

United States Department of the Interior  
National Park Service

# National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in National Register Bulletin, *How to Complete the National Register of Historic Places Registration Form*. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions.

### 1. Name of Property

Historic name: Ballard Creek Roadbed

Other names/site number: N/A

Name of related multiple property listing:

Historic and Historical Archaeological Resources of the Trail of Tears

(Enter "N/A" if property is not part of a multiple property listing)

### 2. Location

Street & number: [REDACTED]

City or town: Westville State: Oklahoma County: Adair

Not For Publication:  Vicinity:

### 3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended,

I hereby certify that this \_\_\_ nomination \_\_\_ request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60.

In my opinion, the property \_\_\_ meets \_\_\_ does not meet the National Register Criteria. I recommend that this property be considered significant at the following level(s) of significance:

\_\_\_ national      X statewide      \_\_\_ local

Applicable National Register Criteria:

\_\_\_ A      X B      \_\_\_ C      \_\_\_ D

<hr style="border: none; border-top: 1px solid black;"/>	<hr style="border: none; border-top: 1px solid black;"/>
<b>Signature of certifying official/Title:</b>	<b>Date</b>
<hr style="border: none; border-top: 1px solid black;"/>	
<b>State or Federal agency/bureau or Tribal Government</b>	

<p>In my opinion, the property ___ meets ___ does not meet the National Register criteria.</p>	
<hr style="border: none; border-top: 1px solid black;"/>	<hr style="border: none; border-top: 1px solid black;"/>
<b>Signature of commenting official:</b>	<b>Date</b>
<hr style="border: none; border-top: 1px solid black;"/>	
<b>Title :</b>	<b>State or Federal agency/bureau or Tribal Government</b>

Ballard Creek Roadbed  
Name of Property

Adair, Oklahoma  
County and State

---

#### 4. National Park Service Certification

I hereby certify that this property is:

- entered in the National Register
- determined eligible for the National Register
- determined not eligible for the National Register
- removed from the National Register
- other (explain:) \_\_\_\_\_

---

Signature of the Keeper

Date of Action

---

#### 5. Classification

##### Ownership of Property

(Check as many boxes as apply.)

- Private:
- Public – Local
- Public – State
- Public – Federal

##### Category of Property

(Check only one box.)

- Building(s)
- District
- Site
- Structure
- Object

Ballard Creek Roadbed  
Name of Property

Adair, Oklahoma  
County and State

**Number of Resources within Property**

(Do not include previously listed resources in the count)

Contributing	Noncontributing	
<u>0</u>	<u>0</u>	buildings
<u>0</u>	<u>0</u>	sites
<u>1</u>	<u>0</u>	structures
<u>0</u>	<u>0</u>	objects
<u>1</u>	<u>0</u>	Total

Number of contributing resources previously listed in the National Register 0

---

**6. Function or Use**

**Historic Functions**

(Enter categories from instructions.)

TRANSPORTATION

---

---

---

---

---

---

**Current Functions**

(Enter categories from instructions.)

VACANT/NOT IN USE

---

---

---

---

---

Ballard Creek Roadbed  
Name of Property

Adair, Oklahoma  
County and State

## 7. Description

### Architectural Classification

(Enter categories from instructions.)

Other: Roadbed

---

---

---

---

---

---

**Materials:** (enter categories from instructions.)

Principal exterior materials of the property: EARTH

### Narrative Description

(Describe the historic and current physical appearance and condition of the property. Describe contributing and noncontributing resources if applicable. Begin with a **summary paragraph** that briefly describes the general characteristics of the property, such as its location, type, style, method of construction, setting, size, and significant features. Indicate whether the property has historic integrity.)

### Summary Paragraph

The Ballard Creek Roadbed is located in [REDACTED] Adair County, Oklahoma [REDACTED]

[REDACTED]  
Ballard Creek flows generally north toward the upper Illinois River through a pleasant rural landscape of scattered farm homes, rolling hills, deciduous woodlands, and open pastures. [REDACTED]

[REDACTED] It lies in the timber along the west bank of the creek. The roadbed was carved by use and, in common with extant nineteenth-century examples, is an earthen, U-shaped depression approximately twelve feet wide and twenty inches deep.<sup>1</sup> However, the width and depth of this roadbed are variable due to erosion, the underlying ground, and periodic flooding along the creek. [REDACTED]

[REDACTED] Even after nearly two centuries, the Ballard Creek Roadbed retains a strong degree of integrity.

<sup>1</sup> Sara Parker and Philip Thomason, "Historic and Historical Archaeological Resources of the Cherokee Trail of Tears," National Register of Historic Places Multiple Property Documentation Form, 2003, F-9.

