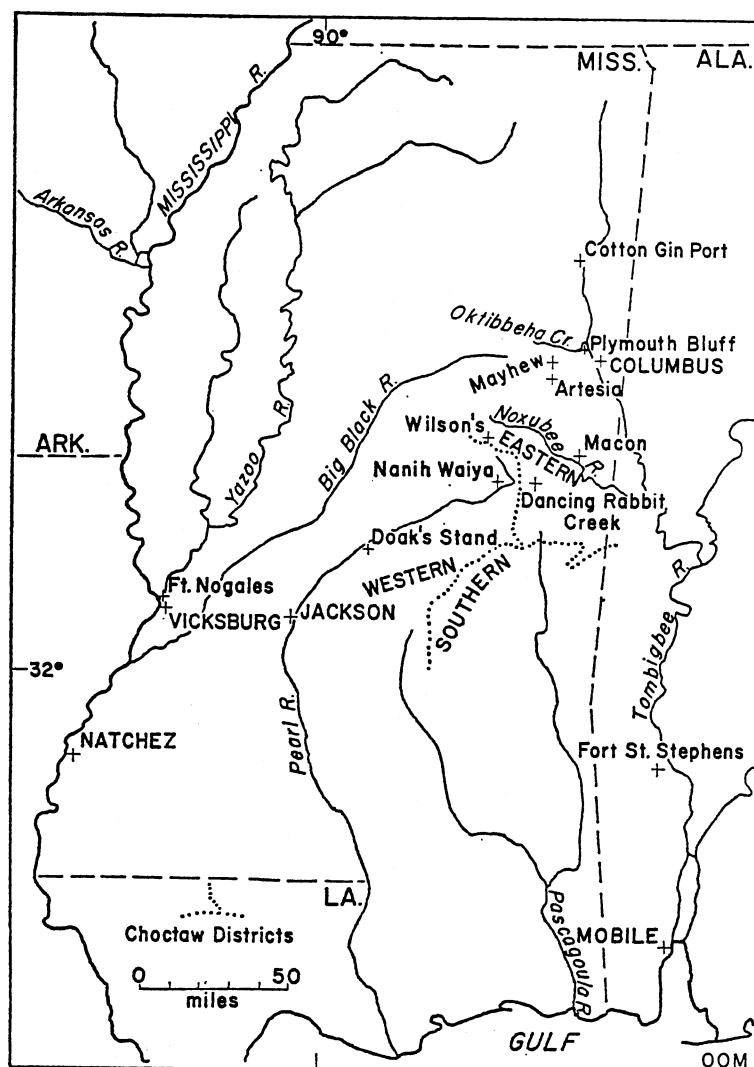


Figure 2. The District Divisions of the Choctaw Nation Before Removal. Reprinted from Baird, Pitchlynn, 4.

group of Choctaw warriors under the leadership of Illi Shuah allied with the Creeks. David Folsom served three years in the United States Army and attained the rank of colonel when mustered out of service at the close of hostilities.³⁴

In 1815 David Folsom was twenty-four years of age and an avid Choctaw nationalist. He had witnessed over the preceding fourteen years a number of Choctaw land cessions. David was educated enough to understand the end result of the trend. The United States was determined to obtain the entire Choctaw domain and either assimilate the Indians or force them west of the Mississippi River. But David believed that the Choctaws had a right to remain on their ancestral homeland. He justified the existence of the Choctaw nation on his knowledge of the Anglo/European concept of human rights. But the Choctaws lacked educated leaders who understood the necessity of asserting the existence of a Choctaw nation in the modern sense. Folsom believed that through education the Choctaws could attain a degree of diplomatic expertise which would allow them to preserve their political independence and achieve at least a small degree of cultural and economic independence.

ENDNOTES

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2. Elizabeth Knowles Folsom, Genealogy of the Folsom Family, 1638-1938, vol. 1 (Rutland, VT.: The Tuttle Publishing Co., 1938), 805-806.

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6. See Gary C. Anders, "Theories of Underdevelopment," The Journal of Economic Issues 14, (September 1980): 682; White, Roots of Dependency, 1-146; Charles W. Paape, "The Choctaw Revolt: A Chapter in the

Inter-Colonial Rivalry in the Old Southwest," Ph.D. dissertation, University of Illinois, Urbana, 1946.

7. "Lineage of David Folsom," Hargrett Collection, W.H.C.; White, Roots of Dependency, 101; Conlan, "David Folsom," 340; Folsom, Genealogy, 818.

8. Conlan, "David Folsom," 340.

9. The Natchez region was located on the Mississippi River. It extended from Loftus Cliffs 110 miles up the river to the mouth of the Yazoo River. The British Superintendent of Indian Affairs purchased the land from the Choctaws in 1777. Claiborne, Mississippi as a Province, 95.

10. Conlan, "David Folsom," 341.

11. "Washington's Third Annual Address," 25 October 1791 in Richardson, Messages, Vol. 1, 97.

12. Martin Abbott, "Indian Policy and Management in the Mississippi Territory, 1798-1817," Journal of Mississippi History 14 (1952): 154; John Pitchlynn and Samuel Mitchell to Col. Henley, 9 February 1798, Peter Perkins Pitchlynn Papers, Gilcrease Museum, Tulsa, Oklahoma (hereinafter GM); "An Act for the Government of the Mississippi Territory," 7 April 1798, Clarence Edwin Carter, ed., The Territorial Papers of the United States, Vol. 5 (Washington, D.C.: Government Printing Office, 1938), 20.

13. Abbott, "Policy and Management," 154-166; Carter, Territorial Papers, Vol. 5, 20; Richardson, Messages, Vol. 1, 340-42.

14. Conlan, "Folsom," 340-341.

15. Ibid.

16. Kappler, Laws and Treaties: Indian Affairs, Vol. 2, 56-57; Richardson, Messages, Vol 1, 320.

17. Ibid., 331-332; Kappler, Laws and Treaties: Indian Affairs, Vol. 2, 63-64.

18. Ibid.

19. Richardson, Messages, Vol. 1, 340-342, 347.

20. Robert S. Cotterhill, "A Chapter of Pantan, Leslie and Company," Journal of Southern History 10 (1944), 284.

21. Annie Heloise Abel, "The History Of Events Resulting In Indian Consolidation West Of The Mississippi," American Historical Association, Annual Report, 1906, 241-245.
22. "Emigration of the Choctaws;" American State Papers: Indian Affairs, Vol. 2, 180 (hereinafter ASP).
23. Homastubbee was David Folsom's grandfather.
24. Kappler, Laws and Treaties, Vol. 2, 87-88; White, Roots of Dependency, 96; John Forbes to Henry Dearborn, 5 September 1806, ASP, Vol. 1, 750-751; The Secretary of War to Silas Dinsmoor, Carter, Territorial Papers, Vol. 6, 128.
25. Conlan, "David Folsom," 341.
26. Ibid.; Missionary Herald, October, 1821.
27. Conlan, "David Folsom," 341; Cushman, History, 332.
28. White, Roots of Dependency, 20; Abbott, "Policy and Management," 166; William Eustis to Silas Dinsmoor, 23 October 1810, Carter, Territorial Papers, Vol. 6, 127; "List of Employees to Choctaw Agency & Their Pay," 28 June 1814, ibid, 443-44.
29. Mushulatubbee, the son of Mingo Homastubbee and the uncle of David Folsom, was a distinguished warrior. He earned the loyalty of those Choctaws who were dependent upon the fur trade for his success in fighting the Osages and Quapaws for hunting rights in the Arkansas Territory. Despite being the son of a chief, Mushulatubbee defied tradition by becoming chief in 1809. He served with the Americans in the Creek War of 1813-14. Later, he signed the removal treaty at Dancing Rabbit Creek by which the Choctaws ceded the eastern portion of their territory. He emigrated west and died in Sans Bois County, Choctaw Nation in 1849.
30. According to Cushman, Pushmataha was born about the year 1764. He belonged to the Kunsha clan and distinguished himself early in life as a "brave warrior and successful hunter." Cushman, History, 235.
31. Ibid., 238; "Tecumseh's Visit to the Choctaws," Account of John P. Linsecum to L.C. Draper and "Council between Tecumseh and Pushmataha," Account of H.S. Halbert, Tecumseh Manuscripts, Draper Collection, microfilm.
32. The Choctaw nation was divided into three districts, each having a head chief. Mushulatubbee became chief over the Northeastern District sometime around 1809. Pushmataha was chief in the Northwestern District and Puckshunnubbee served as chief of the Southern District.

33. Cushman, History, 245, 262; "Tecumseh's Visit to the Choctaws," Account of Charley Hoentubbee to L.C. Draper, March 1882, Tecumseh Manuscripts, Draper Collection, microfilm; Account of Gilbert C. Russell, 8 July 1854, Peter Perkins Pitchlynn Papers, GM.

34. Claiborne, Mississippi as a Province, 337; Albert James Pickett, History of Alabama. 2 Vols. (Charleston: Walker and James, 1851), 572-574; Henry S. Halbert, "Origin of Mushulaville," Publications of the Mississippi Historical Society 7 (1903): 391; Cushman, History, 262; John W. Monette, History of the Discovery and Settlement of the Valley of the Mississippi, (New York: Harper and Brothers Publishers, 1846, Vol. 2, 397; Governor Holmes to the Secretary of War, 3 August 1813, Carter, Territorial Papers, Vol. 6, 390-391.

CHAPTER II

A POLITICAL LEADER, 1815-1820

David Folsom returned to the Choctaw Nation from the Creek War with strong claims to leadership. He was a strong-willed man who possessed an unwavering devotion to the standards of Christian morality. Already the tribe recognized him as a captain, which was similar to a sub-chief. Because traditionally the chieftaincy passed from uncle to his elder sister's oldest son in accord with matrilineal descent, Folsom commanded attention as the nephew of Chief Mushulatubbee of the Northeastern District. He was the recognized leader of a rising number of educated and ambitious, but politically powerless, Choctaw mixed-bloods whose only access to political power was through him. Folsom's knowledge of the white man was an asset recognized by all Choctaws, and his willingness to fight for the homeland earned him the respect of many full-bloods. For the Choctaws to resist demands for their land, or, when that failed, to bargain for a favorable treaty required skilled diplomats. Indeed, because the American government exercised fraud, bribery, and other sorts of trickery to secure treaties, the Indians needed representatives like Folsom who could defend their treaty rights. He got his chance to exercise his skills after the Creek War.

Peace between the United States and the Creeks in 1814 brought unanticipated results for the Choctaws. They expected that the United States would reward them for having fought as allies against the Creeks. To the astonishment of all, the United States did not. By the Treaty of Fort Jackson, signed 9 August 1814, the Creeks ceded a vast tract of land east of the Tombigbee River to the United States. Both the Choctaws and the Creeks claimed possession over a part of the western portion of this territory. In 1805 the United States had recognized the Choctaw claim to the disputed land as pre-eminent. But after 1814 the American government tried to ignore its earlier decision and dispossess the Choctaws of that land.¹

President James Madison was concerned that no natural boundary separated those lands ceded by the Creeks, and newly opened for settlement by Americans, from the Choctaw country. Such a situation posed serious legal problems. It was virtually impossible to determine where United States jurisdiction ended in the west. To insure protection of frontier settlers, Madison and Secretary of War William H. Crawford felt they must secure the Tombigbee River as a natural boundary between the Choctaws and the United States. But the Choctaws, by the Treaty of 1805, possessed clear title to land east of that river. Madison and Crawford resolved to procure the Choctaw title even if it meant cheating the Indians out of it.²

Such a situation presented an excellent opportunity for David Folsom to demonstrate his worth to the Choctaws.

Crawford knew that getting possession of the Tombigbee lands would be difficult. Article One of the Treaty of 1805 upheld the Choctaw claim. But the secretary of war was not above putting them to the test. He determined to acknowledge only that the Creeks had ceded the territory in question to the United States. He would refuse to admit the fact that the Federal Government had recognized Choctaw possession of the lands in 1805. This would force the Choctaws into a defensive stance. Crawford hoped that they would panic and agree to sell at the risk of losing everything if they refused.³

On 20 May 1816 Crawford dispatched John Coffee, John Rhea, and John McKee as commissioners to go among the Choctaws and attempt to get possession of the disputed territory.⁴ Crawford instructed his commissioners to appear skeptical of the Choctaw claim. If the Indians succeeded in defending their claim, he authorized Coffee to buy the land. Crawford set the maximum sum the commissioners could offer the Choctaws as an annuity of not more than six thousand dollars for twenty years and ten thousand dollars in presents to the chiefs. If the Indians refused to sell for that sum, Crawford insisted, the negotiations were to stop immediately. He admonished the commissioners never to admit the validity of the Choctaw claim.⁵

In the deliberations David Folsom made his political debut as Choctaw spokesman. As a prerequisite to formal negotiations, Folsom, on behalf of the Choctaws, presented to the commissioners a list of complaints for which the

Indians demanded rectification. These included: compensation for the families of Choctaws murdered by white men, payment to individuals living along the Robinson Road (a north-south route connecting Tennessee with Natchez, Mississippi) for providing provisions and services to the Tennessee and Kentucky militias during the late Creek War, and disbursement of salaries to those warriors who served in the military of the United States during the Creek War but had received nothing for their sacrifices. Folsom informed Commissioner McKee that failure to satisfy the Choctaw demands would adversely affect the upcoming negotiations. Whether Folsom actually believed the Choctaws could prevail in defending their claim to the Tombigbee lands is unclear; but in the give-and-take-world of diplomacy, they proved themselves superb opportunists as they sought to force the United States to rectify long standing grievances.⁶

Due to Crawford's insistence that McKee bring to the treaty grounds a supply of gifts sufficient to impress influential tribal members, the secretary of war had three months to settle the Choctaw complaints. Commissioner McKee originally planned to buy the presents from traders in the Choctaw country while scheduling the upcoming negotiations. But he found it impossible to secure the desired quantity of items at reasonable prices. Deeming the gifts essential to satisfactory results, McKee delayed the negotiations until 15 October 1816. He then departed for New Orleans to purchase the gifts.⁷

In the interim Crawford investigated the Choctaw

grievances and afterwards informed McKee of his conclusions which apparently satisfied the Indians. The secretary of war wrote McKee in September that the enormous war expenditures had put the accounting office behind in taking care of business but that payrolls were in preparation for those Indians listed on the muster-rolls.⁸ For those who served but were not on muster-rolls, Crawford requested that McKee forward evidence of their service so that they might also receive payment. In regard to the murder of Indians by whites, Crawford assured McKee that the proper authorities would investigate the matter as early as possible. The secretary of war also informed his commissioner that he would submit the additional request for a cotton gin, recently received from the Choctaws, to the president, "who will, no doubt, order it to be erected." McKee carried the letter to the Choctaw country and United States interpreter John Pitchlynn read it to the general council. Crawford's message apparently addressed the concerns of the Choctaws for McKee later claimed it aided the commissioners greatly in the negotiations.⁹

With David Folsom acting as the primary Choctaw spokesman, formal negotiations began in October. He opened the talks by strongly affirming Choctaw title to the land. The commissioners disclaimed the argument but afterwards offered to buy the tract for an annuity of six thousand dollars for twenty years and ten thousand dollars in presents. Realizing that the commissioners would not acknowledge their ownership of the land unless the Choctaws

agreed to sell it, they decided to make the best of a bad situation and accept the purchase offer.¹⁰

Folsom reasoned that the money would be of greater value than the land to the less than prosperous Choctaws. Among other things, they could use the money as an account to fund educational and agricultural development. Indeed the land was far removed from most Choctaw settlement and as a hunting grounds it was of little value due to the depletion of deer. In addition it would be impossible to use and maintain order in the area as long as the United States refused to acknowledge Choctaw possession. The establishment of natural boundaries to delineate the Choctaw Nation seemed important to Folsom as well.¹¹

On 24 October, David Folsom informed the commissioners of the Choctaws' decision to sell the land east of the Tombigbee River. He cited the refusal of the commissioners to admit the validity of the Choctaw claim as the primary motive for the cession. He then added a secondary motivation: to demonstrate "their [Choctaw] respect for and attachment to the President of the United States." Despite his proclamation to the contrary, other reasons were more important than appeasement. The desire to take advantage of what he considered a generous offer and the opportunity it presented to obtain funds for Choctaw economic development were primary motivating factors in Folsom's decision to advocate the sale of the Tombigbee land.¹²

Eager to establish funds for the promotion of education, Folsom requested that the United States pay the

ten thousand dollars "in hand" (in specie) instead of in the form of presents for the leaders to redistribute among the people. Aware that Commissioner McKee already had bought gifts, Folsom added that "if that was inadmissible, that the annual payments should remain in the hands of the [United States] Government, and the [Choctaw] nation draw interest thereon." By such means, he hoped to establish a permanent education fund that operated on interest.¹³

Folsom then requested American aid in protecting Indian property and morals from the ever-increasing numbers of white settlers who surrounded the Choctaws. This population had been described by the commissioner of the United States for Washington County, Mississippi Territory, as "generally without integrity, morality, industry or any other good quality." These settlers frequently supplemented their incomes by selling whiskey to the Indians. Perceiving this as the most serious impediment to individual Choctaw industriousness, Folsom asked that the American government prohibit unlicensed traders from entering the Choctaw nation. While this would have limited the number of Folsom's competitors, it would have also stopped unscrupulous peddlers from selling liquor and cheating unwary Indians. He also requested that the Choctaw Agency relocate to the eastern portion of the Choctaw domain where the agent could more easily spot unlicensed traders and other whites trespassing on the Choctaw domain.¹⁴

