

FORMING RED CLAY: THE CULTURAL LANDSCAPE HISTORY OF  
RED CLAY STATE HISTORIC PARK

by

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A Dissertation Submitted in Partial Fulfillment of the Requirements for the Degree of  
Doctor of Philosophy in Public History  
Middle Tennessee State University  
June 2021

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## ACKNOWLEDGEMENTS

There are many people I wish to thank for their help and support, but I would like to begin with a land acknowledgement. The land I live and work on, as well as the land where my university is located, once belonged to the AniKituhwagi, otherwise known as the Cherokee. They relinquished their claim on the land around Murfreesboro on November 28, 1785, with the signing of the Treaty of Hopewell. The land around Chattanooga and Red Clay remained Cherokee until the United States government forcibly removed them in 1838.

I am very grateful to my committee members, Dr. Carroll Van West, Dr. Ashley Riley Sousa, Dr. Bren Martin, and Dr. Molly Taylor-Poleskey, for allowing me to pursue research on Red Clay State Historic Park. Thank you for helping me shine a light on the history of this rural community. You supported and guided me through this daunting process, keeping me focused on the most relevant topics when I wanted to bury myself in minutia. Thank you to the Center for Historic Preservation and the History Department for the financial support to pursue fieldwork and immerse myself in the Red Clay community.

There are many kind and generous people in the National Trail of Tears Association (NTOTA) who shared their knowledge and research with me. Jack Baker, President of the NTOTA and former Cherokee Nation council member, answered many of my questions early in my research. Debbie Moore, the former President of the Tennessee Chapter of the Trail of Tears Association (TNTOTA), shared a copious amount of research regarding the Red Clay, Flint Springs, and Red Hill communities in Bradley County, Tennessee that had taken years to compile. Whenever I had a random question about the Cherokee I could always count on Cleata Townsend, the National Director of TNTOTA, to point me in the right direction. She seems to know everyone in NTOTA, and a good number of Cherokees on each end of the Trail. Cleata took me under her wing at various conferences and introduced me to everyone she could.

I worked at Red Clay State Historic Park during my professional residency and the park manager, Erin Medley, hired me to continue working there afterwards. She and the rest of the Red Clay staff have always been very supportive of my work. They helped me meet people in the community and assisted me throughout the museum renovation. There is no way I could have succeeded without them.

While working at Red Clay, I met citizens from Cherokee Nation and the Eastern Band of Cherokee Indians (EBCI), as well as members of the Red Clay community who have shared information and assisted with crafting Red Clay's new museum interpretation. Theresa Prater Burse kindly allowed me to examine the church minutes

from Andrews Chapel Methodist Church, dating back to 1879, as well as helping to fill in the gaps in the historic record of the church, the Prater family, and the African American community. The previously mentioned Jack Baker, along with Tyra Maney and Dakota Brown, Museum of the Cherokee Indian educators and enrolled members of the EBCI, vetted the new museum panels and digital exhibits. Mayor Emeritus Tom Rowland and his wife, Sandra Rowland, shared their memories of the park's development. Larry Massengill and John Bagby, whose families have lived in the Red Clay area for generations, also informed the direction of my research with their deep knowledge of the community's history and landscape. Laine Schenkelberg generously shared her Traynor ancestors' portraits, as well as articles and genealogical information carefully documented by her grandmother. I appreciate all of your help so very much.

The COVID-19 pandemic put an end to my travel and research plans this past year before I could get started. I managed to find workarounds for most of the information I had hoped to find at the National Archives. I am grateful to Margot Still, the archivist at the Cleveland Bradley County [Tennessee] Public History Branch and Archives, who accommodated me and reshelved the massive amounts of microfilm I pulled. Tina Pankey, from the Crown Garden and Archives, helped me navigate the genealogical records and local histories of Whitfield County, Georgia. Jeff Bishop, the director of Reinhardt University's Funk Heritage Center, happened to have copies of records and research I needed that I could not find anywhere besides the National Archives. I am also grateful to Casey Swank at the Tennessee State Library and Archives and the folks at the Georgia Archives who sent scans of documents I could not see in person. Thank you for sharing your knowledge and materials.

Finally, I'd like to thank my friends and family, more people than I can name here, for keeping me grounded. My career as a PhD student would have been immensely more difficult without the support of my husband, Steven Shelton. Not only did he provide financial and emotional support, but as a librarian, he often brought home books and articles that I needed. Since we live a couple of hours from MTSU, his library access saved me a tremendous amount of stress and driving time. I'd like to especially thank my dear friend, Dr. Hope Amason, who, along with Steven, urged me to pursue my PhD in the first place. I am forever grateful for her years of encouragement.

## ABSTRACT

Red Clay State Historic Park preserves and commemorates the last capital of the Cherokee Nation prior to removal, the Red Clay Council Ground. Since the forced removal, the land has ever since been contested ground. Whites quickly acquired it and turned what had been a Native American landscape into a landscape defined by property lines, deeds, and legal filings. Generations of whites, some dependent on enslaved labor, transformed the Council Ground into agricultural fields, soon boosted by the arrival of the railroad along the eastern border in the late nineteenth-century. Historians, archaeologists, Cherokees, and government officials combined efforts in the 1970s to reclaim some of the Council Ground for a state park, which it became in 1979. Red Clay became a place of symbolic reconciliation between the scattered nations of the Cherokees. Yet even that transformation into a Cherokee commemorative property was contested by Muskogee Creeks—because here too were Creek Indians before removal, and their story is scarcely acknowledged or told. Thus, this public history dissertation aims to identify and peel back the layers of history at Red Clay by taking the approach of a cultural landscape story. Red Clay is many things to many people, and the stories are just as rich. Understanding those layers of history and addressing the existing silences in public interpretation reveals an active, continuous cultural landscape.

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## INTRODUCTION

The attempt to derive meaning from landscapes possesses overwhelming virtue. It keeps us constantly alert to the world around us, demanding that we pay attention not just to some of the things around us but to all of them—the whole visible world in all of its rich, glorious, messy, confusing, ugly, and beautiful complexity. . .<sup>1</sup>

*-Pierce Lewis, "Common Landscapes as Historic Documents"*

Red Clay State Historic Park preserves and commemorates a unique cultural landscape of national significance, the Red Clay Council Ground.<sup>2</sup> The Cherokee Nation used the Red Clay Council Ground as their last seat of government prior to their forced removal. Beginning in 1828, the state of Georgia began passing laws intended to force the Cherokee out of their territory within the state's borders, including a law that made attending meetings a jailable offense. Red Clay's location, just inside the Tennessee border, made it a safe place for the Cherokee General Council to meet.<sup>3</sup>

The Cherokee Nation held eleven General Councils at the Red Clay Council Ground between 1832 and 1837. Although most of the Cherokee wished to stay on their ancestral land, a small faction argued for removal. In December 1835, this faction signed the Treaty of New Echota, which gave the tribal lands in the east to the United States in exchange for land in Indian Territory, \$5,000,000, and other concessions. The General Council sent a delegation to Washington, DC, to try to nullify the illegal treaty; however,

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<sup>1</sup> Pierce Lewis, "Common Landscapes as Historic Documents," Steven Lubar and Kingery, W. David (eds.), *Essays on Material Culture IX* (Washington: Smithsonian Institution Press, 1993), 138.

<sup>2</sup> Historically many people referred to this place as the Red Clay Council Grounds, however in more recent years park personnel call it the Red Clay Council Ground. Throughout this text I will use the modern singular form unless I am quoting someone else.

<sup>3</sup> William R. Snell, *The Councils at Red Clay Council Ground, Bradley County, Tennessee, 1832-1837* (Cleveland, TN: Modern-Way Printing Co., 1983), 3.

the US Senate ratified it. The Cherokee people learned of their fate at the Red Clay Council of 1837 and the federal government forced them to migrate west to Indian Territory the following year.

Red Clay State Historic Park celebrated its fortieth anniversary on September 28, 2019. For over four decades, the park interpreted the above history, as well as aspects of Cherokee culture, such as their annual ceremonies, traditional agricultural practices, games, and weapons. The park now has the opportunity to explore other interpretive themes, while keeping the Cherokee story as its central focus.

This public history dissertation will identify and examine the layers of history at Red Clay by framing it as a cultural landscape story. Red Clay's rich history has often been obscured due to its rural location. Understanding those layers of history and removing some of the existing silences in public interpretation reveals an active, continuous cultural landscape.

In 1925, the geographer, Carl Sauer, first defined cultural landscapes as being natural places that humans have affected.<sup>4</sup> Sauer's definition means that nearly our entire planet is full cultural landscapes as nearly every acre of land has been affected by or had an effect upon people.

The National Park Service (NPS) defines a cultural landscape as "a geographic area (including both cultural and natural resources and the wildlife or domestic animals therein), associated with a historic event, activity, or person or exhibiting other cultural

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<sup>4</sup> Carl O. Sauer, "Morphology of Landscape," in *Human Geography: An Essential Anthology*, ed. John Agnew, David N. Livingstone, and Alisdair Rogers (Oxford, UK: Blackwell Publishers, Ltd., 1996; reprinted, 1997), 307-10.

or aesthetic values.”<sup>5</sup> NPS recognizes four general types of cultural landscapes, which are not mutually exclusive: historic site, designed landscape, vernacular landscape, and ethnographic landscape. Although there may be alternate definitions for the term “cultural landscape,” the NPS definition seems most appropriate since it administers the National Register of Historic Places and National Historic Trail programs, both of which include Red Clay.

Red Clay’s history falls into three distinct phases: Native history before removal, agricultural and railroad history, and the history of the commemorative landscape. Each historical phase has its own body of scholarship. Also, sources regarding cultural identity, intellectual history, slavery, the Civil War, Jim Crow, and placemaking build on these broad bodies of scholarship to form an intricate account of Red Clay as a continuous landscape.

Historians have documented the events which occurred at the Red Clay Council Ground leading up to removal multiple times in the past eighty-plus years. Several of these studies focus specifically on Red Clay. Soon after removal, settlers established the town of Red Clay, Georgia just across the state line from the present-day park. The location of the settlers’ town confused the public memory regarding the Council Ground’s physical place in the landscape.

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<sup>5</sup> National Park Service, “Guidelines for the Treatment of Cultural Landscapes: Defining Landscape Terminology,” <https://www.nps.gov/tps/standards/four-treatments/landscape-guidelines/terminology.htm> (accessed October 18, 2019).

In 1934, the Georgia Society, Daughters of the American Revolution (DAR or Daughters) applied to the War Department for a military headstone to memorialize Sleeping Rabbit, a Cherokee Veteran of the War of 1812 who lived at the Red Clay Council Ground. The next year, Reverend John Morgan Wooten wrote a booklet titled *Red Clay in History* to stop the Georgia DAR from placing a historical marker about the Red Clay Council Ground on the wrong side of the state border.<sup>6</sup> Wooten was the first to use primary sources to document the location of the Council Ground. Though the DAR placed the marker on the Georgia side of the state line anyway, its efforts mark the beginning of Red Clay as a commemorative landscape.

Colonel James Franklin Corn, a retired Army officer, lawyer, and local politician, wrote *Red Clay and Rattlesnake Springs: A History of the Cherokee Indians of Bradley County, Tennessee*,<sup>7</sup> in 1959. Corn's study relates short histories of some of the most influential people at Red Clay council meetings. Corn became one of the most prominent advocates for the preservation of the Council Ground and its development "as a historic shrine and park."<sup>8</sup> In 1964, he purchased the first tract of land that eventually became the park to save it from development. Corn's book and advocacy helped bring Red Clay to the attention of local, state, and federal politicians and agencies, paving the way for the park's establishment.

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<sup>6</sup> John Morgan Wooten, *Red Clay in History* (Cleveland, TN; Privately Published, 1935).

<sup>7</sup> James F. Corn, *Red Clay and Rattlesnake Springs* (Cleveland, TN: James Franklin Corn, 1959; Reprinted, Cleveland, TN: Walsworth Publishing Co., Inc., 1976).

<sup>8</sup> James Franklin Corn, "Red Clay Council Ground;" National Register of Historic Places Inventory-Nomination Form, Tennessee Historical Commission, April 5, 1972.

After the State of Tennessee began purchasing the land that comprises Red Clay State Historic Park (RCSHP), Dr. William Snell, a historian at Lee College, and Dr. Brian Butler, an archaeologist with the Tennessee Division of Archaeology (TDOA), worked together and separately to research the site. Snell recruited history students to assist Butler in archaeological field schools during the summers of 1973 to 1975. Snell produced a historical study written for and funded by the Tennessee Historical Commission titled “Annals of Red Clay Council Ground, Bradley County, Tennessee” in 1975. He later published an article, “The Councils at Red Clay Council Ground, Bradley County, Tennessee, 1832-1837,” in the *Journal of Cherokee Studies*, based on his previous work.<sup>9</sup>

Similarly, Butler shortened his report to TDOA, “The Council Ground at Red Clay (40 BY 20): Archaeological and Historical Investigations, 1973-1975,” and published it as “The Red Clay Council Ground” in the *Journal of Cherokee Studies*.<sup>10</sup> Tennessee State Parks (TSP) used Snell’s and Butler’s works in the development of the park’s interpretation and its reconstructed Cherokee landscape.

The most recent work that deals specifically with Red Clay is Jace and Laura Adams Weaver’s *Red Clay, 1835: Cherokee Removal and the Meaning of Sovereignty*.<sup>11</sup> This book, part of Norton’s *Reacting to the Past* series, helps students comprehend the

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<sup>9</sup> William R. Snell, “Annals of Red Clay Council Ground, Bradley County, Tennessee” (Nashville: Tennessee Historical Commission, 1975); Snell, *The Councils at Red Clay Council Ground, Bradley County, Tennessee, 1832-1837*, 344-55.

<sup>10</sup> Brian Butler, “The Council Ground at Red Clay (40 BY 20) Archaeological and Historical Investigations, 1973-1975,” unpublished report filed at the TDOA; Brian Butler, “The Red Clay Council Ground,” *Journal of Cherokee Studies* II, no. 1 (Winter, 1977): 140-152.

<sup>11</sup> Jace Weaver and Laura Adams Weaver, *Red Clay, 1835: Cherokee Removal and the Meaning of Sovereignty*, First ed. (New York: W.W. Norton & Company, 2018).

past by using historical events as settings for a role-playing game. In *Red Clay, 1835*, students take on roles as Cherokee council members and government agents who must try to negotiate a removal treaty. This book endeavors to teach students about cultural change, Eastern invasion/Western expansion, and nationhood.

Wooten, Corn, Snell, Butler, and the Weavers narrowly focused on the period from 1832-1837, when Red Clay served as the capital of the Cherokee Nation. Each of their works act as more than local or Cherokee history; they also contribute to the field of public history through placemaking, park interpretation, and helping readers identify with historical actors through living history. Works dealing with general Cherokee history or “Indian removal” put Red Clay into the broader historical context as the place where the Cherokee debated the existential crisis they faced.

Claudio Saunt’s *Unworthy Republic: The Dispossession of Native Americans and the Road to Indian Territory*,<sup>12</sup> discusses the motivations of many of the individual lawmakers and bureaucrats who participated in removal. Saunt breaks with many of his colleagues writing on removal by describing it not as a states’ rights issue, but as an act of white supremacy.

Julia Coates’s *The Trail of Tears*<sup>13</sup> describes the history of the early Cherokee and the development of the Cherokee Nation through the removal. Coates is a citizen of the Cherokee Nation as well as a historian. She combines historical research and traditional

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<sup>12</sup> Claudio Saunt, *Unworthy Republic: The Dispossession of Native Americans and the Road to Indian Territory*, Kindle ed. (New York: W.W. Norton & Company, 2020).

<sup>13</sup> Julia Coates, *Trail of Tears* (Santa Barbara, CA: ABC-CLIO, LLC., 2014).

knowledge in her interpretation of Cherokee history, such as the creation of General Council in the early nineteenth-century. Her perspective as a Cherokee scholar brings a deeper and more nuanced approach to the story than many of her peers.

Theda Perdue and Michael D. Green have contributed much to the historiography of the Native southeast, both individually and in collaboration. Perdue's *Cherokee Women: Gender and Culture Change, 1700-1835, Slavery and the Evolution of Cherokee Society, 1540-1866*, and *Mixed Blood Indians: Racial Construction in the Early South* each speak to the socio-historical construction of Cherokee identities.<sup>14</sup> Green's *The Politics of Indian Removal: Creek Government and Society in Crisis* documents the causes of the Creek removal, as well as the involvement of some Cherokee leaders in Creek treaty negotiations.<sup>15</sup> Together, Perdue and Green published *The Cherokee Nation and the Trail of Tears* and *Cherokee Removal: A Brief History with Documents*.<sup>16</sup> Both books describe the federal government's Indian policy shifting from assimilation to removal and how this affected the Cherokee.

Historians of the Muscogee Creek removal, John T. Ellis and Christopher Haveman, have documented the extent to which Creek refugees fled to the Cherokee Nation and elsewhere for safety in the 1830s. Ellis's article, "'Like So Many Wolves':

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<sup>14</sup> Theda Perdue, *Cherokee Women: Gender and Culture Change, 1700-1835* (Lincoln: University of Nebraska Press, 1998); Theda Perdue, *Slavery and the Evolution of Cherokee Society, 1540-1866* (Knoxville: University of Tennessee Press, 1979); Theda Perdue, *"Mixed Blood" Indians: Racial Construction in the Early South* (Athens, GA: University of Georgia Press, 2003).

<sup>15</sup> Michael D. Green, *The Politics of Indian Removal: Creek Government and Society in Crisis* (Lincoln: University of Nebraska Press, 1982).

<sup>16</sup> Theda Perdue and Michael D. Green, *The Cherokee Removal: A Brief History with Documents*, 3rd ed. (Boston: Bedford/St. Martin's, 1995); Theda Perdue and Michael D. Green, *The Cherokee Nation and the Trail of Tears* (New York: Penguin Books, Penguin Group (USA) Inc, 2008).

Creek Removal in the Cherokee Country, 1835-1838," describes the interconnections between the Creek and Cherokee removals. His subsequent book, *The Second Creek War: Interethnic Conflict and Collusion on a Collapsing Frontier*, is a thorough treatment of said war and elaborates on his earlier article.<sup>17</sup> Haveman's *Rivers of Sand: Creek Emigration, Relocation, and Ethnic Cleansing in the American South* and *Bending Their Way Onward: Creek Indian Removal in Documents* build on Green's and Ellisor's work on the Creeks to describe their negotiations and resistance to removal.<sup>18</sup>

After removal, Red Clay did not sit vacantly. The State of Tennessee sold it to white settlers who farmed the fertile valley. As stated previously, the town of Red Clay, Georgia grew along the new railroad, just south of the state line. The last decade of the nineteenth-century saw most of Red Clay's population shift two miles south to the town of Cohutta with the creation of a new railroad junction. Area residents, such as James R. Huff, Reverend John Clarke Williamson, Ann Williams Maples, and Billie Prater, have written family and local histories over the past century. Their works deal primarily with contemporary events they or their family members experienced, including the Prater family's attempts at enrollment in the Eastern Band of Cherokee Indians and the Huff family's placemaking efforts.<sup>19</sup>

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<sup>17</sup> John T. Ellisor, "'Like so Many Wolves': Creek Removal in the Cherokee Country, 1835-1838," *Journal of East Tennessee History* 71 (1999): 1; John T. Ellisor, *The Second Creek War: Interethnic Conflict and Collusion on a Collapsing Frontier* (Lincoln: University of Nebraska Press, 2010).

<sup>18</sup> Christopher D. Haveman, *Rivers of Sand: Creek Indian Emigration, Relocation, and Ethnic Cleansing in the American South* (Lincoln: University of Nebraska Press, 2020); Christopher D. Haveman, *Bending their Way Onward: Creek Indian Removal in Documents* (Lincoln: University of Nebraska Press, 2018).

<sup>19</sup> James R. Huff, *Musings of an Old Sorrel Top* (Chattanooga, 1924); John Clark Williamson, *Cohutta Town: His Memories of Cohutta Growing Up, Written between 1966-1970* (Dalton, GA: Sue Williamson Crawford, 2015); Ann Williams Maples, *The Day the Music Stopped* (Nashville: Winston-Derek Publishers, Inc., 1991); Billy A. Prater, "440-Billy A. Prater, Family-Pioneer," in *The Heritage of Whitfield County, GA, 1851-1998* (Waynesville, NC: Walsworth Pub.

Though these local histories lack historical context, works concerning rural churches, the Civil War, Reconstruction, the development of railroads, and agriculture help to contextualize Red Clay after Cherokee removal. Relevant documents concerning the planning and historical significance of the landscape that inform this study include the *Trail of Tears National Historic Trail Comprehensive Management and Use Plan* and Andrew Denson's *Monuments to Absence: Cherokee Removal and the Contest over Southern Memory*.

The *Trail of Tears National Historic Trail Comprehensive Management and Use Plan*<sup>20</sup> established a framework for the documentation, preservation, and administration of the trail. In other words, the study sets forth a formula for commemorative placemaking along the routes traveled during Cherokee removal. It mentions Red Clay as the place where the Cherokee General Council met after they could no longer meet in Georgia. Published in 1992, the *Plan* described Red Clay as a site with high potential for inclusion on the Trail of Tears National Historic Trail, which it achieved in 1996.

Cherokee memorialization marks the cultural landscape of Red Clay. According to Andrew Denson's *Monuments to Absence: Cherokee Removal and the Contest over Southern Memory*, three periods of Cherokee memorialization have affected the southeast: the 1920s to 1930s, 1950s to 1960s, and the late-1980s through the present.

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Co., 1998); Billie Prater, "Billie Prater Family," in *An Official History of Whitfield County Georgia, 1852-1999*, ed. Whitfield-Murray Historical Society (Fernandina Beach, FL: Wolfe Publishing, 1999).

<sup>20</sup> National Park Service, *Trail of Tears National Historic Trail Comprehensive Management and use Plan* (Washington, DC: Department of the Interior, 1992).

Red Clay has directly benefited from each phase of memorialization. As stated previously, commemoration at Red Clay started as early as 1934, with the raising of a headstone for Sleeping Rabbit, a Cherokee Veteran of the War of 1812, specifically the campaign led by General Andrew Jackson known as the First Creek War. The following year the Georgia Daughters placed a historical marker to the Council Ground across the road from the park. In 1964, the Cherokee-Red Clay Association formed and began advocating for the establishment of a park. During the final phase of Cherokee memorialization, NPS certified Red Clay State Historic Park as a Trail of Tears National Historic Trail site in 1996.

Denson's *Monuments to Absence* also points out that during the first two periods of commemoration, memorializing the Cherokee allowed white people to talk about racial issues without confronting the oppression of their African American neighbors. This attitude still invades the atmosphere at Red Clay. Occasionally white visitors express sympathy for the Cherokee while they simultaneously speak pejoratively about African Americans.

Patricia Parker and Thomas King describe how to include places that communities feel are important to them in the National Register of Historic Places in *Guidelines for Evaluating and Documenting Traditional Cultural Properties* published as National Register Bulletin 38.<sup>21</sup> In his later book, *Places That Count: Traditional Cultural*

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<sup>21</sup> Patricia Parker and Thomas F. King, "Guidelines for Evaluating and Documenting Traditional Cultural Properties," *National Register Bulletin 38* (Washington, DC: National Park Service, 1990).

*Properties in Cultural Resource Management*,<sup>22</sup> King expands on how to identify and document traditional cultural places/properties (TCPs). Most TCPs have at least one of five attributes: spiritual power, practice, stories, therapeutic quality, and remembrances. Red Clay arguably has all these qualities.

Sarah Jackson Martin's thesis, *Shaping History, Constructing Culture: The Daughters of the American Revolution and the Transformation of Chattanooga's Brainerd Mission Cemetery*,<sup>23</sup> describes the motivations of DAR memorialization in southeast Tennessee. According to Martin, the Georgia Daughters' memorialization of Red Clay was part of a larger pattern of Daughters clubs commemorating Native Americans in places where they did not have access to Colonial sites. The Daughters who initially memorialized the Brainerd Mission Cemetery did not memorialize the Cherokee, but rather the New England missionaries who built and maintained the mission. They did not restore the cemetery to how it initially looked. Instead, they raised uncarved headstones and placed commemorative benches and plaques throughout the cemetery that did not mention the Cherokee. Despite the DAR's misadventures, the preservation and memorialization of the Brainerd Mission cemetery resulted in an active and continuous landscape, much like that of Red Clay.

To better understand the motivations and methods of placemaking and memorialization by Euro-Americans and Cherokees, one must look to works on Native

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<sup>22</sup> Thomas F. King, *Places that Count: Traditional Cultural Properties in Cultural Resource Management* (Walnut Creek, CA: AltaMira Press, 2003).

<sup>23</sup> Sarah Jackson Martin, "Shaping History, Constructing Culture: The Daughters of the American Revolution and the Transformation of Chattanooga's Brainerd Mission Cemetery," Thesis (Murfreesboro: Middle Tennessee State University, 2004).

American/Indigenous studies and settler-colonialism. While these fields lay beyond the normal scope of public history, they have helped the author comprehend the conflicting nature Red Clay's commemorative landscape.

Patrick Wolfe's "Settler colonialism and the elimination of the native,"<sup>24</sup> describes the *logic of elimination*. While elimination can involve genocide, it does not require it. Elimination as practiced among most Native peoples in southeastern North America often entailed the racial construction (or deconstruction) of "half breeds" and blood quantum regulations intended to lessen the number of Natives who could claim land. However, access to land, not racism, is the ultimate goal of elimination. When racial (de)construction did not work as fast as settlers had hoped, the federal government removed Native peoples from the landscape.

In Aileen Moreton-Robinson's *The White Possessive: Property, Power, and Indigenous Sovereignty*,<sup>25</sup> the author argues that possession defines whiteness. As Europeans explored the world, they typically claimed occupied lands as agents of patriarchal nation-states. They worked to dispossessed Indigenous peoples of their lands through treaties and deeds. When paperwork did not have the desired effect, the nation-states sent in their armies. White possession uses racist language, methods, and laws to ignore and deny Indigenous sovereignty.

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<sup>24</sup> Patrick Wolfe, "Settler Colonialism and the Elimination of the Native," *Journal of Genocide Research* 8, no. 4 (December 21, 2006): 387-409, <https://doi.org/10.1080/14623520601056240> (accessed November 5, 2020).

<sup>25</sup> Aileen Moreton-Robinson, *The White Possessive: Property, Power, and Indigenous Sovereignty*, Kindle ed. (Minneapolis: University of Minnesota Press, 2015).

Joel W. Martin's "'My Grandmother was a Cherokee Princess': Representations of Indians in Southern History,"<sup>26</sup> describes how Euro and African Americans have represented Native peoples to help craft distinct Southern identities for themselves. Indian iconography has not remained static, but has changed over time to fulfill political and social needs. At Red Clay, settlers and their descendants used Cherokee imagery and what they thought was Cherokee-sounding place names to stake a false claim to the land and an imaginary inheritance from the people they displaced.

In *Archaeologies of Placemaking: Monuments, Memories, and Engagement in Native North America*,<sup>27</sup> Patricia E. Rubertone writes that many Indigenous peoples consider historic preservation and monument building problematic. The people memorializing the landscape tend to ascribe selected experiences and memories to a place that do not correspond to those of the Indigenous people. The preservationists and monument builders, not the Native people, choose who and what is worth remembering. Though monuments to Native peoples draw attention to their absence, some Natives have taken steps to reeducate the general public about their living cultures and physical presence in the modern landscape.

In Keith H. Basso's *Wisdom Sits in Places: Landscape and Language Among the Western Apache*,<sup>28</sup> the author explores how Western Apache place names convey more

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<sup>26</sup> Joel W. Martin, "'My Grandmother was a Cherokee Princess': Representations of Indians in Southern History," in *Dressing in Feathers: The Construction of the Indian in American Popular Culture*, ed. S. Elizabeth Bird (Boulder, CO: Westview Press, 1996).

<sup>27</sup> Patricia E. Rubertone, ed. *Archaeologies of Placemaking: Monuments, Memories, and Engagement in Native North America* (Walnut Creek: Left Coast Press, Inc., 2008. Reprinted, 2009).

<sup>28</sup> Keith H. Basso, *Wisdom Sits in Places: Landscape and Language among the Western Apache*, Kindle ed. (Albuquerque: University of New Mexico Press, 1996).

than geographical information. The Western Apache essentially encode place names with “historical narratives,” which they use to give praise, warn of danger, or scold tribal members who are not conforming to social norms. This coded language also imparts identity with the land. Andrew Gulliford’s *Sacred Objects and Sacred Places: Preserving Tribal Traditions*<sup>29</sup> and *Being Together in Place: Indigenous Coexistence in a More than Human World*<sup>30</sup> by Soren C. Larsen, Jay T. Johnson, and Daniel R. Wildcat further describe Indigenous peoples’ connections to their homelands. When the federal government forced the Cherokees to remove, it compromised their identities. Since the creation of the park, the Cherokee have been able to reestablish their link to Red Clay and the historical narratives the landscape contains.

Red Clay State Historic Park preserves what people have considered a historic site for nearly two centuries. However, Red Clay has not remained static. Has Red Clay been misinterpreted as a historic site rather than as a cultural landscape?

In 2019, I completed the *Red Clay Historic State Park Cultural Landscape Inventory and Assessment*.<sup>31</sup> This study encompassed the history of the land owned by the state, as well as an inventory and assessment of the park’s resources. The cultural landscape report informed me about the process of placemaking at the park, especially the efforts from state park officials and Cherokee Nation and Eastern Band groups in the

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<sup>29</sup> Andrew Gulliford, *Sacred Objects and Sacred Places: Preserving Tribal Traditions* (Niwot, CO: University Press of Colorado, 2000).

<sup>30</sup> Soren C. Larsen, Jay T. Johnson, and Daniel R. Wildcat, *Being Together in Place: Indigenous Coexistence in a More than Human World* (Minneapolis: University of Minnesota Press, 2017).

<sup>31</sup> S. Danielle Shelton, *Red Clay Historic State Park Cultural Landscape Inventory & Assessment* (Murfreesboro, TN: MTSU Center for Historic Preservation, 2019).

last forty years. I also saw the broader outlines of a larger story—of one place that different peoples redefined and repurposed for two hundred years before it became codified as a “history site” with only one story to tell. My dissertation will explore the process of placemaking and the many peoples and stories that shaped this distinct place in the southern landscape.

By analyzing primary sources such as the 1835 Cherokee census, the 1836 property valuations, spoliation claims, council resolutions, journals, and correspondence, I discovered that the area known to the pre-removal Cherokee as Red Clay was also known as Red Hill and Coeuhulla Creek. This area is approximately five square miles, which is much larger than the 263-acre park. This region continued to remain relevant to the history of the park, as the various owners of the park’s property had ties throughout this area.

The historiography of the Cherokee removal occasionally mentions refugees from the Creek Nation removing with them. Scholars of Creek history have documented as many as three thousand Creeks who fled to the Cherokee Nation to escape their removal. Around two hundred Creeks sought refuge at the Red Clay Council Ground. The US military violently removed approximately two thousand Creeks from the Cherokee Nation in 1837, including one hundred twenty-two from Red Clay. The military allowed the remaining Creek to remove with the Cherokee in 1838. My dissertation will merge the Creeks into Red Clay’s story.

When the military began rounding up the Cherokee, as well as their enslaved people of African descent and their Creek guests in 1838, the soldiers placed their

captives in concentration camps (otherwise known as removal forts). One of these camps was at Red Clay. Armed guards held approximately two thousand people at Red Clay for at least two and a half months before they traveled the Trail of Tears.

After removal, land speculators purchased the park's property in two separate land grants. The two families, the Traynors and the Mastons, retained their Red Clay properties into the 1870s and 1880s, respectively, and used it as farmland. In 1852, the East Tennessee, Virginia, and Georgia railroad laid tracks through what is now the eastern part of the park and built a depot within a few feet of the park's southeast corner. Three Civil War skirmishes at Red Clay occurred as the Union fought to secure the railroad between Cleveland, Tennessee and Dalton, Georgia. The Union troops destroyed the depot and three miles of railroad tracks as a result of one of these battles. After the war, the railroad company repaired the damage and Red Clay became a busy stop along the railway.

During Reconstruction, freedmen built a church, Andrews Chapel, just off the southwest corner of the park. Part of Andrews Chapel's cemetery may lie within the park's borders. Church members moved the church in 1923, to the town of Cohutta, two miles south of the park, where it still stands today. One African American family, the Praters, participated in the church's construction and maintenance for 135 years.

At the turn of the century, peaches became a dominant crop in the area. Peach orchards covered the ridges along the east and west sides of the park. The Standard Growers Exchange, a Florida-based fruit corporation, purchased large swathes of land

around the park and built a peach packing warehouse across the road from the park's property, near the train depot.

Red Clay began its journey to become a commemorative landscape in 1934, with the erection of a headstone by the War Department. Thirty years later, the Cherokee-Red Clay Association formed and began advocating for the development of a park to preserve the Red Clay Council Ground. Within ten years, the National Register of Historic Places counted the Red Clay Council Ground among its number. Soon after, the State of Tennessee began purchasing the park property. In 1996, the National Park Service certified Red Clay as a Trail of Tears National Historic Trail site.

The act of commemorating a landscape is a tangible way of exerting control and infusing the identity of the commemorators into the land itself. Memorialization is a statement of possession. The War Department, the DAR, the State of Georgia, the Cherokee-Red Clay Association, the State of Tennessee, and the National Park Service have all contributed to the memorialization of Red Clay at various times. The members of all of these organizations primarily consisted of people from the dominant white American culture, not the Cherokee.

The Cherokee, who lived at Red Clay 200 years ago, did not own individual parcels of land. Instead, all Cherokee owned land collectively. Pro-removal advocates claimed the lack of individual land ownership as one of the main reasons to expel southeastern Natives from their homelands. Now that the citizens of Tennessee collectively own Red Clay, the Cherokee have made the park an active part of their landscape once again.

Cherokee memorialize the landscape primarily through intangible means. They come to the park to honor their ancestors, perform religious ceremonies, teach their history to their children, share their culture with other park visitors, and conduct Joint Council meetings of the federally recognized tribes of Cherokee. Though white people dominate Red Clay's commemorative landscape, the spirit of the land is still Cherokee.

This dissertation will explore the characteristics, features, associations, and history of Red Clay State Historic Park and its surrounding community to demonstrate the process of placemaking. Red Clay is much more than a historic site. It is an active and continuous cultural landscape.

Using the NPS definition of a cultural landscape, Red Clay State Historic Park is a mix of a historic site, a designed landscape, a vernacular landscape, and an ethnographic landscape in that it is the site of nationally significant historical events associated with a particular people who continue to use it as a heritage resource. Remnants of post-removal and pre-park vernacular features remain at the park, as well as two central elements of the landscape being the engineer-designed railroad and the park itself. However, the Red Clay community did not and does not end at the boundaries of the park. Between Cherokee removal and the establishment of the park, people have used Red Clay for growing crops and pasturing livestock, as a place of contemplation and heritage tourism, a temperance town and juke joint, a battlefield and churchyard, and a place for memorialization. In other words, Red Clay is an active, continuous landscape.

Over the past three years, I conducted fieldwork to investigate Red Clay's landscape thoroughly. Although very little development has occurred on this property,

its removal-era viewshed may have changed due to the destruction of Cherokee buildings, construction of the railroad, modern roadways, and the park itself. As of this writing, I have found little photographic documentation of the site before the 1960s. The appearance of the historic landscape therefore remains uncertain, although historic descriptions of the property and historic maps may provide insight.

During the 2019 to 2020 academic year, MTSU's Center for Historic Preservation funded my assistantship and tuition as I completed a professional residency at Red Clay State Historic Park. My residency allowed me to directly apply skills learned in my coursework and research, therefore contributing to the field of public history and serving the community. Placement at Red Clay provided me with a variety of experiences in the areas of historic preservation, park interpretation, museum collections management, curation and interpretation, and archiving the park's historic papers and photographs. My residency has also allowed me to build relationships with federal, state, local, and tribal government agencies, non-profit organizations, and the various publics who visit the park.

During my residency, I also developed relationships with many members of the local community who have provided previously unrecorded historical and geographical information. For example, after a community member came to me to report what may potentially be an "Indian mound" on his property, I contacted Dr. Brooke Persons, the new Director of the Jeffery L. Brown Institute of Archaeology at the University of Tennessee at Chattanooga (UTC). Going forward, she plans on leading a team to use ground penetrating radar (GPR) at the park and on the neighboring property with the

potential mound. Dr. Persons, the park manager, and I have discussed a possible heritage management program between RCSHP and the Jeffery L. Brown Institute of Archaeology. Dr. Person hopes to engage park visitors through public archaeology, as well. She has postponed fieldwork at the park due to COVID-19, but I am happy to have made a connection between the park and an archaeologist who is interested in Red Clay for the first time in over forty years. While I could have written my dissertation without being at Red Clay, spending a year getting to know the people and the land has provided a much richer experience that I hope my research will reflect in the following chapters.

The first chapter will explore the region's deep history, how the Cherokees moved into the area now known as southeast Tennessee and North Georgia in the eighteenth and early nineteenth-centuries. The Cherokee then transformed their system of government from autonomous towns into a Nation. Beginning in the first two decades of the nineteenth-century, missionaries described councils held at Red Clay. The chapter ends with an evaluation of primary sources in order to locate the Council Ground.

After Andrew Jackson became president in 1828, the State of Georgia felt emboldened by his abusive rhetoric toward Native peoples and his desire to deport them from their homelands, despite the fact that the Cherokee had complied with every aspect of the federal government's civilization program, including the enslavement of people of African descent. The Georgia Assembly passed laws to strip the Cherokee of their sovereign power within the boundaries of the state and made it illegal for Cherokees to congregate for any purpose apart from ceding their lands, leading to the

General Council moving its meetings to the Red Clay Council Ground. While the Cherokee met at Red Clay, the neighboring Creek people faced their own removal fight. Thousands of Creeks fled to the Cherokee Nation as refugees. The next chapter demonstrates how the various peoples brought together at the Red Clay Council Ground influenced each other and the events leading up to the Cherokee removal.

The third chapter will show how settlers transformed the Council Ground into a small rural town that became strategically important during the Civil War. Once the federal government expelled Native peoples from their southeastern homelands, settlers quickly established the town of Red Clay, Georgia. The new owners of present-day Red Clay State Historic Park used the land for agricultural purposes. During the 1850s, the East Tennessee & Georgia Railroad established a railroad corridor through the eastern section of the present-day park. This railway became vital to the war efforts of both the Union and the Confederacy during the Civil War, resulting in three skirmishes at Red Clay.

As Reconstruction swept the South in the years following the Civil War, people in the Red Clay area put their lives back together in new ways. The wealthy landowners who owned property at or near present-day Red Clay State Historic Park, like antebellum landowners throughout the South, lost much of their fortune with their enslaved people's emancipation. Some of Red Clay's freedmen built a thriving community, while others moved away. After a new railroad company laid a rail line to intersect with the ET&G line, a new town emerged and drew away the population of Red Clay, Georgia. This chapter will explore the New South era at Red Clay.

The fifth chapter will look at the beginnings of the commemorative landscape at Red Clay. As previously stated, Andrew Denson's *Monuments to Absence: Cherokee Removal and the Contest Over Southern Memory*, states that three rounds of Cherokee memorialization have taken place in the southeast, and each has affected Red Clay. The first round took place in the 1910s and 1930s. The second round of Cherokee memorialization took place during the 1950s and 60s. The third began in the late-1980s and continues through the present.<sup>32</sup> This chapter uses Denson's framework to understand how and why Euro-Americans began memorializing Red Clay and the conflict between citizens of Tennessee and Georgia over the location of the Council Ground.

The next chapter continues to explore placemaking and commemoration at Red Clay during the second round of Cherokee memorialization. During the 1960s a group formed to advocate for the preservation of Red Clay, called the Cherokee-Red Clay Association. One of the group's members purchased the heart of what many consider to be the heart of the Council Ground, the Council Spring (also known as the Blue Hole Spring). Red Clay State Historic Area opened in September 1979. This chapter ends with an inventory of cultural resources on or near the park that were constructed by the time the park opened.

The seventh chapter will show how Euro-Americans have appropriated Cherokee identities at Red Clay. As the Cherokee have increasingly claimed the park as an active

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<sup>32</sup> Andrew Denson, *Monuments to Absence: Cherokee Removal and the Contest Over Southern Memory*, Kindle Edition (Chapel Hill: University of North Carolina Press, 2017), 7-11.

part of their landscape, primarily through their presence and intangible heritage practices, much of the overt appropriation has waned. The presence of the Cherokee throughout the years, along with their traditional spiritual practices, oral traditions, and beliefs about Red Clay have made Red Clay a traditional cultural place.

The final chapter explains the renovations to Red Clay's James Franklin Corn Museum & Interpretive Center. The main gallery opened to the public in 1982. The exhibit interpreted traditional Cherokee culture, but it did not interpret Red Clay's history. After Red Clay became a certified site on the Trail of Tears National Historic Trail, Lois Osborn, the park manager at the time, led a team that installed new interpretive panels and stained glass windows in the small gallery at the back of the Interpretive Center that interpreted Cherokee removal and the Trail of Tears, from 1996-1999. In 2015, MTSU's Center for Historic Preservation installed six new interpretive panels, researched by Amy Kostine and Sherry Teal. Over the past 39 years, the interpretation had changed very little. During my residency at the park I secured funding for renovations and began researching and writing new interpretive panels and digital exhibits, while working with community and tribal partners. Soon the park can offer its visitors a completely new interpretive experience that includes not only the Cherokee history at the Red Clay Council Ground, but also interprets slavery and the freedmen community at Red Clay, the Creek refugees who sought asylum from the Council, and the park's Civil War history. A new digital kiosk will host exhibits that interpret Red Clay as an active part modern-day Cherokees' landscape.

## CHAPTER I: CHEROKEE COUNTRY

During the summers of 1973 to 1975, Brian Butler, an archaeologist with the Tennessee Division of Archaeology (TDOA) in coordination with history students from Lee College in Cleveland, Tennessee, conducted archaeological excavations next to the Council Spring at what would become Red Clay State Historic Park. They uncovered historical artifacts, primarily manufactured pottery dated to the 1830s.

In 2019, Jim Davenport, whose property lies less than half a mile north of the park, asked the author to visit his land to see some interesting rock formations (see Figure 1-1). He stated that he had asked other people in the neighborhood about the piles' purpose. Davenport's neighbors told him that farmers had moved the rocks out of their fields and stacked them up.<sup>33</sup> On January 16, 2020, Dr. A. Brooke Persons, Director of the Jeffery L. Brown Institute of Archaeology at the University of Tennessee at Chattanooga (UTC), Red Clay's park rangers, and the author visited the Davenport property to see the rock formations. The group inspected a narrow area and identified approximately ten rock piles. Some of the piles sat alone, while others seemed grouped together. The piles appear to be the size and shape of human burials. Farmers likely did not create the piles by clearing fields for planting, as they lie on the rocky ridge that borders the park's western side. Without removing the dead leaves and other plant debris or conducting a proper archaeological survey, Dr. Persons could only state that people built the rock piles.<sup>34</sup> In a later conversation with John Bagby, whose family has

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<sup>33</sup> Jim Davenport, interview by author, Red Clay State Historic Park, August 10, 2019.

<sup>34</sup> A. Brook Persons, interview by author, Bradley County, Tennessee, January 16, 2020.

lived in the area for over a century and whose brother owns a large portion of that particular hill, he stated that rock piles cover the whole ridge.<sup>35</sup>

Archaeologists have documented at least three sites with rock piles/cairns in Southeast Tennessee and North Georgia in recent years that date to pre-contact periods.<sup>36</sup> At the most relevant of the three sites, along Gunstocker Creek, twenty-six miles north of Red Clay, archaeologists documented fifteen rock cairns and completed Phase I and Phase II archeological surveys at the site. Though they found no human remains, a descendant community(ies) may consider the site sacred.<sup>37</sup>

The Eastern Band of Cherokee Indians (EBCI), the Poarch Band of Creek Indians, the Seminole Tribe of Florida, and the Mississippi Band of Choctaw Indians belong to the United South and Eastern Tribes, Inc. (USET), an organization of thirty federally recognized tribes. USET claims that archaeologists ignore or misidentify many prehistoric rock formations. In a 2007 resolution, USET stated:

...Within the ancestral territories of the USET Tribes there exists sacred ceremonial stone landscapes and their stone structures... for thousands of years before the immigration of Europeans, the medicine people of the USET Tribal ancestors used these sacred landscapes to sustain the people's reliance on Mother Earth and the spirit energies of balance and harmony... these prayers in stone are often mistaken by archaeologists and State Historic Preservation Offices... [who] dismiss these structures as non-Indian and insignificant,

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<sup>35</sup> John Bagby, interview by author, Red Clay State Historic Park, February 19, 2020.

<sup>36</sup> Troy D. Smith, *Historical Assessment of the Gunstocker Creek Cairns* (Cookeville, TN: Tennessee Tech University, 2019); Johannes H.N. Loubser, "Archaeological Appraisal of Rock Pile Site 9JK59, Jackson County, GA," *Georgia Archaeological Site File*, <https://archaeology.uga.edu/gasf/node/27978> (accessed December 5, 2019); Johannes H.N. Loubser, "The Stone Piles of Sites 9JK59 and 9JK317 Jackson County, GA," *Georgia Archaeological Site File*, <https://archaeology.uga.edu/gasf/node/27978> (accessed March 25, 2020).

<sup>37</sup> Troy D. Smith, 1-3.

permitting them to be the subjects of sacrilege of archaeological dissection and later destruction during development projects. . .<sup>38</sup>



Figure 1-1. Three rock piles close to one another near Red Clay State Historic Park. *Courtesy of author.*

The Massengill family has owned a piece of property bordering Red Clay State Historic Park for over a century. When the State of Tennessee offered to buy it to build the park, the contemporary owner made a counteroffer. The state did not like the counteroffer, so the property currently belongs to Larry Massengill. On October 26,

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<sup>38</sup> United South and Eastern Tribes, Inc. "Sacred Ceremonial Stone Landscapes Found in the Ancestral Territories of United South and Eastern Tribes, Inc., Member Tribes." USET Resolution No. 2007: 037; Troy D. Smith, 3.

2019, Massengill invited the author to see an “Indian mound” on his farm. The feature measures approximately 250’ x 200’ x 6’ and lies in a north to south configuration less than one thousand feet from the park's border near the foot of the ridge east of the park.<sup>39</sup> Likely, people created this mound since it lies in the valley between two ridges and no one has identified other features of this type and size in the area.



Figure 1-2. Mound on Massengill property neighboring Red Clay State Historic Park. Note that trees grow atop the mound in a flat valley near the foot of the ridge. *Courtesy of author.*

Red Clay State Historic Park’s period of significance, 1832 to 1837, represents the years that the Cherokee Nation used it as their seat of government prior to their removal in 1838. Is it possible that the Cherokee chose Red Clay because they ascribed it

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<sup>39</sup> Larry Massengill, interview by author, Bradley County, Tennessee, October 26, 2019.

a deeper ancestral meaning? According to Christopher B. Rodning, Associate Professor of Anthropology and Archaeology at Tulane University:

Some [Cherokee] towns were probably built at and around ancient mounds because of their prominence as visible landmarks. Mound building practices had changed significantly by this point even though some council houses were built on old mound summits. Perhaps building Cherokee towns and council houses beside ancient mounds like Toqua and Citico effectively laid claims to places that had symbolic significance to native people in the region because of the presence of these ancient landmarks in eastern Tennessee. The same may have been true of Cherokee towns built at the Estatoe and Tugalo mounds in northeastern Georgia.<sup>40</sup>

If ancient peoples built the rock piles on the Davenport property and the mound on the Massengill property, who were they? How did the Cherokee come to be in this region?

This chapter will describe the region's deep history, how Cherokees extended into southeast Tennessee and North Georgia in the 1700s and early 1800s, the Cherokee Nation's development. Early missionaries to the region documented the Cherokee town of Red Clay and its use as a meeting place for their councils. By analyzing early maps, missionary records, census data, letters, and other primary sources I will theorize about the Red Clay Council Ground's location and how it differs from what historians have assumed thus far.

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<sup>40</sup> Christopher B. Rodning, "Reconstructing the Coalescence of Cherokee Communities in Southern Appalachia," in *The Transformation of the Southeastern Indians, 1540-1760*, ed. Robbie Ethridge and Charles Hudson (Jackson, MS: University Press of Mississippi, 2002), 161.

## The Compromise of the Mississippian World

Before European contact, Native peoples in southeastern North America primarily belonged to one of two socio-political cultures: the Late Woodland culture or the Mississippian culture. Of the two, the Mississippian culture seems to have been the most prevalent in the southeast, extending from as far west as modern-day Oklahoma to the East Coast.

Archaeologists most often identify the Mississippians by their building of ceremonial platform mounds and their symbolism, known as the Southeastern Ceremonial Complex.<sup>41</sup> The elite class of Mississippians often lived on top of platform mounds and used them for ceremonial purposes. From their vantage point on the platform mounds, the elites could surveil the lower classes. Meanwhile, the elites inhabited an elevated realm, both in relation to the landscape and socio-political stature, closer to the upper world in their spiritual cosmology. A chief, or *mico*, also called a *cacique*, ruled each Mississippian political constituency, known today as chiefdoms. Chiefdoms usually had one or more small towns attached to them politically. Occasionally, several small chiefdoms united into a paramount chiefdom. Chiefdoms frequently had a low level of warfare between them, with a correspondingly low level of death, mostly done to maintain the honor and prestige of their chiefdom or to seek redress for the killing of one of their tribesmen.<sup>42</sup>

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<sup>41</sup> Robbie Ethridge, *From Chicaza to Chickasaw: The European Invasion and the Transformation of the Mississippian World, 1540-1715* (Chapel Hill: The University of North Carolina Press, 2010), 18-25.

<sup>42</sup> Matthew H. Jennings, "Violence in a Shattered World," in *Mapping the Mississippian Shatter Zone: The Colonial Indian Slave Trade and Regional Instability in the American South*, ed. Robbie Ethridge and Sheri M. Shuck-Hall (Lincoln & London: University of Nebraska Press, 2009), 272-277.

When Hernando de Soto, a Spanish conquistador, began his *entrada* across the southeast in 1539, he brought a previously unknown level of violence to the Native peoples. Soto typically captured and held hostage a local mico to act as a guide and an emissary to other micos and their chiefdoms. It is uncertain what happened to all these hostages, however, some did escape their captivity. Although Soto's army devastated various chiefdoms, most notably Mabila in present-day Alabama, they probably limited their use of slave labor to carrying the army's luggage and other menial tasks.<sup>43</sup>

However, according to Matthew H. Jennings's chapter, "Violence in a Shattered World," in *Mapping the Mississippian Shatter Zone: The Colonial Indian Slave Trade and Regional Instability in the American South*, "it was not until the arrival of Hernando de Soto's army that violence began to shatter the South."<sup>44</sup> Spanish violence killed and maimed men and women of fighting age, while their diseases affected the young and elderly. By the time English and French colonists and traders encountered the Mississippians, contact with the Spanish had compromised Mississippian societies.

Present-day Red Clay State Historic Park lies within the boundaries of the paramount chiefdom of Coosa. Soto's *entrada* passed within thirty-five miles of Red Clay, stopping at the town of Tasqui near present-day Conasauga, Tennessee. The people who lived in this area in 1540 likely spoke a Muskogean language. The first-hand account of Soto's expedition described Coosa as prosperous, containing several large

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<sup>43</sup> Jennings, 278-280; William A. Fox, "Events as Seen from the North: The Iroquois and Colonial Slavery," in *Mapping the Mississippian Shatter Zone: The Colonial Indian Slave Trade and Regional Instability in the American South*, ed. Robbie Ethridge and Sheri M. Shuck-Hall (Lincoln & London: University of Nebraska Press, 2009), 73.

<sup>44</sup> Jennings, 278.

towns and fertile fields. Twenty years later, when a contingent from the expedition of Tristán de Luna, another Spanish conquistador, visited Coosa, they found the area largely depopulated with fallow fields and small settlements of people.<sup>45</sup>

### **Slave Raiding and the Development of Coalescent Societies**

Hundreds of miles to the north, the Five Nations Iroquois went through their own troubles which reverberated throughout eastern North America eventually reaching the people now known as the Cherokee. By the mid-seventeenth century, epidemics of the 1630s and 1640s had depleted their population, particularly among the young and old. With the number of men aged fifteen to twenty-nine potentially outnumbering those over thirty-years-of-age, young men joined together, emerging as a new, more aggressive demographic in the northeast. In an effort to replace their dead kith and kin, the Five Nations Iroquois began a series of slave raids known as the Mourning Wars. The English and Dutch supplied the Mohawk (one of the Five Nations) warriors with firearms, making these raids of significant consequence.<sup>46</sup>

In the years between 1649 and 1657, the Five Nations decimated the Huron, Petun, Neutral confederacies, and the Erie Nation. Many were killed or taken as replacements for the Iroquois dead, while other connected tribes consolidated their

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<sup>45</sup> Marvin T. Smith, "Late Prehistoric/Early Historic Chiefdoms (ca. A.D. 1300-1850)," *New Georgia Encyclopedia* (September 9, 2019), <https://www.georgiaencyclopedia.org/articles/history-archaeology/late-prehistoricearly-historic-chiefdoms-ca-ad-1300-1850#Chiefdom-of-Coosa> (accessed January 11, 2021); David H. Dye, "Soto Expedition," *Tennessee Encyclopedia* (October 8, 2017), <https://tennesseeencyclopedia.net/entries/soto-expedition/> (accessed January 31, 2021); Ethridge, *From Chicaza to Chickasaw*, 62-66.

<sup>46</sup> Fox, 64-65.

peoples and power, voluntarily joined the Iroquois, or left the area. This extensive destabilization of the Great Lakes region sent shockwaves throughout the eastern part of North America. One of the groups whose survivors fled the Iroquois Mourning Wars were the Erie, otherwise known as the Richahecrians or Westo.<sup>47</sup>

The Westo migrated to the falls of the James River in 1656, where they defeated the Pamunkeys. They negotiated an agreement with the English colonial traders to sell other captured Native peoples in exchange for firearms. This technological advantage allowed the Westos, much like the Mohawks, to wreak havoc among other Indian tribes. In the 1660s, they moved south to the Savannah River near present-day Augusta, Georgia. Over the next two decades, the Westo became the bogey-men of nightmares to other Native peoples as far south as Florida, earning a reputation, whether real or imagined, as cannibals.<sup>48</sup>

The Westo began trading their enslaved captives to the Carolina colony of Charles Town, established in 1670, rather than Virginia. However, they soon had competition. By the 1670s, other Southern Natives, most notably the Occaneechis, acquired firearms to raid weaker tribes and sell enslaved Indians to the English.<sup>49</sup>

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<sup>47</sup> Ibid, 65-66; Maureen Meyers, "From Refugees to Slave Traders: The Transformation of the Westo Indians," in *Mapping the Mississippian Shatter Zone: The Colonial Indian Slave Trade and Regional Instability in the American South*, ed. Robbie Ethridge and Sheri M. Shuck-Hall (Lincoln & London: University of Nebraska Press, 2009), 81- 86.

<sup>48</sup> Meyers, 86-90; Eric E. Bowne, "'Caryinge away their Corne and Children:' The Effects of Westo Slave Raids on the Indians of the Lower South," *Mapping the Mississippian Shatter Zone: The Colonial Indian Slave Trade and Regional Instability in the American South*, ed. Robbie Ethridge and Sheri M. Shuck-Hall (Lincoln & London: University of Nebraska Press, 2009), 105-108; Stephen Warren, *The Worlds the Shawnees Made: Migration and Violence in Early America* (Chapel Hill: The University of North Carolina Press, 2014), 83.

<sup>49</sup> Meyers, 96-97; Ethridge, *From Chicaza to Chickasaw*, 98-99.

The Fort Ancient people in the Middle Ohio Valley, like many other peoples in the early colonial period, realized that they had a technological disadvantage against the Five Nation Iroquois and slave raiders who traded with the English for guns and ammunition. Many Shawnee left Fort Ancient in the mid-eighteenth-century.<sup>50</sup>

According to Stephen Warren's *The Worlds the Shawnees Made: Migration and Violence in Early America*:

The Shawnees, Westos, and Yuchis were migratory outliers who placed their villages between the collapsing Mississippian chiefdoms of the interior and the coastal plain's new English settlements. Their villagers saw migration into the valley, where they worked as slavers, traders, and diplomats, as an opportunity.<sup>51</sup>

In 1680, a group of English traders known as the Goose Creek Men, tired of the trade monopoly between the Lords Proprietors of Charles Town and the Westos, hired Shawnee mercenaries to destroy the latter. By 1682, the Shawnee were victorious.<sup>52</sup>

Beginning in 1696, the Great Southeastern Smallpox Epidemic made its way along the Upper Path traveled by slave raiders and their enslaved captives. The Upper Path, a network of small pathways, connected the Yamasees, tribes around the Savannah River, Lower and Upper Creeks, and Chickasaws to South Carolina's trade network. As people moved across the Upper Path between Charles Town and the heart of the Chickasaw territory, germs traveled with them. They spread even further as

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<sup>50</sup> Warren, 59.

<sup>51</sup> Ibid, 83.

<sup>52</sup> Ibid, 90-91; Meyers, 96-97; Ethridge, *From Chicaza to Chickasaw*, 160-161.

infected raiders, traders, and enslaved captives left the Upper Path to travel to surrounding areas, as far afield as Florida and the mouth of the Mississippi.<sup>53</sup>

Though slavery itself did not cause the spread of epidemic disease, people's mass movement back and forth along the Upper Path and the smaller traces and trails gave germs ample vehicles in which to travel. It enabled them to infect thousands of people with little to no immunity. According to Paul Kelton:

The Great Southeastern Smallpox Epidemic was just the beginning of a devastating period in which Upper Path communities experienced wave after wave of imported diseases. European records made note of several "pestilences," "plagues," "distempers," "grievous sicknesses," and other vaguely identified outbreaks that were followed by a return of smallpox in 1711.<sup>54</sup>

As Native populations declined due to disease and slave raiding, survivors of various tribes and chiefdoms banded together to form coalescent societies. Among these coalescent societies, one finds the names of peoples familiar to modern ears, such as the Cherokee, Yamasee, Creek, Catawba, Choctaw, and Chickasaw.<sup>55</sup> By the beginning of the eighteenth-century, nearly every Native male owned a gun. They used these weapons, in turn, to raid weaker groups and trade their captives to the English for more firearms, ammunition, and other trade goods. Caught in a cycle of violence, the survivors perpetuated by their need for European firearms to protect their people from other slave raiders.<sup>56</sup>

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<sup>53</sup> Paul Kelton, "Shattered and Infected: Epidemics and the Origins of the Yamasee War, 1696-1715," *Mapping the Mississippian Shatter Zone: The Colonial Indian Slave Trade and Regional Instability in the American South*, ed. Robbie Ethridge and Sheri M. Shuck-Hall (Lincoln & London: University of Nebraska Press, 2009), "Map 14," 314, 329 n. 1.

<sup>54</sup> *Ibid.*, 315.

<sup>55</sup> Warren, 83, 90.

<sup>56</sup> *Ibid.*, 84; Bowne, 110-112; Ethridge, *From Chicaza to Chickasaw*, 2.

The origin of the word *Cherokee* is uncertain. According to the anthropologist James Mooney, who spent time among the Eastern Band of Cherokee Indians (EBCI) in the late nineteenth-century, Cherokee may have derived from the word *choluk* or *chiluk*, meaning a pit or cave. This word comes from the Mobilian trade language, a corrupted form of Choctaw jargon used from the Gulf Coast to the Ohio River. This supposition would indicate that the Choctaw may have believed that the Cherokee lived in caves. However, the Cherokee called themselves *Ani Giduwagi* meaning “the people who are on top,” alluding to their mountain homes.<sup>57</sup>

As coalescent societies came to be the major polities in the Native South, Cherokee women provide an example of the changes in all southeast Native women’s lives. Before slave-raiding purely as an economic resource, Cherokee women determined what happened to war captives. When a Cherokee warrior returned from battle with captives, he gave them to his closest female relative before being ritually purified. The women often tortured the prisoners mercilessly for hours before killing them. Sometimes, however, a family adopted a captive. Adoption most often happened if the size of a clan or family had suffered due to population loss through disease, famine, war, or low birthrate. The women determined if they needed substitute family members and took them from the war captives.<sup>58</sup>

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<sup>57</sup> James Mooney, *Myths of the Cherokee; And, Sacred Formulas of the Cherokees* (Nashville, TN: Charles Elder, 1972), 15-16; Coates, 3-4.

<sup>58</sup> Theda Perdue, *Cherokee Women*, 52-54.

According to Theda Perdue's *Cherokee Women: Gender and Culture Change, 1700-1835*, "War captives held no economic value in Cherokee society until traders began to buy them."<sup>59</sup> Men sold their captives and deerskins from their hunting expeditions to European traders. This way, Cherokee men became involved in the trans-Atlantic trade, while traders did not typically find the food, baskets, pottery, and other items produced by women as desirable. By the eighteenth-century, the Cherokee were dependent on many European trade goods. This dependence began to shift power dynamics, which had evolved over hundreds, if not thousands of years as a matrilineal and matrilocal society, valuing men's and women's contributions equally. Southeastern Indian societies' forfeiture of power echoed the loss of Cherokee women's economic and societal power.<sup>60</sup>

According to Paul Kelton's "Shattered and Infected: Epidemics and the Origins of the Yamasee War, 1696-1715," the Indian slave trade required more enslaved women and children than men since the enslavers thought men more likely to escape or less submissive than women and children. And since Cherokee men meant to trade these enslaved Indians for European goods, the slave trade disempowered women by denying them their traditional rights to determine war captives' fates.<sup>61</sup>

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<sup>59</sup> Ibid, 66.

<sup>60</sup> Ibid, 19-26, 69-81; John E. Worth, "Razing Florida: The Indian Slave Trade and the Devastation of Spanish Florida, 1659-1715," *Mapping the Mississippian Shatter Zone: The Colonial Indian Slave Trade and Regional Instability in the American South*, ed. by Robbie Ethridge and Sheri M. Shuck-Hall (Lincoln & London: University of Nebraska Press, 2009), 307.

<sup>61</sup> Kelton, 324-325.

## **Building a Nation**

The Cherokee people had relations with European powers as early as 1539-40. While Cherokee mostly limited their interactions with the Spanish to occasional trade, the Cherokee had much more frequent contact with the English and French. After the collapse of the Indian slave trade, the English focused on trading deerskins for the firearms, ammunition, fabric, metal farm implements, jewelry pieces, etc., that the Cherokee had come to demand. As more English relocated to the American colonies, they needed more land.

In the seventeenth and eighteenth-centuries, the Cherokee had no central government, but rather each town was autonomous, being led by a town council made up of ten to fourteen men. Their townspeople chose councilmembers to serve in one of two political societies within the council. The “white” society was the part of the council which governed most of the time. In this context, the term “white” refers to the color of peace to the Cherokee and other southeastern peoples. Typically, older men skilled in diplomacy, facilitation, and mediation belonged to “white” society. Younger men recognized as military strategists who had proven their bravery and battle experience comprised the “red” society. The Cherokee considered red the color of success. Thus, the red society governed the council for relatively short periods that needed a successful result.<sup>62</sup>

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<sup>62</sup> Coates, 6-7.

Cherokee government's decentralized form confused and frustrated the English, who despaired having to negotiate with multiple people and not having consistency in trade deals. Therefore, the English began designating “chiefs” of the various towns they could negotiate with even though these so-called chiefs had no mandate from their people to act in such capacities. The English usually selected young warriors as chiefs, not older members of the “white” societies. By promoting beneficial relationships with warriors, the British hoped to minimize the threat to settlers intruding on Cherokee lands.<sup>63</sup>

During a conflict between the Cherokee and their neighbors in the Creek Confederacy, English traders profited by selling arms to both sides. The traders took advantage of the war and drove the Cherokee into debt. In turn, the Cherokee attacked and killed many of the traders. Therefore, the South Carolina colony instigated a trade embargo against Cherokee towns. The “white” government in the town of Chota was able to negotiate new trade deals with the French to the west and traders at Williamsburg in the Virginia colony to the east. This diplomatic coup reestablished Chota as a leader among the other Cherokee towns, a position residents had lost to the red government at Hiwassee town in previous years.<sup>64</sup>

As a Cherokee mother town<sup>65</sup> and the venue for the annual Green Corn Ceremony, the Cherokee considered Chota a prominent town. After hostilities with the

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<sup>63</sup> Ibid, 10-12.

<sup>64</sup> Ibid, 12-13; Robbie Ethridge, *From Chicaza to Chickasaw*, 20.

<sup>65</sup> “Mother towns” were places of clan and social leadership. In the early 1700s, there were seven Cherokee mother towns.

Creeks ended in 1752, both Cherokees and the English saw Chota as the Cherokee people's political center. Many Cherokee towns consented to allow Chota to represent Cherokee matters by 1753. The Cherokees also gave Old Hop, the headman of Chota, the title of Principal Chief, signifying they would no longer allow the British to dictate their leaders. Chota further strengthened its leadership role by establishing a grand council of the town chiefs in conjunction with the Green Corn Ceremony.<sup>66</sup>

The grand council could pronounce laws and control activities by Cherokee villages and individuals, especially regarding trade and frontier conflicts. According to Julia Coates, Cherokee Nation Council Member At-Large and Adjunct Professor of American Indian Law and Policy at California State University, Northridge:

Chota's attempt at more centralized political authority may be seen with the solidification of a principal chief selected by the Cherokees themselves and a grand council that met regularly and gave itself coercive authority, as the first step toward executive and legislative branches of the Cherokee government that would later be developed.<sup>67</sup>

Over time it became apparent that the British government would or could do nothing to stem the flow of British colonists into Cherokee territory. The British also sought to keep the Cherokee in a perpetual state of indebtedness. The English used the Cherokee debt to pressure them to cede land to the colonies. Prior to the French and Indian War, the Cherokee had only ceded two sections of land to the British. However, between 1768 and 1775, the Cherokee made five cessions consisting of over 47,000

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<sup>66</sup> Coates, 12-13.

<sup>67</sup> Ibid, 13.

square miles. These land cessions made up what had been one-third of all Cherokee land.<sup>68</sup>

During the American Revolutionary War, the tensions fostered by the British between the warriors and their headmen finally split the two groups. Most of the Cherokee, remembering how they had suffered when they had allied themselves with one European power over another, chose neutrality. Against the grand council's wishes, a group of warriors and their followers broke away from their people and settled on Chickamauga Creek, taking the name Chickamauga for themselves. They allied with the British, motivated more by their frustration with American colonists encroaching on their land more than any fealty to England. The Chickamaugans continued to attack American settlers until 1794, over a decade after the American Revolution ended.<sup>69</sup>

Due to the Cherokee alliance with the British during the Revolution, the American colonies demanded more land cessions from the Cherokee. In a 1780 treaty with the Americans, the Cherokee made their tenth land cession in sixty-one years. These cessions comprised 50% of what had once been Cherokee territory.<sup>70</sup> Once the United States of America formed, white settlers quickly developed ways to deprive more land from Native peoples. According to Julia Coates, the United States used legislation and treaties as real estate transactions to take Native land, demonstrating “the strong expansionist tendencies of the early nation.”<sup>71</sup>

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<sup>68</sup> Ibid, 13-15.

<sup>69</sup> Ibid, 15-17; Theda Perdue, *The Cherokee Removal*, 6-7.

<sup>70</sup> Coates 16-17.

<sup>71</sup> Ibid, 20.

One of the early treaties between the United States and the Cherokee first mentioned the polity of the “Cherokee Nation.” The preamble of the 1791 Treaty of Holston states:

A Treaty of Peace and Friendship made and concluded between the President of the United States of America, on the Part and Behalf of the said States, and the undersigned Chiefs and Warriors, of the Cherokee Nation of Indians, on the part and Behalf of the said Nation.<sup>72</sup>

Language confirming Cherokee nationality is found elsewhere in the Treaty of Holston and documents between the Cherokee and the United States have repeated it ever since.<sup>73</sup>

The United States negotiated more Cherokee land cessions over the next fifteen years. During this time, the tribal council added a new generation of leaders in an effort to heal the divisions between the warriors and their elders. Euro-American traders often married Cherokee women. Due to Cherokee matrilineal practice, the children of these bi-racial unions were Cherokee, including many young council members such as Charles Hicks and James Vann. Though raised by Cherokee mothers, many of these young leaders had grown up fluent in English, literate, and more acculturated than other Cherokees.<sup>74</sup>

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<sup>72</sup> Ibid, 28-29; “Treaty With the Cherokee: 1791,” *The Avalon Project: Documents in Law, History and Diplomacy*, ed. Yale Law School (New Haven, CT: Lillian Godman Law Library, 2008), [https://avalon.law.yale.edu/18th\\_century/chr1791.asp](https://avalon.law.yale.edu/18th_century/chr1791.asp) (accessed July 5, 2020).