Ballard Creek Roadbed

Name of Property

Adair, Oklahoma

County and State

## Narrative Description

The Ballard Creek Roadbed is located [REDACTED] Adair County, Oklahoma about [REDACTED]

[REDACTED] It is situated in the western Boston Mountains, a range of relatively low, timbered, flat-topped mountains that are part of the Ozark region of southwestern Missouri, northwestern Arkansas, and eastern Oklahoma. Ballard Creek rises in the vicinity of Summers, Arkansas and flows north and northwest across Adair County, Oklahoma into the Illinois River. In the vicinity of the roadbed, Ballard Creek [REDACTED]

Like most of Adair County, the location of the Ballard Creek Roadbed is primarily rural with agriculture, particularly wheat, hay, livestock and poultry production, its economic mainstay. Small industries, tourism, and recreation on the Illinois River to the north and the Barren Fork River to the south of the Ballard Creek Roadbed also contribute to the county economy. The Kansas City Southern Railway line, generally paralleled by U.S. Highway 59, runs north-south through the county and has been important to the small communities along its route for a century. Ballard Creek flows generally north and northwest between rolling hills, woods, pastures, and scattered farmhouses. It is generally shallow, gravel-bottomed, and about forty to sixty feet wide. However, it can experience serious flooding. [REDACTED]

[REDACTED] When the area was surveyed in 1897, the Ballard Creek Roadbed was one of several roads that wound through the thinly-populated area in all directions, connecting houses scattered among small irregular plots of cultivated land. They had been cleared from woodlands rich with oak, hickory, and sycamore. Today the woods on either side of the Ballard Creek Roadbed have been reduced and replaced with cultivated fields or pastures. However, deciduous trees still line Ballard Creek, although the giant sycamore trees are unfortunately dying out. Woods also crown the high, rough limestone bluff the surveyor noted in this section midway along the east side of the creek.<sup>2</sup>

The Ballard Creek Roadbed lies along the west bank of Ballard Creek [REDACTED]

[REDACTED] On the east side is a narrow terrace at the base of a long rounded hill oriented generally southeast-northwest. [REDACTED]

[REDACTED] An abandoned graded roadbed that also

<sup>2</sup> Rachel Whitaker, "Adair County," *The Encyclopedia of Oklahoma*, <<http://digital.library.okstate.edu/encyclopedia/entries/A/Ad003.html>> (February 20, 2013); interview of Glenita Guthrie, by Mary Jane Warde, Westville, Oklahoma vicinity, January 23, 2013; J. S. Gibson, Field Notes, OK Volume 00167, Indian Territory, 018.0N-026.0E, Original Survey, Oklahoma, December 1-4, 1897, General Land Office Records, Bureau of Land Management, <[http://www.glorerecords.blm.gov/details/survey/default.aspx?dm\\_id=236...](http://www.glorerecords.blm.gov/details/survey/default.aspx?dm_id=236...)> (February 13, 2013).

Ballard Creek Roadbed

Adair, Oklahoma

Name of Property

County and State

paralleled Ballard Creek is visible on the west bank for about eighty feet north of the fence line. It disappears at an eroded section of the west bank. At the angle of the L, a smaller un-named stream flows into Ballard Creek from the east. Here Ballard Creek

and continues in that direction toward the Illinois River.

The Ballard Creek Roadbed under study begins at Point A

Here the roadbed first appears as a wide U-shaped depression adjacent to Ballard Creek and several feet lower than the cultivated terrace on the west. At Point B an east-west fence line marking the north end of the terrace field intersects with the roadbed. Unfortunately, a small trash dump has developed on the east side of the creek away from the roadbed. North of the fence line on the west side is a small woods adjacent to the creek. The roadbed continues north-northwest to the point at which Ballard Creek turns to the west-southwest at the base of the bluff on the opposite bank. Opposite the bluff is Point C, the intersection with a north-south fence line. Past that fence line the roadbed turns west-northwest with the creek until it is no longer visible at Point D. All along its surviving length, the Ballard Creek Roadbed lies near the creek, although the distance between is somewhat wider between points B and C. The roadbed is generally about twelve feet wide and about twenty inches deep toward the south end. Its width and depth are variable, however, because of erosion and periodic flooding along the creek. Trees have grown up along and sometimes in the roadbed. The fences that cross it have also trapped some debris in the roadbed. Near the south end some gravel has washed into the roadbed from the adjacent terrace bank. Toward the northwest end, the roadbed disappears into open land and a recently graded easement beneath the power line. Beyond the power line is a generally dry ravine opening into Ballard Creek. A shallow depression south of the Ballard Creek Roadbed just past Point D may be the trace of a newer road now abandoned.