Folsom made a final effort to modify the purchase before he endorsed the treaty. Eager for specie, he next

focused his attention on the payment of annuities. In an attempt to gain greater control over the expenditure of that money, he requested that the United States allow the Choctaws to decide whether they wanted the annual payments in specie or in merchandise such as agricultural implements. This would allow the general council to assess the needs of the tribe and expend the money to that end. He then requested that the agent disburse or distribute the annuity at the trading-house instead of within each district. In this way he could oversee the distribution and insure that everyone received his fair share. In all Folsom proposed centralizing control of the distribution of annuities within the general council and setting up the agent as a check on the activities of the chiefs.¹⁵

General John Coffee presented the commissioner's reply to Folsom's proposals. In regard to the Choctaws' receiving the stipulated ten thousand dollars worth of gifts in the form of a cash payment, Coffee informed Folsom that the request was "inadmissable." After considering the time and effort Commissioner McKee expended in securing the gifts and the extra cost to the government of transporting the goods out of the Choctaw country for some other use, the Choctaws accepted the decision. Coffee also refused the request that the United States retain the annual annuities and pay the tribe the interest accruing from that money as a permanent education fund. The commissioners lacked authority to decide upon the other requests, but Coffee did state in an optimistic manner that the commissioners would place the

proposals before the president, "who would, no doubt, on the representation of the Choctaw Agent, take such measures as were best calculated to promote the interest and gratify [the] wishes of the Choctaws." Folsom contented himself with the present situation and hoped for change in the future based upon his recommendations.¹⁶

Before David Folsom and the other tribal leaders¹⁷ endorsed the treaty, they agreed among themselves that they would expend the money for the economic and political development of the tribe. Thus when Folsom and other leaders signed the treaty on 24 October 1816 they felt justified in that they exchanged a tract of marginal land for access to funds which would further their development as a people. Folsom wasted little time in determining how to expend the money.¹⁸

Meanwhile, the advocates of Indian removal were gaining the ascendancy in Washington. Concurrent with congressional ratification of the treaty in December was James Monroe's election as president of the United States. He was somewhat sympathetic to the Choctaws' desire to remain on their homeland as an independent and sovereign people; but domestic affairs caused him to advocate their removal. During his term as president, the state of Mississippi increasingly pressured the United States government to obtain more Indian land. In addition, he believed that national defense depended upon a dense settlement of Americans east of the Mississippi River. Given the policy demands of the country he was sworn to

defend, Monroe decided that the Indians must give up their sovereignty over lands east of the Mississippi River and emigrate to lands in the West where they could reassert their sovereignty. Congress agreed and on 9 January 1817 recommended that "an appropriation be made, by law, to enable the President of the United States to negotiate treaties with the Indian tribes, which treaties shall have for their object an exchange of territory owned by any tribe residing east of the Mississippi for other land west of that river." The new administration's position was that the government should remove the Indians for their own welfare.¹⁹

Confronted with Indian resistance to removal and constrained from appropriating more land without their agreement in a treaty, Monroe turned to the insidious plan of promoting industry and agriculture, which were more land-intensive than hunting, thus freeing "excess" Indian land for sale to whites. Ironically, David Folsom saw the promotion of industry as an opportunity for the Choctaws to strengthen themselves against removal. Indebtedness, however, they must avoid.²⁰

Congress, influenced by the experiences in the War of 1812, successfully pressured the Monroe administration to negotiate for the purchase of more Choctaw land. On 1 Dec. 1818 a special Committee on Public Lands declared that the "defense of the southern frontier of the United States from foreign invasion imperiously requires a strong physical force on the Mississippi, from the mouth of the Ohio to New

Orleans." In light of this concern, Secretary of War John C. Calhoun launched an attempt to get the Choctaws' consent to a land cession on the Mississippi River. He had Thomas L. McKenney purchase thirteen thousand dollars worth of goods and send half of them to New Orleans. The United States would offer these as a bribe to secure more land from the Choctaws. Calhoun also authorized his commissioners- John McKee, General William Carroll, and Daniel Burnett- to draw as much as \$4,500 from the War Department "to make presents in money to the chiefs."²¹

Late in 1818 the treaty council convened but quickly ended in failure. Despite the gifts, the commissioners were unable to secure any additional land. Indeed, the negotiations contributed to an emerging spirit of nationalism among all Choctaws; who were becoming aware of their separate ethnic identity based upon a common history, culture, language and upon their possession of a "homeland." Whereas, in the past they had identified themselves as members of a clan or district without national loyalties, many Choctaws were beginning to perceive of themselves as members of a nation. Due in part to Folsom's influence within the council, this growing spirit of nationalism triumphed over greed. The chiefs, putting the Choctaw homeland above acceptance of the bribes, adamantly refused to cede any more land. Later chiefs Pushmataha and Mushulatubbee apologized to the president stating that "our land is so small, we could not spare any."²²

Indian resistance to removal, for reasons recognized

as nationalistic, caused the United States to reconsider George Washington's decision to treat with Indian tribes as if they were independent nations. On 5 December 1818 a frustrated Secretary of War John C. Calhoun announced that the Indians east of the Mississippi River were "becoming daily less warlike, and more helpless and dependent on us." With the objective of removal in mind, Calhoun stated that:

The time seems to have arrived when our policy towards them should undergo an important change. They neither are, in fact, nor ought to be, considered as independent nations. Our views of their interest, and not their own, ought to govern them.

The implications of this statement were ominous. Choctaw sovereignty was in question.²³

Alarmed by the growing sentiment for Indian removal among leading United States politicians, Folsom persuaded the three district chiefs to accept missionaries from the American Board of Commissioners of Foreign Missions, a Presbyterian missionary society. Having learned of this society from its work among the Cherokees, he wrote to the ABCFM in 1818 asking them to establish a mission among the Choctaws. This correspondence initiated a long friendship between Elias Cornelius, the head of that society, and Folsom. In frequent letters they discussed the Choctaws' need for instruction in the arts and sciences as well as in agriculture and manufacture to help them break their dependency upon the United States. Folsom expressed this himself some years later: "I have reason to believe education and Christianization goes together, hand in hand with civilization in agriculture and manufacture I

hope some of the Choctaws know that education is the right path th[at] leads to these habits, and Christianity produces and brings happiness, and harmony among all nation[s] of people." Already David had persuaded the ABCFM to finance the education of his two younger brothers McKee and Israel at Cornwall, Connecticut so that they might later act as interpreters for the missionaries.²⁴

Impressed with the Choctaw's eagerness to obtain education for their children, the ABCFM quickly responded to Folsom's request. The missionary Cyrus Kingsbury went to the Choctaws late in 1818 with high recommendations from the Cherokees, with whom he had previously labored. Folsom and Kingsbury promptly established a very close relationship that each valued until Folsom's death in 1849. Together the two envisaged a revitalized and independent Choctaw Nation composed of hardworking and enterprising people, Christian in religion and governed by republican principles. Before the year ended, Eliot Mission School²⁵ (located near present-day Holcomb, Mississippi on the Yalobusha River in the Northwestern District) opened classes under Kingsbury's guidance. David personally donated fifty-three dollars, two cows with calves, and one steer for its support. Operating largely from funds supplied by the United Foreign Missionary Society of New York, the ABCFM expended over twenty thousand dollars during the next three years for the education of Choctaws.²⁶

In addition to promoting education, David worked to influence Choctaw hunters to stop participating in the skin

trade. Folsom recognized two dangers from such commerce. Experience proved that it was conducive to indebtedness and increased economic dependence upon the United States. Already the amount of land ceded to pay off tribal debts from that source amounted to some seven and one-half million acres. In addition, the trade caused Choctaw hunters to settle in the west where deer was more abundant. These people were not interested in the development of a Choctaw nation. Folsom feared they might someday treat with the United States to exchange part or all of the traditional homeland for title to the lands west of the Mississippi river. For these reasons Folsom tried to convince the hunters that they must take up agriculture within their recognized homeland and begin educating their children. He also advocated Christianity as a unifying principle and as a means to foster sobriety and industriousness.²⁷

The Monroe administration, for different reasons, also opposed the Choctaw hunting settlements in the west. Officials believed that the scarcity of game in the tribal homeland would eventually force the Choctaws to agree to remove west of the Mississippi River where hunters could find deer. But this would never occur if the government allowed individual hunters to move west at will. But by preventing hunters from emigrating west of the Mississippi River, the government hoped to arouse factional animosity between the hunters and the emerging nationalists. Late in 1818 a House Committee on Public Lands concluded that the Choctaw settlers then living permanently in the west were

violating the law by trespassing upon the public domain.²⁸

The legislators, however, delayed passage of a bill to expel those Choctaws settled west of the Mississippi River in order to give the Indians in Mississippi one last opportunity to exchange their land for title to a new territory in the west. Early in 1819 President Monroe commissioned Andrew Jackson to ascertain the disposition of the "eastern" Choctaws toward the exchange of all or a portion of their homeland for title to lands west of the Mississippi River. Jackson persuaded the Pitchlynn faction that if the Choctaws refused to accept the offer of a land exchange it might be their last opportunity to secure a "permanent" homeland because whites were clamoring to move onto the territory and the government could not long hold them off. Afterwards Jackson employed several members of the Pitchlynn faction including John Pitchlynn, James Pitchlynn, Edmund Folsom, and Middleton Mackey to circulate among the Indians advocating removal. James Pitchlynn made Jackson believe that with an acceptable treaty and compensation for his [Pitchlynn's] personal efforts, he could induce perhaps one half of the Choctaws in Mississippi to move west. In June 1819 Pitchlynn proclaimed himself Chief of the Western Choctaws and told Jackson that most Choctaws favored removal.²⁹

Despite the best efforts of the Pitchlynn faction, David Folsom and his Christian nationalists were able to arouse enough opposition to prevent a treaty in 1819. With considerable zeal the Folsom faction circulated among the

warriors telling them that the country in the west possessed "neither soil, water, nor game." Even within the Six Towns, recognized as the bastion of those who depended upon hunting for subsistence, the Folsom faction aroused considerable opposition. In a general council held on 12 August 1819 David Folsom spoke so disparagingly of the land offered the Choctaws in the west that chiefs Pushmataha and Mushulatubbee were induced to denounce the proposed land exchange. The former stated that he was "well acquainted with the country contemplated for us, I have often had my feet sorely bruised there by the roughness of its surface."³⁰

Pushmataha then made a pronouncement which demonstrated the new spirit of Choctaw nationalism. In regard to the proposed expulsion of the trans-Mississippi Choctaws from their homes in the Arkansas Territory, the chief remarked:

Those of our people who are over the Mississippi did not go there with the consent of the nation; they are considered as strangers; they have no houses or places of residence; they are like wolves; it is the wish of the council that the President would direct his agents to the west to order these stragglers home, and if they will not come, to direct them where he pleases.

This implied that membership in the Choctaw Nation required residence within the recognized boundaries of the homeland and demonstrated the existence of a "national identity" not founded upon clan relationships.³¹

David Folsom afterwards stated that he believed every member of the council opposed a cession and that "the Choctaw never will agree to exchange land." To prove their

solidarity in opposition to removal the council requested Agent McKee to ask the President of the United States for money to defray the expenses of a Choctaw delegation to travel to Washington in protest the Federal Government's removal policy. When McKee refused, the council announced that it would send a delegation at its own expense."³²

Although David Folsom and John Pitchlynn as leaders of nationalist factions differed over the question of removal, they did agree upon the necessity for education. For these reasons they were able to put their political differences aside and work together on the establishment of new missionary schools. In September, 1819, Folsom persuaded the captains of the Northeastern District assembled in council to appropriate two thousand dollars for seventeen years to the support of the mission schools. John Pitchlynn and Joel Nail persuaded Chief Pushmataha's district to allocate one thousand dollars for the support of a school in that district and one thousand dollars to establish a blacksmith's shop. About two months later Puckshunnubbee's district allocated their two thousand dollar per year annuity for the support of Eliot Station.³³

With increased funding Folsom and Pitchlynn oversaw construction in 1820 on two additional schools. In February, 1820, they selected the site for Mayhew, located about one hundred miles southeast of Eliot near present-day Mayhew, Mississippi. In addition Bethel school was under construction with plans to open during the autumn of 1821. The Choctaws thus possessed one primary school in operation

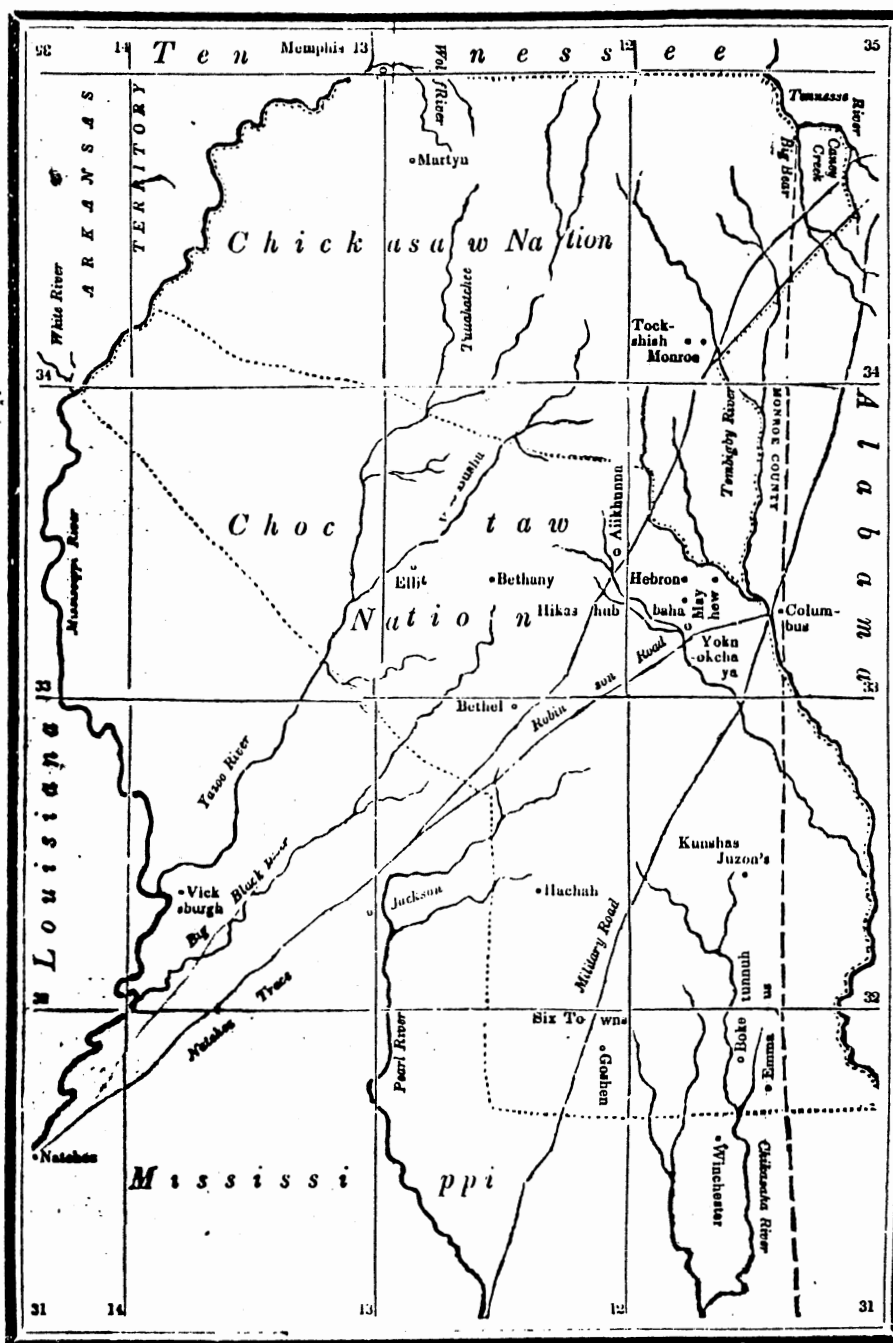


Figure 3. American Board Mission Stations. Reprinted from Monthly Paper of the ABCFM, June, 1832, 13.

and two under construction. They were also sending boys out to finish their learning at an academy located at Great Crossings, Kentucky.³⁴

Despite their promotion of mission schools within the Choctaw Nation, the Pitchlynn faction was eager to obtain the region west of the Mississippi River. They persuaded Congress in late 1819 to make arrangements for a treaty council wherein the Choctaws might exchange all or part of their homeland for the territory west of the Mississippi River. To this end, the legislators appropriated twenty thousand dollars and placed it in a bank in Natchez. Upon the recommendation of the delegation from the State of Mississippi, Andrew Jackson and Thomas Hinds were appointed commissioners to treat with the Choctaws sometime in 1820. Jackson wasted no time enlisting the aid of the Pitchlynn faction, many of whom he employed during the summer of 1820 to arouse support among the poor Choctaws for a land exchange.³⁵

David Folsom and his supporters denounced the exchange and effectively convinced a majority within the nation that the land west of the Mississippi was vastly inferior to that of the homeland. Because they lacked political power, Folsom being the only one of them that was even a captain, they sought to block the treaty by preventing the Indians from attending the negotiations. Propaganda was the weapon of choice for Folsom's faction, and they traveled among the Choctaws disparaging the land west of the Mississippi River. Thus when Jackson arrived at the treaty grounds at Doak's

Stand (a post located on the Natchez Trace) on 28 September 1820 only a handful of Choctaws appeared. But Jackson determined that he would wait and through the efforts of his allies- John and James Pitchlynn, Edmund Folsom, and Middleton Mackey- try to bring the Indians to the treaty grounds by countering the propaganda spread by the Folsom faction. Slowly many Choctaws were brought in; by 18 October 1820 Jackson had concluded his treaty.³⁶

Ironically the Treaty of 1820 promoted Choctaw nationalism, despite Folsom's opposition to its sacrifice of a portion of the homeland. Indeed, Andrew Jackson stated that "an important object" of the treaty was "to perpetuate them [the Choctaws] as a nation." By expanding the boundaries of the Choctaw Nation to include the territory of the western Choctaws, many hunters who had removed regained recognition as citizens of the Choctaw Nation. In addition fifty-four sections of land were set aside from the ceded land in Mississippi for sale to the highest bidder with the proceeds going to support Choctaw schools on both sides of the Mississippi River. Yet another tract of Mississippi land was set aside to raise an amount equal to that previously pledged by the chiefs (\$6,000) so that those Choctaws who opposed the schools could once again enjoy the benefits of an annuity. One last stipulation that contributed to Choctaw nationalism was the allowance of six hundred dollars annually to the maintenance of a Choctaw mounted unit to police the nation.³⁷

Despite its advantages, the Treaty of 1820 contained

one stipulation that aroused Folsom's resentment. Article four provided for individual allotment of land and United States citizenship to those Choctaws "who shall become so civilized and enlightened" as to desire it. For Folsom this was assimilation and he determined to oppose it at all costs.³⁸

David Folsom's opposition to the Treaty of Doak's Stand greatly enhanced his influence among the Choctaws. It seemed to demonstrate that he could better protect Choctaw sovereignty than their chiefs. With his newly gained influence David was able to promote his ideas as never before. Despite his mixed-blood heritage many full-bloods rallied behind him as the protector of Choctaw independence. During the preceding five years the Choctaws had committed themselves to rapid change. They had established schools and warmly embraced the religion and education, which offered hope and salvation, taught by the missionaries. This was self-strengthening, not assimilation. Folsom had demonstrated his fortitude by resisting the Americans at Doak's Stand. As long as he appeared strong the Choctaws would support him despite the revolutionary nature of his policies.