<sup>73</sup> Coates, 29; “Treaty With the Cherokee: 1791.”

<sup>74</sup> William G. McLoughlin, *Cherokee Renascence in the New Republic* (Princeton, NJ: Princeton University Press, 1986; Reprinted, 1992), 92-109; V. Richard Persico, Jr., “Early Nineteenth-Century Cherokee Political Organization,” in *The Cherokee Indian Nation: A Troubled History* (Nashville: The University of Tennessee Press, 1979; reprinted, 1986), 97-98.

The federal government not only pressured Cherokees and other Native peoples to cede land, they also encouraged them to become “civilized.” The “Civilization Program” got its start under President George Washington and continued until the Indian Removal Act of 1830. Civilization for the Cherokee meant a complete cultural change. Whereas women were traditionally the economic and social leaders in their communities, the Civilization Program began stripping away their economic autonomy. Indian agents urged them to take up housekeeping and textile production, neither of which proved profitable. The agents meanwhile encouraged Cherokee men to become farmers and give up hunting. Not only would this change in gender roles transform Cherokee society to look more like that of their American neighbors, but it would also free up massive amounts of land that the Cherokee had traditionally used for hunting.<sup>75</sup>

As the Cherokee began crafting a new social structure and national polity in the first decade of the nineteenth-century, most council members agreed that they would cede no more land. In 1807, young councilmembers assassinated Principal Chief Doublehead after he received financial compensation for signing away a significant portion of land in 1805 -1806.<sup>76</sup> Afterward, the Upper and Lower Towns dissolved their regional councils in favor of a National Council. In an 1809 letter to federal agent to the Cherokee, Return J. Meigs, the Cherokee council wrote, “You will now hear from us not from the lower towns nor the upper towns but from the whole Cherokee nation.”<sup>77</sup>

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<sup>75</sup> McLoughlin, 92-109.

<sup>76</sup> Ibid, 92-109.

<sup>77</sup> Ibid, 156; “Result of a Council at Willstown Path Killer and other chiefs to Return J. Meigs,” September 27, 1809, M-208, NARA.

Before forming the National Council, the regional councils met several times a year at various places to deal with issues as they arose. The National Council created a National Committee to alleviate the need for frequent council meetings. Thirteen highly respected chiefs composed the National Committee, which managed the day-to-day governance of the Nation between council meetings, administered the treasury, regularly contended with the federal agent, and called the National Council to meetings in case of emergency.<sup>78</sup>

While William McLoughlin, author of *Cherokee Renascence in the New Republic*, characterized the National Council and National Committee as a bicameral legislature.<sup>79</sup>

V. Richard Persico, Jr., points out in his chapter “Early Nineteenth-Century Cherokee Political Organization” in *The Cherokee Indian Nation: A Troubled History* that “[w]hite men tended to assume that the Cherokee political system worked much like their own.”<sup>80</sup>

Julia Coates draws upon a Cherokee perspective to describe the Cherokee Nation’s legislative branch. In her book, *The Trail of Tears*, Coates states:

While the development of the Cherokee legislative branch has often been described as a “bicameral” system and also attributed to the United States’ model, Cherokee conceptions of the adaptation were different. For centuries, the Cherokee towns had had a duality in their councils, mirroring old beliefs and respect for opposites, as peacetime and wartime governments had coexisted within the body. This system was institutionalized into the Nation Council of the Cherokee Nation in 1811, called the National Committee, emerging as a parallel to the old red or warrior governments of the 1700s. The Committee was not, strictly speaking, another side to the council, but rather a “cabinet” within the

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<sup>78</sup> McLoughlin, 156-57.

<sup>79</sup> Ibid, 156-57, 225.

<sup>80</sup> Persico, Jr., 92.

Council. . . It may seem perplexing that the National Committee was the evolution of the “red,” or warrior, side of the old town councils. . . But by the first decade of the 1800s, Cherokees recognized that the “battle” had shifted. No longer was their fight a military engagement. Henceforth, their fight to maintain sovereignty and territory was a legal and political fight. And the men of the National Committee were the “warriors” on the front lines of that battle.<sup>81</sup>

Despite the National Committee’s seeming authority, they did not take actions without approval by a majority of the National Council. Although contemporary sources often called the combined National Council and National Committee simply the National Council, to avoid confusion, the author will hereafter use the term “General Council” to refer to the Council and Committee when working together.<sup>82</sup>

In 1820, the General Council passed legislation that established councilmen's election by popular vote rather than appointment by their towns. The General Council divided the Cherokee Nation into eight districts. Each district elected four council members and three committee members, for a total of thirty-two councilmen and twenty-four committee members. The 1820 legislation also created judicial districts based on the eight electoral districts. The Cherokee judicial system quickly grew more sophisticated with district courts, circuit courts, and a Supreme Court.<sup>83</sup>

In one of the Cherokees’ most demonstratively substantial moves towards “civilization,” they created a written constitution in 1827. According to the Cherokee Constitution, the people would elect council and committee members every two years.

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<sup>81</sup> Coates, 30.

<sup>82</sup> Persico, Jr., 100; Tiya Miles, *The Ties That Bind: The Story of an Afro-Cherokee Family in Slavery and Freedom*, 2nd ed. (Oakland, CA: University of California Press, 2005; reprint, The Regents of the University of California, 2015), Kindle Location 2584.

<sup>83</sup> Coates, 48-49.

Council members would then elect a principal chief to serve four years. The National Council elected John Ross as Principal Chief of the Cherokee Nation after enacting the Cherokee Constitution in 1828.<sup>84</sup>

### Locating Red Clay

Red Clay potentially made its first appearance in the historical record in 1818 when the superintendent of the Brainerd Mission, Ard Hoyt, visited a council meeting. Hoyt did not name the place where he attended the council; the author Robert Sparks Walker supplied that information in his account of the Brainerd missionaries, *Torchlights to the Cherokee*, which he wrote over a century after the described events occurred.<sup>85</sup>

In the journal kept at the Brainerd Mission, Hoyt described having arrived at the home of the Cherokee Nation's vice chief, Charles Hicks. Hoyt socialized with the men already gathered for the council meeting, which began the next day. Hoyt asked Hicks if he might address the Council. On November 2, 1818 Hoyt recorded:

I immediately entered the council house, so called, which is merely a spacious roof, supported by posts set in the ground, and left open on all sides; except that it has a railing which extends round the whole building, leaving only an opening on one side about the width of a common door. Next [to] the railing on the inside are benches round which the King, old men and chiefs are seated; the rest of the people stand on the outside of the railing. I stood a little below the center of the house facing the King, with Mr. Hicks on my right as interpreter, my audience surrounding me on every side.<sup>86</sup>

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<sup>84</sup> Ibid, 54-55.

<sup>85</sup> Robert Sparks Walker, *Torchlights to the Cherokees: The Brainerd Mission* (New York: The MacMillan Company, 1931), 91; Butler, "The Red Clay Council Ground," 142-43.

<sup>86</sup> Walker, 91; Joyce B. Phillips and Paul Gary Phillips, eds., *The Brainerd Journal: A Mission to the Cherokees, 1817-1823* (Lincoln: University of Nebraska Press, 1998), 89.

Hoyt then gave the Cherokees a sermon and advocated for more mission schools in the Cherokee Nation. The council members received Hoyt's speech well. After shaking hands with Principal Chief Path Killer and the rest of the council members, Hoyt began his journey back to Brainerd.<sup>87</sup> Though Walker may have inserted Red Clay's name into the Hoyt narrative, the description of a contemporary council house is the missionary's own.

The year before Hoyt's visit to the council meeting, another missionary had visited Charles Hicks. In a letter penned to fellow missionary Samuel Worchester, Elias Cornelius stated that he and his companion, Mr. Kingsbury, had "visited Cherokee half-breed, second in authority in the nation. . . He lives about fifteen miles from Chickamaugah [Brainerd Mission] and is a friend indeed to the American Board and its missionaries. . ." <sup>88</sup>

Red Clay officially entered the historical record when another missionary, Jeremiah Evarts, mentioned it in an 1822 letter. Evarts stated, "During my stay, I visited Mr. Charles R. Hicks, who lives at Red Clay, about seventeen miles from Brainerd. . ." <sup>89</sup>

According to Brian Butler, the TDOA archaeologist who conducted excavations at Red Clay between 1973-1975, Charles Hicks's home, which he called Fortville, was located at Red Clay.<sup>90</sup> However, Don L. Shadburn's *Cherokee Planters in Georgia, 1832-1838: Historical Essays on Eleven Counties in the Cherokee Nation of Georgia* states that

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<sup>87</sup> Walker, 91-93; Phillips and Phillips, 88-91.

<sup>88</sup> Walker, 63.

<sup>89</sup> Ibid, 113.

<sup>90</sup> Butler, "The Red Clay Council Ground," 143; Butler, *The Council Ground at Red Clay (40 BY 20) Archaeological and Historical Investigations, 1973-1975*, 8-10.

Hicks's home was near a place called Dogwood or Dogwood Flats near the headwaters of Chickamauga Creek.<sup>91</sup> A descendant of Charles Hicks verified Shadburn's conclusion and located Fortville at 28 Sharee Lane, Tunnel Hill, Georgia.<sup>92</sup>

The most direct modern route from the Brainerd Mission Cemetery to Red Clay State Historic Park measures eighteen miles.<sup>93</sup> Whereas the distance from the Brainerd Mission to the Tunnel Hill site is approximately twenty miles, using pre-Interstate Highway roads.<sup>94</sup> The distance would make it seem as if the park's present site is more likely the place described by the missionaries. However, the confusion over Red Clay and Fortville's location may have another explanation.

All Cherokee held their land in common. Individuals owned their land improvements, such as buildings, fences, fruit trees, or ferries. Charles Hicks, a wealthy and influential bi-racial leader among the Cherokee, likely owned more than one home. At the time of the Cherokee property valuations in 1836, the Red Clay Council Ground and Council Ground Creek (present-day Mills Creek) had twenty-six improvement owners. Of those twenty-six improvement owners, only six likely lived there year-round. Most of the improvement owners at the Council Ground also had improvements elsewhere. They probably stayed at their Red Clay improvements during the council

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<sup>91</sup> Don L. Shadburn, *Cherokee Planters in Georgia, 1832-1838: Historical Essays on Eleven Counties in the Cherokee Nation of Georgia* (Cumming, GA: Don L. Shadburn, 1990), 297.

<sup>92</sup> Jack Baker, interview by author, Decatur, Alabama, October 28, 2018.

<sup>93</sup> Google Maps, "Red Clay State Historic Park to Brainerd Mission Cemetery," <https://goo.gl/maps/L3D2ERA64kkUQc366> (accessed July 4, 2020).

<sup>94</sup> Google Maps, "Brainerd Mission Cemetery to 28 Sharee Ln," <https://goo.gl/maps/CuVFHmGaoS32C8Mv6> (accessed July 4, 2020).

meetings or rented them to other travelers.<sup>95</sup> Perhaps when the missionaries visited Charles Hicks's home, they called upon his Red Clay improvement and not his primary residence at Fortville.

If anyone wrote about Red Clay between 1822 to 1831, those records have not survived. The Cherokee used the site as their primary Council Ground between 1832 to 1837.

Upon his return home to Georgia from Washington, DC in the spring of 1835, Principal Chief John Ross found that a white family had evicted his family. Ross found his family living in a much smaller one or two pen (room) cabin approximately four miles from the Red Clay Council Ground. The census taker recorded John Ross as one of the twenty-seven heads of households listed at Red Clay in the 1835. The town of Red Clay at that point in time consisted of 203 people: 173 Cherokee, twenty-five enslaved people of African descent, and seven whites connected by marriage.<sup>96</sup>

People used the names Red Clay and Red Hill interchangeably in the 1830s, although these names currently identify two different communities. Ross called his Red Clay farm Red Hill. However, a neighborhood by that name likely existed before Ross moved there. Several contemporary accounts refer to the Red Hill Council Ground. The *Cherokee Phoenix*, the first Native American newspaper written in the Cherokee

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<sup>95</sup> Perdue, *Cherokee Women*, 136; Moore, 92, 133-41, 150, 158-68, 312; *1835 Cherokee Census*, Monograph Two (Park Hill, OK: The Trail of Tears Association Oklahoma Chapter, 2002), 5.

<sup>96</sup> Gary E. Moulton, *John Ross, Cherokee Chief* (Athens, GA: University of Georgia Press), 62; *1835 Cherokee Census*, 5.

syllabary and in English, reported on the council meeting at Red Hill in August 1832 and July 1833.<sup>97</sup>

The May 15, 1833 entry of the *Diary of the Mission to the Cherokee Indians* at Spring Place Mission states, “Br. [Heinrich] Clauder went to the Council in Red Hill on business. . .”<sup>98</sup> According to William Snell’s *The Councils at Red Clay Council Ground*, the May 1833 council meeting occurred at the Red Clay Council Ground. Clauder and Johann Renatus Schmidt continued to call the Red Clay Council Ground “Red Hill” for years in their Cherokee mission diaries.<sup>99</sup>

By the time that property assessors began their work of evaluating Cherokee improvements in the fall of 1836, they identified many of the Red Clay residents on the 1835 census as living or owning improvements at Red Hill. The Euro-Americans who conducted the 1835 Cherokee census identified most Cherokee towns by the rivers and creeks at the heart of each community, though the Cherokees may have called them by other names. Of the twenty-six heads of households at Red Clay in 1835, by 1836 five owned improvements at the Red Clay Council Ground or along Council Ground Creek, eleven owned improvements at Red Hill, and two owned improvements at Cohulla Creek (also spelled Coeuhulla, Cohulla, Cōoayhállay, Cuoyelhee, and Coahulla) just east

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<sup>97</sup> John Ross, “To the committee and Council, in General Council convened,” *Cherokee Phoenix*, (New Echota, Cherokee Nation) vol. 4, iss. 52 (3), August 11, 1832, Western Carolina University, Hunter Library Special and Digital Collections, <https://www.wcu.edu/library/DigitalCollections/CherokeePhoenix/Vol4/no52/cherokee-phoenix-page-2-column-3a-page-3-column-1a.html> (accessed July 13, 2020).

<sup>98</sup> Richard W. Starbuck, *Records of the Moravians among the Cherokees Volume 9: March to Removal, Part 4 ‘They Shall Not Be Forsaken,’* (Tahlequah, OK: Cherokee Heritage Press, 2019), 4721.

<sup>99</sup> William R. Snell, *The Councils at Red Clay Council Ground, Bradley County, Tennessee, 1832-1837*, 5; Richard W. Starbuck, *Records of the Moravians among the Cherokees Volume 9: March to Removal, Part 5 ‘This Is Not My Home Any More,’* (Tahlequah, OK: Cherokee Heritage Press, 2020), 4840, 4894, 4908, 4957, 4966, 4982.

and south of Red Hill. Whether the property assessors missed them, squatters had displaced them, or they had voluntarily removed, eight of the 1835 heads of households do not appear in the 1836 property valuations. This settlement pattern demonstrates the width of Red Clay from east to west, but if one looks at these documents in reverse another pattern emerges.<sup>100</sup>

Between the improvement owners at the Red Clay Council Ground and along Council Ground Creek, they owned ninety-one buildings. According to the 1835 census, six of the improvement owners lived in Red Clay, Tennessee; seven lived along Coeuhulla Creek, Georgia; ten lived elsewhere in the Cherokee Nation; and the census does not list three improvement holders as heads of households. Is it possible that Council Ground Creek and Coeuhulla Creek could be the same waterway?

In George Featherstonhaugh's account of the 1837 council, he rented a cabin across the Cōoayhállay from the Council House just two miles from John Ross's home. However, Heinrich Clauder wrote in his mission diary that squatters had displaced the original Council House.<sup>101</sup> Unfortunately, most of the descriptions of the Council Ground used to interpret Red Clay prior to removal come from Featherstonhaugh, so much of what was known about the Council Ground only applies to that one year. That means

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<sup>100</sup> Moore, 92, 133-41, 150, 158-68, 312; *1835 Cherokee Census*, 2-6, 12, 20, 38, 59, 62, 65.

<sup>101</sup> Moore, 92, 133-41, 150, 158-68, 312; *1835 Cherokee Census*, 2-6, 12, 20, 38, 59, 62, 65; Featherstonhaugh, *A Canoe Voyage Up the Minnay Sotor, with an Account of the Lead and Copper Deposits in Wisconsin; of the Gold Region in the Cherokee Country; and Sketches of Popular Manners; &c. &c.*, 231-32; Starbuck, *Records of the Moravians among the Cherokees Volume 9: March to Removal, Part 5 'This Is Not My Home Any More*, 5109.

that Red Clay State Historic Park may make up only a portion of the original Red Clay Council Ground (see Figure 1-3).

The author has identified present-day Weatherly Branch, a tributary of Coahulla Creek, as the C oayh allay Creek written about by Featherstonhaugh. Note the historic waterways and road linking Red Clay State Historic Park to the John Ross Cabin in Figure 1-3. The Cherokee spread their towns out much more than contemporary American settlements. According to a law passed in 1824:

. . .no person or persons whatsoever, shall be permitted to settle and make improvements within the distance of one-fourth of a mile of the field or plantation of another, without the consent or approbation of such resident person, under the penalty of forfeiting the whole of their labor for the benefit of the original resident.<sup>102</sup>

The Red Clay Council Ground likely sprawled along the valley from the park northeast toward John Ross’s farm.

The Council Spring at the park flows into modern-day Mills Creek. The author has identified Mills Creek as historic Council Ground Creek or Council Creek as the cartographer recorded it on the 1836 *An Ideal Map of Bradley County* (see Figure 1-4). However, the surveyors on the Georgia side of the border recorded this same waterway as McCay’s [sic] Mill Creek (see Figure 1-5).

The mill on McCay’s Mill Creek likely belonged to Judge Daniel McCoy, a justice on the Cherokee Supreme Court. McCoy lived along the Tennessee-Georgia border and

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<sup>102</sup> *Laws of The Cherokee Nation: Adopted by the Council at Various Periods* (Tahlequah, CN: Cherokee Advocate Office, 1852), 41-42.

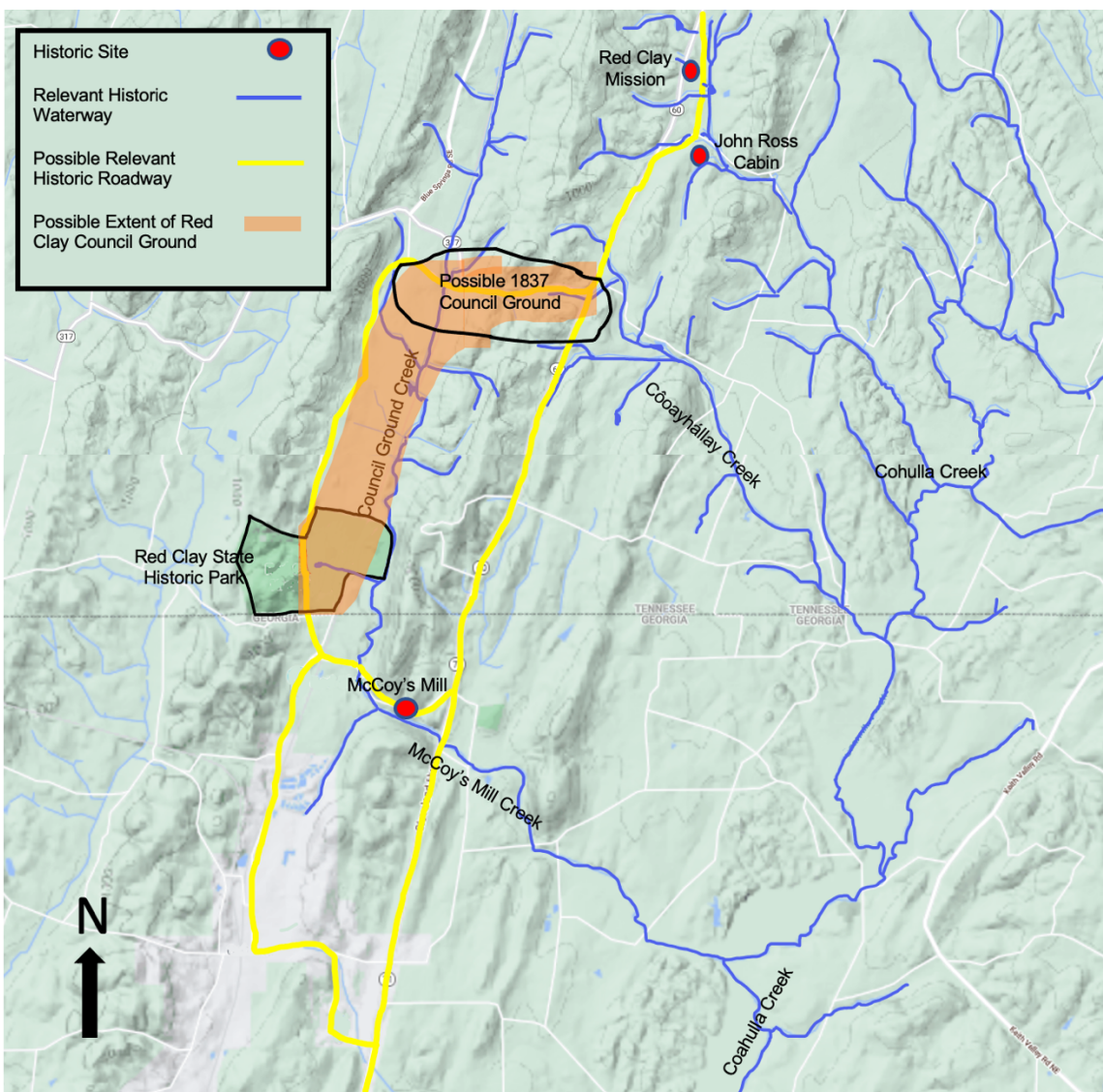


Figure 1-3. Map of Red Clay Area showing nearby waterways. Courtesy of Google Maps. Modified by the author.

owned vast improvements. The property valuation describes McCoy's mill as a grist mill with a 20' x 20' mill house, a single-gear tub-log shoot, and a 9' x 100' dam. The location of the mill likely corresponds to Hoskin's Mill, and later the DeArmond Brothers' Mill (see Figure 1-6). Modern-day Mills Creek meanders southeast from the park approximately four miles before it drains into present-day Coahulla Creek.<sup>103</sup>



Figure 1-4. Detail of *An Ideal Map of Bradley County, 1836*. Courtesy of the Tennessee Virtual Archive.

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<sup>103</sup> "An Ideal Map of Bradley County," *Tennessee Showing Civil Districts (1836)*, 1836), 1, <https://teva.contentdm.oclc.org/digital/collection/p15138coll23/id/8829/rec/10> (accessed March 4, 2019); James F. Smith, *The Cherokee Land Lottery Containing a Numerical List of the Names of the Fortunate Drawers in Said Lottery with an Engraved Map of each Districts*, (New York: Harper & Brothers, 1838), 315; Shadburn, 255-57.

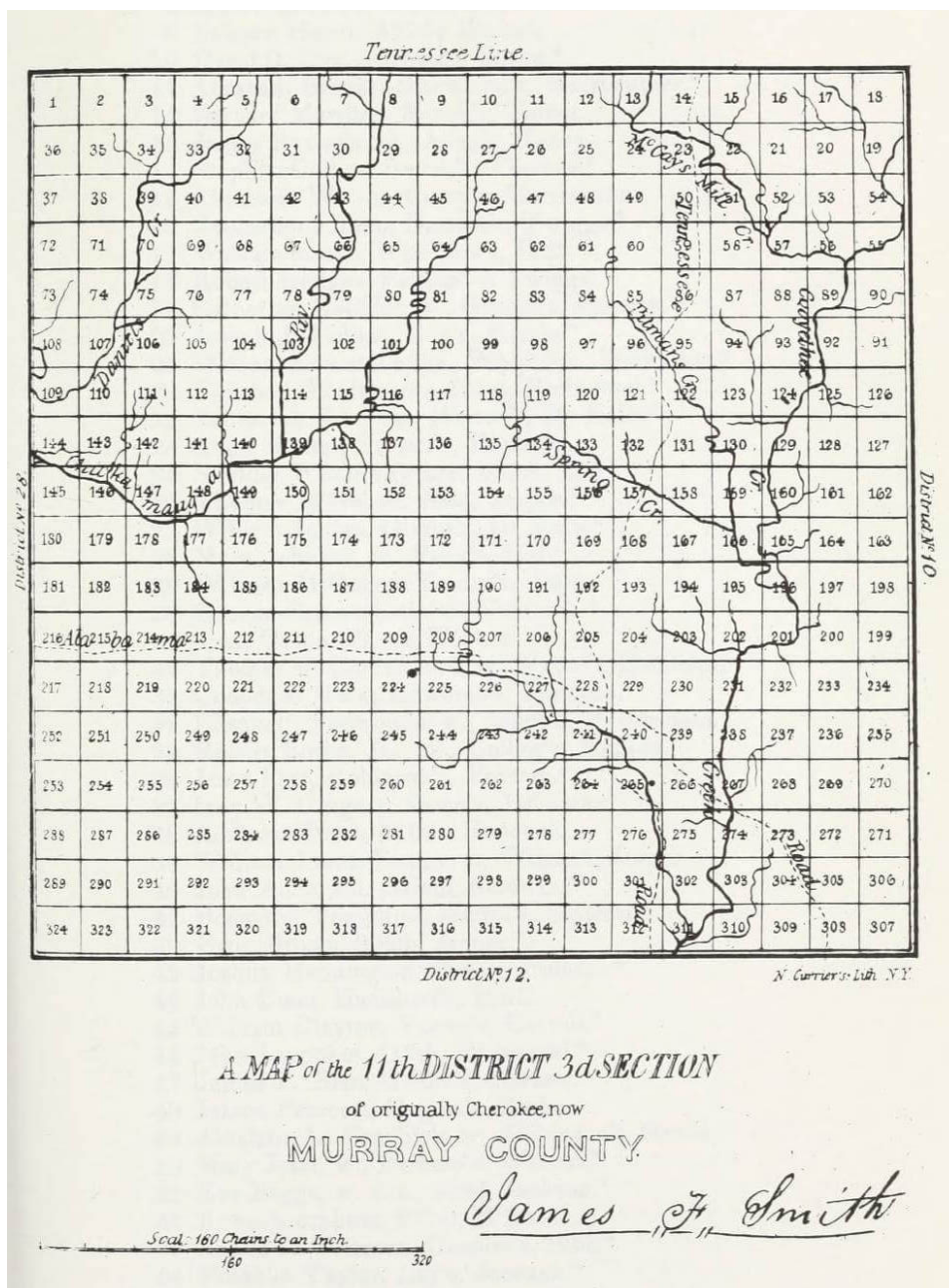


Figure 1-5. A Map of 11<sup>th</sup> District, 3<sup>rd</sup> Section of originally Cherokee now Murray County. Note McCay's Mill Creek in top right corner. Red Clay State Historic Park lies along the northern border of Land Lot 12. Courtesy of James F. Smith, The Cherokee Land Lottery Containing a Numerical List of the Names of the Fortunate Drawers in Said Lottery with an Engraved Map of each Districts.

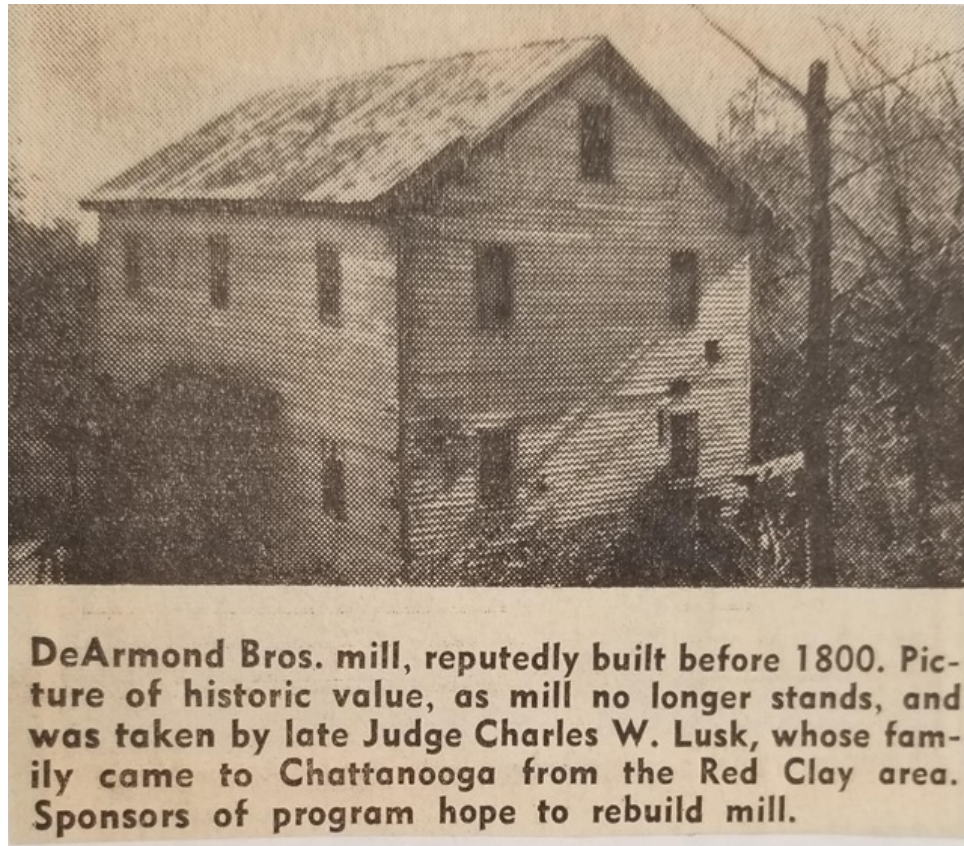


Figure 1-6. The DeArmond Brothers' Mill. *Photograph by Charles W. Lusk. Courtesy of The Chattanooga Times Free Press.*

The 1835 Cherokee census lists Daniel McCoy living next to Sleeping Rabbit along Coeuhulla Creek in Georgia. Perhaps the census taker called Mills Creek the Coeuhulla, since they eventually run together. Local residents have long associated Sleeping Rabbit with Red Clay. Deep in the woods at the park are large oak trees, possibly witness trees, that park personnel refer to as the Sleeping Rabbit Trees, though they are not certain of the origin of that name. Both Sleeping Rabbit and Daniel McCoy

owned large improvements at the Red Clay Council Ground, and the former owned improvements along Council Ground Creek, as well.<sup>104</sup>

As will be demonstrated in subsequent chapters, people have debated the exact location of the Red Clay Council Ground for decades. However, the events which took place there happened during a truly chaotic period for everyone involved. Perhaps that is why it remains such a confusing topic to this day.

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<sup>104</sup> 1835 *Cherokee Census*, 59; Moore, *1836 Cherokee Nation Property Evaluations*, vol. I, 134, 141; "Dalton and Whitfield County," *The Butler Herald* (Butler, Georgia), September 24, 1931; Logan Cammarata, in discussion with S. Danielle Shelton, October 31, 2018 and March 3, 2021.

## CHAPTER II: CAPITOL IN EXILE

In December 1819, the Cherokee established New Echota, in present-day Calhoun County, Georgia, as the seat of government for the Cherokee Nation. Between 1828-1830, the Georgia legislature passed a series of laws to compel the Native peoples from their borders, known as the Georgia Harassment Laws. One of these acts made all Cherokee laws within the borders of Georgia null and void as of June 1, 1830. The passage of the Indian Removal Act, signed into law on May 28, 1830, exacerbated the tense situation between Georgia and the Cherokee. The Georgia legislature also made it illegal for Cherokees to meet within the state's borders for any purpose apart from ceding land. To avoid imprisonment, the 1831 Cherokee General Council met at Chatooga, near present-day Gaylesville, Alabama. Most Cherokees found this site too remote, so the General Council decided to move the seat of government to Red Clay.<sup>105</sup>

Anyone witnessing the councils at Red Clay would have seen a diverse group of people though the makeup of the crowd changed over time. For those Cherokee wealthy enough, they would have likely brought one or more enslaved people of African descent to perform menial tasks. A few white missionaries and government agents attended the early Red Clay councils, also. As tensions mounted in the Cherokee Nation and armed conflict broke out in the neighboring Creek Nation, both Creeks and white

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<sup>105</sup> Theda Purdue and Michael D. Green, ed., *The Cherokee Removal: A Brief History with Documents*, 3<sup>rd</sup> ed. (New York: Bedford/St. Martin's, 1995; Reprinted 2016), 74-78; William R. Snell, *The Councils at Red Clay Council Ground, Bradley County, Tennessee, 1832-1837* (Cleveland, TN: Modern-Way Printing Co., 1983), 3.

soldiers attended the council meetings.<sup>106</sup> Each group contributed to the historic events at Red Clay.

According to Patrick Wolfe's "Settler Colonialism and the Elimination of the Native," Euro-Americans racialized Native and Black peoples in opposite ways that reflect their roles in the development of the United States. It benefited white people to dilute Natives' claim to the land, so they categorized bi-racial Natives as "half-breeds" and developed the blood quantum system to dispossess Indians of their tribal inclusion and identity. By disqualifying the number of Native people who could claim land, more land became available for white possession. Eventually the federal government would recognize those who maintained their "racial purity" as being Native, regardless of what individual tribal traditions may say.<sup>107</sup>

The word *Indigenous* means "to be of a place."<sup>108</sup> To settlers, Indigenous people stood in the way of their owning land. In order to possess immovable property, white people had to eliminate Natives from the landscape. Settlers used various methods to purge their desired land of its Indigenous peoples, from not recognizing them as human beings to genocide. The elimination of Native peoples from southeastern North America in the nineteenth-century primarily took the form of displacement, expulsion, deportation, and ethnic cleansing, commonly referred to as *removal*.<sup>109</sup>

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<sup>106</sup> Butler, "The Red Clay Council Ground," 144-146; Snell, *The Councils at Red Clay Council Ground, Bradley County, Tennessee, 1832-1837*, 6-11.

<sup>107</sup> Wolfe, "Settler Colonialism and the Elimination of the Native": 387-88.

<sup>108</sup> Vine Deloria, Jr. and Daniel Wildcat, *Power and Place: Indian Education in America* (Golden, CO: Fulcrum Resources, 2001), 31.

<sup>109</sup> Wolfe, 388; Larsen, Johnson, and Wildcat, 4, 34-35, 57, 106; Moreton-Robinson, Kindle locations 210, 241-48, 849-52; Haveman, *Rivers of Sand*, 3.

Conversely, Euro-Americans benefited by having as many enslaved people of African descent as possible to work the land and build white wealth. In order to include people in the enslaved class, white people invented the “one-drop rule.” The one-drop rule meant that “any amount of African ancestry, no matter how remote, and regardless of phenotypical appearance, makes a person Black.”<sup>110</sup> In an effort to propel themselves up the socio-racial hierarchy, Natives in the southeast mirrored white society by enslaving people of African descent and limiting the power and inclusion of free Blacks.<sup>111</sup>

This chapter will show how the various peoples brought together at the Red Clay Council Ground influenced each other and the events leading up to the Cherokee removal. Most people tend to believe that only the Cherokee walked the Trail of Tears, prodded along by the Army’s bayonets. However, the United States government expelled many others from their homelands, as well. The confluence of peoples at the Red Clay Council Ground demonstrates that tribal expulsion did not happen in a vacuum – it affected people throughout the region. Those effects remain with us today.

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<sup>110</sup> Wolfe, 387-88.

<sup>111</sup> Tiya Miles, *The House on Diamond Hill: A Cherokee Plantation Story*, Kindle ed. (Chapel Hill: University of North Carolina Press, 2010); Tiya Miles, *Ties that Bind: The Story of an Afro-Cherokee Family in Slavery and Freedom*; Angela Y. Walton-Raji, *Black Indian Genealogy Research: African-American Ancestors among the Five Civilized Tribes* (Berwyn Heights, MD: Heritage Books, Inc., 2008); Barbara Krauthamer, *Black Slaves, Indian Masters: Slavery, Emancipation, and Citizenship in the Native American South* (Chapel Hill: The University of North Carolina Press, 2013); Theda Perdue, *Slavery and the Evolution of Cherokee Society, 1540-1866*; Theda Perdue, “Mixed Blood” Indians: *Racial Construction in the Early South*.

## Slavery Among the Cherokee

The 1836 Cherokee property valuations record that twenty-three people owned land improvements at the Red Clay Council Ground, five owned improvements along the Council Ground Creek, and two owned improvements at both.<sup>112</sup> It is likely that only six of the improvement owners at Red Clay actually lived there, as the others owned more valuable improvements in other areas of the Cherokee Nation. The rest of the Red Clay improvements consisted of single pen cabins, stables, and sheds. The owners probably used these improvements during council meetings or rented them to others in need of shelter. Of the twenty-six Red Clay improvement owners, nine owned a total of eighty-seven enslaved people.<sup>113</sup> Forty-one of the eighty-seven enslaved belonged to Lewis Ross, the brother of Principal Chief John Ross and one of the richest men in the Cherokee Nation.<sup>114</sup> Furthermore, of the nine enslavers, only three likely lived at the Council Ground or along Council Ground Creek with a total of nineteen enslaved people.

As enslaving Native peoples became increasingly difficult as the slave raiders essentially annihilated most of the weaker tribes, English colonists found it more convenient to import enslaved Africans. By the 1830s, the race-based chattel slavery practiced by Euro-Americans had infiltrated the Cherokee Nation, especially among the elite planter class.<sup>115</sup> Barbara Krauthamer gives more detail about the development of

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<sup>112</sup> Moore, 90, 92, 131-141, 150, 158-68, 312; "An Ideal Map of Bradley County," *Tennessee showing civil districts* (1836).

<sup>113</sup> *1835 Cherokee Census*, 2-6, 12, 59, 62, and 65.

<sup>114</sup> *1835 Cherokee Census*, 6; Moore, Vol. II, 312.

<sup>115</sup> Theda Perdue, "Mixed Blood" *Indians: Racial Construction in the Early South*, 5-6, 58-60; Perdue, *Cherokee Women: Gender and Culture Change, 1700-1835* (Lincoln & London: University of Nebraska Press, 1998), 53; Robbie Ethridge and Sheri M. Shuck-Hall, ed., *Mapping the Mississippian Shatter Zone: The Colonial Indian Slave Trade*

chattel slavery among the Choctaw and Chickasaw, which also applies to the Cherokee.

In *Black Slaves, Indian Masters: Slavery, Emancipation, and Citizenship in the Native*

*American South*, Krauthamer explains that:

...the practice of owning people of African descent as property – slaves – emerged in large measure from Choctaws' and Chickasaws' heightened participation in the antebellum market economy and, like other market-oriented endeavors taken up by southern Indians, altered social and economic relations within Indian communities and among Indians and their white neighbors.... Slaveholding, and the associated transactions of profiting from owning and exploiting black people's labor and reproduction, required that Native peoples engage decidedly new meanings of property, race, and gender that had lasting consequences for Indians and African Americans alike.<sup>116</sup>

While the names of the enslaved people owned by Cherokees who lived and owned improvements at Red Clay are unknown, they had profound effects on its landscape and supported the functions of the council meetings. According to Theda Perdue's *Mixed Blood Indians: Racial Construction in the Early South*, wealthy Cherokee men, "inscribed their power on the landscape through the erection of elegant houses, much in the same way that their Mississippian ancestors did when they built temple mounds."<sup>117</sup> Though the wealthy and powerful certainly contributed to changes in the landscape, their enslaved people did the work. At Red Clay, it is likely that they worked as farm laborers, as the carpenters who built the ninety-one log buildings on the Council Ground and along Council Ground Creek, as the cooks who fed the council attendees, and perhaps as the blacksmith at the smithy owned by one enterprising Cherokee.<sup>118</sup>

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*and Regional Instability in the American South* (Lincoln: University of Nebraska Press, 2009), 21-22, 35, 99, 259, 265, 306, and 379; Miles, *The House on Diamond Hill*, 21-22.

<sup>116</sup> Krauthamer, 17.

<sup>117</sup> Perdue, "*Mixed Blood*" *Indians: Racial Construction in the Early*, 59.

<sup>118</sup> Moore, 90-92, 131-39, 141, 150, 158-59, 161; 163-68, 312.

Out of the nine slave owners at Red Clay, seven owned less than ten enslaved people each. These small slaveholders likely had much more familiar, possibly even familial, relationships with their enslaved people than the other two who owned vast improvements and enslaved numerous people in other areas.<sup>119</sup>

Missing from Red Clay's crowded landscape were free Blacks. According to Tiya Miles's *Ties That Bind: The Story of an Afro-Cherokee Family in Slavery and Freedom*, the Cherokee did not hold a ubiquitous racial view of people of African descent for the first two centuries the two peoples had contact. While some Cherokee had Black family members or had African ancestry, others owned enslaved people of African descent or avoided Black people entirely.<sup>120</sup>

During the 1820s, the General Council passed increasingly restrictive laws regarding people of African descent in an effort to reach the elusive American ideal of "civilization." They passed an act to expel free Blacks from the Cherokee Nation in 1824. And the Cherokee Constitution of 1827, Article III Section 4 stated that the children of a Cherokee parent and a parent of African descent could not hold true Cherokee citizenship. Only the bi-racial descendants of Cherokee women and free Black men eluded the provision, but since very few free Black men lived in the Cherokee Nation it became moot.

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<sup>119</sup> Ibid.

<sup>120</sup> Miles, *Ties That Bind*, Kindle location 2673.

In other words, restricting Black people, and especially owning enslaved people of African descent became a visible symbol of “civilization.” An 1859 statement by Indian Agent George Butler illustrates this sentiment:

I am clearly of the opinion that the rapid advancement of the Cherokees is owing in part to the fact of their being slaveholders. . . and I believe if every family of the wild roving tribes of Indians were to own a negro man and woman. . . it would tend more to civilize them than any plan that could be adopted.<sup>121</sup>

### **Creeks and Cherokees**

Despite earlier conflicts, the Cherokee and Creek Nations arguably had a close relationship by the 1820s. Major Ridge, the Speaker of the Cherokee National Council, represented his Nation to the Creek National Council with the right to debate at their meetings. Likewise, William McIntosh (see Figure 2-1), a wealthy bi-racial Creek chief of the Lower Creek town of Coweta, sat in a place of honor on the White Bench at the Cherokee National Council as the Creek representative to the Cherokee.<sup>122</sup>

McIntosh knew that the Cherokee Agency had attempted to negotiate a removal treaty with the Cherokee in 1822, but the General Council voted to refuse the invitation to meet with the treaty agents. The agents attended the 1823 General Council to compel the Cherokee to sign the treaty. McIntosh attended this council meeting as well. Upon arriving at New Echota, McIntosh sent John Ross (see Figure 2-2), then the

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<sup>121</sup> Annual Report of Agent Butler, 1859, quoted in Charles C. Royce, “The Cherokee Nation of Indians,” in *Fifth Annual Report of the Bureau of Ethnology, 1883-84*, edited by J.W. Powell (Washington, DC: Government Printing Office, 1887), 121-373, 322.

<sup>122</sup> John Howard Payne, *The Payne-Butler Papers*, ed. William L. Anderson, Jane L. Brown, and Anne F. Rogers, Vol. I (Lincoln: University of Nebraska Press, 2010), 194-199.

president of the National Committee, a letter offering Ross and other Cherokee leaders bribes if they would agree to sign the treaty. Ross quickly and discretely informed members of the National Committee of McIntosh's letter. Major Ridge (see Figure 2-3) and Alexander McCoy, the Clerk of the National Committee, went to visit McIntosh. They learned that McIntosh and the government agents had conspired to get the removal treaty signed through duplicitous means.<sup>123</sup>

The next morning, October 24, 1823, at the General Council meeting Ross exposed McIntosh's bribery attempt. After Principal Chief Path Killer denounced him, Major Ridge addressed McIntosh, and said "that he had stained himself with eternal infamy and disgrace. He told him he was deposed as a Cherokee Chief and bade him quit the White Bench forever."<sup>124</sup> McIntosh quickly left and rode his horse so hard on his way home that he killed it. The General Council then wrote to the Creek National Council to tell them of McIntosh's misdeeds.<sup>125</sup>

A couple of years later, members of the Creek Nation assassinated McIntosh after he illegally signed the Treaty of Indian Springs in 1825 without the consent of the Creek National Council. This treaty ceded the Creek's Georgia lands east of the

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<sup>123</sup> Payne, Vol. I, 194-195; Michael D. Green, *The Politics of Indian Removal: Creek Government and Society in Crisis* (Lincoln: University of Nebraska Press, 1982), 75-76; A. J. Langguth, *Driven West: Andrew Jackson and the Trail of Tears to the Civil War* (New York: Simon & Schuster, 2010), 40.

<sup>124</sup> Payne, Vol. I, 194-97; Langguth, 40-41.

<sup>125</sup> Payne, 195-199; Langguth, 40-41.



Figure 2-1. *William McIntosh* by Albert Newsame, 1836. *Courtesy of the National Portrait Gallery, Smithsonian Institution.*



Figure 2-2. *Principal Chief John Ross*, by John Rubens Smith, June 19, 1841. *Courtesy of the National Portrait Gallery, Smithsonian Institution.*



Figure 2-3. *Major Ridge* by Alfred M. Hoffs, 1837. *National Portrait Gallery, Smithsonian Institution.*

Chattahoochee River. The Senate ratified the treaty and President John Quincy Adams signed it, but the federal government did not enact it.<sup>126</sup>

The following year, the Creeks decided to relinquish the Georgia lands, but they wanted the best possible deal. They asked for help from their Cherokee neighbors and Major Ridge recommended his son, John, and David Vann. These two well educated young men acted as councilors to some of the Creek chiefs and helped negotiate the 1826 Treaty of Washington. Though similar to the 1825 treaty, the 1826 treaty had the approval of the Creek National Council. Both John Ridge and David Vann signed the treaty as secretaries.<sup>127</sup>

The Treaty of Washington paid the Creeks \$217,600 upfront with a yearly annuity of \$20,000 in perpetuity. For their part in the negotiations, the Creek National Council promised Vann, John Ridge, and his father, Major Ridge, \$40,000: \$10,000 for Major Ridge and \$15,000 each for John Ridge and David Vann (see Figures 2-4 & 2-5), though many US Senators accused the Cherokee of fraud. Other Creek council members questioned the motives of the Cherokee.<sup>128</sup>

Once the Senate ratified the Treaty of Washington, the Creek delegation returned home. The Creek National Council determined that the young Cherokees should only receive \$5,000 each, although Major Ridge retained the entirety of his

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<sup>126</sup> Charles J. Kappler, ed., "Treaty with the Creeks, 1825," *Indian Affairs: Laws and Treaties*, Vol. II (Washington, DC: Government Printing Office, 1904), 214-17; Green, *The Politics of Indian Removal*, 86-90, 96-97, 116-118; Haveman, *Rivers of Sand*, 6; Langguth, 45-48.

<sup>127</sup> Kappler, 214-17, 264-68; Green, *The Politics of Indian Removal: Creek Government and Society in Crisis*, 111, 118-121.

<sup>128</sup> Kappler, 264-68; Green, *The Politics of Indian Removal*, 124.

promised payment. In an 1834 letter to Secretary of War Lewis Cass written from the “Red Hill Council Ground,” Ridge and Vann requested that the federal government pay the remaining \$10,000 the Creeks promised them in 1826. Cass replied that the government had paid the Creeks and that the two Cherokees would have to seek payment from them.<sup>129</sup>



Figure 2-4. John Ridge, 1838, by Alfred M. Hoffy. Copy after Charles Bird King. *Courtesy of the National Portrait Gallery, Smithsonian Institution. Gift of Betty A. and Lloyd G. Schermer.*



Figure 2-5. David Vann, 1843, by Alfred M. Hoffy. Copy after Charles Bird King. *Courtesy of the National Portrait Gallery, Smithsonian Institution. Gift of Betty A. and Lloyd G. Schermer.*

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<sup>129</sup> Kappler, 264-68; Green, *The Politics of Indian Removal*, 124; “Letter from John Ridge and David Vann to Lewis Cass,” *Copies of Manuscripts in the Office of the Commissioner of Indian Affairs, Washington, D.C.* Vol. IV, ed. by Grant Foreman (Oklahoma City: Oklahoma Historical Society Research Center, 1930), 79-82, <https://www.okhistory.org/research/digital/foremantrans/foreman.com4.pdf> (accessed July 13, 2020).

## Indian Removal

Before one can come to grips with the scope of the Cherokee removal, it is worthwhile to consider that this tragedy was one of many. While the Cherokee fought the Indian Removal Act, the Georgia Harassment Laws, and removal treaties through legal and political avenues, the federal government expelled the Choctaw, Chickasaw, and portions of the Creek Nation from their homelands (see Figure 2-6). Furthermore, the Seminole had begun waging war against the United States in order to remain in the fastness of their Florida swamps.

Each of the Five Civilized Tribes, as well as smaller tribes east of the Mississippi River, had negotiated different terms with the US government to their detriment. According to Theda Purdue and Michael Green's *The Cherokee Nation and the Trail of Tears*, the federal government banished over sixty tribes, primarily from the East, from their homelands to Indian Territory by the end of the nineteenth-century.<sup>130</sup> They all suffered financially at the hands of land speculators and incompetent government officials. They suffered mentally by being forced to leave their ancient homelands. They suffered physically from exhaustion, exposure, and sometimes hunger. And they suffered emotionally as they buried their dead along the way.

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<sup>130</sup> Theda Purdue and Michael D. Green, *The Cherokee Nation and the Trail of Tears* (New York: Penguin Books, Penguin Group Inc., 2008), 117-18.

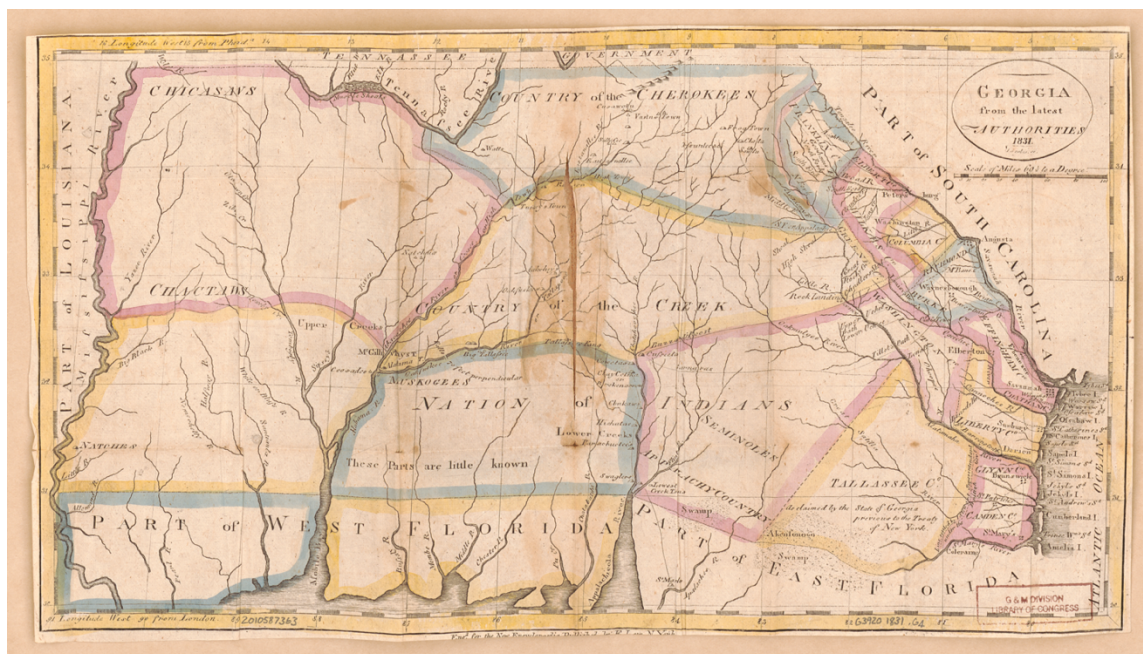


Figure 2-6. Esther Prentiss Low's *Georgia, from the latest authorities, 1831*. Courtesy of Library of Congress.

Most of the squatters, military members, and government officials who collaborated to drive the Native peoples from their homes came from the landless classes of Europe. Though the Jackson administration could hardly wait to empty the lands east of the Mississippi of their Native peoples, their policy implementation proved them inept. No accurate maps existed of the land west of the Mississippi, so the officials who executed the Indian Removal Act had very little information about where they planned to send tens of thousands of people. In addition, they had no idea whether other people already occupied the land.<sup>131</sup> The first people expelled under the Indian

<sup>131</sup> Haveman, *Rivers of Sand*, 102-106.

Removal Act, the Choctaw, provide an example of the horror of removal and the incompetence of the government which created the problem.

The first detachment of Choctaw that left their homeland in Mississippi encountered frigid temperatures for which they had not prepared as they marched west during the winter of 1831-1832. They had the misfortune of experiencing the coldest winter to hit the region in fifty years. Americans living in northern Louisiana reported the Choctaw dressed in rags, without foot coverings or food. In one swamp one hundred of the Choctaw's horses died frozen upright in the mud. Once the survivors finally reached Indian Territory, they found they had arrived too late in the year to clear and plant new fields. According to the Treaty of Dancing Rabbit Creek, the government agreed to supply the Choctaws with a years' worth of rations, however the food ran out before they could harvest their first crop.<sup>132</sup> Unfortunately, the tragedy of the Choctaw removal did not diminish the Americans' desire to expel their Native neighbors.

### **The Red Clay Councils: 1832-Spring 1836**

In 1830, the General Council held their last meeting at the capital of the Cherokee Nation, New Echota. As stated previously, the Georgia legislature had enacted laws that made it illegal for Cherokees to attend any meeting within the state's boundaries, apart from meetings to cede territory. To avoid a confrontation, the Council decided to meet at Chatooga, Alabama in 1831. Preachers had previously used

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<sup>132</sup> Claudio Saunt, *Unworthy Republic: The Dispossession of Native Americans and the Road to Indian Territory*, Kindle Ed. (New York: W.W. Norton & Company, 2020), 127-135.

Chatooga for camp meetings, but the site could not comfortably accommodate council meetings attended by hundreds, if not thousands, of people. In addition, many people travelling from the east found the site too far away. At the 1831 General Council, “it was resolved that the present Council Ground at Red Clay should be established as the regular place of meeting. Red Clay was within the Cherokee limits of Tennessee, & consequently beyond the legal range of the Georgia guard.”<sup>133</sup>

The General Council primarily debated whether to accept a removal treaty at the Red Clay councils from 1832-1835. After a small faction of Cherokees illegally signed the Treaty of New Echota, the remaining councils at Red Clay largely dealt with the consequences of the treaty.

#### **-1832-**

One of the harassment laws passed by the Georgia Assembly required white people living in the Cherokee Nation to swear an oath of loyalty to the State of Georgia and receive a permit from the governor. A group of missionaries, including Reverend Samuel Worcester, Dr. Elizur Butler, and nine more men, defied the Georgia law, which led to their arrest and imprisonment on July 7, 1831. After a couple of months in prison, all the missionaries except Worcester and Butler took the oath. A Georgia court convicted the two ministers of breaking the law and the Cherokee Nation filed an appeal to the Supreme Court on their behalf. The Supreme Court, in a six to one decision, ruled to reverse the missionaries’ conviction on March 3, 1832. In Chief Justice John

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<sup>133</sup> Payne, Vol I., 164.

Marshall's opinion, he stated that the United States (including Georgia) must recognize tribal sovereignty. Unfortunately, the Jackson administration refused to enforce the Court's decision or Marshall's opinion.<sup>134</sup>

A Cherokee delegation had traveled to Washington for the court case and to advocate against removal. In mid-April, Secretary of War Lewis Cass summoned the delegation to discuss a removal treaty. The disheartened delegates listened, but the Chatooga Council had not empowered them to negotiate a treaty.<sup>135</sup>

Upon hearing about the Supreme Court's decision while visiting the Boston office of the American Board of Commissioners for Foreign Mission (ABCFM), John Ridge and his cousin Elias Boudinot immediately traveled to Washington to meet and celebrate with the Cherokee delegation. They soon despaired once they realized that not only would the federal government refuse to implement the High Court's decision, but that their allies in Washington would offer no assistance either. They became convinced that their people would suffer less if they migrated away from white people and their unfaithful government.<sup>136</sup>

The first General Council held at Red Clay began on May 13, 1832 and lasted until mid-August (see Figure 2-7). One of the most contentious points, concerned how to conduct the 1832 election. As stated previously, the 1827 Cherokee Constitution required the Nation to hold elections for council and committee members every two

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<sup>134</sup> Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 84-87, 94.

<sup>135</sup> *Ibid*, 95-96.

<sup>136</sup> *Ibid*, 91-95; Julia Coates, *Trail of Tears* (Santa Barbara, CA: ABC-CLIO, LLC., 2014), 87-89.

years. Members of the General Council elected the principal chief every four years. The Georgia law prohibiting Cherokees to meet would certainly apply to elections as well. The National Council chose a committee of twenty-four out of the two hundred men present to establish a “Provisional Government, on the basis of the Constitution.” In the end they “determined on continuing in power the same Chiefs, the same members & Executive Council being the people’s last choice; and that they should continue, until elections could be resumed under the constitution. . .”<sup>137</sup> In other words, the council members and principal chief could keep their offices until such a time as an election might be held, presumably once their existential crisis ended.

Special Agent Elisha W. Chester presented a proposed removal treaty sent from Secretary of War Cass at the 1832 council meeting. The General Council rejected the treaty, even though the United States had withheld the annuity stipend owed to the Cherokee Nation and its citizens from previous treaties. By failing to make the annuity payment, the US government meant to pressure the Cherokee Nation into signing a removal treaty. In a letter to Secretary Cass from John Ross and other delegates regarding the General Council of May-August 1832, they told the Secretary that despite the duress of the Cherokee Nation, they would remain in their homeland.<sup>138</sup>

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<sup>137</sup> B.F Currey to Elbert Herring, Cherokee Agency East, May 23, 1835, U.S. Congress, Senate, Senate Document No. 120, Twenty-fifth Congress, Second Session, 396-370; Payne, Vol. I, 165; William R. Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee* (Nashville: Tennessee Historical Commission, 1975), 9-11; Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 97.

<sup>138</sup> Snell, *Annals of Red Clay Council Ground, Bradley County*, 12.



Figure 2-7. John Mix Stanley's *International Indian Council* depicts a council meeting held at Tahlequah, Indian Territory in 1843. This building is similar to descriptions of the Red Clay Council House. *Courtesy of Smithsonian American Art Museum, Gift of the Misses Henry.*

Those opposing the continuance of elected officials without an election included John Ridge and Elias Boudinot. According to F.L. Dancy, disbursing agent to the Cherokees, "This has caused the organization of a party, who are determined not to submit to the authority of the chief, &c. This party is increasing, and they are in favor of entering into a treaty, but they are not sufficiently strong to carry their point yet."<sup>139</sup>

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<sup>139</sup> B.F. Currey to Elbert Herring, Cherokee Agency East, May 23, 1835, 370; John Ross and George Lowrey to B.F. Currey, Red Clay Council Ground, May 16, 1835, U.S. Congress, House of Representatives, *Memorial and Protest of the Cherokee Nation*, House Document No. 286, Twenty-fourth Congress, First Session, 45.

Ridge may have hoped to run for elected office and the lack of elections ruined his chance to serve in a leadership role. The Ridge faction would come to be known as the Treaty Party, while most Cherokees called themselves the National Party.<sup>140</sup>

While the summer Council met, the State of Georgia sent surveyors throughout the Cherokee Nation within their state's boundaries. The surveyors divided the Cherokee lands into 160-acre lots (40-acre lots in the gold producing area) and recorded waterways, roads, buildings, and even certain trees. The state offered the lots in a land lottery beginning in the fall of 1832. White settlers poured into the Cherokee Nation and began evicting and displacing the Cherokees.<sup>141</sup>

The fall council meeting ran from October 10-31, 1832. John Ross hoped to bar discussion of a removal treaty, but the Council overrode his wishes. Again, Elisha Chester offered the Cherokee a removal treaty. The Council deliberated for several weeks regarding removal. In the meantime, council members overturned a law allowing white mechanics and teachers to come into the Nation, and elected judges. Eventually the General Council agreed to send a delegation to Washington to represent Cherokee interests to the federal government. This delegation consisted of Joseph Vann, Richard Taylor, John Baldridge, and John Ross.<sup>142</sup>

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<sup>140</sup> Thurman Wilkins, *Cherokee Tragedy: The Ridge Family and the Decimation of a People* (Norman, OK: University of Oklahoma Press, 1989), 243-44.

<sup>141</sup> Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 99-100.

<sup>142</sup> Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee*, 11-12; Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 101.

**-1833-**

The General Council met at Red Clay twice in 1833. They held the first meeting in May to hear the report of their delegation to Washington. The delegates had presented a document to Secretary of War Cass objecting to Indian removal and the withholding of their annuity. Cass replied that President Jackson wished to protect the tribes from white people and that only removal could save them.<sup>143</sup> A member of the small, but growing, Treaty Party objected to further delegation actions. The Council agreed to table the argument until its fall session. The meeting adjourned on May 20, 1833.<sup>144</sup>

The fall session began on October 14 and ended November 1. Ross reported on correspondence he had sent to President Jackson via the War Department. Ross had tried to persuade the president to leave the Cherokee in their homeland, and Jackson again argued that only removal west would allow the Cherokee to maintain their sovereignty.<sup>145</sup>

John Ridge organized a committee that argued against the delegations' method of treating with the United States. They instead suggested accepting a removal treaty. Despite Ridge's reasoning against it, the Council appointed another delegation to continue their efforts with federal officials in Washington, composed of John Ross, Richard Taylor, Daniel McCoy, Hair Conrad, and John Timson.<sup>146</sup>

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<sup>143</sup> Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee*, 14-16; Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 101-02.

<sup>144</sup> Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee*, 16.

<sup>145</sup> *Ibid*, 18; Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 102-04.

<sup>146</sup> Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee*, 19; Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 102-03.

In addition to the deliberations over the delegation, those interested in improving the Cherokee's state of being by abstaining from liquor formed the Cherokee National Temperance Society. They elected John Ross as their president and chose eight vice presidents, one from each district.<sup>147</sup>

**-1834-**

Convinced of the inevitability of removal, the Treaty Party sent their own delegation to Washington to negotiate a treaty during the first half of 1834. Members of the delegation included Andrew Ross (John Ross's brother), John West, James Starr, and T.F. Pack. The provisions they agreed upon included poor terms and no annuity for the tribe. When the delegation returned and presented their removal treaty to various people, members of the National party became incensed.<sup>148</sup>

The National Committee called a special council meeting on August 18. At the meeting, John Ross's delegation, appointed by the General Council in 1833, described its attempts to convince the Jackson administration and Congress to let the Cherokees remain in their homeland. Then they had a heated discussion about the treaty negotiated by the Treaty Party delegation. Council members Sleeping Rabbit and Richard Fields presented a petition and a motion, respectively, calling for the removal of John Ridge, Major Ridge, and David Vann from the General Council, though they delayed action on these measures. The Council adjourned on August 23.<sup>149</sup>

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<sup>147</sup> Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee*, 19.

<sup>148</sup> Ibid, 20-21; Payne, Vol. I, 145; Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 102-03.

<sup>149</sup> Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee*, 21-22; Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 103-04.

On his way home to the present-day Cleveland, Tennessee area from Red Clay, someone shot John Walker, Jr., a member of the Treaty Party. Despite the wound not appearing fatal, Walker consequently died a few days later. Though some thought James Foreman attacked Walker over a personal grudge, others remembered it as the first assassination of a Treaty Party member. President Jackson sent a message to John Ross and the Council stating that the federal government would hold them responsible for any other murders of Treaty Party supporters.<sup>150</sup>

The General Council held their regular meeting from October 13-November 3. They denounced Andrew Ross's negotiations. The Council also complained to the US Indian Agent, Hugh Montgomery, about the increasing number of white squatters near the Cherokee Agency, present-day Charleston, Tennessee.<sup>151</sup>

#### **-1835-**

Despite their condemnation by the General Council, the Treaty Party sent another delegation to Washington. They negotiated a treaty with US Commissioner John F. Schermerhorn, which allowed a \$3.25 million payment to the Cherokees for the ceding of all their lands east of the Mississippi and their removal to the west. A delegation sent by the National Party countered with a treaty that required \$20 million in compensation. In response, Schermerhorn agreed to a \$4.5 million payment.<sup>152</sup>

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<sup>150</sup> Payne, Vol. I, 183-84; Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee*, 22; James F. Corn, *Red Clay and Rattlesnake Springs* (Cleveland, TN: James Franklin Corn, 1959; reprinted, Cleveland, TN: Walsworth Publishing Co., Inc., 1976), 33-38.

<sup>151</sup> Payne, Vol. I, 146; Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee*, 23; Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 104.

<sup>152</sup> Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee*, 24; Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 105-06.

As stated previously, during this time the Georgia militia evicted John Ross's family from their home at Head-of-Coosa near present-day Rome, Georgia. Ross returned from his diplomatic mission to find his family living in a single or double-pen (one or two room) log cabin near Red Clay at Red Hill, Tennessee (present-day Flint Springs).

Although the primary accounts of this cabin emphasize its humbleness, by 1836 John Ross's estate at Red Hill included six houses, two corn cribs, a smokehouse, a blacksmith's shop, a detached kitchen, and an orchard of peach and apple trees.<sup>153</sup>

Once the delegates arrived back in the Cherokee Nation, the two factions planned competing council meetings to discuss the US's annuity payment. The Treaty Party arranged its meeting at Running Waters, Georgia, John Ridge's home, on May 4. The meeting started on May 5, but bad weather and high waters resulted in only around one hundred Cherokees attending. Ridge's meeting adjourned on May 6 with an agreement to postpone a vote on the annuity until July 20.<sup>154</sup>

The National Party held its council meeting at Red Clay from May 11-20, with approximately two hundred and fifty Cherokees present. Members passed a resolution that the federal government should pay their annual annuity to the treasurer of the Cherokee Nation, John Martin. The Council also rejected the terms of a treaty

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<sup>153</sup> Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 105; Moore, Vol. I, 147-48.

<sup>154</sup> Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee*, 24-25; Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 107; Coates, 102.

negotiated by the Treaty Party and agreed that John Ross should have the authority to do as he saw fit to benefit his people regarding removal.<sup>155</sup>

At the July 20<sup>th</sup> council at Running Waters, John Ross and others of his party attended, in addition to members of the Treaty Party, Commissioner Schermerhorn, and Agent B.F. Currey. Ross stated that he had no hard feelings toward John Ridge and that he meant to promote the best course of action for his people. John Ridge made a similar statement. He then consented to recognize Ross as principal chief if he would agree to the terms of the treaty the Ridge party had negotiated. Despite the words of appeasement, when Schermerhorn tried to speak to the people the following day, they became so unruly that he could not continue.<sup>156</sup>

Between 1,500-2,000 Cherokees attended the next council meeting which took place at Red Clay from October 12-30. The American author and diplomat, John Howard Payne appeared at this meeting with John Ross, his host. Payne hoped to record an ethnohistory of the Cherokee. His temporary residence in the Ross home gave Payne access not only to Ross and his papers, but to many other Cherokees, missionaries, and others who visited the chief.<sup>157</sup>

At the October meeting, a reconciliation occurred between the two parties. As part of the compromise between them, they agreed not to publish propaganda against

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<sup>155</sup> Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee*, 25-26; Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 107; Coates, 102-03.

<sup>156</sup> Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee*, 26-28; Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 107; Coates, 102-03.