The Ballard Creek Roadbed fits the criteria of the nineteenth-century roadbed described by Parker and Thomason in that its cross-section is a shallow U, carved out by use rather than grading. Gravel appears only toward the south end and seems to have washed down from the adjacent bank rather than from any road building activity. The roadbed is generally about twelve feet wide, which would accommodate wagon use, and that width is maintained from Point A at the south end to Point D at the northwest end. It is about twenty inches deep at the south end, suggesting frequent use at some time, but it is shallower in places that appear prone to flooding and silt deposit. The Ballard Creek Roadbed, then, retains a high degree of integrity.

Ballard Creek Roadbed  
Name of Property

Adair, Oklahoma  
County and State

## 8. Statement of Significance

### Applicable National Register Criteria

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

- A. Property is associated with events that have made a significant contribution to the broad patterns of our history.
- B. Property is associated with the lives of persons significant in our past.
- C. Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- D. Property has yielded, or is likely to yield, information important in prehistory or history.

### Criteria Considerations

(Mark "x" in all the boxes that apply.)

- A. Owned by a religious institution or used for religious purposes
- B. Removed from its original location
- C. A birthplace or grave
- D. A cemetery
- E. A reconstructed building, object, or structure
- F. A commemorative property
- G. Less than 50 years old or achieving significance within the past 50 years

Ballard Creek Roadbed  
Name of Property

Adair, Oklahoma  
County and State

**Areas of Significance**

(Enter categories from instructions.)

TRANSPORTATION

ETHNIC HERITAGE: NATIVE AMERICAN

ARCHEOLOGY: HISTORIC; ABORIGINAL

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Period of Significance**

1839-1862

\_\_\_\_\_  
\_\_\_\_\_

**Significant Dates**

1839, 1841, 1862

\_\_\_\_\_  
\_\_\_\_\_

**Significant Person**

(Complete only if Criterion B is marked above.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Cultural Affiliation**

CHEROKEE

\_\_\_\_\_  
\_\_\_\_\_

**Architect/Builder**

UNKNOWN

\_\_\_\_\_  
\_\_\_\_\_

Ballard Creek Roadbed

Adair, Oklahoma

Name of Property

County and State

**Statement of Significance Summary Paragraph** (Provide a summary paragraph that includes level of significance, applicable criteria, justification for the period of significance, and any applicable criteria considerations.)

The Ballard Creek Roadbed is the remnant of a nineteenth century wagon road along Ballard Creek in ██████████ Adair County, Oklahoma. It is associated with the arrival and resettlement of the Cherokees in today's Oklahoma at the end of their Trail of Tears. It linked an important location in the new Cherokee Nation with supply sources and services in northwestern Arkansas. In early 1839 some Cherokee immigrating parties completing the Trail of Tears disbanded near today's Westville, Oklahoma about two miles from the roadbed. Food stores intended to sustain them their first year in the Indian Territory were delivered to a supply depot there they called "Breadtown." Baptist Mission was soon founded nearby, and beginning in 1841 missionary Evan Jones and Cherokee minister Jesse Bushyhead made it a center for Cherokee Christian evangelism, church organization, education, and publishing. The wagon road along Ballard Creek connected the Baptist Mission settlement to supply sources in Silvia (Cincinnati), Arkansas and beyond. However, the Baptist Mission settlement was destroyed in 1862 during the Civil War. It was not rebuilt, and the need for the wagon road along Ballard Creek diminished as the mission moved to another location. Consequently, the period of significance for the Ballard Creek Roadbed is 1839 to 1862. It is significant at the state level under Criterion A because it is associated with events that have made a significant contribution to the broad patterns of our history. The areas of significance under Criterion A are Transportation and Ethnic Heritage, specifically Native American, in this case, Cherokee. The Ballard Creek Roadbed is significant at the state level under Criterion D for Archeology in the Historic Aboriginal subcategory. It has the potential, given its location near the disbandment site of Cherokee detachments, the "Breadtown" depot, and Baptist Mission, to yield information about the Trail of Tears and its aftermath for the Cherokee people who used it as they settled, traded, worshiped, and educated their children nearby.