ENDNOTES

1. Richardson, Messages, Vol. 2, 555; White, Roots of Dependency, 113; Cotterhill, Southern Indians, 192; Kappler, Laws and Treaties: Indian Affairs, Vol. 2, 87.

2. William H. Crawford to John Coffee, John Rhea, and John McKee, 20 May 1816, ASP, Vol. 2, 118.

3. "Extract from the minutes of a council held with the Choctaws," 24 October 1816, *ibid.*, 122.

4. Coffee, Rhea, and McKee were paid eight dollars a day plus expenses as United States Commissioners. George Graham to Choctaw Commissioners, 5 December 1816, *ibid.*, 123.

5. Crawford to Coffee, Rhea, & McKee, 20 May 1816, *ibid.*, 118; Crawford to David Meriwether, 4 June 1816, Carter, Territorial Papers, Vol. 6, 691.

6. McKee to Crawford, 1 July 1816, ASP, Vol. 2, 119.

7. McKee to Crawford, 13 July 1816, *ibid.*

8. Those Choctaws who served for the United States in the War of 1812 were finally paid during the spring of 1818. Three rifles were made and presented to Talking Warrior, Little Leader, and Pushmataha, as evidence of distinguished service during the war. Charles S. Sydnor, A Gentleman of the Old Natchez Region (Durham, North Carolina: Duke University Press, 1938), 55.

9. Crawford to McKee, 13 September 1816, ASP, Vol. 2, 121; McKee to Crawford, 18 November 1816, *ibid.*

10. "Extract from the minutes of a conference held with the Choctaws," 24 October 1816, *ibid.*, 122.

11. *Ibid.*

12. *Ibid.*

13. *Ibid.*

14. *Ibid.*; Alan V. Briceland, "Ephriam Kirby: Mr. Jefferson's Emissary on the Tombigbee-Mobile Frontier in 1804," The Alabama Review 24 (April 1971): 97.

15. "Extract from the minutes of a conference held with the Choctaws," 24 October 1816, ASP, Vol. 2, 122.
16. Ibid.
17. These leaders consisted of Chiefs Mushulatubbee, Pushmataha, and Puckshenubbee; Captains: General Terror, Choctaw Eestannokee, General Humming Bird, Talking Warrior, David Folsom, Bob Cole, Oofuppa, Hoopoeieskitteenee, Hoopoeiemiko, and Hoopoeiethoma. Kappler, Laws and Treaties, Vol. 2, 137.
18. White, Roots of Dependency, 113.
19. "Resolution of Committee on Public Lands," 9 January 1817, ASP, Vol. 2, 124.
20. Ibid.; "An Act making provision for the civilization of the Indian tribes adjoining the frontier settlements," United States Statutes at Large, Vol. 3, 516-17; Michael D. Green, The Politics of Indian Removal (Lincoln: University of Nebraska Press, 1982), 47.
21. "Emigration of the Choctaws," 1 December 1818, ASP, Vol. 2, 180-181; John C. Calhoun to Thomas L. McKenney, 8 May 1818, ibid; James Pitchlynn to Andrew Jackson, [?] December 1818, Bassett, Correspondence of Jackson, Vol. 2, 406-407; White, Roots of Dependency, 113.
22. Ibid.; David Folsom to Elias Cornelius, 1 October 1818, Hargrett Collection, WHC.
23. "Alteration of the System for Trading with the Indians," ASP, Vol. 2, 183.
24. Folsom to Cornelius, 1 October 1818 and 9 July 1819, Hargrett Collection, WHC; Arminta Scott Spaulding, "Cyrus Kingsbury: Missionary to the Choctaws," (Ph.D. dissertation, University of Oklahoma, 1975), 89-90.
25. Eliot Mission School formally opened on 17 April 1819 with ten students. Before the end of the first year, enrollment surpassed fifty pupils. "Monthly Paper of the American Board of Commissioners of Foreign Missions," no. 3, June, 1832 in Peter Pitchlynn Papers, GM.
26. Ora Brooks Peake, A History of the United States Indian Factory System, 1795-1822 (Denver: Sage Books, 1954), 173; White, Roots of Dependency, 117; Cushman, History, 71-74; "Mission to the Choctaws," Missionary Herald, December, 1820; Spaulding, "Cyrus Kingsbury," 59; Folsom to Cornelius, 13 September 1819, Hargrett Collection, WHC.
27. Folsom to Cornelius, 16 July 1818, ibid.

28. "Emigration of the Choctaws," ASP, Vol. 2, 180.
29. Pitchlynn to Calhoun, 18 March 1819, ibid., 229; Jackson to McKee, 22 April 1819, ibid.; Pitchlynn to Jackson, [?] December 1818, John Spencer Bassett, Correspondence of Andrew Jackson, Vol. 2 (Washington, D.C.: Carnegie Institute of Washington, 1927), 407-407;
30. Pitchlynn to Calhoun, 18 March 1819, ASP, Vol. 2, 229; Talks delivered by Mushulatubbee and Pushmataha in General Council of the Choctaw Nation, 12 August 1819, ibid., 230; McKee to Jackson, 13 August 1819, ibid.
31. Speech delivered by Pushmataha in the General Council of the Choctaw Nation, 12 August 1819, ibid.
32. Folsom to Cornelius, 13 September 1819, Hargrett Collection, WHC; McKee to Jackson, 13 August 1819, ASP, Vol. 2, 230.
33. Missionary Herald, December, 1820; Robert Morrison to Secretary of the ABCFM, 12 June 1820 in ibid., September, 1820; Eden Brashears to Cyrus Kingsbury, 30 March 1820, in ibid., August, 1820; Pitchlynn to Kingsbury, 27 March 1820, in ibid.; Pushmataha to Kingsbury, 21 March 1820, in ibid.; "Extracts from Eliot Journal," 3 June 1820, in ibid., February, 1821; Folsom to Cornelius, 13 September 1813, Hargrett Collection, WHC.
34. Robert Morrison to Secretary of ABCFM, in Missionary Herald, September, 1820; Morrison, "Choctaw Mission," 174.
35. Pitchlynn to Jackson, 13 September 1819, Bassett, Correspondence of Jackson, 429; Calhoun to Jackson, 23 May 1820 and 19 June 1820, ASP, Vol. 2, 230-231; Calhoun to Jackson and Thomas Hinds, 12 July 1820, ibid., 231-232.
36. Edmund Folsom to Jackson, 13 September 1820, ibid., 232; Folsom and M. Mackey to Jackson and Hinds, 6 October 1820, ibid.; Treaty with the Choctaws, ibid., 171-241.
37. Treaty with the Choctaws, 15 October 1820, ibid., 239; Kappler, Laws and Treaties, Vol. 2, 191-195.
38. Ibid., 192.

CHAPTER III

THE PATH TOWARD REVOLUTION, 1820-1825

Events between 1820 and 1825 pushed the Folsom faction toward revolution. Because of a boundary problem with the Arkansas Territory, the United States reopened negotiations soon after the Treaty of Doak's Stand to get the Indians to retrocede a portion of their western lands. Simultaneously the topic of complete removal from east of the Mississippi River resurfaced. The majority of Choctaws had taken up subsistence agriculture and did not wish to leave their farms, but they feared that the white man would eventually get all the homeland. In desperation they looked for a solution in the education of their children, and many embraced nationalism and Christianity.

As his base of support increased, Folsom grew more impatient with his leaders. The Treaty of Doak's Stand filled David Folsom with a sense of desperation. He believed that self-interest and ignorance induced the treaty signers to affix their marks to that document. He had little influence over the three district chiefs; his hope for the Choctaws rested in welding them into a nation with educated leaders who could protect their treaty rights through legal means. Politically his newly emerging faction could only exert pressure upon the chiefs to prevent any

additional cessions of land until educated leaders could attain power. But early in 1821 disaster struck their only educational facility.¹

Fire destroyed two buildings at Eliot Mission School in April. The conflagration started when several small boys who slept in the chamber of Mr. Alfred Wright's study forgot to extinguish their candle before retiring for the night. The candle overturned and ignited the room. The ensuing fire burned out of control and destroyed two log dwelling houses as well. The ABCFM lacked the funds to rebuild. Without adequate accommodations for the students, the school languished. Fortunately, several members of the tribe contributed their time and money to continue operations at Eliot. John Pitchlynn loaned the school two hundred dollars in specie and ten shares of stock in the Bank of Mississippi valued at \$1,100. David Folsom wrote to the ABCFM encouraging the mission society to persevere and work harder to procure funding for the Choctaw schools. "[H]ere we poor Indians, in this dark benighted land," he reported, "are perishing and melting away, because we have not the knowledge you have."²

In a effort to procure donations to rebuild the destroyed dwellings, Cyrus Kingsbury went to Natchez, Mississippi. His trip was not very successful: the spring season was not a favorable time to seek money from a farming community. Aware that he would have more success after the harvest period, he hurriedly secured promises from many church members to donate after the harvest ended. Kingsbury

then returned to the Choctaws.³

With private funds unavailable, Kingsbury and the Choctaws had to look to the United States for money. President Monroe was eager to help; and in July the government, true to its purpose of promoting "civilization" among the Indians, extended aid. On the 23rd of that month, Kingsbury received word that Secretary of War John C. Calhoun had withdrawn an additional one thousand dollars from the civilization fund for the expenses of new buildings at Eliot. In addition, more money would be forthcoming for the completion of Mayhew.⁴

Monroe's generosity issued from the change in direction of United States Indian policy which he announced in March, 1821. Because of growing resistance on the part of the Indians to selling their "surplus" land, the president took up Calhoun's reasoning and called for an end to treating the Indian tribes as independent nations. "Their sovereignty over vast territories should cease, in lieu of which the right of soil should be secured to each individual and his posterity in competent portions." Monroe believed that treating the Indian tribes as if they were independent nations reinforced the spirit of nationalism and made them think they actually were nations, an attribute he refused to recognize. This retarded progress toward the ultimate goal of getting the Indians to accept land in individual allotments and selling the rest to the United States. Thus the intent of Monroe's policy was to prepare the Indians for acceptance of individual land allotments.⁵

Congress reacted by authorizing the president to close the federal factory houses. The debts these houses accrued alarmed fiscal conservatives in Congress. Consequently legislators decided that it would be more efficient to expend money on the "civilization of the Indian" than on maintaining the factory system. By 3 June 1822 all outstanding debts owed by the Indians were to be settled and the books subsequently closed. The president was given power to license traders to conduct trade with the Indians provided that the traders placed bond with the Indian agents or superintendents. When the Choctaw factory at Fort St. Stephens closed it owned a debt of \$12,702.48, a debt that became highly significant during the next three years.⁶

Educational activities increased greatly during 1822. In April, Mayhew Mission School commenced operation in the Northeastern district. This school boasted a library for which David Folsom donated a large number of books. Enrollment at both Mayhew and Eliot remained full and prospective students were often turned away because of a lack of facilities for everyone. Missionaries Cyrus Byington and Alfred Wright met regularly with David Folsom to work on the development of a written form of the Choctaw language. The first book translated into Choctaw was the Bible. Later Byington translated school books into Choctaw, and the schools began instructing in the Choctaw language. The development of a written form of the Choctaw language reinforced feelings of pride and nationalism. Folsom's participation in the project demonstrates his concern for

preserving certain aspects of Choctaw culture and prove that he was not an assimilationist.⁷

Despite the progress made in education, the tribe experienced major problems with the liquor trade. Agent William Ward, a rather inattentive man, was unable to prevent the importation of alcohol into the Choctaw country. The resulting loss of personal energy and initiative through drunkenness alarmed Folsom. By the act of 6 May 1822, which destroyed the factory system and instituted the licensing system, Congress gave Indian agents authority to search the goods of all licensed traders upon suspicion that such traders carried "ardent spirits." If the agent found any whiskey, he could demand that the trader forfeit all his goods, with "one half to the use of the informer, the other half to the use of the government, his license cancelled, and bond put in suit." Later legislation set aside seven hundred and fifty dollars annually for the maintenance of a Choctaw police patrol as stipulated in the Treaty of Doak's Stand in 1820. It was imperative that the Choctaws organize their lighthorse quickly to curtail excessive drunkenness.⁸

On 27 September 1822 Folsom called a council of the Northeastern District to discuss the organization of the police unit. The Treaty of Doak's Stand stipulated that each district was to have a patrol made up of ten men to act "in maintaining good order, and compelling bad men to remove from the nation." Because coercive power had theretofore been unknown to the Choctaws, the council negotiated three days, carefully discussing how much authority they should

give the lighthorse and who should serve in this patrol. Finally the council selected a company of ten men to act as the Choctaw Lighthorse, giving each of them an annual salary of ten dollars. This constituted the first act of a Choctaw council to attempt the exercise of civil police power. It was an important step in the centralization of governmental authority. Folsom considered it a great advance.⁹

Those most likely to suffer punishment from the Lighthorse were the hunters. Much of the drunkenness occurred among transient bands of hunters, who upon their return to the eastern Choctaw country from hunting west of the Mississippi River, often exchanged their deerskins for liquor. Many were extremely poor and did not receive annuity distributions because they were not settled within the Choctaw homeland; therefore the tribe did not recognize them as citizens. David Folsom was especially interested in converting these people to Christianity and making them his supporters. He empathized with their feelings of helplessness and loss of hope and saw this as the cause of their drinking. He believed that Christianity would cause them to quit drinking and lead them to productive lives. He was often successful. Alfred Wright observed in March, 1822 that Folsom persuaded a large group of Choctaws to settle, quit drinking, and hear preaching. They previously "had no fixed residence, and being made up from the different clans and districts in the nation, . . . [had] not been considered as belonging to either." Afterwards the Nation recognized them as citizens and allowed them to share the annuities.