<sup>157</sup> Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee*, 29-30; Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 107.

the opposing faction and that they would move the printing press for the *Cherokee Phoenix*, the Cherokee newspaper, to Red Clay. The Council had a building constructed for the printing press, but the Georgia Guard seized it before it could be brought from New Echota.<sup>158</sup>

The General Council then appointed John Ross, John Ridge, and eighteen other delegates to negotiate a removal treaty contingent upon a \$5 million payment by the United States. The Council determined that only a treaty made by the assigned delegation should bind them. The delegates met with Schermerhorn at Red Clay and agreed upon removal terms, but over 1,000 Cherokees voted to reject the treaty, including the Ridges.<sup>159</sup>

John Ross announced that the delegates would continue negotiations in Washington, but Schermerhorn declared that he intended to hold their next meeting at New Echota in December. Before he could leave for Washington, the Georgia Guard illegally crossed the state border and arrested Ross and his guest, John Howard Payne, at Ross's home at Red Hill on November 7. The Guard confiscated Ross's private papers and proceedings from the October council meeting. They detained Ross and Payne at Spring Place, Georgia without charges. After nine days, the Guard released Ross who quickly departed for Washington. The jailors released Payne after a fortnight. He

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<sup>158</sup> Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee*, 31-32; Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 107.

<sup>159</sup> Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee*, 30-33; Coates, 103-04.

returned to the Ross cabin where he wrote articles sympathetic to the Ross party's cause and detailing his illegal arrest.<sup>160</sup>

Schermerhorn continued with his plans to hold a council at New Echota. He announced the meeting at the October council at Red Clay. The commissioner also had announcements printed in Cherokee and circulated throughout the Nation on November 3. The council at New Echota met December 21-30. Schermerhorn presented the treaty provisions to the crowd of approximately 350-500 Cherokees. The people chose twenty men to serve as the negotiation committee. On December 29, 1835 the committee signed the removal treaty, known as the Treaty of New Echota.<sup>161</sup>

While the politicians fought with one another and tried to discern the best course of action for the Cherokee Nation, their people suffered. Like John Ross's family, a great deal of Cherokees who had resided on the Georgia side of the border, found themselves evicted from their homes. According to the July 3, 1835 account of the Moravian missionary, Heinrich Gottlieb Clauder, "A great many Indians live in that area, some of whom were driven out of Georgia and settled in Red Hill settlement, including also John Ross, head chief of the Nation, who lives very close to Doctor Buttler [sic]."<sup>162</sup>

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<sup>160</sup> Payne, Vol I, xvii; Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee*, 33; Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 107-08.

<sup>161</sup> *A Journal of the Proceedings of the Council held at New Echota, Georgia, December 21-30, 1835*, Senate Document No. 120, 513-515; Charles J. Kappler, ed., "Treaty With The Cherokee, 1835," *Indian Affairs: Laws and Treaties*, Vol. II (Washington, DC: Government Printing Office, 1904), 438-449; Starbuck, *Records of the Moravians among the Cherokees Volume 9: March to Removal, Part 5 'This Is Not My Home Any More,'* 4930; Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee*, 33-34; Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 107, 111-113; Coates, 103-04.

<sup>162</sup> Richard W. Starbuck, *Records of the Moravians among the Cherokees Volume 9: March to Removal, Part 5 'This Is Not My Home Any More,'* (Tahlequah, OK: Cherokee Heritage Press, 2020), 4966.

By the end of 1835, approximately two-thirds of Cherokees in Georgia found themselves homeless.<sup>163</sup>

### -1836-

On February 1, the General Council held a special meeting at Red Clay. The council members rejected the Treaty of New Echota on the basis that only the delegation selected at the October council had the authority to negotiate a treaty. The Council sent their resolution and petition to the delegation still in Washington. On February 29, the Washington delegation wrote to Secretary of War Cass explaining the circumstances under which the US commissioners and the Treaty Party had illegally signed the accord. Despite their efforts, the US Senate ratified the treaty by one vote on May 23, 1836. The treaty gave the 16,000 citizens of the Cherokee Nation two years to voluntarily migrate to Indian Territory.<sup>164</sup>

### **The Second Creek War & Its Aftermath**

The US government and white settlers continued to pressure the Creeks to move west. In the 1826 Treaty of Washington, the Creek Nation gave up nearly all their Georgia lands. As pressure to cede their remaining Georgia and Alabama lands increased, the Creeks negotiated the Cusseta Treaty, also known as the Creek Treaty, in

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<sup>163</sup> Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 100; Andrew Denson, *Monuments to Absence: Cherokee Removal and the Contest Over Southern Memory*, Kindle ed. (Chapel Hill: University of North Carolina Press, 2017), 27.

<sup>164</sup> Payne, Vol. I, 250-51; Kappler, ed., "Treaty With The Cherokee, 1835," 446; Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee*, 35-37; Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 112-15.

1832. Under this agreement, the Creeks ceded 5.2 million acres of land in Alabama. In return, they accepted an early form of land allotment of nearly 2.2 million acres of the Alabama cession, leaving 3 million acres open to white settlement. The treaty also gave individuals the opportunity to sell their allotted land to white settlers and accept land reservations in Indian Territory or to keep their allotment and become citizens of Alabama.<sup>165</sup>

The Lower Creeks displaced by the 1826 Treaty of Washington never really felt settled and as would happen later in the West, speculators and conmen cheated many Creeks out of their allotted land (see Figure 2-9). Jackson and his War Department had anticipated the theft and hoped it would encourage voluntary deportation. In the process, however, some Creeks became so indebted to their white oppressors that they essentially became enslaved. Many Creek citizens began seeking shelter with other Native peoples to avoid famine and financial exploitation.<sup>166</sup> As early as 1832, “a small village of Full Blooded Creek Indians,”<sup>167</sup> approximately fifteen families, lived in the Cherokee Nation as refugees. These immigrants joined other Creeks living in the Cherokee Nation since the end of the First Creek War (1813-1814). By December of 1835, the number of Creeks residing in Cherokee country had grown to approximately 2,500.<sup>168</sup>

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<sup>165</sup> Charles J. Kappler, ed., “Treaty With The Creeks, 1832,” 341-43; John T. Ellis, “‘Like So Many Wolves’: Creek Removal in the Cherokee Country, 1835 – 1838,” *The Journal of East Tennessee History* 71 (1999): 1-2; John T. Ellis, *The Second Creek War: Interethnic Conflict and Collusion on a Collapsing Frontier*, (Lincoln, NE: University of Nebraska Press, 2010), 48-49; Purdue and Green, *The Cherokee Nation and the Trail of Tears*, 51.

<sup>166</sup> Ellis, “‘Like So Many Wolves,’” 4-5; Ellis, *The Second Creek War*, 136-37; 162, 194-95; Haveman, *Rivers of Sand*, 133.

<sup>167</sup> Haveman, *Rivers of Sand*, 32.

<sup>168</sup> *Ibid*, 177; Ellis, “‘Like So Many Wolves,’” 5-6; Ellis, *The Second Creek War*, 160.



Figure 2-8. *Chiefs of the Creek Nation, & A Georgian Squatter* by Captain Basil Hall, c. 1828. *Courtesy of Alabama Department of Archives and History.*

The pressure inside the Creek Nation eventually exploded into armed conflict, known as the Second Creek War. In early May 1836 a band of dispossessed and desperate Lower Creeks attacked white settlers in their Alabama territory, killing the intruders and confiscating their property. They shut down the Federal Road through Creek country and attempted to close steamboat traffic on the Chattahoochee River along their eastern border. The warriors then crossed the river and attacked plantations and militia posts in southwest Georgia. According to John T. Ellis, a leading scholar on

the Second Creek War, the Lower Creeks tried to connect with the Seminoles in Florida who were at war with the United States to avoid their own removal.<sup>169</sup>

Though the Creeks had not signed a removal treaty, President Andrew Jackson used the Second Creek War as an excuse to expel the entire Creek Nation. Lower and Upper Creek refugees poured into the Cherokee Nation, while others sought refuge with the Chickasaws and Seminoles.<sup>170</sup>

Many Americans, especially those audacious enough to already be living in Cherokee country, feared that the Creeks and Cherokees would unite and attack white settlers. Given the timeline of events, namely the Senate's ratification of the Treaty of New Echota and the beginning of the Second Creek War in May 1836, their suspicions were understandable.<sup>171</sup> In a threatening letter to John Ross on June 13, 1836, a fierce advocate for removal, Colonel A.R. Turk of Calhoun, Tennessee stated:

. . .there is now at Red Clay 80 Creeks waiting your arrival [sic] to say to them what course they are to pursue [sic]. I am at a loss to know how those Creeks should be hanging to your skirts so strong unless you have a preconcerted plan of war in your head. And now sir in order to preserve peace if possible I inform you that the very first aggression on the white settlers that your blood shall pay the debt as the first object.<sup>172</sup>

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<sup>169</sup> Ellisor, "Like So Many Wolves," 1-5; Ellisor, *The Second Creek War*, 191-93; Haveman, *Rivers of Sand*, 180-84.

<sup>170</sup> Ellisor, "Like So Many Wolves," 1-5; Ellisor, *The Second Creek War*, 191-92; Haveman, *Rivers of Sand*, 133.

<sup>171</sup> Ellisor, "Like So Many Wolves," 5-6; Ellisor, *The Second Creek War*, 161; Haveman, *Rivers of Sand*, 135.

<sup>172</sup> A.R. Turk, "Letter from A.R. Turk to Chief John Ross," *Gilcrease Museum*, June 13, 1836 (Tulsa, OK: Thomas Gilcrease Institute of American History and Art), <https://collections.gilcrease.org/object/4026248> (accessed June 10, 2020); Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee*, 36-37.

On the same day, Turk wrote to President Jackson and claimed that “Creeks, well-armed and supplied with fine cattle, had taken up residence around the Cherokee council grounds at Red Clay, Tennessee.”<sup>173</sup>

Not only were white settlers afraid of a union between the Creeks and Cherokees, they also lived in dread of enslaved people and free Black people allying with the Native nations to free themselves of their white oppressors. According to John T. Ellisor:

To head off a possible black Indian alliance in its state, the Georgia legislature tightened restrictions on slaves and free persons of color to severely limit their contact with Natives. At the same time, state newspapers cautioned against the purchase of slaves from Indians, as those blacks had suffered few restrictions from their Native owners and had imbibed dangerous notions of freedom and insurrection.<sup>174</sup>

Despite the fear of Native Americans and Blacks, the Cherokees did not make war against the United States nor did any white settlers suffer unprovoked attack in Cherokee country.

White people determined not to let the Creeks leave Alabama until the settlers had drained the Creeks of every possible economic resource. They hindered the Creeks who succumbed to the pressure to migrate west. To facilitate Creek removal, the US government contracted emigration companies to escort, transport, feed, and supply the Creeks on their journey to Indian Territory. Five voluntary detachment parties consisting of approximately 3,500 Creek citizens removed west of the Mississippi between 1827

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<sup>173</sup> United States Congress, *Senate Documents*, 25 Cong., 2 Sess., no. 120, “Cherokee treaty of 1835,” 511, 524.

<sup>174</sup> Ellisor, *The Second Creek War*, 162-63; Ellisor, “Like So Many Wolves,” 6.

and the beginning of 1836. Perhaps another 150 Creeks voluntarily immigrated without help or reimbursement from the federal government. However, the opening of hostilities ended the era of voluntary removal for the Creeks.<sup>175</sup>

Secretary of War Cass called up state troops to address the Indian threats, both real and imagined. On July 7, 1836, 1,550 East Tennessee militia troops gathered at Athens, Tennessee under the command of Brigadier General Richard G. Dunlap. Dunlap's brigade then joined Brigadier General John. E. Wool, who assumed command of the military operation in the Cherokee Nation, and his small contingent of federal troops. Cass ordered Wool to issue rations to needy Cherokees, keep the Cherokee from taking up arms, and contact Generals Thomas Jesup and Winfield Scott, who were subduing the Creeks to the south, to inform them of his activities in the Cherokee Nation. According to John T. Ellisor, "At that point, what had been fairly separate efforts by the government to pacify and remove the two Indian nations, Creeks and Cherokees, started to tie together, become intricately bound, one influencing the other."<sup>176</sup>

Wool then sent regiments to the Valley River and Ross's Landing to issue rations and assuage violent resistance to the Treaty of New Echota. He told his men to use the example of the military's incursion against the Creek warriors to keep the Cherokees from committing violence. Wool also ordered his officers to capture any Creek refugees

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<sup>175</sup> Payne, Vol. II, 289-90; Ellisor, "Like So Many Wolves," 4-5; Ellisor, *The Second Creek War*, 119, 122, 305; Haveman, *Rivers of Sand*, 148, 209; Vicki Rosema, *Voices from The Trail of Tears* (Winston-Salem, NC: John F. Blair, Publisher, 2003), 26.

<sup>176</sup> Ellisor, "Like So Many Wolves," 7.

they encountered in the Cherokee Nation. For those Cherokee in the Valley River area who tried to protect the Creek, Wool ordered their detainment as well.<sup>177</sup>

After the military and their Upper Creek allies defeated the Creek rebellion, Jackson and Cass began having all the Creeks removed. Knowing that great numbers had fled into the Cherokee Nation, Jesup charged Major Charles H. Nelson along with several companies of Georgia troops to hunt Creek refugees in the Cherokee country of Georgia and Alabama. He also ordered General Andrew Moore and his Alabama militia to Gunter's Landing to round up Creeks in that area and confine them at the emigration depot. Jesup then left Alabama for Florida where he took command of the Seminole War, leaving Wool in charge of Nelson and Moore.<sup>178</sup>

After realizing the illegality of the Treaty of New Echota, Wool may have believed that his principal role in Cherokee country to protect Native people from the abuse of white settlers and troops. He set about easing tensions between the Cherokees and the Georgia militia stationed at Rome, Spring Place, and Canton, in order to avoid an uprising. Wool ordered the release of forty to fifty illegally confined Creeks and Cherokees, some in chains, at New Echota. He also decided that in order to keep the peace, the military should not harass the Creek residing among the Cherokee. However, Major Nelson threatened to arrest any Cherokee who sheltered Creeks and charge them with treason, a hangable offense. Wool attempted to temper Nelson's zeal by ordering

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<sup>177</sup> Ibid, 8; Ellisor, *The Second Creek War*, 276-77.

<sup>178</sup> Ellisor, "Like So Many Wolves," 12; Ellisor, *The Second Creek War*, 287-88.

him not to imprison Cherokees or Creeks adopted by Cherokees in the concentration camps and not to separate Cherokee-Creek families.<sup>179</sup>

Wool complained of the offenses perpetrated by the Americans under his command to his superiors in Washington. In October 1836, the Acting Secretary of War, C.A. Harris, wrote that the Creeks residing among the Cherokee before the 1832 Cusseta Treaty could remain in the Cherokee Nation. However, the military should immediately remove those Creeks who had moved there afterwards.<sup>180</sup>

### **Red Clay Councils: Fall 1836-1837**

#### **-1836 Continued-**

Tensions ran high throughout the spring and summer of 1836. In an effort to prevent an Indian uprising, Wool ordered troops to take up “a position at or near the Council ground at Red Clay in Tennessee” and that the quartermaster take twenty days’ rations for three hundred men to the Red Clay Council Ground for the September 15, 1836 meeting.<sup>181</sup> This military camp lay “within a quarter mile of the council-ground.” Wool reported that at least 3,000 Cherokee attended the meeting, and noted, “I can only look on and guard against any disturbances which might grow out of so large an

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<sup>179</sup> Ellisor, “Like So Many Wolves,” 12-15; Ellisor, *The Second Creek War*, 322, 336-39.

<sup>180</sup> Ellisor, “Like So Many Wolves,” 15; Haveman, *Rivers of Sand*, 249-50.

<sup>181</sup> *General Order of Brigadier General John E. Wool, New Echota, September 1, 1836*, Chiliab Smith Howe Papers, Microfilm No. 192-95 in Georgia Archives, Atlanta, Original in Southern Historic Collection, University of North Carolina, Chapel Hill; Payne, Vol. II, 246-49; Snell, *The Councils at Red Clay Council Ground, Bradley County, Tennessee, 1832-1837*, 9; Snell, *Annals of Red Clay Council Ground, Bradley County, Tennessee*, 40-41.

assemblage of Indians.” At this meeting, the Council proclaimed the Treaty of New Echota null and void.<sup>182</sup>

A.H. Smith, who enlisted in Virginia and served in southeast Tennessee in 1836, kept a diary of his time serving in the Cherokee Nation. According to Smith’s diary:

Left Camp Payne the 10<sup>th</sup> of September [1836]. Got to Red Clay the 11<sup>th</sup>. Indian Council commenced the 15<sup>th</sup>. Ended The [sic] 29<sup>th</sup>, Captain McClelland and thirty of the men started to Camp Scott to take some Creek prisoners to Gunter’s Landing for emigration.. [sic] Left Red Clay the 7<sup>th</sup> of Octobe [sic] returned to Camp Payne the 8<sup>th</sup>.

**-1837-**

Meanwhile General Wool appointed Lieutenant Edward Deas, upon his return from escorting the last voluntary detachment of Creeks to the west, superintendent of Creek removal in the Cherokee Nation. In March 1837 Deas inspected 150 Creeks held by soldiers at Warrenton, Alabama, near Gunter’s Landing in Cherokee country. He then traveled to New Echota where he learned that the largest concentrations of Creeks were at Red Clay, Coosawattee, the Valley River valley, and the mountains of western North Carolina.

Deas deployed Major John Delany to gather the Creeks at Red Clay and conduct them to join those already held near Gunter’s Landing. According to a letter written by Captain John Hembree on April 26, 1837, “I was informed the[re] was about Two hundred [Creeks] in the Neighborhood of Red Clay. . .”<sup>183</sup> The Creeks had apparently

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<sup>182</sup> U.S. House of Representatives, *The Proceedings of the Court of Inquiry in the case of Brevet Brigadier General Wool*, 25<sup>th</sup> Congress, 1<sup>st</sup> Session, 1837, H. Doc. 46, 55-56, <https://books.google.com/books?id=BzoLAAAAYAAJ> (accessed February 2, 2019).

<sup>183</sup> Joel Hembree, “Letter from Hembree to Tedder,” April 26, 1837, Tedder papers, Correspondence, III-G-1, Folder 14, TSLA.

heard of their impending removal, because by the time the troops arrived many of them had gone into hiding. Delany's men searched the area. One detachment happened upon a small Creek camp almost by accident. Many of the refugees ran, but some attempted to hold off the pursuers.

. . . [O]ne of the Detachments was Commanded by Ensign Cooper[.] [O]n his Coming up to one of ther Camps part of the Endians made Battle the Ballance Ran. He fired one of thier [sic] Rifles at one of our men & one snapt at Lackin Boling[.] Boling had his gun to his face & wo[u]ld have shot the Endian in a second had he not Drop[p]ed his gun & threw up his hands & gave signs he had surrendered[.] [O]ne of them shot three Arrows at Ensign Cooper and in the act of Shooting the fourth when Samuel Owings Shot him Down & while shooting his arrows he was yelling & Calling on the Balance to Return & fight he lived two Days & Dyed of the wound the next Day.<sup>184</sup>

As the military marched their captives away, the Moravian missionary Heinrich Gottlieb Clauder passed them on his way from the Brainerd Mission to the Red Clay Mission a half-mile north of John Ross's home. Once he arrived, Clauder and Dr. Elizur Butler, the ABCFM missionary and medical doctor, learned about the wounded Creek. The next day, April 5, the military commander requested Dr. Butler to tend the man's wounds. Clauder described the Creek camps, "[a]bout a mile from the mission we passed some of the Creek camps, which were miserably covered with pine & chestnut bark & stood a few yards from a frog pond, the croaking inhabitants of which had afforded subsistence to these wretched beings."<sup>185</sup> After traveling two more miles, they

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<sup>184</sup> Ibid.

<sup>185</sup> Starbuck, *Records of the Moravians among the Cherokees Volume 9: March to Removal, Part 5 'This Is Not My Home Any More,'* 5061.

found the wounded man surrounded by his family. Dr. Butler extracted the ball and later that evening, the soldiers took the Creek man to their quarters where he later died.<sup>186</sup>

Creek headmen living at Red Clay mentioned the brief skirmish in a letter they wrote to John Ross a few months later to ask for asylum. In the letter they stated:

While living here, we planted corn in the season but the white man destroyed it, and took away much of our other property. In this bad treatment two of our men were killed, one man shot through the thigh and arm and three children lost in the flight of their mothers and have not been found. . .<sup>187</sup>

The military detained 545 Creeks during these actions, and brought them to Gunter's Landing by May 10, 1837. Though some Creeks still resided in the Cherokee Nation, Deas decided it was best to deport the few hundred that the military had already captured. Deas chose to remove the Creek detainees by the water route down the Tennessee and Mississippi Rivers, then up the Arkansas River to Fort Gibson in Indian Territory.

Colonel William H. Lindsay had replaced Wool by the time Deas returned to the Cherokee Nation. Deas and Lindsay agreed that in order to extract the remaining Creeks from their mountain refuge they had to get the cooperation of the Creek and Cherokee leaders. Lindsay met with John Ross. Afterwards Lindsay wrote a letter to the Council that alternated threats and sympathy in an effort to convince the council members to turn over the Creeks peaceably. Despite the threats of a military incursion that could

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<sup>186</sup> Ibid, 5061-5062.

<sup>187</sup> "Letter from Creeks Residing in Cherokee Nation to Chief John Ross," 4026.463, August 12, 1837 (Tulsa: Gilcrease Museum, 2017) <https://collections.gilcrease.org/object/4026463> (accessed July 9, 2020).

harm Cherokee citizens, the Council chose to show compassion to the Creek refugees.

The Council responded to Colonel Lindsay as follows:

The General Council of the Cherokee Nation have had the subject matter of Col. William Lindsay's communication, respecting certain Creek Indians under consideration. . . The Authorities of the Nation have every disposition to communicate to these people the views and determination of the United States Govt. respecting them But, cannot take any steps, to lend their aid to any compulsory measure for removing the Creeks out of the limits of the Cherokee Nation. The long established intercourse between them, the usages and laws under which they came into this nation, together with the feelings of humanity, when their unfortunate situation is considered, in connection with the peculiar condition of our own affairs, all forbid it. Therefore Resolved, that the Principal Chief. . . he is hereby requested to ascertain fully the views and determination of the U[nited] States Govt from their agents respecting the Creeks in this Nation and to take steps for communicating the same for their information as early as practicable, also inform them that the Cherokee Nation cannot protect them in their residence here, Should the Power of the U[nited] States Govt be exerted against them. . .<sup>188</sup>

After Ross spoke with the Creeks as the Council requested, the Creek headmen wrote a response to the letter quoted above. They responded: "We have listened to your talk. You say the officer of the United States wishes us to go to the West. We are sorry to hear this talk. Our minds are troubled. We do not want to go to the West, unless the Cherokee go there too. . ." <sup>189</sup> In the end, the military officials decided to leave the Creeks alone and later remove them with the Cherokee.

As stated previously, Georgia squatters had caused a serious homeless problem among the Cherokee by 1835. Tennessee squatters had likewise encroached on the

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<sup>188</sup> "Resolution of General Council to Affect that the Cherokee Nation Cannot Aid in the Roundup of Creeks," 4026.476, John Ross Papers, August 10, 1837 (Tulsa: Gilcrease Museum) <https://collections.gilcrease.org/object/4026476> (accessed February 11, 2021).

<sup>189</sup> "Letter from Creeks Residing in Cherokee Nation to Chief John Ross," August 12, 1837.

fertile valley known as the Red Clay Council Ground by 1837. According to Brother Clauder:

The Council was at a new place, the old one having gone into possession of white people. There were about 25 public camps where provisions were served up twice a day for the people. All around there were bark or cloth tents or encampments around which a great number of ponies were grazing while upon every sapling & tree were hung packs – saddles, blankets, & effects of the visitors.<sup>190</sup>

In the same account, Clauder stated that the Council met two miles from the Red Clay Mission. In an August 7, 1837 letter written from the Red Clay Mission, Dr. Elizur Butler, confirmed that “[t]he council this season is two miles from us.”<sup>191</sup> Clauder also recounted that these the new camps had a small stream flowing past and that the “Council house & stand for public speakers were on a high hill in front of the public cooking establishments. Dry goods shanties were also erected, in some of which, the violin, in the hands of merry players drew many listeners & spectators.”<sup>192</sup> From the stand at the Council House, John Ross read the letters from Colonel Lindsay to the Council regarding the Creeks and the Creeks’ reply, as well as the delegation’s report of their latest trip to Washington.<sup>193</sup>

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<sup>190</sup> Starbuck, *Records of the Moravians among the Cherokees Volume 9: March to Removal, Part 5 ‘This Is Not My Home Any More*, 5109.

<sup>191</sup> Ibid; “Letter from Dr. Elizur Butler to Rev. David Greene,” August 7, 1837, ABC 1.3: *Letters to Missionaries to the Indians*, American Board of Commissioners for Foreign Missions Archives, ABC 18.3.1. V.7. #123, Houghton Library, Harvard College Library; “Letter from Dr. Elizur Butler to Rev. David Greene,” August 7, 1837, MS 50, Folder 15, Dr. William R. Snell Collection, Bradley Cleveland Public Library History Branch and Archives.

<sup>192</sup> Henrich Gottlieb Clauder, *Travel diary (report) by Henry G. Clauder of his first visit among the Cherokee in Bradley County, Tennessee*, August 3, 1837, Records of the Moravian Missions to the American Indians, Moravian Archives, Bethlehem, Pennsylvania, 192.9-192.10.

<sup>193</sup> Ibid.

As stated previously, the English geologist George Featherstonhaugh attended the 1837 gathering. He rented a cabin from a Cherokee man who likely had cabins constructed precisely to lease out for council meetings. Featherstonhaugh expressed dismay that builders had not chinked the logs, so people curious about the Englishman could look through the logs to watch him. In his account of the event, Featherstonhaugh corroborated Clauder's description of poor families sleeping in simple tents. Torrential downpours dispersed the meeting much sooner than expected. The rain rendered Featherstonhaugh's meager cabin and the tents of hundreds of people useless, leaving them exposed to the elements. Featherstonhaugh retreated to more comfortable accommodations at the Moravian mission at Spring Place, leaving his temporary neighbors to suffer.<sup>194</sup>

No records of squatters have surfaced describing what happened at the Council Ground – whether they moved into Cherokee improvements or destroyed them. However, the Cherokee may have lost access to many of the ninety-one log buildings at the Red Clay Council Ground and along Council Ground Creek documented in the 1836 property valuations.

While researching material for his book, *The History of Chattanooga*, at the turn of the twentieth-century, Henry M. Wiltse interviewed men who had served in the local area in the years leading up to and during removal. One of the men Wiltse interviewed,

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<sup>194</sup> George W. Featherstonhaugh, *A Canoe Voyage Up the Minnay Sotor, with an Account of the Lead and Copper Deposits in Wisconsin; of the Gold Region in the Cherokee Country; and Sketches of Popular Manners; &c. &c.*, Vol. 2 (London: Richard Bentley, 1846), 244-46.

John A. Barnard, enlisted in the militia at Athens, Tennessee on July 4, 1836. According to Wiltse:

Sergeant Barnard was detailed to Col. Byrd to take a guard of six or seven men to the Council at Red Clay. . . for the maintenance of peace. About five thousand Indians were assembled there. Sergeant Barnard saw Chief John Ross whom he described as having been, as he judged, over six feet in height and homely. Chief Ross was opposed to the Ridge policy of “signing away” title to the Ocoee Purchase. The decision at this council regarding evacuation of the territory was that it should be done peaceably.<sup>195</sup>

Although they had decided to offer no violent resistance, the General Council sent one last delegation to Washington to plead their case. This last effort to remain on their ancestral land ultimately failed.<sup>196</sup>

### **Round-Up & Removal**

The Cherokee knew that if they had not voluntarily removed west by May 23, 1838 that the military would violently expel them from their homes and homeland. The majority of the people chose not to prepare, thinking that compliance would signal acceptance of the Treaty of New Echota. On May 28, 1838, the U.S. Army began forcibly rounding up Cherokees. The Army moved their captives to “removal forts,” otherwise known as concentration camps, in Tennessee, Georgia, and Alabama. Dr. Elizur Butler discovered several hundred Cherokees had fled Georgia and had camped at the Red

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<sup>195</sup> Henry M. Wiltse, Manuscript, *History of Chattanooga* (Chattanooga Hamilton County Bicentennial Library, 1916), 33-34.

<sup>196</sup> Snell, *The Councils at Red Clay Council Ground, Bradley County, Tennessee, 1832-1837*, 10-11.

Clay Council Ground on June 4. He also noted that a military camp had set up approximately one mile from the Council Ground.<sup>197</sup>

The soldiers herded thousands of Cherokees to the emigration depot at Ross's Landing and the Cherokee Agency at Fort Cass. Whether more refugees came to Red Clay on their own or the Army brought them there, the numbers of Cherokee, Creek, and their enslaved people of African descent detained at the Council Ground quickly rivaled those who attended council meetings. On June 10, General Nathaniel Smith, the superintendent in charge of Cherokee removal, wrote to Colonel Lindsay at Red Clay:

Of Cherokee immigrants, there are now assembled at this place over 2200, and 500 more are within the distance of one or two miles. I very respectfully enquire of you whether it would not be best "to suffer the 2,000 now at Red Clay Council Ground" to remain there a short time where they can be comfortably sheltered and provisioned.<sup>198</sup>

*View of Posts & Distances in the Cherokee nation, to illustrate Maj. Genl Scott's operations, in 1838,*<sup>199</sup> otherwise known as the *Keyes Map* (see Figure 2-9), depicts a fort at Red Clay. One might think that only soldiers stayed in the fort, as they likely did at Ross's Landing, with the Cherokee awaiting deportation camped around their stockade.<sup>200</sup> However, on July 2, Moravian missionary Johann Renatus Schmidt wrote,

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<sup>197</sup> Starbuck, *Records of the Moravians among the Cherokees Volume 9: March to Removal, Part 5 'This Is Not My Home Any More*, 5062-63, 5072, 5149-50; Brian Butler, "The Red Clay Council Ground," 145; Coates, 108-09.

<sup>198</sup> *Nathaniel Smith to Colonel Lindsay, June 10, 1838*, The King Research Collection: Trail of Tears, #2009.003.0935, Museum of the Cherokee Indian Archives, Cherokee, NC.

<sup>199</sup> Erasmus Darwin Keyes, "View of Posts & Distances in the Cherokee nation, to illustrate Maj. Genl Scott's operations, in 1838," Record Group 75, Central Map File CA96, National Archives and Records Administration.

<sup>200</sup> Lawrence S. Alexander, R. Bruce Council, and Marry M. Hays, *Phase I Archaeological Survey of the 21<sup>st</sup> Century Chattanooga Waterfront Project Area, North of Riverfront Parkway, Hamilton County, Tennessee* (Chattanooga: Alexander Archaeological Consultants, Inc., 2002), 29.



Clay and Cleveland will be immediately concentrated at or within a mile around the old Indian Camp ground. . .” According to a medical report for the period from July 17 – August 17, 1838, the Cherokee camp at Red Clay was “a detachment of Camp Ross” and still had Cherokees awaiting removal.<sup>202</sup> The report lists several illnesses contracted by the detainees at Red Clay and Camp Ross (modern-day Cleveland, Tennessee), as well as the number of those treated by the military medical staff and how many died. It is not known how many specifically died while interned at Red Clay, but their families and friends likely them buried there.

In an oral history interview conducted by park personnel in 1980, Tom Clayton, whose family lived in the Red Clay area for over a century, stated that a mound containing the remains of those who died in the concentration camp once stood near the entrance to the present-day park. At some point the landowner leveled the mound, presumably for farming purposes, and found human bones.<sup>203</sup> Whether the mound truly contained remains of removal-era Cherokees or perhaps earlier inhabitants is unknown.

Sometime after August 17, 1838, the military moved the refugees encamped at Red Clay to one of the emigration depots, likely Blythe’s Ferry. They eventually joined their countrymen on the Trail of Tears. According to spoliation claims filed by the Cherokee and Creek who made it to Indian Territory and Moravian missionary records, it

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<sup>202</sup> *100 – Red Clay extensions of Camp Ross*, n.d., The King Research Collection: Trail of Tears, # 2009.003.3067, MCI.

<sup>203</sup> Tom Clayton, interviewed by Leslie Parton, August 1980, RCSHPA.

appears as if they did not travel in one group. Those who lived at or near Red Clay appear to have traveled in several detachments.<sup>204</sup>

A witness to the Benge detachment crossing the White River near Talbert's Ferry in Marion County, Arkansas, wrote a first-hand account of the event over sixty years after it occurred. This account illustrates the endurance and perseverance of the Cherokee and the Creek who shared their suffering. Enslaved people of African descent likely accompanied them and suffered the same fate. In his weekly column in *The Mountain Echo*, the Honorable W.B. Flippin stated:

About the year 1839 or 40, a large detachment of Indians came through this county, said to be about three thousand men, women and children, moving west. They were Cherokees and Creeks. I am not certain as to the time, as there has been at least two moves, for some refused to go with the first immigration. Many of the Cherokees were well dressed and riding good horses; fine looking men, from their appearance I judged them to be half breeds, while the majority many of them were poorly clad. Some of the women only having blankets wrapped around them, several carrying papooses wrapped in a blanket or some kind of cloth and fastened to the back of their mothers. Seeing so many, I wondered that I did not hear a scream from a single papoose. . . It was winter when they came to White river [sic], ice was frozen over along the banks of the river. As I was to assist the ferryman in setting the host across the river, in a very ordinary ferry boat with two oars to row with. Instead of their stopping to make terms to cross the river in the ferry boat, they never pretended to halt, but waded across the river, women and men, all except the few who had horses or carriages. They did not pretend to let the women who had papooses ride. It reminded me of a drove of cattle crossing a stream. The river was unusually low at the time but it was over 200 yards wide. . . They camped shortly after crossing the river, and built up fires and remained all night.<sup>205</sup>

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<sup>204</sup> 100 – *Red Clay extensions of Camp Ross*; Starbuck, *Records of the Moravians among the Cherokees Volume 9: March to Removal, Part 5 'This Is Not My Home Any More*, 5190; Marybelle W. Chase, compiler, *1842 Cherokee Claims: Goingsnake District*, Ah ne yo hee a (Creek woman), No. 367 (Colcord, OK: Talbot Library and Museum, 2008); Marybelle W. Chase, compiler, *1842 Cherokee Claims: Tahlequah District*, Jane Maning widow of Thomas Maning (Colcord, OK: Talbot Library and Museum, 2008), 32-33.

<sup>205</sup> W. B. Flippin, "Early History of Marion County," *Mountain Echo*, Yellville, Arkansas, June 30, 1899.

### CHAPTER III: SETTLER TRANSFORMATIONS

Once the federal government forced the Cherokee, their enslaved people of African descent, and their Creek family and guests to emigrate to Indian Territory, the States of Tennessee and Georgia divided the land into land lots. Tennessee sold their lots as land grants, while Georgia held land lotteries for any white person who had lived in the state at least three years. Almost immediately, settlers established the town of Red Clay, Georgia. The owners of the land that now makes up Red Clay State Historic Park did not live there, however they did farm it. Eventually the East Tennessee & Georgia Railroad laid tracks through Red Clay. During the Civil War, the railroad corridor that ran through Red Clay became vital to the efforts of both armies. This chapter will explore the ways in which settlers changed the Council Ground into a small rural town that became strategically important during the Civil War.

After the military forced the Cherokees from their Tennessee land (called the Ocoee District), the State of Tennessee divided the land into 160-acre lots that it then sold through a land-grant system. The state sold the land that now makes up Red Clay State Historic Park in two land grants (see Figure 3-1). Frank Kincannon and John D. Traynor purchased one land grant on July 30, 1841.<sup>206</sup>

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<sup>206</sup> Brian Butler, "Letter from Brian Butler to James F. Corn," April 8, 1976, Red Clay File (40BY20) Correspondence, Tennessee Department of Conservation Division of Archaeology.

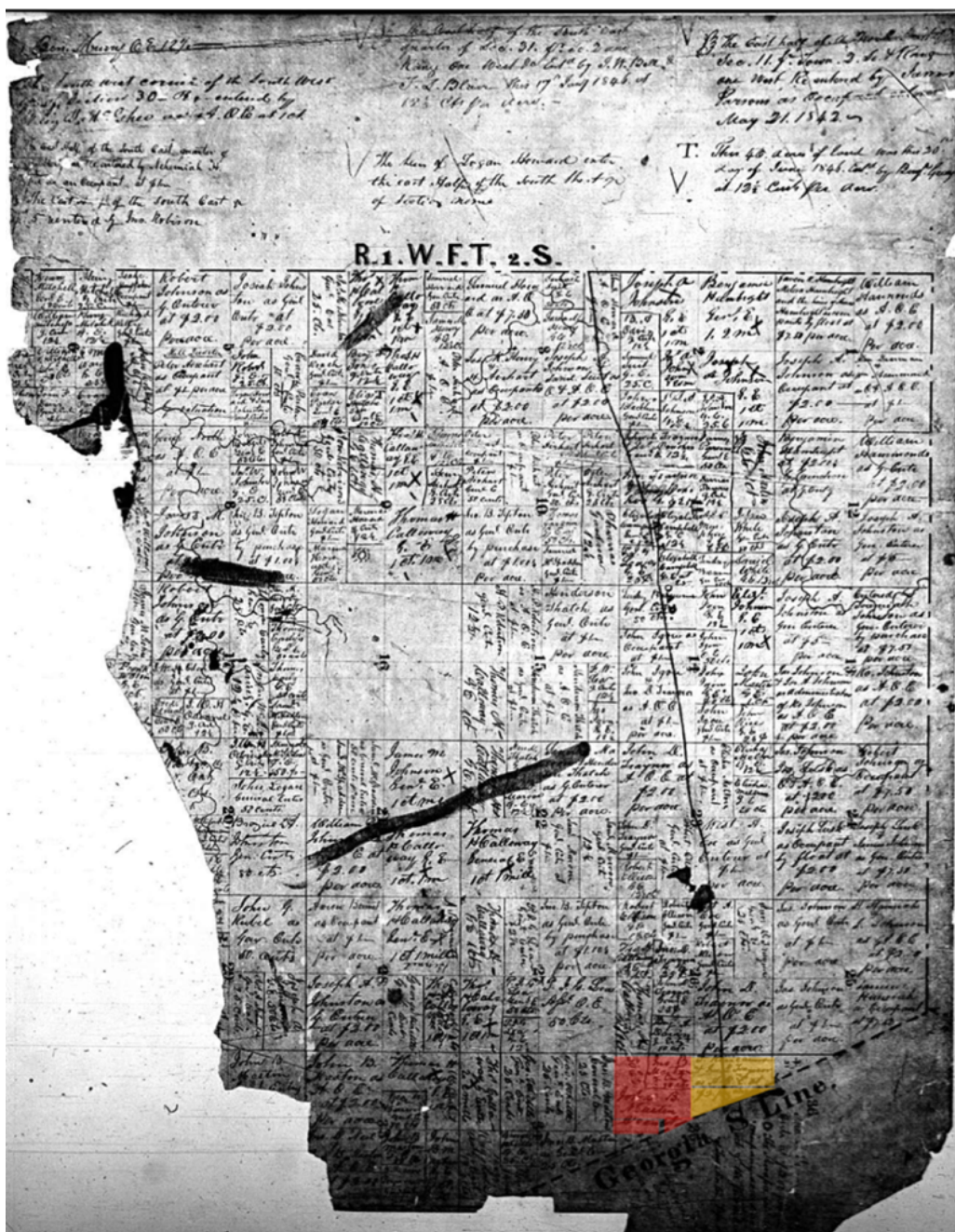


Figure 3-1. Range 1 West, Fractional Township 2 South of the Ocoee District. Note the vertical line representing the proposed route of the Hiwassee Railroad. The red highlighted parcel of land was purchased by John B. Marston in 1839 and the yellow highlighted parcel by Frank Kincannon and John D. Traynor in 1841. Courtesy of Tennessee State Library and Archives. Modified by author.

Francis “Frank” Kincannon (c.1803-1846)<sup>207</sup> was born in Virginia to George and Ann Scott Kincannon. It appears that Frank lived in Bradley County, Tennessee, as early as 1836, when he was elected the first Register of Deeds for the county, a position he maintained until his death in 1846. He purchased several tracts of Ocoee District land between 1839-1840, including the parcel that would eventually make up a significant portion of Red Clay State Historic Park. Kincannon did not enjoy his land very long, as he died on October 1, 1846, and his family buried him at the City Cemetery (present-day Fort Hill Cemetery) in Cleveland, Tennessee. Whether John Traynor purchased Kincannon’s share of the property before his death is unknown; however, the land the two men purchased together was eventually known as the “Traynor land.”<sup>208</sup>

### The Traynors

John D. Traynor, Sr. (1803-1851)<sup>209</sup> immigrated from Ireland at the age of fourteen, along with his family. His father was a lawyer who established a law practice in

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<sup>207</sup> Findagrave.com, “Francis Kincannon,” record added July 20, 2009, <https://www.findagrave.com/memorial/39662695/francis-kincannon> (accessed August 17, 2018).

<sup>208</sup> Roy G. Lillard, ed., *The History of Bradley County* (Cleveland, TN: Bradley County Chapter, East Tennessee Historical Society, 1976), 33 and 431; John M. Wooten, *A History of Bradley County* (Cleveland: Bradley County Post 81, American Legion, 1949), 28; Ancestry.com, *Tennessee, Early Land Registers, 1778-1927*: F Kincannon College Land, grant no. 587 (August 3, 1839) [database on-line], (Lehi, UT: Ancestry.com Operations, Inc., 2016); Ancestry.com, *Tennessee, Early Land Registers, 1778-1927*: F Kincannon, grant no. 822 (August 3, 1839) [database on-line], (Lehi, UT: Ancestry.com Operations, Inc., 2016); Ancestry.com, *Tennessee, Early Land Registers, 1778-1927*: F Kincannon, grant no. 2089 (February 5, 1840) [database on-line], (Lehi, UT: Ancestry.com Operations, Inc., 2016); Ancestry.com, *Tennessee, Early Land Registers, 1778-1927*: F Kincannon, grant no. 2107 (February 5, 1840) [database on-line], (Lehi, UT: Ancestry.com Operations, Inc., 2016); David Johnson, *Ocoee District Land Grant Map of Southeast Tennessee – R.1.W.F.T.2.S.* [http://www.tngenweb.org/marion/archive/deeds/Ocoee/Ocoee\\_plats/pgs/0008.jpg](http://www.tngenweb.org/marion/archive/deeds/Ocoee/Ocoee_plats/pgs/0008.jpg) (accessed July 22, 2018); Findagrave.com, “Francis Kincannon;” *Deed of Sale from J.F. Weatherly to J.D. Riddle, January 27, 1912, Bradley County, Tennessee, Deed Book 31, 376; Deed of Sale from J.F. Weatherly and wife to C.R. Riddle, January 12, 1931, Bradley County, Tennessee, Deed Book 53, 9-10.*

<sup>209</sup> Ancestry.com, *New York, Passenger and Immigration Lists, 1820-1850*: John Traynor, November 1, 1833 [database on-line], (Provo, UT: Ancestry.com Operations Inc, 2003); Findagrave.com, “John D. Traynor,” record added July 20, 2009, <https://www.findagrave.com/memorial/39690112> (accessed September 22, 2018).

Knoxville, Tennessee. John lived in Rhea County, Tennessee, in 1833,<sup>210</sup> where he married Mary Ann Cozby (1811-1881)<sup>211</sup> the next year. The couple moved to the small settlement of Cleveland, twelve miles north of Red Clay, in 1837, where Traynor helped lay out the town and name the streets.<sup>212</sup>

Traynor was a land speculator who began purchasing large tracts of land in the Ocoee District in 1839, over 1,650 acres,<sup>213</sup> much of which he resold at a higher value. He was involved with agriculture and owned horses, mules, cattle, and pigs. The Traynors likely pastured some of these livestock at their Red Clay property. What is certain is that the Council Spring became known for a while as Traynor's Deep Spring.<sup>214</sup>

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<sup>210</sup> Genealogy.com, *Family Tree: Information about John D Traynor*, <https://www.genealogy.com/ftm/p/i/t/Laine-Pitt/WEBSITE-0001/UHP-0037.html> (accessed February 1, 2019); *Tennessee: The Volunteer State, 1769-1923*, vol. III (Chicago and Nashville: The S.J. Clarke Publishing Company, 1923), 192, <https://play.google.com/books/reader?id=y0XAAAIAAJ&hl=en&pg=GBS.PP1> (accessed February 1, 2019); Ancestry.com, *Tennessee, Early Tax List Records, 1783-1895*: John D Traynor, 1833 [database on-line], (Provo, UT: Ancestry.com Operations, Inc., 2013).

<sup>211</sup> Ancestry.com, *1870 U.S. Federal Census*: Mary A Traynor [database on-line], (Provo, UT: Ancestry.com Operations Inc, 2009); Ancestry.com and The Church of Jesus Christ of Latter-day Saints, *1880 United States Federal Census: Mary A. Traynor* [database on-line], (Lehi, UT, USA: Ancestry.com Operations Inc, 2010); Findagrave.com, "Mary Ann Cozy Traynor," record added July 20, 2009, <https://www.findagrave.com/memorial/39690115/mary-ann-traynor> (accessed September 13, 2020).

<sup>212</sup> Ancestry.com, *Tennessee, Marriage Records, 1780-2002*: John D Traynor and Mary Ann Cozby, April 10, 1834 [database on-line], (Lehi, UT: Ancestry.com Operations Inc, 2008); "Octogenarian Buried Here," (Cleveland, TN).

<sup>213</sup> Ancestry.com, *North Carolina and Tennessee, Early Land Records, 1753-1931*: John D. Traynor, warrant no. 2167 [database on-line], (Provo, UT: Ancestry.com Operations, Inc., 2013); Ancestry.com, *Tennessee, Early Land Registers, 1778-1927*: John D. Traynor, grants no. 1050, 1181, 1358, 1450, 2273, 2276, 2430, 2491, 2869, 3728, 3762, 3763, 3870, 3875, 3974, 3998, 4232, 4378, 4379, 4413, 4943, 5242 [database on-line], (Lehi, UT: Ancestry.com Operations, Inc., 2016); David Johnson and Joyce Reece, *The Ocoee District Land Grants: John D. Traynor, Grant Book D, 2272-3, March 31, 1840; John D. Traynor, Grant Book D, 2276, April 1, 1840; John Igow and John D. Traynor, Grant Book D, 1462, December 28, 1839; John D. Traynor, Grant Book E, 2545, April 5, 1841; John D. Traynor, Grant Book E, 2869, May 26, 1841; John D. Traynor, Grant Book E, 2430, April 5, 1841; John D. Traynor, Grant Book E, 2491, April 5, 1841; John D. Traynor, Grant Book G, 3778-3779, October 4, 1841; John D. Traynor, Grant Book G, 3762-3763, October 2, 1841; John D. Traynor, Grant Book G, 3811, October 4, 1841; John D. Traynor, Grant Book G, 3728, October 2, 1841; John D. Traynor, Grant Book G, 3870, October 5, 1841; John D. Traynor, Grant Book G, 3875, October 5, 1841; John D. Traynor, Grant Book G, 3874, October 5, 1841; James Donohoo & John D. Traynor, Grant Book G, 3998, October 30, 1841; John D. Traynor, Grant Book G, 3811, October 4, 1841, [database online] (accessed July 22, 2018).*

<sup>214</sup> Memorandum of Agreement from Mary Ann Traynor to East Tennessee & Georgia Rail Road, January 15, 1859, Bradley County, Tennessee, Deed Book B, 343-344; "Cleveland," *Chattanooga Times*, January 12, 1885, 4; John W. Ramsey, "Historical Sketches of Cleveland and Bradley County," *Cleveland Weekly Herald*, January 4, 1883 – March 22, 1883, compiled by Laureana Striker (Cleveland, TN: 2009).

Traynor was one of the first merchants in Cleveland. As did all the other merchants in the area before the East Tennessee & Georgia Railroad (ET&G) coming to town in 1851, he had his goods hauled in by wagon from Augusta, Georgia, Nashville, and other places further afield. Traynor built a log cabin on city lot #1, at the corner of present-day Broad Street and 1<sup>st</sup> Street Southwest, across the street from the courthouse in present-day historic downtown Cleveland.<sup>215</sup> He used the cabin as both his family's home and his shop. He and Mary Ann had five children, all of whom survived to adulthood.

In 1848, the Oak Grove Academy, established in 1837 in Cleveland, changed its charter to include female students' education. Until that point, the girls attended school in an inferior building. The new charter also added people to its Board of Trustees. John D. Traynor was among the new board members. The board began building a new school for the girls on Ocoee Street, however, they were not able to raise enough funds to complete it. They transferred the school to Cleveland's Masonic Lodge No. 134. The Lodge completed the building in 1856, after which it was called the Masonic Institute.<sup>216</sup>

John D. Traynor could not have managed his various business interests without the labor of enslaved people of African descent. In 1850, he owned twelve enslaved

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<sup>215</sup> *Bradley County History of Tennessee From the Earliest Time to the Present; Together with an Historical and a Biographical Sketch of from [sic] Twenty-Five to Thirty Counties of East Tennessee, Besides a Valuable Fund of Notes, Original Observations, Reminiscences, etc., etc.*, (Chicago and Nashville: The Goodspeed Publishing Co., 1887; reprinted, Signal Mountain, TN: Mountain Press, 1988), 5; Arthur Traynor, "A Brief Sketch of the Life of Captain John D. Traynor [Jr.], of Cleveland, Tennessee," *Mary A. Traynor* Vertical File, Cleveland Bradley County Public Library History Branch and Archives; John M. Wooten, *A History of Bradley County* (Cleveland, TN: Bradley County Post 81, American Legion, 1949), 86, 91-92.

<sup>216</sup> Wooten, *A History of Bradley County*, 86, 91-92.

people,<sup>217</sup> many of whom were likely involved with farming and animal husbandry, as well as working in his store. That same year, the Traynors were engaged in a court case regarding enslaved people.

On July 12, 1850, the Chancery Court of Cleveland ruled in John and Mary Ann's favor regarding the estate of Mary Ann's father, John Cozby. The Court ordered administrators of the estate, including Mary Ann's older brother William, to sell twenty-two enslaved people. Presumably, the administrators then distributed the monetary value gained from the sale of the enslaved people among John Cozby's heirs (see Figure 3-2).<sup>218</sup>

**Chancery Sale of 22 Negroes.**  
**B**Y virtue of a decree of the Chancery Court at Cleveland, Tennessee, made at its February term, 1850, in the case of John D. Traynor, and his wife Mary Ann Traynor, and others against William B. Cozby, William McDonald, and David Ragsdale, Administrators of John Cozby, deceased, and others, I will on Tuesday, the 20th day of August next, expose to public sale at Smith's cross Roads, in Rhea County, Tennessee, twenty-two Negroes, belonging to the estate of said John Cozby, deceased.  
 The above Negroes will be sold on a credit of six months, the purchaser giving bond with two or more sufficient securities for the price of the slave or slaves purchased.  
 JAMES BERRY, C. & M.  
 July 12, 1850—4t Pr's fee \$3,50 94.

Figure 3-2. Advertisement for sale of enslaved people per order of the Chancery Court. *Courtesy of The Athens Post.*

<sup>217</sup> Ancestry.com, *1850 U.S. Federal Census - Slave Schedules*: John D. Traynor [database on-line], (Provo, UT: Ancestry.com Operations Inc, 2004).

<sup>218</sup> "Chancery Sale of 22 Negroes," *The Athens Post* (Athens, TN), July 12, 1850.

John D. Traynor, Sr. died in 1851. His family buried Traynor in the Cleveland City Cemetery. By the end of his life, Traynor had successfully leveraged \$300 that he began his business with into a \$75,000 fortune. Traynor left his widow, Mary Ann, as the executrix of his will and the guardian of their minor children. She became known in the area as a capable businesswoman. Mary Ann continued to make land deals, kept the enslaved people that she inherited from her husband, and sued others when necessary.<sup>219</sup> When one of her enslaved people, a boy named Nathan, died after Mary Ann hired him out to a local businessman, she sued the businessman in a case that went to the Tennessee Supreme Court twice.

In March 1856, Mary Ann leased Nathan out to Thomas W. Johnson, owner of a public hotel, with the “express agreement that he was to be employed as a servant in the hotel.”<sup>220</sup> Johnson ignored the clause in the contract and, in May 1856, subleased the child to work in a local brickyard. A month later, the boy contracted dysentery. A doctor treated the boy at the brickyard five days after he presented symptoms. When the doctor saw Mary Ann soon afterward, he told her that Nathan was very sick and that

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<sup>219</sup> Eugenia Rodgers, “Bradley County in the Mid-1800s: Early Squares Surveyed; Marked Off Lots, Streets,” *Cleveland Daily Banner*, September 30, 1984; *Chancery Court Decree to G.B. Thompson, February 24, 1868, recorded January 25, 1869, Bradley County, Tennessee, Deed Book A, 711-713; Chancery Court Decree to John N. Cowan, August 23, 1852, recorded May 10, 1853, Bradley County, Tennessee, Deed Book B, 193-192; Chancery Court Decree to Russel Lawson, August 29, 1867, recorded August 22, 1868, Bradley County, Tennessee, Deed Book A, 600-602; Deed from P.W. Norwood, Sherriff to Mary A. Traynor, May 19, 1868, recorded May 18 [sic], 1868, Bradley County, Tennessee, Deed Book A, 551-552; Deed of Sale from Mary A. Traynor to William Scott, November 21, 1853, recorded December 13, 1853, Bradley County, Tennessee, Deed Book B, 228; Deed of Sale from Mary A. Traynor & Others to John D. Traynor [Jr.], May 11, 1867, recorded May 11, 1867, Bradley County, Tennessee, Deed Book A, 359-360; 1860 Slave Schedule, Bradley County, Tennessee: Mary E. Traynor, compiled by Barbara Fagen (Cleveland, TN: History Branch and Archives, 2001), 22.*

<sup>220</sup> John E. Head, “From Bradley: Mary A. Traynor v. T.W. Johnson,” *Reports of Cases Argued and Determined in the Supreme Court of Tennessee During the Year 1858*, vol. I (Nashville: J.O. Griffith & Co., Printers – Union and American Office, 1860), 52.

she should bring him to her house where she could have the boy adequately attended. Mary Ann fetched him home to nurse him back to health, but the enslaved boy died soon thereafter. Mary Ann sued Johnson for Nathan's value. Because he died in her care and not at the brickyard, the jury ruled in Johnson's favor. Mary Ann appealed the decision, and the Supreme Court of Tennessee remanded the case for retrial.<sup>221</sup>

In the second trial, the jury once again ruled in favor of Johnson. Again, Mary Ann appealed the decision, and the Supreme Court of Tennessee remanded the case for retrial.<sup>222</sup> Whether she got the result she wanted is unknown, as the Bradley County's court records burned in 1864. The motive behind Mary Ann's bringing Nathan home to nurse him back to health is unknown. She may have cared for her enslaved child, but then again, she may have just been trying to protect her property. However, John D. Traynor owned twelve enslaved people before his death in 1851; by 1860, Mary Ann owned nine.

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<sup>221</sup> Ibid, 52-55; John E. Head, "From Bradley: Mary A. Traynor v. Thomas W. Johnson," *Reports of Cases Argued and Determined in the Supreme Court of Tennessee During the Years 1859-60*, vol. III (Nashville: S.C. Mercer, 1866), 44-47.

<sup>222</sup> John E. Head, "From Bradley: Mary A. Traynor v. Thomas W. Johnson."

## The Mastons

John Byars Maston (1797-1878)<sup>223</sup> purchased the second land grant for the property that is now known as Red Clay State Historic Park in 1842.<sup>224</sup> Maston (also spelled Marston or Mastin) was born in Greenville, South Carolina, to Reuben Franklin and Sarah Blackwell Mastin. Maston and his brother, Thomas White Maston (1799-1856),<sup>225</sup> had moved from South Carolina to McMinn County, Tennessee, by 1830. However, Maston continued to move further south. In 1833, he served in the first grand jury held in Murray County, Georgia. He became the Red Hill (now Varnell), Georgia postmaster, in 1834. Maston also served as a Justice of the Murray County Inferior Court between 1845-1846.<sup>226</sup>

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<sup>223</sup> Ancestry.com, *1850 United States Federal Census*: John B Marston [database on-line] (Provo, UT: Ancestry.com Operations, Inc., 2009); Ancestry.com, *1860 United States Federal Census*: Jno B Mastin [database on-line] (Provo, UT: Ancestry.com Operations, Inc., 2009); Ancestry.com, *1870 United States Federal Census*: John B Maston [database on-line] (Provo, UT: Ancestry.com Operations, Inc., 2009); Sandor Teszler Library, "Archives Obituary Index: Judge John B. Marston," *Southern Christian Advocate*, volume 41, no. 22, page 88, and column 4 (Whitfield, GA, June 4, 1878), <http://www.wofford.edu/library/archives/archiveobituary.aspx> (accessed July 19, 2018).

<sup>224</sup> David Johnson and Joyce Reece, *The Ocoee District Land Grants: John B. Mastin*, Grant Book B, 177, Grant No. 680, April 5, 1839; John B. Mastin, Grant Book E, 345, Grant No. 2644, April 7, 1841; John B. Mastin as assignee of an Occupant Enterer, Grant Book E, 363 Grant No. 2757, April 29, 1841; John B. Mastin, Grant Book F, 218, Grant No. 3277, June 19, 1841; John B. Mastin as assignee of an Occupant Enterer, Grant Book F, 83 Grant No. 3148, June 19, 1841; John B. Maston, Grant Book F, 489 Grant No. 3577, August 26, 1841; John B. Maston, Grant Book F, 490 Grant No. 3578, August 26, 1841; John B. Maston, Grant Book F, 519 Grant No. 3448, August 5, 1841; John B. Maston, Grant Book E, 344, Grant No. 2753, April 29, 1841; John B. Maston, Grant Book G, 288, Grant No. 3902, October 6, 1841, [database online] (accessed July 22, 2018).

<sup>225</sup> Findagrave.com, "Thomas W Maston," record added April 10, 2018, <https://www.findagrave.com/memorial/188696848/thomas-w-maston> (accessed July 28, 2018).

<sup>226</sup> "Murray County History 1911," *Murray County Museum*, Murray County, Georgia, [https://www.murraycountymuseum.com/mh1911\\_0.html](https://www.murraycountymuseum.com/mh1911_0.html) (accessed March 6, 2019); Ancestry.com, *U.S., Appointments of U. S. Postmasters, 1832-1971* [database on-line], (Provo, UT: Ancestry.com Operations, Inc., 2010); "Murray County Post Offices," *Murray County Museum*, Murray County, Georgia, <https://www.murraycountymuseum.com/po.html> (accessed March 6, 2019); Whitfield-Murray Historical Society, *Murray County Heritage* (Dalton, GA: Whitfield-Murray Historical Society, 1987), 786; Genealogy.com, *Officer Court Records Murray Co. GA 1854*, <https://www.genealogy.com/forum/surnames/topics/officer/71/> (accessed March 6, 2019).

When land in the Ocoee District came available for purchase, Maston and his brother, Thomas, purchased many tracts of land together and separately. They were land speculators jointly buying nearly 2,000 acres of land, much of it non-contiguous, between 1839-1842, in the Ocoee District.<sup>227</sup> Additionally, Maston purchased more than 1,400 acres as the sole owner.<sup>228</sup>

The 1850 census describes Maston as a farmer whose real estate was worth \$12,000, and according to the slave schedule that same year, he owned six enslaved people. In addition to his Tennessee property, by 1855, Maston owned 1,564 acres of land in Georgia, and the number of people he held in enslavement had increased to eleven.<sup>229</sup>

### **Red Clay, Georgia**

Prior to Cherokee removal, the State of Georgia exerted power over the Cherokee Nation. It held a series of land lotteries that reassigned unlawfully seized Cherokee lands and homes to white residents. Before the land lottery, Cherokee land

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<sup>227</sup> Ancestry.com, *Tennessee, Early Land Registers, 1778-1927*: J.B. & T.W. Mastin, grant no. 4407, 5051; J.B. & Thomas W. Mastin, grant no. 6128; John B. & Thomas W. Maston, grant no. 3882, 3883, 3884, 4145, [database on-line], (Lehi, UT: Ancestry.com Operations, Inc., 2016); David Johnson and Joyce Reece, *The Ocoee District Land Grants: J.B. & T.W. Maston, Grant Book H, 4044, November 12, 1841; J.B. & T.W. Maston, Grant Book H, 4045, November 12, 1841; Grant Book G, 3882, October 5, 1841; Grant Book G, 3883, October 5, 1841; John B. & Thomas W. Maston, Grant Book G, 3884, October 5, 1841*, [database online] (accessed July 22, 2018).

<sup>228</sup> Ancestry.com, *Tennessee, Early Land Registers, 1778-1927*: J.B. Mastin, grant no. 5501; J.B. Maston, grant number unknown (April 5, 1841); Jn. B. Mastin, grant no. 7497 (April 28, 1842); Jno B. Masten, grant no. 5626 (April 4, 1842); Jno B. Mastin, grant nos.4144, 4146, 5234; Jno B. Maston, grant nos. 682, 2584, 3833; John B. Masten, grant no. 3448 (August 5, 1841); John B. Mastin, grant nos. 680, 4145, 5225; John B. Maston, grant nos. 2584, 2753, 3144, 3443, 3577; John B. Maston assignee of an occupant, grant no. 3148; John B. Marston, grant nos. 4146, 6105, 6107, 6111, 6113, 6278, 6279, 6280 [database on-line] (Lehi, UT: Ancestry.com Operations, Inc., 2016).

<sup>229</sup> Ancestry.com. *1850 United States Federal Census: John B. Marston* [database on-line], (Provo, UT: Ancestry.com Operations, Inc., 2009); Whitfield-Murray Historical Society, 808; Ancestry.com, *Georgia, Property Tax Digests, 1793-1892: J B Mastin, 1855* [database on-line], (Provo, UT: Ancestry.com Operations, Inc., 2011).

was surveyed and laid out in districts and 160-acre lots. The lots adjacent to the Traynor and Maston land were Section 3, District 11, Land Lots 12 and 13. In the lottery, Richard Menifee (Menefee, Manifee, Marrifee) won Land Lot 12, and the orphans of James Baxter drew Land Lot 13.<sup>230</sup>

Richard Menefee (1809-1893)<sup>231</sup> lived in Talbot County, Georgia, at the time of the land lottery. It appears that Menifee never lived at Red Clay. He was a wealthy planter and may have entered the land lottery as an investment opportunity. On July 8, 1833, he sold half the property to his friend, Samuel Rowe, for \$75. Rowe had already moved from Talbot County to Polk County, Texas. While in Texas, Rowe struck up a friendship with Sam Houston and helped negotiate the purchase of 1,280 acres of land for a reservation for the Alabama-Coushatta Tribe.<sup>232</sup>

Rowe kept his half of the property for over twenty years, likely renting it out to settlers. On November 30, 1858, Rowe gave Power of Attorney to Richard Menifee to sell the property. Less than two weeks later, Menifee sold Rowe's Red Clay property to James H. Huff.<sup>233</sup>

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<sup>230</sup> James F. Smith, *The Cherokee Land Lottery Containing a Numerical List of the Names of the Fortunate Drawers in Said Lottery with an Engraved Map of each Districts*, (New York: Harper & Brothers, 1838), 235.

<sup>231</sup> Findagrave.com, "Rev Richard Alexander Menefee," record added November 30, 2009, <https://www.findagrave.com/memorial/44975067/richard-alexander-menefee> (accessed October 5, 2020).

<sup>232</sup> *Deed of Sale from Richard Menifee to Samuel Rowe, July 8, 1833, Cherokee [Whitfield] County, Georgia, Deed Book C, 622*; "A Guide to the Alabama Indians Land Grants, 1854-1855," Briscoe Center for American History, The University of Texas at Austin, <https://legacy.lib.utexas.edu/taro/utcah/00695/cah-00695.html> (accessed Oct 6, 2020).

<sup>233</sup> *Power of Attorney from Samuel Rowe to Richard Menifee, November 30, 1858, Cherokee [Whitfield] County, Georgia, Deed Book C, 623*; *Deed of Sale from Samuel Rowe to James H. Huff, December 10, 1858, Cherokee [Whitfield] County, Georgia, Deed Book C, 623*.

Huff built his home at Red Clay in 1840. By 1840, enough Euro-American and African American settlers lived in and around Red Clay to warrant a post office.<sup>234</sup> Huff became the town's postmaster in 1844, the same year he married Margaret Ann McGaughy. Decades later, Huff's youngest son, James R. "Jimmie" Huff, wrote a letter to Leola Beeson, the Georgia Society, Daughters of the American Revolution's state historian. In the letter, Jimmie stated that his father owned a store on the lot where he built his home, a mere three feet from the state line. The Huff family used a log cabin that had likely belonged to a Cherokee prior to removal as an extra room. The cabin measured approximately 20' x 25' and "was built with heavy logs and covered with rived oak boards," and had a stone fireplace. Margaret furnished the cabin with two large beds where family members sometimes slept. James H. Huff had a floor installed but made no other changes to the cabin. The Huffs mistakenly called the cabin the "old Council House" (see Figure 3-3).<sup>235</sup>

According to Patrick Wolfe's logic of elimination, once settlers eliminate Indigenous people from the landscape, Native concepts continue to shape settler-colonial society. Huff calling a residential log cabin the Council House, illustrates Wolfe's point. Despite the fact that no descriptions of the Cherokees using an enclosed log cabin

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<sup>234</sup> John Morgan Wooten, *Red Clay in History* (Cleveland, TN: Privately published, 1935), 5; Ancestry.com, *U.S., Appointments of U. S. Postmasters, 1832-1971*: Henry K Smedley (February 29, 1840) [database on-line], (Provo, UT: Ancestry.com Operations, Inc., 2010).

<sup>235</sup> Leola Selman Beeson, *History Stories of Milledgeville and Baldwin County* (Macon, GA: The J.W. Burke Company, 1943), 185-7; John Morgan Wooten, *Red Clay in History* (Cleveland, TN: Privately published, 1935), 5; Ancestry.com, *U.S., Appointments of U. S. Postmasters, 1832-1971*: Henry K Smedley (February 29, 1840) [database on-line], (Provo, UT: Ancestry.com Operations, Inc., 2010); Ancestry.com, *U.S., Appointments of U.S. Postmasters, 1832-1971*: James H. Huff, May 17, 1944 [database on-line], (Provo, UT: Ancestry.com Operations, Inc., 2010); Ancestry.com, *Georgia, Marriage Records From Select Counties, 1828-1978*: James H. Huff and Margaret A. McGaughy [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2013).

as their Council House at Red Clay exists, the Huffs and their neighbors (some of whom may have been present at one or more council meetings) insisted on calling the cabin the wrong name.