**Narrative Statement of Significance** (Provide at least one paragraph for each area of significance.)

The Ballard Creek Roadbed in ██████████ Adair County, Oklahoma near the western Arkansas state line is a rare nineteenth-century remnant. It is not known when people first used the route along Ballard Creek. It is known that the resources of the Ozark region such as fur-bearing animals and saline springs in today's northeast Oklahoma attracted hunters by the early 1800s. Among them were the Osage Indians, who were present in northeastern Oklahoma by 1802. According to geographer Louis F. Burns, an Osage elder, unlike non-Indians who usually traveled the high ground, the Osage preferred to move along the stream courses, keeping to the left bank with the current at their back. That is the location of the roadbed under study along Ballard Creek, which offered a fairly direct route from northwest Arkansas to the Illinois River. By 1816, however, the Cherokees who had migrated from their eastern homeland into the Ozark region had received hunting rights in eastern Indian Territory, including today's Adair County. By 1828 the Osage had ceded claims to lands in the Indian Territory, and the Western Cherokees moved across the Arkansas state line into today's Adair County. Their life in the 1830s has been described as

Ballard Creek Roadbed

Adair, Oklahoma  
County and State

Name of Property

rustic, informal, and casual. Education, religion, and government were less important to them than to the Cherokees still living in the East. Most farmed and a few operated gristmills or salt works, but settlements were rare.<sup>3</sup>

In 1838, however, Cherokees still living in their old eastern homeland were forced to begin removing permanently to the new "Cherokee Nation" in today's Oklahoma, then the Indian Territory. Four of seventeen detachments traveled by boat and disbanded near Arkansas River landings or at Illinois Campground in the new Cherokee Nation, while one overland detachment led by John Bell disbanded in northwestern Arkansas. Research conducted by Parker and Thomason in 2003 traced the overland trek of the twelve remaining detachments that left their eastern homeland in 1838. A reported 12,918 people departed the old homeland. However, deaths, births, desertions, and additions along the way reduced that total to 11,285 on arrival in the new Cherokee Nation. Initial estimates were that 645 wagons and 6,290 horses would be needed to deliver these twelve detachments to the west. However, George Washington Walker, or Tahlakitehi, who survived the months-long trek as a young boy, told his children how the men and boys in his detachment walked all the way from Georgia to the Indian Territory, while the women and children rode in ox wagons. Other oral history, though, suggests that many walked, leaving the wagons for those most suffering most from sickness or weakness.<sup>4</sup>

Parker and Thomason concluded that twelve Trail of Tears detachments disbanded in early 1839 just west of the eastern boundary of the Cherokee Nation not far from the Ballard Creek Roadbed.<sup>5</sup> However, another study from 2007 noted only the Hair Conrad detachment on January 17, Richard Taylor detachment on March 24, and Peter Hildebrand detachment on March 25, totaling 2,907 people, likely disbanded in that vicinity.<sup>6</sup> Daniel S. Buttrick, a missionary who accompanied the Taylor detachment on the northern route across Missouri and through the northwest corner of Arkansas, recorded their entry into the Cherokee Nation in the West. After camping at the Thomason farm southeast of Silvia (later Cincinnati), Arkansas, he wrote in his journal on March 23, 1839, "...we proceeded to Mr. Woodall's, 8 miles. This is the place of deposit and also the place where Mr. Taylor is to deliver the detachment over to the U. States officers, who are to supply them with provisions for one year."<sup>7</sup> While the locations of the Thomason and Woodall (or Woodhall) farms is still under study, the latter is believed to have been near today's Westville, Oklahoma and about two miles southeast of the Ballard Creek Roadbed. The Cherokee detachments would have had to march around Bates Mountain and cross

<sup>3</sup> Louis F. Burns, *A History of the Osage People* (Tuscaloosa: The University of Alabama Press, 2004), 30, 70-71; William Paul Corbett, "Oklahoma's Highways: Indian Trails to Urban Expressways," unpublished thesis, Oklahoma State University, Stillwater, Oklahoma, 1982, 3, 7, 10, 151-142; Grace Steele Woodward, *The Cherokees* (Norman: The University of Oklahoma Press, 1963), 222-223.

<sup>4</sup> Parker and Thomason, "Historic and Historical Archaeological Resources of the Cherokee Trail of Tears," E-19—E-20; David G. Fitzgerald and Duane H. King, *The Cherokee Trail of Tears* (Portland, Ore.: Graphic Arts Books, 2007), 116, 122; Velma Nieberding, "Indian Home, 90, Still Stands in Craig Co.," *The Tulsa (Oklahoma) World*, Sunday supplement, July 8, 1956, p. 36..

<sup>5</sup> See "Figure 1: Cherokee Removal Detachments, Conductors, Assistant Conductors, Probable Locations of Departure and Disbandment" in Parker and Thomason, "Historic and Historical Archaeological Resources of the Trail of Tears," E-19—E-20.

<sup>6</sup> See Appendix A, "Departures and Arrivals of the Seventeen Detachments during the Cherokee Forced Removal," Fitzgerald and King, *The Cherokee Trail of Tears*, 114-115.

<sup>7</sup> Quoted in *ibid.*, 86.