By giving these former hunters a stake in the welfare of the Choctaw nation, Folsom often converted them into nationalists.¹⁰

Despite his efforts at converting the hunters, it was the children that concerned Folsom most. They were the Choctaws' hope for the future and he made sure they understood that. He frequently visited the schools and lent support to the teachers. In June, 1822, he and John Pitchlynn visited Mayhew Mission School. They stayed several days, inspecting the operations of the station and observing the students. Favorably impressed with the progress of the students, Folsom felt compelled to speak to the "scholars." He told them that their fathers had "long possessed this land, notwithstanding their ignorance of these things [education]." He added, "but this you cannot expect to do, unless you become civilized." He asserted that their situation was changing because of the settlement of white people around them. In order to prevent their being displaced, Folsom warned, it was "indispensably necessary that the rising generation should be educated and learn the ways of the white people." As added incentive to bring the young boys in line, Folsom and Pitchlynn reminded them that some of the Choctaw girls were being educated and would someday "wish to be connected with young men who are refined like yourselves." The two finished with the observation that if the boys took advantage of the privileges extended to them, "the period would soon arrive when [they would] be considered the counsellors and in

short, the glory of the country."¹¹

During this visit to Mayhew, David Folsom talked at length with Cyrus Kingsbury about the need for the chiefs to have a better understanding of the operations of the schools. One of the major difficulties they recognized was the negative influence of whites settled around the Choctaws. These men siphoned off shares of the tribal annuities by dealing in illicit trade, especially in the trade of "ardent spirits." To counteract missionary influence, they tried to convince the Indians that the missionaries were not beneficent and that they were making a profit from the Choctaws. In light of the confusion, Folsom and Kingsbury determined to hold a council at Mayhew on 29 July 1822 and invite all Choctaws interested in the operations of the school to attend.¹²

The first two days of the council were spent waiting for all the Indians to assemble. Throughout this period, parents arrived with children whom they wanted enrolled in school. Most were anxious to meet the missionaries, to whom they would entrust the raising of their children. When the council formally commenced on 31 July, the missionaries conducted those assembled on a guided tour of Mayhew Mission Station so that they could witness the operation of the school. Chief Mushulatubbee was greatly impressed and afterwards confessed to the children that when he "was young such a thing was not known here. I have heard of it, but never expected to see it." He exclaimed that he rejoiced to "have lived to see it." He then told them to "be obedient

to your teachers, and learn all you can. I hope I shall yet live to see my council filled with the boys who are now in school, and that you will know much more than we know, and do much better than we do."¹³

At the evening session of the council Kingsbury delivered a speech wherein he explained that the school operated at great expense not just to the Choctaws but also to the missionary society and to the United States. He especially pointed out that white people donated clothing for the students to wear. He also told those assembled that they must have confidence in the missionaries and disregard the rumors circulating throughout the country that they were not concerned for the Choctaws. He stated that the reason the missionaries worked among the Choctaws was "to save them from ruin." Finally Kingsbury pointed out that the reason "the white people prospered and became numerous, and the red people became few and feeble...was because the white people brought the good book [the Bible] with them." This taught the white man, Kingsbury stated, "to be industrious; to be sober; to educate their children; to obey the great Spirit."¹⁴

Although it was gaining momentum, Folsom's plan for educating and re-orienting society faced much opposition. Some found it inconsistent that Folsom spoke against ceding any more land to white persons and at the same time advocated that the nation grant the missionaries land upon which to locate their schools. Indeed, a considerable number of Choctaws wanted to keep out all white influence,

even that of the missionary. By late 1822, some of these more traditional Indians planned to assassinate Folsom should he continue to offer the missionaries Choctaw land on which to build schools.¹⁵

Resentment against Folsom also increased in certain circles because of his firm direction of the Lighthorse. Unused to a police force, many Choctaws resented the coercive power invested in the Lighthorsemen. A band of Lighthorse in the Western District organized in 1823 under the direction of Greenwood LeFlore and captained by Joel Nail aroused similar resentment. Foremost among Folsom's new opponents were the Pitchlynns. Antagonism between David Folsom and the Pitchlynn family became most heated in 1824 when the Lighthorse threatened to seize and destroy some whiskey being transported into the nation by Thomas McKenney, a friend of the Pitchlynns. When McKenney stated that he would kill Folsom if he ordered the Lighthorse to seize and destroy the whiskey, the Pitchlynns resolved to support McKenney.¹⁶

David Folsom's expanding political activities aroused animosity for other reasons as well. As the leader of a growing Christian movement, his ideas were undermining the influence of the district chiefs. The teaching of American law in the mission schools and his promotion of written laws threatened the sanctity of tradition as the regulator of Choctaw society. By denouncing many aspects of traditional practice and advocating a new society based upon written law, many of Folsom's tribesmen viewed him as a pawn of the

missionaries and of the United States. The Pitchlynn certainly agreed that Folsom's changes were good. But they did not believe the change would save the Choctaws from removal. For many years Mushulatubbee had accepted the counsel of both the Pitchlynn and the Folsom factions, but in 1824 the Pitchlynn family united with Mushulatubbee against Folsom and his "Christian Party" after Folsom denounced Mushulatubbee for his handling of the tribal educational funds. The break occurred when Folsom heard reports that young Pitchlynn squandered money appropriated from the recently established Choctaw education fund on frivolous pursuits instead of attending to his education; he publicly censured both Mushulatubbee, for having made the appropriation, and Pitchlynn. This intensified a battle which had begun earlier in the year over Folsom's opposition to the allocation of educational funds to support boys at the Choctaw Academy in Blue Springs, Tennessee.¹⁷

The Choctaw Academy caused a major political split within the Choctaw Nation after 1824. Each of the three districts, through arrangement with the superintendent Richard M. Johnson, were allowed to maintain a quota of students at the Choctaw Academy. Dissension arose when Mushulatubbee peremptorily filled the entire quota with boys from his own district. Some of these were too young to benefit from the experience. Additional quarreling arose when Mushulatubbee agreed to allow James L. McDonald to appropriate one hundred and fifty dollars for his personal educational expenses. It appeared to the other chiefs that

Mushulatubbee and John Pitchlynn had taken control of the educational fund and were using it to reward their personal friends and families. This factionalism weakened Folsom's power within the Choctaw Nation. Much of his previous success derived from his influence with the chiefs, especially with his uncle Mushulatubbee. The fighting over the allocation of funds to the Choctaw Academy estranged Mushulatubbee from Folsom. The former thereafter refused Folsom's counsel and listened instead to the Pitchlynns.¹⁸

This schism could not have come at a worse time, for some five or six thousand white settlers situated in parts of Arkansas Territory sold to the Choctaws in 1820 were pressing their government for a retrocession from the Indians. Many of these whites had lived in the Arkansas country for years and possessed extensive improvements on the land. The Choctaws, however, demanded that the Federal Government remove the white settlers and pointed out that Jackson promised them the government would do as much during the negotiations at Doak's Stand. Unfortunately the United States refused to honor this pledge. Early in 1824, fearing an outbreak of hostilities between the Indians and the whites, the United States instead pressured the Choctaws for a cession of the eastern part of their Arkansas lands.¹⁹

At a general council the Choctaws agreed to go to Washington on 15 May 1824 to negotiate with the United States for a land cession. One factor motivating this decision was the opportunity it afforded the tribe to settle individual debts owed at St. Stephens. Mushulatubbee,

Pushmataha, and John Pitchlynn held substantial debts. Apparently Pitchlynn determined that if he could get the United States to view these debts as binding upon the tribe as a whole and then use the money secured from a cession of the western lands to satisfy those debts, he could escape having to repay. He convinced the other two chiefs that "nationalizing" the debts would serve the interest of their followers who owed money at St. Stephens. Later Superintendent of Indian Affairs Thomas L. McKenney learned from D.W. Wright of the plot. Wright's own motives, however, were suspect. With Greenwood LeFlore he hoped to include in the cession a portion of land on the Noxubee River, part of which LeFlore wanted assigned to him as a reserve.²⁰

The Choctaw delegation left for Washington on 23 September 1824 with the intention of agreeing to a land cession if they could get a fair price. Among the delegates were some of the most influential men of the tribe-- Pushmataha, Mushulatubbee, Puckshennubbee, David Folsom, John Pitchlynn, Robert Cole, Daniel McCurtain, Talking Warrior, and James L. McDonald. All of these men owed debts or had followers who owed debts to the United States factory, and all except Puckshennubbee were inclined to sell part of the western domain for the proper offer.²¹

While on their journey, Chief Puckshennubbee fell to his death from the balcony of his hotel room. Folsom attended to the injured chief, but massive head wounds took his life. With Puckshennubbee dead, the Folsom faction

expected the doors of political opportunity to swing open for an educated man to take his place.²²

Once in Washington, the delegation heard Secretary of War John Calhoun make the initial federal offer of \$65,000 for the Choctaw lands. The delegates were hardly impressed. Folsom and McDonald argued that a portion of the land was "in the highest degree fertile, especially that bordering on Red River, and in a fine state of cultivation." The improvements made by whites belonged to the Choctaws as a result of the Treaty of 1820 and, they argued, must be considered in valuating the lands. The delegation then proposed that among other things the United States should pay a sum which amounted to \$450,000 in gifts and annuities. This was too high a sum for the United States to consider and the two sides reached a stalemate.²³

McKenney and Calhoun were in no hurry to terminate negotiations. They determined to wait for the Choctaws to modify their demands. Meanwhile the Indians were lavishly entertained in hopes that their resolve would weaken. Among other things their bar and dining bills were extravagant. In the midst of this dissipation, Pushmataha suddenly died of the croup. His death had little effect upon the outcome of the deliberations, but it was politically significant for Folsom. Pushmataha had commanded much respect within the Choctaw nation and during his life he possessed great influence. He represented one of the older generation whom Folsom wanted replaced with educated leaders. His death created an enormous political vacuum that the nationalists

would later fill.²⁴

David Folsom languished in Washington. The lurid entertainment which McKenney provided the delegation made him heartsick. The wickedness that he believed he saw in that city and the carousing of his fellow delegates offended him. He must have asked himself often if these were men fit to lead a powerful nation. Worse still, they were discussing the practicality of presenting an application to Congress to allow Choctaws full rights as American citizens. By the end of January, 1825, he was ready to return home. Disgusted by the delegation's unwillingness to listen to his views, Folsom despondently wrote Kingsbury that the delegates "will not have an ear to such a poor person as I am." On 27 January, Folsom requested money to return home. This request coincided with the delivery of a message to Congress by president James Monroe in which he called for heightened pressure upon the Indians to remove west of the Mississippi River.²⁵

The Choctaw delegation agreed to a settlement on 12 February 1825 by which they retroceded to the United States the eastern portion of the tract purchased by them in 1820. The United States waived all back debts owed to the factory at St. Stephens and gave the Choctaws an annuity of six thousand dollar per year to extend "forever." The delegates earmarked the money exclusively for the support of schools in the nation for twenty years. Not surprisingly John Pitchlynn received five hundred dollars for services rendered to the secretary of war as head of the Choctaw

delegation.²⁶

Folsom returned home immediately afterwards determined to have no part in the upcoming petition to Congress for the citizenship rights. He wanted to perpetuate the Choctaws as a nation, not have them assimilated into the United States. Upon his return Folsom elected to conspire with the missionaries to alienate the Choctaw people from their leaders. By presenting his faction as the only party devoted to the preservation of the homeland, Folsom hoped to generate enough support to overthrow of the old political leadership. When Mushulatubbee returned to the Choctaw country from Washington, the discontent already generated by the Christian party surprised him.²⁷

In 1825 David Folsom's Christian nationalist faction emerged as a powerful political force. Many looked to the faction as the protector of the Choctaw homeland. For the previous five years Folsom had prepared for the time when the old leadership would naturally pass away and be replaced by new educated leaders. But the events of 1825 convinced him that the process could not be allowed to take its own course. Immediate action to save the homeland was required. For Folsom, the Choctaws stood at a crossroads.

ENDNOTES

1. Kappler, Laws and Treaties: Indian Affairs, Vol. 2, 191-195.
2. Missionary Herald, July and December, 1821; David Folsom to Elias Cornelius, 20 June 1821, Hargrett Collection, WHC.
3. Missionary Herald, July 1821 and October 1821.
4. Ibid., October, 1821.
5. "James Monroe's Second Inaugural Address to Congress, 5 March 1821, in Richardson, Messages, Vol. 2, 661.
6. Peake, History of Factory System, 9, 101; U.S. Statutes at Large, Vol. 3, 682-683.
7. Mississippi State Gazette, 18 May 1822; Missionary Herald, December, 1822; Spaulding, "Kingsbury," 89.
8. U.S. Statutes at Large, Vol. 3, 682-683, 690; Cushman, History, 157; Kappler, Laws and Treaties: Indian Affairs, Vol. 2, 191-195. For Choctaw dissatisfaction with Agent Ward see "Choctaw Petition," 25 Dec. 1822, Peter Perkins Pitchlynn Papers, GM.
9. Missionary Herald, April, 1822.
10. Folsom to Cyrus Byington, 23 July 1821, Hargrett Collection, WHC; Missionary Herald, July, 1822.
11. Ibid., December, 1822.
12. Ibid.
13. Ibid.
14. Ibid.
15. Spaulding, "Kingsbury," 88.
16. John Pitchlynn to Peter Perkins Pitchlynn, 16 April 1824, Peter Perkins Pitchlynn Papers, GM; L.R. Bakewell to J.P. Barbour, 2 September 1825, LR, OIA, Choctaw Agency, NA, M234, R169.

17. J. Pitchlynn to P. Pitchlynn, 16 April 1824, Peter Perkins Pitchlynn Papers, G.M.

18. Ibid.

19. Thomas L. McKenney to Barbour, 4 January 1827, ASP, Vol. 2, 703.

20. D.L. Barry to James Monroe, 1 October 1824, LR, OIA, Choctaw Agency, NA, M234, R169; D.W. Wright to McKenney, 1 October 1824, ibid; William Ward to John C. Calhoun, 12 March 1824, ibid.

21. Ward to Calhoun, 23 Sept. 1824, ibid.

22. Receipt to David Folsom from W. Coburn for fifteen dollars for payment on medicine and attendance to Apuckshenubbee, 16 October 1824, ibid.; Grant Foreman, Indians & Pioneers: The Story of the American Southwest Before 1830 (Norman: University of Oklahoma Press, 1936), 157.

23. Calhoun to the Choctaw Delegation, 19 November 1824 and 27 November 1824, ASP, Vol. 2, 551; Choctaw Chiefs to Calhoun, 22 November 1824, ibid., 551-552.

24. Folsom to Byington, 24 December 1824, Hargrett Collection, WHC; Debts of Choctaw delegation in Washington, LR, OIA, Choctaw Agency, NA, M234, R169.

25. Folsom to Byington, 4 December 1824 and 7 December 1824, Hargrett Collection, WHC; Folsom to Cyrus Kingsbury, 14 January 1825, ibid.; Pitchlynn to McKenney, 27 January 1825, LR, OIA, Choctaw Agency, NA, M234, R169; Richardson, Messages, Vol. 2, 849-850.

26. Kappler, Laws and Treaties: Indian Affairs, Vol. 2, 211-214; McKenney to Pitchlynn, 19 February 1825, LR, OIA, Choctaw Agency, NA, M234, R169.

27. White, Roots of Dependency, 125; Baird, Pitchlynn, 25.

CHAPTER IV

THE CHOCTAW REVOLUTION, 1825-1828

In 1826 the Choctaws made a major political--indeed, revolutionary--break with their past. Prior to the arrival of white men, Choctaw leadership constituted an inherited right, with the chieftaincy passing from uncle to nephew according to the tenets of matrilineal descent. This system remained intact, albeit with numerous exceptions, until 1826, when through a peaceful revolt the Christian nationalists managed to stage an election wherein they voted out Mushulatubbee and elected David Folsom as chief. Designed to form a more centralized government and to install educated leaders who could better protect the Choctaw homeland, the nationalist revolution irreversibly transformed tribal society.

Relations between David Folsom and Mushulatubbee deteriorated after their return from Washington in 1825. Upon his return to the Choctaw Nation, Folsom, in collaboration with the missionaries, began to censure the old chief for his immorality at the negotiations. In addition, a dispute developed among the two men over the allocation of the educational funds obtained by the Treaty of 1825. Mushulatubbee, in response to the counsel of John Pitchlynn, invested those funds in the Choctaw Academy in

Kentucky. Folsom opposed sending young Choctaws so far from home. He wanted the tribe to invest in an academy of higher learning located within the Choctaw country. This would allow the tribe to better oversee its operation, and the students would not be in such close contact with white men.¹

Mushulatubbee exacerbated the problem by filling the entire quota of scholars allowed at the Choctaw Academy with youngsters from his own district, an action that aroused the enmity of the other two district chiefs. Discontent increased as general councils called to settle the controversy disbanded in confusion due to Mushulatubbee's refusal to allow the other chiefs to share in the selection of students. In frustration Chief Robert Cole, of the Northwestern District, attempted to open a school at his home and petitioned the government to allocate his district's share of the annuity money for its support. At the same time, Tapenahomma, Pushmataha's replacement as chief of the Southern District, began assembling twenty-one boys from his district to send to the Choctaw Academy. If the boys were sent, the school's director Robert M. Johnson threatened to appropriate money for their support from the educational fund derived from the fifty-four sections of land set aside in 1820. Folsom adamantly opposed this, intending instead to invest the money in stock and spend only the earnings, thus preserving the capital as a permanent source of interest money to support education. Choctaw finances were on the verge of utter catastrophe due to the lack of coordination among the chiefs for the

judicious expenditure of money.²

Mushulatubbee's reaction to the attack upon his character merely increased tensions. He blamed the missionaries, who were condemning him for his behavior in Washington and were calling for an election to replace him with David Folsom, for his loss of influence. He became increasingly anti-Christian and inimical to the mission schools. He even intended to recall the educational funds supporting those schools and apply them to the support of the Choctaw Academy. Thinking he could break the dependence of his captains upon the missionaries, Mushulatubbee began denouncing Christianity. He relaxed the ban on drinking whiskey and encouraged tribal dancing and ball-plays. In September, 1825 Cyrus Kingsbury closed down a small school located at Mushulatubbee's residence because of "drunkenness and anti-Christian activity." News of this so enraged Superintendent of Indian Affairs Thomas L. McKenney that he threatened to close down all the schools if the chiefs did not "behave themselves."³

At the height of this factionalism, the United States sought to reopen negotiations for another land cession. Early in 1826 the United States surveyors informed McKenney that many white families remained west of the new boundary line established in the Arkansas Territory by the Treaty of 1825. Aware that they would not remove peaceably, McKenney hoped to accommodate them by moving the line farther west. He directed Agent William Ward to discern Choctaw attitudes toward sending a delegation to Washington to discuss a

further cession of land in the Arkansas Territory. Accordingly, Agent Ward discussed the matter with Mushulatubbee who reacted negatively. Ward then sought out John Pitchlynn and other pro-removal Choctaws to discern whether the Federal Government could count upon them to support another cession. In this he was more successful.⁴

After sampling tribal sentiment, Ward was discouraged that only a small number of Indians seemed disposed to remove. He wrote to McKenney that "...their [sic] is no possible chance to effect any treaty or cession of land anywhere." Indeed, the Choctaw chiefs were greatly surprised at the audacity of the United States in asking them to cede more land in the Arkansas Territory just one year after they had ceded the entire eastern half of those lands. Had not the Americans promised the Choctaws that their title to the remaining land was theirs in perpetuity? Moreover, they refused to send a delegation to Washington to discuss the matter. They were not inclined to "hear any proposition about ceding land to the Federal Government on any terms whatever." But Ward observed that "something like a spirit to move beyond the Mississippi" prevailed among many of the Choctaws, especially those like the Pitchlynn family who believed that removal was inevitable and were willing to use their influence to persuade the chiefs to accept it.⁵