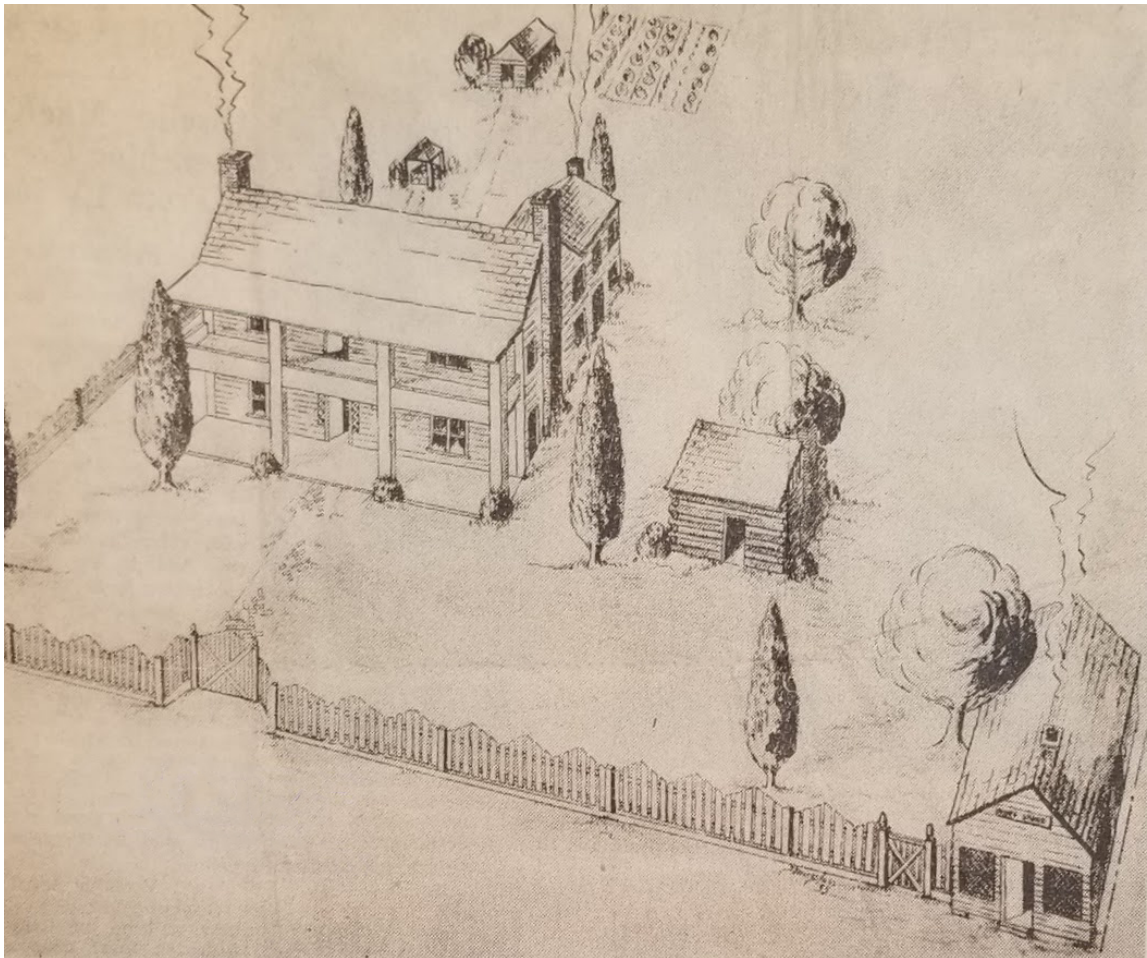


Figure 3-3. Drawing of Huff home by Dr. Tim Manson in Clarence Bruce's "Restoration of Red Clay Has Wide Support in Area," *Chattanooga Times*, January 19, 1964. The house is on the left of the drawing, with the "Council House" immediately to the right. The Huff store is on the lower right corner. All buildings face east, with the store along the state line. *Courtesy of the Chattanooga Times Free Press.*

Most lottery winners were not allowed to move onto their new land until January 1, 1838; however, the law permitted the Baxter orphans to lay claim to their new property before that.<sup>236</sup> When James Baxter (c. 1800-c. 1832) died, he left his wife, Hannah Abercrombie Baxter (1802-1890),<sup>237</sup> and four children, Martha, James, William, Mary, and Joseph. The family may have moved to Alabama soon after James's death, since the Benton County (now Calhoun County) Court issued a guardian bond for the Baxter children to Michael Dowdy on September 1, 1834. Dowdy claimed to have rented the Baxters' land, presumably their Red Clay property, for a total of \$57.25 during the years of 1837 and 1838. He stated that he was unable to rent the land at all during 1839 and 1840. Dowdy did, however, claim that Baxter's widow, Dowdy's new wife, should have a share in the proceeds of the Baxters' land. After the Baxter heirs earned less than \$60 on their land rents, Dowdy claimed he was personally owed \$120 for the heirs' board and clothing.<sup>238</sup>

From March to June 1837, the State of Tennessee had a survey conducted of the Cherokee Nation within the borders of the state (known as the Ocoee District) and had maps of the area produced. The map of the Ocoee District section containing the Red

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<sup>236</sup> "11th District, 3rd Section, Cherokee," *Access Genealogy*, <https://accessgenealogy.com/georgia/11th-district-3rd-section-chokeee.htm> (accessed October 5, 2020); Smith, *The Cherokee Land Lottery Containing a Numerical List of the Names of the Fortunate Drawers in Said Lottery with an Engraved Map of each Districts*, Locations 9-61, 10949.

<sup>237</sup> Findagrave.com, "Hannah Abercrombie Dowdy," record added August 23, 2010, <https://www.findagrave.com/memorial/57573811/> (accessed October 5, 2020).

<sup>238</sup> Ancestry.com, *Alabama, Wills and Probate Records, 1753-1999*: James Baxter [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2015).

Clay Council Ground depicts the projected railroad tracks through the area. The railway runs through part of the eastern section of the present-day park. The very southeastern section of the park once belonged to the Hiwassee Railroad Company.

Due to the Panic of 1837 and the inexperience of the Hiwassee Rail Road Company's leadership, the company had financial difficulties that led to the railroad's construction taking much longer than anticipated.<sup>239</sup> After reorganizing the company and its leadership in January 1847, the Hiwassee Rail Road Company requested a revision of its charter on February 4, 1848. One of the changes made was to its name. When the Tennessee General Assembly approved the new charter, the Hiwassee Rail Road Company became the East Tennessee and Georgia Railroad Company (ET&G).<sup>240</sup> The company's changes were successful, and the railroad between Loudon, Tennessee and Dalton, Georgia was completed by 1852. ET&G finished the line from Loudon to Knoxville in 1855.<sup>241</sup>

The company built a train depot at Red Clay by 1854, although no remains are visible today. Red Clay once had a section house along the East Tennessee and Georgia Railroad line.<sup>242</sup> In some, but not all, of the early railroad schedules, the depot is called

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<sup>239</sup> James W. Holland, "The East Tennessee and Georgia Railroad, 1836-1860," *The East Tennessee Historical Society's Publications*, January 1931, Vol. 3, 94-95; Southern Railroad, *Souvenir Southern Railway 1903* (Knoxville, TN: A.S. Bell, 1903), 8.

<sup>240</sup> Holland, 99-100; Southern Railroad, 8.

<sup>241</sup> Holland, 101; Southern Railroad, 8.

<sup>242</sup> S. Augustus Mitchell, *Mitchell's New Traveller's Guide Through the United States and the Canadas, Containing the Principal Cities and Towns, Alphabetically Arranged, Together with Rail Road, Steamboat, Stage, and Canal Routes, with Tables of Places, and Distances from Place to Place. Illustrated by an Accurate Map of the United States, Showing the Lines of Finished Rail Roads, and Their More Important Connections* (Philadelphia: Charles DeSilver, 1855; republished, Internet Archive), 87, <https://archive.org/stream/mitchellsnewtrav00mitc#page/n5/search/Red+Clay> (accessed September 13, 2020).

State Line rather than Red Clay.<sup>243</sup> Since Red Clay was the only settlement on the Tennessee-Georgia state boundary along this rail line, the State Line depot must refer to Red Clay's depot (see Figure 3-4).

| <b>EAST TENNESSEE &amp; GEORGIA RAILROAD.</b> |        |                          |                                    |        |        |                          |           |
|---|--------|--------------------------|------------------------------------|--------|--------|--------------------------|-----------|
| C. WALLACE, Pres, Knoxville, Tenn.            |        |                          | M. B. PRITCHARD, Ch. Eng., Loudon. |        |        |                          |           |
| Miles   | Rates. | <b>DALTON to LOUDON.</b> |                                    | Miles. | Rates. | <b>LOUDON To DALTON.</b> |           |
|   |        | Pass Tr'n                | Pass Tr'n                          |        |        | Pass Tr'n                | Pass Tr'n |
|   |        | TRAINS LEAVE             |                                    |        |        | TRAINS LEAVE             |           |
|   |        |                          | PM.                                |        |        |                          | AM.       |
|   |        | Dalton*                  | 10 30                              |        |        | Loudon§                  | 5 45      |
| 9   | 30     | Fountain Hill...         | 11 10                              | 7      | 20     | Philadelphia .....       | 6 07      |
| 15  | 50     | State Line.....          | 11 31                              | 14     | 45     | Sweetwater†.....         | 6 29      |
| 27  | 90     | Cleveland.....           | 12 09                              | 27     | 95     | Athens†.....             | 7 07      |
| 40  | 1 30   | Charleston.....          | 1 14                               | 35     | 1 15   | Riceville.....           | 7 29      |
| 47  | 1 55   | Riceville.....           | 1 36                               | 42     | 1 40   | Charleston.....          | 7 50      |
| 55  | 1 75   | Athens†.....             | 1 56                               | 55     | 1 80   | Cleveland.....           | 8 26      |
| 65  | 2 25   | Sweetwater†.....         | 2 31                               | 67     | 2 20   | State Line.....          | 9 05      |
| 75  | 2 50   | Philadelphia....         | 2 51                               | 73     | 2 40   | Fountain Hill.....       | 9 27      |
| 82  | 2 70   | Ar. Loudon§....          | 3 09                               | 82     | 2 70   | Ar. Dalton*.....         | 10 00     |

RAILROAD CONNECTIONS.—\* Western & Atlantic R.R., p. 166 ; at Knoxville with East Tennessee & Virginia R.R., Knoxville & Kentucky R.R., and the Rabun Gap R.R. [July 1  
 STAGE CONNECTIONS.—§ Knoxville and Montvale Springs, daily ; † Madisonville ; ‡ Maryville. STEAMBOAT CONNECTIONS.—§ Knoxville, daily.

Figure 3-4. 1854 East Tennessee & Georgia Rail Road Timetable from Charles Cobb's *American Railway Guide, and Pocket Companion, for the United States*. Red Clay's depot is called State Line on this train schedule. Courtesy of the Hathi Trust Digital Library.

Several legal documents recorded Mary Ann Traynor buying and selling land in Bradley County.<sup>244</sup> In a *Memorandum of Agreement* recorded in 1859, Mary Ann

<sup>243</sup> Ibid; Charles Cobb, *American Railway Guide, and Pocket Companion, for the United States* (New York: Curran Dinsmore, 1854; republished, Hathi Trust Digital Library), 168, <https://babel.hathitrust.org/cgi/pt?id=uiug.30112047649006;view=1up;seq=170> (accessed September 13, 2018); J.C. Swayze, *Hill & Swayze's Confederate States Rail-Road & Steam-Boat Guide* (Griffin, GA: Hill & Swayze, 1862), 37, published online by the Internet Archive, <https://archive.org/details/hillswayzescnfe1862sway> (accessed September 13, 2018).

<sup>244</sup> *Chancery Court Decree to John N. Cowan, August 28, 1852, Bradley County, Tennessee, Deed Book B, 193-194; Memorandum of Agreement from Mary Ann Traynor to East Tennessee & Georgia Rail Road, January 15, 1859, Bradley County, Tennessee, Deed Book B, 343-344; Deed of Sale from Mary A. Traynor & Others to John D. Traynor [Jr.], March 28, 1866, Bradley County, Tennessee, Deed Book A, 359-360; Deed from P.W. Norwood, Sheriff, to*

permitted the East Tennessee & Georgia Railroad to lay pipes from a large spring on a portion of the Traynor lands to the railroad track. It is uncertain whether this refers to Mills Creek on the Traynor property, which now makes up a significant portion of Red Clay State Historic Park, as the rail line runs beside this creek for over four miles. John Traynor owned properties all over Bradley County, and there is no legal description of the property in the *Memorandum*.<sup>245</sup>

### **Building Religious and Educational Institutions**

Social life in rural communities often revolves around churches and schools. During the nineteenth-century, communities frequently used church buildings to house school classes on weekdays when family farms did not need the children to work.

Methodism came to America in the mid-eighteenth century. It quickly gained converts amongst European colonists, enslaved Africans, and free people of color.<sup>246</sup> As Methodism spread along coastal cities, circuit riders traveled into the colonial hinterland to preach and start new Methodist congregations and missions. The number of black Methodists equaled or outnumbered white Methodists in numerous areas.<sup>247</sup>

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Mary A. Traynor, *Executrix*, September 18, 1866, Bradley County, Tennessee, Deed Book A, 551-552; Chancery Court Decree to Russell Lawson, et al, August 29, 1867, Bradley County, Tennessee, Deed Book A, 600-602; Chancery Court Decree to G.B. Thompson for the use of himself & Others vs. Samuel Grigsby, Administrator of Jesse Rines, deceased, et al, February 24, 1868, Bradley County, Tennessee, Deed Book A, 711-713.

<sup>245</sup> *Memorandum of Agreement from Mary Ann Traynor to East Tennessee & Georgia Rail Road.*

<sup>246</sup> J. Gordon Melton, *A Will to Choose: The Origins of African American Methodism* (Lanham, MD: Rowman & Littlefield Publishers, 2007), 35.

<sup>247</sup> *Ibid*, 125-131; Mary Thomas Peacock, *The Circuit Rider and Those Who Followed: Sketches of Methodist Churches organized before 1860 in the Chattanooga area with special reference to Centenary* (Chattanooga, TN: The Hudson Printing and Lithograph Company, 1957), 28-42.

Cherokee Nation allowed the Methodist circuit riders to begin their missionary work among them in 1816, under the condition that their work was the education of Cherokee children rather than proselytizing. However, the first circuit rider to the Cherokee Nation did not arrive until 1822. Missionaries built the first mission school near present-day Guntersville, Alabama. By December 30, 1822, the school had twelve students. By 1825, a second Methodist mission had opened at Ross's Post Office near Lookout Mountain. By the time federal troops and state militias gathered the Cherokees into concentration camps in 1838, 481 Cherokees had converted to Methodism. When they removed west, their missionary at the time, D.B. Cumming, went with them.<sup>248</sup>

Despite the removal of 481 Methodists west, Methodism was well established in Hamilton County, Tennessee, by the 1820s. A Methodist congregation began in Cleveland, Tennessee, in 1837. They set up a campground at Red Hill, Tennessee and held their first camp meeting in 1841.<sup>249</sup>

Presbyterians first utilized camp meetings or campgrounds to hold open-air revival services in settler communities. By 1805, the Presbyterians abandoned the use of campgrounds, although Methodists and Cumberland Presbyterians embraced them. The

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<sup>248</sup> Peacock, 30-32; United Foreign Missionary Society, ed., *The American Missionary Register*, March 1825, vol. VI, 72, [https://books.google.com/books?id=7OoZAAAAYAAJ&printsec=frontcover&source=gbs\\_ge\\_summary\\_r&cad=0#v=onepage&q&f=false](https://books.google.com/books?id=7OoZAAAAYAAJ&printsec=frontcover&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=false) (accessed April 7, 2019); Western Foreign Missionary Society of the United States, Presbyterian Church in the U.S.A. Board of Foreign Missions, Presbyterian Church in the U.S.A. Board of Home Missions, "The Foreign Missionary Chronicle," vol. VIII, February 1840, no. 2, in *Missionary Chronicle*, vol. 8-10, 37, [https://books.google.com/books?id=Lcg7AQAAAMAAJ&printsec=frontcover&source=gbs\\_ge\\_summary\\_r&cad=0#v=onepage&q&f=false](https://books.google.com/books?id=Lcg7AQAAAMAAJ&printsec=frontcover&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=false) (accessed April 7, 2019); Peacock, 42.

<sup>249</sup> Peacock, 54-56; *Bradley County History of Tennessee From the Earliest Time to the Present; Together with an Historical and a Biographical Sketch of from [sic] Twenty-Five to Thirty Counties of East Tennessee, Besides a Valuable Fund of Notes, Original Observations, Reminiscences, etc., etc.*, 5; Ramsey, 11.

site in Red Hill where the Methodists met belonged to John Blackburn, who gifted five acres of land to trustees for use as a “Camp Ground, a Grave Yard and a School” in September 1843. Eventually, the congregation came under the Methodist Episcopal Church, South’s control. A school was established at Red Hill, though little known about it.<sup>250</sup>

In 1845, John B. Maston deeded an acre of land in Murray County (now Whitfield County), Georgia, to the congregation trustees to build a Methodist church at Mount Olivet (in present-day Cohutta, Georgia). However, Maston had allowed camp meetings at another property along the border with Catoosa County (see Figure 3-5).<sup>251</sup> The circuit rider who preached at Mount Olivet also served the Red Clay community.<sup>252</sup> It is uncertain where Methodists held their Red Clay services at this early date.

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<sup>250</sup> Charles A. Johnson, "The Frontier Camp Meeting: Contemporary and Historical Appraisals, 1805-1840," *The Mississippi Valley Historical Review* 37, no. 1 (June, 1950): 92, <https://www.jstor.org/stable/1888756?seq=1> (accessed September 27, 2020); *Deed from John Blackburn to M.E. Church South, March 31, 1879, Bradley County, Tennessee, Deed Book E, 363-4.*

<sup>251</sup> *Deed of Sale from John B. Maston to John Pitner, James H. Huff, M.P. Varnell, and Seaborn Span, August 6, 1845, Murray County, Georgia, Deed Book F, 287; Peacock 269; Samuel M. Street and William P. Schultz, Map of Whitfield County, Georgia* (Philadelphia: Smith & Stroup, 1879), <https://www.loc.gov/item/2010592396/> (accessed March 11, 2019).

<sup>252</sup> Whitfield County History Commission, *Official History of Whitfield County, Georgia* (Dalton, GA: A.J. Showalter Company, 1936), 104, 117, <http://www.usgwarchives.net/ga/whitfield/history.html> (accessed January 23, 2019); Peacock, 269; Roy G. Lillard, ed. *The History of Bradley County* (Cleveland, TN: Bradley County Chapter, East Tennessee Historical Society, 1976), 70, 110; Roy G. Lillard, *Bradley County*, ed. Joy Bailey Dunn and Charles W. Crawford (Memphis: Memphis State University Press, 1980), 41.

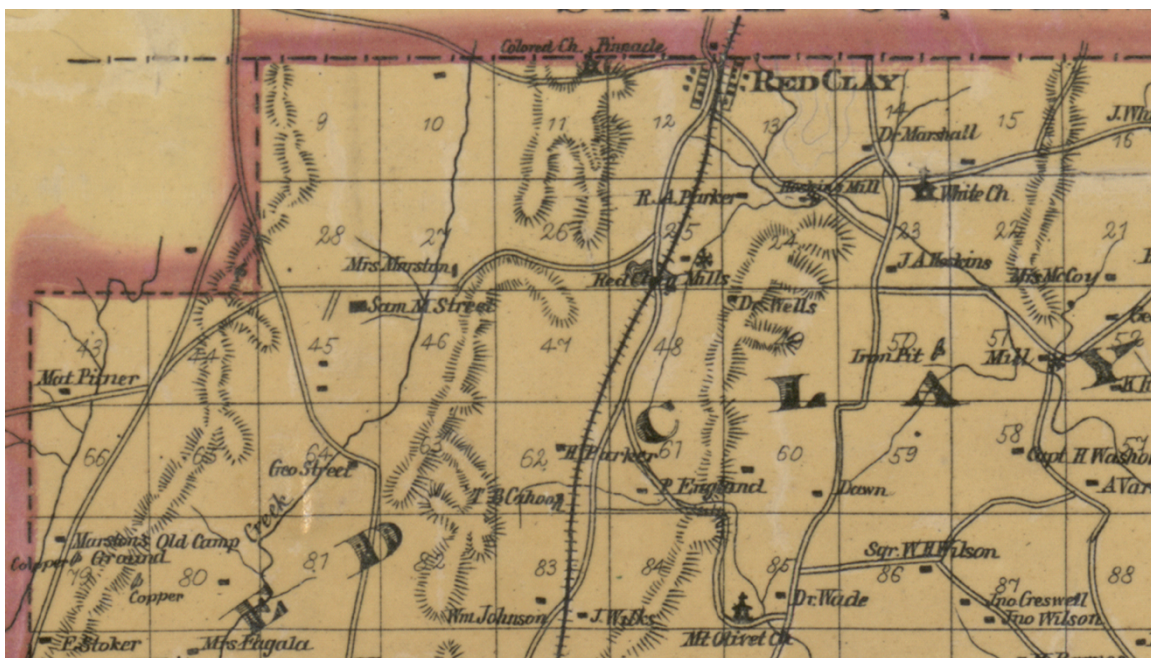


Figure 3-5. Detail of *Map of Whitfield County, Georgia* by Samuel M. Street and William P. Schultz, 1879. Courtesy of Library of Congress.

According to John Morgan Wooten, the former Bradley County Historian and Presbyterian minister, a Cumberland Presbyterian Church was organized near Red Clay, Georgia, in 1842. In 1846, the congregation decided to divide along the state line. The Georgia congregants organized the Union Grove Church one mile south of present-day Cohutta, Georgia. The Tennessee congregants organized the Flint Springs Cumberland Presbyterian Church.<sup>253</sup>

The State of Tennessee established its first statewide school system in 1827. After the Cherokee removal, the State Superintendent published the first official

<sup>253</sup> John M. Wooten, *A History of Bradley County*, 117; Lillard, ed. *The History of Bradley County*, 70, 110; Lillard, *Bradley County*, 41; "Rev. John Morgan Wooten Dies in Cleveland," *The Chattanooga Times*, May 11, 1940.

education report. According to the report, Bradley County (which included present-day Polk County) had 1,842 school-aged residents and “received \$1,170 for educational purposes.” Several communities established schools throughout the county. The two nearest to Red Clay were the Red Hill Academy and the Flint Springs Male and Female Academy (also known as the Flint Springs Academy).<sup>254</sup>

Settler families used the Red Clay Mission site, which closed in 1838 with the Cherokee removal, as a school and church. Benjamin Hambright purchased this land from the State of Tennessee in 1840, and soon after, he allowed the school to meet there. According to the 1836 Cherokee property valuation, the mission had nine log buildings, including a two-story (32' x 32') hewn log dormitory with sixteen rooms valued at \$700, a hewn log schoolhouse (30' x 21.5') valued at \$230, and a round log cabin (18' x 16') valued at \$25.<sup>255</sup>

The Flint Springs community used the Red Clay Mission schoolhouse as its first school. Wooten describes the schoolhouse as having “slab seats, dirt floors, one log cut out of the east side for a window.” The 1836 property valuation states that the Red Clay Mission’s schoolhouse had twelve windows, “benches, writing desks & contents.”<sup>256</sup> It is likely that Hambright used the dormitory building as his home or used its materials to

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<sup>254</sup> Wooten, *A History of Bradley County*, 98, 104-105; Lillard, *The History of Bradley County*, 77; Lillard, *Bradley County*, 41, 49-50

<sup>255</sup> John Morgan Wooten, *Presbyterian Scrapbook, with Other Material* (Chattanooga, TN: Chattanooga Public Library, 1939), 27-28; Wooten, *A History of Bradley County*, 98; William R. Snell, "Prof. Varnell and Academy," *Cleveland Daily Banner*.

<sup>256</sup> Wooten, *Presbyterian Scrapbook, with Other Material*, 27-28; Wooten, *A History of Bradley County*, 98; Debbie Stephenson Moore, *1836 Cherokee Nation Property Evaluations*, Vol. I (Cleveland, TN: Old Town Productions, 2017), 149; Lillard, ed. *The History of Bradley County*, 101.

construct it. In 1849, the community built a larger, frame building for the school and the Flint Springs Cumberland Presbyterian Church's congregation.<sup>257</sup>

### **1861-1865: Civil War at Red Clay**

Like many other towns in the Appalachian region of East Tennessee, Cleveland voted to remain in the Union even though Tennessee seceded during the Civil War. However, Confederate troops occupied Cleveland in 1861. During the Civil War, Cleveland was strategically important due to its position at the junction of the Georgia and East Tennessee Railroads and for the protection of the Hiwassee River bridge.<sup>258</sup>

Cleveland was so crucial that Abraham Lincoln said, "To take and hold the railroad at or east of Cleveland, Tennessee, I think is as fully as important as the taking and holding of Richmond."<sup>259</sup> Only two rail lines ran directly into North Georgia, one of which went through Red Clay (see Figure 3-6). This strategic position on the rail line and the number of East Tennesseans who never wished to secede from the Union meant many skirmishes occurred in Bradley County. On the ridge to the west of Red Clay,

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<sup>257</sup> Wooten, *Presbyterian Scrapbook, with Other Material*, 27-28; Ancestry.com., *North Carolina and Tennessee, Early Land Records, 1753-1931*: Benjamin Hambricht; Wooten, *A History of Bradley County*, 98.

<sup>258</sup> "213 Newly Interpreted Markers Installed as of 6/9/11," *Tennessee Civil War Trails Program*, Tennessee State Library & Archives, <https://tnmap.tn.gov/civilwar/Civil%20War%20Trails%20Installation%20Sites%20with%20descriptions.pdf> (accessed November 15, 2017).

<sup>259</sup> Abraham Lincoln, "'Cypher" to Major Genl. Halleck, June 30, 1862," in *Collected Works of Abraham Lincoln*, Vol. 5, edited by Roy P. Basler (Ann Arbor, MI: University of Michigan Digital Library Production Services, 2001), 295 <https://quod.lib.umich.edu/l/lincoln/lincoln5/1:653.1?rgn=div2;view=fulltext> (accessed November 15, 2017).

Georgia, Signal Hill is the highest point in Whitfield County. Both Union and Confederate troops used Signal Hill as an observation point.<sup>260</sup>

A book detailing many of the atrocities in Bradley County, *History of the Rebellion in Bradley County, East Tennessee* by J.S. Hurlburt, was published in 1866. Hurlburt claims to have been enlisted in the 9<sup>th</sup> Indiana, though he does not specify whether he was cavalry or infantry. "J.S. Hurlburt" appears to be a pen name since there is no record of anyone by that name on either side of the Civil War, much less the 9<sup>th</sup> Indiana.<sup>261</sup> Hurlburt's book is biased in favor of the Union. However, primary sources substantiate some of its claims.

On February 28, 1861, the Confederacy's Provisional Congress passed an act to raise troops for the provisional army. At the beginning of open hostilities between the North and the South in April 1861, volunteers flocked to join the Confederate ranks. By the following year, however, men were not eager to join or reenlist. On April 16, 1862, the Confederate Congress passed a Conscription Act, which extended enlistments from twelve months to three years for white men between eighteen to thirty-five years of age, allowed the election of officers, and allowed conscripts to pay others as substitutes, among other provisions. The Conscription Act led to abuse and violence between Union and Confederate sympathizers in the Red Clay area.<sup>262</sup>

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<sup>260</sup> "'Elawadi' is Now No More," *The Chattanooga Times*, March 19, 1916.

<sup>261</sup> National Park Service, "Search for Soldiers," *The Civil War*, <https://www.nps.gov/subjects/civilwar/search-soldiers.htm> (accessed Sep 26, 2020).

<sup>262</sup> William L. Shaw, "The Confederate Conscription and Exemption Acts," *American Journal of Legal History* 6, no. 4 (1962): 371-76, <https://www.jstor.org/stable/844108> (accessed September 17, 2020); John M. Sacher, "'A Very Disagreeable Business': Confederate Conscription in Louisiana," *Civil War History* 53, no. 2 (2007): 142, <https://ezproxy.mtsu.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=asn&AN=24964382&site=eds-live&scope=site> (accessed September 16, 2020).

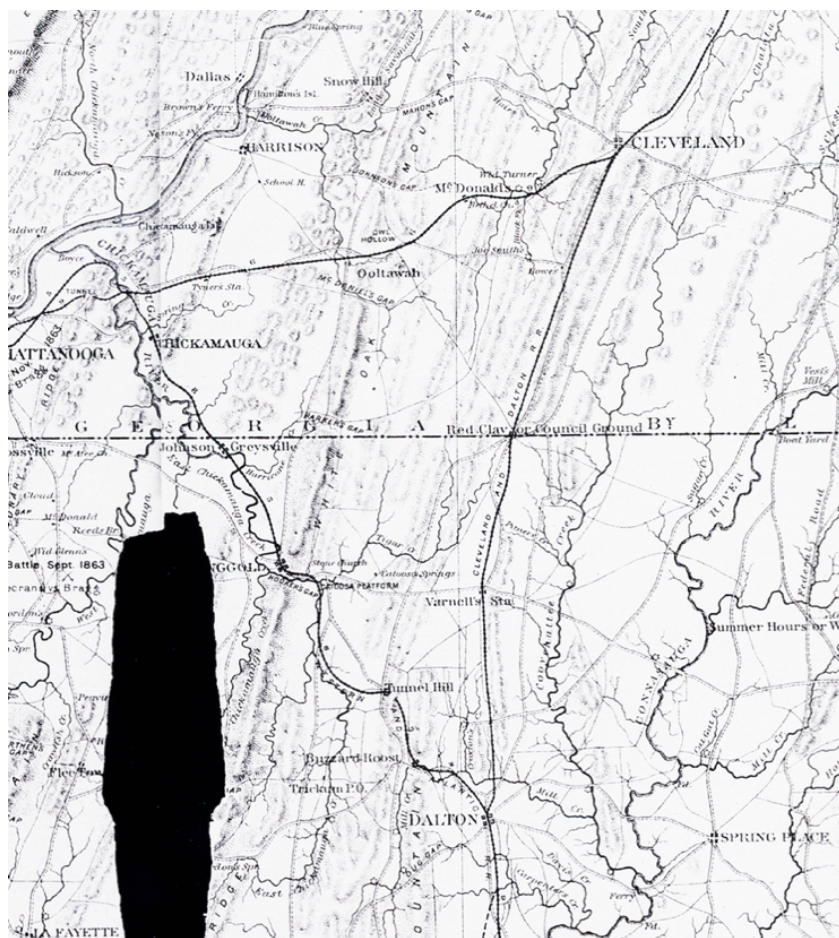


Figure 3-6. Detail of the *Military Map Showing the Theater of Operations in the Tullahoma, Chickamauga and Chattanooga Campaign*. Courtesy of Tennessee State Library and Archives.

One example of the ill feelings between neighbors, which Hurlburt documented, occurred in November 1861, when Confederate troops surrounded nearby Flint Springs School and seized the principal, W.M. Willhoit, and his students. Willhoit and his students were held overnight in a guardhouse in Red Clay. The next day James Huff, who lived across the road from the present-day park, humiliated the prisoners by having

his dog “go through with a performance which he called cursing Abraham Lincoln.”<sup>263</sup>

When offered the choice between joining the Confederate army, going to prison, or buying their freedom, Willhoit agreed to join the Confederates. He was assigned to be a conscription officer in Bradley County’s 4<sup>th</sup> District, but instead of conscripting Confederates, he recruited men for the Union and helped them cross the Tennessee River. He recruited three groups of Union men before Confederates captured Willhoit and his last group of recruits. The Confederate officials sent Willhoit and his recruits to Macon, Georgia, as prisoners. They were eventually released “through the influence of friends at home.” Although Flint Springs School attempted to resume classes as soon as the war ended, it was unsuccessful until 1868.<sup>264</sup>

Substitute brokers were men capitalized from a provision of the April 1862 Conscription Act that allowed conscripts to pay other men to act as their substitutes. At least one group of substitute brokers operated in the Red Clay area.<sup>265</sup> In June 1863, a group of substitute brokers from Whitfield County, Georgia compelled Absalom Stonecipher (1846-1926),<sup>266</sup> the son of a poor Union sympathizing family who lived near Flint Springs, to join the Confederate Army. After the brokers, led by Samuel Kincannon, took Absalom to Varnell’s Station (present-day Varnell), Georgia, Kincannon took sole

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<sup>263</sup> J.S. Hurlburt, *History of the Rebellion in Bradley County, East Tennessee* (Indianapolis: 1866), 244; Wooten, *A History of Bradley County*, 98.

<sup>264</sup> Hurlburt, 244; Wooten, *A History of Bradley County*, 98.

<sup>265</sup> Hurlburt, 153; Patrick J. Doyle, "Replacement Rebels; Confederate Substitution and the Issue of Citizenship," *Journal of the Civil War Era* 8, no. 1 (2018): 30, <https://www.jstor.org/stable/26381501> (accessed September 17, 2020).

<sup>266</sup> Findagrave.com, “Absalom Stonecipher,” record added November 1, 2010, <https://findagrave.com/memorial/60958454/absalom-stonecipher> (accessed September 19, 2020).

custody of the boy and escorted him to Dalton, Georgia, to sign enlistment papers. Kincannon handed Absalom over to the man who had paid for the substitution, John Bryant. Bryant was reportedly a wealthy planter whose son had decided he no longer wished to fight. Bryant and Absalom were supposed to catch the train the next morning from Varnell's Station to Richmond, Virginia. The boy convinced Bryant to let him go home for the night. Out of Bryant's custody, Absalom went into hiding for several months before joining the 111<sup>th</sup> Regiment, Ohio Infantry, which was participating in the East Tennessee Campaign, on October 1, 1863.<sup>267</sup>

The East Tennessee & Georgia Railroad (ET&G) moved men and materiel through Red Clay for the Confederacy. After Cleveland was captured by the Union on November 26, 1863,<sup>268</sup> in the Chattanooga campaign's culmination, the rail line was too valuable to leave intact since it still connected troops commanded by Confederate Generals Braxton destroyed a section of the rail line between Dalton, Georgia, and Cleveland, Tennessee. In an account of what took place at Red Clay on November 27, Brigadier General Adin B. Underwood of the 33<sup>rd</sup> Massachusetts Infantry Regiment wrote:

At Red Clay Station a few hours were devoted to this pleasant diversion [destroying a section of railroad], and soon three miles of sleepers were reduced to firewood, and the rails to old junk. There being no further use for cars and the

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<sup>267</sup> Hurlburt, 152-64; Ancestry.com, *U.S. Civil War Soldiers, 1861-1865: Absalom Stonecipher* [database on-line], (Provo, UT, USA: Ancestry.com Operations Inc, 2007); Fold3.com, *Index to Compiled Service Records of Volunteer Union Soldiers Who Served in Organizations from the State of Ohio: Absalom Stonesiver*, <https://www.fold3.com/image/292470227?terms=war,stonesiver,us,civil,absalom> (accessed September 19, 2020); Ancestry.com, *1890 Veterans Schedules: Absalom Stonecipher* [database on-line], (Provo, UT, USA: Ancestry.com Operations Inc, 2005).

<sup>268</sup> Dennis W. Belcher, *The Cavalry of the Army of the Cumberland* (Jefferson, NC: McFarland & Company, Inc., 2016), 289.

depot, they were burned. Neither Longstreet nor Bragg could now get any comfort from that railroad.<sup>269</sup>

As the Union and Confederate Armies danced back and forth through Bradley and Whitfield Counties, the Red Clay area fell prey to guerilla activity. According to Judge Charles W. Lusk, whose family were early settlers in the Flint Springs area, raiders wearing Confederate uniforms surrounded the home of his grandfather Joseph Lusk in early February 1864. The Lusk family were Unionists, with three sons in the Union Army. Confederates raided their farm several times already, so Joseph's grandchildren took the few mules the family had left and attempted to evade the raiders and hid the mules in the woods. Joseph was a veteran of the War of 1812, and when the raiders began chasing his grandchildren, he shot one of them dead. The next night, the surviving raiders burned the Lusk home to the ground.<sup>270</sup>

Later that month, rumors began circulating that Confederate General Joseph Johnston had sent men from Dalton to intercept Union General William Tecumseh Sherman's men on their way to Jackson and Meridian, Mississippi. General Ulysses S. Grant sent a reconnaissance mission towards Dalton to determine Johnston's strength. Among the troops sent south, General Matthias of the XV Corps was ordered on February 23 to send six of his regiments from Cleveland to Red Clay to reinforce General

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<sup>269</sup> Adin B. Underwood, *The Three Years' Service of the Thirty-Third Mass. Infantry Regiment 1862-1865* (Boston: A. Williams & Co., Publishers, 1881), 192, <http://burrage-letters.cath.vt.edu/JBDocs.php?select=Underwood4> (accessed October 22, 2018).

<sup>270</sup> Bainard Cooper, "McCallie Letter to Judge Lusk Recalls Bradley's History as Guerilla Battleground in Civil War," *The Chattanooga Times*, October 13, 1941; Penelope Johnson Allen, John Morgan Wooten, and Charles W. Lusk, "Leaves from the Family Tree. . . Lusk," *The Chattanooga Times*, April 22, 1934.

Cruft's men.<sup>271</sup> On February 23, General Johnston wrote to Confederate President Jefferson Davis, "General Wheeler reported during the night a Federal Army at Ringgold and a body of 10,000 at Red Clay, fourteen miles on the Cleveland road."<sup>272</sup> After several days of skirmishing, Union forces ascertained that Johnston had a superior force and the Union troops who had camped at Red Clay fell back to Blue Springs and Cleveland.

A few months later, General Sherman's army began to gather around Red Clay, by rail and foot, before heading south on the Atlanta Campaign. Union scouts with the Army of the Ohio got into a skirmish at or near Red Clay on May 3.<sup>273</sup> The rest of the Union army arrived at Red Clay on May 4-5, 1864.<sup>274</sup> The troops set up a supply station along the railroad; however, it is uncertain if they used the station house. After the Army of the Ohio began moving south to Varnell's Station and Tunnel Hill, Georgia, on

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<sup>271</sup> Melba Lee Murray, *Bradley Divided: Bradley County, Tennessee During the Civil War* (Collegedale, TN: The College Press, 1992), 196.

<sup>272</sup> *Ibid*, 197.

<sup>273</sup> United States War Department, George B. Davis, et al, *The War of the Rebellion: A Compilation of the Official Records of the Union* (Washington, DC: Government Printing Office, 1891), 3; "Report of Lieut. Col. Horace P. Lamson, Fourth Indiana Cavalry, commanding Second Brigade," in *The War of the Rebellion*, 780; "Georgia," *The Chattanooga Times*, September 18, 1895, 57.

<sup>274</sup> Jacob Dolson Cox, *Military Reminiscences of the Civil War: November 1863-June 1865*, vol. II (New York: Charles Scribner's, 1900), 167; "Report of Maj. Gen. John M. Schofield, U.S. Army, commanding Army of the Ohio," *The War of the Rebellion*, 510; "Report of Surg. Henry S. Hewitt, U.S. Army, Medical Doctor," *The War of the Rebellion*, 522; "Report of Brig. Gen. Alvin P. Hovey, U.S. Army, commanding First Division, of operations May 3-June 9," *The War of the Rebellion*, 540-541; "Reports of Brig. Gen. Nathaniel C. McLean, U.S. Army, commanding First Brigade, of operations May 5-June 4," *The War of the Rebellion*, 581; "Reports of Capt. Samuel L. Demarest, Twenty-fifth Michigan Infantry, of operations May 6-August 12," *The War of the Rebellion*, 592; "Reports of Col. William Cross, Third Tennessee Infantry, of operations May 6-August 1," *The War of the Rebellion*, 598; "Report of Col. Joseph A. Cooper, Sixth Tennessee Infantry, of operations May 7-June 6," *The War of the Rebellion*, 606; "Report of Brig. Gen. Milo S. Hascall, U.S. Army, commanding Second Brigade, of operations May 3-16," *The War of the Rebellion*, 609; "Reports of Maj. Uriah M. Lurance, One hundred and seventh Illinois Infantry, of operations April 26-May 28," *The War of the Rebellion*, 619; "Reports of Capt. Edgar Sowers, One hundred and eighteenth Ohio Infantry," *The War of the Rebellion*, 642; "Report of Capt. Byron D. Paddock, Battery F, First Michigan Light Artillery, of operations May 7-20," *The War of the Rebellion*, 669-670; "Reports of Brig. Gen. Jacob D. Cox, U.S. Army, commanding Third Division," *The War of the Rebellion*, 674; "Reports of Brig. Gen. James W. Reilly, U.S. Army, commanding First Brigade," *The War of the Rebellion*, 697; "Report of Brig. Gen. Mahlon D. Manson, U.S. Army, commanding Second Brigade, of operations May 7-14," *The War of the Rebellion*, 714; "Report of Lieut. Col. Horace P. Lamson, Fourth Indiana Cavalry, commanding Second Brigade," *The War of the Rebellion*, 780; John William Draper, *History of the American Civil War*, vol. 3 (New York: Harper, 1868-70), 270; "Gen. Manderson." *Chattanooga Daily Times*, September 19, 1895.

May 7, the supply station was moved from the railroad at Red Clay to that of Ringgold, Georgia.<sup>275</sup> *Positions of the Army of the Ohio in front of Dalton, Georgia, May 8 and 9, 1864* (see Figure 3-7) shows the two rail lines leading into Dalton.

John B. Maston was too old to fight in the Civil War; however, on October 16, 1863, he did sell five bushels of corn and 100 lbs. of hay to the Confederate Army,<sup>276</sup> possibly to support the Chattanooga campaign.<sup>277</sup> Maston may have grown corn and hay on his Red Clay land and his farmland in Georgia. All his Georgia lands were in northern Whitfield County, though not entirely contiguous. Maston's wealth seems to have increased during the first years of the war, as he had fourteen enslaved people and 1,854 acres of land in 1863.<sup>278</sup> The ultimate victory by the Union caused Maston's fortunes to suffer since he lost his enslaved people and his Georgia property fell to 800 acres.<sup>279</sup>

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<sup>275</sup> Draper, 270-273; Melba Lee Murray, 360; "Report of Brig. Gen. Milo S. Hascall, U.S. Army, commanding Second Brigade, of operations May 3-16," *The War of the Rebellion*, 609-610; "Gen. Manderson." *The Chattanooga Times*, September 19, 1895.

<sup>276</sup> Fold3.com, *Confederate Papers Relating to Citizens or Business Firms, 1861-65*: John B. Marston, [www.fold3.com/image/44558251?terms=John%20sndx:Marston%20Georgia&xid=1945](http://www.fold3.com/image/44558251?terms=John%20sndx:Marston%20Georgia&xid=1945) (accessed July 30, 2018).

<sup>277</sup> James L. McDonough, "Battles of Chickamauga and Chattanooga," Carroll Van West, ed., *Tennessee Encyclopedia of History and Culture* (Knoxville: University of Tennessee Press, 2004), online edition, <https://tennesseencyclopedia.net/entries/battles-of-chickamauga-and-chattanooga/> (accessed July 30, 2018).

<sup>278</sup> Ancestry.com, *Georgia, Property Tax Digests, 1793-1892*: J B Marstin, 1863 [database on-line], (Provo, UT: Ancestry.com Operations, Inc., 2011).

<sup>279</sup> Ancestry.com, *Georgia, Property Tax Digests, 1793-1892*: J.B. Marston, 1870; Ancestry.com, *1870 United States Federal Census*: John B Maston.



Figure 3-7. Positions of the Army of the Ohio in front of Dalton, Georgia, May 8 and 9, 1864. Note the two rail lines leading into Dalton – one from Red Clay (Right) and the other from Chattanooga. Courtesy of the Library of Congress.

### The Traynors in the Civil War

The Traynor family sympathized with the Confederacy. The Traynors' two oldest sons, John Jr. and James, and their son-in-law, John F. Rogers, fought for the Confederacy. Mary Ann and, presumably, her other children showed support differently. For example, after the First Battle of Bull Run, Confederate sympathizers in Cleveland celebrated the victory by illuminating their houses and stores on the night of July 24, 1861. Mary Ann and her son-in-law, John F. Rogers, were listed as celebrants.<sup>280</sup>



Figure 3-8. First Lieutenant John D. Traynor, Jr., CSA. *Courtesy of Laine Schenkelberg.*



Figure 3-9. John F. and Katherine Traynor Rogers. *Courtesy of Laine Schenkelberg.*

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<sup>280</sup> *The Cleveland Banner*, July 24, 1861; Hurlburt, 144.

John D. Traynor, Jr. (1841-1890),<sup>281</sup> a druggist in Cleveland, joined the Confederate Army. A May 10, 1861 newspaper article stated, “A company of volunteers is being formed at this place [Cleveland]. It now numbers about 40 members. Men wanting to join can report themselves either to Col. C.H. Mills, S.A.R. Swan or Capt. John D. Traynor.”<sup>282</sup> John Jr. joined Tennessee’s 4<sup>th</sup> (Branner’s) Cavalry Battalion on June 17, 1861.<sup>283</sup>

John Franklin Rogers (1828-1871)<sup>284</sup> married John Sr. and Mary Ann’s daughter Katherine Traynor (1838-1925)<sup>285</sup> in the mid-1850s (see Figure 3-9). John Rogers owned a store in Cleveland, a farm near the Traynors’ Red Clay property, and eight enslaved people in 1860.<sup>286</sup> Rogers organized Tennessee’s First (Roger’s) Cavalry Regiment on January 7, 1862, which he then commanded. Colonel Rogers and his men were immediately sent to the Kentucky border to support the Confederate retreat from the Battle of Mill Springs. Roger’s regiment served in East Tennessee and Kentucky until it became part of the Fifth (McKenzie’s) Tennessee Cavalry Regiment on December 16, 1862. McKenzie’s regiment served on guard duty in East Tennessee and along the Kentucky border. In August 1863, they also served as rear guard for General Simon

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<sup>281</sup> Findagrave.com, “John D. Traynor Jr.,” record added July 20, 2009, <https://www.findagrave.com/memorial/39690108/john-d.-traynor> (accessed September 12, 2020).

<sup>282</sup> *The Cleveland Banner*, May 10, 1861; Hurlburt, 141.

<sup>283</sup> Fold3.com, *Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Tennessee*: John D. Traynor, <https://www.fold3.com/image/64661320> (accessed September 12, 2020).

<sup>284</sup> Ancestry.com, *Biography & Genealogy Master Index (BGMI): John F. Rogers* [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2009).

<sup>285</sup> Ancestry.com, *Tennessee, Death Records, 1908-1965: Mrs. Kate Morris* [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2011).

<sup>286</sup> Ancestry.com, *1850 United States Federal Census: John Rogers* [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2009); Ancestry.com, *1860 U.S. Federal Census - Slave Schedules: John Rogers* [database on-line], (Provo, UT, USA: Ancestry.com Operations Inc, 2010); *The Cleveland Banner*, July 24, 1861; Hurlburt, 144.

Bolivar Buckner's army during Knoxville's evacuation. McKenzie's regiment participated in many military actions in East and Middle Tennessee, Georgia, and the Carolinas. On April 26, 1865, General Johnston included McKenzie's regiment in his terms of surrender at Greensboro, North Carolina.<sup>287</sup>

John Jr. fought at the Battle of Mill Springs near present-day Nancy, Kentucky, on January 19, 1862. His regiment joined with the 5<sup>th</sup> (McClellan's) Cavalry Battalion to create Tennessee's Second (Ashby's) Cavalry on May 24, 1862. When the regiments consolidated, John Jr. was "[e]lected from private [First Lieutenant] May 24 [1862]."<sup>288</sup> The Second Cavalry fought in General Joseph Wheeler's Cavalry at the Battle of Stones River in Murfreesboro, Tennessee, where they charged and silenced a Union Battery. John Jr. received a wound in this action, but he survived.<sup>289</sup>

John Jr.'s younger brother, James P. Traynor (c. 1844-1881),<sup>290</sup> joined Captain R.L. Barry's Company, Tennessee Light Artillery (also known as the Lookout Light Artillery) on July 27, 1862. James served in the Chattanooga area before the unit was transferred to Knoxville a few weeks later. Barry's Company also served in Canton,

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<sup>287</sup> Hurlburt, 83; Fold3.com, *Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Tennessee*: John F. Rogers, <https://www.fold3.com/image/65617398?xid=1945> (accessed September 16, 2020); Murray, 290-91.

<sup>288</sup> Fold3.com, *Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Tennessee*: John D. Traynor, <https://www.fold3.com/image/64661320> (accessed September 12, 2020).

<sup>289</sup> Murray, 289; "Battle of Stones River Facts & Summary," *American Battlefield Trust*, (2009) <https://www.battlefields.org/learn/civil-war/battles/stones-river> (accessed November 5, 2020).

<sup>290</sup> Ancestry.com, *1850 United States Federal Census: James Fraynor* [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2009); Ancestry.com, *1860 United States Federal Census: James Tranor* [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2009); Ancestry.com, *1870 United States Federal Census: James P. Traynor* [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2009); Ancestry.com and The Church of Jesus Christ of Latter-day Saints, *1880 United States Federal Census: James P. Traynor* [database on-line], (Lehi, UT, USA: Ancestry.com Operations Inc, 2010); Findagrave.com, "James P. Traynor," record added July 20, 2009, <https://www.findagrave.com/memorial/39690110/james-p.-traynor> (accessed September 13, 2020).

Mississippi, and Demopolis, Alabama. They joined the Army of Tennessee in the spring of 1864 and fought in the Atlanta Campaign. Barry's Company turned over its equipment to the Jefferson Mississippi Light Artillery in September 1864 and joined General M.J. Wright at Macon, Georgia. In March 1865, the unit relocated to Mobile, Alabama. James was captured at Spanish Fort, Alabama, on April 8, 1865, and was transferred to the prison at Ship Island, Mississippi, two days later. His Union captors paroled James on May 6, 1865.<sup>291</sup>

Union troops captured John Jr. on July 31, 1863, near Lancaster, Kentucky, when his regiment was raiding the area for supplies. They imprisoned John Jr. at Camp Nelson, Kentucky, before transferring him to the prison at Johnson's Island at Sandusky, Ohio, on October 10, 1863. While imprisoned, John Jr. worked in the hospital as a Prescription Clerk to supply medicines to the 15,000 prisoners-of-war held at Johnson's Island. Judge Arthur Traynor, the youngest of the Traynor children, wrote a speech memorializing John Jr., which he later published in *The Cleveland Banner*. In it, he stated that John Jr. was "the first going out and the last getting back to Bradley County."<sup>292</sup> John Jr. was paroled on June 11, 1865 and returned home to Cleveland. Though his military records

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<sup>291</sup> Captain R.S. Barry, "Artillery Recruits," *The Chattanooga Daily Rebel*, September 12, 1862: 2, *Chronicling America: Historic American Newspapers* (Washington: Library of Congress), <https://chroniclingamerica.loc.gov/lccn/sn82015209/1862-09-12/ed-1/seq-2/> (accessed September 13, 2020); National Park Service, "Battle Unit Details - Barry's Company, Tennessee Light Artillery (Lookout Artillery);" Murray, 289.

<sup>292</sup> Fold3.com, *Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Tennessee*: John D. Traynor; "Sketch of the Life of Capt. John D. Traynor," *The Cleveland Banner*; Murray, 289.

state that his highest rank was First Lieutenant, the townspeople of Cleveland called him Captain Traynor for the rest of his life.<sup>293</sup>

Mary Ann Traynor closed out the decade with yet another Tennessee Supreme Court ruling. In 1861, she had recovered a judgment for \$229.82 plus costs. The sheriff, Isaac Lowe, was supposed to collect the judgment and deliver it to her agent and son-in-law, John F. Rogers. Lowe claimed he collected the money and immediately took it to Rogers. Rogers and Traynor claimed not to have received it.<sup>294</sup>

Surprisingly, both the Mastons and Traynors survived the war without losing any immediate family members. However, they, like many affluent antebellum white Southerners, had counted their wealth in black bodies. The wealthy landowners who owned property at or near present-day Red Clay State Historic Park, like antebellum landowners throughout the South, lost much of their fortune with their enslaved people's emancipation. Despite enmity between neighbors who supported opposite sides during the war, slowly the community began to heal. However, changes in social policies and technology brought big changes to Red Clay over the next few decades.

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<sup>293</sup> Fold3.com, *Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Tennessee*: John D. Traynor; "Sketch of the Life of Capt. John D. Traynor."

<sup>294</sup> "Supreme Court Opinion," *Press and Messenger* (Knoxville, TN), November 17, 1869, 7, <https://www.newspapers.com/image/586584288/?terms=%22Mrs.%2BTraynor%22> (accessed October 19, 2020).

## CHAPTER IV: THE NEW SOUTH ERA, 1870 TO GREAT DEPRESSION

As Reconstruction swept the South in the years following the Civil War, people in the Red Clay area reconciled themselves to their new reality. Both whites and Blacks worked to rebuild Red Clay in different ways, while espousing similar moral values. After a new town emerged nearby, it drew away the population of Red Clay, Georgia, leaving the town as the retreat of the upper middle class and the countryside to new agricultural industries. Such changes, while seemingly unique to Red Clay, shine a light on the speed at which communities, social movements, government policies, and industries changed during the New South era. The vacillating fortunes of various Maston and Traynor family members, as well as that of their freedmen, illustrate the social mobility afforded to Southerners as they adjusted to their new, post-war lives. This chapter will explore the New South era manifested at Red Clay along with its changes to the landscape and its people.

### **The Temperance Town of Red Clay**

After the war, James H. Huff was probably unable to farm all the land he had purchased along the railroad corridor at Red Clay, Georgia. Huff began selling small parcels of land, typically enough for a home and perhaps a business or a garden. Huff sold four of these parcels in 1869 and included a variation of the following statement in each deed:

. . . should the said [grantee] his heirs, assigns, representatives, hirelings, servants, employees, or any other person into whose hands this lot shall ever fall, bring, use, sell or buy any spiritous liquors, wines, or other intoxicating

drinks, then this deed shall become null and void, and the property shall revert to the said J.H. Huff, with all its improvements then therein, as fully and legally as though this deed, and rights to possess never had been made.<sup>295</sup>

Huff continued to build a temperance town throughout the 1870s. He gave land to the Methodist Episcopal Church, South, to construct a church in 1874. Red Clay's white children used the building as a school, as well. In 1876, Huff gave the church another parcel to establish a cemetery. The little town that Huff built also contained a tannery, corn and flouring mills, at least one sawmill, a shoe shop, and a general store.<sup>296</sup>

Despite the clause written in Huff's deeds, Red Clay's temperance town only lasted a decade. In 1877, Josiah G.W. Mills purchased 200 acres of the Red Clay land, including nearly everything that previously belonged to Huff at Red Clay. Mills purchased the property as the trustee of his wife and young daughter. Whether due to Mills's influence or the growing support for Georgia to have a public option on alcohol, Huff signed the "Relinquishment of Whiskey Reservation Clause in Red Clay" on January 2, 1879, which released everyone from Huff's strict community regulation.<sup>297</sup>

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<sup>295</sup> Deed from James H. Huff to W.B. Wills, February 22, 1869, Whitfield County, Georgia, Deed Book H, 126-7; Deed from James H. Huff to William B. Wills, November 17, 1869, Whitfield County, Georgia Deed Book F, 217 and 223; Deed from James H. Huff to John M. McCoy, April 8, 1869, Whitfield County, Georgia, Deed Book F, 769; Deed from James H. Huff to John M. McCoy, April 8, 1869, Whitfield County, Georgia, Deed Book F, 769.

<sup>296</sup> Deed from James H. Huff to Publishing House of Meth Epis Church South, February 17, 1874, recorded May 18, 1874, Whitfield County Deed Book H, 204-5; Deed from James H. Huff to Publishing House of Meth Epis Church South, July 3/1876, recorded July 7, 1876, Whitfield County Deed Book H, 273; Deed from James H. Huff to Perry M. England, September 18, 1874, recorded July 6, 1875, Whitfield County Deed Book H, 549-50; Deed from James H. Huff to Perry M. England, July 24, 1875, recorded December 29, 1875, Whitfield County Deed Book H, 651-2; Deed from James H. Huff to Trustees of the Red Clay Methodist Episcopal Church South, December 13, 1875, recorded December 28, 1875, Whitfield County Deed Book H, 653; Deed from James H. Huff to Josiah G.W. Mills Trustee of Sara E. and Lillian O. Mills (his wife & minor daughter), December 8, 1877, recorded December 17, 1877, Whitfield County Deed Book I, 389-90; James R. Huff, *Musings of an Old Sorrel Top* (Chattanooga: 1924), 25-38.

<sup>297</sup> Deed from James H. Huff to Josiah G.W. Mills Trustee of Sara E. and Lillian O. Mills (his wife & minor daughter), December 8, 1877, recorded December 17, 1877, Whitfield County Deed Book I, 389-90.

According to an article published in *The Chattanooga Daily Times* remembering Red Clay's heyday stated:

A feud, rivaling the Hatfield-McCoy feud, once spent its venomous force in the otherwise peaceful town of the long-ago. An old wiseacre, when asked to explain the cause of the rivalry of the two families stated that it was a contention between two "community lords" and Red Clay was hardly large enough to contain them both.<sup>298</sup>

Locals may have thought of James H. Huff as one of these "community lords," but by the late-1890s, newspapers across the country called Josiah G.W. Mills the "King of Red Clay."<sup>299</sup>

### The Traynors

The Traynors survived the Civil War with their lives and much of their real estate intact. As the executrix of John D. Traynor, Sr's estate, Mary Ann decided to divide up the estate after entering her sixth decade. In an agreement between her and her five children, Mary Ann gave the title to the "Red Clay farm" to her sons William and Arthur on December 4, 1874. Mary Ann died in 1881 at the age of 69.<sup>300</sup>

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<sup>298</sup> W.M. Sapp, "'Elawadi' is Now No More," *The Chattanooga Daily Times*, March 19, 1916, 10.

<sup>299</sup> "The King of Red Clay," *North Georgia Citizen*, May 11, 1893; "The Local Observer," *North Georgia Citizen*, November 14, 1895; "A Georgia Colonel," *Harrisburg Daily Independent* (Harrisburg, Pennsylvania), January 4, 1896; "A Georgia Colonel," *The Berkeley Gazette* (Berkeley, California), April 15, 1896, <https://www.newspapers.com/clip/62687697/18960415-georgia-colonel/> (accessed November 6, 2020); "A Georgia Colonel," *The Salina Sun* (Salina, Kansas), May 16, 1896, <https://www.newspapers.com/clip/62687156/18960516-georgia-colonel/> (accessed November 6, 2020); "A Georgia Colonel," *The Neenah Daily Times* (Neenah, Wisconsin), September 20, 1897, <https://www.newspapers.com/clip/62687438/18970920-a-georgia-colonel/> (accessed November 6, 2020).

<sup>300</sup> *Agreement between Mary Ann Traynor, Kate Rogers, John D. Traynor, William D. Traynor, James P. Traynor, and Arthur Traynor, December 4, 1874, Bradley County, Tennessee, Deed Book D, 603-4*; Findagrave.com, "Mary Ann Cozby Traynor," record added July 20, 2009, <https://www.findagrave.com/memorial/39690115/mary-ann-traynor> (accessed February 11, 2021).

After the war, John Jr. went into business with John Craigmiles opening a drugstore, Craigmiles & Traynor, in Cleveland. John Jr. distinguished himself by placing wooden placards on the Confederate soldiers' graves at Fort Hill Cemetery. He maintained the Confederate graves at his own expense and convinced the city to appoint a sexton for the Fort Hill Cemetery. When John Jr. died in 1890, Confederate veterans served as his pallbearers and named their fraternal club's chapter the John D. Traynor Camp of Confederate Veterans of America.<sup>301</sup>

William Dardis Traynor (1845-1913),<sup>302</sup> the fourth child in the Traynor family, officially began working as a salesman in the family's store at the age of twenty. Later he worked in a drug store, likely that of his brother, John Jr. William appears in the 1870 census as a "Retired Merch[an]t" at the age of twenty-four. He tried his hand at farming, working in the coal trade, real estate, and selling books and stationery.<sup>303</sup> On November 3, 1873, before the Traynor estate division agreement, Mary Ann bought out William's share in the estate for \$2,000.<sup>304</sup> William's inability to maintain steady employment may indicate an underlying problem that resulted in financial troubles. It seems odd that the

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<sup>301</sup> "Sketch of the Life of Capt. John D. Traynor," *The Cleveland Banner*; Ancestry.com, 1870 United States Federal Census: John H. Craigmiles [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2009; Fold3.com, *Compiled Service Records of Confederate Soldiers Who Served in Organizations from the State of Tennessee*: John D. Traynor."

<sup>302</sup> *Bradley County History of Tennessee from the Earliest Time to the Present; Together with an Historical and a Biographical Sketch of from [Sic] Twenty-Five to Thirty Counties of East Tennessee, Besides a Valuable Fund of Notes, Original Observations, Reminiscences, etc., etc.* (Chicago: The Goodspeed Publishing Co., 1887), 30. Hereafter, this source will be referred to as *Goodspeed's History of Bradley County*; Ancestry.com, *Alabama, Death Index, 1908-1959: WD Trainer, 8 Jan 1913* [database on-line], (Provo, UT, USA: Ancestry.com Operations Inc, 2000).

<sup>303</sup> *Goodspeed's History of Bradley County*, 30; Ancestry.com, 1870 United States Federal Census: *William Traynor*.

<sup>304</sup> *Deed from W.D. Traynor to Mary A. Traynor, November 3, 1873, Bradley County, Tennessee, Deed Book D, 404-5.*

division of John Sr.'s estate included William a year after his mother purchased his share. There are no records of him repurchasing his share of the estate from his mother.

William married Sarah "Sallie" Vance of Newnan, Georgia (also recorded as Newman, Georgia) on September 5, 1876, and had three sons, French Vance, John Dardis, and Charles Arthur. William, Sallie, and their oldest son, French, moved to Birmingham, Alabama, in 1910, where William worked as an office clerk. William's professional downward trajectory did not stop when he left Tennessee. He worked as a machinist in 1911 and as a laborer in 1912. At the age of 67, William died the next year in Birmingham. His family shipped William's body to his hometown of Cleveland for burial.<sup>305</sup> Whatever unsteadiness William exhibited throughout his life, his younger brother, Arthur made up for it.

Arthur Traynor (1849-1932)<sup>306</sup> received his education first at Cleveland's Masonic Institute, before moving on to Emory & Henry College in Emory, Virginia, where he graduated in 1872. That same year, Arthur married Mary "Mamie" Geraldine Rabie (1850-1928)<sup>307</sup> of Greenville, Tennessee. He studied law in Cleveland and gained entry

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<sup>305</sup> *Goodspeed's History of Bradley County*, 30; "Married in Georgia," *The Atlanta Weekly Constitution*, September 19, 1876, 4; Ancestry.com, *Georgia, Marriage Records From Select Counties, 1828-1978*: WD Traynor and Sallie C Vance [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2013); Ancestry.com, *1900 United States Federal Census*: WD Traynor [database on-line], (Provo, UT, USA: Ancestry.com Operations Inc, 2004); Ancestry.com, *1910 United States Federal Census*: William Trayner [database on-line], (Lehi, UT, USA: Ancestry.com Operations Inc, 2006); Ancestry.com, *U.S. City Directories, 1822-1995*: William Trainer, 1911 [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2011); Ancestry.com, *U.S. City Directories, 1822-1995*: William D Traynor, 1912 [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2011); "William D. Traynor," *The Chattanooga Times*, January 10, 1913, 3.

<sup>306</sup> *Goodspeed's History of Bradley County*, 30; Findagrave.com, "Arthur Traynor," record added July 20, 2009, <https://www.findagrave.com/memorial/39690104/arthur-traynor> (accessed October 15, 2020); "A. Traynor, County Judge Succumbs Here," *Cleveland Daily Banner*, January 6, 1932.

<sup>307</sup> Findagrave.com, "Mary Geraldine Rabe Traynor," record added July 20, 2009, <https://www.findagrave.com/memorial/39690117/mary-geraldine-traynor> (accessed October 15, 2020).

to the bar in 1876. Governor Robert L. Taylor appointed Arthur to serve as a judge in the newly designated Seventeenth Judicial Circuit in 1888. Two years later, voters elected to keep Arthur in this position but lost re-election at the end of his term in 1894. Arthur returned to his law practice and served as counsel to the Southern Railway for around thirty years. In 1926, Arthur won election to the office of Bradley County judge and served for several years until illness made it too difficult for him to continue. Arthur passed away on January 6, 1932.<sup>308</sup>



Figure 4-1. (L to R) Mary “Mamie” Rabie Traynor & Judge Arthur Traynor.  
*Courtesy of Laine Schenkelberg.*

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<sup>308</sup> *Goodspeed’s History of Bradley County*, 30; “Circuit Court,” *Chattanooga Times*, September 3, 1890, 5; “A. Traynor, County Judge Succumbs Here.”

Arthur and Mamie had two daughters, Chassie Lee Traynor (1873-1904)<sup>309</sup> and Mary Louis “Tulie” Traynor (1883-1964).<sup>310</sup> Chassie never married and died after a three-month-long illness. Tulie married Francis Albany Foster on June 2, 1908. The young couple had their first son, Francis A. “Little Frank” Foster, in 1910. Little Frank died suddenly at the home of his Traynor grandparents. A newspaper reported that acute indigestion might have been the cause of the child’s death.<sup>311</sup>

### **The Maston Land**

It is uncertain how long John B. Maston kept many of his other properties; however, as early as 1869, Maston tried to sell 720 acres in Whitfield County. In the last few years of his life, 1874 to at least June 1877, Maston served as the Red Clay subscription agent for the *North Georgia Citizen*, a newspaper printed in Dalton, Georgia. The reason John B. kept his Red Clay, Tennessee property may be that he and his family lived across the state border near Red Clay, Georgia, according to the 1860 and 1880 censuses and the 1879 Map of Whitfield County, Georgia (see Figure 4-3). Maston likely found it easier to manage than the properties he sold in more remote areas. The Red Clay, Tennessee property remained in his possession until he died in

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<sup>309</sup> Ancestry.com, *1900 United States Federal Census*: Chassie L. Traynor; Findagrave.com, “Chassie Traynor,” record added July 20, 2009, <https://www.findagrave.com/memorial/39690106/chassie-traynor> (accessed October 19, 2020).

<sup>310</sup> Ancestry.com, *Tennessee, Death Records, 1908-1965*: Mary Louise Foster [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2011).

<sup>311</sup> “Death Record, Miss Chassie Lee Traynor,” *The Chattanooga News*, April 18, 1904, 2; “Frank Foster,” *Nashville Banner*, February 15, 1913, 4.

1878, after which point it passed to his widow, Nannie Whittle Maston, and his two sons, John J. and Thomas W. Maston.<sup>312</sup>

Nancy “Nannie” Whittle (1836-1906)<sup>313</sup> was born in Tennessee to Jane Houk and Thomas Ellwood Whittle. According to the 1840 census, the Whittle family lived in Sevier County, though by the 1850 census, they had moved to Bradley County. Nannie and John B. married in Whitfield County, Georgia, on February 3, 1856. Nannie delivered the couple’s first child, John B. Maston, Jr., in 1858, but in the 1870 census, this child no longer appears as a family member. The 1870 census listed the couple’s two other children, Thomas W. and John J. Since the 1860 census records the first son, John, as two-years-old and the 1870 census reports the third son, John J., as three-years-old, the first son likely died, and the parents named their third son John in his stead. After the death of her husband, John B., the 1880 census listed Nannie as a farmer. Later that year, she married another local farmer, John J. Taylor. In October 1881, Nannie gave birth to a daughter, Elizabeth Victoria Taylor, and by 1900, Nannie had taken in an orphan, Howard Jerrett.<sup>314</sup>

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<sup>312</sup> “Georgia Land Agency,” *North Georgia Citizen* (Dalton, GA), December 9, 1869, 2; “Georgia Land Agency,” *North Georgia Citizen* (Dalton, GA), March 10, 1870, 2; “Agents for the Citizen,” *North Georgia Citizen* (Dalton, GA), July 2, 1874, 2; “Agents for the Citizen,” *North Georgia Citizen* (Dalton, GA), June 3, 1875, 3; “Agents for the Citizen,” *North Georgia Citizen* (Dalton, GA), June 1, 1876, 3; “Agents for the Citizen,” *North Georgia Citizen* (Dalton, GA), June 7, 1877, 3; *Deed of Sale from Jno J. Marstin & others to Zorah C. Ford*, April 27, 1888, Bradley County, Tennessee, Bradley County Deed Book K, 74-76.

<sup>313</sup> Findagrave.com, “Nannie M Taylor,” record added December 8, 2012, <https://www.findagrave.com/memorial/101907586> (accessed July 27, 2018).