Ballard Creek Roadbed

Adair, Oklahoma

Name of Property

County and State

Ballard Creek to reach their destination. If they circled north around the mountain, it is likely they used the Ballard Creek Roadbed to approach Woodall's.<sup>8</sup>

On the Trail of Tears Cherokee Baptist minister Jesse Bushyhead and missionary Evan Jones had served as conductors of two detachments, each a church congregation in the old homeland. When the two congregations chose to resettle about sixty-five miles apart, Jones and Bushyhead settled midway between them near Ballard Creek. Bushyhead bought the Woodall farm and with Jones founded a Baptist church near today's Mission Mountain in Adair County. Because their place served as a supply depot for the removed Cherokees, the location was often called "Breadtown."<sup>9</sup>

In 1841, two years after their arrival, Jones and Bushyhead expanded their missionary activities at Breadtown. They helped organize Cherokee Baptists and trained them to direct and preach to their own congregations. That year the Cherokee Nation founded a national school system for boys and girls. At their mission, Jones and Bushyhead added a school in which future Cherokee teachers could be trained, and they established three schools at other locations. Meanwhile, Jones and Bushyhead collaborated on translating the Bible into Cherokee. In 1843 they acquired a press and Sequoyan type, with which they printed eighteen books of the New Testament, text books for the schools, instructional materials, and a Cherokee hymnal, totaling more than a million printed pages. Their periodical, the *Cherokee Messenger*, was the first issued in the Indian Territory.<sup>10</sup>

By 1842 a settlement had grown up around the mission to accommodate its increasing personnel and activities. A petition for a post office that year described it as "a flourishing and growing settlement" with "a respectable store, a saddler, a blacksmith shop" and plans for a school.<sup>11</sup> Jones was named post master in 1844 but, after the death of Jesse Bushyhead a few months later, was unable to have its name changed in his honor. The settlement name became "Baptist Mission," although many Cherokees still referred to it as "Breadtown."<sup>12</sup>

Baptist Mission lay more than twenty-five miles northeast of Tahlequah, the newly established Cherokee capital, and even further from Fort Gibson, the nearest federal installation. There were few trading and supply centers in the Cherokee Nation at the time. Silvia, later called Cincinnati, in Washington County, Arkansas was only about eight miles northeast of Breadtown and the Baptist Mission. At the time, Silvia had two mills, a large general store, and several other businesses. Customers even traveled by wagon from Fayetteville to trade in Silvia. Along with

<sup>8</sup> Parker and Thomason, "Historic and Historical Archaeological Resources of the Cherokee Trail of Tears," E-83; "Cincinnati, Arkansas, Highway 59 North of U.S. 62," <<http://www.historicwashingtoncounty.org/cincinnati.html>> (February 13, 2013).

<sup>9</sup> Fitzgerald and King, *The Cherokee Trail of Tears*, 86-87; William G. McLoughlin, *Champions of the Cherokees* (Princeton, N.J.: Princeton University Press, 1990), 185.

<sup>10</sup> Jones's enemies had him expelled from the Cherokee Nation during 1839-1840, but his Cherokee friends got the order repealed in early 1841. Norbert R. Mahnken, "Old Baptist Mission and Evan Jones," *The Chronicles of Oklahoma* 67 (number 2, summer 1989): 179, 183; McLoughlin, *Champions of the Cherokees*, 220-229.

<sup>11</sup> Quoted in McLoughlin, *Champions of the Cherokees*, 204-205.

<sup>12</sup> *Ibid.*, 207.

Ballard Creek Roadbed

Adair, Oklahoma

Name of Property

County and State

other Arkansas border towns, it did a brisk business with the Cherokees in the Indian Territory.<sup>13</sup> According to William G. McLoughlin, Evan Jones's biographer, mail and supplies reached the Baptist Mission settlement by "wagon track."<sup>14</sup> It is likely that wagon track lay along Ballard Creek and included the Ballard Creek Roadbed. Because Bates Mountain lay across the Arkansas state line between the mission settlement and Silvia, travelers must circle it to the south or the north. A late nineteenth century map, one of the few available for that area, shows the road along Ballard Creek intersecting with other roads north and south of Bates Mountain. Together they connected Silvia with the general Breatdown-Baptist Mission location.<sup>15</sup>

The role of Baptist Mission at Breatdown ended during the Civil War, which engulfed the Cherokee Nation and the rest of the Indian Territory in 1861. By then Missionary Evan Jones and his son John Buttrick Jones were deeply involved in Cherokee Nation politics. Influential among the conservative full-blood Cherokees, they helped reestablish the ancient Keetoowah Society. Often called the "Pins," its members supported Principal Chief John Ross in the revived Removal-Era factionalism with the pro-Confederacy followers of Stand Watie. Evan and John Buttrick Jones left for safety in Kansas in 1861, but in November 1862 Evan Jones slipped back to remove his family from the mission. Shortly afterward, pro-Confederate Cherokees burned the mission buildings, destroyed the press, and even cut down the orchard. When peace finally came to the Cherokee Nation in 1865, the mission did not reopen near Ballard Creek. Instead, Jones reestablished it in Tahlequah.<sup>16</sup>