Two days after Ward informed them of McKenney's desire to open negotiations for another land cession, the Choctaws convened a general council. Mushulatubbee and the other

district chiefs ignored the counsel of John Pitchlynn and resolved not to sell any more land. The council wrote Secretary of War James Barbour to "see to the diligent execution of the provisions of the Treaty of 1825" by removing all the white people found living west of the boundary line set in accordance with that treaty. Ward, having attended the council, informed the secretary of war that "the tribe cannot be induced to part with any more lands."⁶

With the district chiefs arguing among themselves over the educational funds, the Pitchlynns trying to persuade them to accept removal, and McKenney threatening to close down the mission schools; Folsom decided the time had come for drastic action. For some time he had believed that the Choctaws should have republican government. At least the tribe should elect its leaders. At the council Folsom convinced many Choctaws of the need for democratically elected leadership by denigrating Mushulatubbee for his ignorance. Subsequently in a series of councils he berated Mushulatubbee for intemperance, mishandling of school funds, and accepting bribes from the United States. Folsom argued that the tribe needed educated and capable leaders who were republican (in the sense that they were dedicated to the Choctaw state) in attitude and would place the national interests of the Choctaw people ahead of clan, town, or district interests. These councils alarmed the captains, many of whom were becoming increasingly nationalistic.⁷

Folsom's actions started a revolution in the

Northeastern District. Initially a majority of captains in that district tried to convince Mushulatubbee to abdicate, but he refused to give up his position. Undaunted, they applied such pressure that Mushulatubbee agreed to attend a district council on 15 April 1826 and allow the captains to vote on whom they desired as chief of the Northeastern District. Both David Folsom and Mushulatubbee delivered long addresses. Folsom described the dangers which the Choctaws faced and their need for strong "republican" leadership. The council members debated several strategies for maintaining sovereignty over their traditional lands. They discussed the differing Cherokee and Creek methods, deciding ultimately to adopt the Cherokee model of forming a constitutional government and electing educated leaders who could utilize legal arguments to defend the interests of the nation as well as that of their respective districts. Fearful that Mushulatubbee lacked the diplomatic skills to preserve the homeland, the council removed their old chief and replaced him with Folsom. The latter was to hold an office which would thereafter be subject to an election every four years. Thus Folsom became the first elected chief in Choctaw history.⁸

In June David Folsom presented a list of official charges against Mushulatubbee to Thomas L. McKenney. Folsom stated that the council had removed Mushulatubbee because he possessed a tyrannical disposition, was intemperate, was ignorant, and because he improperly disposed of the tribal annuities. Folsom denied that the council removed the

former chief solely because of his inclination to agree to removal but did admit it was an important consideration. He described the overthrow as a "revolution" by which the Choctaws passed out of darkness.⁹

Folsom's first action as chief was to gain control of the tribal school funds. His principal concern was that the federal government would allow Tapenahomma to appropriate money from the sale of the fifty-four sections of land to send the boys from his district to the Choctaw Academy. Folsom demanded that this not occur and requested that the Federal Government invest the proceeds from the fifty-four sections in corporate stock. The Choctaws could then use the interest to finance vocational shops without diminishing the fund. He then requested a copy of Mushulatubbee's petition to the president for the allocation of the annuity money to the support of the Choctaw Academy in Kentucky. Folsom claimed that the decision to send Choctaw boys there was against the wishes of most of the Choctaws.¹⁰

In June the nationalist revolution spread west into the Northwestern District. On 27 June, Folsom informed McKenney that "Robert Cole has been put out of office and replaced by Greenwood LeFlore." LeFlore was a wealthy mixed-blood who apparently joined the nationalist movement more for his own personal advancement than out of the spirit of nationalism. Nevertheless he assured his captains before the revolution that he would not cede any more Choctaw land and that he would resist removal. Folsom accepted LeFlore's promise and informed McKenney, in behalf of the two northern

districts, that "the nation does not wish to sell any of their land either east or west of the Mississippi and it is useless to negotiate with them."¹¹

Notwithstanding the change in leadership and their pronouncements to the contrary, some Choctaws were willing to move west of the Mississippi River next autumn. These were led by the Pitchlynn family. Early in the year John Pitchlynn Jr. went west to oversee the marking of the boundary between the Choctaw country in the west and the United States. He returned to the Choctaw nation late in the summer with glowing reports of the western territory and began actively promoting removal. He told Secretary of War James Barbour that many Choctaws wished to emigrate; they hesitated only because of their ignorance of the route or because they lacked the means to get them to the western lands. Pitchlynn advised John McKee that "with an active intelligent conductor who could inform them where and how they could obtain such aids as the government will furnish them on the route many would in my opinion soon set out for a country so much better adapted to their wants and habits than where they now are." He then suggested that if the government rewarded him for his services, he would lead a party of Choctaws to the west. This gave Barbour some grounds for optimism, and he consequently made preparations to open negotiations for a removal treaty.¹²

With negotiations forthcoming, Folsom and LeFlore concentrated on centralizing power within the general council. In August, Folsom called a general council to form

a new government and to discuss negotiations for another land cession. Those assembled drew up a constitution modeled upon that of the United States and appointed governmental officials to meet in general council twice a year. They also made arrangements for the erection of a council house near the geographical center of the nation. As a precaution in case the United States refused to recognize the new government and turned instead to the old chiefs, the council made it illegal for anyone but the elected leaders of the Choctaw nation to convene a general council, and considered the death penalty for anyone who signed a removal treaty; but they failed to pass such a measure. By the end of 1826 the legislature had enacted laws which provided for patrilineal inheritance, allowed the enclosure of fields, and prohibited trespass upon those fields.¹³

When the United States treaty commissioners, John Clark, John Coffee, and Thomas Hinds, arrived in the Choctaw Nation on 10 November 1826, they heard rumors that the Choctaw General Council had enacted the death penalty for anyone who signed a removal treaty. Seeking time to confirm the rumors, they elected to postpone their presentation of the treaty terms, but they nonetheless castigated the council for such behavior. Stating that "the Choctaw nation had become more civilized than to suffer such an outrage to be committed upon their national character," the commissioners appealed to Choctaw pride. Thereafter they adjourned the council to allow time for the members to

discuss the matter and if the rumor proved true to "apply the corrective."¹⁴

On the next day the Choctaw delegation denied that the general council had enacted the death penalty, although they admitted that such a proposal entered discussions occasionally. Indeed, the Northeast District Council had, at Folsom's urging, agreed to inflict a "severe penalty" upon anyone who accepted a bribe to cede Choctaw land. But the nationalists were not able to get such a coercive measure passed through a general council.¹⁵

Satisfied that the threat of death would not influence the council, the commissioners attempted to justify American acquisitiveness on the grounds that it was in the best interests of the Indians. They explained to the Indians that the security of the United States depended upon a "dense population throughout all the country on the east of this great river [Mississippi]." The president, the commissioners stated, intended to settle all the Indians on land west of the Mississippi River where he could see to it that their situation improved. There they would be protected from the white man. The Pitchlynnns readily embraced this argument, but the nationalist faction remained convinced that they could establish an independent Choctaw nation on their homeland.¹⁶

On Monday, 11 November the commissioners presented terms for the proposed treaty. They promised to grant reservations, amounting to three hundred thousand acres of land, to those who wished to remain east of the Mississippi

River and become citizens of the state of Mississippi. For the emigrants, the commissioners promised generous quantities of supplies, provision and transportation during the journey; and they would also receive one million dollars, compensation paid in whatever manner the Choctaws wanted for their land east of the Mississippi. In addition the commissioners promised that the property of the Indians would not be disturbed for two years after the signing of the treaty. This would allow ample time for all to emigrate.¹⁷

After presenting the terms, General Clark addressed the Choctaws and asked them to consider the fate of many tribes that were once powerful but had declined "in consequence of remaining in a country surrounded by white settlements." He maintained that many Choctaws were suffering from poverty while others lived in plenty. Would it not be better for these poor individuals to emigrate to a land rich in game? Clark assured them that he would personally protect them when they removed west and came under the direction of his superintendency. The council then adjourned and the Choctaws retired to themselves to discuss the terms.¹⁸

It was obvious to the commissioners that the majority of the tribe opposed any further land cessions and that the nationalists were to blame. Indeed, David Folsom had labored strenuously among the poorer members of Choctaw society and was quite successful at arousing resentment against any further cessions of land in Mississippi. John

Pitchlynn believed that the Choctaws could not coexist with the white man and that it would be best for them to reach an agreement quickly so that they could select a suitable new residence and form friendly relations with the tribes west of the Mississippi River. But he could not persuade the Choctaws to treat with the commissioners. Thus it was no surprise when James L. McDonald, an educated mixed-blood, presented a negative response to the proposed treaty. "It is with real pain," he said "that we have heard this proposition urged upon us." Even the poor, who could remove at any time, wished to remain "surrounded by their offspring, and among the plains, and the hills, and the streams of their youth." Further discussion on the proposals was useless, said McDonald, for the new Choctaw government determined not to cede any more land before the negotiations even began.¹⁹

This rebuff angered the United States delegation. Each commissioner individually lashed out against the Choctaws and their new government, denouncing Folsom and LeFlore as "self-created chiefs." Hinds reprimanded the two chiefs for having persuaded many of the poor Choctaws, to whom the commissioners had hoped to appeal, not to attend the treaty council. He then charged the chiefs with not acting "for the benefit of their people" and scolded them for "doing everything in their power to defeat the views and plans of the government" that "had fostered and protected them."²⁰

The commissioners then made an alternative request.

They proposed that because the Choctaws would not agree to removal, they should oblige their father the president by ceding a tract of land along the Tombigbee River. The commissioners explained that the non-Indian inhabitants of Monroe County, Mississippi, being separated from the rest of the state by the Choctaw domain, desired the lands adjoining them to form a judicial district. The commissioners stated that the cession would also benefit the Indians by making their settlements more compact, thus aiding the process of civilization. The logic of this assertion escaped the Choctaws, who rejected the proposed cession. In due course the treaty council broke up.²¹

The commissioners report on their unsuccessful negotiations prompted Thomas L. McKenney to attempt new means to achieve removal of the Choctaws. The report stated that "some short time after the appropriation had been made to meet the expense of this treaty, a plan was adopted [by the new Choctaw leadership] to defeat the objects of the Government." The commissioners reported that Folsom and LeFlore "pledged themselves to oppose the treaty before they were appointed to office." After reflecting on this report, Thomas L. McKenney decided that opposition to removal arose from the ability of the new leadership to "read in the history of the past the effect" of the government's mode of acquiring lands. McKenney considered it futile to negotiate with the entire tribe for another land cession. He advocated assembling the Choctaw leaders and explaining how removal was the only way they could preserve their

sovereignty. He believed that if they inspected the western land, saw for themselves its desirability, and were made to believe that their control over that land were secure, they would gladly accept removal.²²

Given Thomas McKenney's assessment, the United States focused its attention on getting the Choctaw chiefs to take part in an expedition to view the western lands. McKenney urged that Greenwood LeFlore in particular take part. On 7 July 1827 the Choctaws finally agreed to send an exploring party west if the Chickasaws would do the same (the two tribes had made an agreement to act together to resist removal).²³

In the interim David Folsom and Greenwood LeFlore continued to centralize the political structure of the Choctaws. LeFlore had assumed the chieftaincy of the Northwestern District with reforming zeal. Not content to allow the Indians to acculturate gradually, he wanted to force them to change immediately. He held regular meetings of the district council to adopt laws to regulate society. By the end of his first year in office, many traditional practices had been outlawed. Among other things, burying the dead on poles was disallowed in favor of ground interment. White men who wished to marry Choctaw women could do so only with permission from LeFlore himself. If the chief agreed, the prospective groom had to secure a license from the agent and marry according to white laws. He even banned the ball plays.²⁴

Many of these "reforms" clearly came at the behest of

the missionaries of the ABCFM, who took pride in the progress of the Choctaws in creating a Christian nation and were openly anti-removal. Not wanting to interrupt this development, the missionaries pressured the United States to recognize the existence of the Choctaw Nation. Citizens of Mississippi saw the missionaries as the driving force behind much of the nationalistic reforms and after 1827 began to protest. After the Choctaws held a National Council on 15 July 1827 to select officers for each district, Senator Reed of Mississippi demanded that the missionaries confine their activities strictly to religious affairs.²⁵

Factionalism increased after the spring of 1828 during which a Christian religious revival swept the Choctaw country. The newly arrived Methodist missionary, Alexander Talley, initiated the revival in a series of camp meetings in the Western District. From there it spread to the Northeastern and then the Southern District. The Methodists and the ABCFM gained nearly four hundred converts by the end of the year. These Choctaw "Christians" more readily accepted change, and about half of them united under the leadership of David Folsom. They tended to believe that the United States would not drive the inhabitants of a Christian nation away from their homeland. This increase in the strength of Folsom's Christian party alarmed those Choctaws who opposed acculturation. They allied with the Pitchlynnns under the leadership of Mushulatubbee, who was already disaffected by the actions of Folsom and the "Yankee missionaries."²⁶

In July Mushulatubbee formally proclaimed his leadership of the opposition faction after the United States stopped paying him his annual salary. The payment was discontinued on the grounds that he was no longer a chief. Mushulatubbee reacted by petitioning for a restoration of the stipend on the grounds that his overthrow was illegal by traditional standards. He claimed that he was still chief; further, he inferred that if his salary were restored and a fair treaty offered he would remove and take his followers with him.²⁷

The revival of 1828 contributed more to factionalism than it did to strengthening the resistance to removal. Talley, while sympathetic with the nationalist desire for self-rule and protection of the homeland, felt that resistance to removal was futile. Talley taught of submission and passive acceptance of one's lot as pre-eminent Christian values. He once proudly remarked that Christian Indians accepted their fate "with an entire reliance upon their father above." Such a doctrine was much different from the spirit of nationalism which prompted Folsom to resist removal. Not surprisingly the Methodist missionaries were patronized by the Pitchlynn faction. What was surprising was that Talley became a close associate of Greenwood LeFlore.²⁸

In 1828 David Folsom tried to take control of the tribal annuities. He realized that the Choctaws would never be truly sovereign until they controlled their own finances. From the outset the Federal Government alone had decided how

to disburse the annuities. When Folsom protested to McKenney, the latter replied that if "the chiefs [would] join in requesting the president to place such a sum of their money in your hands as you [Folsom] may think useful in this matter, it shall be done." This spurred Folsom to action. He managed to get a resolution passed in general council to give the district chiefs control over the Choctaw annuity for the support of the teaching of "mechanic arts" within the nation. When McKenney learned of this, he sidestepped the issue by stating that he lacked confidence in the ability of Tapenahomma, Folsom's equal in the Southeast District, to handle his portion of the fund.²⁹

On 6 October 1828 the Southeast District met in council and ousted Tapenahomma. The council then elected John Garland, an educated mixed-blood, to serve as chief for four years. On 14 October, David Folsom told Thomas McKenney that Tapenahomma lost his office because of "intemperance and other immoral conduct." Agent William Ward, who attended that council, more closely approached the truth in his report to the secretary of war. The Choctaws, Ward said, "were dissatisfied with their chief and preferred John Garland[,] a man that could talk English as well as Choctaw[,] believing their rights could be better guarded." The ousting of Tapenahomma completed the nationalist coup within the Choctaw nation.³⁰

Tapenahomma was not the only one affected by David Folsom's attempt to gain control of the Choctaw annuities. On 17 September 1828, Folsom and Greenwood LeFlore

petitioned President John Quincy Adams to remove Agent Ward and to install "a man of moral worth who would work for the welfare of the tribe." In October Folsom explained that Ward cheated the Choctaws and had a reputation for laziness and a fondness for drink. To exonerate himself from the charges, Ward called a council wherein Folsom inexplicably reversed himself and acquitted Ward of all wrongdoing.³¹

While at the height of their success at the end of 1828, the new nationalist government faced a political rebellion led by Mushulatubbee. At issue was the question of how much acculturation could the Choctaws accept while still remaining true to their ethnic identity as a people. For Mushulatubbee the answer was simple- very little. In his estimation and in that of his followers, the Choctaws possessed their own religion; and they resented the efforts of the missionaries in promoting the leadership of David Folsom. Moreover, Mushulatubbee felt deceived by the missionaries who promised to educate the Choctaws but instead concentrated on converting them to Christianity as if that in itself would preserve the Choctaw homeland.

ENDNOTES

1. David Folsom to Thomas L. McKenney, 27 May 1826 and 27 June 1826, LR, OIA, Choctaw Agency, NA, M234, R169; Cyrus Kingsbury to McKenney, 11 October 1825, 26th Cong., 2nd sess., House Document 109; White, Roots of Dependency, 125.
2. Kingsbury to McKenney, 11 October 1825, 26th Cong., 2nd sess., House Document 109; Ward to McKenney, 25 November 1825, LR, OIA, Choctaw Agency, NA, M234, R169; J.L. McDonald to McKenney, 27 April 1826, *ibid.*; David Folsom to McKenney, 27 May 1826 and 27 June 1826, *ibid.*
3. Kingsbury to McKenney, 28 September 1825, 26th Cong., 2nd sess., House Document 109; McKenney to Chiefs of the Choctaw Nation, 21 Oct. 1825, *ibid.*
4. William Ward to McKenney, 17 February 1826 and 16 March 1826, LR, OIA, Choctaw Agency, NA, M234, R169.
5. Ward to McKenney, 16 March 1826, *ibid.*; Ward to James Barbour, 18 March 1826, 19th Cong., 2nd sess., House Document 39.
6. Choctaw Chiefs to Barbour, 18 March 1826, ASP: IA, Vol. 2, 704; Ward to Barbour, 20 March 1826, LR, OIA, Choctaw Agency, NA, M234, R169.
7. Brewer, "Willis," 59; Baird, Pitchlynn, 25; White, Roots of Dependency, 125.
8. Swanton, "Edward's Account," 396; Ward to Barbour, 15 April 1826; LR, OIA, Choctaw Agency, NA, M234, R169; Folsom to McKenney, 27 May 1826, *ibid.*; White, Roots of Dependency, 125.
9. Folsom to McKenney, 27 June 1826, LR, OIA, Choctaw Agency, NA, M234, R169.
10. *Ibid.*
11. *Ibid.*; Viola, McKenney, 203.