<sup>314</sup> Ancestry.com, *1840 United States Federal Census*: Thomas E Whittle [database on-line] (Provo, UT, USA: Ancestry.com Operations, Inc., 2010); Ancestry.com, *1850 United States Federal Census*: Thomas E Whittle [database on-line] (Provo, UT, USA: Ancestry.com Operations, Inc., 2009); Ancestry.com, *Georgia, Marriage Records From Select Counties, 1828-1978*: John B. Maston and Nancy White; Ancestry.com, *1860 United States Federal Census*: John Mastin [database on-line] (Provo, UT, USA: Ancestry.com Operations, Inc., 2009); Ancestry.com, *1870 United States Federal Census*: Nancy Maston; Ancestry.com, *1860 United States Federal Census*: John Mastin [database on-line] (Provo, UT, USA: Ancestry.com Operations, Inc., 2009); Ancestry.com, *1870 United States Federal Census*: John Maston; Ancestry.com and The Church of Jesus Christ of Latter-day Saints, *1880 United States Federal Census*: Nannie

Although she had a new husband, Nannie served as the executrix of the John B. Maston estate, including 640-acres of land worth \$800 in Whitfield County. Nannie died in Red Clay, Georgia, on June 6, 1906, John J. Taylor died in 1917. Their family buried them in the Poplar Springs Baptist Church cemetery in Dalton, Georgia.<sup>315</sup>

Thomas White Maston (c.1861-c. 1891),<sup>316</sup> John B. and Nannie's first child to reach adulthood, married Virginia "Jennie" Martin on October 10, 1885, in Elmore County, Alabama. The couple lived in Elmore County in 1888 when Thomas signed the deed of sale for his part of the Maston lands that became part of the present-day park. Soon afterward, the couple and their three young children, Thomas W., Nannie, and May Malinda, moved to Indian Territory, where Jennie, a Creek Nation citizen, had been allotted 160-acres. The Mastons began farming, but unfortunately, Thomas died around 1891.<sup>317</sup>

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Mastin [database on-line] (Lehi, UT, USA: Ancestry.com Operations Inc., 2010); Ancestry.com, *Georgia, Marriage Records From Select Counties, 1828-1978*: John J Taylor and Mrs. Nancy Marston; Ancestry.com, *1900 United States Federal Census*: Victoria Taylor; Findagrave.com, "Victoria T Brumlow," record added May 8, 2011, <https://www.findagrave.com/memorial/69535028> (accessed July 30, 2018); Ancestry.com, *1900 United States Federal Census*: Nanny M Taylor.

<sup>315</sup> Ancestry.com, *Georgia, Property Tax Digests, 1793-1892*: Nannie Taylor Executrix of J.B. Marston decd (1880-1882) [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2011); Ancestry.com, *Georgia, Property Tax Digests, 1793-1892*: Nannie Taylor (1883-1885); Findagrave.com, "John J Taylor," record added December 8, 2012, <https://www.findagrave.com/memorial/101906454/john-j-taylor> (accessed July 30, 2018); Findagrave.com, "John J Taylor," record added December 8, 2012, <https://www.findagrave.com/memorial/101906454/john-j-taylor> (accessed July 30, 2018).

<sup>316</sup> Ancestry.com, *1870 United States Federal Census*: Thomas Maston.

<sup>317</sup> Ancestry.com, *Alabama, Marriage Index, 1800-1969*: Thomas W Marston and Jennie M Mastin [database on-line] (Provo, UT, USA: Ancestry.com Operations Inc., 2006); Ancestry.com, *Alabama, County Marriage Records, 1805-1967*: Thomas W Marston and Jennie M. Martin [database on-line] (Lehi, UT, USA: Ancestry.com Operations, Inc., 2016); Ancestry.com, *Alabama, Compiled Marriages from Selected Counties, 1809-1920*: Thomas W. Marston and Jennie M. Mastin [database on-line] (Provo, UT, USA: Ancestry.com Operations Inc., 1999); Ancestry.com, *Alabama, Marriage Indexes, 1814-1935*: Thomas W. Marston and Jennie M. Mastin [database on-line] (Provo, UT, USA: Ancestry.com Operations, Inc., 2015); Ancestry.com, *Alabama, Select Marriage Indexes, 1816-1942*: Thomas W. Marston and Jennie M. Martin [database on-line] (Provo, UT, USA: Ancestry.com Operations, Inc., 2014); *Deed of Sale from Jno J. Marstin & others to Zorah C. Ford*; Ancestry.com, *Oklahoma and Indian Territory, Indian Censuses and Rolls, 1851-1959*: Jennie Marston, 1890,1896 [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2014); Ancestry.com, *Oklahoma and Indian Territory, Indian Censuses and Rolls, 1851-1959*: Jennie M Marston, 1890-1896 [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2014); Ancestry.com, *Oklahoma and Indian*



Figure 4-2. John J. Mastin, 1892. *Courtesy of The Chattanooga Times.*

John J. Maston (c. 1867-unknown)<sup>318</sup> was John B. and Nannie Maston’s youngest child. He lost his foot around the age of 12, and the 1880 census listed him as being “Maimed, Crippled, Bedridden, or otherwise disabled.”<sup>319</sup> John J.’s name appears on the deed of sale for 418 acres of the family property that now makes up a significant portion of Red Clay State Historic Park, which they sold April 27, 1888, to Zorah C. Ford.<sup>320</sup>

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*Territory, Dawes Census Cards for Five Civilized Tribes, 1898-1914*: Jennie Laport [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2014); Findagrave.com, “Virginia Marston “Jennie” Mastin Laport,” record added February 12, 2011, <https://www.findagrave.com/memorial/65569530/virginia-marston-laport> (accessed July 30, 2018); Ancestry.com, *1900 United States Federal Census*: John F Marston; Ancestry.com, *1910 United States Federal Census*: John Marston.

<sup>318</sup> Ancestry.com, *1870 United States Federal Census*: John Maston; Ancestry.com and The Church of Jesus Christ of Latter-day Saints, *1880 United States Federal Census*: John J. Mastin.

<sup>319</sup> Ancestry.com and The Church of Jesus Christ of Latter-day Saints, *1880 United States Federal Census*: John J. Mastin; “Rev. Jones’ Turn.” *Chattanooga Times*, December 20, 1892.

<sup>320</sup> *Deed of Sale from Jno J. Marstin & others to Zorah C. Ford.*

Soon after the land sale, Baptist ministers in Chattanooga revealed John J. to be a confidence man in the guise of a Baptist preacher. Though he spelled his last name *Mastin*, several people he knew as a boy in Red Clay positively identified John J. in court. He moved from one area to the next, giving lectures, preaching, seducing young women, and selling items, such as gramophones, that he never delivered before leaving town. John J. abandoned his wife, Mary E. Firestone Marston, and infant son, James B. Marston in Arkansas when he moved to Chattanooga in 1892. Newspapers reported John J.'s fraudulent schemes in Georgia, Alabama, Missouri, Arkansas, Tennessee, Kentucky, and Oklahoma.<sup>321</sup> Due to his nomadic lifestyle, and, possibly, his swindling ways, it is unknown where or when John J. died.

Zorah Cobean Ford (1843-1923),<sup>322</sup> who purchased the Maston's Red Clay, Tennessee property, was the fifth child born to Louisa McNeely and James Cobean, Jr. in Ohio. At the age of 19, Zorah married Hammond Ford and had five children. She seems to have left Ohio and her family a decade afterward because the *Report of the Commissioner of Education* listed Zorah as teaching kindergarten in Washington, DC during the 1883-1884 school year. She reportedly started the first kindergarten for African American children in DC. It is uncertain why she moved to Tennessee, but Zorah

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<sup>321</sup> "Rev. Jones' Turn"; "It's Rev. Mastin's Turn"; "The Passing of Mastin," *The Chattanooga Times*, December 25, 1892; "Mastin Bounced," *The Chattanooga Times*, December 26, 1892; "Mastin Once More," *Chattanooga Times*, July 17, 1893; "Like Banquo's Ghost," *The Chattanooga Times*, September 27, 1893; "Local and Personal," *Cleburne New Era*, April 20, 1893, <https://www.newspapers.com/clip/60972148/18930420-local-and-personal/> (accessed October 12, 2020); "Bobbing Up Serenely," *The Chattanooga Times*, July 8, 1893; "Where is the Preacher?" *Jennings Hummer*, August 3, 1905; "Mastin Troubled," *The Sparks Review*, August 11, 1905; "Cut Off His Head!" *The Chattanooga Times*, July 25, 1893.

<sup>322</sup> Ancestry.com, *Tennessee, Deaths and Burials Index, 1874-1955*: Zora C Ford [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2011).

purchased 418-acres of property from the Maston heirs, including the western half of the present-day park.<sup>323</sup>

Around the turn of the twentieth-century, several upper middle class families had fine houses in Red Clay that they used as vacation homes with names such as Welcome Retreat, Clover Dale, and Bonny Oaks. Zorah called her Red Clay home Roseland. She used it as her private retreat but wisely rented the land to farmers.<sup>324</sup> Zorah's land contained the ridge in the western portion of the present-day park, so the renters likely grew peaches there while Zorah owned it (see below).

Despite owning a home at Red Clay, Zorah lived in rented rooms in Chattanooga. According to city directories between 1891-1923, Zorah lived in a series of boarding houses throughout Chattanooga and East Lake, a suburb of Chattanooga, and taught school the rest of her career. Zorah retained her Red Clay property until January 16, 1917, when she sold it to W.C. Martin. She died on October 8, 1923, at the age of 80.<sup>325</sup>

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<sup>323</sup> Ancestry.com and The Church of Jesus Christ of Latter-day Saints, *1880 United States Federal Census*: Zora C. Ford; *Memorial Manual of the Congregational Church, Mansfield, Ohio* (Mansfield, OH: George U. Harn & Bro., 1882), 73, <https://play.google.com/books/reader?id=MEwVAAAAYAAJ&printsec=frontcover&output=reader&hl=en&pg=GBS.PA7> (accessed August 15, 2020); *Report of the Commissioner of Education for the Year 1883-'84* (Washington, DC: Government Printing Office, 1885), 476, <https://play.google.com/books/reader?id=RqY0AQAAMAAJ&printsec=frontcover&output=reader&hl=en&pg=GBS.PA476> (accessed August 15, 2020); "City and District: Social Science Association," *Evening Star* (Washington, DC), February 27, 1883, <https://chroniclingamerica.loc.gov/lccn/sn83045462/1883-02-27/ed-1/seq-4/> (July 31, 2018); "A Swedenborgian Society," *National Republican* (Washington City, DC), December 27, 1883, <http://chroniclingamerica.loc.gov/lccn/sn86053573/1883-12-27/ed-1/seq-1/> (accessed July 31, 2018); *Deed from Jno J. Marston, T.W. Maston, Nannie M. Taylor, and J.J. Taylor to Zorah C. Ford, April 27, 1888, Bradley County, Tennessee Deed Book K, 74-6.*

<sup>324</sup> "Red Clay, GA," *The Chattanooga News*, August 31, 1901; "Red Clay, GA," *The Chattanooga News*, October 12, 1901; "Red Clay, GA," *The Chattanooga News*, September 7, 1901.

<sup>324</sup> "Red Clay, GA," *The Chattanooga News*, November 16, 1903; "Mrs. Zorah C. Ford Passes Away; was Teacher here for 35 Years," *The Chattanooga News*, October 9, 1923; Robert Sparks Walker, "Mrs. Zorah C. Ford Beloved Teacher, Active on Eve of 80," *The Chattanooga News*, September 2, 1922.

<sup>325</sup> Ancestry.com, *U.S. City Directories, 1822-1995*: Mrs. Z C Ford, 1891; Mrs. Zorah C Ford, 1892; Mrs. Zorah C Ford, 1894; Mrs. Zarah C Ford, 1895; Mrs. Zora C Ford, 1897; Mrs Z C Ford, 1902; Mrs Z C Ford, 1904; Mrs Z C Ford, 1905; Zorah C Ford, 1906; Zorah C Ford, 1907; Mrs. Zora C Ford, 1908; Zora Ford, 1909; Mrs Zora C Ford, 1910; Mrs. Z

W.C. Martin purchased Zorah Ford's property for \$6,000 and sold it the same day to W.M. Rogers for the same amount.<sup>326</sup> William Madison Rogers (1871-1945)<sup>327</sup> owned a farm a few miles away near Cohutta, Georgia. He likely farmed the Red Clay property, as well. Although William's wife, Mary Ella Bond Rogers (1878-1935),<sup>328</sup> sold the property in 1926, William Rogers signed it over to the First National Bank of Dalton in 1939 as part of bankruptcy proceedings.<sup>329</sup> It is uncertain what happened to the land in the intervening thirteen years between 1926 and 1939 or how it ended up in William Rogers's hands again.

### The Traynor Freedmen

As stated previously, John D. Traynor owned twelve enslaved people before his death in 1851, but by 1860 his widow, Mary Ann, owned nine. Mary Ann's enslaved people may have farmed at Red Clay at the time of emancipation.

In the 1870 census, one African American family with the last name Traynor lived in Bradley County. Benjamin Sr. (age 60), Cynthia (age 50), Benjamin Jr. (age 15), and

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C Ford, 1911; Mrs. Z C Ford, 1912; Mrs. Zorah C Ford, 1913; Zora Ford, 1914; Mrs Zora C Ford, 1916; Mrs Zora C Ford, 1917; Mrs Z C Ford, 1918; Mrs Z C Ford, 1919; Sarah C Ford, 1920; Miss Zora Ford, 1922; Zora C Ford, 1923 [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2011); Ancestry.com, *Tennessee, Wills and Probate Records, 1779-2008*: Zorah C Ford, October 15, 1923 [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2015); Walker, "Mrs. Zorah C. Ford Belove Teacher, Active on Eve of 80"; "Mrs. Zorah C. Ford Passes Away; was Teacher here for 35 Years"; *Deed from Zorah C. Ford to W.C. Martin, January 16, 1917, Bradley County, Tennessee, Deed Book 34, 2.*

<sup>326</sup> *Deed from Zorah C. Ford to W.C. Martin; Deed from W.C. Martin & wife to W.M. Rogers, January 16, 1917, Bradley County, Tennessee, Deed Book 34, 3-4.*

<sup>327</sup> Findagrave.com, "William M Rogers," record added February 1, 2010, <https://www.findagrave.com/memorial/47431916/william-m-rogers> (accessed November 6, 2020).

<sup>328</sup> Ancestry.com, *Georgia, Deaths Index, 1914-1940*: Mary E Rogers [database on-line], (Provo, UT: Ancestry.com Operations, Inc., 2011).

<sup>329</sup> *Deed from Mary E. Rogers to J.W. Keith, March 18, 1926, Bradley County, Tennessee, Deed Book 45, 448; Deed from Oliver R. Hardin, Trustee in Bankruptcy of W.M. Rogers to First National Bank of Dalton, March 21, 1939, Bradley County, Tennessee, Deed Book 63, 20-1.*

Franklin (age 13) lived in Cleveland. The males all worked as farm laborers, while Cynthia kept house.<sup>330</sup> The 1870 census appears to be the last time that Benjamin Sr. and Cynthia appear in the historical record.

Benjamin Jr. (1855-c. 1883)<sup>331</sup> moved to Atlanta, Georgia, where he worked as a railway porter. In 1879, he married Hester “Lugenia” Davis (1864-1944)<sup>332</sup> in Douglas County, Georgia. Lugenia gave birth to the couple’s only child, Chessia Phedonia Traynor (1882-1962),<sup>333</sup> near Atlanta. By 1886, Benjamin Jr. became a teacher, possibly the principal, at Summer Hill School, the only school for African Americans in Cartersville, Georgia. Summer Hill held graduations at St. Luke African Methodist Episcopal (AME) Church. An article dated October 1, 1886, stated, “The St. Luke school. . . under charge of B.M. Traynor, colored, will close with a grand exhibition. . .”<sup>334</sup> It is unknown where Benjamin received his education. However, schools for freedmen, their children, and free people of color who had been denied education before emancipation attended schools established by the Freedmen’s Bureau throughout the South.<sup>335</sup>

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<sup>330</sup> Ancestry.com, *1870 United States Federal Census*: Benjamin Traynor [Sr.].

<sup>331</sup> Ancestry.com, *1870 United States Federal Census*: Benjamin Traynor; Ancestry.com, *Georgia, Marriage Records From Select Counties, 1828-1978*: Starling Hopkins and Lugenia Trayner.

<sup>332</sup> Findagrave.com, “Eugenia Davis Hopkins,” record added December 7, 2014, <https://www.findagrave.com/memorial/139696792/eugenia-hopkins> (accessed December 7, 2014).

<sup>333</sup> Findagrave.com, “Chesia Phedonia Trainor Brown,” record added March 22, 2014, <https://www.findagrave.com/memorial/126744874/chesia-phedonia-brown> (accessed October 12, 2020).

<sup>334</sup> “The Criminal Calender [Sic].” *The Cartersville American*, March 30, 1886, [https://gahistoricnewspapers.galileo.usg.edu/lccn/sn88054140/1886-03-30/ed-1/seq-3/print/image\\_614x817\\_from\\_1837,471\\_to\\_5627,5513/](https://gahistoricnewspapers.galileo.usg.edu/lccn/sn88054140/1886-03-30/ed-1/seq-3/print/image_614x817_from_1837,471_to_5627,5513/) (accessed October 20, 2020); “Locals.” *The Cherokee Advance*, October 1, 1886, [https://gahistoricnewspapers.galileo.usg.edu/lccn/sn87090231/1886-10-01/ed-1/seq-3/print/image\\_600x817\\_from\\_2063,434\\_to\\_4767,4112/](https://gahistoricnewspapers.galileo.usg.edu/lccn/sn87090231/1886-10-01/ed-1/seq-3/print/image_600x817_from_2063,434_to_4767,4112/) (accessed October 20, 2020); St. Luke AME Church, “The History of St. Luke AME,” <https://www.saintlukeame.net/church-history> (accessed Oct 20, 2020); Summer Hill Heritage Group, Inc., “The History of Summer Hill School,” <http://www.summerhillheritagegroup.org/history.html> (accessed October 20, 2020).

<sup>335</sup> “Freedmen’s Education during Reconstruction,” *New Georgia Encyclopedia*, September 3, 2002, <https://www.georgiaencyclopedia.org/articles/history-archaeology/freedmens-education-during-reconstruction> (accessed October 20, 2020).

Benjamin Jr. likely died around 1890 because he no longer appears in the historical record, and Lugenia married Starling Hopkins on October 8, 1891, in Bartow County, Georgia. Starling, a widower, brought children into his new marriage. He and Lugenia also had children of their own. By 1903, Chessia had married Andrew Jackson Brown and had given birth to their first child, George. The family moved to Riverside, California, as had her mother, step-father, and siblings. Chessia remained in California until her death in 1962.<sup>336</sup>

Benjamin Sr. and Cynthia Traynor's second son, Franklin (c. 1855-unknown),<sup>337</sup> married Malinda Robertson (c. 1856-unknown)<sup>338</sup> on October 7, 1878, in Bradley County, Tennessee. The couple had two children, Eliza (c. 1873-1892)<sup>339</sup> and Charles (c. 1878-unknown),<sup>340</sup> before moving to Chattanooga by 1887. Once they settled into their new city, Franklin found employment at the Lookout Iron Company, while Malinda

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<sup>336</sup> Ancestry.com, *Georgia, Marriage Records From Select Counties, 1828-1978*: Lugenia Trayner and Starling Hopkins ; Ancestry.com. *U.S., Social Security Applications and Claims Index, 1936-2007*: Fannie Levator Allen [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2015); Ancestry.com, *1910 United States Federal Census*: Chesie P. Brown ; Ancestry.com, *1910 United States Federal Census*: Lugenia Hopkins; Ancestry.com, *1920 United States Federal Census: Chesie Brown* [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2010); Ancestry.com, *1940 United States Federal Census: Chesie Brown* [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2012); Ancestry.com, *California, Voter Registrations, 1900-1968: Mrs Chesia P Brown, 1950* [database on-line], (Provo, UT, USA: Ancestry.com Operations Inc, 2017); Ancestry.com, *California, Voter Registrations, 1900-1968: Mrs Chesia P Brown, 1960* [database on-line], (Provo, UT, USA: Ancestry.com Operations Inc, 2017); Findagrave.com, "Chesia Phedonia Trainor Brown."

<sup>337</sup> Ancestry.com, *1870 United States Federal Census: Franklin Traynor*; Ancestry.com and The Church of Jesus Christ of Latter-day Saints, *1880 United States Federal Census: Frank Traynor*.

<sup>338</sup> Ancestry.com. *Tennessee, Compiled Marriages, 1851-1900: Frank Traynor and Lydia Robertson* [database on-line], (Provo, UT, USA: Ancestry.com Operations Inc, 2000); Ancestry.com and The Church of Jesus Christ of Latter-day Saints, *1880 United States Federal Census: Linda Traynor*.

<sup>339</sup> Ancestry.com and The Church of Jesus Christ of Latter-day Saints, *1880 United States Federal Census: Liza Traynor*; Ancestry.com, *Tennessee, City Death Records, 1872-1923: Eliza Traynor* [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2012).

<sup>340</sup> Ancestry.com and The Church of Jesus Christ of Latter-day Saints, *1880 United States Federal Census: Charles Traynor*.

worked as a laundress. Possibly due to their employment circumstances, Franklin and Malinda do not appear to have lived together in Chattanooga for the first few years.<sup>341</sup>

In 1890, Eliza and Charles both appeared in the city directory: Eliza as a chambermaid at the Read House Hotel and Charles as a molder at Wagner's Foundry & Machine Works. Eliza died of consumption in 1892. That same year, Franklin, Malinda, and Charles lived at the same residence for the first time in years. Perhaps the loss of Eliza brought the disparate family members together again. It is unknown what happened to Franklin after 1892, the last year the city directory lists him.<sup>342</sup>

Charles and Malinda lived together occasionally, both changing jobs over the years until Charles disappears from the historical record after 1897. Malinda continued living and working in Chattanooga until 1926, after which the city directory ceased to list her.<sup>343</sup>

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<sup>341</sup> Ancestry.com, *U.S. City Directories, 1822-1995: Frank H Traynor and Malinda Treanor, 1889* [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2011).

<sup>342</sup> Ancestry.com, *U.S. City Directories, 1822-1995: Charles Trainer and Eliza Trainer, 1890* [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2011); Ancestry.com, *U.S. City Directories, 1822-1995: Charles Trainer and Frank Trainer, 1891* [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2011); Ancestry.com, *U.S. City Directories, 1822-1995: Charles Trainer, Frank Trainer, and Malinda Trainer, 1892* [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2011).

<sup>343</sup> Ancestry.com, *U.S. City Directories, 1822-1995: Charles Trainer and Malinda Trainer, 1894* [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2011); Ancestry.com, *U.S. City Directories, 1822-1995: Charles Traynor and Malinda Traynor, 1897* [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2011); Ancestry.com, *U.S. City Directories, 1822-1995: Malinda Trainor, 1926* [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2011).

## The Maston Freedmen

Like the Traynors, it is uncertain what happened to all the enslaved people owned by the Mastons. However, the 1870 census listed three African American men with the surname Maston in the area: David, Alfred, and James.<sup>344</sup>

David Maston (c. 1849-1893)<sup>345</sup> worked as a farm laborer for a white man named William Smith near Varnell's Station, Georgia, in 1870. Smith had a large family to work on his farm, so he only had one hired hand at that time. Throughout the decades that he appears in records, David never married. By 1880, he had moved to Catoosa County, Georgia. Again, he worked as a farm laborer for a Euro-American, John McClure. David lived in Chattanooga by 1887, where he worked as a servant. During the John J. Mastin/Maston scandal in Chattanooga, David identified his former owner's son in December 1892. David worked for the Hamilton County Hospital for the last couple of years of his life. On the night of July 24, 1893, he may have been murdered and laid out on the train tracks. Whether he fell victim to foul play or not, a train ran over David's body. He left behind no family to mourn him.<sup>346</sup>

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<sup>344</sup> Ancestry.com, *1870 United States Federal Census: David Maston*; Ancestry.com, *1870 United States Federal Census: Alford Maston*; Ancestry.com, *1870 United States Federal Census*.

<sup>345</sup> Ancestry.com, *1870 United States Federal Census: David Maston*; Ancestry.com and The Church of Jesus Christ of Latter-day Saints, *1880 United States Federal Census: Dave Maston*.

<sup>346</sup> Ancestry.com. *1870 United States Federal Census: David Maston*; Ancestry.com and The Church of Jesus Christ of Latter-day Saints, *1880 United States Federal Census: Dave Maston*; Ancestry.com, *U.S. City Directories, 1822-1995*: David Mastin, 1887 [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2011); "Cut Off His Head!"; "Snap Shots," *The Chattanooga Times*, July 26, 1893, <https://www.newspapers.com/clip/60728620/18930726-dave-mastin-death/> (accessed October 8, 2020).

Alfred (c. 1845-unknown)<sup>347</sup> and James Maston (c. 1847-unknown)<sup>348</sup> were likely brothers. James married Lucinda Whitten (c. 1851-1924)<sup>349</sup> in Bradley County, Tennessee, on August 1, 1868. Four months later, Alfred married Elizabeth Mayfield in McMinn County, Tennessee. Both men brought their brides home to Red Clay, where they set up housekeeping next door to one another. They worked as farmhands in 1870 for a white man near Varnell's Station.<sup>350</sup>

Elizabeth disappeared from the historical record after 1870. By 1880, Alfred lived at Butler Woodward's farm in Red Clay and worked as a farmhand. Though the census lists Alfred as married, Elizabeth does not appear listed in the area.<sup>351</sup> Whether the census taker overlooked Elizabeth, or she was living elsewhere is unknown. Alfred only appears one more in the historical record, as a farmworker in Red Clay for the tax years 1883-1885.<sup>352</sup> Alfred and Elizabeth appear not to have had children.

James and Lucinda had their first two sons, James A. (1873-1941)<sup>353</sup> and Benjamin Franklin Maston (1874-1919)<sup>354</sup> while living in Red Clay. They moved across

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<sup>347</sup> Ancestry.com, *1870 United States Federal Census: Alford Maston*; Ancestry.com and The Church of Jesus Christ of Latter-day Saints, *1880 United States Federal Census: Alfred Maston*.

<sup>348</sup> Ancestry.com, *1870 United States Federal Census: James Maston*; Ancestry.com and The Church of Jesus Christ of Latter-day Saints, *1880 United States Federal Census: James Maston*.

<sup>349</sup> Ancestry.com, *Tennessee, Death Records, 1908-1958: Lucinda Gude* [database on-line], (Provo, UT: Ancestry.com Operations, Inc., 2011).

<sup>350</sup> Ancestry.com, *Tennessee, Marriage Records, 1780-2002: James Maston and Lucinda Whitten, August 1, 1868* [database on-line], (Lehi, UT: Ancestry.com Operations Inc, 2008); Ancestry.com, *Tennessee, Marriage Records, 1780-2002: Alfred Maston and Elizabeth Mayfield, December 26, 1868*; Ancestry.com, *1870 United States Federal Census: Alford Maston*; Ancestry.com, *1870 United States Federal Census: James Maston*; Ancestry.com, *Georgia, Property Tax Digests, 1793-1892: Alford Mastin*; Ancestry.com, *Georgia, Property Tax Digests, 1793-1892: James Mastin*.

<sup>351</sup> Ancestry.com and The Church of Jesus Christ of Latter-day Saints, *1880 United States Federal Census: Alfred Maston*.

<sup>352</sup> Ancestry.com, *Georgia, Property Tax Digests, 1793-1892: Alfred Maston*.

<sup>353</sup> Ancestry.com, *Tennessee, Death Records, 1908-1958: James Maston*.

<sup>354</sup> Findagrave.com, "Frank Maston," record added November 5, 2012, <https://www.findagrave.com/memorial/100237468/frank-maston> (accessed January 15, 2021).

the state line to Bradley County, Tennessee, possibly to Cleveland, where Lucinda gave birth to their youngest son, Thomas Walter Maston (1881-1946).<sup>355</sup> James likely died within the next few years, as Lucinda married Charley Goode in 1890 in Bradley County. Goode preceded his wife in death. In 1924, Lucinda passed away in Chattanooga, Tennessee, where she lived with her son James.<sup>356</sup>

James A. Maston married Allie Bates in 1895 in Bradley County,<sup>357</sup> where James worked as a teamster.<sup>358</sup> By 1908, the couple had moved to Chattanooga. James applied for enrollment to the Eastern Band of the Cherokee Indians. On the application, James stated that:

I claim Indian descent through both parents. My mother was born in Blount Co., Tenn. My father was held as a slave but my mother never was. None of my mother's ancestors were ever held as slaves. My mother's parents were raised in Blount Co., I think. They claim to belong to the Cherokee tribe. She never lived with the Indians nor was she ever on any Indian roll. My grandparents were never enrolled that I know of.<sup>359</sup>

The federal government denied James's application, even though he claimed Cherokee descent from both parents.<sup>360</sup> His father, born and raised near the Red Clay Council Ground, may have had Cherokee ancestry.

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<sup>355</sup> Ancestry.com, *U.S., World War I Draft Registration Cards, 1917-1918: Tom Maston* [database on-line], (Provo, UT: Ancestry.com Operations Inc, 2005); Ancestry.com, *California, Death and Burial Records from Select Counties, 1873-1987: Thomas Maston* [database on-line], (Provo, UT: Ancestry.com Operations, Inc., 2014).

<sup>356</sup> Ancestry.com, *Tennessee, Marriage Records, 1780-2002: Charley Goode and Lucinda Maston*; Ancestry.com, *Tennessee, Compiled Marriages, 1851-1900: Charley Goode and Lucinda Maston*; Ancestry.com, *Tennessee, Death Records, 1908-1958: Lucinda Gude*.

<sup>357</sup> Ancestry.com, *Tennessee, Marriage Records, 1780-2002: James Mastin and Allie Bates*.

<sup>358</sup> Ancestry.com, *1900 United States Federal Census: James Maston*.

<sup>359</sup> Ancestry.com, *U.S., Records Related to Enrollment of Eastern Cherokee by Guion Miller, 1908-1910: James Maston* [database on-line], (Provo, UT: Ancestry.com Operations, Inc., 2014).

<sup>360</sup> Ancestry.com, *U.S., Records Related to Enrollment of Eastern Cherokee by Guion Miller, 1908-1910: James Maston* [database on-line] (Provo, UT, USA: Ancestry.com Operations, Inc., 2014).

James and Allie never had children. They lived in Chattanooga until James's death in 1941. Allie then moved to Charleston, Tennessee, where she died in 1944.<sup>361</sup>

Benjamin Franklin "Frank" Maston married Delia Merdie (1877-1927)<sup>362</sup> in 1903. The couple lived in Cleveland and had eight children. Delia gave birth to their youngest child in September of 1919, five months after Frank died in the influenza pandemic. Delia supported her family as a dressmaker. In 1926, Delia applied for enrollment of her and her children into the Eastern Band of the Cherokee Indians. The government denied the application. Delia died the next year. At least one of Frank's and Delia's children grew up and had children of their own in southeast Tennessee.<sup>363</sup>

Thomas Walter Maston is the best documented of James and Lucinda's children. He went to work for the railroad and ended up in California. There he was imprisoned for murder. He was released, married, and had six children. Unfortunately, he went back to prison for assault with a deadly weapon. He died in Folsom Prison in 1946.<sup>364</sup>

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<sup>361</sup> Ancestry.com, *Tennessee, Deaths and Burials Index, 1874-1955: James Maston* [database on-line], (Provo, UT: Ancestry.com Operations, Inc., 2011); Ancestry.com, *Tennessee, Death Records, 1908-1958: Allie Bates Maston*.

<sup>362</sup> Findagrave.com, "Cordellia Meridy Maston," record added November 5, 2012, <https://www.findagrave.com/memorial/100237806> (accessed March 8, 2019).

<sup>363</sup> Ancestry.com, *Tennessee, Marriage Records, 1780-2002: Frank Maston and Dellia Merdie*; Ancestry.com, *1920 United States Federal Census: Della Maston*; Ancestry.com, *1920 United States Federal Census: Henry N. Maston*; Ancestry.com, *Tennessee, Death Records, 1908-1958: Frank Maston*; Ancestry.com, *1920 United States Federal Census: Delia Maston*; Ancestry.com, *U.S., Cherokee Baker Roll and Records, 1924-1929: Delia Maston* [database on-line], (Provo, UT: Ancestry.com Operations, Inc., 2013); Ancestry.com, *Tennessee, Death Records, 1908-1958: Delia Maston*; Ancestry.com, *1940 United States Federal Census: Henry M. Maston*; Findagrave.com, "Henry Nathaniel Maston," record added August 5, 2011, <https://www.findagrave.com/memorial/74473495> (accessed March 8, 2019).

<sup>364</sup> Ancestry.com, *California, Railroad Employment Records, 1862-1950: Thomas Maston, January 31, 1918* [database on-line], (Provo, UT: Ancestry.com Operations, Inc., 2010); Ancestry.com, *California, Prison and Correctional Records, 1851-1950: Thomas Maston* [database on-line], (Provo, UT: Ancestry.com Operations, Inc., 2014); Ancestry.com, *1930 United States Federal Census: Thomas Maston* [database on-line], (Provo, UT: Ancestry.com Operations Inc, 2002); Ancestry.com, *California, Death and Burial Records from Select Counties, 1873-1987: Thomas Maston*.

## Andrews Chapel

According to the *Historic Rural Churches of Georgia* blog, a formerly enslaved man named Henry Andrews from Apison, Tennessee, organized the earliest congregation of Andrews Chapel in Red Clay, Georgia, in 1872. It is unknown exactly when the congregation built its first church. However, an 1874 newspaper article stated, "A negro church is to be erected two miles South of us, and our old roosters look despondent over the prospect of nocturnal annihilation."<sup>365</sup> The statement regarding the nightly killing of roosters was a racist allusion to African-based folk practices known as voodoo, hoodoo, conjure, and rootwork.

According to Tony Kail, a cultural anthropologist and author of *A Secret History of Memphis Hoodoo: Rootworkers, Conjurers & Spiritualists*, a Memphis murder spurred by a belief in hoodoo combined with the racially charged environment of the post-slavery South and media reports of black magic, caused white people's fear of African-based folk practices to reach an all-time high. The numerous articles published in local newspapers referring to voodoo, hoodoo, rootwork, or conjure – all terms used to describe a related set of religious practices, document this fear. Between 1870-1900, three newspapers published in Chattanooga, Tennessee, and Dalton, Georgia published over twenty newspaper articles referencing voodoo, hoodoo, or conjure. This collection

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<sup>365</sup> Sonny Seals, "Andrews Chapel Methodist," *Historic Rural Churches of Georgia* (2017), <https://www.hrcga.org/church/andrews-chapel-methodist/> (accessed January 21, 2019); "Red Clay Items," *North Georgia Citizen* (Dalton, GA), August 27, 1874, 3.

of articles does not include those that, like the above reference to killing roosters at night, allude to real or imagined voodoo practices.<sup>366</sup>

After extensive research, this author found no evidence that anyone practiced voodoo in the Red Clay area. However, by alluding to the killing of roosters, the author of the news article likely meant to stoke fears of African American empowerment embodied by a church free of white control. Without further evidence determining whether the 1874 article referenced Andrews Chapel has proved difficult. However, the article seems to say more about white attitudes toward their black neighbors in Red Clay during the early days of Andrews Chapel than it does about the church itself.

Supposedly the church was named after Henry Andrews. However, the Prater family's history says that the congregation named the church after Andrew Prater, one of the men who built the church building.<sup>367</sup> Despite the church's uncertain origins, it appears on a Whitfield County land ownership map published in 1879 (see Figure 4-

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<sup>366</sup> Tony Kail, *A Secret History of Memphis Hoodoo: Rootworkers, Conjurers & Spiritualists*, Kindle ed. (Charleston, SC: The History Press, 2017), 101-4; "'Hoodoo' Porter Again," *The Chattanooga Daily Times*, August 8, 1890; "'Hoodoo' Porter has a Fit," *The Chattanooga Daily Times*, July 29, 1890; "Voodooism," *The Chattanooga Sunday Times*, November 20, 1887; "Mayor's Court," *The Chattanooga Daily Times*, July 15, 1887; "Poisoned by a Hoodoo Doctor," *The Chattanooga Daily Times*, March 16, 1887; "A Voodoo Doctor Gets in His Work," *The Chattanooga Daily Times*, January 16, 1887; "Was He Voodooed," *The Chattanooga Daily Times*, August 5, 1885; "Voodooism and Cards," *The Chattanooga Daily Times*, March 8, 1885; "A Veritable Voodooist," *The Chattanooga Daily Times*, 3 June, 1876; "New Orleans and Voodoo," *The Chattanooga Daily Times*, December 4, 1897; "Voodoo Doctor Murdered," *The Chattanooga Sunday Times*, July 22, 1894; "Got 'Voodooed' Himself," *The Chattanooga Daily Times*, January 28, 1892; "Theatrical Chat," *Chattanooga Republican*, August 10, 1890; "Bewildered," *The Chattanooga Daily Times*, May 19, 1889; "Lizzie Got Well," *The Chattanooga Daily Times*, October 22, 1888; "Conjurer Killed," *The Chattanooga Daily Times*, October 9., 1888; "Still Waiting for the Goods." *The Chattanooga Sunday Times*, September 9, 1888; "A Dead Man's Finger for a Charm," *The Chattanooga Daily Times*, July 25, 1888; "Fiftieth Congress." *The Chattanooga Daily Times*, December 19, 1887; "A Story of a Negro and a Brindle Cat," *The North Georgia Citizen*, July 13, 1893; "Witch Doctors' Victim," *The North Georgia Citizen*, August 1, 1889; "Neighboring News." *The North Georgia Citizen*, October 20, 1881.

<sup>367</sup> Billie Prater, "Billie Prater Family," *An Official History of Whitfield County Georgia, 1852-1999*, ed. by the Whitfield-Murry Historical Society (Fernandina Beach, FL: Wolfe Publishing, 1999), 471.

3).<sup>368</sup> It is quite possible that the families of Alfred and James Maston attended this church while living in Red Clay, Georgia.



Figure 4-3. Detail of *Map of Whitfield County, Georgia, 1879*, by Samuel M. Street & William P. Schultz. Andrews Chapel is identified as “Colored Ch.” *Courtesy of the Library of Congress.*

Andrews Chapel’s early history relies on the church minutes and oral tradition passed down through the Prater family. The Praters maintain that the church began as a Colored Methodist Episcopal (CME) church. As stated previously, Methodism came to America in the mid-eighteenth century and quickly gained converts amongst both European colonists, enslaved Africans, and free people of color.<sup>369</sup> Before the end of

<sup>368</sup> Samuel M. Street and Wm. P. Schultz, “Map of Whitfield County, Georgia,” (Philadelphia: Smith & Stroup, 1879), <http://hdl.loc.gov/loc.gmd/g3923w.la000098> (accessed April 17, 2019).

<sup>369</sup> Theresa Prater Burse, informal conversation with author, April 27, 2019; Theresa Prater Burse, informal conversation with author, October 10, 2020; Melton, 35.

slavery, over two hundred thousand people of African descent attended ME churches with their owners. According to *Powerful Artifacts: A Guide to Surveying and Documenting Rural African-American Churches in the South* by MTSU's Center for Historic Preservation:

By 1866 only 78,742 black members out of the 207,766 remained associated with the southern white M.E. Church. Four years later, in 1870, most of the African Americans who still remained in the white Methodist Episcopal Church, South, left to establish the Colored Methodist Episcopal (CME) church.<sup>370</sup>

Based on the earliest extant church ledger book, by 1879, Andrews Chapel may have been associated with St. Paul African Methodist Episcopal Church in Atlanta, called the "M.E. Hall"<sup>371</sup> (see Figure 4-4).

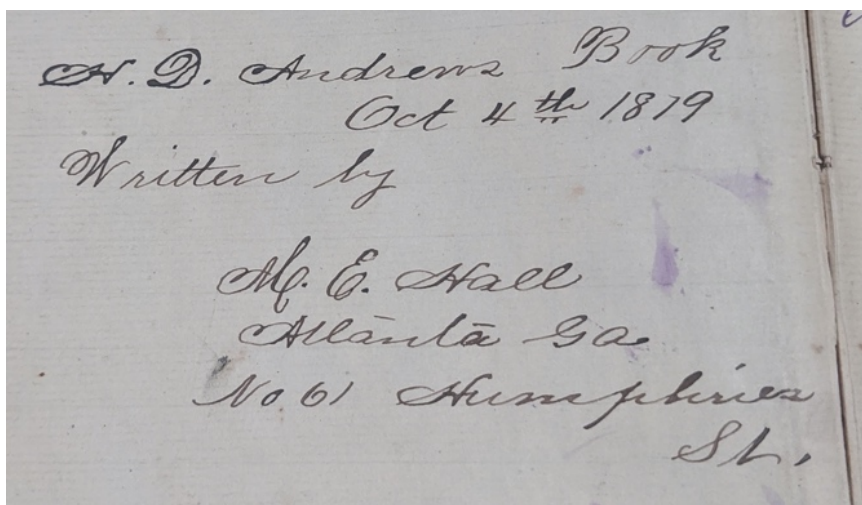


Figure 4-4. Notation from fly leaf of Andrews Chapel's 1879 ledger book. Courtesy of Theresa Prater Burse. Photograph by author.

<sup>370</sup> Carroll Van West, Caneta Skelley Hankins, Anne-Leslie Owens, and Nancy Smotherman, *Powerful Artifacts: A Guide to Surveying and Documenting Rural African-American Churches in the South* (Murfreesboro, TN: MTSU's Center for Historic Preservation, 2000), 8, <https://www.mtsuhistpres.org/wp-content/uploads/2014/08/Powerful-Artifacts.pdf> (accessed May 1, 2019).

<sup>371</sup> *Andrews Chapel Ledger Book, 1879-1880*, files of Theresa Prater Burse, Cohutta, Georgia.

The African Methodist Episcopal (AME) denomination first formed in Philadelphia, Pennsylvania, in 1794, although it could not gain its independence from the Methodist Church until 1816. The AME Church adopted the Discipline of the Methodist Episcopal Church (ME), although they eliminated the Discipline's pro-slavery provisions. Although the AME Church soon spread throughout the north and Midwest, slaveowners banned it in many Southern areas for fear that it would ignite slave revolts. However, by 1868, black congregations established AME churches throughout the South, including St. Paul AME in Atlanta.<sup>372</sup>

The congregation built the church on land that belonged to a white farmer named Wiley R. Clayton (1824-unknown).<sup>373</sup> Georgia tax records from the 1880s, list Wiley as a non-resident of Georgia. Tax records valued this 160-acre lot at far less than neighboring land, so he may not have made improvements to this piece of property.<sup>374</sup> Perry Clayton (1838-1898),<sup>375</sup> Wiley's son, and his family lived in a log cabin near the Council Spring on the present-day park property for several years in the late nineteenth-

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<sup>372</sup> Carroll Van West, Caneta Skelley Hankins, Anne-Leslie Owens, and Nancy Smotherman, 7-8; "St. Paul History," *St. Paul A.M.E. Church*, <https://www.stpaulameatl.com/about-us> (accessed December 6, 2020).

<sup>373</sup> Street and Schultz; Ancestry.com. *Georgia, Property Tax Digests, 1793-1892: Wiley R Clayton, 1880-1882*; Ancestry.com, *1850 United States Federal Census: Wily Clayton* [database on-line], (Provo, UT: Ancestry.com Operations, Inc., 2009).

<sup>374</sup> Ancestry.com, *Georgia, Property Tax Digests, 1793-1892: Wiley K Clayton, 1880-1882; Wiley K Clayton, 1883-1885*.

<sup>375</sup> Findagrave.com, "Perry T. Clayton," record added July 18, 2012, <https://www.findagrave.com/memorial/93815425> (accessed April 26, 2019).

century. After Perry's death, his widow, Rebecca Clementine "Tiny" Lane Clayton (1850-1923), moved to Cohutta to live with her son's family.<sup>376</sup>

### **The Ooltewah Cutoff & Its Aftermath**

After the Civil War, ET&G merged with the East Tennessee & Virginia Railroad to form the East Tennessee, Virginia, & Georgia Railway Company (ETV&G) on November 26, 1869.<sup>377</sup> Though railroads had undoubtedly been prevalent up to this point, their construction increased significantly beginning in the early 1870s.<sup>378</sup>

Passengers wishing to travel from Chattanooga, Tennessee to Dalton, Georgia, had to travel north several miles to Cleveland, Tennessee, and ride back south to Dalton. To alleviate the burden of these passengers traveling many miles out of their way, investors established the Ooltewah and Red Clay Railroad in December 1881. The same investors incorporated the Tennessee and Cohutta Railroad the next month. In May 1882, the two rail companies merged into the Tennessee State Line Railroad Company, whose rail line was known as the Ooltewah Cutoff. The investors meant the Ooltewah Cutoff's southern terminus to be Red Clay. However, due to the area's topography, planners determined Cohutta the better location. The Tennessee State Line Railroad Company purchased the new station's site for \$1,267 in February 1883. The railway and

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<sup>376</sup> Bradley County Historical Society, *Reflections Past and Present, 1836-1991: A Pictorial History of Bradley County, Tennessee* (Dallas, TX: Taylor Publishing Company, 1991), 155; Ancestry.com, *Georgia, Deaths Index, 1914-1940: Rebecca Clayton*; Ancestry.com, *1920 United States Federal Census: Rebecca C Clayton*.

<sup>377</sup> Southern Railway, *Souvenir Southern Railway 1903* (Knoxville, TN: A.S. Bell, 1903), 34, 38 <https://cmdc.knoxlib.org/digital/collection/p15136coll4/id/6740> (accessed April 9, 2019).

<sup>378</sup> Library of Congress, "Railroads in the Late 19<sup>th</sup> Century," *Rise of Industrial America, 1876* <http://www.loc.gov/teachers/classroommaterials/presentationsandactivities/presentations/timeline/riseind/railroad/> (accessed February 13, 2019).

Cohutta's train depot opened in July 1883 (see Figure 4-5). Eventually, ETV&G and the Tennessee State Line Railroad Company became part of the Southern Railway Company.<sup>379</sup>

As Cohutta grew, Red Clay dwindled. In 1905, the Red Clay post office closed, and the Postal Service diverted its mail service to Varnell's Station for distribution by the rural free delivery service.<sup>380</sup> The closure of Red Clay's post office likely resulted from rural exodus. This phenomenon, also known as rural flight, has been a long-term trend in the US. People, especially young people, leave rural areas to seek better economic opportunities in cities.<sup>381</sup> Another factor may have been the Great Migration. The Great Migration consisted of African Americans fleeing the South to locations in the North and West in order not only to find better economic opportunities but to escape the violence they faced in the post-Civil War and Jim Crow South. More than six million African Americans left the South between 1865-1970.<sup>382</sup>

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<sup>379</sup> Fairfax Harrison, *A History of the Legal Development of the Railroad System of the Southern Railway Company*, (Washington, DC: 1901), 854-858, <https://babel.hathitrust.org/cgi/pt?id=mdp.39015020918564;view=1up;seq=874> (accessed February 9, 2019); "Chattanooga Railroad Series: The Ooltewah Cutoff," *The Chattanooga.com*, January 22, 2015, <https://www.chattanooga.com/2015/1/22/292122/Chattanooga-Railroad-Series-The.aspx> (accessed January 23, 2019); *Deed of Sale from Samuel H. and Emily Parker to The Tennessee State Line Railroad Company, February 2, 1883, recorded February 26, 1883, Whitfield County Deed Book K, 185-186.*

<sup>380</sup> United States Postal Service, "Daily Bulletin of Orders Affecting the Postal Service," *Postal Bulletin*, vol. XXVI, no. 7776 (September 2, 1905) [http://www.uspostalbulletins.com/PDF/Vol26\\_Issue7776\\_19050902.pdf#search=%22Redclay%22](http://www.uspostalbulletins.com/PDF/Vol26_Issue7776_19050902.pdf#search=%22Redclay%22) (accessed February 12, 2019).

<sup>381</sup> Tim Henderson, "States Try to Counter Rural Flight," *The PEW Charitable Trusts* (2015), <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2015/08/20/states-try-to-counter-rural-flight> (accessed February 10, 2019).

<sup>382</sup> Sarah-Jane (Saje) Mathieu, "The African American Great Migration Reconsidered," *OAH Magazine of History* 23, no. 4 (2009): 19-20, <http://www.jstor.org/stable/40506010> (accessed February 10, 2019).

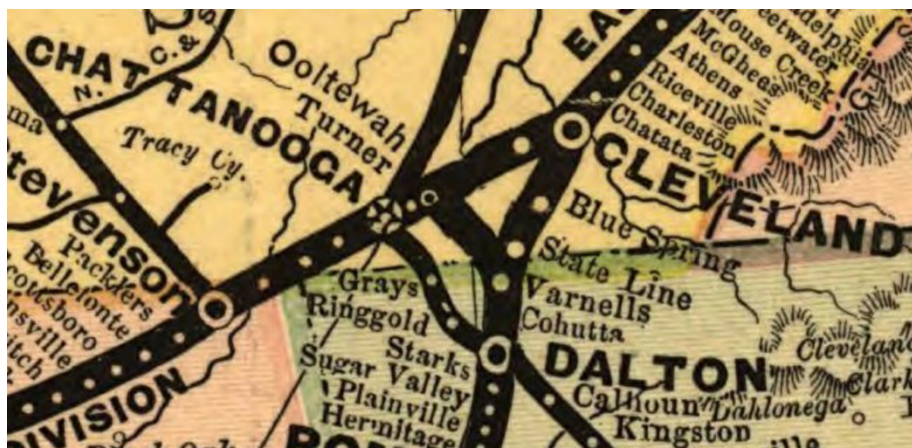


Figure 4-5. Detail of *The Virginia, Tennessee, and Georgia Air Line; the Shenandoah Valley R.R.; Norfolk & Western R.R.; East Tennessee, Virginia, & Georgia R.R. its leased lines, and their connections*. Note that this map, published in 1882, has reversed the locations of Cohutta and Varnells [sic], however it does accurately show the Ooltewah Cutoff. *Courtesy of the Library of Congress.*

In 1884, Tilmond Howard Pitner (1831-1905),<sup>383</sup> a wealthy white man in the Cohutta area, donated a parcel of land to the Methodist Episcopal Church where Andrews Chapel now sits.<sup>384</sup> Of the five trustees listed on this deed (Alexander Martin, John Adams, W.C. Scott, H[enry] D. Andrews, and William Prater), four were African American and one of unknown race.<sup>385</sup>

<sup>383</sup> Ancestry.com, *North America, Family Histories, 1500-2000*: Tillman Howard Pitner listed under Miss Lynn Josephine Pitner [database on-line], (Provo, UT: Ancestry.com Operations, Inc., 2016); Findagrave.com, "Tillman H. Pitner," record added May 9, 2011, <https://www.findagrave.com/memorial/69566312> (accessed April 26, 2019).

<sup>384</sup> *Deed of Sale from Tilmond H. Pitner to Methodist Episcopal Church of the United States of America, August 6, 1884, recorded August 29, 1893, Whitfield County Deed Book O, 320.*

<sup>385</sup> Ancestry.com and The Church of Jesus Christ of Latter-day Saints, *1880 United States Federal Census*: Alexander Martin; Ancestry.com and The Church of Jesus Christ of Latter-day Saints, *1880 United States Federal Census*: John L. Adams; Ancestry.com and The Church of Jesus Christ of Latter-day Saints, *1880 United States Federal Census*: William Prater.

The members of Andrews Chapel constructed the core of the present church building in 1902.<sup>386</sup> It is unknown why the congregation built their church adjoining the present-day park's land rather than on the land donated by Pitner. Congregation members used log rollers and mules to move the structure to Cohutta in 1923.<sup>387</sup> When they set the building on its new concrete block pier foundation, they included an engraved cornerstone which listed the pastor as Reverend J.S. Williams, and the trustees as W.M. Prater (the aforementioned William Prater), J.A. Prater, B.H. Prater, T.F. Prater, W.L. Cregmiles, and Ed Barrett (see Figure 4-7).<sup>388</sup> After the congregation moved the church, Andrew Prater and Thomas Prater, Sr. built wings near the east elevation to form a traditional cross-shaped church (see Figure 4-6).<sup>389</sup>

By the time of the 1920 federal census, all but one of the families of the men listed on Andrews Chapel's cornerstone lived either in Cohutta or further south in Varnell.<sup>390</sup> Rather than abandoning their church, Andrews Chapel's members went to unimaginable effort to bring it closer to where they lived.

No one ever commercially developed the Red Clay lands first granted to Maston, Kincannon, and Traynor, apart from the railroad corridor. The Maston land remained in

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<sup>386</sup> Historic Preservation Division of the Georgia Department of Natural Resources, "Andrews Chapel Methodist Church," *GNAHRGIS: Georgia's Natural, Archaeological, and Historic Resources GIS*, <https://www.gnahrgis.org/> (accessed January 23, 2019).

<sup>387</sup> Seals; Charles Oliver, "Cohutta saves history," *Daily Citizen-News* (August 14, 2016), [https://www.dailycitizen.news/news/cohutta-saves-history/article\\_f530049c-628f-11e6-acdf-83c45f2d946b.html](https://www.dailycitizen.news/news/cohutta-saves-history/article_f530049c-628f-11e6-acdf-83c45f2d946b.html) (accessed January 21, 2019).

<sup>388</sup> Seals.

<sup>389</sup> Billy A. Prater, "440-Billy A. Prater, Family-Pioneer," *The Heritage of Whitfield County, GA, 1851-1998* (Waynesville, NC: Walsworth Pub. Co., 1998), 131.

<sup>390</sup> Ancestry.com, *1920 United States Federal Census*: Joe S Williams (Cohutta); Ancestry.com, *1920 United States Federal Census*: Joseph Prater (Cohutta); Ancestry.com, *1920 United States Federal Census*: Edd Barrett (Cohutta); Ancestry.com, *1920 United States Federal Census*: William Prater (Varnell); Ancestry.com, *1920 United States Federal Census*: Ben Prater (Varnell); Ancestry.com, *1920 United States Federal Census*: Thomas Prater (Varnell).

the family for nearly forty years. Though the Maston land changed possession several times, the ownership records are easy to follow (see Figure 4-15). The Traynor land, has a much more complicated title history. The various owners sold it, resold it, split it, rejoined it, and sold it again. Many titleholders only kept the land a few years, though most seem to have used it to farm and pasture livestock. Though difficult to follow, the author developed a diagram detailing the ownership history (see Figure 4-16).



Figure 4-6. Andrews Chapel Methodist Church, 2019.  
*Courtesy of author.*

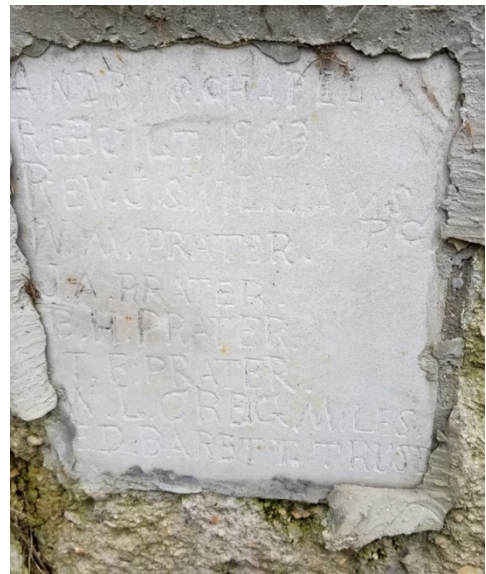


Figure 4-7. Cornerstone of Andrews Chapel Methodist Church, 2019. *Courtesy of author.*

ETV&G purchased the Tennessee State Line Railroad Company on March 5, 1886.<sup>391</sup> However, ETV&G soon went bankrupt, and the Southern Railway Company purchased it. The one-acre southeast section of Red Clay State Historic Park was part of the acquisition on July 14, 1894.<sup>392</sup> Though the rail line runs through the entire eastern portion of the park, only this parcel of parkland ever belonged to the railroad companies.

### **The Peach & Poultry Industries**

Perhaps no change to Red Clay's landscape was more emblematic of the New South than the planting of peach orchards. Farmers had grown various crops, such as wheat and corn, at Red Clay and the surrounding community, but King Cotton ruled there, as in most of the antebellum South. In the decades after the Civil War, horticulturalists in Georgia began searching for a crop to replace cotton. According to William Thomas Okie's *The Georgia Peach: Culture, Agriculture, and Environment in the American South*, ". . . by growing peaches, southerners could practice a progressive, urban-oriented agronomy without sacrificing their rural way of life."<sup>393</sup>

While peaches ruled the ridges, farmers in the valley began building "henneries" as early as 1894. Within twenty years, local farmers developed a breed of broiler

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<sup>391</sup> Fairfax Harrison, *A History of the Legal Development of the Railroad System of the Southern Railway Company*, (Washington, DC: 1901), 858.

<sup>392</sup> *Decree Confirming Sale and Ordering Conveyance and Possession from East Tennessee, Virginia & Georgia Railway Company to Southern Railway Company, July 14, 1894, Bradley County, Tennessee, Bradley County Deed Book O, 61-66.*

<sup>393</sup> Thomas Okie, *The Georgia Peach: Culture, Agriculture, and Environment in the American South* (New York: Cambridge University Press, 2016), 63.

chickens called Cohutta Single Comb White Leghorns.<sup>394</sup> Though farmers no longer appeared to raise broilers on an industrial scale in the Red Clay area, an old chicken house still stands within 200 yards of the park's southeast corner (see Figure 4-8).



Figure 4-8. A dilapidated chicken house photographed from the southeast corner of Red Clay State Historic Park. *Courtesy of author.*

### Traynor Land

Arthur Traynor sold the family's Red Clay farm to James Roberts in 1886. Roberts sold the land to William and Margaret Weatherly Jones the next year. William and Margaret only kept the property a couple of years before selling it to Margaret's sister-in-law, Lucretia Ann Weatherly, in 1889.<sup>395</sup>

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<sup>394</sup> "Down in Red Clay," *The Chattanooga Daily Times*, March 2, 1894; "Poultry and Supplies," *The Chattanooga Daily Times*, February 24, 1911.

<sup>395</sup> *Deed from Arthur Traynor & Wife to James S. Roberts, November 25, 1886, recorded November 30, 1886, Bradley County Deed Book J, 475-6; Deed from J.S. Roberts & Wife to W.D. Jones, December 8, 1887, Bradley County*

Lucretia Ann Carolyn Blair Weatherly (1851-1907),<sup>396</sup> the daughter of Samuel J. and Nancy Walker Blair, married Robert Watson “Watt” Weatherly (1844-1916)<sup>397</sup> in 1870. Watt, the son of Wilson Hardin and Rachael Caffey Weatherly, descended from one of the pioneer families of Bradley County based at Flint Springs. Watt Weatherly lived at Red Clay and fought for the Union during the Civil War. In 1867, he married Margaret Alice Hoskins, daughter of John and Rachel Hoskins of Red Clay, Georgia. Margaret must have died shortly afterward because Watt married Lucretia three years later.<sup>398</sup>

Watt and Lucretia owned property from Red Clay to Flint Springs on both sides of the state border and used it to pasture dairy cattle. The couple moved to Dalton, where Watt became an alderman. However, the Weatherlys appeared frequently in Red Clay to check on the dairy operation and visit family and friends.<sup>399</sup>

By the 1880s, horticulturalists in Augusta and Marshallville, Georgia, had vast peach orchards, and by the 1890s, the peach industry made its way to the Red Clay area.

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*Deed Book J, 375-7; Deed of Sale from W.D. Jones & Wife to L.A. Weatherly, February 16, 1889, recorded February 19, 1889, Bradley County Deed Book K 338-40.*

<sup>396</sup> Findagrave.com, “Lucretia Ann Carolyn Blair Weatherly,” record added October 12, 2009, [https://www.findagrave.com/memorial/43032965/lucretia-ann\\_carolyn-weatherly](https://www.findagrave.com/memorial/43032965/lucretia-ann_carolyn-weatherly) (accessed November 1, 2020).

<sup>397</sup> Findagrave.com, “Robert Watson Weatherly,” record added October 12, 2009, <https://www.findagrave.com/memorial/43032950/robert-watson-weatherly> (accessed November 1, 2020).

<sup>398</sup> Penelope Johnson Allen, “Leaves From the Family Tree,” *The Chattanooga Sunday Times*, October 18, 1936, 7 and 12; Historical Data Systems, comp, *U.S., Civil War Soldier Records and Profiles, 1861-1865* [database on-line], (Provo, UT, USA: Ancestry.com Operations Inc, 2009); Ancestry.com, *1860 United States Federal Census: Margaret A Hoskins*; Ancestry.com, *Georgia, Marriage Records From Select Counties, 1828-1978* : Robt W W Weatherly and Margaret A Haskins [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2013); Ancestry.com, *North America, Family Histories, 1500-2000*: May Weatherly, child of Robert Watson Weatherly and Lucretia Ann Blair.

<sup>399</sup> “Cohutta,” *The Chattanooga Daily Times*, March 25, 1901; “Red Clay, Ga,” *The Chattanooga News*, October 12, 1901; “Red Clay, Ga,” *The Chattanooga News*, May 2, 1903; “Red Clay, Ga,” *The Chattanooga News*, August 8, 1903; “Redclay, GA,” *The Chattanooga News*, May 23, 1904; “Red Clay, Ga,” *The Chattanooga News*, June 11, 1904; “Red Clay, GA,” *The Chattanooga News*, August 19, 1905.

In 1895, Watt Weatherly rented 100 acres of his property east of Red Clay along the Tennessee-Georgia state line to a local peach grower. Due to a natural phenomenon that pushes cold air from higher elevations into the lower elevations, peaches fared much better on the ridges rather than in the valleys. Growing peaches on the ridges allowed landowners to utilize terrain incapable of supporting the area's more traditional crops. Weatherly likely rented out the ridge just east of the park, called Big Hill, among others. According to *The Atlanta Constitution*, Weatherly sold "100 acres of his best fruit land, up about Red Clay, to Mr. Arthur Steele," in 1897, likely the property he rented out in 1895.<sup>400</sup> Steele had a business partner, Ed List, and newspapers noted the pair for having some of the most productive orchards and strawberry patches in the area for over a decade (see Figures 4-9 & 4-10). When the strawberries ripened, List employed fifty berry pickers a day. After seeing the profits made by List and others, Watt Weatherly began raising peaches on his property as well.<sup>401</sup>

As early as 1895, a year with a high crop yield, Georgia peach growers petitioned the Southern Railroad and Steamship Association's commissioner to lower the freight rates on peach shipments. Growers shipped approximately 1,500 railcars full of peaches from Georgia to northern markets. The Southern placed a \$175 tariff on each car of peaches plus an additional \$90 refrigeration charge. Although the Georgia State Railroad

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<sup>400</sup> Okie, 59-68, 97; "Dalton, GA," *The Chattanooga Daily Times*, January 28, 1895; "Georgia Sketches of News and Comment," *The Atlanta Constitution*, August 29, 1897.

<sup>401</sup> "Cleo, Tenn.," *The Chattanooga News*, August 3, 1901; "Cohutta, Ga.," *The Chattanooga News*, August 17, 1901; "Redclay, GA.," *The Chattanooga News*, May 23, 1904; "Red Clay, Ga.," *The Chattanooga News*, August 13, 1904; "Red Clay, Ga.," *The Chattanooga News*, April 15, 1905; "Red Clay, Ga.," *The Chattanooga News*, May 20, 1905; "Red Clay, Ga.," *The Chattanooga News*, April 28, 1906; "Elbertas Ripening; Crop Will Be Large," *The Chattanooga News*, July 13, 1915.

Commission ruled that the cars should cost no more than \$130 each, in addition to the refrigeration, the Southern refused to lower their rates. The case ended in a hearing before the Interstate Commerce Commission (ICC).<sup>402</sup>



Figure 4-9. Ed List (far right) and peach pickers at List's orchard on Big Ridge, the ridge east of the park, 1908. *Courtesy of Red Clay State Historic Park.*



Figure 4-10. Ed List in his peach orchard, 1908. *Courtesy of Red Clay State Historic Park.*

Peach and other fruit growers organized into various trade associations, such as the Bradley County Fruit Growers and the Georgia Fruit Exchange during the 1890s and early 1900s. These organizations often filed ICC complaints against railroad companies complaining of their high freight rates. Between 1900 and 1905, several industries and civic business groups lobbied for the ICC to have more control over rail freight rates. North Georgia fruit growers testified before the Senate regarding freight rates in 1904, and in 1905, 154 agricultural groups alone attended conventions to discuss freight rates.

<sup>402</sup> "Newsy Notes," *The Atlanta Constitution*, May 28, 1895; "'Evansville' Route and Peaches," *The Atlanta Constitution*, June 12, 1895; "The Georgia Fruit Crop," *The Atlanta Constitution*, June 30, 1895; "Peaches in Plenty," *The Atlanta Constitution*, June 30, 1895; "Railway Matters," *The Atlanta Constitution*, August 2, 1895; "For Reduced Rates," *The Atlanta Constitution*, August 7, 1895; "The Georgia Peach Crop," *The Atlanta Constitution*, August 13, 1895; "Judge Fort's Good Work," *The Atlanta Constitution*, March 11, 1896.

Their combined efforts resulted in the passage of the Hepburn Act, which President Theodore Roosevelt signed into law in June 1906. The Hepburn Act gave the ICC the power to set maximum railroad freight charges. The next month, peaches rotted at depots throughout north Georgia and southeast Tennessee, among other places, waiting for the refrigerated rail cars the farmers had ordered. The railroads claimed they required the cars in other areas of the country, though local growers suspected retribution.<sup>403</sup>

Even with the Hepburn Act's stabilization of the freight rates, markets fluctuated depending on the quality and quantity of peaches shipped. In years with a bumper crop, peaches glutted the northern and eastern markets, driving the prices down. To preserve their crops and maximize profits, peach growers began setting up canning operations in Chattanooga, Cleveland, Dalton, and eventually, Cohutta.<sup>404</sup>

As the population shifted south to Cohutta, the peach industry at Red Clay continued to grow. On August 3, 1918, Samuel Neil Varnell, Sr. (1886-1975)<sup>405</sup> purchased 486 acres of property from Ed List in and around Red Clay, Georgia, including

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<sup>403</sup> "The Georgia Fruit Crop," *The Atlanta Constitution*, June 30, 1895; "Fruit Growers' Trust," *The Chattanooga Daily Times*, January 9, 1888; "News From Surrounding Towns," *The Chattanooga Press*, December 27, 1901; "Fight on 'Private' Car Lines," *The Chattanooga Daily Times*, February 26, 1905; "Peach Growers," *The Chattanooga Daily Times*, May 25, 1905; "Out of Town Correspondence," *The Chattanooga News*, April 28, 1906; "Queen in Tears," *The Chattanooga Daily Times*, July 29, 1906; "Peach Grower Litigants," *The Chattanooga Daily Times*, May 16, 1907; "Peach Growers Complain," *The Chattanooga Daily Times*, July 26, 1907; H. K. Vietor Richard, "Businessmen and the Political Economy: The Railroad Rate Controversy of 1905," *The Journal of American History* 64, no. 1 (1977), 55-65, <https://www-jstor-org.ezproxy.mtsu.edu/stable/1888273> (accessed October 20, 2020).

<sup>404</sup> "Canning Factory Launched," *The Chattanooga Daily Times*, May 22, 1908; "Growers Turn Canners," *The Chattanooga Sunday Times*, July 5, 1908; W.T. Bland, "Canning on the Farm," *The Chattanooga News*, April 12, 1911; "Peach Crop is Delivered," *The Chattanooga Daily Times*, August 3, 1912; "Community Canneries Operate in Whitfield," *The Chattanooga Daily Times*, August 8, 1932; "Dalton," *The Chattanooga Daily Times*, August 23, 1942.

<sup>405</sup> Findagrave.com, "Samuel Neil Varnell Sr.," record added July 20, 2009, <https://www.findagrave.com/memorial/39684972/samuel-neil-varnell> (accessed November 5, 2020).

much of the land sold by James H. Huff to build his temperance town. Varnell quickly took on a corporate partner when he sold a half interest in the property to the Standard Growers Exchange on August 12, 1918.<sup>406</sup>

The peach growers built roads up the ridges on either side of the present-day park. Some of the roadbeds remain visible (see Figure 4-11), and current property owners occasionally use them. According to local lore, peach growers terraced the ridges on each side of Red Clay State Historic Park for growing peach trees.<sup>407</sup>

John F. Weatherly began selling parcels of the old Traynor land soon after inheriting it. John David Riddle (1858-1928)<sup>408</sup> purchased large sections of the former Traynor land from John F. Weatherly in 1910 and 1912. Weatherly also sold a portion to J.C. Knittle in 1914.<sup>409</sup> The 1912 deed from Weatherly to Riddle states, "J.E. List has right of way for road over South part of said land now located also parties ow[n]ing part of land north of said Riddles. . . being part of the Traynor land has right to Red Clay Depot along Railroad."<sup>410</sup>

Riddle was a farmer, though it is unknown what crops he grew and if he were involved with the peach industry. Between the 1836 Ocoee District land survey and the

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<sup>406</sup> Deed from J.E. List to S.N. Varnell, August 3, 1918, recorded August 13, 1918, Whitfield County, Georgia, Deed Book 2, 494-8; Deed from S.N. Varnell to Standard Growers Exchange, August 12, 1918, recorded August 13, 1918, Whitfield County Deed Book 2, 499-503; W.M. Sapp.