With Baptist Mission gone from Adair County, this area became a quiet rural backwater until the turn of the century. The coming of the railroads then brought new people and new towns such as Westville, just south of the disbandment site at Woodall's. However, reminders of the post-Removal and pre-Civil War era remained. In 1888 Baptist Mission Church was built at the foot of Mission Mountain adjacent to today's U.S. Highway 59. It traces its roots to the Trail of Tears in a sign stating, "Brought over the Trail of Tears from Georgia." Across the highway, the grave of Jesse Bushyhead (National Register 2004) stands in Baptist Mission Cemetery.<sup>17</sup>

The road along Ballard Creek remained useful to local residents because it was still part of the winding network that connected scattered farms to the new town of Westville and to places such as the church and cemetery near Mission Mountain. When J. S. Gibson surveyed Section 20 along Ballard Creek in 1897, he wrote in his field notes that there was a "dim road" bearing northeast and south twenty degrees west. Other roads shown on his map of the section are primarily east-west. He did map, however, a road that closely follows Ballard Creek, likely the

<sup>13</sup>"Cincinnati, Arkansas, Highway 59 North of U.S. 62," <<http://www.historicwashingtoncounty.org/cincinnati.html>> (February 13, 2013).

<sup>14</sup> McLoughlin, *Champions of the Cherokees*, 204.

<sup>15</sup> See "Fractional Map of Township 18 North, Range 26 East of the Indian Meridian, Indian Territory, February 25-March 4, 1897," Government Documents, Oklahoma State University, Stillwater, Oklahoma. See also J. S. Gibson, Field Notes, OK Volume 00167, Indian Territory, 018.0N-026.0E, Original Survey, Oklahoma, December 1-4, 1897, General Land Office Records, Bureau of Land Management, <[http://www.glorerecords.blm.gov/details/survey/default.aspx?dm\\_id=236...](http://www.glorerecords.blm.gov/details/survey/default.aspx?dm_id=236...)> (February 13, 2013).

<sup>16</sup> Mahnken, "Old Baptist Mission and Evan Jones," 189; McLoughlin, *Champions of the Cherokees*, 407, 428.

<sup>17</sup> Mahnken, "Old Baptist Mission and Evan Jones," 176. See *Properties on the National Register of Historic Places in Oklahoma by County* posted online by the Oklahoma State Historic Preservation Office.

Ballard Creek Roadbed

Adair, Oklahoma

Name of Property

County and State

roadbed under study.<sup>18</sup> The same was true in 1903 when Indian allotments in the Cherokee Nation were mapped for the Westville-Baptist vicinity.<sup>19</sup> The next year, 1904, Cherokee Principal Chief William C. Rogers forwarded to U.S. Indian Agent J. Blair Schoenfelt recently passed legislation for the “opening of public highways along section lines and elsewhere when necessary.”<sup>20</sup> Transportation across this part of Adair County gradually shifted from roads that developed according to need and topography to a more orderly rectangular pattern.

Neighborhood oral history tells of an old road along the west side of Ballard Creek that local people occasionally used. [REDACTED]

[REDACTED]. It then disappears at an eroded area of the terrace along Ballard Creek. These sections of the road are grass-covered but still show square edges made by grading. This road segment lacks integrity, and no sign of a connection into the Ballard Creek Roadbed at Point A exists today. (See the Photographic Orientation Map.) At the northwest end of the Ballard Creek Roadbed near Point D, a slight depression in the cultivated field to the south may have been another road or a variant of the road along Ballard Creek. If so, it retains very little integrity. A road from the southwest that in 1897 intersected with the Ballard Creek Roadbed near Point C, crossed Ballard Creek, and continued northeast around the bluff has also been erased by cultivation. The Ballard Creek Roadbed, though, has survived and changed little since the Cherokees arrived and resettled after the Trail of Tears.<sup>21</sup>

Few nineteenth century roadbeds remain in Oklahoma, and documentation for them is scarce. Two that have been identified are the Old Military Road in LeFlore County (National Register 1976), which dates from 1832, and a portion of the Texas Road which lies within the boundaries of Honey Springs Battlefield, a Civil War site on the McIntosh County-Muskogee County border. The first is in the historic Choctaw Nation, and the other, in the historic Muscogee Creek Nation.