12. John Pitchlynn Jr. to Barbour, [?] 1826, LR, OIA, Choctaw Emigration, NA, M234, R185; John McKee to Barbour, 13 September 1826, LR, OIA, Choctaw Agency, NA, M234, R169.

13. Folsom to McKenney, 27 June 1826, *ibid.*; Ward to Barbour, 9 August 1826, *ibid.*; Young, Redskins, 26.

14. Speech of Clark, Hinds, and Coffee to the Choctaws, 10 November 1826, ASP, Vol. 2, 710.

15. *Ibid.*, Speech of McDonald to U.S. Commissioners, 11 November 1826, *ibid.*

16. Speech of Clark, Hinds, and Coffee to Choctaw Council, 11 November 1826, *ibid.*, 711-712.

17. Speech of Clark, Hinds, and Coffee to Choctaw Council, 13 November 1826, *ibid.*, 712.

18. *Ibid.*, 712-713.

19. *Ibid.*; McKenney to Barbour, 27 December 1826, *ibid.*, 699.

20. Speech of Clark, Hinds and Coffee to the Choctaws Council, 14 November 1826, *ibid.*

21. Speech of Clark, Hinds, and Coffee to Choctaw Council, 15 November 1826, *ibid.*; Clark, Hinds and Coffee to Barbour, 19 November 1816, *ibid.*, 714-715.

22. McKenney to Barbour, 27 December 1826 and 4 January 1827, *ibid.*, 699, 703; Clark, Hinds and Coffee to James Barbour, 19 November 1826, *ibid.*, 709.

23. McKenney to Barbour, 17 October 1827, LR, OIA, Choctaw Agency, NA, M234, R169; Greenwood LeFlore to McKenney, 22 February 1828, *ibid.*; Ward to McKenney, 7 July 1828, *ibid.*

24. LeFlore to McKenney, 3 May 1828, *ibid.*

25. Claiborne, Mississippi, 515; LeFlore to McKenney, 3 May 1828, LR, OIA, Choctaw Agency, NA, M234, R169; List of Choctaw Officers, 16 October 1827, *ibid.*; Arthur H. DeRosier, Jr., "Pioneers with Conflicting Ideals: Christianity and Slavery in the Choctaw Nation," The Journal of Mississippi History 21 (January-October 1959): 182.

26. "Organization and Enlargement of the Churches," Monthly Paper of the American Board of Commissioners For Foreign Missions 3 (June 1832): 12 in Peter Perkins Pitchlynn Papers, GM; White, Roots of Dependency, 139.

27. Choctaw Chiefs to Secretary of War, 12 July 1828, LR, OIA, Choctaw Agency, M234, R169.

28. William G. McLoughlin, Cherokees and Missionaries, 1789-1839 (New Haven: Yale University Press, 1984), 179; Wade Crawford Barclay, History of Methodist Missions, Vol. 2 (New York: The Board of Missions and Church Extension of The Methodist Church, 1950), 134-138.

29. Folsom to McKenney, 9 Aug. 1828, LR, OIA, Choctaw Agency, NA, M234, R169.

30. Southeast District Choctaw Nation to Ward, 6 October 1828, *ibid.*; Folsom to McKenney, 14 October 1828, *ibid.*; Ward to P.B. Porter, 11 October 1828, *ibid.*

31. Petition of Choctaw Council to John Q. Adams, 17 September 1828, *ibid.*; Folsom to McKenney, 14 October 1828, *ibid.*; McKenney to Porter, 3 November 1828, *ibid.*

CHAPTER V

THE REMOVAL CRISIS, 1829-1830

In 1829 Choctaw nationalism confronted American nationalism in a bitter struggle in which the latter ultimately prevailed. On 4 February, the Mississippi House of Representatives launched a campaign to extend its laws over the Choctaws. The success of such action was dependent upon whether or not the federal government chose to support it. Officials in Mississippi counted on Andrew Jackson to bring them such support, and he wasted little time in letting the Indians know that he placed states' rights above Indians' rights. Without federal help in punishing whites who violated Choctaw law, the Indians faced being overrun by lawless white men who greatly outnumbered them. Thus the removal crisis centered upon the question of whether or not the Choctaws could depend on the integrity of the United States government to uphold its treaty guarantees and treat the Choctaws as if they were a sovereign people.¹

David Folsom expected justice from the United States. The Choctaw national government operated with a written constitution, written laws, and elected officials. A good portion of the Choctaw people were practicing Christians; and surely, Folsom reasoned, the good Christians in Congress would not permit the president to act so unjustly as to

destroy the Choctaw nation. In addition, the missionaries of the ABCFM were anti-removal; and they, the nationalists believed, could intervene on behalf of the Choctaws and demonstrate that the United States was making a terrible mistake in seeking to deny the sovereignty of the Choctaws.²

The increase of Jacksonian American nationalism alarmed the Pitchlynns. Unlike David Folsom, John Pitchlynn did not believe that the Choctaws could prevail upon the United States Congress to prevent the extension of Mississippi state law over them. The Pitchlynns worried that the uneducated tribespeople could not exist under the white man's rule and would accordingly suffer the most. The missionaries of the ABCFM, Pitchlynn believed, were giving the nationalists false hopes.³

This gave the Pitchlynn faction a common interest with Mushulatubbee, Cole, and Tapenahomma. They all believed that the Presbyterian Missionaries were leading the Choctaws astray. Both factions hoped that the Choctaws would accept a good price for their lands in Mississippi and get out before it was too late. They feared that the resistance of the Christian nationalists might alienate the federal government from the Choctaws, leaving them completely at the mercy of the State of Mississippi. This gave rise to a series of rebellions against the rule of the Choctaw nationalists.⁴

The first of these revolts occurred in the Northwestern District where LeFlore's efforts at forced

acculturation had aroused the most enmity. Early in July, 1829 Robert Cole and about one hundred of his supporters appeared at an annuity distribution intent upon removing LeFlore from office and re-instating Cole. LeFlore gathered about four hundred men, one half of whom were armed, and marched out to Cole's camp. They completely overwhelmed their opponents, captured Cole and his followers, and held them prisoner. After a brief trial, Cole and thirteen others were sentenced to twenty-five stripes well laid on. After the execution of twelve sentences, LeFlore pardoned the remaining two, one of whom was Cole. The incident left many Choctaws with bitter feelings toward LeFlore.⁵

After the failure of Cole's revolt, Mushulatubbee initiated an assault on the missionaries of the ABCFM. They "are receiving our money and our property," complained the old chief, "and they are doing no good in the education of our children and our children never can get the English language and a good education at home." He followed with the request that the missionaries "be regulated or restrained in some way for the good of the nation." In attacking the missionaries Mushulatubbee was not reactionary: he attacked them not because they taught acculturation, but for emphasizing Christianity rather than education and because they had condoned his loss of power. He objected to the missionaries' practice of translating the Bible into Choctaw and teaching the scriptures in that language; he insisted that the children should be taught in English at all times so that they could master the language

and "make good progress in study."⁶

United States Interpreter John Pitchlynn persuaded Agent Ward, who was no friend of Folsom's, that the United States should re-instate the former district chiefs. Pitchlynn informed Ward that if the government properly rewarded the deposed chiefs they might agree to sign a removal treaty. Early in November Ward urged John H. Eaton to ignore the newly elected leaders and negotiate with the old chiefs. Ward even promoted Pitchlynn's idea of recognizing a new chief from the Six Towns; Nettuckachee might remove and take those Indians with him. Indeed, Ward had already placed the proposition before the ousted chiefs who informed him that they would let him know about the end of November whether they wanted him to send a "confidential friend" to present propositions for a treaty.⁷

After September Ward began attacking the missionaries on the grounds that they were to blame for encouraging the Choctaw nationalists to resist removal. David Folsom emphatically denied this conclusion. He insisted that none "of the white men who are with us have the direction of us; we are simply a nation of red men." To counter Ward's assertions, Folsom presented solid reasons why the Choctaws should be against removal. "It is our own country, it was the land of our forefathers & as their children, we call it ours, and we reside on it, and whenever the great white men have come to us, and held treaties with us, they have ever said 'the country is yours.'" Folsom maintained that his people could not expect better treaties in the West than the

ones they possessed already, and he speculated that "later the Americans would want to possess the western lands."⁸

In the midst of this confusion, Tapenahomma decided to explore the western territory. On 20 November Mushulatubbee convened a council of the Southeast District wherein he requested, on behalf of Tapenahomma, that the United States allow the anti-missionary faction to draw money from the Choctaw annuity to defray the expense of an eight-man exploring party from the Southeast District to the Arkansas Territory.⁹

Folsom protested the appropriation for the exploring party from the Southeastern District, contending that he was chief and that he should have control over the expenditure of the annuity. He then lashed out against United States Interpreter Middleton Mackey, the dictator of Mushulatubbee's letter, stating that Mackey was "evil" and "should be removed." Mackey denied the charge, claiming that "the 'half-breed' chiefs do not wish to remove because they can stay and live under the laws of Mississippi, but others cannot."¹⁰

Events worsened for Folsom and the nationalists on 8 December 1829. In his first annual message to the United States Congress, Andrew Jackson lashed out against the Indian resistance to removal. Regarding the sovereign status of Indians, said Jackson, "it seems to me visionary to suppose that in this state of things claims can be allowed on tracts of country on which they have neither dwelt nor made improvements, merely because they have seen

them from the mountains or passed them in the chase. Submitting to the laws of the States, and receiving like other citizens, protection in their persons and property, they will ere long become merged in the mass of our population." Obviously, for the Indians to remain independent they must move. Indeed, Jackson contended that the federal government had no right to interfere in the affairs of the individual States. This was an invitation for the states to extend their laws over the Indians contained within their boundaries.¹¹

Jackson's announcement led to a second Choctaw revolt against the "national" government. After receiving news of the speech, Mushulatubbee called a council of the Northeastern District and explained its implications to his captains. The council agreed that the tribe had better accept a settlement for their land in Mississippi while the United States was still willing to offer a fair price. Mushulatubbee then presented himself for reinstatement as chief to head the negotiations for removal. The council afterwards voted to remove Folsom and reinstall Mushulatubbee as chief. Twenty captains out of thirty-one supported the majority.¹²

Folsom resisted the expulsion. He refused to acknowledge Mushulatubbee's reinstallation, opposed the organization of any exploring expeditions to the Arkansas Territory, and prevented parties of Indians from preparing to remove. Two weeks later he called another council and refused to admit to membership five of those who earlier

voted to remove him, whom he then replaced with his loyal supporters. Deeming that the times required a dictator, the reconstituted district council reappointed Folsom as chief for life.¹³

The state of Mississippi quickly responded to Jackson's Congressional message. On 19 January 1830 both houses of the Mississippi legislature passed an act extending state law over the Choctaws. The measure enlarged all the counties bordering on the Choctaw domain so that the Indian lands came under the jurisdiction of the state. State officials were empowered to fine any Indian who refused to abide by the law or to imprison him for up to one year. The Choctaws were made Mississippi citizens without the right to vote.¹⁴

Following the "extension" of Mississippi jurisdiction, the Choctaws were deluged by whites who believed that the Indian lands belonged to Mississippi and thus were subject to settlement. The immigrants were usually of low moral character; some engaged in the liquor traffic. As a consequence, the Methodist missionaries began actively promoting removal lest all their efforts be reversed by the influence of lawless whites. The Presbyterians, on the other hand, continued to oppose removal. They naively believed that in four years the Americans would replace Jackson with a Whig president who would support the cause of Choctaw nationalism. Until then, the Indians would have to try and hold out against Jackson.¹⁵

In March, 1830, Folsom and LeFlore decided that the

hardships of four years of resistance to Jackson were too severe and agreed to remove. On 15 March a general council met and re-elected Greenwood LeFlore chief of the Western District. The next day Folsom and Garland, fearing imprisonment under Mississippi State law, resigned their respective offices and the council elected LeFlore chief of the entire nation. Possibly LeFlore anticipated such an opportunity as well as a reward for committing the Choctaws to removal. Since 1828 he had corresponded with Commissioner of Indian Affairs Thomas L. McKenney about leading his people west in return for generous reservations in the State of Mississippi. That he had previously agreed to remove accounts for his disdain of any threat of imprisonment. On 17 March the council drew up and signed articles of a removal treaty framed by the Methodist missionary Alexander Talley. Those nationalists still committed to preserving the homeland were left without strong leadership.¹⁶

Mushulatubbee refused to acknowledge LeFlore's assumption of absolute power and his co-option of the removal issue. Proclaiming that LeFlore lacked authority to throw out the three district divisions, the old chief announced to he was once again chief of the Northeastern District. News that LeFlore's removal treaty was written by Talley seemed to confirm Mushulatubbee's contention that the missionaries were behind the political modification. In reaction Mushulatubbee became even more anti-missionary. In desperation he even entered himself as a candidate for

election to the Mississippi State Legislature. What he hoped to achieve in this is unknown, but perhaps he felt he could somehow block acceptance of LeFlore's treaty.¹⁷

LeFlore tried to get Mushulatubbee's support for the treaty. In a long letter dated 1 April 1830, he explained that the nation elected him as chief on a "different principle" and that "to have several chiefs, and different laws, in different parts of the nation, ... [would ruin us]. The bad part of our people could fly from one chief to another, and keep out of the way of the laws that was intended to make them do right." He then asked Mushulatubbee to join him and became a member of the national council. LeFlore assured the older man that all the captains formerly recognized as such would be accepted as captains under the new government.¹⁸

For his part, Mushulatubbee did not waiver in his opposition to the elevation of LeFlore as single chief or to the latter's removal treaty. LeFlore attempted to win the old chief's support by providing generous benefits to Mushulatubbee and his captains as well as to LeFlore's and Folsom's, but the former chief accepted none. Instead he informed Agent Ward that he would gladly receive propositions for a separate removal treaty.¹⁹

On 16 April Mushulatubbee called a council of his followers in the Northeast and of Nettuckachee's followers in the Southern District to disclaim the appointment of Greenwood LeFlore as chief of the entire Choctaw nation. After Mushulatubbee delivered an address against the

"nefarious plans" of LeFlore and Folsom, the council proclaimed Mushulatubbee and Nettuckachee chiefs in the leaderless Northeastern and Southern districts. Eager to renegotiate for a less expensive settlement, the United States acknowledged the reappointment and prepared to reopen negotiations for removal. When LeFlore heard of this he threatened to send a force of armed men to force Mushulatubbee and Nettuckachee to recognize him as their leader and make them abide by the laws.²⁰

By the end of April, civil war within the Choctaw nation was a distinct possibility. Animosity between the rival factions grew worse daily. Mushulatubbee even petitioned the United States government on 17 April to protect him against the nationalist followers of LeFlore and Folsom. Within the old chief's own faction a group led by Tush-lus-ma-ta-ba and known as the "whiskey party" had gained influence. This group opposed acculturation and denounced any submission to the whites in thought or action.²¹

Affairs became more polarized when the Choctaws learned in June that the United States had failed to ratify LeFlore's removal treaty. Mushulatubbee immediately called a district council wherein John Pitchlynn informed the captains of the failure of the Americans to accept the terms of LeFlore's treaty. The council responded by again requesting funds from the United States to send an exploring party to the West. They promised that "so soon as we are informed of the nature of said country we shall then feel

perfectly willing to meet commissioners and treat with them." Confident that the United States would now acknowledge Mushulatubbee and Nettuckachee as chiefs, the council formally proclaimed them as such. Wishing to distinguish themselves from the followers of LeFlore and Folsom, the anti-missionary faction named themselves the Republican Party in recognition that their support among the people was now larger than their opponent's. (In reality, the majority of the tribe opposed removal and were unattached to either faction.) They termed the rival faction the "Despotic Party." The council informed Secretary of War Eaton that he should direct all future correspondence with the Choctaws to Mushulatubbee, Nettuckachee, or John Pitchlynn.²²

Finally in July animosity almost developed into physical hostility. Fearful that the United States might conclude a treaty with the Republican Party, Folsom dispatched letters to the Indian Office stating that Mushulatubbee was unqualified and morally unfit to lead the Choctaw nation. Emotions soared during the annuity distributions on 14 July. Intent upon securing a just share for their followers, Mushulatubbee and Nettuckachee arrived early to oversee the distribution. Ward resolved to allow these members of the Republican Party to receive their goods early and get them home as quickly as possible. But before all the goods could be distributed, LeFlore and Folsom appeared at the head of about eight hundred armed warriors determined to force Mushulatubbee to acknowledge their

authority.²³

Accounts vary as to what happened next. Yet it is evident that Folsom demanded that Mushulatubbee acknowledge LeFlore as chief of the entire nation and himself as sub-chief over the Northeastern District. The old chief refused, and conflict appeared imminent. Faced with a senseless conflict, Nettuckachee stepped forward and offered his hand. Folsom accepted and thereafter tensions eased.²⁴