<sup>407</sup> Larry Massengill, interview with author, June 25, 2019; John Bagby, interview with author, February 19, 2020.

<sup>408</sup> Ancestry.com, Tennessee, Death Records, 1908-1965: John D. Riddle.

<sup>409</sup> Deed from J.F. Weatherly to J.D. Riddle, January 27, 1912, Bradley County, Tennessee, Deed Book 31, 376; Quit-Claim Deed from J.F. Weatherly and wife to C.R. Riddle, January 12, 1931, Bradley County, Tennessee, Deed Book 53, 9-10; Deed from J.F. Weatherly to J.C. Kenettle [sic], August 24, 1914, Bradley County, Tennessee, Deed Book 22, 165; Deed by I.N. Taylor, Trustee of J.A. and Alma Guinn, to J.D. Riddle, March 7, 1924, Bradley County, Tennessee, Deed Book 43, 34-5.

<sup>410</sup> Deed from J.F. Weatherly to J.D. Riddle, Deed Book 31, 376.

land purchase for building a park, he is the only person to have ever had a plat map drawn (see Figure 4-12). While the plat map shows less than half of what is now Red Clay State Historic Park (Parcel #2 is not part of the park), it does illustrate the location of various buildings and roads. It also provides visual context to the complex legal descriptions of many of the deeds written after its publication in 1921.<sup>411</sup>



Figure 4-11. Roadbed that led to peach orchards on Big Hill, 2019.  
*Courtesy of author.*

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<sup>411</sup> J.D. Riddle Farm Plat Map, May 5, 1921, Bradley County, Tennessee, Plat Book I, 26.

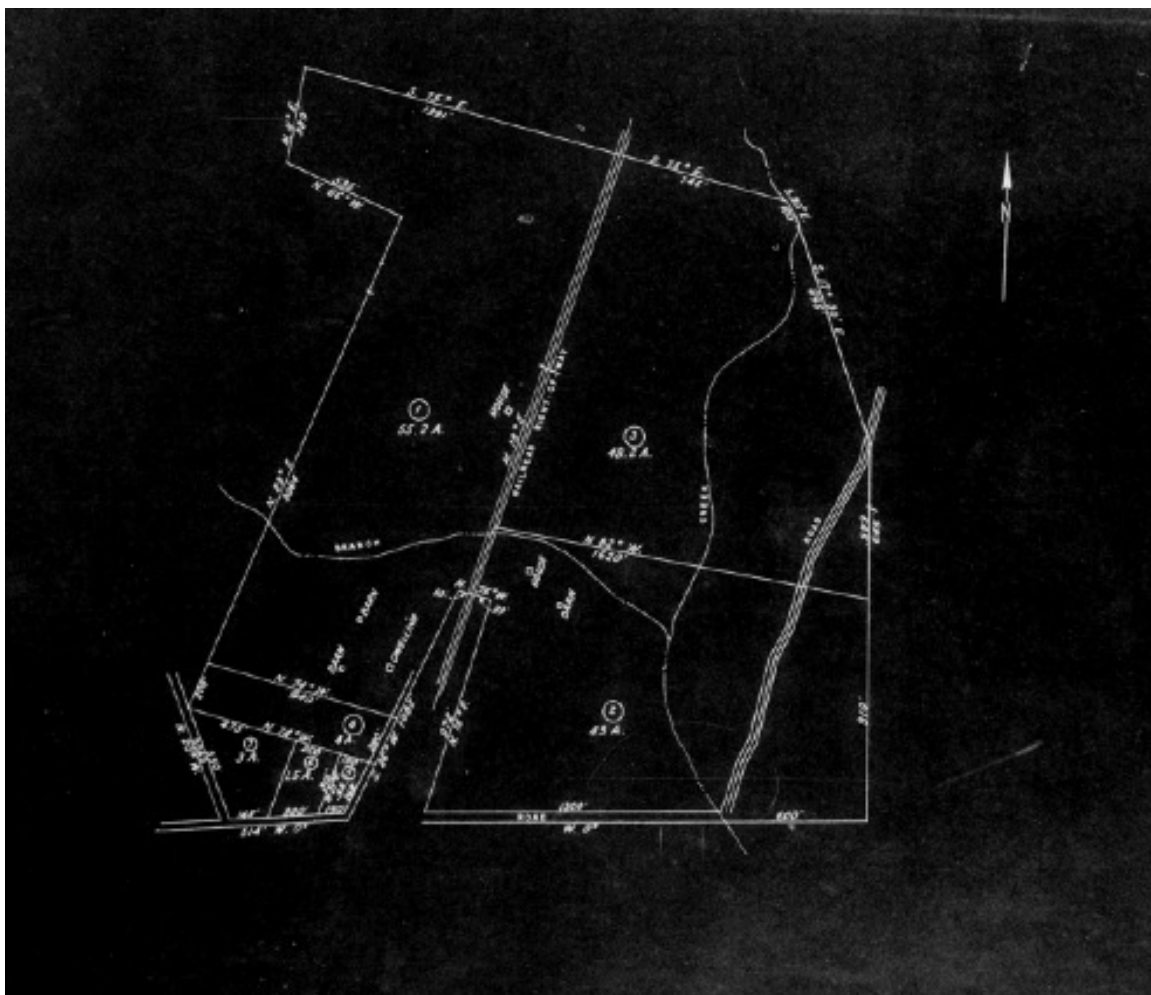


Figure 4-12. Plat map of J.D. Riddle Farm, 1921. *Courtesy of the Bradley County, Tennessee Register of Deeds.*

Riddle put several parcels of his farm up for auction in 1921, though a few years later, his son, Charles “Charley” Russell Riddle, purchased most of his father’s old farm from various owners (see Figure 4-16). Charley kept most of the old Traynor land until he sold it in 1940.<sup>412</sup>

<sup>412</sup> Deed from J.D. Riddle to Jas. A. Guin, May 5, 1921, Bradley County, Tennessee Deed Book 40, 137; Deed by I.N. Taylor, Trustee of J.A. and Alma Guinn, to J.D. Riddle, March 7, 1924, Bradley County, Tennessee, Deed Book 43, 34-5; Deed from J.A. Guinn & Wife to Charley Riddle & Wife, August 30, 1924, Bradley County, Tennessee, Deed Book

A *Right-of-Way and Track Map* published by the Southern Railway Company in 1927 (see Figure 4-13) fills in the Riddle Farm plat map's missing bottom portion. The East Tennessee & Georgia Railroad Company (ET&G) purchased this small parcel of land from Mary Ann Traynor circa 1852. Since the Bradley County courthouse records burned during the Civil War, the purchase year is uncertain. However, the Red Clay/State Line Station began operations in 1855.<sup>413</sup> The three buildings depicted are the Red Clay Station (right), section house (upper left), and warehouse (lower left).<sup>414</sup> According to a 1916 newspaper article, the Red Clay Station “was the old eating station, and was noted for the excellent meals served.”<sup>415</sup> A close inspection of the area of detail along the state line shows that the railroad company built the section house and depot on the Tennessee side of the border. Therefore, the section house sat along the southeastern corner of what is now Red Clay State Historic Park. It is uncertain when the building was removed from the property, although a 1934 newspaper article states that the depot was “recently torn away.”<sup>416</sup> Whoever demolished the depot likely destroyed the section house at the same time. According to John Bagby, whose family has lived in the

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43, 392-3; Deed from J.D. Riddle & Wife to C.R. Riddle, April 15, 1924, Bradley County, Tennessee, Deed Book 43, 103-4; Deed from John H. Shugart and Wife to C.R. Riddle and Wife, June 25, 1928, Bradley County, Tennessee, Deed Book 85, 49; Deed from C.R. Riddle and Wife to Grover C. Manis and Wife, November 11, 1940, Bradley County, Tennessee, Deed Book 65, 274.

<sup>413</sup> S. Augustus Mitchell, *Mitchell's New Traveller's Guide Through the United States and the Canadas, Containing the Principal Cities and Towns, Alphabetically Arranged, Together with Rail Road, Steamboat, Stage, and Canal Routes, with Tables of Places, and Distances from Place to Place. Illustrated by an Accurate Map of the United States, Showing the Lines of Finished Rail Roads, and Their More Important Connections* (Philadelphia: Charles DeSilver, 1855; republished, Internet Archive), 87, <https://archive.org/stream/mitchellsnewtrav00mitc#page/n5/search/Red+Clay> (accessed September 13, 2020).

<sup>414</sup> Southern Railway Company, “Right-of-Way and Track Map,” *Tennessee Comptroller of the Treasury*, <http://www.comptroller.tn.gov/RRmaps/006-003.pdf> (accessed September 16, 2018).

<sup>415</sup> W.M. Sapp.

<sup>416</sup> John Morgan Wooten, “Red Clay, Council Ground of Cherokees,” *The Cleveland Herald*, December 14, 1934.

area for over a century, local farmers used the warehouse shown on the *Right-of-Way and Track Map* (see Figure 4-13) on the Georgia side of the border to pack the peaches shipped out from the depot.<sup>417</sup>

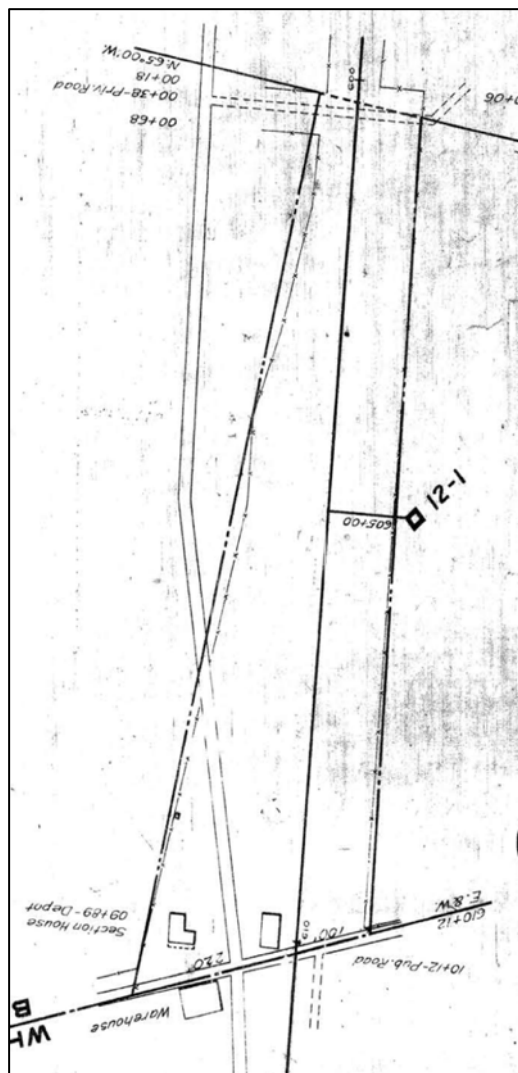


Figure 4-13. Detail of *Southern Railway Company's Right-of-Way and Track Map, 1927*, with the area of detail turned to show north as being at the top of image. Note how this sliver of land fits into the Riddle Farm plat map. *Courtesy of the Tennessee Comptroller of the Treasury.*

<sup>417</sup> John Bagby, interview with author, February 19, 2020.

## Springs and Spas

The Weatherlys owned the property that contained the Council Spring (see Figure 4-14). The Council Spring, located in a tree-lined depression, flows from under a limestone shelf. Its depth and unique mineral content lend it an unusual blue hue. In an act of using an imagined Cherokee word to perpetuate the settlers claim to the land, an article published in January 1895 claimed the Cherokees called the spring “Tuckee-Lee-Chee-Chee-Wah-Wah” which supposedly meant “drink and live.” The report suggests that Watt Weatherly had the opportunity to build a resort that could have become “the Saratoga of the South.”<sup>418</sup> The Weatherlys never constructed the wished-for resort. The Weatherlys’ failure to turn the Council Spring into a spa did not end the dream of a resort in the Red Clay neighborhood.

In 1891, William Lindsay Williams began converting the spring-fed mill ponds of the old Red Clay Mill into a lake for the resort he was building called the Williams House. The hotel burned on May 7, 1897, but Williams had it rebuilt by that winter. Williams eventually sold the property to Hyman Shavin, a Russian-born merchant who lived in Chattanooga. Shavin renovated the hotel and tried to sell it, when it burned again on November 8, 1932. Local gossip claimed that guests could enter a speakeasy through one of the hotel’s bedroom closets and that a liquor still explosion in the hotel’s

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<sup>418</sup> “Neighborhood News,” *The Chattanooga Daily Times*, January 28, 1889.

basement caused the conflagration. The US Department of Agriculture purchased the property in 1937 and turned it into a fish hatchery, which still stands today.<sup>419</sup>



Figure 4-14. Unidentified men at Council Spring, c. 1930. A third unidentified person appears near a building on the far side of the spring's depression. *Courtesy of Red Clay State Historic Park.*

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<sup>419</sup> "News Notes From Cohutta," *The Chattanooga Daily Times*, June 6, 1891; "Caught in Cohutta," *The Chattanooga Sunday Times*, July 26, 1891; "Fire at Cohutta," *The Chattanooga Daily Times*, May 8, 1897; "Red Clay, GA," *The Chattanooga Daily Times*, November 11, 1897; "Summer Resort," *The Chattanooga Daily Times*, April 14, 1930; "Business Opportunity," *The Chattanooga Daily Times*, May 16, 1930; "Vacant Cohutta Hotel Destroyed in Georgia," *The Chattanooga Daily Times*, November 10, 1932; "Whitfield to Get U.S. Fish Hatchery," *The Chattanooga Sunday Times*, October 31, 1937; "Hatchery in Whitfield," *The Chattanooga Daily Times*, July 6, 1938; John Bagby, interview with author, February 19, 2020; Ron Shinnick, interview with author, January 14, 2019.

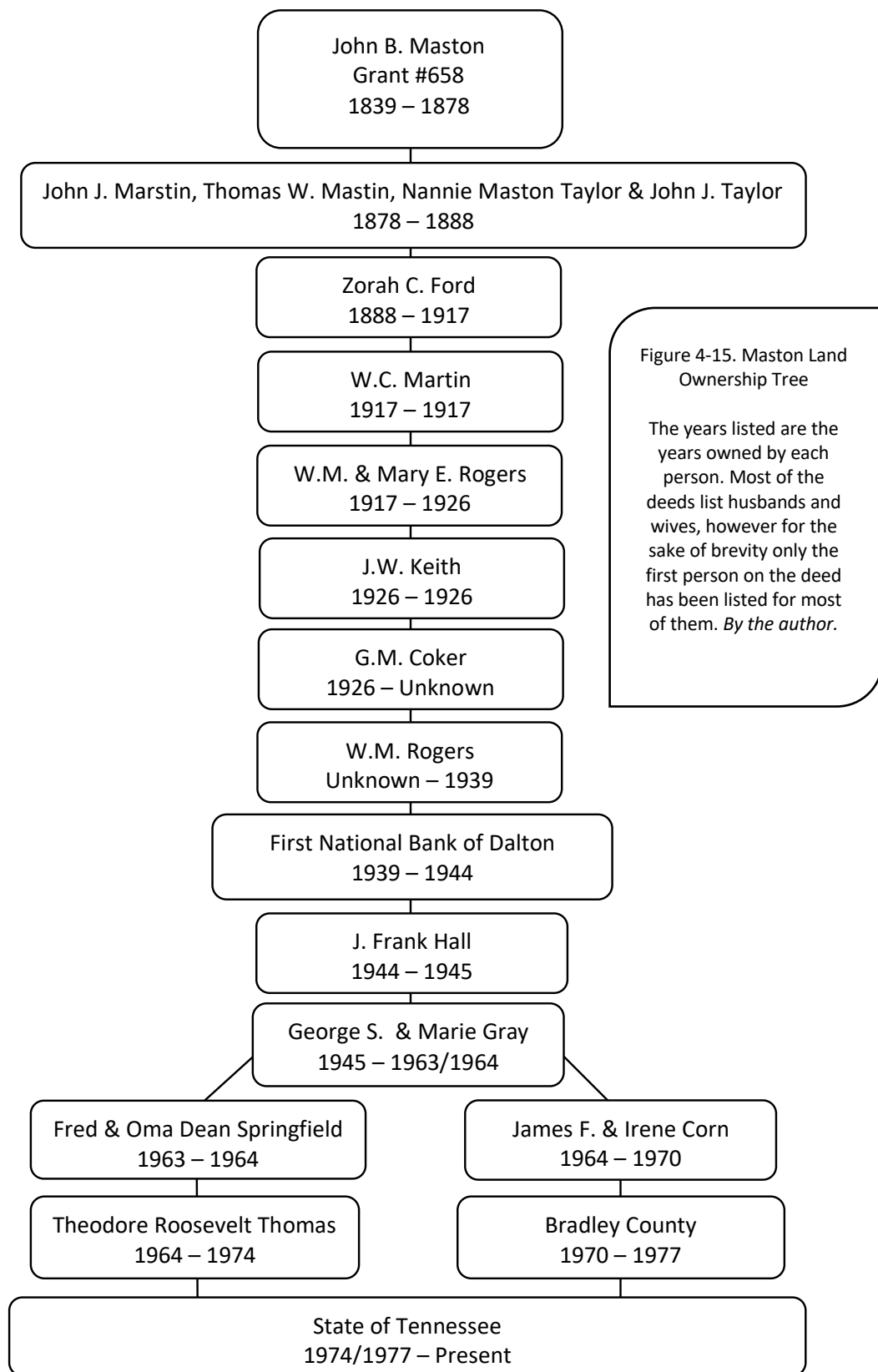
After all the changes that took place at Red Clay in the decades following the Civil War, the land that makes up Red Clay State Historic Park changed very little. While dairy cows grazed its meadows and peach orchards grew on the ridges, the settler families who purchased the original Ocoee land lots relinquished their properties, as did many others in the Red Clay neighborhood. By 1916, an article appeared in *The Chattanooga Times* lamenting the loss of Red Clay less than a century after Cherokee removal. According to the writer, W.M. Sapp:

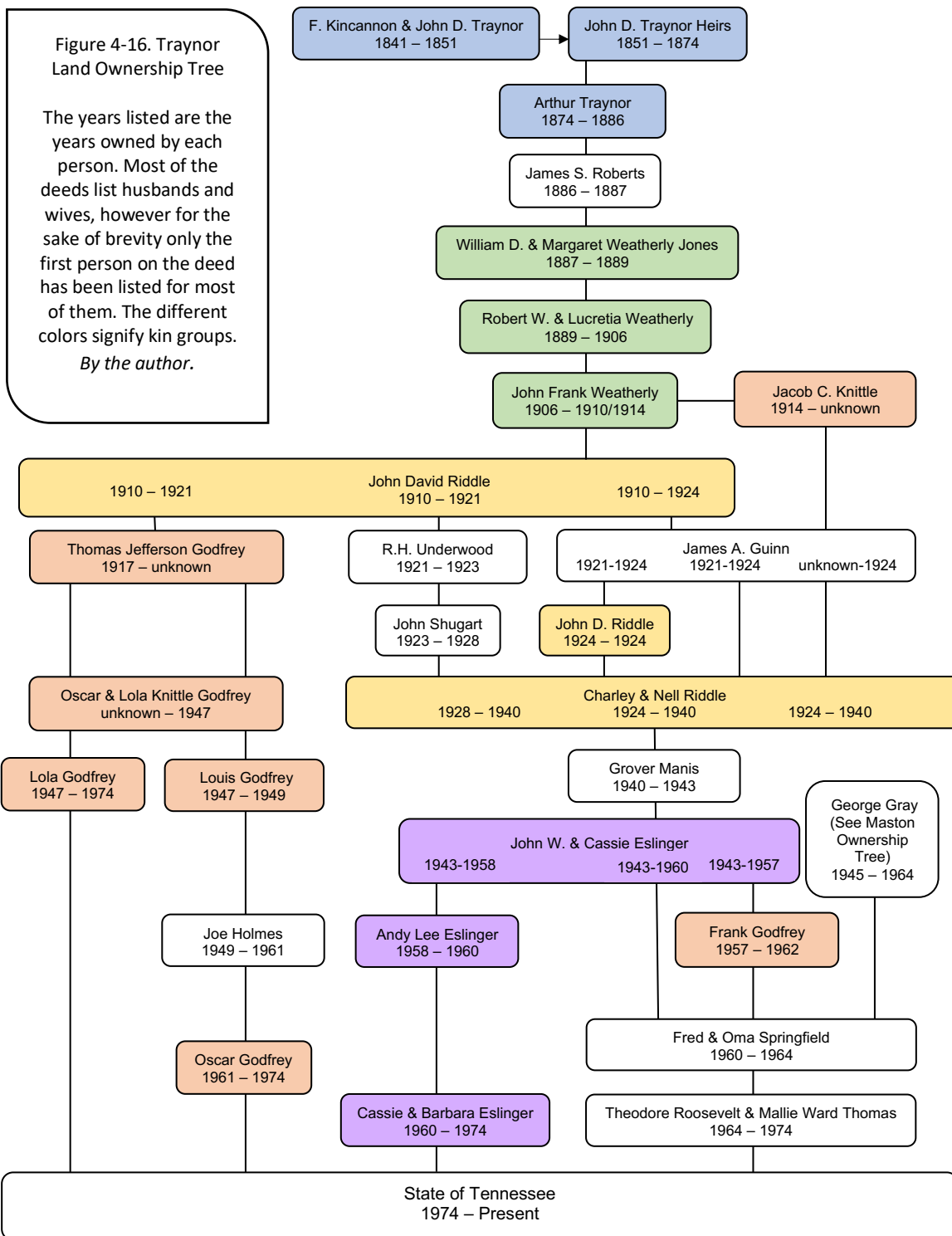
“. . . lest we forget” something should be chronicled about a once thriving and populous town of North Georgia, which has completely lapsed into a state of innocuous desuetude. . . Prominent men from all over the south have enjoyed the hospitality of the once proud town, which is now only a hallowed memory. .

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<sup>420</sup> W.M. Sapp.





## CHAPTER V: THE BEGINNING OF PLACE MAKING AND MEMORIALIZATION AT RED CLAY

According to Andrew Denson's *Monuments to Absence: Cherokee Removal and the Contest Over Southern Memory*, three rounds of Cherokee memorialization have taken place in the southeast, and each has affected Red Clay. The first round took place in the 1910s through 1930s. The second round of Cherokee memorialization took place during the 1950s and 1960s. The third began in the late-1980s and continues through the present.

<sup>421</sup> This chapter will use Denson's framework to investigate the beginning of Red Clay's commemorative landscape and the conflict between citizens of Georgia and Tennessee over the location of the Council Ground.

James H. Huff settled at Red Clay, Georgia, in 1840. He married Margaret Ann McGaughy (1826-1903)<sup>422</sup> of Springplace, Georgia, in 1844. Huff brought his new bride to Red Clay, where she lived near the remnants of the Red Clay Council Ground.<sup>423</sup> Inspired by the stories told by her family and friends who displaced the Cherokee, Margaret wrote the following poem's excerpt in 1847:

### *Old Council Grounds*

Red Clay, in the northwestern portion of Georgia, was the old Council Ground of the Cherokee Indians.

Old Council Grounds, sad memory brings thee

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<sup>421</sup> Andrew Denson, *Monuments to Absence: Cherokee Removal and the Contest Over Southern Memory*, Kindle Edition (Chapel Hill: University of North Carolina Press, 2017), 7-11.

<sup>422</sup> Findagrave.com, "Margaret McGaughy Huff," record added June 22, 2013, <https://www.findagrave.com/memorial/112714422/margaret-huff> (accessed December 10, 2020).

<sup>423</sup> Ancestry.com, *Georgia, Marriage Records From Select Counties, 1828-1978*: James H. Huff and Margaret A. McGaughy [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2013).

back to me again-  
 I see thee now, as once of yore, the savage chief-  
 tain's plain,  
 When upward from the wigwam curled  
 the smoke at summer's e'en,  
 And the red man's children sported wild, on the  
 turf so soft and green. . .

But low is bent the chieftain's head- his heart is  
 breaking now;  
 The white man's ringing axe is heard, the forest's  
 pride must bow-  
 He must leave the home his fathers loved, where  
 their buried ashes lie,  
 To a distant land, a home unknown, the warrior  
 chief must hie.  
 Poor exiled race, how sad thy lot, from each  
 loved object torn,  
 To form new ties far, far from this, o'er distant  
 hills to roam,  
 To leave thy sires, while on their breasts the  
 strangers till the corn,  
 Or, o'er their graves in heedless haste, the thun-  
 dering train is borne. . .<sup>424</sup>

The Huff family preserved a log cabin on their property less than one hundred feet south of the Tennessee-Georgia state line. While they raised no monuments to the Council Ground, the family's preservation of the cabin, along with their repeatedly calling it the Council House enshrined their Georgia property in public memory as the site of the Red Clay council meetings.<sup>425</sup>

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<sup>424</sup> Cherokee Historical Society, "Old Council Grounds" in Meeting Minutes, March 23, 1930, MS-002-01-10-01, Box 1, Folder 10, Penelope Johnson Allen Papers, University of Tennessee at Chattanooga Special Collections, Chattanooga, Tennessee, <https://digital-collections.library.utc.edu/digital/collection/p16877coll7/id/237/> (accessed December 2, 2020).

<sup>425</sup> Leola Selman Beeson, *History Stories of Milledgeville and Baldwin County* (Macon, GA: The J.W. Burke Company, 1943), 185-7.

In the main, settlers happily saw the Cherokee expelled from their homeland so they could take possession of the Indians' land and property. But it was not enough for them to just take their tangible property, by memorializing the Cherokee, the settlers also coopted their identification with the land itself. After American settlers displaced the southeastern Native peoples, representations of Natives increased rather than decreased. Settlers also used literature, such as Margaret Huff's poem, and Native, or Native-sounding, place names as Native representations.<sup>426</sup> According to Joel W. Martin's article "My Grandmother Was a Cherokee Princess': Representations of Indians in Southern History:"

. . .on a symbolic level, Indian names enabled southerners to claim an archaic connection between themselves and the land. . . An Indian name made it seem as if the new town had been there forever, as if it was all right for whites to be living there. . . Indian names were prized possessions, signs that whites used to assert that they had inherited the land and its history. In a deep sense, southern whites were claiming Indian ancestors, even as they repudiated contemporary Indians and denied them their birthright.<sup>427</sup>

At the suggestion of the Decatur, Georgia Chamber of Commerce, Georgia Governor Clifford Walker declared June 11-19, 1927 "Seeing Georgia Week" to help promote tourism throughout the state. Charles J. Haden, the former president of the Georgia State Chamber of Commerce, encouraged each town to send its citizens to tour other cities within easy driving distance. Seeing Georgia Week began with a dinner in Decatur. The next day a convoy of cars started their tour of the Atlanta-Decatur area

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<sup>426</sup> Aileen Moreton-Robinson, *The White Possessive: Property, Power, and Indigenous Sovereignty*, Kindle ed. (Minneapolis: University of Minnesota Press, 2015), Kindle location 1371; Joel W. Martin, "My Grandmother Was a Cherokee Princess': Representations of Indians in Southern History," *Dressing in Feathers: The Construction of the Indian in American Popular Culture* (Boulder, CO: Westview Press, 1996), 134-38.

<sup>427</sup> Martin, 138.

before making their way to Warm Springs to visit Franklin Delano Roosevelt. The success of the week enshrined it as an annual event.<sup>428</sup>

After the week ended, plans began for the next year's Seeing Georgia Week. A reference to commemorating Red Clay appears on October 23, 1927, in an article by Frank T. Reynolds. He advocated for placing historical markers at several sites around the state, including Red Clay. Reynolds stated:

. . .Red Clay in Whitfield county, where General Scott, of the United States troops, made a treaty with Chief Rattling Gourd, and moved the Cherokees to their appointed reservations in the west. At this council was a missionary from the Moravians, a buck of the tribe who had buried his squaw and papoose at Tucklewaha Spring [Council Spring] and did not relish his removal from the sight of his loved ones. He slipped a bayonet from the gun of a trooper, stole to one side, threw himself upon its point and fell dead. The missionary, John Howard Payne, witnessing the act, then and there gave to the world his "Home, Sweet Home."<sup>429</sup>

Though Reynolds incorrectly related most of the details, this story is the earliest reference to memorializing the Red Clay Council Ground. Five years later, the Dalton Civitan Club announced they would raise a historical marker to Red Clay along the Cleveland-Dalton Highway (TN-60/GA-71). Despite Reynolds's plea for historical markers and the Dalton Civitan Club's good intentions, they did not erect Red Clay's marker.<sup>430</sup>

While the male-dominated Georgia Chambers of Commerce and Dalton Civitan Club brought some attention to Red Clay, their female counterparts in Daughters of the

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<sup>428</sup> "Good Suggestion," *The Atlanta Constitution*, April 25, 1927; "Haden Urges All Georgians to See Their Own State," *The Atlanta Constitution*, May 23, 1927; "Seeing Georgia Week," *The Atlanta Constitution*, June 5, 1927; "Decatur Dinner Opens 'Seeing Georgia' Week," *The Atlantic Constitution*, June 14, 1927; "Atlanta-Decatur Tour Next Week," *The Atlanta Constitution*, June 5, 1927.

<sup>429</sup> Frank T. Reynolds, "Plea for Marking of Georgia Shrines and Highway Connections is Voiced," *The Atlanta Constitution*, October 23, 1927.

<sup>430</sup> "To Place Markers on Historic Spot," *The Chattanooga News*, June 15, 1932.

American Revolution (DAR), a volunteer service organization that promotes patriotism and historic preservation, soon made Red Clay a commemorative landscape.

In March 1930, several chapters of the Daughters of the American Revolution held a dedication ceremony for a historical marker at Ross's Landing in Chattanooga, Tennessee, where John Ross established a ferry landing circa 1815. The DAR invited Robert Bruce Ross, the grandson of Principal Chief John Ross, as the guest of honor at this ceremony.<sup>431</sup>

While visiting southeast Tennessee for this grand event, Robert Bruce Ross took the opportunity to visit several Cherokee sites in his ancestral homeland. While at the Red Clay Council Ground, he posed for a photograph at the Council Spring along with community members who hosted and accompanied him on March 23, 1930 (see Figure 5-1). There at Red Clay, at the suggestion of Judge Charles Lusk, the group formed the Cherokee Historical Society:

. . . to perpetuate the memory of the Cherokee Indians, their chieftains and tribes, who occupied the lands in and around Chattanooga. . . by gathering data, seeking out and finding the many locations occupied by the Cherokee Indians, marking the places of special interest and burial grounds and giving publicity to these things to the general public.<sup>432</sup>

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<sup>431</sup> "Chief Ross' Scion Unveils Memorial," *The Chattanooga Times*, March 21, 1930.

<sup>432</sup> Cherokee Historical Society, Meeting Minutes, March 23, 1930, MS-002-01-10-01, Box 1, Folder 10, Penelope Johnson Allen Papers, University of Tennessee at Chattanooga Special Collections, Chattanooga, Tennessee, <https://digital-collections.library.utc.edu/digital/collection/p16877coll7/id/237/> (accessed December 2, 2020); Cherokee Historical Society, Meeting Minutes, May 31, 1930, MS-002-01-10-01, Box 1, Folder 10, Penelope Johnson Allen Papers, University of Tennessee at Chattanooga Special Collections, Chattanooga, Tennessee, <https://digital-collections.library.utc.edu/digital/collection/p16877coll7/id/223> (accessed December 5, 2020); Cherokee Historical Society, Meeting Minutes, July 19, 1930, MS-002-01-10-01, Box 1, Folder 10, Penelope Johnson Allen Papers, University of Tennessee at Chattanooga Special Collections, Chattanooga, Tennessee, <https://digital-collections.library.utc.edu/digital/collection/p16877coll7/id/235> (accessed December 5, 2020); "Cherokee Tales To Be Preserved By Historians," *The Chattanooga Times*, March 25, 1930.



Figure 5-1. Walter Cline, "Ross and Friends Visit Old Cherokee Town," *The Chattanooga News*, March 23, 1930. Photograph of group at Red Clay's Council Spring, (L to R) Walter Cline, Jr., Robert Sparks Walker, Senator Newell Sanders, John Murkin, Sarah Cline, Mary Lusk, Penelope Johnson Allen, Mrs. Burton Jones, Judge Charles Lusk, Robert Bruce Ross, Mrs. Charles Lusk, and Burton Jones. *Courtesy of Chattanooga Times Free Press.*

The entire group escorting Robert Bruce Ross, including the photographer, made up the charter membership. When the incipient Cherokee Historical Society formed that day at Red Clay, they also elected their officers. All the officers were from southeast Tennessee, except for Robert Bruce Ross, from Park Hill, Oklahoma, who they elected vice president. Charter members included Penelope Johnson Allen, Robert Sparks

Walker, and Judge Charles Lusk. Other preservation advocates, such as James R. Huff (son of James H. Huff) and Anne Bachman Hyde, soon joined their ranks.<sup>433</sup>

Sarah Jackson Martin's thesis, *Shaping History, "Constructing Culture: The Daughters of the American Revolution and the Transformation of Chattanooga's Brainerd Mission Cemetery,"* explores the DAR's preservation and commemoration of Brainerd Mission's cemetery. Some female members of the Cherokee Historical Society were also members of the Chattanooga area's DAR chapters, such as Penelope Johnson Allen and Anne Bachman Hyde. Prominent figures in Chattanooga society, these women, along with Zella Armstrong, a local historian and member of the Tennessee Historical Commission, often presented their research to social clubs and wrote newspaper articles.<sup>434</sup>

Perhaps the historical marker's dedication in Chattanooga and the 1927 Reynolds article inspired Georgia Society Daughters to commemorate Cherokee history closer to home. The state historian of the Georgia Society, DAR, Leola Beeson, applied to the War Department for a headstone to mark Sleeping Rabbit's grave in September 1934. The DAR had the marker placed on the Georgia side of the border, approximately 750 feet east of the railroad track. According to Larry Massengill, whose family purchased the adjacent land in 1921 (Parcel #2 of the Riddle Farm, see Figure 4-12), there was already a headstone for Sleeping Rabbit there when they purchased the

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<sup>433</sup> Cherokee Historical Society, Meeting Minutes, March 23, 1930; "Cherokee Tales To Be Preserved By Historians."

<sup>434</sup> Sarah Jackson Martin, "Shaping History, Constructing Culture: The Daughters of the American Revolution and the Transformation of Chattanooga's Brainerd Mission Cemetery" (Middle Tennessee State University, 2004), 38-9, 46-7, 56.

property.<sup>435</sup> The DAR likely removed the original grave marker to raise the one issued by the War Department (see Figure 5-2).



Figure 5-2. Sleeping Rabbit headstone issued by the War Department, c. 1934. *Courtesy of author.*

The headstone's location may not have been the actual burial site of Sleeping Rabbit. Colonel James F. Corn drew a map of Red Clay, depicting Sleeping Rabbit's grave on the park's land east of the rail line and north of the Massengill property (see Figure 5-

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<sup>435</sup> Ancestry.com, *U.S., Headstone Applications for Military Veterans, 1925-1970*: Sleeping Rabbit [database on-line], (Lehi, UT, USA: Ancestry.com Operations, Inc., 2012); Larry Massengil, text message to author, November 17, 2020.

3). Sleeping Rabbit owned over twenty-eight acres of improved land at the Red Clay Council Ground and along Council Ground Creek (Mills Creek) in Tennessee. He also owned improvements in Murray County, Georgia (now Whitfield County).<sup>436</sup>

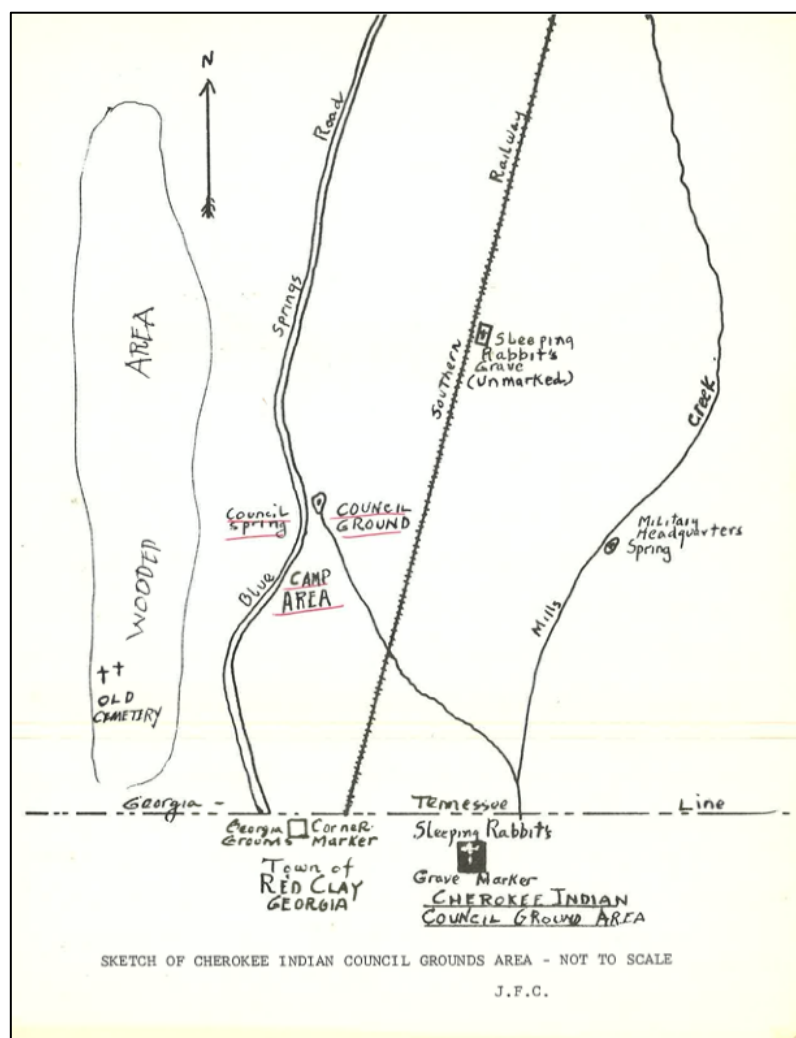


Figure 5-3. "Sketch of Cherokee Indian Council Grounds Area" by James Franklin Corn, date unknown. Note Sleeping Rabbit's grave near center, his grave marker in Georgia, and the cemetery near the southwest corner. *Courtesy of Red Clay State Historic Park.*

<sup>436</sup> 1835 *Cherokee Census*, 59; Moore, 1836 *Cherokee Nation Property Evaluations*, Vol. I, 134-5; Hoskins, ed., *Cherokee Property Valuations in Tennessee, 1836*: Sleeping Rabbit, No. 143; James Franklin Corn, "Sketch of Red Clay Council Ground Area," RCSHPA.

By 1935, nearly a century after the Cherokee removal, many people believed the Red Clay Council Ground once sat Georgia. This confusion likely resulted from James H. Huff having called the log cabin on his property just across the state line in Georgia the "Council House." Local lore maintained that John Ross, another council member(s), or even the government agent, Reverend John F. Schermerhorn, may have used the cabin as shelter. An examination of the plat map drawn after agents of the State of Georgia surveyed the Cherokee land in 1832 reveals that they recorded no structures or improvements on the property where Huff's cabin sat (see Figure 5-4).

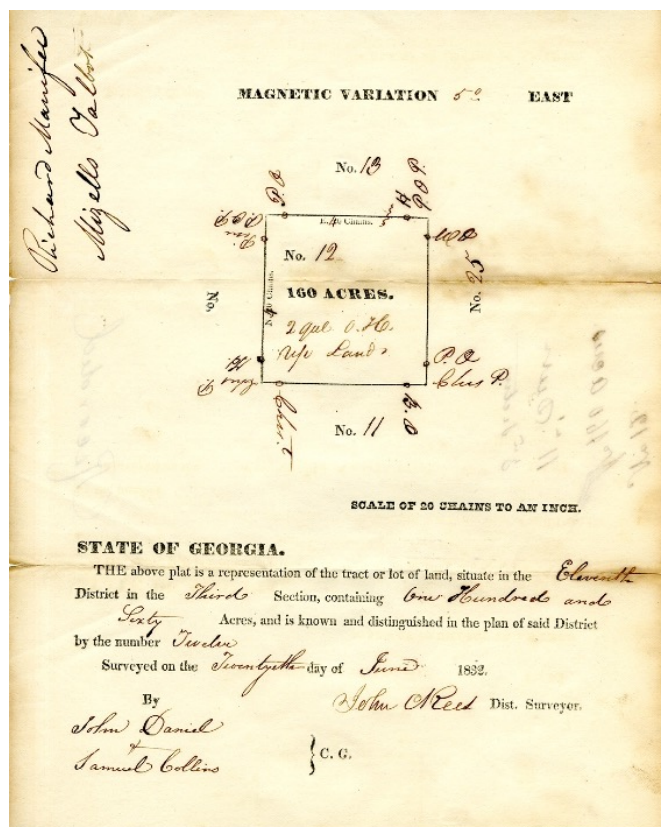


Figure 5-4. The 1832 survey plat of Cherokee [now Whitfield] County Section 3 District 11 Land Lot 12. Note that it records no structures or improvements on this property. *Courtesy of the Georgia Archives.*

In 1935, the Georgia Society, Daughters of the American Revolution, began planning to erect a historical marker to memorialize the Red Clay Council Ground in Georgia. A flurry of articles erupted in the media, making arguments for the proper location. Judge Charles Lusk, Zella Armstrong, Penelope Johnson Allen, and Reverend John Morgan Wooten contended that the Red Clay Councils occurred in Tennessee due to the Georgia harassment laws that forbade the Cherokees holding meetings in Georgia except to discuss land cession.<sup>437</sup>

In a letter from Penelope Johnson Allen, in her capacity as the Tennessee Society, DAR State Vice Regent, to Mrs. John W. Daniel, the Georgia Society, DAR State Regent, Allen may have revealed a more profound psychological reason that Georgians laid claim to Red Clay. In her letter, Allen states:

It would appear that those advancing the claim that the old Council Ground at Red Clay where the National Councils of the Cherokee Nation were held from 1832 to 1838, was on Georgia soil, are actuated more by sentiment than by regard for historical facts – facts so derogatory to Georgia. . .<sup>438</sup>

In other words, the Georgia Daughters may have wished to assuage any blame or guilt associated with Georgia's harsh treatment of the Cherokees. By ignoring the historical evidence provided to them by the Tennessee Daughters and their allies, the Georgia

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<sup>437</sup> "Georgia Society, D.A.R. Approves Brainerd Stamp," *The Chattanooga News*, March 26, 1935; Mrs. John Dorsey, "Georgia Society D.A.R. Adopts Resolutions at Athens Conference," *The Atlanta Constitution*, March 31, 1935; "Missourians Attend Mission Program Here," *The Chattanooga Times*, April 7, 1935; "D.A.R. Group Hears Cherokee's Story," *The Chattanooga Times*, May 18, 1935; Penelope Johnson Allen, "Tennessee Claims Red Clay," *Chattanooga Sunday Times*, July 28, 1935; Zella Armstrong, "John Howard Payne in Tennessee," *The Chattanooga Sunday Times*, November 3, 1935; Zella Armstrong, "Marker to the Cherokees," *Chattanooga Sunday Times*, November 17, 1935, Mrs. John Dorsey, "Marker Dedication at Red Clay By Mrs. Daniel Interests D.A.R.'s," *The Atlanta Constitution*, November 24, 1935.

<sup>438</sup> Correspondence from [Penelope Johnson Allen] to Mrs. John W. Daniel, 27 October 1935, MS 50, Box 1, Folder 24, Dr. William R. Snell Interpretive Study, Red Clay State Park, Cleveland Bradley County Public Library History Branch and Archives, Cleveland, Tennessee.

Daughters could claim not only one more Cherokee site as theirs but also cleaner consciences.

Despite all evidence to the contrary, the Georgia Daughters erected their monument on the corner of the state line and the road that runs south toward Cohutta on the Georgia side of the state line, where it remains today (see Figure 5-5).

Nonetheless, Lusk, Armstrong, Allen, and Wooten's historical research and writing in 1934-1935 established the location of the Council Ground in Tennessee.<sup>439</sup>



Figure 5-5. Red Clay Council Ground historical marker dedicated by the Georgia Society, Daughters of the American Revolution, 1935. The marker still stands on the wrong side of the state line. *Courtesy of author.*

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<sup>439</sup> Wooten, "Red Clay, Council Ground of Cherokees;" John Morgan Wooten, *Red Clay in History* (Cleveland, TN: Privately published, 1935); "Georgia Society D.A.R. Adopts Resolutions at Athens Conference," *The Atlanta Constitution*, March 31, 1935; "D.A.R. Group Hears Cherokee's Story," *The Chattanooga Daily Times*, May 18, 1935; "Marker Dedication at Red Clay by Mrs. Daniel Interests D.A.R.'s," *The Atlanta Constitution*, November 24, 1935.

A few years later, in 1943, Leola Beeson, Georgia Society, DAR state historian, published a book called *History Stories of Milledgeville and Baldwin County*. The epilogue of *History Stories* included excerpts from a letter supposedly written by James R. Huff and allegedly corroborated by his sister and niece. In the letter, Huff emphatically states that the cabin that had been on his family's Georgia property was the Council House. Beeson cites authorities in the field of ethnology, such as James Mooney and Charles C. Royce, who placed the Council Ground in Georgia. Both Mooney and Royce studied the Cherokee and their history fifty to seventy years after removal.<sup>440</sup>

Chattanooga celebrated the seventy-fifth anniversary of the Battle of Chickamauga, called the Chickamauga National Celebration, in September of 1938. The Battle of Chickamauga (September 19-20, 1863) was part of the months-long Chattanooga Campaign. Unlike subsequent battles in and around Chattanooga, the Confederates won the Battle of Chickamauga and temporarily stopped the Union from invading northwestern Georgia.

After devising the Chickamauga National Celebration's initial plan, the organizers realized that the fall of 1938 also marked the centennial of the Cherokee removal. White settlers established Chattanooga at the former Ross's Landing, one of the three emigration depots from which the US Army evicted the Cherokee from their ancestral homeland. Both Cherokee removal and the Civil War were integral to Chattanooga's

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<sup>440</sup> Beeson, 185-91.

history, and the celebration allowed its residents to commemorate both. Although the organizers added the Cherokee as an afterthought, the Chickamauga National Celebration “came to include the period’s single largest commemoration of Indian removal,” with over one hundred Cherokees attending as performers or guests from North Carolina and Oklahoma.<sup>441</sup>

Among the Cherokee-themed events during the Chickamauga National Celebration was a “pilgrimage” to visit Cherokee sites in the area. One such place was Red Clay where “Cherokee mouths drank again from Red Clay springs, into whose reputedly bottomless pool their departing ancestors cast their trinket treasures against the hope of a day when they might return to their homeland.”<sup>442</sup>

As the first period of Cherokee memorialization ended, two distinct patterns of commemoration and place making became apparent. The Cherokee visited Red Clay and the Council Spring in particular, to reflect on their history, perhaps even to pray. The Cherokee passed down the events that took place at the Red Clay Council Ground in oral traditions from one generation to the next. Walking the land where their ancestors debated their fate, drinking from the spring that sustained thousands of their people during an existential crisis – these actions helped connect Cherokees to their ancestors and their homeland in powerful yet intangible ways.

Conversely, the descendants of the area’s Euro-American colonizers who forced the Cherokees out of their homeland found a tangible way to claim Red Clay as theirs –

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<sup>441</sup> Denson, 84.

<sup>442</sup> “Air Show, Indians Mark Celebration,” *The Chattanooga Times*, September 23, 1938.

placing monuments throughout the landscape. These white descendants fought amongst themselves over who could rightfully possess Red Clay's memory, Georgia or Tennessee, and in this first round of Cherokee memorialization, Georgia won.

## CHAPTER VI: MID-CENTURY MEMORIALIZATION AND PRESERVATION

Various people discussed erecting a historical marker about the Red Clay Council Ground in the media as early as 1927. It was not until 1956 that Colonel Thomas Spencer, a local historian from Bartow County, applied to the Georgia Historical Commission for such a marker. The newly created Georgia Historical Commission (GHC) began administering Georgia's historical marker program in 1951. The GHC reached out to state and local officials and fraternal, civic, and religious organizations to document historical sites throughout the state. The majority of the markers erected in the 1950s and 1960s related to the Civil War. The Historic Red Clay marker text demonstrates the public fascination with Civil War history. The Georgia Highway Department erected the marker at the corner of Cleveland-Dalton Pike (GA-71) and Wilson Caldwell Road approximately three-quarters of a mile south of the Tennessee-Georgia state line and a mile east of Red Clay, Georgia (see Figure 6-1). The organization that now administers the Georgia historical marker program, the Georgia Historical Society, recorded that the marker went missing as early as 2016, and they have yet to replace it.<sup>443</sup>

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<sup>443</sup> Colonel Thomas Spencer, "Historic Red Clay," Georgia Historic Commission, Marker #GA 1172; Jennifer Dickey, "'Cameos of History' on the Landscape," *The Public Historian* 42, no. 2 (2020), 34-5; Georgia Historical Society, "Historic Red Clay," *Explore Georgia's Historical Markers*, February 1, 2016, [https://georgiahistory.com/ghmi\\_marker\\_updated/historic-red-clay/](https://georgiahistory.com/ghmi_marker_updated/historic-red-clay/) (accessed December 6, 2020).

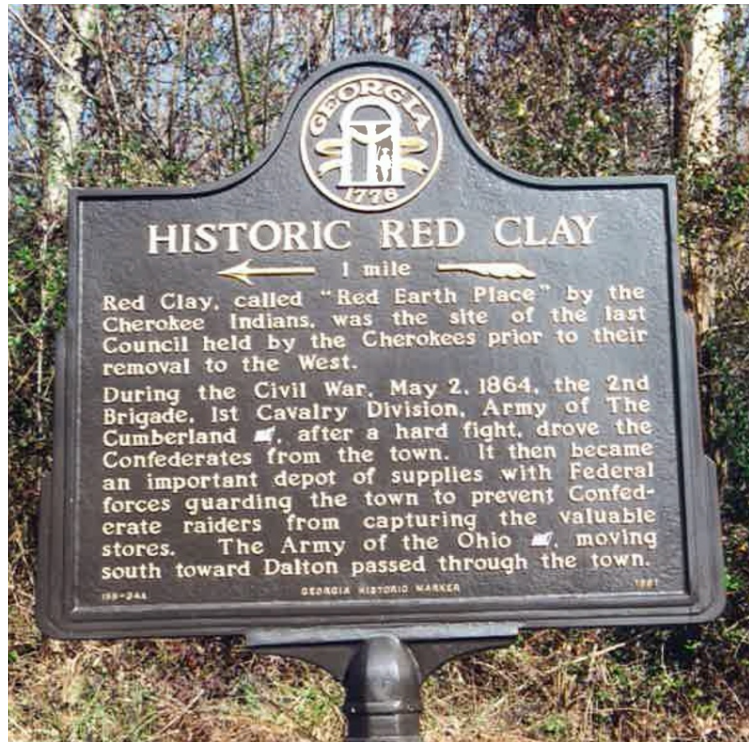


Figure 6-1. Historic Red Clay historical marker. *Courtesy of Red Clay State Historic Park.*

### 1959-1980: Park Development

The history of Red Clay's development into a state park is at times as confusing as its record of ownership. The Red Clay Council Ground had become forgotten by most of the area's inhabitants by the 1950s. At this time, the small town of Red Clay, Georgia, had fallen into obscurity itself.

In the 1960s, the owners of the property which had the Council Spring, the Grays, began thinking about moving away from Tennessee and started selling off their large farm. In 1964, James F. Corn purchased 149.62-acres of property from the Grays, which became the first piece of land set aside for the purpose of conserving the Red

Clay Council Ground. Although the Grays could have made more money by selling their property to the Burger Beer Company, who wanted to use the Council Spring's water in their brewery, George Gray stated that he sympathized with the proposed purpose of creating a historic park.<sup>444</sup>

James Franklin Corn (1894-1988)<sup>445</sup> was born to Charles Thomas Corn and Julia Emma Witherspoon in Haroldsburg, Kentucky. He attended the University of Kentucky in Lexington and became an attorney. On October 25, 1917, he joined the US Army during World War I and was quickly promoted to the rank of First Lieutenant. After the war, Corn joined the National Guard who promoted him to Captain.<sup>446</sup>

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<sup>444</sup> *Deed of Sale from George S. Gray Et Ux to James F. Corn, June 15, 1964, Bradley County, Tennessee, Deed Book 124, 143-144*; Clarence Bruce, "Land Acquired for Proposed Red Clay Historical Restoration," *Chattanooga Sunday Times*, July 12, 1964; Greg Kaylor, "Erin Medley is New Red Clay Park Manager," *Cleveland Daily Banner*, July 21, 2013.

<sup>445</sup> Ancestry.com, *1900 United States Federal Census*: Franklin J Corn [database on-line], (Provo, UT, USA: Ancestry.com Operations Inc, 2004); Ancestry.com, *1920 United States Federal Census*: James F Corn [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2010); Ancestry.com, *1930 United States Federal Census*: James F Corn [database on-line], (Provo, UT, USA: Ancestry.com Operations Inc, 2002); Ancestry.com, *1940 United States Federal Census*: James Corn [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2012); Ancestry.com, *Florida, Passenger Lists, 1898-1963*: James F Corn [database on-line], (Lehi, UT, USA: Ancestry.com Operations, Inc., 2006); Ancestry.com, *New York, Passenger Lists, 1820-1957*: James F Corn [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2010); Ancestry.com, *Puerto Rico, Passenger and Crew Lists, 1901-1962*: James Corn [database on-line], (Provo, UT, USA: Ancestry.com Operation, Inc., 2012); Ancestry.com, *U.S., Official National Guard Register, 1925*: James F. Corn [database on-line], (Provo, UT, USA: Ancestry.com Operations Inc, 2000); Ancestry.com, *U.S., Select Military Registers, 1862-1985*: James F Corn, 1917; James F Corn, 1918 [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2013); Ancestry.com, *U.S., Social Security Applications and Claims Index, 1936-2007*: James F Corn [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2015); Ancestry.com, *U.S., Social Security Death Index, 1935-2014*: James F. Corn [database on-line], (Provo, UT, USA: Ancestry.com Operations Inc, 2014); Ancestry.com, *U.S., Sons of the American Revolution Membership Applications, 1889-1970*: James Franklin Corn, 9 Jun 1927 ; James Franklin Corn, 31 Mar 1943 [database on-line], (Provo, UT, USA: Ancestry.com Operations, Inc., 2011); Findagrave.com, "James Franklin Corn," record added July 21, 2009, <https://www.findagrave.com/memorial/39704640> (accessed August 11, 2018).

<sup>446</sup> Ancestry.com, *1900 United States Federal Census*: Franklin J Corn; Ancestry.com, *Florida, Passenger Lists, 1898-1963*: James F Corn; Ancestry.com, *New York, Passenger Lists, 1820-1957*: James F Corn; Ancestry.com, *Puerto Rico, Passenger and Crew Lists, 1901-1962*: James Corn; Ancestry.com, *U.S., Official National Guard Register, 1925*: James F. Corn; Ancestry.com, *U.S., Select Military Registers, 1862-1985*: James F Corn, 1917; Ancestry.com, *U.S., Select Military Registers, 1862-1985*: James F Corn, 1917; James F Corn, 1918; Findagrave.com, "James Franklin Corn"; "Col. James F. Corn Sr. dies," *Cleveland Daily Banner*.

Corn married Irene Knox (1897-1984)<sup>447</sup> on November 23, 1921 in Bradley County. The couple had two children, Joe and James Jr. Corn served as Cleveland City Attorney from 1924 to 1930. He acted as city judge from 1934 to 1946, barring his return to the US Army during World War II. By the time of his discharge in 1944, Corn had earned the rank of Colonel.<sup>448</sup>

Corn went into business with J. Hallman Bell and opened a law practice, Corn & Bell, in Cleveland. He became president of the Bradley County Bar Association in 1948 and vice president of the Tennessee Bar Association the next year. In 1959, Corn & Bell took on a new partner, V.F Carmichael. Colonel Corn had many other business interests over the years. He worked as president of the Cherokee Hotel Company, vice-president and secretary of the Commercial Office Supply Company, Inc., and secretary of the James F. Corn, Jr, Inc., his son's petroleum and tire distribution company. Corn's political career began as a member of the Tennessee House of Representatives in the 69<sup>th</sup> General Assembly, 1935-1936. Back in Cleveland, he served as secretary of the City Planning Board from 1949-1952 and continued as a board member from 1952-1960. He was appointed mayor in 1955 to finish his predecessor's term of office. The voters of Cleveland elected Corn mayor in 1956.<sup>449</sup>

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<sup>447</sup> Findagrave.com, "Irene Knox Corn," record added July 21, 2009, <https://www.findagrave.com/memorial/39704638/irene-corn> (accessed February 19, 2021); "Col. James F. Corn Sr. dies."

<sup>448</sup> Ancestry.com, *Tennessee, Marriage Records, 1780-2002*: James F Carn [sic] and Irene Knox [database on-line], (Lehi, UT: Ancestry.com Operations Inc, 2008); Ancestry.com, *U.S., Official National Guard Register, 1925*: James F. Corn [database on-line], (Provo, UT, USA: Ancestry.com Operations Inc, 2000); Ancestry.com, *U.S., Select Military Registers, 1862-1985*: James F. Corn; Ancestry.com, *1930 United States Federal Census*: James F. Corn; "Col. James F. Corn Sr. dies."

<sup>449</sup> Tennessee General Assembly, *House Archives 1870 to Present* <https://www.capitol.tn.gov/house/archives/69GA/69Members.html> (accessed February 20, 2021);

In 1959, James F. Corn published *Red Clay and Rattlesnake Springs: A History of the Cherokee Indians of Bradley County, Tennessee*. Corn became interested in the Cherokee when he happened upon a stack of old US Senate documents about the Cherokee in a used bookstore. The documents intrigued Corn and set him on a course that would define the latter part of his life.<sup>450</sup>

Corn soon found an ally to bring attention to Red Clay. In August 1963, Polly Rice Martinez, a retired businesswoman who lived in Chattanooga, Tennessee, brought a group of area socialites to her family's old home in Red Clay, Georgia, to discuss restoring the town and establishing it as a memorial to the Cherokee. Martinez initially envisioned a site that straddled the state line with the cooperation of Bradley County, Tennessee, and Whitfield County, Georgia. On June 15, 1964, Colonel Corn purchased the 149.62-acre tract of land on which the Council Spring sits from George Gray. Though Corn owned the property, he asked to remain anonymous when Martinez announced the purchase two weeks later.<sup>451</sup>

The State of Tennessee incorporated the Cherokee-Red Clay Association (see Figure 6-2) in December 1964. At their first meeting, members elected two sets of officers, one group from Tennessee and the other from Georgia. They also elected Corn

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Ancestry.com, *U.S., City Directories, 1822-1995*: James F. Corn, 1949, 1952, 1955, 1957, 1959, 1960 [database online], (Provo, UT, USA: Ancestry.com Operations, Inc., 2011); "Col. James F. Corn Sr. dies."

<sup>450</sup> Libby Golden, "Indian History, Red Clay 'His Life,'" *Cleveland Daily Banner*, June 24, 1971; "Col. James F. Corn Sr. dies."

<sup>451</sup> Clarence Bruce, "Mrs. Martinez's Goal: To Restore Red Clay as Cherokee Memorial," *The Chattanooga Times*, August 25, 1963; Clarence Bruce, "Red Clay Restoration Proposal Is Studied at Atlanta Luncheon," *The Chattanooga Times*, January 9, 1964; Clarence Bruce, "Restoration of Red Clay Has Wide Support in Area," *The Chattanooga Times*, January 19, 1964; *Deed of Sale from George S. Gray et ux to James F. Corn*, June 15, 1964, Bradley County, Tennessee, Bradley County Deed Book 124, 143-144; Clarence Bruce, "Land Acquired for Proposed Red Clay Historical Restoration," *The Chattanooga Times*, July 12, 1964.

as the group's secretary, and he publicly announced that he had purchased the Red Clay land.<sup>452</sup> Soon after that, all mentions of the Georgia officers end. Presumably, the State of Georgia never incorporated the group.



Figure 6-2. Cherokee-Red Clay Association's first meeting. Seated (L to R), Polly Rice Martinez; Paul S. Mathes, chairman of the Tennessee Conservation Commission; James F. Corn, secretary of the Tennessee Red Clay group; and State Senator Cartter Patten. Standing (L to R), Charles Peacock, president of the Tennessee group; Martin Van Buren Clayton, general overseer of work at Red Clay; Earl Henderson, vice president of the Georgia group; Mitchell Bush, Tennessee treasurer; John McDonald, Georgia unit secretary; Earl Shugart, Georgia treasurer; Kate Rice, Georgia director; and Clarence Bruce, Tennessee director. *Photograph by W.C. King. Courtesy of Red Clay State Historic Park.*

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<sup>452</sup> *State of Tennessee – Charter of Incorporation, Cherokee-Red Clay Association, December 14, 1964, Nashville Corporation Record Book 0-25, 2072; Clarence Bruce, “Red Clay Group Has 1<sup>st</sup> Meeting,” The Chattanooga Times, December 20, 1964.*

Members of the Cherokee-Red Clay Association began an advocacy and media campaign to gain political and financial support for Red Clay's preservation. In a letter to another member of the Cherokee-Red Clay Association in November 1968, Colonel Corn stated that he had a historical marker erected and fenced, and a parking area cleared. No newspaper articles nor correspondence mention a dedication ceremony for the historical marker, so it seems that Corn memorialized the Council Ground on his own.<sup>453</sup>

Corn may have made these changes for Red Clay's inclusion in a tourism brochure called *The Cherokee Drive* published by *Outdoor World Magazine* in 1968.<sup>454</sup> The proceeds from the driving tour brochure's sale went to the Cherokee-Red Clay Association. The longest route the brochure recommended began in Cleveland and took its users south to Red Clay, then into Georgia for stops at the USDA Fish Hatchery in Cohutta, the Vann House near Chatsworth, Ellijay, and Blue Ridge, north to Ducktown, and finally west back to Cleveland. The Cherokee-Red Clay Association's efforts began to make progress. In January 1970, the Bradley County Quarterly Court agreed to purchase the Red Clay land from Corn to develop the property into a recreation area and tourist destination.<sup>455</sup>

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<sup>453</sup> Clarence Bruce, "Officials Check Red Clay Possibilities," *The Chattanooga Times*, October 15, 1965; "Archaeological Society Hears Plea for Preserving Red Clay," *The Chattanooga Times*, October 15, 1965; "Officials Check Red Clay Area," *The Chattanooga Times*, October 15, 1965; Clarence Bruce, "Meeting to Study Historical Sites," *The Chattanooga Times*, September 7, 1969; *Letter from James F. Corn to Charles K. Peacock*, November 27, 1968, Cherokee-Red Clay Association Scrapbook, 1964-1972, Box 1, RCSHPA.

<sup>454</sup> *Outdoor World Magazine*, *The Cherokee Drive* (Cleveland, TN: Preston Company, Inc., 1968).

<sup>455</sup> *Outdoor World Magazine*; Sandra Rowland, "County Court Here Votes to Buy Red Clay Lands," *Cleveland Daily Banner*, January 19, 1970.



Figure 6-3. James F. Corn with the Red Clay Council Ground marker he erected near the Council Spring, c. 1970. Note the cinderblock building in the background. *Courtesy of Red Clay State Historic Park.*

In 1971, the Tennessee Commissioner of Conservation, William Jenkins, received a visit from the Cherokee-Red Clay Association president, Tom Rowland, the chairman of

the Bradley County Conservation Board, John Tyler, and other local leaders. During this appointment, Red Clay's local advocates convinced Jenkins of the site's importance. According to Rowland, "Jenkins was most helpful to us. Realizing the importance of the property, he worked closely with former Gov. Winfield Dunn in getting money appropriated to purchase additional land surrounding the Red Clay site."<sup>456</sup>

As Red Clay's development progressed, community members began offering Native American artifacts to the group for inclusion in a museum. The Cherokee-Red Clay Association accepted so many donated artifacts that they stored them in a bank vault.<sup>457</sup>

By October 1972, the state classified Red Clay as an archeological area, and completed the preliminary planning study. Archeological excavations began in the summer of 1973. Brian Butler, an archeologist with the Tennessee Division of Archaeology (TDOA), partnered with historian William R. Snell's students from Lee College (located in Cleveland, Tennessee) to excavate the area around the Council Spring. They hoped to discover the Council House's location; however, they did not find it. Butler, Snell, and the Lee College students continued excavations in 1974 and 1975, with no discernable evidence of the Council House or any other structures. However, Butler limited the excavations to the south, east, and west of the Council Spring. The

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<sup>456</sup> Randall Higgins and Sandra Rowland, "Red Clay Dedication Saturday," *Cleveland Daily Banner*, May 5, 1976.

<sup>457</sup> "Letter from James F. Corn to Mrs. Winston R. (Ellen Ann) Campbell," July 13, 1967, RCSHPA; "Red Clay Gifts Are Made," *Cleveland Daily Banner*, May 31, 1972; Sandra M. Rowland, "Indian Dolls on Pilgrimage Donated to Red Clay Museum," *Cleveland Daily Banner*, September 25, 1974; Randall Higgins and Sandra Rowland, "Red Clay Dedication Saturday," *Cleveland Daily Banner*, May 5, 1976; *Letter from LeBaron W. Pahmeyer to Gary Lawson, November 7, 1979*, RCSHPA; *Letter from James F. Corn to LeBaron W. Pahmeyer, November 14, 1979*, Tennessee Department of Conservation Division of Archaeology, Red Clay (40BY20) Correspondence File.

archaeologists did uncover a large cooking area, as had been described by George Featherstonhaugh when he visited the 1837 council meeting, and many shards of manufactured 1830s-era dishware. In 1975, William Snell completed his report "Annals of Red Clay Council Ground, Bradley County, Tennessee" for the Tennessee Historical Commission.<sup>458</sup>

While the state agencies studied the area, Colonel Corn continued his work to preserve the site. Corn took advantage of the newly passed National Historic Preservation Act, like many preservation-minded groups and individuals did in the late-1960s and early-1970s. Due to Corn's nomination, the Keeper of the Register placed the Red Clay Council Ground on the National Register of Historic Places on September 14, 1972.<sup>459</sup>

A few structures remained within one hundred yards of the Council Spring when the state purchased it: a clapboard house, a partially built cinderblock building, and a log cabin used more recently as a barn. Butler determined that none of these buildings dated before the 1910s. The contractors demolished these structures during the landscape development of the park. However, once the park opened, Park Naturalist

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<sup>458</sup> Beecher Hunter, "Red Clay, Hiwassee Plans Cited By State," *Cleveland Daily Banner*, October 13, 1972; "Excavation Plans for Red Clay," July 2, 1973; Randall Higgins and Sandra Rowland, "Red Clay Dedication Saturday," *Cleveland Daily Banner*, May 5, 1976; Butler, "The Red Clay Council Ground," 149-150; Brian Butler, "The Council Ground at Red Clay (40 BY 20) Archaeological and Historical Investigations, 1973-1975," unpublished report filed at the Tennessee Department of Conservation Division of Archaeology; William R. Snell, "Annals of Red Clay Council Ground, Bradley County, Tennessee," unpublished report located in files of the Tennessee Department of Conservation Division of Archaeology (Cleveland, TN: Tennessee Historical Commission, 1975).

<sup>459</sup> James F. Corn, "Red Clay Council Ground," *National Register of Historic Places Inventory – Nomination Form*, September 14, 1972; The Tennessee Historical Commission, "Certificate that Red Clay Council Ground has been entered on The National Register of Historic Places," January 25, 1974, in National Register file at Red Clay State Historic Park; National Park Service, "Red Clay Council Ground," *National Register of Historic Places*, <https://npgallery.nps.gov/NRHP/AssetDetail?assetID=ddac78a1-0c24-4105-9df5-dfbd88817503> (accessed February 1, 2019).