The Ballard Creek Roadbed, however, retains the characteristics and qualities of nineteenth century roadbeds described by Parker and Thomason in their study of Trail of Tears resources. It is located within two miles of a disbandment site and supply depot. Its width, generally about twelve feet, and depth, about twenty inches, conform to the design, size, and physical characteristics of an early nineteenth-century roadbed. The material is earth, except for some gravel in one location that appears to have washed into the roadbed. The Cherokee Nation started requiring men to work on public roads in the post-Civil War period, but their workmanship is no longer apparent. The Ballard Creek Roadbed conveys the feeling of a nineteenth century road in its length, its placement along the creek bank, and the variability of its depth and width. Still, it parallels the

<sup>18</sup> J. S. Gibson, Field Notes.

<sup>19</sup> “Map Showing the Progress of Allotment, Cherokee Nation,” Serial Set 4646 58<sup>th</sup> Congress, House Document 5, p. 190, Exhibits, McCasland Map Collection, Oklahoma State University, Stillwater, Oklahoma, <<http://luna.library.okstate.edu:8080/luna/servlet/detail/OSULibraryOC>>... (February 11, 2013).

<sup>20</sup> Principal Chief William C. Rogers to U.S. Indian Agent J. Blair Schoenfelt, January 14, 1904, “Roads,” reel 96, Cherokee Nation Records, microfilm, Edmon Low Library, Oklahoma State University, Stillwater, Oklahoma.

<sup>21</sup> Interview of Glenita Guthrie, by Mary Jane Warde, Westville, Oklahoma vicinity, January 23, 2013.

Ballard Creek Roadbed  
Name of Property

Adair, Oklahoma  
County and State

creek with a sense of purpose and direction. The setting is quiet with few intrusive present-day sounds, while Bates Mountain rising in the distance conveys a sense of space. The surrounding area is wooded and rural, just as it has been since the Cherokees arrived. Along the roadbed, Ballard Creek, the woods, and the looming limestone bluff near the bend of the creek shut out most visual intrusions and reinforce the association with the nineteenth century.

The Ballard Creek Roadbed retains a high degree of integrity. Because of its strong association with the resettlement of the Cherokee Nation in the Indian Territory after the Trail of Tears, it merits nomination to the National Register under Criterion A. At the same time, archaeological prospection, geophysical survey, and metal detector survey of trail segments have been shown to reveal associated artifact assemblages, sometimes buried and sometimes not, that can inform on the use of the trail during its period of significance. Though no such surveys have been undertaken on the roadbed segment under consideration, there is reason to believe that such an assemblage can be present along its course. Cross-sections of the roadbed profile could also yield significant information about the road's development. Therefore, this surviving segment is considered eligible for the National Register under Criterion D.

---

<sup>22</sup> *Ibid.*

Ballard Creek Roadbed  
Name of Property

Adair, Oklahoma  
County and State

## 9. Major Bibliographical References

**Bibliography** (Cite the books, articles, and other sources used in preparing this form.)

Burns, Louis F. *A History of the Osage People*. Tuscaloosa: The University of Alabama Press, 2004.

“Cincinnati, Arkansas, Highway 59 North of U.S. 62.

<<http://www.historicwashingtoncounty.org/cincinnati.html>> (February 13, 2013).

Corbett, William Paul. “Oklahoma's Highways: Indian Trails to Urban Expressways.” Unpublished thesis, Oklahoma State University, Stillwater, Oklahoma, 1982.

Fitzgerald, David G., and Duane H. King. *The Cherokee Trail of Tears*. Portland, Ore.: Graphic Arts Books, 2007.

“Fractional Map of Township 18 North, Range 26 East of the Indian Meridian, Indian Territory, February 25-March 4, 1897.” Government Documents, Oklahoma State University, Stillwater, Oklahoma.

Gibson, J. S. Field Notes. OK Volume 00167, Indian Territory, 018.0N-026.0E, Original Survey, Oklahoma, December 1-4, 1897. General Land Office Records. Bureau of Land Management. <[http://www.glorerecords.blm.gov/details/survey/default.aspx?dm\\_id=236...](http://www.glorerecords.blm.gov/details/survey/default.aspx?dm_id=236...)> (February 13, 2013)>

Guthrie, Glenita. Interview by Mary Jane Warde. Westville, Oklahoma vicinity. January 23, 2013.

Mahnken, Norbert R. “Old Baptist Mission and Evan Jones.” *The Chronicles of Oklahoma* 67 (number 2, summer 1989): 174-193.

“Map Showing the Progress of Allotment, Cherokee Nation.” Serial Set 4646 58<sup>th</sup> Congress. House Document 5, p. 190, Exhibits. McCasland Map Collection, Oklahoma state University, Stillwater, Oklahoma.  
<<http://luna.library.okstate.edu:8080/luna/servlet/detail/OSULibraryOC>>... (February 11, 2013).

