

## STAND WATIE'S LAST BATTLE

Like most of the confederate states, following the Civil War Indian Territory was in ruin, particularly that portion that included the Cherokee Nation. While battles and skirmishes were fought throughout the territory, the brunt of the fighting from 1862 until mid 1865 occurred in the eastern portion. Following the war fifteen thousand Confederate soldiers, mostly Indians, were adrift and homes, out buildings, farm and work animals, all were burned, killed or herded off. Accumulated wealth such as stocks, bank accounts or personal property were either worthless or had been stolen by marauding troops or bushwackers. Like all citizens, Stand Watie had lost everything. But, unlike most, because he was cast in a leadership role, he was soon faced with issues in addition to family problems, the first of which occurred during September of 1865.

Immediately following his surrender at Doaksville in June, Watie went to Texas to see his wife Sarah and mourn the loss of his son Comisky who had died there at age 15. Returning to Choctaw country, Watie as Principal Chief at least of the southern faction, established a government at Armstrong Academy located in today's Bryan County. At the same time, a rival government consisting of northern Cherokees, sympathizing with John Ross had organized at Tahlequah, under the temporary leadership of Lewis Downing. So, during the fall months when peace negotiations, coordinated by the Federal Indian Peace Commission began, two rival Cherokee factions were present. Although negotiations moved slowly the legal skills of Watie's nephew, Elias C. Boudinet, eventually resulted in compromise. A peace treaty was signed in 1866 re-establishing John Ross as Principal Chief of the nation, but guaranteed southern Cherokee's their former rights, a victory for Watie. The document also implied that the United States government would continue to honor the agreement that had resulted in the Cherokee's original move from Georgia.

After the treaty was signed, Stand Watie moved his family from Texas to land holdings near Webber's Falls. Describing himself to friends as "flat broke and financially distressed," Watie began a second post war battle, this one for the survival of his family. Now fifty nine years old, he relied heavily upon his son Saladin to assist in leading the family out of poverty. Saladin had ridden with the General during the war and now more than a son, he had become Watie's confidant. But times were difficult, setbacks were routine and there were personal battles to be fought including the vagaries of Mother Nature that occasionally proved to be overwhelming. For example, Watie had planted many acres of corn on river bottom land only to have a flood wash it away. Never-the-less, Mother nature and financial issues aside, gradually the family began to recover, but tragedy was to strike again. Early in 1868, during efforts to revitalize plantation holdings on the Grand River, Saladin suddenly took ill and died within weeks. Life's tragedies can certainly be considered as personal battles, and now the death of his two boys, Comisky and Saladin came as a serious blow. It was further compounded the following March by the sudden death of his youngest son Watika, a victim of pneumonia.

While mourning the loss of his sons and with the obvious personal strain that resulted, Stand Watie continued in his attempt to rebuild the family fortunes any way possible. In so doing, Watie became involved in a situation, a battle of sorts that impacted him but

ultimately had a far reaching affect on all sovereign Indian Nations. In 1868, Boudinet, the lawyer and nephew who had so skillfully manipulated a favorable Peace Treaty, approached Watie regarding building a tobacco factory. Boudinot, explained that, according to the treaty, citizens of Indian nations, as sovereign entities, were exempt from paying taxes levied by the United States. At the time the average cost of making a plug of tobacco was 43 cents, but taxes added an additional 32 cents. Consequently, the manufacture and sale of tobacco to Arkansas citizens would be much cheaper than the costs in Arkansas. The business partners built a tobacco factory in eastern Delaware County, about four miles west of Maysville and proceeded to sell their cut rate tobacco. However, they were soon challenged by angry Arkansas merchants with a law suit that eventually ended up in the United States Supreme Court. After the Chief Justice's split decision in 1870, the case was lost when the court ruled that an 1868 tax law passed by Congress and enforced by the Internal Revenue Service, "extended to anywhere within the boundaries of the United States, whether within a collection district or not." Consequently, Watie and Boudinet lost their investment, but the ruling caused Indian sovereign nations to lose even more. It established precedent for Congress to establish further regulations within Indian Territory and demonstrated the far reaching power of the Internal Revenue Service. Stand Watie died the next year after the decision. Even the Indian General, successful as he was, couldn't win out over the IRS.