Leslie Parton interviewed Tom Clayton, whose family once owned property on the western border of the park (see Chapter V). Clayton stated that the log cabin had been built in 1865, and that his father had lived there. Though the state had determined Red Clay's period of significance ended in 1838, the descendants of the Clayton family resent what they express as the needless destruction of their ancestors' historic home.<sup>460</sup>

In 1974, the State of Tennessee purchased much of the land surrounding the Red Clay Council Ground owned by Bradley County.<sup>461</sup> To celebrate the United States' bicentennial, the Bradley-Cleveland Bicentennial Commission organized Red Clay's dedication. On May 8, 1976, representatives of the Cherokee Nation, the Eastern Band of Cherokee Indians, as well as local and state dignitaries met at the Red Clay Council Ground to dedicate the site as a state park.<sup>462</sup> At this dedication, Governor Ray Blanton's office announced "that an Indian museum to be located on the park grounds would be called the James F. Corn Sr. Museum of Indian History."<sup>463</sup>

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<sup>460</sup> Butler, "The Council Ground at Red Clay (40 BY 20) Archaeological and Historical Investigations, 1973-1975," 5; Tom Clayton, interviewed by Leslie Parton, August 1980, RCSHPA; Debbie Stephenson Moore, conversation with author, September 24, 2020.

<sup>461</sup> *Deed of Sale from Bradley County, Tennessee to State of Tennessee, Department of Conservation*, March 11, 1977, Bradley County, Tennessee, Bradley County Deed Book 288, 843-45; *Deed of Sale from Mary Cassie Eslinger & Barbara Jean Eslinger Weaver to State of Tennessee*, September 27, 1974, Bradley County, Tennessee, Bradley County Deed Book 206, 793-794; *Deed of Sale from Lola Godfrey to State of Tennessee*, September 27, 1974, Bradley County, Tennessee, Bradley County Deed Book 206, 791-792; *Deed of Sale from Oscar & Lola Godfrey to State of Tennessee*, September 27, 1974, Bradley County, Tennessee, Bradley County Deed Book 206, 789-790; *Deed of Sale from Theodore Roosevelt Thomas to State of Tennessee*, September 27, 1974, Bradley County, Tennessee, Bradley County Deed Book 206, 787-788.

<sup>462</sup> Randall Higgins and Sandra Rowland, "Red Clay Dedication Saturday," *Cleveland Daily Banner*, May 5, 1976; "Rev. Brock to Deliver Dedicatory Prayer," *Cleveland Daily Banner*, May 7, 1976; "Future Red Clay museum honors Col. James Corn," *The Morning Sun* (Cleveland, TN), May 10, 1976.

<sup>463</sup> "Future Red Clay museum honors Col. James Corn," *The Morning Sun* (Cleveland, TN), May 10, 1976.

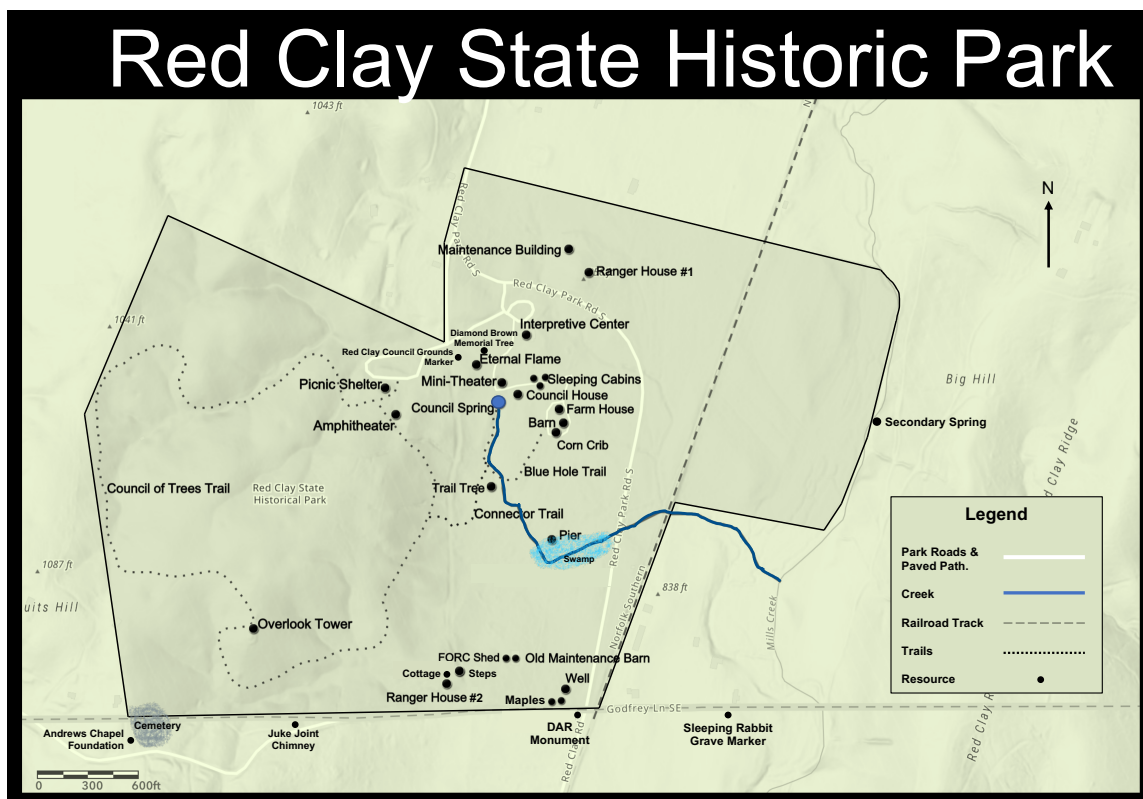


Figure 6-4. Map of Red Clay State Historic Park with resources marked. *Courtesy of Google Maps. Modified by the author.*

### Park Resources Available on Opening Day

Twenty years after Colonel Corn published his book on Red Clay, the park opened to the public on September 28, 1979. On opening day, the park included the James Franklin Corn Museum and Interpretive Center, the reconstructed Cherokee farm, the reconstructed Council House, a picnic pavilion, over three miles of nature trails, and a 500-seat amphitheater (see Figure 6-4).<sup>464</sup>

<sup>464</sup> "Cherokees Watch As Park Opened To Their Heritage," *The Tennessean* (Nashville, TN), September 30, 1979; "Cherokee Capital Restored," *The Tennessean Conservationist*, vol. XLVI, no. 1 (January/February 1980).

Even though the park had already opened, the state had yet to purchase the last piece of land. The very southeastern 1.11 acres of property remained under the Southern Railway Company's ownership until they sold it to the State of Tennessee on July 2, 1980.<sup>465</sup> Tennessee State Parks had built the following resources, or they already existed, by the end of 1979.

### **James Franklin Corn Museum and Interpretive Center**

The James Franklin Corn Museum and Interpretive Center, constructed in 1979, is located near the park entrance. It is a two-story, wood-frame building with a T-plan core and a partially enclosed wrap-around porch. The porch extends to an octagonal gazebo to the west (see Figure 6-5). The interpretive center's T-plan core contains a small museum, a theater that seats 80 people, a gift shop, ranger offices, restrooms, and an upstairs reading room. The park renovated the theater in 2017, and included a new interpretive film directed by Ron Gilbert. The museum has several new interpretive panels, installed in 2015 and developed by the Amy Kostine and Sherry Teal of MTSU's Center for Historic Preservation. The Center funded the 2015 exhibit panels, which focused on the Cherokee removal and the Trail of Tears.

The interpretive center's wrap-around porch is furnished with rocking chairs, while the gazebo contains a map of the park. An interpretive trail begins by walking south out of the gazebo. Four flagpoles stand to the northwest of the interpretive

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<sup>465</sup> *Deed of Sale from Southern Railway Company to State of Tennessee, Department of Conservation, July 2, 1980, Bradley County, Tennessee, Bradley County Deed Book 109, 419-422.*

center. The center pole flies the American and Tennessee flags flanked by poles flying the flags of the three federally recognized Cherokee tribes: Cherokee Nation, the Eastern Band of Cherokee Indians, and the United Keetoowah Band.



Figure 6-5. The James Franklin Corn Museum and Interpretive Center. *Courtesy of Red Clay State Historic Park.*

### **Council Spring (Blue Hole Spring)**

The Council Spring lies in a tree-lined depression. Its unique mineral content and the depth of the water lends it an unusual blue hue. A sinkhole opened immediately north of the spring in the 1940s due to geologic activity. The sinkhole caused a deepening of the spring's conical-shaped basin, which is currently about fourteen feet deep. Irrigation wells used on farms in the surrounding area are fed by the same aquifer as the Council Spring, resulting in the pool's footprint diminishing to its current diameter

of approximately twenty feet.<sup>466</sup> The spring feeds a small stream, which in turn flows into Mill Creek, a tributary of the Conasauga and Coosa River system. The trees lining the spring's basin do not obscure the spring's view. However, due to the depth of the spring, one cannot see it unless they look down into the basin (see Figure 6-6).



Figure 6-6. Council Spring, aka the Blue Hole Spring, today. *Courtesy of author.*

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<sup>466</sup> Butler, "The Council Ground at Red Clay (40 BY 20) Archaeological and Historical Investigations, 1973-1975," 4-5; Department of the Interior, US Geologic Survey, "Water Color," *Water Science School*, [https://www.usgs.gov/special-topic/water-science-school/science/water-color?qt-science\\_center\\_objects=0#qt-science\\_center\\_objects](https://www.usgs.gov/special-topic/water-science-school/science/water-color?qt-science_center_objects=0#qt-science_center_objects) (accessed February 20, 2021).

The water appears to flow from a hole or cavern under a limestone shelf in the deepest part of the pool. During the summer of 1980, Park Naturalist Leslie Parton conducted interviews with several local residents. According to local lore, the Cherokee hid gold down in the cavern prior to their expulsion from their homeland. Supposedly, if one stood on the west side of the spring at 2:00 pm and looked down into the hole, one could see a large iron pot chained to a rock. Despite the legends about the spring, members of the National Speleological Society dived into the pool and snaked a camera into the hole under the ledge. They found that no cavern exists under the ledge and that the water boils up from the sand strata.<sup>467</sup> One can see this phenomenon in the stream running from the spring where water flows up from the streambed.

Without permission from the Tennessee Division of Archaeology (TDOA), park personnel had the spring's pool dredged in the summer of 1980 to clean it. Someone notified TDOA about the dredging. They called a halt to it, but not before the cleaning operation had removed six to eight inches of sediment. After explaining that they had broken the law with the unauthorized excavation (dredging) on state property, TDOA confiscated the artifacts. They recovered various items, such as broken pearlware in a few different patterns, handmade bricks, broken horseshoes, and twentieth-century coins. TDOA determined the artifacts "dated within a period from the time of the Cherokee occupation to present times."<sup>468</sup>

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<sup>467</sup> Tom Clayton, "Interview by Leslie Parton," August 1980, notes, RCSHPA; Frank Keith, "Interview by Leslie Parton," Summer 1980, notes, RCSHPA; Jason Richards, email message to Erin Medley, April 12, 2012.

<sup>468</sup> Leslie Parton, "Material from the Spring," Summer 1980, notes, RCSHPA; Leslie Parton, "Letter to New Echota Historic Park Historian," August 11, 1980, RCSHPA; Jeff Stancil, "Letter to Leslie Parton," August 14, 1980,

A US Geological Service survey in 1933 determined that the spring has a daily flow of 414,720 gallons of water.<sup>469</sup> In June 1975, the Tennessee Department of Public Health Division of Laboratory Services tested the Council Spring's water and found that it contains a minute amount of bacterial contamination. Due to the bacteria, they suggested that one should boil or add chlorine to the water before ingesting it.<sup>470</sup> Despite this, when modern Cherokee council meetings have occurred at the park (see next chapter) the council members used water from the Council Spring as drinking water with no adverse effects.

### **Reconstructed Council House**

According to the 1836 Cherokee property valuations, the Red Clay Council House was made of round logs and measured 18' x 30'.<sup>471</sup> This record verifies the account of the Featherstonhaugh, who described the Council House as being, "...a simple parallelogram formed of logs with open sides, and benches inside for the councilors."<sup>472</sup>

The reconstructed Council House measures 20' x 40'. It corresponds with historical descriptions of the Council House in that it is a rectangular structure with open

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RCSHPA; Joseph Benthall, "Memorandum to Don Charpio, 'Disturbance of Archaeological deposits in the spring at Red Clay State Historic Area,'" August 29, 1980, 40BY20 Red Clay State Historic Park, Correspondence File, TDOC.

<sup>469</sup> Tennessee Department of Conservation, Division of Planning and Development, *Red Clay State Archaeological Area General Development Guidelines* (Nashville, TN: Tennessee Department of Conservation, Division of Planning and Development, 1976), 8.

<sup>470</sup> Tennessee Department of Public Health, Division of Laboratory Services, "Bacteriological Water Examination: Red Clay Springs," June 4, 1975, RCSHPA; Hiwassee District Health Department, "Letter from Hiwassee District Health Department," June 4, 1975, RCSHPA.

<sup>471</sup> Moore, *1836 Cherokee Nation Property Evaluations*, Vol. I, 159.

<sup>472</sup> Featherstonhaugh, 232, <https://cdn.loc.gov/service/gdc/lhbum/6643b/6643b.pdf> (accessed November 9, 2018).

sides and is furnished with wooden benches (see Figure 6-7), although the reconstructed Council House measures larger than the dimensions recorded in the 1836 property valuation (18'x30').<sup>473</sup>



Figure 6-7. Reconstructed Council House. *Courtesy of the author.*

The Council House at the park today has a wooden rail along the outside of its support posts except at the entrance, facing the Council Spring. One six-foot section of rail on the rear of the structure is currently missing. The park personnel removed the rail to allow visitors an extra exit for safety and convenience. Mud daubers have built several nests on the inside of the roof. Apart from the insect nests, the Council House is in good condition.

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<sup>473</sup> Walker, 91; Phillips and Phillips, 89; Featherstonhaugh, 231-32; Moore, *1836 Cherokee Nation Property Evaluations*, Vol. I, 159.

### Reconstructed Sleeping Cabins

As previously stated, George Featherstonhaugh attended the council meeting the year that Cherokee had to move the meeting up the valley due to squatters taking over the area around the Council House. However, the people who designed the park may not have realized that the council place had moved. According to George Featherstonhaugh, the "hut" he rented during the 1837 council had pine needles carpeting the floor and only a bed with pine needles for a mattress. He wrote:

Our log hut had been so hastily run up that it had neither a door, nor bore evidence of an intention to add one to it, and its walls were formed of logs with interstices of at least six inches between them, so that we not only had the advantage of seeing every thing that was going on out of doors, but of gratifying every body outside who was desirous of seeing what was done within our hut, especially the Indians, who appeared extremely curious.<sup>474</sup>



Figure 6-8. Reconstructed cabins built according to Featherstonhaugh's description. *Courtesy of the author.*

Despite the movement of the council meeting, Cherokees had previously built cabins at the original site. The 1836 property valuations describe forty-nine cabins of

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<sup>474</sup> Featherstonhaugh, 230-231.

varying degrees of size and quality built on the Council Ground, in addition to two sheds, six stables, two storehouses, a smokehouse, a corn crib, a kitchen, the Council House, and a Committee House. Many of the cabins belonged to Cherokee who lived in other areas.<sup>475</sup> These buildings may have been used by them during council meetings or rented to others like the one where Featherstonhaugh stayed.

Despite the dozens of cabins in the 1836 property valuations, park planners only reconstructed three of the sort described by Featherstonhaugh on the park's grounds. The three reconstructed sleeping cabins each measure 10' x 15'. They are constructed on stone pier foundations and built with modern, round, peeled logs with saddle notches. Like Featherstonhaugh's hut, these cabins lack chinking, doors, and windows. They all have dirt floors and gable roofs with hand-split wood shake shingles. Like the Council House, the cabins show evidence of insect infestation. Abandoned paper wasp and mud dauber nests cling to the inside of the roofs.

### **Reconstructed Cherokee Farm**

Several people lived and farmed on the Council Ground. The park planners reconstructed three buildings to represent a typical Cherokee homestead: a farmhouse, a barn, and a corn crib. These three structures were built in 1979 and are relatively accurate reconstructions of early-nineteenth-century log buildings using modern materials. All three stand upon stone piers. As opposed to continuous foundations, pier

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<sup>475</sup> Moore, *1836 Cherokee Nation Property Evaluations*, Vol. I & II, 90, 92, 133-135, 138-141, 150, 159, 161, 163-167, and 312.

foundations were typically found on log buildings in areas with warmer, humid climates, such as Tennessee. Airflow underneath the building helped cool the structure in summer and helped keep sills and joists from rotting. In the center of these buildings is a fire pit with benches built around them.

### **Reconstructed Farmhouse**

The farmhouse is a two-story, single-pen structure that measures 24' x 24' (see Figure 6-9). It stands upon a stone pier foundation and is constructed of modern timbers hewn on the vertical faces and peeled on the horizontal faces with half-dovetail notches. It has a gable roof with hand-split wood shake shingles and a central gable-end chimney made of stone on the east elevation. Unlike the reconstructed sleeping cabins, the farmhouse was chinked with wood chips and clay-lime mortar. It has a porch running along the length of the north side of the house.

There are two windows located on the structure's north elevation on the first floor. There are two windows on the building's south elevation on the first floor and two on the second floor. A single window is located on the structure's west elevation on the second floor. There are central openings on the house's north and south elevations, allowing access to the interior.

Park personnel have furnished the farmhouse with items typically found in early-nineteenth-century frontier homes, such as a wooden table and chairs, two rope beds, a spinning wheel, and cooking implements. Steel bars on the windows and central openings prevent unwanted intruders from vandalizing or stealing items inside the

farmhouse. In recent years, park personnel have planted a three-sisters garden next to the farmhouse. The house is in good condition, although the back steps need to be repaired as one has evidence of wood rot.



Figure 6-9. Reconstructed Cherokee farmhouse with the remains of a three-sisters garden beyond the porch. *Courtesy of the author.*

### **Reconstructed Barn**

The barn is a double-crib, two-story structure constructed from squared timbers using half-dovetail notches (see Figure 6-10). A lack of chinking between the logs allows for airflow. The barn has a gable roof with wood shingles. Each crib measures 10' x 16' with a 10' drive-through passage between the cribs. The barn stands upon a stone pier foundation; however, it is still low enough to the ground to allow animals easy access to the cribs. The entire floor on the ground level is dirt. A large central opening on the

barn's east side for hay storage joins the cribs on the second floor. The roof extends past the barn's west wall, creating an overhang.

There is a timber-framed shed addition on the south side of the building measuring 8' x 10'. It has a central opening allowing access to the shed's interior. Park personnel intend to turn the shed into a Cherokee blacksmith's shop. The building is in good condition.



Figure 6-10. Reconstructed barn. *Courtesy of the author.*

### **Reconstructed Corn Crib**

The corn crib measures 9' x 15'. It stands upon a stone pier foundation and is constructed of modern, squared timbers with half-dovetail notches (see Figure 6-11). Well-designed early-nineteenth-century corn cribs were elevated at least eighteen

inches off the ground, not only to reduce the infiltration of rodents, but also to encourage airflow.

The corn crib has a gable roof with wood shingles. The roof extends past the crib's north wall, creating an overhang. Corn crib construction commonly featured overhangs that helped deter the entry of rainwater into the building. There is a central opening on the crib's north elevation, allowing access to the interior. A lack of chinking allowed airflow throughout the building to dry the corn.



Figure 6-11. Reconstructed corn crib. *Courtesy of the author.*

## **Amphitheater**

The amphitheater, constructed in 1979, is a series of stepped wooden benches built into the hillside (see Figure 6-12). Members of the public can reserve the amphitheater for music and theater productions. The Red Clay Theater group

performed the outdoor drama "Cry of the Owl" at the amphitheater in 1980 and 1981 and the 2009 Joint Council met there, as well (see Chapter VIII). The park had it renovated in 2017, with new benches made of milled lumber, electrical outlets, and lighting. It seats up to 500 people.



Figure 6-12. Amphitheater where the Red Clay Theater staged the outdoor drama "Cry of the Owl" in the 1980s. *Courtesy of the author.*

### **Picnic Shelter**

The picnic shelter, constructed in 1979, is a wood-framed structure with open sides (see Figure 6-13). The shelter has a water fountain, a grill, restrooms, and bear-proof trash receptacles located on the east end of the structure. The east end of the picnic shelter also features a fireplace vented by a chimney through its metal hip roof. The building contains twelve picnic tables, which accommodate up to one hundred people and can be reserved a year in advance. The picnic shelter has a parking lot to its north.

There are eighteen individual picnic tables scattered under nearby trees to the north and east of the picnic shelter, each with a grill. The individual picnic tables are available on a first-come, first-served basis.



Figure 6-13. Picnic shelter. *Courtesy of the author.*

### **Mini-Theater**

A smaller amphitheater, constructed in 1979, is located northwest of the reconstructed Council House. Cherokee storytellers use it for their storytelling performances during the Cherokee Cultural Celebration. Park staff also use the mini-amphitheater for educational programs. Park planners had this structure build into the sinkhole north of the Council Spring. It consists of three semi-circular rows of wooden benches built into the side of the sinkhole and seats thirty people.



Figure 6-14. Mini-amphitheater after rain. *Courtesy of the author.*

### Forest and Viewshed

In George Featherstonhaugh's description of the 1837 Council Ground, he stated:

What contributed to make the situation extremely picturesque, was the great number of beautiful trees growing in every direction, the underwood having been most judiciously cut away to enable the Indians to move freely through the forest, and to tie their horses to the trees.<sup>476</sup>

Though he described a place that likely lies two miles north of the present-day park, Featherstonhaugh's description could apply to the park as well. The viewshed described by Featherstonhaugh is no longer intact. The park planners placed the Council House and the other reconstructed buildings on a level cleared of most trees (see Figure 6-15). Since this area is relatively flat and near an accessible water source, previous owners likely used it to farm or pasture livestock. Park staff keep it mowed throughout the year. The area to the south and west has a lovely forest with various kinds of oak,

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<sup>476</sup> Featherstonhaugh, 232.

maple, and hickory trees, as well as dogwood, Virginia pine, black gum, hazelnut, black walnut, red elm, sycamore, wild plumb, pear, mulberry, mayapple, elder, red elm, black cherry, red ash, beech, red cedar, and black willow. Though the undergrowth is not thick, it includes a good deal of sawbrier (*Smilax glauca*), blackberry vines, and brush such as flame azaleas, sassafras, and several varieties of fern,<sup>477</sup> which may result in the woodland being less navigable than it was in 1837. When in full leaf, the undergrowth does not allow the freedom of movement portrayed by Featherstonhaugh. In describing the other buildings at Red Clay, Featherstonhaugh wrote:

... we soon found ourselves in an irregular sort of street consisting of huts, booths and stores hastily constructed from the trees of the forest, for the accommodation of Cherokee families, and for the cooking establishments necessary to the subsistence of several thousand Indians.<sup>478</sup>

The US Army "concentrated" approximately 2,000 Cherokees, Creeks, and enslaved people at Red Clay prior to their removal. These refugees were at Red Clay for at least two and a half months before the US Army relocated them to one of the emigration depots.<sup>479</sup> In those two and a half months, they likely built many other shelters on the site.

Of course, the original log structures are long gone. They would have given Red Clay a much busier landscape and viewshed when the National Councils were in session than is experienced there now.

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<sup>477</sup> "Cherokee Plants at Red Clay," date unknown, RCSHPA.

<sup>478</sup> Featherstonhaugh, 232.

<sup>479</sup> Nathaniel Smith, "Letter from Nathaniel Smith to Colonel Lindsay," June 10, 1838, The King Research Collection: Trail of Tears, #2009.003.0935, MCI; *100 – Red Clay extensions of Camp Ross*; Order No. 62 Issued by Major General Winfield Scott, July 5, 1838, 2009.003.1412, The King Research Collection: Trail of Tears, MCI.

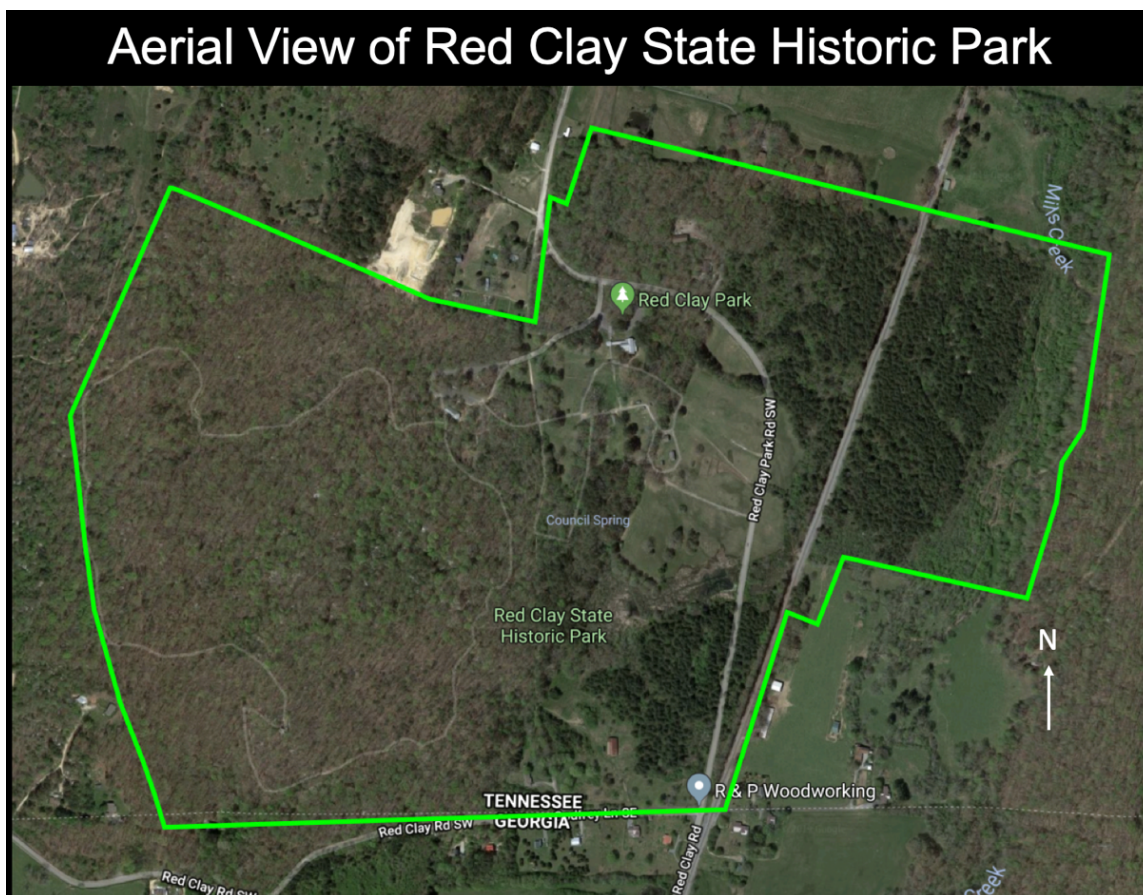


Figure 6-15. Aerial view of Red Clay State Historic Park. Most of the parkland is wooded. The only areas that are relatively free of trees are toward the east-central section, where the interpretive trail, most of the buildings, and meadow are located, and the southeast corner. *Courtesy of Google Maps. Modified by author.*

## Trails

Red Clay State Historic Park has a paved interpretive trail that leads visitors from the Interpretive Center to the Eternal Flame, the Council Spring, and the reconstructed buildings. There are also two loop nature trails: the Council of the Trees Trail and the Blue Hole Trail. The Council of the Trees Trail is 1.7 miles long, while the Blue Hole Trail is just 0.3 miles. There is a short connector trail between the two nature trails that is 0.15 mile long. These three trails wind through the primarily deciduous forest,

containing various oaks, maples, and elms. In summer, these trees offer respite from the heat for the park's many hikers. Though woodland makes up approximately 85% of the park, the undergrowth is relatively light, giving the forest an open, inviting feeling even in summer. The trails have dirt surfaces, except a parts of the Blue Hole Trail and Connector Trail that pass through swampy soil. These trail sections have wooden boardwalks. The trails are well maintained and frequented by visitors.

### **Trail Tree**

Throughout North America, strangely shaped trees occasionally mark the landscape. Many believe that Native Americans bent saplings as a way of making signs to guide others toward various places, such as water sources. Although limited scholarship on trail trees exists, researchers have documented the Native practice of communicating messages by manipulating trees. Humans create trail trees by bending saplings a few feet from the ground at a sharp angle. They maintain the angle by placing a rock on top of the bend, burying it under a pile of dirt, or tying the bend.<sup>480</sup>

One trail tree stands at Red Clay that may date to the 1830s. A red oak, it stands just off the Blue Hole Trail (see Figure 6-16). The trunk's base measures approximately two feet in diameter and stands approximately sixty feet high.

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<sup>480</sup> Katrina Marland, "Trail Trees," *American Forests*, April 10, 2012, [https://www.americanforests.org/blog/trail\\_trees/](https://www.americanforests.org/blog/trail_trees/) (accessed November 18, 2018); Nicholas C. Kawa, Bradley Painter, and Cailín E. Murray, "Trail Trees Living Artifacts (*Vivifacts*) of Eastern North America," *Ethnobiology Letters*, Vol. 6, no. 1 (2015), 183-185, <https://www.jstor.org/stable/26423616> (accessed December 10, 2018).

The trail tree points north toward the Council Spring. The age of the tree is uncertain. To determine the accurate age of a tree, a forester must take a core sample to conduct dendrochronological testing.



Figure 6-16. Large red oak trail tree at Red Clay State Historic Park. *Courtesy of the author.*

### **Intermittent Spring**

There is a small, unnamed intermittent spring that only flows when a lot of rain has fallen (see Figure 6-17). It is not located on a trail and is not marked.



Figure 6-17. Small intermittent spring. *Courtesy of the author.*

### **Overlook Tower**

The overlook tower, constructed in 1979, sits upon a rise along the Council of the Trees Trail at an elevation of 980 feet above sea level.

Constructed from limestone in the shape of a crenelated castle tower, it has steel safety railing and stands fifteen feet tall (see Figure 6-18). The overlook tower affords hikers a beautiful view of the surrounding woodlands in winter, although the surrounding deciduous trees obscure the viewshed in summer.

### **Pier**

Due to beaver activity on the southeast section of the park, a swampy area developed near the confluence of the small creek fed by the Council Spring and Mills Creek. The swamp does not appear on the 1921 plat map of the Riddle Farm, so it is likely less than a century old. This area has a good deal of mosquitos in warm weather. A

wooden pier built into the swamp allows visitors to look out onto the wetland. The construction date of the pier is uncertain. It measures 10' x 3' and is in good condition.

In the 1980s, Tennessee State Parks (TSP)'s conservation policy stated that parks should protect all wildlife. However, Red Clay's neighbors advocated for the park to cull the beaver population. The beavers tended to dam the culverts that allow the spring's water to flow into Mills Creek, causing localized flooding. After negotiating with TSP headquarters, they allowed park staff to destroy dams when necessary and humanely control the beaver population.<sup>481</sup>



Figure 6-18. Overlook Tower. *Courtesy of the author.*



Figure 6-19. Pier that looks out into swamp at Red Clay. *Courtesy of the author.*

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<sup>481</sup> Joe Gaines, "Memorandum from Joe Gaines to Don Charpio," April 7, 1980, RCSHPA; Gary Lawson, "Memorandum from Ranger Gary Lawson to Adjoining Property Owners Of Red Clay Beaver Ponds Area," April 12, 1980, RCSHPA; Joe Gaines, "Memorandum from Joe Gaines to Bot Rochelle," April 30, 1980, RCSHPA; Mobbs & Hagler, "Letter from Mobbs & Hagler, Attorneys-at-Law, to Joe Gaines, Parks and Recreation Development Officer," August 22, 1980, RCSHPA; Joe Gaines, "Letter from Joe Gaines, Parks and Recreation Development Officer, to John B. Hagler, Jr., Attorney-at-Law," September 9, 1980, RCSHPA; Linda Drees, "Memorandum from Linda Drees to Joe Gaines, Earle Gooding," July 22, 1981, RCSHPA; Lisa Huff, "Letter from Lisa Huff, seasonal naturalist, to Linda Drees," August 20, 1981.

## **Railway Corridor**

What began as the Hiwassee Rail Road is now the Norfolk Southern Railway. While the original materials used to construct the railway were replaced numerous times over the years, most notably after the Civil War when it was heavily damaged and rendered impassable, its orientation remained unchanged.



Figure 6-20. Railway corridor that passes through eastern section of the park. *Courtesy of the author.*

## **Ranger Houses**

There are two houses on the park property where park personnel live.

### ***Ranger House #1***

Ranger House #1 is a 1,700-square-foot, single-story ranch house with an asphalt-shingle gable roof. TSP contractors constructed it in 1979. The house has three

bedrooms, two bathrooms, and stands on cinder block piers. Central openings on the house's east and west elevations and an opening just east of center on the south elevation, allow access to the interior. The east and south openings exit onto wood decks with wood stairs leading to the ground. A metal fireplace and chimney stands just south of the east center opening, finished with a stone hearth (see Figure 6-21).

A chain link fence encompasses an area on the exterior of the structure's west elevation. Wood siding clads the exterior of the house and the chimney. Stains are present on the wood siding on the east and north elevations, as well as faded patches, most notably on the chimney. These areas require cleaning and painting/wood staining.



Figure 6-21. Ranger House #1. *Courtesy of the author.*

### ***Ranger House #2***

The Tennessee Department of Conservation purchased this house (34.988314, -84.947104) and the land it sits on from Theodore Roosevelt Thomas in 1974. Thomas bought the property in 1964 from Fred and Oma Springfield, who owned the land for four years. They had purchased it from J.W. and Cassie Eslinger, who held it from 1943 to 1960. The Eslingers were most likely the people who built this house, though the exact date of its construction is unknown. The park's Maintenance Supervisor currently occupies the house and keeps it in good condition.

Ranger House #2 is a 1600-square-foot, single-story, brick ranch house with an asphalt-shingle hip roof. It has three bedrooms, one bathroom, and a single-car garage and stands on a continuous poured concrete foundation. Central openings on the house's east and west elevations allow interior access. The roof extends past the house's east wall, creating an overhang. A modern gutter system draws water away from the foundation, which will help prevent damage (see Figure 6-22).



Figure 6-22. Ranger House #2. *Courtesy of the author.*

**Cottage**

Approximately fifteen feet north of Ranger House #2 stands a small, two-story, timber-framed cottage. The cottage measures 30' x 20' and rests upon a continuous foundation. It also has a stone root cellar. The cottage has a gable roof with asphalt shingles. The roof extends past the cottage's north wall, creating an overhang. It is unknown who constructed the building; however, the Gray family likely had it built when they owned the property (1945-1964). No one currently occupies the cottage.

The roof overhang shelters a small porch on the north elevation with a central opening to allow access to the interior. The porch has lattice covering its east elevation, possibly to enable vining plants, such as roses, a vertical purchase. The stone root cellar is built into a slight rise in ground elevation to take advantage of the cooler temperature for food storage. The root cellar has an opening on the southern edge of the east elevation, allowing access to the interior (see Figure 6-23).

Overgrown brush surrounds the cottage and a tree grows against the foundation on its south elevation. The tree has branches brushing against the roof. The vegetation should be removed to prevent damage to the foundation and roof.



Figure 6-23. Cottage's eastern elevation. *Courtesy of the author.*

### **Maintenance Building**

The maintenance building, constructed in 1979, measures 80' x 30'. It was built from cinder blocks with an asphalt-shingle gable roof. The maintenance building stands on a continuous, poured concrete foundation with two floor drains. The majority of the structure's interior is an open bay, with storage areas on the east and west ends, as well as a bathroom and shower facility on the west end. A twelve-foot central opening on the building's north elevation allows vehicles access to the interior, while a smaller opening slightly west of this allows human access to the interior (see Figure 6-24). A wood-burning stove is vented by a small chimney on the north elevation, though the stove is now inoperative. There is an open-sided, wooden lean-to with a metal roof built along the east elevation to park vehicles under.



Figure 6-24. Maintenance building. *Courtesy of the author.*

### **Storage Shed**

On the west side of the old maintenance barn is a storage shed belonging to the Friends of Red Clay (FORC) group. FORC uses the shed to store items it uses at activities held at the park. The storage shed is a pre-fabricated wood building that measures 10' x 20' with a metal gambrel roof. It stands on cinder block piers. A central opening on the shed's east elevation allows access to the interior (see Figure 6-25).

### **Remnants of Previous Owners - Old Maintenance Barn**

The old maintenance barn likely dates to the early to mid-1970s and measures 100' x 50'. It is an open-sided structure with a metal gable roof (see Figure 6-25). Wood siding covers the gables on the north and south elevations. Park personnel use this building to store large items, although it has seen little use in recent years. There is damage to the roof and wood siding on the south elevation that needs repairs.



Figure 6-25. (L to R) Storage shed and the old maintenance barn. *Courtesy of the author.*

### **The Old Eslinger Place**

Remnants of a home that belonged to previous owners remain on the park's southeast section. Three large maple trees that once marked the corners of a yard belonging to the Eslinger family still stand on the southeast corner of the property. Their partially filled-in well lies behind the maples (see Figures 6-27 & 6-28). The soil in the well ends approximately twelve-inches from the top.

Approximately two hundred yards west of the well, the part of a stone wall remains. Steps lead through the wall up to where Blue Springs Road once ran. The wall and steps are on land once owned by the Thomas family (see Figure 6-28). They only owned the property for a decade, so this wall and steps likely belonged to one of the previous owners, possibly the Weatherly family (unknown-1910) or the Riddle family

(1910-1940). The wall is heavily overgrown, making it difficult to measure the length, although it is two feet tall.



Figure 6-26. Two of the three large maple trees marking the corners of a yard that once belonged to the Eslinger family. *Courtesy of the author.*



Figure 6-27. Partially filled well that once belonged to Eslinger family. *Courtesy of the author.*



Figure 6-28. Overgrown stone wall and steps. *Courtesy of the author.*

## Neighboring Resources

Various resources lie along the borders of the park, which have contributed to the lives of people at Red Clay. The author has already addressed three of these resources, the Sleeping Rabbit headstone, the DAR marker, and Andrews Chapel and its graveyard. However, there are a few more resources to explore. To see the locations of these resources in relation to the park refer to Figure 6-4.

## Secondary Spring

Brian Butler documented a spring on the eastern side of the valley, just off the park property. This spring, once known as Cleveland Spring to the local residents, is much smaller than the Council Spring and is less scenic. It lies across Mills Creek from the eastern section of the park against the ridge. The spring sits in a shallow depression approximately one foot below the adjacent ground surface. The depression measures approximately 10'x5'. At some point in the twentieth-century, a farmer encased the spring with concrete and piped the water up the ridge.<sup>482</sup> The concrete casing has since failed and the spring water flows directly into the creek (see Figure 6-29).

## Juke Joint Ruins

Though no one seems to know who built it or when, local residents agree that the ruins in the woods between the park's southern border and Red Clay Road once

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<sup>482</sup> Brian Butler, *The Council Ground at Red Clay (40 BY 20) Archaeological and Historical Investigations, 1973-1975*, 1; Tom Clayton, interviewed by Leslie Parton, August 1980, RCSHPA.

belonged to a grogshop or juke joint. As the story goes, a fire started as some of the juke joint's clientele played cards. The building burned to the ground, leaving only the chimney and foundation.



Figure 6-29. The secondary spring, once called Cleveland Spring. The casing once containing the spring water has failed. *Courtesy of the author.*



Figure 6-30. Juke joint ruins. *Courtesy of the author.*

### **Red Clay Memorialized**

The Cherokee-Red Clay Association ultimately succeeded in their efforts to preserve a portion of the Red Clay Council Ground. According to Tom Rowland, the group's final president and Mayor Emeritus of Cleveland, tourism did increase after the park opened, just as the planners and supporters had hoped.<sup>483</sup>

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<sup>483</sup> *Email from Tom Rowland to Danielle Shelton, January 28, 2021.*

Red Clay's preservation represents the end of the second round of Cherokee memorialization. It also symbolizes white patriarchal control over a Native landscape by the nation-state. In the end, the state's memorialization of Red Clay may be an act of placemaking that corrects and mimics James H. Huff's placemaking endeavors. As this dissertation has demonstrated, Huff's claims that he owned the Council House and that the Red Clay council meetings had taken place in Georgia caused confusion and conflict between white people on either side of the state border nearly a century after removal. Though Georgians first memorialized the Council Ground with poetry and stone, decades later Tennesseans claimed the landscape with deeds and reconstructed Cherokee buildings. Over the next four decades, the Cherokee returned to Red Clay to lay claim to the Council Ground as an active part of their landscape.

## CHAPTER VII: REMEMBERING REMOVAL, 1980 TO 2021

White people commemorated Red Clay throughout the first two phases of Cherokee memorialization, largely through deeds and stone monuments. Euro-Americans have continued to lay claim to Red Clay, however in a twist of historical irony, now that the land is held in common as it was prior to removal, the Cherokee have reclaimed it. Though Euro-Americans still assert their claim to a Cherokee identity and title to the land, the Cherokee have come to dominate the third phase of memorialization at Red Clay, primarily with their presence on the landscape and intangible heritage practices.

### The Outdoor Drama, "Cry of the Owl"

In 1971, James Corn published a historical fiction novel based on the Cherokee removal titled *Farewell the Hills*. As Tennessee State Parks (TSP) began planning Red Clay State Historic Park, they decided to build an outdoor, 500-seat amphitheater. Taking inspiration from the popular outdoor dramas performed for decades in Cherokee, North Carolina, "Unto These Hills," and Tahlequah, Oklahoma, "The Trail of Tears," Corn revised his novel into a play. Phyllis Whitehead adapted the script and created a musical score for the drama.<sup>484</sup>

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<sup>484</sup> "Red Clay Auditions Set," *The Chattanooga Times*, April 24, 1980; "Cry of the Owl," *Cleveland Daily Banner*, June 1, 1980; "Red Clay Program Has Begun," *Cleveland Daily Banner*, June 4, 1980; "Red Clay Drama on Actual Historic Site," *The Chattanooga Times*, June 20, 1980; "'Cry of the Owl' Premiere July 18," *Cleveland Daily Banner*, July 13, 1980; "'Cry of the Owl,' Story of Cherokees, Opens at Red Clay Park July 18," *The Chattanooga Times*, July 3, 1980; "Red Clay Outdoor Drama Preview Opens to Public Tonight," *Cleveland Daily Banner*, July 18, 1980; "'Cry of the Owl' Tryouts," *Cleveland Daily Banner*, July 23, 1980; "'Cry of the Owl' Planning Papers," August 29, 1980, RCSHPA; Christina Taylor Beard-Moose, *Public Indians, Private Cherokees: Tourism and Tradition on Tribal Ground* (Tuscaloosa: University of Alabama Press, 2009), 30-33.

The Red Clay Theater, a Cleveland Kiwanis Club Community Project, began rehearsals for "The Cry of the Owl." Connie Cox, a drama instructor at Bradley Central High School, directed the play (see Figure 7-1). Cox graduated from Middle Tennessee State University with a Bachelor of Arts degree in theater arts and co-founded the Ocoee Academy of Speech and Theater in Cleveland.<sup>485</sup>



Figure 7-1. Connie Cox (right) leads a cast of women as they rehearse for a scene from "Cry of the Owl," 1980. *Courtesy of the Cleveland Daily Banner.*

"The Cry of the Owl" opened at Red Clay's amphitheater on July 18, 1980 and ran Friday and Saturday evenings for three weeks. The park presented the show as a dinner theater. Volunteers cooked food at the picnic shelter for the play attendees. Over 3,150

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<sup>485</sup> "Red Clay Drama on Actual Historic Site," *The Chattanooga Times*, June 20, 1980; "'Cry of the Owl,' Story of Cherokees, Opens at Red Clay Park July 18," *The Chattanooga Times*, July 3, 1980; "Red Clay Outdoor Drama Preview Opens to Public Tonight," *Cleveland Daily Banner*, July 18, 1980; "'Cry of the Owl' Tryouts," *Cleveland Daily Banner*, July 23, 1980; "'Cry of the Owl' Planning Papers."

people attended the play during the summer of 1980, with a total of \$9,806 in ticket sales. The outdoor drama enjoyed a second season in 1981, but it only ran those two seasons. Problems with actor continuity and scheduling helped bring the production to an end.<sup>486</sup> Although audience sensibilities in 1980 differs from those in 2021, the fact that most of the actors playing Cherokee parts presented as phenotypically white may have rang an inauthentic note.

### **Iron Eyes Cody**

A Hollywood actor who went by the name of Iron Eyes Cody (see Figure 7-2) addressed the crowd at the 1984 Joint Council (see below). Cody claimed his mother originated at the Qualla Boundary and had EBCI citizenship. He had gained fame portraying Native Americans in movies, television, and an iconic anti-littering commercial in the 1970s for Keep America Beautiful, Inc. During his speech, Cody presented Principal Chiefs Swimmer and Youngdeer with Plains Indian headdresses. What happened next demonstrated the different ways the Cherokee Nation and the Eastern Band developed post-removal. Chief Youngdeer smiled, put on the headdress and sat down. Chief Swimmer made his way to the microphone and said the

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<sup>486</sup> "Red Clay Drama on Actual Historic Site"; "'Cry of the Owl,' Story of Cherokees, Opens at Red Clay Park July 18"; "Drama Opens Summer Run for Red Clay," *Chattanooga News-Free Press*, July 22, 1980; "Red Clay Drama on Actual Historic Site"; "Play Scheduled," *The Chattanooga Times*, June 30, 1981; "Cherokee Tragedy is Retold," *The Atlanta Constitution*, July 7, 1981; Tom Rowland, email to S. Danielle Shelton, January 28, 2021.

headaddresses did not represent traditional Cherokee headgear and that the meaning behind the gift remained uncertain, but he thanked Cody nonetheless.<sup>487</sup>



Figure 7-2. Iron Eyes Cody signing autographs for the crowd at the Joint Council, April 6, 1984. *Courtesy of Red Clay State Historic Park.*

Due to the geographical and historical separation between the Cherokee Nation and the EBCI, their societies had evolved differently. Because the federal government forced the Cherokee Nation to emigrate to Indian Territory, they had had a bit more autonomy than their Eastern Band kin. Settlers in western North Carolina had largely left the EBCI to their own devices, since they lived in a rugged section of the mountains.

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<sup>487</sup> Andrew Denson, *Monuments to Absence: Cherokee Removal and the Contest over Southern Memory* (Chapel Hill: The University of North Carolina Press, 2017), 54-83; *Red Clay Joint Council Activities, April 6-7, 1984*, videotape, Object ID 2015.001.0001.1, MCI.

When the Great Smoky Mountains National Park opened in the 1930s, the Cherokee Historical Society, an organization established and operated by white people for several decades, promoted the Eastern Band as an exotic attraction. The economically depressed Cherokees played to the crowd, by dressing in feathered war bonnets like many of the Plains Indians once wore, and dancing in a stereotypical way derived from Hollywood movies. They called this masquerade “chiefing.” The Eastern Band members who worked in the tourist industry differentiated their “Indian” characters from their traditional Cherokee private lives. While most tribes lost their sovereign status and reservations due to federal policies during the early to mid-twentieth century, supporters of the Eastern Band convinced the federal government to leave them alone. For the Eastern Band, chiefing and other such forms of pandering helped them survive. The Cherokee Nation had their own challenges, but they did not have to act like stereotypical Hollywood “Indians.” The reactions of the two chiefs to Iron Eyes Cody’s gifts epitomize the dichotomy between the Cherokee Nation and the EBCI.<sup>488</sup>

According to Mayor Emeritus Tom Rowland of Cleveland, who helped coordinate the Joint Council locally, several Cherokee council members called Cody a “drug store Indian” acknowledging that he had no Native ancestry. Cody had heard about the planned Joint Council, came to the event, and essentially forced himself on stage.<sup>489</sup>

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<sup>488</sup> Beard-Moose, 69-100; Denson, 61-62; Joel W. Martin, “My Grandmother was a Cherokee Princess’: Representations of Indians in Southern History,” *Dressing in Feathers: The Construction of the Indian in American Popular Culture*, ed. S. Elizabeth Bird (Boulder, CO: Westview Press, 1996), 140-41.

<sup>489</sup> Tom Rowland, interview by author, Red Clay State Historic Park, October 5, 2020.

Cody claimed at the Joint Council that he had lived his whole life as a "traditional Indian" and advocated for the appropriate representation of Native Americans in Hollywood. Despite his assertions, Cody falsely claimed Cherokee identity. Iron Eyes Cody, born Espera "Oscar" DeCorti in 1903, was the son of Italian immigrants who settled in Louisiana. When he moved to California in 1924, Cody shortened his name from DeCorti to Corti and eventually to Cody when he began portraying Native Americans in acting roles. He married a Native woman, Bertha Parker, and they adopted Native boys, Robert and Arthur. In 1995, Hollywood's Native American community honored Cody as a "non-Native" for his film industry work. In 1996, Angela Aleiss, a reporter for *The New Orleans Times-Picayune*, interviewed Cody's half-sister, May Abshire, who stated that he had lied about his heritage. Aleiss verified Abshire's assertions through baptismal records and other documents. Despite all evidence to the contrary, Cody claimed to be Native American until he died in 1999.<sup>490</sup>

According to Robert Baird's "Going Indian: Discovery, Adoption, and Renaming Toward a 'True American,' from *Deerslayer* to *Dances with Wolves*," the assuming of natural or Native sounding names by white people helps them fulfill the American myth of the self-made person connecting to themselves and to what it means to be

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<sup>490</sup> Angela Aleiss, "Native Son," *The New Orleans Times-Picayune*, May 26, 1996, [https://www.academia.edu/11282618/Native\\_Son\\_Italian\\_American\\_Identity\\_of\\_Iron\\_Eyes\\_Cody\\_](https://www.academia.edu/11282618/Native_Son_Italian_American_Identity_of_Iron_Eyes_Cody_) (accessed December 10, 2020); Amy Waldman, "Iron Eyes Cody, 94, an Actor and Tearful Anti-Littering Icon," *The New York Times*, January 5, 1999, <https://www.nytimes.com/1999/01/05/arts/iron-eyes-cody-94-an-actor-and-tearful-anti-littering-icon.html> (accessed December 10, 2020); "Red Clay Joint Council Activities," videotape, 2015.001.0001.1, MCI.

American.<sup>491</sup> Whether Cody embodied this need to connect to his family's adopted country as a first generation American is debatable. However, he certainly profited by his portrayal of the stereotypical Native American on and off the set.

The brief scene that took place onstage between Iron Eyes Cody and the Cherokee chiefs before thousands of onlookers demonstrates the complexity of the performative nature of Cherokee identity and the claims to the land made by the three represented groups. On one hand, we have a first-generation Euro-American falsely claiming a Cherokee parent. On the other hand, we have a Cherokee chief of a displaced people with the freedom to reject the stereotypical tropes of "Indianness." In the middle stands a Cherokee chief of a people who, while not displaced, had to perform a false version of "Indianness" to survive and support their families among ever more encroaching white society.

### **Red Clay Inter-Tribal Indian Band**

Inspired by the advocacy and activism of the American Indian Movement (AIM) in the 1970s and 1980s, many so-called "Indian" groups formed throughout the United States. Many of these organizations applied for federal recognition. The Department of the Interior (DOI) determined the legitimacy of these applicants. One such group used Red Clay as its platform.

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<sup>491</sup> Robert Baird, "Going Indian: Discovery, Adoption, and Renaming Toward a "True American," from *Deerslayer to Dances with Wolves*," *Dressing in Feathers: The Construction of the Indian in American Popular Culture*, ed. S. Elizabeth Bird (Boulder, CO: Westview Press, 1996), 203.

In 1976, a group of people claiming Native ancestry formed an organization known as the Southeastern Cherokee Confederacy, Inc. (SECC) in Leesburg, Georgia, and began to seek federal recognition in 1978. The Red Clay Inter-Tribal Indian Band (RCIIB) of Ooltewah, Tennessee (just seven miles from the park) started as a band of the SECC in 1982. Two years later, the RCIIB broke away from its parent group and established itself as an autonomous organization. One or more members of the RCIIB had helped the movement form the incipient Tennessee Commission of Indian Affairs (TCIA). The schism between the RCIIB and the SECC occurred when the leader of the SECC refused to cooperate or even communicate with the TCIA.<sup>492</sup>

The RCIIB used newspaper and radio advertisements to seek new members who only had to fill out a form and pay a \$20 membership fee for inclusion in the band. Although the advertisements stated that prospective members should have at least one-sixteenth "Indian Blood," the RCIIB had no evidentiary requirements, meaning anyone could be a member. The group's leader, Principal Chief John "Night Hawk" Neikirk, in fact, had no Native ancestry. According to the DOI, many of the RCIIB members "subscribe to a pan-Indian stereotype image of a 'traditional Indian' or Indian culture not necessarily related to the reality of. . . Indian cultures."<sup>493</sup> The group soon had a second band established in Oregon, which called itself the Unaligoha Band. By March 1985, the RCIIB boasted eighty-seven members in total.<sup>494</sup>

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<sup>492</sup> Theodore C. Krenzke, *Evidence for Proposed Finding Against Federal Acknowledgment of the Southeastern Cherokee Confederacy, Inc. (SECC), Northwest Cherokee Wolf Band, SECC (NWCWB), and Red Clay Inter-Tribal Indian Band, SECC, Inc. (RCIIB)* (Washington, DC: US Department of the Interior, 1985), 6-8, 50-53.

<sup>493</sup> *Ibid*, 54-56.

<sup>494</sup> *Ibid*, 50-53, 83.

The Department of the Interior's Office of Federal Acknowledgment determined that neither the RCIB, the SECC, nor any of their splinter groups met federal recognition requirements on November 25, 1985. While the DOI adjudicated their application, the RCIB and the YMCA Indian Guides hosted an event, Native American Olympic Skill Stunts, in April 1985, at Red Clay State Historic Park (see Figure 7-3).<sup>495</sup>



Figure 7-3. Members of the Red Clay Inter-tribal Indian Band and YMCA Indian Guides, 1985. Front row (L to R) Mandy Neikirk (seated), Iona Neikirk, Betty Reneau, Chief Jim Wilson, Brenda Cash, Diane Brown, and Ryan Brown. Back row (L to R) Joe Addington, David McElheny, Janice Kirby, and Terry McElheny. The two groups had this photograph printed in the newspaper to advertise their upcoming event at Red Clay State Historic Park. *Photograph by Lisa Waddell. Courtesy of the Chattanooga Times Free Press.*

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<sup>495</sup> Ibid, 4-9; R. Lee Fleming, "Status Summary of Acknowledgement Cases," Office of Federal Acknowledgment, November 12, 2013, <https://www.standupca.org/federal-acknowledgement-process/tribal-groups-in-active-status/Status%20Summary%20of%20Acknowledgment%20Cases%2011.12.2013.pdf> (accessed December 15, 2020); Lisa Waddell, "Indian groups plan pow wow," *The Chattanooga Times*, April 17, 1985.

### **Cherokee Resurgence at Red Clay**

Throughout the years that white individuals owned the land that comprises Red Clay State Historic Park, Cherokees routinely visited the Council Spring. While newspapers reported on Cherokees visiting the spring when civic groups invited them to the area as special guests and performers, they ignored those who came to the spring on their own. Local residents whose families lived in the Red Clay area for generations often have stories of Indians visiting the Council Spring during the late-nineteenth and early-twentieth centuries.<sup>496</sup> The fact that the Cherokee remembered the location of the Council Spring and passed that knowledge down through their oral traditions helps to confirm that Red Clay State Historic Park was part of the original Red Clay Council Ground.

Newspapers also ignored the Native peoples who returned after removal or never left, like the Praters. According to Minnie Kellogg Prater, an African American woman interviewed on her ninety-third birthday in 1980, a Native community remained in North Georgia long after removal. Prater, born in 1887, remembered the Native people and “how hard it was to understand the Indians who lived in the Cohutta-Varnell area.”<sup>497</sup>

Minnie Kellogg Prater did not specify whether this Native community identified as Cherokee or Creek. As this dissertation has demonstrated with the Prater family,

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<sup>496</sup> Debbie Stephenson Moore, conversation with author, September 24, 2020; Tom Clayton, interviewed by Leslie Parton, August 1980, RCSHPA.

<sup>497</sup> “Minnie Recalls Childhood Days,” Prater (African-American) File, Prater’s Mill, Dalton, Georgia.

federal agents and federally recognized tribes discounted many Cherokee families because they had African ancestry. In addition, census takers may have recorded darker skinned Natives in the area as “Mulatto” or “Negro” even if they did not have African ancestors, because they lived and worked in a biracial system that did not acknowledge a third race. The systemic discrediting of an Afro-Cherokee identity has left families like the Praters frustrated.<sup>498</sup>

Historians studying Cherokee history can find themselves hindered by the purposeful blind spot created by the biracial Southern dichotomy. For instance, Alfred Ratlingourd appears in the 1880 census living in the Red Clay, Tennessee area. The census taker recorded Alfred as Mulatto and his wife and children as Black. Was Alfred a descendant of Polly Ratlingourd who lived at present-day Varnell, Georgia and owned a 40’ x 14’ double cabin on the Red Clay Council Ground? Was he a descendent of one of Polly’s three enslaved people of African descent? Or could he be both?<sup>499</sup> These questions may never have a satisfactory answer.

In *Beyond Settler Time: Temporal Sovereignty and Indigenous Self-Determination*, Mark Rifkin argues that white people often think of Native peoples in an anachronistic way, as belonging to the past. A recent account by Jaret Wildcatt, an EBCI citizen who works at the Museum of the Cherokee Indian, confirmed this attitude. While wearing a branded museum t-shirt at work, a white female visitor approached Wildcatt

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<sup>498</sup> Denson, 8, 218-19.

<sup>499</sup> Ancestry.com and The Church of Jesus Christ of Latter-day Saints, *1880 United States Federal Census: Alfred Ratlingourd* [database on-line] (Lehi, UT, USA: Ancestry.com Operations Inc, 2010); Stephenson Moore, *1836 Cherokee Nation Property Evaluations*, Vol. I (Cleveland, TN: Old Town Productions), 167; *1835 Cherokee Census*, Vol. Two (Park Hill, OK: Trail of Tears Association, Oklahoma Chapter, 2002), 59.

and asked why he wore modern clothing rather than buckskins. Wildcatt explained to the woman that he lives in the modern world just as she does. The woman apologized for her stereotyping of Cherokees, however her belief that Native people should dress and behave as if they still lived in the eighteenth-century epitomizes Rifkin's line of reasoning. However, the Cherokee never left entirely and their continued presence at Red Clay demonstrates the words of the former Principal Chief of the Cherokee Nation, Chad Smith, "We are a people of the present, and for many centuries, we will be a people of the future."<sup>500</sup>

### **Cherokee Cultural Celebration**

The park quickly replaced "Cry of the Owl" when it began a tradition of annual Cherokee festivals, not unlike the Cherokee Fall Fair held in Cherokee, North Carolina. Although the Cherokee Fall Fair first played to outsiders wanting to see the stereotypical performance of Indianness, by the mid-1930s the Eastern Band transformed it into a more authentic performance of intangible Cherokee heritage practices. These intangible heritage practices included traditional dancing, music, storytelling, and stickball games.<sup>501</sup>

In 1982, Red Clay held its first Cherokeeefest. The event featured Cherokee arts and crafts; bow and arrow, atl-atl, and blowgun demonstrations; dancing and

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<sup>500</sup> Mark Rifkin, *Beyond Settler Time: Temporal Sovereignty and Indigenous Self-Determination* (Durham: Duke University Press, 2017), 1-47; Jaret Wildcatt, interviewed by S. Danielle Shelton, October 28, 2020; Theda Perdue and Michael D. Green, *The Cherokee Nation and the Trail of Tears* (New York: Penguin Books, Penguin Group (USA) Inc., 2008), 164.

<sup>501</sup> Denson, 56-72.

storytelling; and history lectures by Lee College historians Dr. Roy Lillard and Dr. William Snell. Cherokeefest changed its name to the Cherokee Days of Recognition in 1984. The annual festival continued uninterrupted for nineteen years.<sup>502</sup>

In 2002, the state legislature delayed passing a state budget. The budget delay resulted in Red Clay not holding its annual Cherokee Days of Recognition festival. Two of Red Clay's EBCI participants, Richard Crowe and Louise Many, died within the previous year, so instead of Cherokee Days, the park held a one-day Cherokee festival and memorial on August 3. The annual festival resumed in 2003.<sup>503</sup>

In 2013, the Tri-Council (see below) passed a resolution that the three federally recognized tribes, the Cherokee Nation, the Eastern Band of Cherokee Indians (EBCI), and the United Keetoowah Band (UKB) would henceforth sponsor the annual event. In exchange for backing it, the Cherokee took a more active role as patrons and planners of the festival. They determined that only enrolled members of one of the three federally recognized tribes could participate as entertainers and vendors at the event. The next year, 2014, Cherokee Days of Recognition changed its name to the Cherokee Heritage Festival. The name changed once again, in 2015, to the Cherokee Cultural Celebration. Throughout the years and name changes, many of the participants and most of the activities remained the same.<sup>504</sup>

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<sup>502</sup> "First Annual Cherokeefest" schedule, RCSHPA; "Cherokee Day of Recognition" flyer, August 2, 1986, RCSHPA; "Cherokee Day of Recognition" flyer, August 1-2, 1987, RCSHPA; "Cherokee Days of Recognition" flyer, August 6-7, 1988, RCSHPA; "Cherokee Days of Recognition" flyer, August 5-6, 1989, RCSHPA; "Cherokee Days of Recognition" flyer, August 4-5, 1990, RCSHPA.

<sup>503</sup> "Cherokee festival," *Cleveland Daily Banner*, July 21, 2002; Elizabeth De Medici, "Cherokee Days This Weekend," *Cleveland Daily Banner*, July 30, 2003.

<sup>504</sup> Colby Denton, "Cherokee Cultural Celebration Two days of endless experiences," *Cleveland Daily Banner*, August 3, 2018.



Figure 7-4. Blowgun competition at Cherokee Days of Recognition, c. 1989. *Courtesy of Red Clay State Historic Park.*



Figure 7-5. Stickball players at the Cherokee Cultural Celebration, 2018. *Courtesy of Red Clay State Historic Park.*



Figure 7-6. Storyteller, Fred Bradley, entertaining visitors, c. 2000. *Courtesy of Red Clay State Historic Park.*

The COVID-19 pandemic caused the organizers to cancel the Cherokee Cultural Celebration in 2020 and 2021.

### Going to Water



Figure 7-7. The Council Spring. *Courtesy of Red Clay State Historic Park.*

One of the reasons given for the Cherokee General Council choosing to meet at Red Clay in the 1830s was due to the copious amounts of water produced by the Council Spring. Though its waters seem still, approximately three hundred gallons of water flow from the spring each minute, enough to support thousands of people a day. Not only did they use the fresh spring for drinking water, but flowing water was and is important for the traditional Cherokee purification ritual called *Going to Water*. Today, many Cherokee consider the spring sacred. A wooden fence surrounds the spring, but upon

request park personnel allow their Cherokee visitors to enter it. Many of them Go to Water.

### **Modern Council Meetings**

On Friday, April 6, 1984, a Joint Council of the EBCI and the Cherokee Nation of Oklahoma convened at the Red Clay Council Ground for the first time since that final council in 1837 (see Figure 7-8). Seven young Cherokee runners lit torches from the Eternal Flame in Cherokee, North Carolina, and hand-carried the sacred fire nearly one hundred and fifty miles on what they called "The Eternal Flame Run."<sup>505</sup> The chiefs of the Cherokee Nation and EBCI used the torches to light the Eternal Flame at Red Clay at the first Joint Council of the Cherokee people in 147 years.

During the Joint Council meeting, Chief Youngdeer (EBCI) submitted a resolution to ask the State of Tennessee to give Red Clay back to the Cherokee. He then withdrew his resolution after it came up for debate and stated that he thought the state had taken good care of the Council Ground.<sup>506</sup>

The next year the Joint Council met in Tahlequah, Oklahoma. Principal Chief Youngdeer announced a resolution passed by the Tribal Council of the Eastern Band of Cherokee Indians, Resolution No. 440 (1985), which recognized James Corn's decades of work to bring attention to Cherokee history and to preserve Red Clay. Resolution No. 440:

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<sup>505</sup> *Eastern & Western Cherokee Council Reunion Program* (Cherokee, NC: The Eastern Band of the Cherokee Indians, 1984).

<sup>506</sup> *Red Clay Joint Council Activities, April 6-7, 1984*, videotape, Object ID 2015.001.0001.1, MCI; "Cherokees say state can keep park," *The Atlanta Constitution*, April 8, 1984.

. . .adopt[ed] James Franklin Corn as an honorary member of the Eastern Band of Cherokee Indians and [gave] him the name of ḠḠḠ wa gu li, which means Whip-poor-will. . .that the name Whip-poor-will is selected for our brother because each spring it's [sic] plaintive call reminds us that a new season is upon the land.

<sup>507</sup>



Figure 7-8. Council members from the Cherokee Nation and the Eastern Band of Cherokee Indians at the first Joint Council, April 6, 1984. *Courtesy of Red Clay State Historic Park.*

In the intervening years, the Cherokee have held two other councils at Red Clay.

The weekend of April 17 to 19, 2009 saw the twenty-fifth anniversary of the first Joint

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<sup>507</sup> Tribal Council of the Eastern Band of Cherokee Indians, "Resolution No. 440 (1985)," in ḠḠḠ, *Red Clay: Last Council Ground of the Cherokees in the East*, June 28-29, 1985 (Tahlequah, OK: Joint Council Meeting of Eastern and Western Cherokees, 1985), 1.

Council. A variety of Cherokee cultural events commemorated the occasion, such as storytelling, dancing, stickball, and the second Joint Council to be held at the Council Ground in over a century and a half. Park personnel extinguished Red Clay's Eternal Flame and once again, runners, including the Principal Chief of the Cherokee Nation, Chad Smith, and Principal Chief of the Eastern Band of Cherokee Indians, Mitchell Hicks, carried the Sacred Fire from Cherokee, North Carolina to Red Clay.<sup>508</sup>

In August 2015, the Principal Chiefs of the Cherokee Nation of Oklahoma, the Eastern Band of the Cherokee Indians, and the United Keetoowah Band met at Red Clay and held a Tri-Council (see Figure 7-9). For the first time in 175 years, the three federally recognized Cherokee bands reunited at Red Clay.<sup>509</sup>

Although time, distance, and history resulted in the three federally recognized tribes of Cherokee having infrequent, sometimes antagonistic, communications in the past, the Joint and Tri-Councils have helped heal the divisions among the Cherokee people. The modern Councils have allowed the Cherokee to work together on political issues, such as their advocating for the protection their ancestors' graves prior to the

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<sup>508</sup> Will Chavez, "Joint Red Clay council meeting begins April 16," *Cherokee Phoenix*, April 14, 2009, [https://cherokeephoenix.org/news/joint-red-clay-council-meeting-begins-april-16/article\\_aa3f0d3b-d34e-53c7-9a4d-5b0ae8bdb3fe.html](https://cherokeephoenix.org/news/joint-red-clay-council-meeting-begins-april-16/article_aa3f0d3b-d34e-53c7-9a4d-5b0ae8bdb3fe.html) (accessed February 21, 2021); Will Chavez, "Cherokee people honor ancestors at Red Clay," *Cherokee Phoenix*, April 17, 2009, [https://www.cherokeephoenix.org/news/cherokee-people-honor-ancestors-at-red-clay/article\\_8be0df7c-ce62-5550-9b98-aa1609a5ac9c.html](https://www.cherokeephoenix.org/news/cherokee-people-honor-ancestors-at-red-clay/article_8be0df7c-ce62-5550-9b98-aa1609a5ac9c.html) (accessed February 21, 2021); "Red Clay Hosts Council for the Eastern Band and Cherokee Nation," *Times and Trails: People, Projects and Priorities at Environment and Conservation*, Vol. 6, no. 1, Earth Day 2009 (Nashville, TN: Tennessee Department of Environment and Conservation, 2009), 7; Pam Sohn, "Red Clay Joint Council preserves culture," *Chattanooga Times Free Press*, April 18, 2009.