With both factions committed to removal, Secretary of War Eaton tried to bring them together to obtain a treaty. Commissioners John Donley and D. W. Haley convened a council on 10 August and suggested that LeFlore and Folsom travel to Franklin, Tennessee, to discuss a treaty with President Jackson. But negotiations outside the Choctaw nation were out of the question. Most of the warriors, confused by the factional contention and distrustful of their leaders, demanded that they too participate in any negotiations. Commissioner Donley also learned that LeFlore and Folsom distrusted the United States Interpreter Middleton Mackey and were eager for his removal. To counteract this negative influence, Donley recommended appointment of Folsom as interpreter for the upcoming treaty negotiations. According to William Ward, however, the most divisive element among the Choctaws was widespread refusal to submit to the rule of LeFlore as the single chief of the nation. In spite of the factionalism, the commissioners arranged for negotiations to begin on September 15, 1830.²⁵

The Presbyterian missionaries continued their

political activism and sought to arouse anti-removal sentiment among the Choctaws. For this reason Secretary of War Eaton determined to prohibit them from attending the September council. Each time they petitioned Eaton to attend, he denied permission. In response Folsom and LeFlore threatened not to participate. But this made no difference. Since Mushulatubbee's faction would attend, Eaton knew that Folsom and LeFlore would come as well, for fear that the United States and the Republican Party might reach an agreement.²⁶

Negotiations opened on 25 September 1830 at Dancing Rabbit Creek, Choctaw Nation. As the United States chief negotiator, Secretary of War Eaton's first task was to bring the two factions together. He accomplished this by assembling the headmen from the opposing factions on the second night of the council and urging them to settle their differences and come together to agree on a treaty before the United States withdrew its offer to pay the Choctaws for their land and their removal. A large portion of the Choctaw nation assembled at the treaty grounds. Drought leading to extreme hardships for many of the poorer Indians had worked to weaken much of the popular opposition to the treaty. Nevertheless, resistance was such that the tribal leaders were reluctant to speak for removal in open council and refused the treaty terms initially proposed. In desperation, the United States commissioners threatened that if the council did not negotiate they would leave the Choctaws to the mercy of Mississippi. Convinced that they

could not attain any better terms, Mushulatubbee, David Folsom, Greenwood LeFlore, Nettuckachee and most of the Choctaw leadership relented and signed the removal treaty on 27 September 1830.²⁷

By the Treaty of Dancing Rabbit Creek the Choctaws ceded to the United States all their territory east of the Mississippi River for an annuity of twenty thousand dollars for twenty years plus a number of other considerations. The Choctaws were guaranteed self-government and United States protection from foreign invasion. In addition the Treaty defined the boundaries of the new Choctaw domain in accordance with the treaty of 1825, gave the Choctaws the right to use navigable streams, promised to assist in preventing the importation of "ardent spirits" into the Choctaw country, and pledged perpetual peace and friendship between the two nations.²⁸

The treaty contained several stipulations which fostered the rebirth of Choctaw national development after removal. Under article 20, the United States agreed to support an annual quota of forty Choctaw youths in American universities for twenty years. The federal government also promised to erect a council house as the seat of the new national government west of the Mississippi River, support three teachers for twenty years, and furnish three blacksmiths and a wheelwright for sixteen and five years, respectively. Each district was guaranteed a large number of farming implements, looms, and other manufactured items to aid material development in the new land.²⁹

The nationalist defense of the Choctaw homeland led by David Folsom had failed. The deciding factor in the defeat was Jackson's decision to support Mississippi's claims to sovereignty over the lands of the Choctaws. Without the support of the United States, the Choctaws could never uphold their claims of a separate nation. But the Choctaws had undergone an irreversible transformation. They could not turn back to their pre-1800 ways and usages. During the previous half decade Folsom laid the groundwork upon which the Choctaws would build in the future. The United States guaranteed them a new nation in the west and helped them to re-establish a new national government. Under these conditions Choctaw nationalism would re-emerge and result in the formation of a Choctaw Republic which prospered and developed until the 1860's. As he had in the traditional homeland, David Folsom played a prominent role in the establishment of the Choctaw nation west of the Mississippi River.

ENDNOTES

1. DeRosier, Removal, 101.
2. See letter of David Folsom to William Ward, 7 November 1829, LR, OIA, Choctaw Agency, NA, M234, R169 in which Folsom asks for protection from the American government. "Will not the great American people who are men of truth and love justice, still love us Choctaw red men? Surely we think they will love us. And although there are new thoughts about red people and a new language held out to them we can not think that the American Government will turn away from us, and not even look at us."
3. Baird, Pitchlynn, 37.
4. Ibid; Young, Redskins, 29.
5. Ward to John H. Eaton, 14 July 1829, LR, OIA, Choctaw Agency, NA, M234, R169.
6. Mushulatubbee to Eaton, 28 September 1829, LR, OIA, Choctaw Emigration, NA, M234, R185.
7. Ward to Eaton, 1 September 1829 and 4 November 1829, LR, OIA, Choctaw Agency, NA, M234, R169.
8. Folsom to Ward, 7 November 1829, *ibid.*
9. Choctaw Headmen to Eaton, 20 November 1829, *ibid.*; Ward to Eaton, 20 November 1820, *ibid.*
10. Folsom to Ward, 22 November 1829, LR, OIA, Choctaw Emigration, NA, M234, R185; Middleton Mackey to Eaton, 27 November 1829, *ibid.*
11. "First Annual Message," 8 December 1829, Richardson, Messages, Vol. 3, 1019-1022.
12. Ward to Eaton, 29 December 1829, LR, OIA, Choctaw Agency, NA, M234, R169.
13. *ibid.*
14. Baird, Pitchlynn, 37; DeRosier, Removal, 101; Arkansas Gazette, 4 May 1830; Jackson Gazette, 13 February 1830.

15. Ward to Eaton, 1 February 1830, LR, OIA, Choctaw Agency, NA, M234, R169; Folsom to R.M. Johnson, 7 February 1830, LR, OIA, Choctaw Emigration, NA, M234, R185; "Journal of Cyrus Kingsbury, 26 February 1830, Hotchin, History of Presbyterian Missions,

16. Arthur H. DeRosier, Jr. "Andrew Jackson and Negotiations for The Removal of the Choctaw Indians," The Historian 29 (May 1967): 348-351; Peter James Hudson, "A Story of Choctaw Chiefs," The Chronicles of Oklahoma 17 (June 1937): 9-10; Arkansas Gazette, 18 May 1830; White, Roots of Dependency, 140; The Natchez, 10 April 1830; Jackson Gazette, 1 May 1830.

17. Niles Register, 10 July 1830; Baird, Pitchlynn, 37.

18. LeFlore to Mushulatubbee, 1 April 1830, LR, OIA, Choctaw Agency, NA, M234, R169.

19. Ibid.; Ward to Secretary of War, 19 April 1830, *ibid.*

20. *ibid.*; Choctaw Headmen to William Ward, 17 April 1830, *ibid.*

21. Foster to Pitchlynn, 10 April 1830, Peter Perkins Pitchlynn Papers, GM; 23rd Congress, 1st sess., Senate Document 512, Vol. 2; Choctaw Chiefs to Eaton, 2 June 1830, LR, OIA, Choctaw Agency, NA, M234, R169.

22. Choctaw Chiefs to Eaton, 2 June 1830, *ibid.*

23. Folsom to Johnson, 7 July 1830, LR, OIA, Choctaw Emigration, NA, M234, R185; Ward to Johnson, 18 August 1830, *ibid.*; Niles Register, 21 August 1830; The Natchez, 7 August 1830.

24. *Ibid.*

25. Choctaw Chiefs to Andrew Jackson, 16 August 1830, LR, OIA, Choctaw Agency, NA, M234, R169; John Donley to Eaton, 14 August 1830, *ibid.*; Choctaw Chiefs to Ward, 10 August 1830, *ibid.*; Ward to Eaton, 19 August 1830, *ibid.*

26. 23rd Congress, 1st sess., Senate Document 512, Vol 2., 253, 255; Eaton to ?, 18 September 1830, LR OIA, Choctaw Agency, NA, M234, R169.

27. Kappler, Laws and Treaties, Vol. 2, 310-318; White, Roots of Dependency, 144; Choctaw nation to Eaton and Coffee, 25 September 1830, Peter Perkins Pitchlynn Papers, GM; Czarina Conlan C., "Site of Dancing Rabbit Creek Preserved," The Chronicles of Oklahoma 7 (1929): 324; Arkansas Gazette, 3 November 1830.

28. Kappler, Laws and Treaties, 310-318.
29. *ibid*, 315.

CHAPTER VI

DAVID FOLSOM AND THE CHOCTAW REPUBLIC

IN THE WEST, 1830-1859

After the Treaty of Dancing Rabbit Creek, the Choctaws re-established themselves in the West under a new national government. Whereas before 1830 they had never mustered a consensus in support of their government, in the West the Choctaws united to form a stronger political unit. During the first several years after the Treaty of Dancing Rabbit Creek they existed without a true government, but with the guidance of David Folsom and many of the young men who obtained educations at the Choctaw Academy and at other places, the Choctaw nationalist movement picked up in 1834 where it left off in 1830. Folsom remained active in politics until his death in 1847. He served as a delegate on several committees and as a tribal councilman. With the younger generation of educated men in control, he spent the last several years of life trying to make his fortune.

The Treaty of Dancing Rabbit Creek thrust the Choctaw nation into confusion. Most Choctaws opposed removal and as they lacked leadership to direct their frustrations, they were extremely volatile. Eager to present their treaty for congressional approval and perhaps fearful of hostility from Indians violently opposed to removal, the commissioners

quickly departed for Washington. In their haste, they left behind only one copy of the treaty in the possession of Greenwood Leflore. He hesitated to have the treaty copied and circulated among the general population because he desired to control the allocation of reserves to those within his district without interference. This generated considerable speculation concerning the stipulations of that treaty. Angry opponents were quick to denounce the signers. Discontent was so intense that Mushulatubbee feared an angry party might attempt to assassinate the chiefs.¹

The overriding political problem for the Choctaws was ending the factionalism and restoring unity to the nation. The Northeastern district was especially beset with factionalism. Although the United States officially recognized Mushulatubbee as chief, he enjoyed the support of only about half of his district. The other half still looked to Folsom for leadership and actively proclaimed him chief. The political struggle between these two men kept the district divided.²

Contention between Folsom and Mushulatubbee escalated rapidly in October, 1831. Many individuals in the Northeastern district had outstanding debts owed to the trade company of Grant & Clemens. Aware that the Choctaws would depart within two years, the company became concerned that the Indians would emigrate without paying their debts. Capitalizing upon Mushulatubbee's concern for his people, the company sent representatives to him threatening to bring suit against those individuals who possessed outstanding

debts with the company. The bluff proved successful. Mushulatubbee agreed to draw upon the national annuities to pay off the debts.³

This action angered Folsom who opposed using the assets of the nation to pay the debts of individuals. For many years he had fought to make the Choctaws more self-sufficient and to break the system of ceding land to extinguish debts. He hoped that individuals would assume responsibility for their own financial obligations. Actions such as Mushulatubbee's only increased Choctaw dependency by taking away the land base from which they could build self reliance. Folsom knew by past experience that the United States would acknowledge the agreement made between Mushulatubbee and the company of Grant and Clements. The situation was similar to that of 1825 when he had overthrown Mushulatubbee and become the first elected chief of the Choctaws. Once again Folsom launched a campaign to discredit the old chief.⁴

Throughout the last quarter of 1830 numerous councils convened to discuss the betrayal perpetrated upon the tribe by the treaty signers. These marked the political maturation of a new generation of educated Choctaw nationalists who felt themselves better qualified to lead than the older uneducated leaders. Instead of turning to the past to find solutions to their problems, the councilmen held elections and selected new leaders. On 16 October 1830 a council of the Southern district voted to remove Nettuckachee and elected Joel H. Nail as chief.

Nettuckachee's removal derived principally from his inability to give people in his district particular details of the treaty. Many resented that their chief would sign a treaty which he did not perfectly understand. They elected Nail, also a treaty signer, in the belief that Nail could better protect the interests of their district.⁵

One week later a council of the Northwestern district voted to remove Greenwood LeFlore and install George W. Harkins, David Folsom's son-in-law, as chief. Another council held on November 3 confirmed the decision and drew up a list of charges against LeFlore to justify its actions. The council claimed that LeFlore was "totally unfit to rule a free people who having forfeited his head by breaking a law he made himself in open council on the Robinson's Road that he would not sell his country." In addition they charged him with taking up arms against his countrymen during the episode one year earlier when he marched against the followers of Nettuckachee, took them prisoner and whipped a number of them. A list of lesser charges bolstered the indictment of LeFlore.⁶

The United States refused to acknowledge the nationalist attempt to elect new leaders. Andrew Jackson learned that the Presbyterian missionary Loring S. Williams had convinced George Harkins that if the Choctaws could hold out in Mississippi until the end of Jackson's term as president, the Indians stood a good chance of resisting removal. This news convinced the President not to recognize the newly appointed chiefs. Instead he pointed out that

while the Choctaws remained in the State of Mississippi they were not a sovereign people with the right to choose their own leaders. Once the Indians were safely removed to the Arkansas country, Jackson promised, the Choctaws would again be sovereign and free to choose their leaders.⁷

Despite the political difficulties, the Choctaws turned their attention to the West. Many were eager to begin emigrating in order to select the best sites for their new homes. Folsom and the other formally recognized or proclaimed leaders began concentrating on directing the removal of their followers. During the treaty negotiations, the chiefs and captains had determined that the Choctaws would remove and settle as districts. The Northeastern district was to settle on the Arkansas River; the Northwestern and Southern would settle on Red River. But Mushulatubbee, still resentful of the missionaries, refused to allow them to work among his followers. To prevent difficulties, Folsom agreed to divide the Northeastern district and settle his Christian followers on Red River with LeFlore's people. Afterwards the districts were renamed. The northernmost district in which Mushulatubbee located was named the Moshulatubbee district; the southwestern division became the Pushmataha district; and the southeastern tract became the Apukshunnubbee district.⁸

By November preparations for removal were proceeding rapidly in the Northeastern district and Folsom directed his attention to getting Mushulatubbee out of office. Colonel George S. Gaines of the United States army was in the West

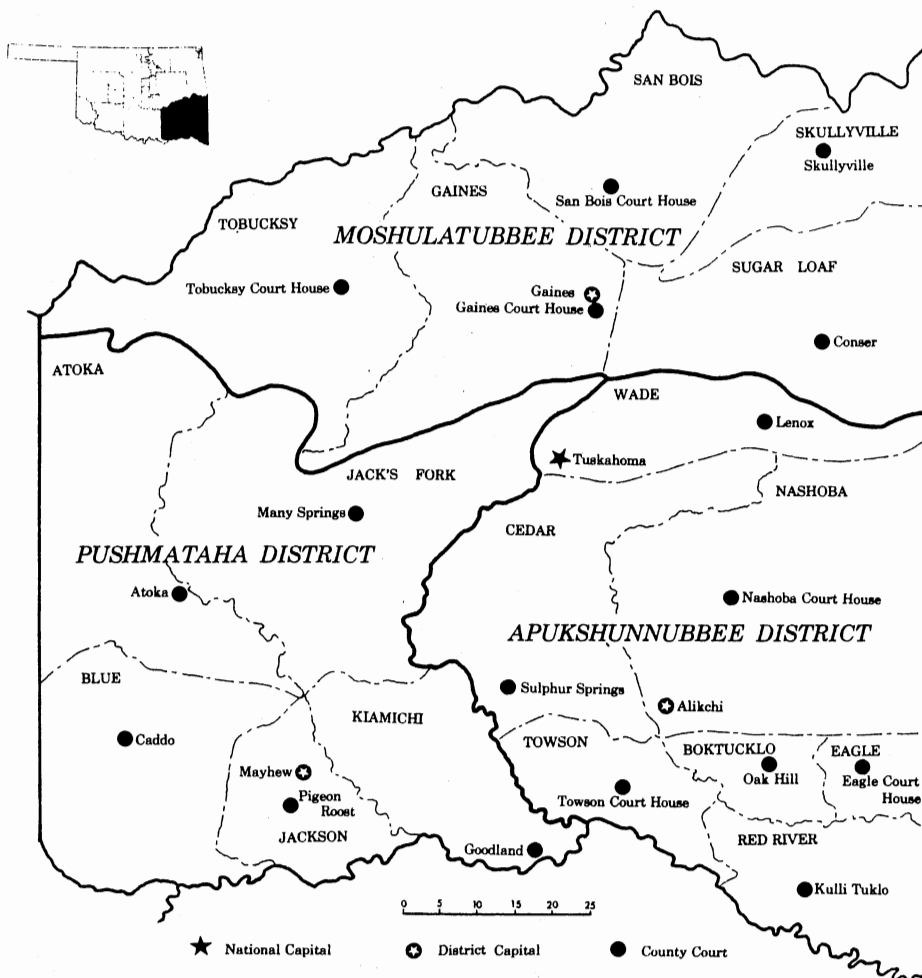


Figure 4. Choctaw District Divisions in the Indian Territory. Reprinted from John W. Morris, Charles R. Goins and Edwin C. McReynolds, Historical Atlas of Oklahoma, Norman: University of Oklahoma Press, 1976.

with a party of Choctaws laying out the districts. Folsom stayed back anticipating appointment as United States interpreter. In the meantime he initiated a campaign to get himself reappointed as district chief and continued his efforts to reverse Mushulatubbee's decision to use the tribal annuities to repay the company of Grant and Clements.⁹

Fearful that the captains and warriors of his district would replace him with Folsom, Mushulatubbee made a number of concessions to the younger generation. In a council of the Mushulatubbee district on 16 January, he formally announced that he would abdicate in favor of his nephew Peter Pitchlynn as soon as the district began to emigrate. He later refused to step down after learning that he would also have to relinquish the salary he received as chief. But as an amends, he afterwards petitioned the federal government to appoint Peter Pitchlynn as a conductor. In September, Mushulatubbee further recommended that Thomas Wall and Samuel Garland receive appointments as conductors.¹⁰

In September, 1832 a large group of Choctaws in the Northeastern district proclaimed that they were ready to emigrate. One month later, they assembled at the old-council house, two miles from the agency, and divided into two groups representing the followers of Mushulatubbee and those of Folsom. By the end of November most were across the Mississippi and into Arkansas where Agent Francis W. Armstrong assumed responsibility for their safety.

