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Civil War refugees--Northern

Feb. 20, 1937--at Mr. Lewis' office, Tulsa, Okla.

According to the story told to R. L. Partridge by S. R. Lewis of Tulsa, Okla., two battles of the Civil War were fought near Tulsa.

The first that he mentioned was in the language of the Red man, Chustee Ta-la-sha, meaning "Caving Bank". This battle took place November 15, 1861, on land now owned by W. P. Phillips, on Bird Creek, at the mouth of Delaware Creek. The Union forces, 2000 strong, comprised of "Loyal" (this term "loyal" was used when speaking of Indians fighting on the Northern side; as the fight did not really concern the Indians, the most of them would have preferred to have remained neutral--hence when they were practically forced to fight, if on the Northern side, they were termed "Loyal") Creeks, Cherokees, and White men from Kansas, under the leadership of a Loyal Creek Chieftain by the name of Opoethley Yahola, were attacked by 1400 men under the command of Chilly McIntosh and Col. D. N. McIntosh who with their troops were from Texas, and John Jumper, Chief of the Seminoles. Pleasant Porter, who later became a Chief of the Creek Nation, fought with the Confederates in this battle, which was a victory for neither side.

#### BATTLE OF HOMINY CREEK

On December 26, 1861, was fought the Battle of Hominy Creek. Col. McIntosh from Texas joined forces with General Stand Watie, and they again attacked Hopoethley (Opoethley) Yahola at Hominy Creek, which is about eighteen miles northwest of Tulsa, on land afterward owned by Mrs. Jane Captain, who later became Mrs. Jane Appleby. Mr. Lewis said, "The battle commenced about 10 A.M. and lasted until about 3 P.M. of that day and about 100 men were killed. Hopoeth Yahola was defeated and fled north into Kansas.

His route or trail led west of where the town of Skiatook now stands in the Osage Nation. At that time the Osage Nation was part of the Cherokee Nation. J. G. Schrimsher, a Cherokee, owned a small house and cow pen on the south side of Hominy creek, just opposite the "Falls" and the first man killed in that battle was a Cherokee Indian belonging to the Creek or Union side. He was sitting on Schrimsher's cow pen fence when the Texans, Confederates, and Cherokees attacked and they shot him off the fence when they started to fight.

When Yahola was retreating he burned all the wagons and everything he could not take with him. The battles in which Hopoeth Yahola fought were forced upon him and his men as they were en route to make a peaceful home encampment in Kansas. He had promised the United States Government that he would not again take up sword against the White man, but was compelled to break this promise in order that he and his men might defend their families and property.