<sup>509</sup> Jane Switzer, "Red Clay geared up for TriCouncil Meeting and Festival," *Cleveland Daily Banner*, August 15, 2015; Larry C. Bowers, "Cherokee returning to Red Clay for Tri-Council," *Cleveland Daily Banner*, August 22, 2015; Bill John Baker, "Historic Council Meeting Held At Red Clay, Tenn.; First Meeting Since 1838," *Native News Online.net*, August 31, 2015, <https://nativenewsonline.net/currents/historic-council-meeting-held-at-red-clay-tenn-first-meeting-since-1838/> (accessed November 3, 2018); Ben Benton, "Historic Meeting: Tri-Council of the Cherokee discuss cultural preservation, unity at Red Clay," *Chattanooga Times Free Press*, August 30, 2015.

Native American Graves Protection and Repatriation Act (NAGPRA), and social issues, such as the loss of the Cherokee language. Though all three federally recognized tribes are sovereign in their own right, they are one people.



Figure 7-9. Tri-Council meeting in Red Clay's reconstructed Council House. *Courtesy of Red Clay State Historic Park.*

### **The Eternal Flame**

The Cherokee regard fire as sacred. They consider it a symbol of strength and unity. When the Cherokee Council met, they always had their sacred fire burning. After the last council meeting held at Red Clay in 1837, the Keeper of the Fire took embers

from the council fire. When the US Army rounded up the Cherokee into concentration camps, the Keeper and the Fire went with them. The Keeper split the embers of the Sacred Fire into separate parts. He and others hand-carried the fire among various detachments along the Trail of Tears.

In 1951, four tribal leaders from the EBCI, Vice Chief McKinley Ross, Joseph Washington, Reverend Arsene Thompson, and Leroy Wahentah, went on a historic journey to retrace the Trail of Tears. While visiting the Cherokee Nation, a Keeper of the Fire, Stoke Smith, allowed the Eastern Band leaders to light a bucket of charcoal from the Sacred Fire. The Eastern Cherokee leaders carried the bucket of coals in the back of a pickup truck to their home in Cherokee, North Carolina. Each man took turns feeding and caring for the Sacred Fire along the way. On opening night of the outdoor drama, "Unto These Hills" in June 1951, Chief Bradley and Harry Buchanan, a member of the Cherokee Historical Association, used a torch lit from the Sacred Fire to ignite the Eternal Flame of the Eastern Band of Cherokee Indians. They dedicated the Flame to "friendship eternal between the White man and the Red man."<sup>510</sup>

Three days before the first Joint Council, on April 3, 1984, seven Eastern Band runners lit torches from the Eternal Flame in Cherokee, and hand-carried them nearly 150 miles (see Figure 7-10). As stated previously, the principal chiefs of both tribes used the torches to light the Eternal Flame at Red Clay for the opening ceremony of the first

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<sup>510</sup> John Parris, "Trip Rekindles Interest in Cherokee Indian Story," *Asheville Citizen Times*, June 3, 1951; Gail Parker, "Cherokee Indians Reminisce About 1951 Trail of Tears," *Asheville Citizen-Times*, March 28, 1984; Ron Martz, "Cherokees return to 'Trail of Tears,'" *The Atlanta Constitution*, April 4, 1984.

Joint Council of the Cherokee people in 147 years (see Figure 7-11). The current Principal Chief of the EBCI, Richard Sneed, was one of the runners.



Figure 7-10. The Fire Runners, April 3, 1984. *Courtesy of the Museum of the Cherokee Indian.*



Figure 7-11. (L to R) EBCI Principal Chief Robert Youngdeer and Cherokee Nation Principal Chief Ross Swimmer shake hands after lighting Red Clay's Eternal Flame, April 6, 1984. *Courtesy of Red Clay State Historic Park.*

The Eternal Flame monument is one of only two tangible forms of commemoration placed at Red Clay by the Cherokee. The monument houses the fire that traveled with dedicated Fire Keepers from Red Clay along the Trail of Tears to Indian Territory, from Oklahoma to North Carolina, and back to Red Clay. It not only symbolizes the reunion between the Eastern and Western Cherokees, but the fire also represents the tangible Cherokee claim to the land – a claim the Cherokee base on their

ancestors' historic occupation of the land the US government and its actors cheated from them. The presence of the Sacred Fire, carefully tended and guarded for generations, declares that though the property legally belongs to the white nation-state, culturally it belongs to the Cherokee.

A small stone monument resembling a chimney houses the Eternal Flame. The chimney measures 5' x 3' and stands upon a concrete pad. A wrought iron fence surrounds the monument to help protect it from vandalization. A propane tank approximately one hundred feet away feeds natural gas to the fire. The marble plaque reads:

*Eternal Flame of the Cherokee Nation.  
This fire is a memorial to those people who suffered and died on the infamous "Trail of Tears." It also commemorates the reuniting of the Eastern and Western Cherokee Nations here at Red Clay.  
August 7, 1837 – April 6, 1984.*

For a decade after the Joint Council, Red Clay held an annual Return of the Flame Ceremony to commemorate the Sacred Fire's homecoming.<sup>511</sup>

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<sup>511</sup> "Hundreds Gather at Red Clay to Celebrate Cherokee Event," *Chattanooga News-Free Press*, April 6, 1986; "Cherokee Councilman Visits Red Clay Area for Eternal Flame Celebration," *Chattanooga News-Free Press*, April 3, 1988; Red Clay State Historic Park, "Return of the Eternal Flame Anniversary," Press Release, March 22, 1994, RCSHPA.



Figure 7-12. The Eternal Flame at Red Clay State Historic Park. *Courtesy of Red Clay State Historic Park.*

### **Cherokee Heritage Education**

Ever since Red Clay State Historic Park opened in 1979, Cherokee officials, groups, families, and individuals have visited the park to enjoy its natural beauty and reconnect with the homeland of their ancestors. Some Cherokees also come here to share their culture with park visitors, while others come here to learn about their history and heritage.

Adolescent members of the Cherokee Nation made the first Remember the Removal Bike Ride in 1984, the same year as the first Joint Council. The ride became an annual event for the Cherokee Nation in 2009, on the twenty-fifth anniversary of the first ride. In 2011, members of the EBCL joined their Cherokee Nation compatriots. On their journeys each year, the riders stop at various Trail of Tears sites, and at the unmarked graves of their ancestors who died along the way. Red Clay is always one of

the first stops on the trail (see Figures 7-13 and 7-14).<sup>512</sup> As of this writing, 184 people have made the ride.<sup>513</sup>

When they arrive at the park in early June, they are treated to a dip in the Council Spring, a tour of the park, and lunch provided by Friends of Red Clay group. They used to sleep at the park, stringing hammocks among the posts of the reconstructed Council House, but over the past several years they have stayed in rooms at a nearby motel. The Covid-19 pandemic caused the organizers to cancel the ride in 2020.

The Cherokee Nation Tribal Youth Council began in 1989, as an opportunity to involve Cherokee young people in public service and leadership development while honoring their culture. For several years, the Tribal Youth Council has visited the traditional Cherokee homeland to learn more about their history and heritage. Red Clay is one of the many places the Tribal Youth Council visits. As with the Riders, park personnel treat the Tribal Youth Council to a tour of the park (see Figure 7-15), the opportunity to get in the Council Spring, and eat lunch provided by the Friends group.

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<sup>512</sup> Kelly Jackson, "Cyclists will travel 1,000 miles to honor Cherokee heritage," *Chattanooga Times Free Press*, June 27, 2009; Greg Kaylor, "Cherokee riders Remember the Removal," *Cleveland Daily Banner*, June 9, 2013; Greg Kaylor, "Remembering the Trail of Tears," *Cleveland Daily Banner*, June 1, 2014; Greg Kaylor, "Remember the Removal riders explore historic sites," *Cleveland Daily Banner*, June 3, 2014; Joyanna Love, "Cherokee bike riders retrace their heritage," *Cleveland Daily Banner*, June 8, 2015; "Young Cherokees retrace footsteps of ancestors on 1000 mile bike trip," *Cleveland Daily Banner*, July 4, 2015; "Remember the Removal Bike Ride," *Cleveland Daily Banner*, June 6, 2016; Tyler Jett, "Cyclists following the Trail of Tears in 18 days," *Chattanooga Times Free Press*, June 3, 2017; Allen Mincey, "Remember the Removal," *Cleveland Daily Banner*, June 6, 2017; "Remember the Removal," *Cleveland Daily Banner*, June 5, 2018.

<sup>513</sup> Cherokee Nation, "Remember the Removal," <https://remembertheremoval.cherokee.org/about.html> (accessed November 15, 2018).



Figure 7-13. The Remember the Removal Riders, 1984. *Courtesy of Cherokee Nation.*



Figure 7-14. Riders cooling off in the Council Spring. *Courtesy of Cherokee Nation.*



Figure 7-15. Cherokee Nation Tribal Youth Council at reconstructed Cherokee farmhouse. *Courtesy of Red Clay State Historic Park and Cherokee Nation.*

## Memorial Tree

At the Cherokee Cultural Celebration and its previous iterations, Diamond Brown, Jr.'s eighteenth-century encampment (see Figure 7-16) served as a familiar sight for annual visitors. Diamond and his family wore eighteenth-century Cherokee clothing and demonstrated traditional crafts for festival goers.

Diamond passed away on February 9, 2016 at the age of 59.<sup>514</sup> His family received permission from Red Clay's park manager to plant a tree in memory of Diamond. The red oak sapling stands approximately fifty feet northeast of the Eternal Flame. The tree's metal plaque reads, "This Red Oak is dedicated in honor and loving memory of a great man and educator, Diamond Brown."

The memorial tree with its small plaque and the Eternal Flame constitute all of the tangible forms of memorialization left upon Red Clay's landscape by the Cherokee. If future archaeologists determine that Natives built the rock piles and the mound on neighboring properties, they would likely predate the Cherokee occupation of the region. Nonetheless, the Cherokee continue to visit the park to educate themselves and other visitors, to pray at the Council Spring, and to lay claim to Red Clay as an active part of the Cherokee landscape.

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<sup>514</sup> Albert Bender, "Diamond Brown Jr., Cherokee cultural leader walks on," *Indian Country*, June 2, 2016, <https://www.indiancountrynews.com/index.php/columnists/albert-bender/14365-diamond-brown-jr-choerokee-cultural-leader-walks-on> (accessed February 27, 2021).



Figure 7-16. Diamond Brown, Jr. at the Cherokee Days of Recognition, c. 2014. *Courtesy of Red Clay State Historic Park.*



Figure 7-17. Red oak sapling planted in memory of Diamond Brown. *Courtesy of the author.*

### The Trail of Tears National Historic Trail

The third round of Cherokee memorialization began when Congress signed Public Law 100-192, designating the Trail of Tears National Historic Trail (TOTNHT) in 1987. The National Park Service (NPS) administers the TOTNHT, which originally consisted of 2,200 miles of original trails along two main routes: the water route and the northern route. The TOTNHT's enabling legislation included only the Cherokee removal, however in recent years NPS has recognized the removal sites associated with other southeastern Native peoples. In 2009, Congress passed the Omnibus Public Lands Management Act, which added another 2,845 miles to the TOTNHT, including additional water routes, roundup, and dispersion sites (see Figure 7-18).<sup>515</sup>

<sup>515</sup> National Park Service, *Trail of Tears National Historic Trail Comprehensive Management and Use Plan* (Denver: Department of the Interior, 1992), 5; Denson, 191-94; John Spurgeon, "Trail of Tears National Historic Trail,"

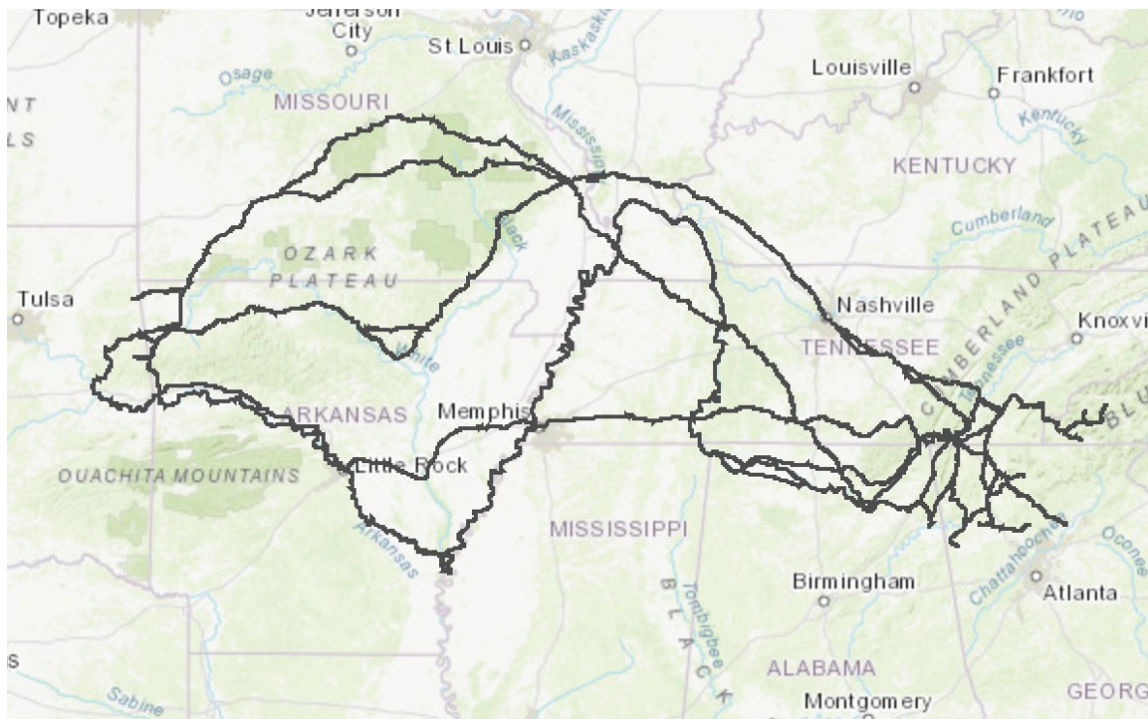


Figure 7-18. Trail of Tears National Historic Trail. *Courtesy of Google Maps. Modified by Steven Shelton.*

The Trail of Tears Advisory Council and the NPS advocated for creation of a partner organization to assist with the tremendous amount of research and facilitation necessary to document sites along the TOTNHT. In 1993, the State of Missouri incorporated the Trail of Tears Association (TOTA) as a non-profit organization. State chapters now exist in each of the nine states through which the Cherokee traveled: North Carolina, Tennessee, Georgia, Alabama, Kentucky, Illinois, Missouri, Arkansas, and Oklahoma. From the beginning, TOTA received encouragement and support from the leadership of the Cherokee Nation and EBCI. TOTA's membership includes many Native

members interested in preserving the places where their ancestors suffered and died during their forced deportation to Indian Territory.<sup>516</sup>

Although the TOTNHT began as an instrument of the nation-state, the Cherokee and other Native peoples have taken active roles in the preservation, interpretation, and commemoration of Trail of Tears sites and routes. Currently, citizens of the Cherokee Nation serve as TOTA's president and executive director, and the Board of Directors includes representatives of the EBCI, UKB, Muscogee (Creek) Nation, and Chickasaw Nation.<sup>517</sup>

NPS certified Red Clay State Historic Park as a TOTNHT site in 1996, making it the fifth certified site on the trail. Oddly, Red Clay did not receive its official TOTNHT signs for over twenty years (see Figure 7-19). TOTA members dedicated the signs on February 7, 2018.<sup>518</sup>

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<sup>516</sup> Denson, 192-94; National Trail of Tears Association, "About Us," *National Trail of Tears Association*, 2017, <https://nationaltota.com> (accessed March 2, 2021).

<sup>517</sup> Denson, 192-94; National Trail of Tears Association, "Board of Directors," *National Trail of Tears Association*, 2017, <https://nationaltota.com/board-of-directors> (accessed March 2, 2021).

<sup>518</sup> "New sign unveiled at Red Clay State Historic Park," *Cherokee Phoenix*, February 14, 2018, [https://www.cherokeephoenix.org/news/new-sign-unveiled-at-red-clay-state-historic-park/article\\_8ea8fcac-2e2d-53bf-8a39-de8b64aa48be.html](https://www.cherokeephoenix.org/news/new-sign-unveiled-at-red-clay-state-historic-park/article_8ea8fcac-2e2d-53bf-8a39-de8b64aa48be.html) (accessed March 3, 2020).



Figure 7-19. Red Clay's Trail of Tears National Historic Trail Sign at the southern boundary of the park. *Courtesy of the author.*

### Traditional Cultural Place

The National Park Service added the Red Clay Council Ground to the National Register of Historic Places in 1972.<sup>519</sup> The Red Clay property on the National Register consists of only the 150 acres of land purchased by James Corn in 1964. This research suggests that those boundaries should be enlarged. The property could also be considered as a Traditional Cultural Place (TCP) or for listing as a National Historic Landmark.

Traditional Cultural Places first gained traction as a property type meriting inclusion to the Register with Patricia Parker and Thomas King's *Guidelines for Evaluating and Documenting Traditional Cultural Properties* as Bulletin 38 of the

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<sup>519</sup> James Franklin Corn, *Red Clay Council Ground*: National Register of Historic Places Inventory-Nomination Form, April 5, 1972.

National Register of Historic Places in 1990. In his later book, *Places That Count: Traditional Cultural Properties in Cultural Resource Management*, King expands on how to identify and document TCPs.

According to King, the communal belief that a place has value makes it a TCP. Most TCPs have at least one of five attributes: spiritual power, practice, stories, therapeutic quality, and remembrances. While King states that very few places have all five attributes, I would argue that Red Clay embodies them all. However, parsing one attribute from another at such a culturally rich place proves difficult. King calls this abundance of qualities “attribute clusters.” One can see one such cluster when analyzing the Council Spring.<sup>520</sup>

Any of the participants in the Cherokee Cultural Celebration, modern Council meetings, heritage educational experiences, or who have just visited to walk the trails have *remembrances* of the Council Spring. Finally, the Cherokee remember the Council Spring in their oral traditions or *stories* of why the General Council chose Red Clay to hold their council meetings. Many Cherokees consider the Council Spring to be a *spiritually powerful*, even sacred, place. As mentioned previously, many EBCI citizens, as well as their counterparts from the West, *practice* their Going to Water ritual at the Council Spring when they visit the park. The spring’s location in such a bucolic setting, as well as the gentle sound of its rushing water, and continuous fifty-six degree temperature lend it *therapeutic qualities*.

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<sup>520</sup> Thomas F. King, *Places that Count: Traditional Cultural Properties in Cultural Resource Management* (Walnut Creek, CA: AltaMira Press, 2003), 99-106.

In another example of attribution clusters at Red Clay relates to a way the Cherokee remember Red Clay in their *stories* about its *spiritual power*. During a conversation with Sonny Ledford, a member of the Warriors of AniKituwah (a traditional Cherokee dance group and the official cultural ambassadors of the EBCI) he said, “I want people to know how important [Red Clay] is. This was our last home. We came here, and we prayed, and we prayed, and we prayed not to be taken from our homeland. Those prayers sunk into the ground and made it sacred. When you come here, you can feel that it’s sacred and that’s why.”<sup>521</sup>

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<sup>521</sup> Sonny Ledford, interview with author, August 9, 2019.

## CHAPTER VIII: SAME PARK, NEW INTERPRETATIONS

Four decades ago, Red Clay's James Franklin Corn Museum and Interpretive Center became the first museum in southeast Tennessee to interpret the history and culture of the Cherokee people (see Figures 8-1 to 8-4). When NPS certified Red Clay as a TOTNHT site in 1996, NPS also awarded the park a Challenge Cost Share Program grant to expand their interpretation. Park personnel and their community partners developed panels for a small exhibit room and hired a stained glass artist to create windows depicting the Cherokee removal. None of these attempts interpreted the specific history of Red Clay.<sup>522</sup>



Figure 8-1. Display cases filled with lithic artifacts with no interpretation. *Courtesy of the author.*



Figure 8-2. Trade display. *Courtesy of the author.*

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<sup>522</sup> 1996 National Park Service (NPS) Challenge Cost Share Program, 1996-2000, RCSHPA.



Figure 8-3. Society display. *Courtesy of the author.*



Figure 8-4. Agriculture display. *Courtesy of the author.*

In 2015, MTSU's Center for Historic Preservation (CHP) completed the Phase I Renovation of the James Franklin Corn Museum and Interpretive Center at Red Clay State Historic Park. While the CHP's six interpretive panels focused the story more on Red Clay and Cherokee removal, Center faculty and staff envisioned the new interpretation as a first phase for museum renovation. Amy Kostine, Historic Trails Historian, and Center Director Dr. Carroll Van West led this effort.

When choosing the public history project for my dissertation, I decided to accept the challenge of finishing what the CHP began. The Center agreed and effectively embedded me at the park, funding my research assistantship and tuition during this time. Amy Kostine and Dr. West also reviewed all new exhibit text and overall design. This project consists of eight new interpretive panels; five digital exhibits; stripping and veneering some old displays; and mounting and writing labels for a curated selection of artifacts. Tennessee State Parks (TSP) helped with the overall look of the gallery by

installing new floors and lighting, painting the walls, and moving a large, unsightly return vent which visitors saw upon entering the museum. Although the park personnel and I have worked on various elements within our control, we had to wait to begin the new museum installation until after TSP's contractors had finished their work.

### **New Interpretive Themes & Storyline**

According to Martha Norkunas's *The Politics of Public Memory: Tourism, History and Ethnicity in Monterey, California*, archaeology, museum exhibits, and tourist sites are not so much the past revealed as they are new constructions of a cultural past.<sup>523</sup> If that is the case, then how does one go about ethically and effectively constructing a museum exhibit?

According to *Mastering a Museum Plan: Strategies for Exhibit Development* by Dirk Houtgraaf and Vanda Vitali, there are typically four stages involved with developing a compelling museum exhibit: establishing the concept, creating the storyline, developing the design, and producing the exhibition.<sup>524</sup> Before one can develop the concept, however, the first step is to identify the core idea of the exhibit. One should base the core idea on "the museum's mission, its collections, and its intellectual activities."<sup>525</sup>

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<sup>523</sup> Martha Norkunas, *The Politics of Public Memory: Tourism, History and Ethnicity in Monterey, California* (Albany, NY: SUNY Press, 1993), 5.

<sup>524</sup> Dirk Houtgraaf and Vanda Vitali, *Mastering a Museum Plan: Strategies for Exhibit Development* (Leiden: Naturalis, 2008).

<sup>525</sup> *Ibid*, 39.

The interpretive mission of Red Clay State Historic Park is to offer interpretive experiences that focus on the nineteenth-century daily life of the Cherokee and educate visitors on the historical, cultural, and natural resources of the park.<sup>526</sup> The core idea I used when developing my initial renovation plan for the museum, was that Red Clay is a continuous and active landscape, paying particular attention to its period of significance, 1832 to 1838.

The next step in Houtgraaf and Vitali's *Mastering a Museum Plan* is to develop a storyline based on the core idea.<sup>527</sup> To demonstrate the core idea, I divided the storyline into four parts: pre-Cherokee and early Cherokee culture, the lead up to Removal, Civil War and Reconstruction, and modern Cherokees at Red Clay.

When the interpretation task force developed Red Clay's museum interpretation in 1979 to 1982, the task force had no Native members, nor did they consult any of the descendant communities regarding the site's interpretation. In addition, the task force ignored other minority communities who lived at the site prior to removal, such as enslaved people of African descent and the Creek. In response to the Native American Grave Protection and Repatriation Act (NAGPRA), museums have had to begin repatriation of human remains, grave goods, and other culturally significant items. In so doing, a push to decolonize museums and other educational institutions started. According to the Abbe Museum, decolonization regarding museums means sharing

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<sup>526</sup> Erin Medley and S. Danielle Shelton, *Interpretive Action Plan* (Cleveland, TN: Red Clay State Historic Park, 2018).

<sup>527</sup> Houtgraaf and Vitali, 39-48.

authority for documentation and interpretation of Native Culture with descendant communities.<sup>528</sup>

“Standards of Museum Exhibitions and Indicators of Excellence” by the American Alliance of Museums states that it is vital to evaluate a museum’s audience during an exhibit’s development to understand its impact.<sup>529</sup> During the first several months of my residency, I surveyed museum visitors, especially Cherokee visitors, about what they liked about the museum and what they might like to see changed. Also, I have visited Native museums from Cherokee, NC to Washington state, as well as the World War II Japanese American Internment Museum, to ascertain current trends, how to present difficult material, and how to bring Native voices into the museum at Red Clay.

Many of the museums I visited in Eastern and Mid-Western states begin their interpretations of Native history with time periods, such as Paleo, Archaic, Woodland, Mississippian, and Historic. According to “Public Archaeology and Indigenous Archaeology: Intersections and Divergences from a Native American Perspective” by Joe Watkins, in many Native worldviews, time is thought to be nonlinear.<sup>530</sup> Patricia Rubertone’s *Archaeologies of Placemaking: Monuments, Memories, and Engagement in Native North America* agrees with Watkins and states that conceptualizing people by archaeological time periods or long lost cultures disconnects living Native peoples from

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<sup>528</sup> Abbe Museum, *What is Decolonization? Abbe Museum Strategic Plan*, September 4, 2015, <https://abbemuseum.wordpress.com/about-us/decolonization/> (accessed Aug 8, 2020).

<sup>529</sup> American Alliance of Museums, “Standards of Museum Exhibitions and Indicators of Excellence,” 2012, 3.

<sup>530</sup> Joe Watkins, “Public Archaeology and Indigenous Archaeology: Intersections and Divergences from a Native American Perspective,” *Oxford Handbook of Public Archaeology*, ed. Robin Skeates, Carol McDavid, and John Carman (Oxford: Oxford University Press, 2012), 673-94.

their ancestral lands. The time periods may also challenge interpretations of Native land rights and other significant issues in their lives. Categorizing Native peoples according to time periods developed by non-Natives may be an act of colonization.

According to "Rethinking the Museum: An Emerging New Paradigm," by Stephen E. Weil, "an exhibition is shaped from its very outset by the values, attitudes, and assumptions of those who choose and arrange the objects that it contains."<sup>531</sup> Initially, I wanted to remove the lithic artifacts from the museum, because they do not contribute to the park's mission of interpreting the daily lives of nineteenth-century Cherokees. I had, however, spent time talking to museum visitors. A large portion of them come to Red Clay specifically to see the lithic artifacts. Another part of the park's interpretive mission is to educate the public on its natural, cultural, and historical resources. Knowing the extent of the museum's lithic collection, I felt like it would be a mistake not to exhibit them in some way.

The first part of the museum's new interpretation begins with the early people at Red Clay by explaining how people have lived in the area for thousands of years followed by a curated selection of lithic artifacts. The interpretation also describes traditional Cherokee daily life, their changing culture when trade begins with Europeans and Americans, and the types of houses Cherokees traditionally lived in and their adoption of log cabins. This first part of the interpretation will end with a partially

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<sup>531</sup> Stephen E. Weil, "Rethinking the Museum: An Emerging New Paradigm," in *Reinventing the Museum: An Emerging New Paradigm*, ed. Gail Anderson (Walnut Creek: AltaMira Press, 2004), 74-9.

reconstructed Cherokee winter house in the back corner of the gallery (see the proposed floor plan in Appendix A).

The second part of the exhibit's storyline describes the years leading up to the Cherokee removal. This section of the exhibition is the largest since it depicts Red Clay's period of significance. The CHP produced six interpretive panels in this section in 2015. I have expanded this interpretive theme with two panels: "The Creek Removal from Red Clay" and "Cherokee Improvements at Red Clay."

After hearing that there had been a battle with the Creek at Red Clay, I was unable to find any mention of it in the Cherokee historiography. It was not until I began researching the Creek removal that I discovered that there had been around two hundred refugees who fled to Red Clay seeking asylum. In 1837, state militia under the command of the US Army violently removed one hundred twenty-two Creeks from Red Clay, killing at least one man in the process.<sup>532</sup>

In 2019, at Historic Franklin Masonic Hall's Crossroads Symposium: Reconsidering Native & African Americans in the South, I was the only speaker to present on the Cherokee. One of the other speakers lamented the fact that the Cherokees were given so much attention to the detriment of other Native peoples. Trail of Tears National Historic Trail interpretation typically neglects other southeastern

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<sup>532</sup> Joel Hembree, "Letter from Hembree to Tedder," April 26, 1837, Tedder papers, Correspondence, III-G-1, Folder 14, TSLA.

peoples due to its enabling legislation.<sup>533</sup> Interpreting the Creek story at Red Clay returns them to the landscape and demonstrates the complexities of removal.

The other panel describes the Council Ground's landscape. To ascertain what the Red Clay Council Ground would have looked like and who lived there during the 1830s, I analyzed the 1835 Cherokee census, 1836 Cherokee property valuations, and spoliation claims of Red Clay's residents. After creating a spreadsheet with each building represented, along with its metadata, I discovered there were ninety-one log buildings at Red Clay in 1836. Most of the buildings were likely used just for council meetings, which could last weeks, although nine families seemed to live there at that time. The abundance of buildings at the Council Ground means that Red Clay had a much more crowded landscape than what is currently represented by its seven reconstructed Cherokee buildings. This panel also quotes part of General Winfield Scott's Order 62, which specifically said to "concentrate" the Cherokee at the "old Indian camp ground on the road to Red Clay."<sup>534</sup> This section of the storyline ends with a previously produced panel describing the Trail of Tears.

The third section of the storyline contains two panels that concern historical events after removal. The first panel describes the development of the railroad through the valley and Red Clay's role in the Civil War. Red Clay was the site of three skirmishes between November 1863 and May 1864. The next panel shows how during

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<sup>533</sup> "Trail of Tears Enabling Legislation," *Fort Smith National Historic Site*.  
<https://www.nps.gov/fosm/learn/historyculture/trail-of-tears-enabling-legislation.htm> (accessed August 9, 2020).

<sup>534</sup> Winfield Scott, "Order 62," Cherokee Agency, July 5, 1838, MCI.

Reconstruction, a community of formerly enslaved people built a church, Andrews Chapel, at the park's southwest corner. The church members moved the building three miles south to Cohutta, Georgia, in 1923, where it still stands today. Andrews Chapel is the oldest building associated with Red Clay. One of the original families who constructed the church, the Praters, maintained the building for over a century. Funding for this portion of the exhibit came from the Tennessee Civil War National Heritage Area, a partnership unit of the National Park Service administered by the MTSU Center for Historic Preservation. The Heritage Area also reviewed and approved exhibit texts.

The final section of the storyline will be a digital platform with exhibits that demonstrate how modern Cherokees use Red Clay. According to "Public, First," by Sheila A. Brennan, public digital humanities, as in all public history, must always be public centered. One of the ways of accomplishing public centered projects is by using Michael Frisch's concept of "shared authority." Much like the shared authority mentioned earlier regarding Native history, Roy Rosenzweig's Center for History and New Media epitomized sharing authority by inviting ordinary people to add their own stories to the Center's digital collection.<sup>535</sup>

Though the museum installation remains incomplete as we await the fabrication of a few new features, such as the digital kiosk, the following photograph demonstrates how different the museum will look once complete.

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<sup>535</sup> Sheila Brennan, "Public, First," *Debates in the Digital Humanities*, ed. Matthew K. Gold and Lauren F. Klein (Minneapolis: University of Minnesota Press, 2016) <http://dhdebates.gc.cuny.edu/debates/text/83> (accessed August 9, 2020).

Appendix A depicts the new interpretive panels as well as the proposed museum floorplan. The Kituwah Language Academy in Cherokee, North Carolina translated the titles into Cherokee. In return, they will use these panels as the basis of a social studies unit for school children, which they have offered to share with Red Clay and other educational institutions in the region. The MTSU Center for Historic Preservation and the Tennessee Civil War National Heritage Area sponsored the design and fabrication of these panels.



Figure 8-5. Partial museum installation including new display cases and curated lithic exhibit. *Courtesy of the author.*

## Digital Kiosk

The Cleveland Chamber of Commerce awarded the park a \$10,000 grant for a new digital exhibit at Red Clay. The digital touchscreen will house five short digital exhibits that demonstrate ways that Red Clay has once again become an active part of the Cherokee landscape. The digital exhibits will include: Modern Cherokee Councils, The Eternal Flame, The Blue Hole Spring, the Cherokee Cultural Celebration, and Cherokee Heritage Education. After creating the exhibit storyboards, I sent them to our community partners from the EBCI and Cherokee Nation for vetting.

The installation of a digital platform at Red Clay has faced a significant obstacle from the beginning: a lack of reliable internet. Most out-of-the-box digital exhibit software requires a reliable internet connection. We have decided to use a programmer to create a custom exhibit program. Luckily Red Clay has a volunteer with over 30 years of web design experience using HTML-5 to build the digital experience. The volunteer programmer had planned on having the exhibits finished by January 2021, however his schedule changed drastically during the COVID-19 pandemic and the timetable on the digital exhibits has suffered.

The original plan for the digital exhibits included short videos of Cherokees describing their experiences at Red Clay. A professional videographer, another park volunteer, intended to film these videos during the 2020 Cherokee Cultural Celebration, but the park had to cancel the event due to COVID-19. After consulting with the park manager, we have decided to forego this aspect of the digital exhibit for the time being.

Throughout any exhibit project, user experience testing must be done.

Performing user testing at the beginning of a project or exhibit can help avoid costly problems after the developer completes the project. Without this initial consideration of one's publics, the exhibit may go unused.<sup>1</sup> With that in mind, we planned on employing user tested throughout the development of the exhibit panels and the digital platform at Red Clay.

Traditional types of user experience (UX) testing include A-B testing, evaluating analytics data, and screen recording, all of which require an internet connection. Due to the planned experience being limited to one specific device, UX testing in a web browser or remotely would not be a valid evaluation. COVID-19 considerations have severely limited any physical, on-site testing. As this project moves forward and the aspiration is to observe users interacting with the digital display, we will collect feedback from users and modify to improve user experience. Even though UX testing has proven difficult in the present circumstances, user interface (UI) wireframing and prototypes preceded the project. A few screenshots of the digital interface completed so far are located in Appendix B.

Tiya Miles and Rachel Miller's article "Critical Place-Based Storytelling: A Mode of Creative Interaction at Historic Sites," states that historic preservation and public engagement can benefit from telling sophisticated stories at places with difficult social

histories.<sup>536</sup> By broadening the park's interpretation to include the stories of the Creek, Red Clay's enslaved people and their descendant community, as well as its Civil War history, park visitors will gain more meaningful experiences.

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<sup>536</sup> Tiya Miles and Rachel Miller, "Critical Place-Based Storytelling: A Mode of Creative Interaction at Historic Sites," in *Bending the Future: Fifty Ideas for the Next Fifty Years of Historic Preservation in the United States*, ed. Max Page and Marla R. Miller (Amherst and Boston: University of Massachusetts Press, 2016), 174-8.

## CONCLUSION

Red Clay State Historic Park and its predecessor, the Red Clay Council Ground, are the products of over two hundred years of placemaking. The presence of cultural resource features that could potentially date back several hundred years may have originally led to the Cherokee using Red Clay as a council ground. By reusing a mound created by an earlier culture, the Cherokee may have laid claim to the area because of its symbolic significance to Native people. Or perhaps they used it as a visible landmark people recognized. The traditional use of specialized seating and architecture employed by the Cherokee in their council houses conveyed ritualistic overtones that even white missionaries could not ignore.

When the General Council began meeting at Red Clay in the 1830s, they reverted to an older style of council house rather than the timber-framed building where the Council met at New Echota. In addition to the relatively quick construction of the shed-like Red Clay Council House, perhaps the Cherokee leaders used an older construction style to help their people remember that they had an ancient claim to lands in the southeast.

Once the federal government deported the Cherokee, their enslaved people, and the Creeks from Red Clay, settlers immediately claimed the land and a false identification with the Native peoples by using Native-sounding place names, writing poetry dripping with romanticized Native imagery, and by preserving a log cabin that the new owner wrongly called the Council House. By the time that the Georgia Society, Daughters of the American Revolution began combing the countryside for sites to

memorialize in the 1930s, the fictitious assertion about the log cabin had become engrained in the public perception. This resulted in several of the earliest tangible efforts to commemorate the Red Clay Council Ground occurring on the wrong side of the Tennessee-Georgia state line and the earliest historical research using primary sources to prove the Georgia Daughters wrong.

During the mid-twentieth-century, a new generation worked to preserve and memorialize the Council Ground. Through years of advocating the historical importance of Red Clay to local, state, and federal officials, the Cherokee-Red Clay Association gained enough support that Bradley County purchased the property. Later, the State of Tennessee bought the Council Ground from the county and created a state park. The ownership of Indigenous places in fee simple by the nation-state is an extreme form of settler-colonialism. However, once the land became a public space the Cherokee returned to lay claim to Red Clay once again primarily through intangible heritage practices.

The performative characters the Eastern Band and Cherokee Nation developed to satisfy the white tourists at their respective outdoor dramas and living history villages have likely influenced the development of the Cherokee Cultural Celebration. Although the participants in this festival come to share their cultural traditions with other (mostly white) park visitors, many of the participants exhibit a decidedly practiced stage presence that comes from hours of repeated performances.

From my first visit to the park, I have found the story of the Sacred Fire's circuitous journey along the Trail of Tears, then to Cherokee, North Carolina, and finally

back to Red Clay compelling. Throughout this study I have pointed out the ways in which settler-colonialism has affected views of Native peoples and the Native peoples themselves. From the civilization policy to removal to chiefing, the Cherokee, much like the Sacred Fire, have adapted to the challenges presented to them.

Though few primary sources describe what the Red Clay Council Ground looked like, I have ascertained that it was likely much larger than the present-day park. Without extensive geophysical surveys, we may never know the extent of the Council Ground. Ultimately, it really does not matter what I believe to be the Red Clay Council Ground. It only matters what the Cherokee believe.

### **The Continuation of Contested Space**

In September 2020, a member of the Georgia Society, United States Daughters of 1812 contacted me to ask for information regarding Sleeping Rabbit, one of the Cherokees who lived at Red Clay prior to removal. The group wished to have a memorial ceremony for Sleeping Rabbit to honor his service in the War of 1812, or rather his service fighting with Major General Andrew Jackson against the Redstick Creeks during the First Creek War (1813 to 1814). The fighting ended with the massacre of over seven hundred starving Creeks at a bend in the Tallapoosa River called Horseshoe Bend.

After providing the requested information, the event organizer asked me to speak at the event. The property owner would not allow the ceremony to take place at the supposed grave, however the next door neighbor extended his hospitality and allowed the ceremony to take place less than one hundred yards from the gravesite.

Representatives from other women's service organizations attended the ceremony, as well as Red Clay's park manager, the Mayor of Cohutta, Georgia, and other neighbors. The service organization representatives each took turns speaking. When the representative of the Georgia Society, Daughters of the American Revolution spoke, she read the argument put forth nearly a century before claiming the Red Clay Council Ground for Georgia. When I spoke, I shared the historical facts from primary sources about Red Clay and Sleeping Rabbit, hopefully settling in their minds that the Council Ground could not possibly have been in Georgia. I have a feeling that the Georgia Daughters were not convinced.



Figure 9-1. Sleeping Rabbit Memorial Ceremony, October 2020. *Courtesy of the author.*

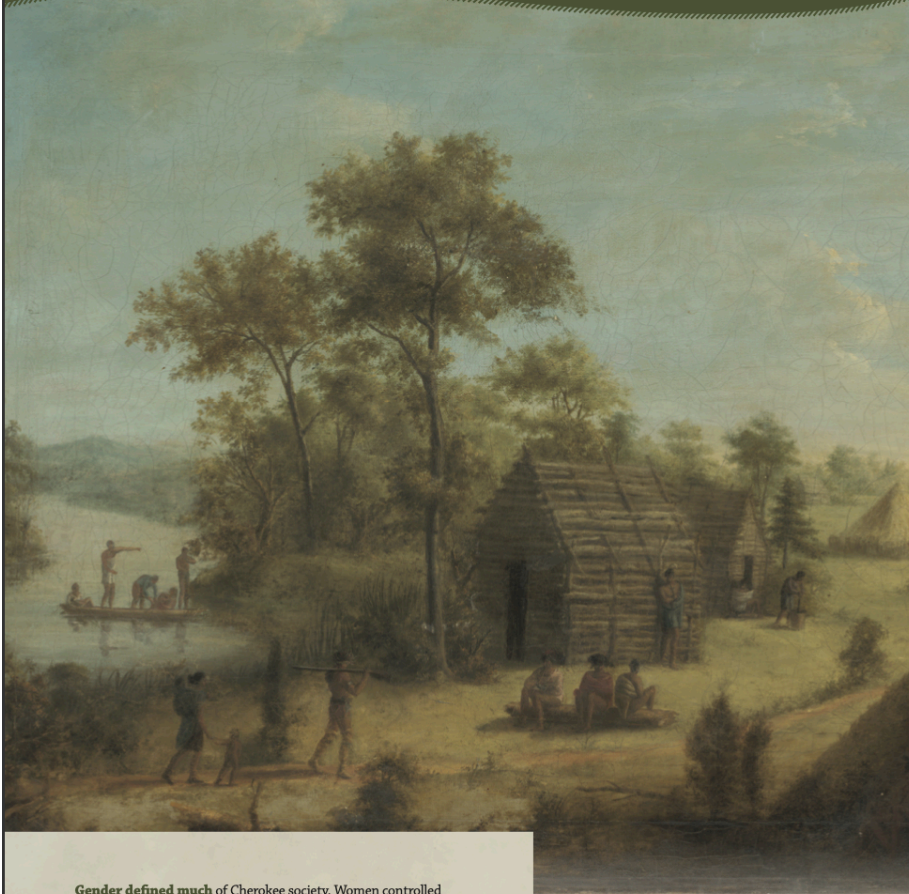
**APPENDICES**

## APPENDIX A: NEW INTERPRETIVE PANELS



Figure 10-1. Early People at Red Clay Interpretive Panel, 2020. Courtesy of the MTSU Center for Historic Preservation.

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(DAILY CHEROKEE LIFE)



**Gender defined much of Cherokee society.** Women controlled household production and agricultural pursuits. The men were hunters, warriors, and traders, traveling far from home during annual winter hunts and trading journeys. A person's mother or female line determined kinship, clan affiliation, and tribal membership. When a couple married, the man lived with his wife's family. If a couple separated, the house and the children belonged to the woman.

The Cherokee had seven clans: Long Hair Clan, Blue Clan, Wolf Clan, Wild Potato Clan, Deer Clan, Bird Clan, and Paint Clan. A person was not allowed to marry someone in his or her own clan, so each town had a variety of clans. If a clan member was injured or killed, then his or her clan would often seek revenge for the loss. The masks displayed here represent the different clans.

Aspects of Cherokee daily life in the early 1800s can be seen in *View of Tokowo, Tennessee* by Antoine Philippe d'Orleans, c. 1804. Note the men fishing and carrying weapons, while women grind corn and care for children.

*Courtesy of National Library of Australia.*

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Preservation  
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Figure 10-2. Daily Cherokee Life Interpretive Panel, 2020. *Courtesy of the MTSU Center for Historic Preservation.*



# DĤGWY ǾŦŦWĤŦĤ

(CHEROKEE HOUSES)

“... **their modern houses are tolerably well built.**

*A number of thick posts is fixed in the ground... Between each of these posts is placed a smaller one, and the whole is wattled with twigs like a basket, which is then covered with Clay very smooth, and sometimes white-washed. Instead of tiles, they cover them with narrow boards.”*

– Lt. Henry Timberlake's Memoirs, 1765



**The Cherokee built** both large and small buildings from surrounding natural resources. Prior to the late 1700s, their homes also reflected the needs of different seasons in the Southern climate. During the summer, they lived in light, airy, open-sided houses made of river cane. In the winter, they lived in more airtight and substantial winter houses of wattle and daub framing, covered in clay with roofs made of narrow boards.

When the Red Clay Visitor Center was constructed in the late 1970s, crews discovered postholes of what was likely a Cherokee winter house at this site. In the park, you will find reconstructions of two common types of Cherokee log dwellings from the early 1800s — the farm of an upper middle class family and simple cabins used for council meetings. Cherokees became very skilled in log construction, and by the time of removal, they largely lived in log buildings, but some lived in frame or brick homes.

The more substantial winter houses, like this reconstructed example at Fort Loudoun State Historic Park, retained heat during cold weather.

*Courtesy of MTSU Center for Historic Preservation.*

Open-sided houses, like this reconstructed summer house at Fort Loudoun State Historic Park, helped keep occupants cool.

*Courtesy of MTSU Center for Historic Preservation.*



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Figure 10-4. Cherokee Houses interpretive panel, 2020. Courtesy of the MTSU Center for Historic Preservation.

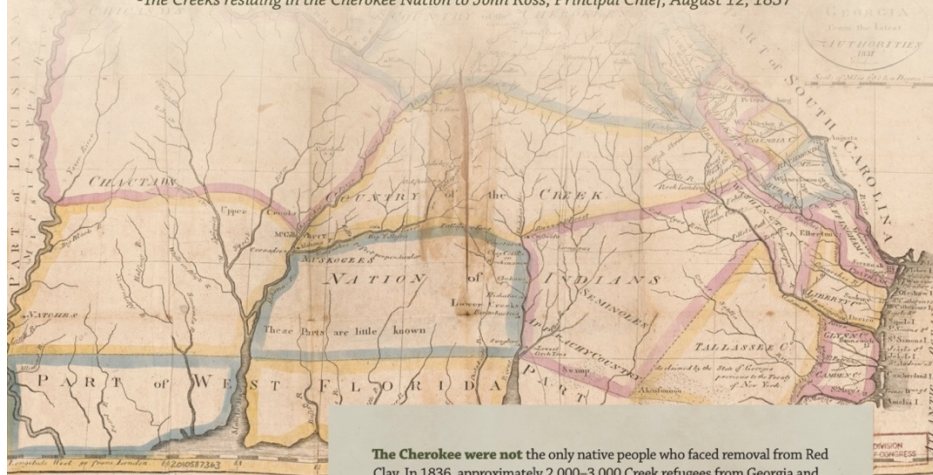
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(THE CREEK REMOVAL FROM RED CLAY)

**“ We have listened to your talk.**

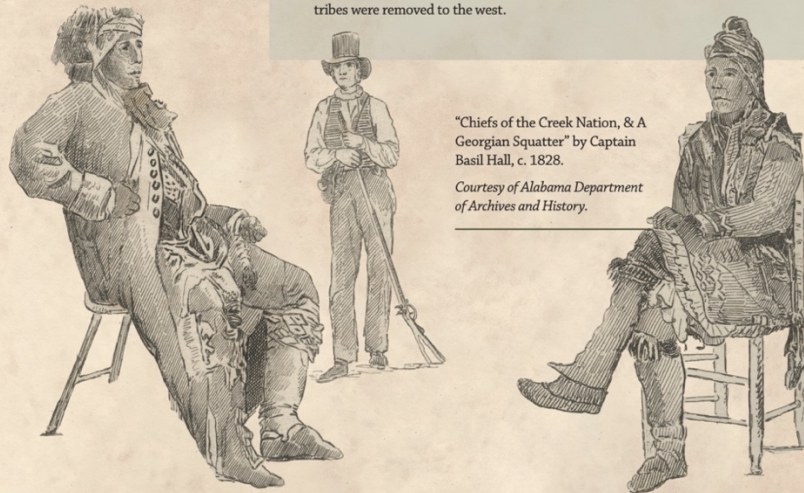
*You say the officer of the United States wishes us to go to the West. We are sorry to hear this talk. Our minds are troubled. We do not want to go to the West, unless the Cherokees go there too.”*

*-The Creeks residing in the Cherokee Nation to John Ross, Principal Chief, August 12, 1837*



**The Cherokee were not the only native people who faced removal from Red Clay.** In 1836, approximately 2,000–3,000 Creek refugees from Georgia and Alabama fled to the Cherokee Nation to avoid removal with the Creek Nation. The U.S. military removed most of the Creek refugees from Cherokee lands in the spring and summer of 1837, including about 122 Creeks who lived at or near the Red Clay Council Ground. One elderly Creek man who lived near Red Clay died from a shot fired by an army soldier. In August 1837, Creek headmen asked the Cherokee General Council for asylum, and the council granted it. The remaining Creeks stayed with their Cherokee hosts until fall 1838 when both tribes were removed to the west.

*Esther Prentiss Low's Georgia, from the latest authorities, 1831. Courtesy of Library of Congress.*

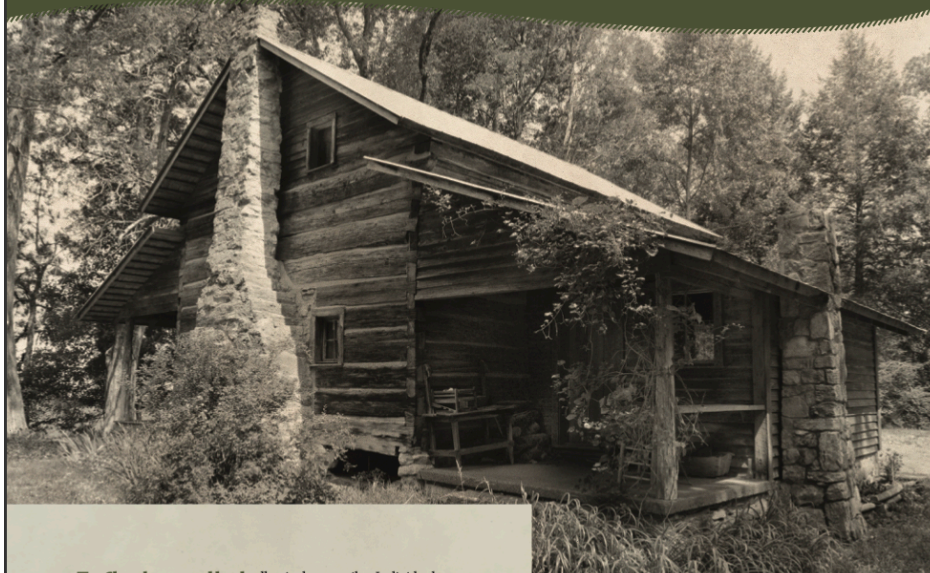


*“Chiefs of the Creek Nation, & A Georgian Squatter” by Captain Basil Hall, c. 1828. Courtesy of Alabama Department of Archives and History.*

Figure 10-5. *The Creek Removal from Red Clay* interpretive panel, 2020. Courtesy of the MTSU Center for Historic Preservation.

# DĤGWY O'ZRĀUO RWEĬĀ

(CHEROKEE IMPROVEMENTS AT RED CLAY)



The Cherokee owned land collectively as a tribe. Individual families owned their improvements to the land, such as buildings, fences, and fruit trees. After the U.S. Senate ratified the Treaty of New Echota in 1836, the federal government sent appraisers into the Cherokee Nation to evaluate the Cherokees' improvements. Rarely did the federal appraisers give full value to what the Cherokee owned. At the Red Clay Council Ground area, the appraisers counted 91 log buildings, including those owned by Cherokee families who lived and farmed here. Most of the buildings, however, were used for council gatherings and events.

According to the Moravian missionary Heinrich Gottlieb Clauder, who visited the 1837 council meeting, "The camps were all new & almost in a line, in the rear was a small stream flowing silently along. The Council house & stand for public speakers were on a high hill in front of the public cooking establishments. Dry goods shanties were also erected, in some of which, the violin, in the hands of merry players drew many listeners & spectators."

This portrait, *International Indian Council* by John Mix Stanley, depicts a council meeting held at Tahlequah, Indian Territory, in 1843. The reconstructed Council House here at Red Clay is based on this portrait and firsthand accounts of the council meetings.

Courtesy of Smithsonian American Art Museum,  
Gift of the Misses Henry.

The Hair (or Hare) Conrad Cabin in  
Cleveland, Tennessee.

Courtesy of MTSU Center for Historic Preservation.



Figure 10-6. Cherokee Improvements at Red Clay interpretive panel, 2020. Courtesy of the MTSU Center for Historic Preservation.

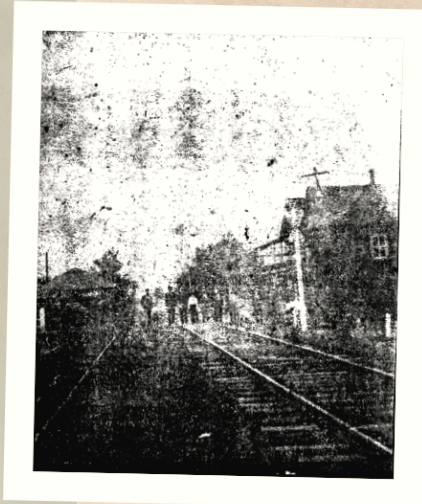
# RWELJΘ Zδ DHEΘFT JHΘUT IΘJΛΘET (RED CLAY AND THE CIVIL WAR)

After the Cherokee Removal in 1838, the council grounds were sold to settlers, who divided it into multiple farms. In 1852, the completed East Tennessee and Georgia Railroad passed through the eastern half of what is now Red Clay State Historic Park, with a passenger depot located at the Tennessee and Georgia border.

During the Civil War, both Confederate and Union troops used this valuable railroad corridor. At least three skirmishes took place within the present park boundaries. Following its victory in the Battle of Chattanooga, the Union army destroyed the depot and tore up some of the track on November 27, 1863. The railroad rebuilt a passenger depot and section house on the southeast corner of the park property during Reconstruction.

“ At Red Clay Station a few hours were devoted to this pleasant diversion [destroying a section of railroad], and soon three miles of sleepers were reduced to fire wood, and the rails to old junk. There being no further use for cars and the depot, they were burned. Neither Longstreet nor Bragg could now get any comfort from that railroad.”

— Colonel Adin B. Underwood,  
33rd Massachusetts Infantry Regiment, U.S. Army, 1881



Detail of the Military Map Showing the Theater of Operations in the Tullahoma, Chickamauga and Chattanooga Campaign. Image has been altered from the original.

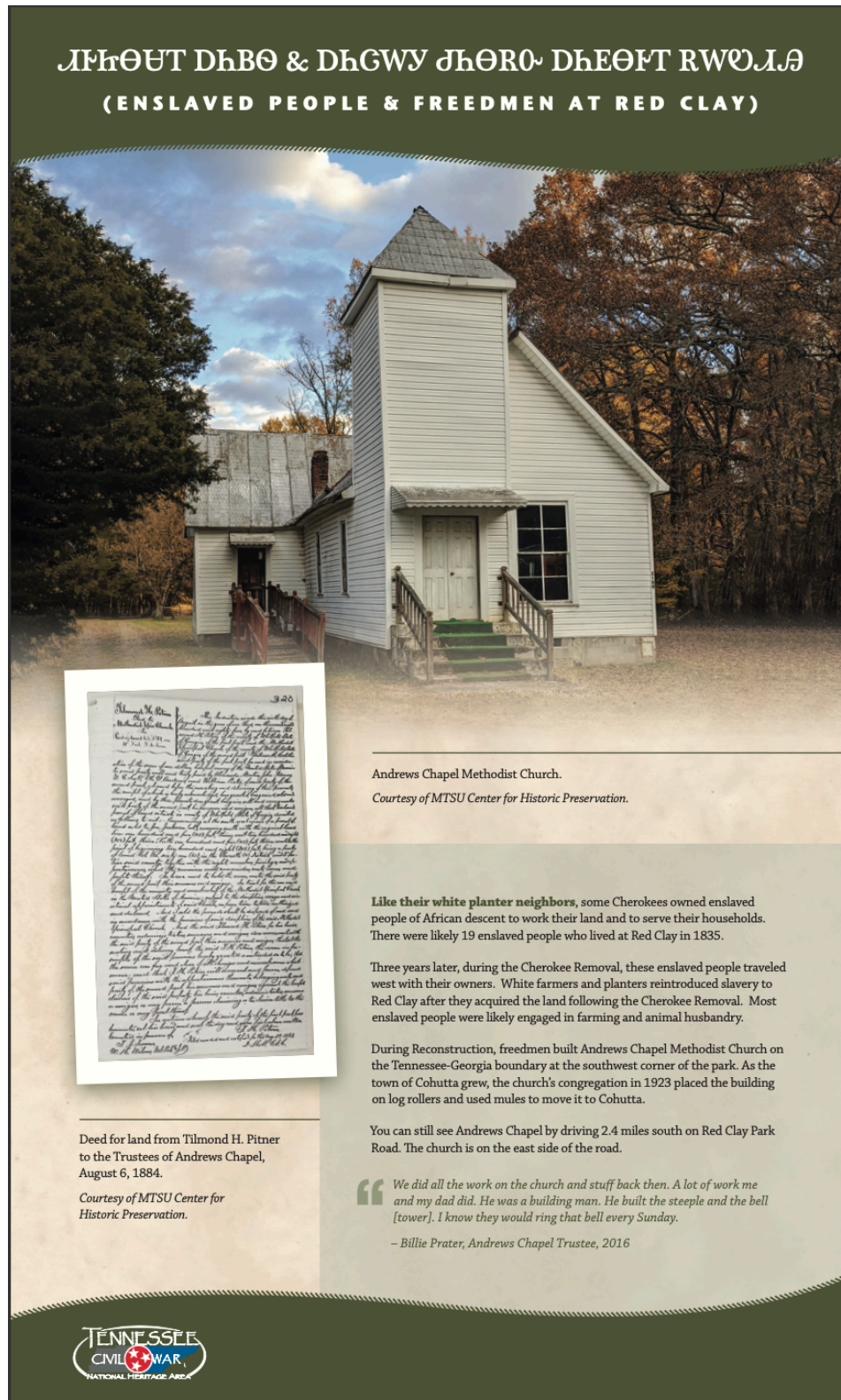
Courtesy of Tennessee State Library and Archives.

This is a photograph of (L to R) the train depot, a group of unidentified people, the J.W. Keith store, and a hotel at Red Clay, 1908.

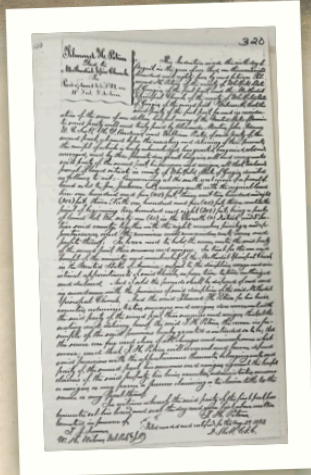
Courtesy of Red Clay State Historic Park.



Figure 10-7. Red Clay and the Civil War, 2020. Courtesy of the Tennessee Civil War National Heritage Area.



JEHOUB DIBO & DHCWY JHORO DHEOFT RWOLA  
(ENSLAVED PEOPLE & FREEDMEN AT RED CLAY)



Andrews Chapel Methodist Church.

Courtesy of MTSU Center for Historic Preservation.

Like their white planter neighbors, some Cherokees owned enslaved people of African descent to work their land and to serve their households. There were likely 19 enslaved people who lived at Red Clay in 1835.

Three years later, during the Cherokee Removal, these enslaved people traveled west with their owners. White farmers and planters reintroduced slavery to Red Clay after they acquired the land following the Cherokee Removal. Most enslaved people were likely engaged in farming and animal husbandry.

During Reconstruction, freedmen built Andrews Chapel Methodist Church on the Tennessee-Georgia boundary at the southwest corner of the park. As the town of Cohutta grew, the church's congregation in 1923 placed the building on log rollers and used mules to move it to Cohutta.

You can still see Andrews Chapel by driving 2.4 miles south on Red Clay Park Road. The church is on the east side of the road.

“ We did all the work on the church and stuff back then. A lot of work me and my dad did. He was a building man. He built the steeple and the bell [tower]. I know they would ring that bell every Sunday.

– Billie Prater, Andrews Chapel Trustee, 2016

Deed for land from Tilmond H. Pitner to the Trustees of Andrews Chapel, August 6, 1884.

Courtesy of MTSU Center for Historic Preservation.



Figure 10-8. *Enslaved People & Freedmen at Red Clay* interpretive panel, 2020. Courtesy of the Tennessee Civil War National Heritage Area.

Proposed Floorplan

Possible Red Clay Museum Renovation Floorplan (not drawn to scale)

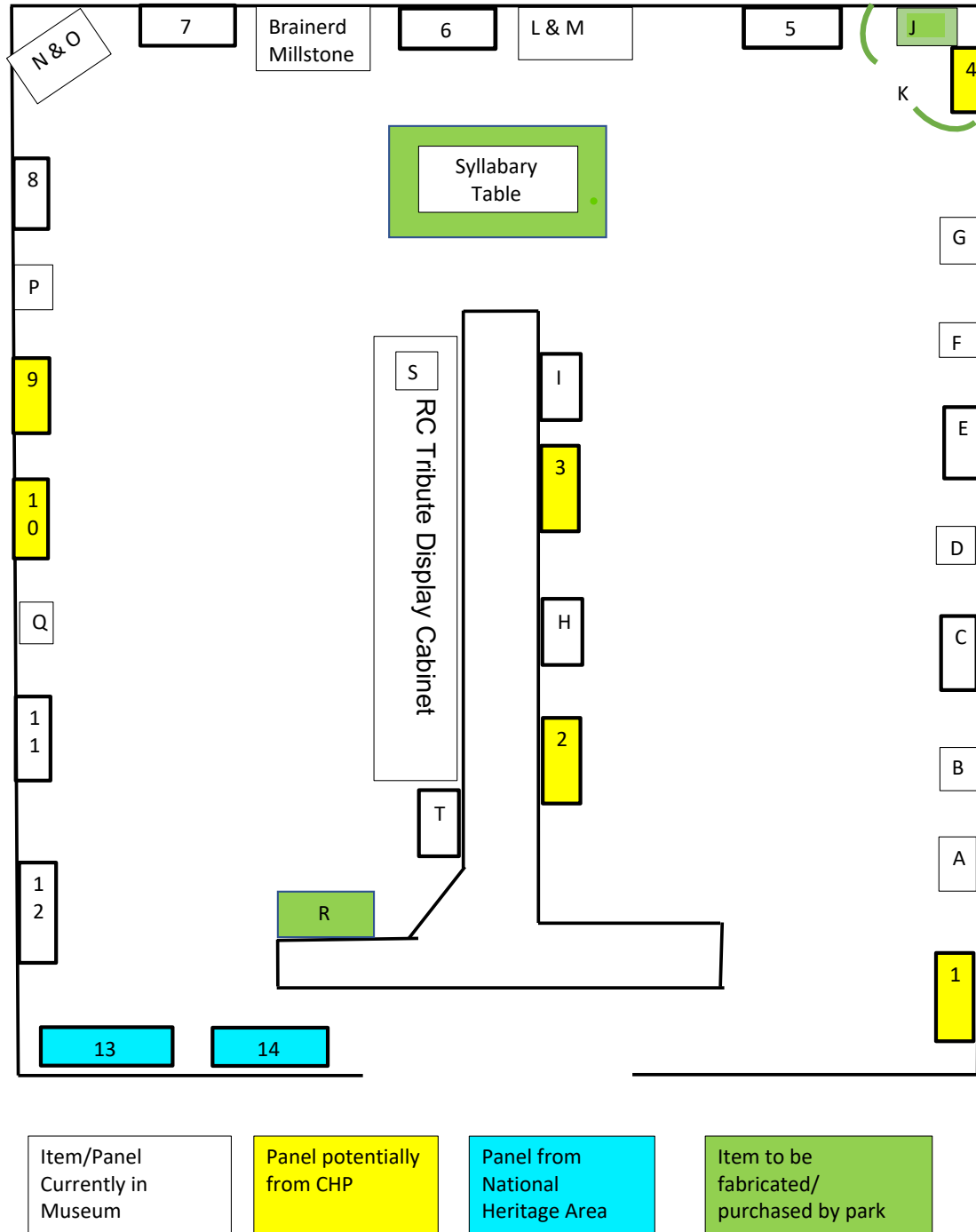


Figure 10-9. Proposed Museum Floorplan

- A. Display Case: Shell necklace, stone gorget, slate ear pin, bone hair pins,
- B. Display Case: Chunkey stones, tubular pipe, stone pipe bowls
- C. Stickball Player
- D. Display Case: Mortar & pestle, celt, grooved axe
- E. Farm Woman
- F. Display Case: Projectile points, bone fishhook, knife
- G. Display Case: traditional pottery bowl, two clay effigies, manufactured pottery sherds
- H. Display Case: Trade Items
- I. Display Case: Cherokee Bible Pages/ Map of Missions
- J. Animal Fur Interactive
- K. Partial Cherokee Winter House
- L. Spinning Wheel /Cotton Panel
- M. Yarn Winder
- N. Anvil, Hammer & Tongs
- O. Blacksmith
- P. Statesman
- Q. John Howard Payne Flute
- R. Kiosk for Digital Touchscreen
- S. Nancy Ward Bust
- T. Hunter

1. Early People at Red Clay
2. Cherokee Daily Life
3. Trade and Change
4. Cherokee Houses
5. A Changing Government
6. Georgia Tightens Its Grip
7. Diminishing Cherokee Lands
8. Debating Removal at Red Clay
9. Creek Removal from Red Clay
10. Landscape of the Council Ground
11. Council Ground & Internment Camps
12. Trail of Tears
13. The Railroad & the Civil War
14. Enslaved People & Freedmen

Item/Panel  
Currently in  
Museum

Panel potentially  
from CHP

Panel from  
National  
Heritage Area

Item to be  
fabricated/  
purchased by park

## APPENDIX B: DIGITAL EXHIBITS



Figure 11-1. Screenshot of digital kiosk's home screen. *Courtesy of Steven Shelton.*

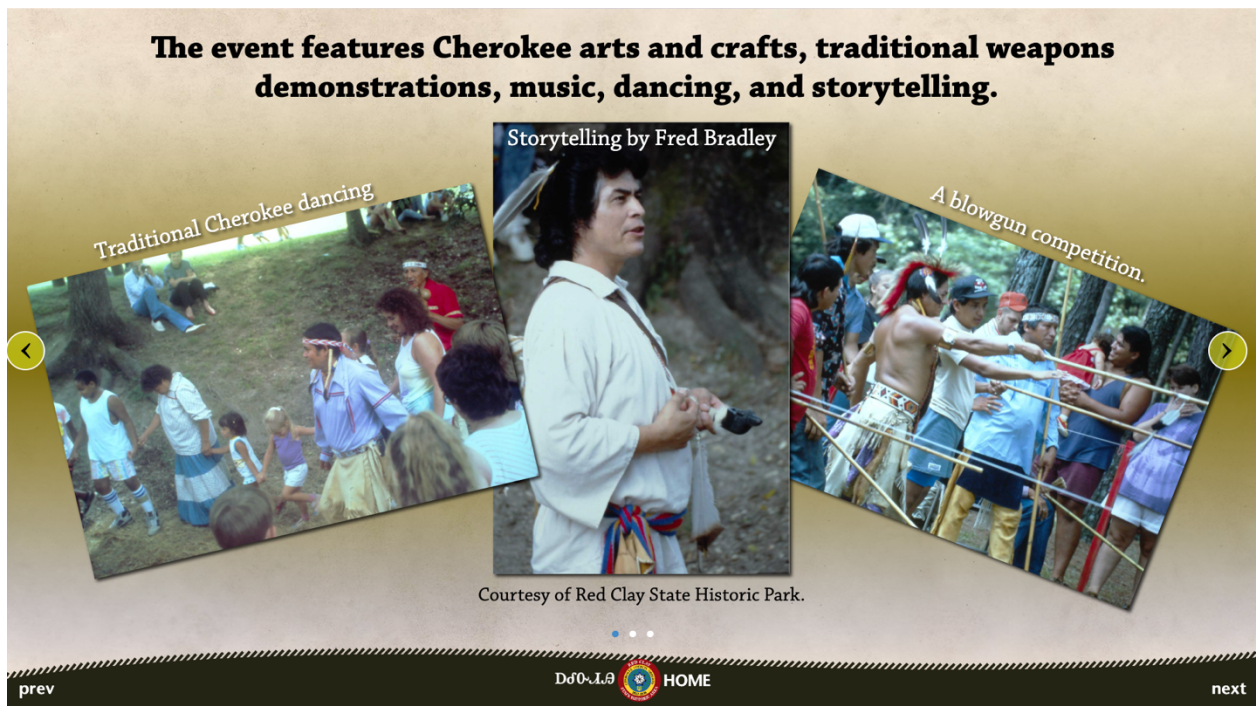


Figure 11-2. Screenshot of one of the Cherokee Cultural Celebration digital panels. *Courtesy of Steven Shelton.*



Figure 11-3. Screenshot of Blue Hole Spring digital panel. *Courtesy of Steven Shelton.*

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