Many of Folsom's party were sick from exposure. Folsom, whom many recognized as somewhat of a doctor, worked constantly trying to relieve their suffering. His exertions were recognized by the government which paid him two dollars a day for his services as a physician. The emigrating party finally made it to its present-day McCurtain Co., Oklahoma in December. The winter was excessively cold and Folsom exerted great energies helping the people settle in.¹¹

David Folsom worked incessantly to rebuild the fragmented Choctaw nation. As before he placed most emphasis on education. In January he and several other leading men petitioned F. W. Armstrong, their new agent in the West, to withdraw their patronage from the Choctaw Academy. Stating that it was now too far from their homes to send their children to Kentucky, the petitioners called for the establishment of an Academy within the domain of the new Choctaw Nation. When Agent Armstrong informed them that the fund could not be withdrawn, they claimed that the Choctaw Nation never intended for the arrangement to be permanent.¹²

Another matter of concern to David Folsom was persuading all from his district to remove. A faction under the leadership of a captain named Little Leader refused to register for land and appealed to the government believing the federal government would protect them. Folsom tried to persuade these Indians to emigrate by telling them that if they refused the United States would sell the land and the whites purchase it and drive them away. In an attempt to

undermine Little Leader's influence, Folsom appointed several of his followers captains under the condition that they remove.¹³

Soon thereafter Folsom received his first political appointment in the new territory. On 20 October 1832 the Chickasaws signed a removal treaty contingent upon the United States finding them a home in the west. For several years United States commissioners attempted without success to get the Chickasaws to enter into an agreement with the Choctaws to let the former settle within the latter's domain. By autumn of 1833 the Chickasaw were reconsidering. White squatters were trespassing on their domain despite American guarantees that the Chickasaw country would be off limits to whites until a suitable home was found and the Indians completed their emigration. One year after the signing of the Chickasaw treaty, Chickasaw Agent Benjamin Reynolds persuaded an exploring party to travel west and seek a discussion with the Choctaws. On 21 December 1833 a large delegation of Choctaw headmen led by David Folsom met with the Chickasaws. The latter hoped the Choctaws might sell them a portion of their land. Folsom explained that his people opposed selling any land, but that they were willing to allow the Chickasaws to incorporate with them. But the Chickasaws still feared combining with a people much larger than themselves and the talks ended in failure.¹⁴

Despite their difficulties, by 1834 the Choctaws were settled in and looking toward the future. It was an election year and they utilized the opportunity to frame

their new government. On 3 June 1834, representatives from each district met in council. There they wrote a new Constitution. Under this document each of the three districts would select nine representatives to act as the national council. The three district chiefs also sat in the council, increasing the number to thirty. If the chiefs disliked any law passed by the council, a combination of two of them could exercise the veto. This veto only could be over-turned by a two-thirds majority of the council. Every male over the age of sixteen could vote. The Constitution also established a judiciary with judges appointed by each district chief. Afterwards the council recorded the laws and gave a copy to the agent.¹⁵

One month later the nation held its first election in the West. Mushulatubbee and Nettuckachee were re-elected. The contest to fill the vacancy in the Apuckshennubbee district, created by LeFlore's refusal to emigrate was especially, hard fought. Thomas LeFlore, Greenwood's brother, ran against Joel Nail. Ultimately LeFlore won the election. The more centralized government reunited the nation and gave the people confidence once more in their leaders.¹⁶

An initial concern of the new government was peace and trade with the Indians on the western frontier. On 24 August 1835 delegations from the Choctaws, Cherokees, Creeks, and the Seminoles met with delegations from the Osages, Comanches, Wichitas, and others at Fort Holmes and signed a peace treaty. Relations with the Western tribes

opened new trade markets for the Choctaw nation and David Folsom took advantage of the opportunity to pursue trading enterprises among the western Indians. In October 1835 he established a base of operations for himself at Coffee's Trading Post on the Red River, west of the cross timbers region. From there he conducted a profitable trade with the Comanches and other western tribes.¹⁷

On 17 January 1837 the Chickasaws and the Choctaws met at Doaksville, Choctaw Nation and finally agreed to terms by which the latter allowed the Chickasaws to form a separate district within the Choctaw Nation. The Treaty stipulated that the Chickasaw District "have an equal representation in their general council." The Chickasaw people were to have equal rights with Choctaws in every respect except sharing in the Choctaw annuities. For this right the Chickasaw agreed to pay the Choctaws \$530,000. In order to accommodate the presence of the Chickasaws in their council, the Choctaws increased the number of council members from thirty to forty. Although David Folsom was absent from this council, his views were represented by his brother Israel Folsom.¹⁸

The emigrating Chickasaws brought into the Choctaw nation new outbreaks of malaria and smallpox. The dense settlements where Folsom resided on Little River were especially hard hit. The death rate in 1838 was so high that several schools closed down and their buildings abandoned. David Folsom decided to move to a new location near the Blue River. Even old Mushulatubbee succumbed to

this epidemic and died on 30 August 1838.¹⁹

The nation elected David Folsom to the National Council in 1838. As councilman he concerned himself primarily with the material advancement of the nation. The spirit of nationalism surged during this term of office. In 1839 the council passed the death penalty for any chief, councilman, or citizen who signed away any tract of Choctaw land. Folsom advocated keeping uninvited whites out of the Choctaw nation. He believed that contact with the undisciplined white man, such as existed in great numbers on the frontier, would have a deleterious effect upon the morals of the Choctaws. To that effect the council passed a resolution in 1839 against allowing the agent to grant licenses to white traders, unless the council consented. Another project which Folsom took upon himself was to protest the actions of the United States army stationed at Fort Smith. Throughout the early fall of 1838 the military were crossing onto Choctaw lands to cut timber. They even had the audacity to commandeer the ferry operated by a Choctaw citizen, Thomas Wall, to ford their load across the Arkansas river. Folsom let Agent Armstrong know that the Choctaws would not tolerate such attacks upon their national sovereignty.²⁰

Despite the apparent strength of the new government, it faced a serious threat in American plans for an Indian Confederacy. Folsom was present in council when Isaac McCoy, a Baptist missionary devoted to the idea that the Indians must unite for their own protection, presented the

Territorial Indian Bill. This bill, having just passed the Senate, provided for the organization of all the Western Indians into an Indian Territory. Such an idea had circulated through Washington for a number of years and had the support of President Martin Van Buren and many other powerful men. But the Choctaws cherished their national sovereignty and refused to accept confederation. It is easy to imagine the chagrin which Folsom and the Choctaw nationalists felt at the suggestion that they give up their national identity and become merged into a general Indian confederacy.²¹

The Choctaws, by 1838, were doing well in their new homes. The Schools were in operation and many families had become quite industrious. During 1837 the nation marketed some six hundred bales of cotton, which brought over twenty thousand dollars into the nation. The material wealth of the Choctaw nation had increased greatly. Choctaw owned cotton gins numbered between eight and ten. There were around one thousand spindles, one thousand pairs of cotton cards, and four hundred looms within the nation. In addition there were at least three flouring mills. The nation's own native traders supplied most of the needs of the Indians. Annual surpluses of corn, cattle and hogs were sold on contract to the United States. Indeed, the Choctaws made such progress that Isaac McCoy, though not an unbiased observer, exclaimed in 1840 that they "must be said to be, at this time, in advance of every other tribe."²²

Although David Folsom remained active in politics he

increasingly directed his attention towards making money. He initially tried land speculation. In 1841 he and his son Simpson purchased a number of small Mississippi land claims from their countrymen. Folsom intended to sell the claims and use the money to purchase goods in New York for resale in the Choctaw Nation. Unfortunately the deal fell apart when Simpson discovered while in Washington that Joel Nail bought some of the same claims as the Folsom's. The whole business caused such confusion that Robert M. Jones wrote a memorial denouncing the actions of the speculators and sent it on to Washington. Several of the speculators joined Simpson in Washington and succeeded in putting down Jones' memorial. It is believed that Jones afterwards sent a memorial to Folsom who immediately arranged for Jones to share in the speculation.²³

Besides speculation, David Folsom had other financial operations. He owned a salt works which William Armstrong claimed was "more extensive than the one other such works in that nation." According to Armstrong David Folsom's salt works produced about twenty bushels a day-"a supply equal to the demand, which, no doubt, will be increased as the article is wanted." Located near the Blue River on Boggy Creek, about fifteen miles north of the Red River, the works had produced an excess of about 1,000 bushels of salt which Folsom hoped to market down the Red River after the removal of the Great Raft. He also became involved in 1842 with a silver mine operation. In a letter to Peter Pitchlynn dated 1 October 1842 he expressed regret that some of his

countrymen opposed his involvement with such an enterprise. Folsom maintained that if he and his partners, two white men named Graham and Taber, "should come out with [their] mine with shining richness so that with [their] vast silver, if we ... give [a] great portion of it to the civilization of our people-I do not think anyone would regret."²⁴

Perhaps Folsom hoped to use some of the money he earned from his silver mine to help finance the expanding educational system. In 1842 the Choctaw council approved the establishment of a comprehensive system of schools. David Folsom's dream of an Academy within the Choctaw nation became a reality when Spencer Academy commenced in February, 1844. Two years later in December, 1846 Armstrong Academy opened in the Pushmataha district, near the present-day town of Bokchito.²⁵

David Folsom was once again elected to the council in 1842 and participated in 1844 the revision of the Choctaw Constitution. This time the councilmen reorganized their unicameral legislature into a General Council with a Senate and House of Representatives. The Senate consisted of four members from each district, who served two years terms. The number of representatives was apportioned according to district population, they being subject on annual re-election.²⁶

In October 1845 the Choctaw Council appointed David Folsom as chairman of a special committee to oversee orphans' affairs. The Treaty of Dancing Rabbit Creek had set aside one quarter-section of land for the support of

each Choctaw orphan. The treaty directed the federal government to oversee the sale of the land to the highest bidder. Unfortunately the government sold the land on credit and when the obligations fell due, most purchasers refused to pay. To make matters worse, federal officials refused to release what money was received until it could collect all the money due from the debtors. In an effort to settle the matter, President John Tyler filed suit against the debtors in the United States District Court. The Court further confused the situation by ruling that the right to sell the lands belonged to the individual orphans and that the President had no right to sell the land in the first place. The Choctaws interpreted this as meaning the former sales were void. They then began re-selling the land to new speculators. By October, the whole affair was in such confusion that the Choctaws feared they would never see any benefit from the orphan lands. On the 8th of October, Folsom charged Peter Perkins Pitchlynn with the responsibility to effect a settlement. The council agreed to pay Pitchlynn ten per cent of the sum of what he succeeded in transferring to the Choctaw treasury. The orphan affair remained unsettled until the spring of 1850, and Folsom did not live to see its termination.²⁷

David Folsom died on 24 September 1847. He was buried in the old Fort Towson (Oklahoma) cemetery. His tombstone bears the inscription: "To the memory of David Folsom, the first Republican Chief of the Choctaw Nation. The promoter of industry, education, religion and morality was born

January 25, 1791 and departed this life September 24, 1847. He being dead yet speaketh." The epithet was most fitting, for David Folsom devoted the better part of his 56 years of life to building an independent Choctaw Republic. He led the Choctaws through a period of drastic change in which they abolished their old chieftaincy form of political organization and replaced it with a constitutional government. He helped wield the Choctaws into a nation in the modern sense of that term. When he spoke of the Choctaw Nation, David Folsom referred to a distinct territory occupied by an independent and sovereign people, aware of their past but working for the future. A people who shared a distinct language and culture that set them apart from other peoples. He promoted pride and devotion to the integrity of the national entity so that the Choctaw Nation might exist as a vital unit among the nations of the world. Indeed David Folsom was a nationalist, and as surely as nationalism still exists among Choctaws today the inscription-"He being dead yet speaketh" remains true.

ENDNOTES

1. William Ward to Andrew Jackson, 11 October 1830, LR, OIA, Choctaw Agency, NA, M234, R169, Nettuckachee to John Eaton, 9 October 1830, *ibid.*; J. B. Hancock to Peter Perkins Pitchlynn, 20 October 1830, Peter Perkins Pitchlynn Papers, GM.
2. Ward to Eaton, 2 December 1830, LR, OIA, Choctaw Agency, NA, M234, R169; Mushulatubbee to Eaton, 30 December 1830, *ibid.*
3. Mushulatubbee to [?], 12 October [?], *ibid.*; Grant & Clements to Eaton, 20 October 1830, *ibid.*
4. Mushulatubbee to Eaton, 30 December 1830, *ibid.*; Choctaw Chiefs to Eaton, 3 December 1830, *ibid.*
5. Nettuckachee to Eaton, 9 October 1830, *ibid.*; Israel Folsom to Eaton, 16 October 1830, LR, OIA, Choctaw Emigration, NA, M234, R185.
6. General Council of the Northwestern District to Ward, 23 October 1830, LR, OIA, Choctaw Agency, NA, M234, R169; "Resolutions of the Council of the Northwest District," 3 November 1830, *ibid.*; George S. Gaines to Eaton, 6 November 1830, 23rd Congress, 1st sess., Senate Document 512, Vol. 2, 184-185.
7. D.W. Haley to Jackson, 10 March 1831, LR, OIA, Choctaw Agency, NA, M234, R169; Jackson to Haley, 11 April 1831, *ibid.*
8. John Donely to Eaton, 26 November 1830, *ibid.*; Alexander Talley to Eaton, 10 November 1830, *ibid.*; Cyrus Kingsbury to [?], [?] 1831, Gardner Papers, GM; F.W. Armstrong to Samuel S. Hamilton, 23 September 1831, LR, OIA, Choctaw Agency West, NA, M234, R184; Richardson, Messages, Vol. 3, 1117.
9. E-Yar-Ho-Kar-Tubbee and 53 other Choctaws to Eaton, 16 January 1831, 23rd Cong., 1st sess., Senate Document 512, 393.
10. Alexander McKee to Thomas Wall, 28 April 1831, Peter Perkins Pitchlynn Papers, WHC; James L. McDonald to Peter Perkins Pitchlynn, 28 March 1831, *ibid.*; Choctaw

Headmen to Eaton, 16 January 1831, LR, OIA, Choctaw Agency, NA, M234, R169; Choctaw Headmen to Jackson, 24 March 1831, LR, OIA, Choctaw Emigration, NA, M234, R185; William S. Colquhoun to George Gibson, 4 September 1831, 23rd Cong., 1st sess., Senate Document 512, 573.

11. William Armstrong to George Gibson, 1 September 1832, 23rd Cong., 1st sess., Senate Document 512, Vol. 2, 376; Foreman, Indian Removal, 53; Emma Estill Harbour, "A Brief History of the Red River Country Since 1803," The Chronicles of Oklahoma 16 (,1938): 67; Foreman, "Armstrongs, pt. 2," 420.

12. Armstrong to Elbert Herring, 5 January 1833, 26th Cong., 2nd sess., House Document 109.

13. David Folsom to John Carter, 8 July 1833, ASP: Public Land, ; Armstrong to Gibson, 5 August 1833, 23rd Cong., 1st sess., Senate Document 512, Vol. 1, 412; Armstrong to Gibson, 11 October 1833, *ibid.*

14. Foreman, Indian Removal, 193-199.

15. Baird, Pitchlynn, 53; Debo, Rise and Fall, 74.

16. Foreman, The Five Tribes, 26.

17. Foreman, Five Tribes, 27; Hudson, "Story of Choctaw Chiefs," 11.

18. Kappler, Laws and Treaties: Indian Affairs, Vol. 2, 486-488; Balyeat, "Education," 95; Richardson, Messages, Vol. 4, .

19. Foreman, Five Tribes, 47-48; Foreman, Indian Removal, 221.

20. Choctaw Chiefs to Armstrong, 11 October 1838, LR, OIA, Choctaw Agency, NA, M234, R170; [?] to Pitchlynn, [?] 1839, Peter Perkins Pitchlynn Papers, GM; Debo, Rise and Fall, 68.

21. Armstrong to Pitchlynn, 3 October 1838, Peter Perkins Pitchlynn Papers, GM; Isaac McCoy to Speaker of the General Council of the Choctaw Nation, 5 October 1838, *ibid.*; First Annual Address of Martin Van Buren, 5 December 1837, Richardson, Messages, Vol. 4, 1608.

22. Balyeat, "Education," 94; Issac McCoy, History of Baptist Indian Missions (Washington, D.C.: William M. Morrison, 1840), 607.

23. Folsom to Pitchlynn, 2 December 1841 and 22 December 1841, Peter Perkins Pitchlynn Papers, GM; Joseph Dukes to Pitchlynn, 4 September 1841, 28th Congress, 2nd sess., Senate Document 160, .

24. Foreman, Five Tribes, 48; Folsom to Pitchlynn, 1 October 1842 and 6 [?] 1842, Peter Perkins Pitchlynn Papers, GM.

25. Foreman, "Armstrongs, pt.2," 446; Debo, Rise and Fall, 60-61.

26. Debo, Rise and Fall, 74-75; "Armstrongs, Pt. 2," 442.

27. T. Hartley Crawford to Pitchlynn, 22 March 1842, LR, OIA, Choctaw Reserves, NA, M234, R191; Pitchlynn to Crawford, 14 February 1842, *ibid.*; John A. Rogers to Armstrong, 5 June 1844, LR, OIA, Choctaw Reserves, NA, M234, R193.

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