McLoughlin, William G. *Champions of the Cherokees*. Princeton, N.J.: Princeton University Press, 1990.

Nieberding, Velma. “Indian Home, 90, Still Stands in Craig Co.” *The Tulsa (Oklahoma) World*, Sunday supplement, July 8, 1956, p. 36.

Ballard Creek Roadbed

Adair, Oklahoma

Name of Property

County and State

Parker, Sara, and Philip Thomason. "Historic and Historical Archaeological Resources of the Cherokee Trail of Tears." National Register of Historic Places Multiple Property Documentation Form, 2003, F-9.

Rogers, Principal Chief William C., to U.S. Indian Agent J. Blair Shoenfelt, January 14, 1904. "Roads," reel 96, Cherokee Nation Records, microfilm. Edmon Low Library, Oklahoma State University, Stillwater, Oklahoma.

Rachel Whitaker. "Adair County." *The Encyclopedia of Oklahoma*.  
<<http://digital.library.okstate.edu/encyclopedia/entries/A/Ad003.html>> (February 20, 2013).

Woodward, Grace Steele. *The Cherokees*. Norman: The University of Oklahoma Press, 1963.

---

**Previous documentation on file (NPS):**

- preliminary determination of individual listing (36 CFR 67) has been requested
- previously listed in the National Register
- previously determined eligible by the National Register
- designated a National Historic Landmark
- recorded by Historic American Buildings Survey # \_\_\_\_\_
- recorded by Historic American Engineering Record # \_\_\_\_\_
- recorded by Historic American Landscape Survey # \_\_\_\_\_

**Primary location of additional data:**

- State Historic Preservation Office
- Other State agency
- Federal agency
- Local government
- University
- Other
- Name of repository: \_\_\_\_\_

**Historic Resources Survey Number (if assigned):** \_\_\_\_\_

Ballard Creek Roadbed  
Name of Property

Adair, Oklahoma  
County and State

**10. Geographical Data**

**Acreeage of Property** Less than 1 acre

Use either the UTM system or latitude/longitude coordinates

**Latitude/Longitude Coordinates**

Datum if other than WGS84: \_\_\_\_\_

(enter coordinates to 6 decimal places)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Or**

**UTM References**

Datum (indicated on USGS map):

NAD 1927 or  NAD 1983

- |          |           |           |
|----------|-----------|-----------|
| 1. Zone: | Easting:  | Northing: |
| 2. Zone: | Easting:  | Northing: |
| 3. Zone: | Easting:  | Northing: |
| 4. Zone: | Easting : | Northing: |

**Verbal Boundary Description** (Describe the boundaries of the property.)

From Point A to Point D as marked on the Photographic Orientation Map, the boundary lies thirty meters beyond the edges of the surviving roadbed.

**Boundary Justification** (Explain why the boundaries were selected.)

A margin of thirty meters either side of the roadbed edges allows for variant road pullouts to get around historically impassable sections during the period of use, as well as the potential for pitch zones from the road and temporary rest or camp sites along its length.

Ballard Creek Roadbed  
Name of Property

Adair, Oklahoma  
County and State

---

### 11. Form Prepared By

name/title: Dr. Mary Jane Warde  
organization: \_\_\_\_\_  
street & number: 3523 Willow Park Circle  
city or town: Stillwater state: Oklahoma zip code: 74074  
e-mail: mary.warde2@gmail.com  
telephone: 405-377-0412  
date: March 4, 2013

---

### Additional Documentation

Submit the following items with the completed form:

- **Maps:** A **USGS map** or equivalent (7.5 or 15 minute series) indicating the property's location.
- **Sketch map** for historic districts and properties having large acreage or numerous resources. Key all photographs to this map.
- **Additional items:** (Check with the SHPO, TPO, or FPO for any additional items.)

Ballard Creek Roadbed

Adair, Oklahoma

Name of Property

County and State

### Photographs

Submit clear and descriptive photographs. The size of each image must be 1600x1200 pixels (minimum), 3000x2000 preferred, at 300 ppi (pixels per inch) or larger. Key all photographs to the sketch map. Each photograph must be numbered and that number must correspond to the photograph number on the photo log. For simplicity, the name of the photographer, photo date, etc. may be listed once on the photograph log and doesn't need to be labeled on every photograph.

### Photo Log

Name of Property: Ballard Creek Roadbed

City or Vicinity: [REDACTED]

County: Adair

State: Oklahoma

Photographer: Mary Jane Warde

Date Photographed: January 23, 2013

Description of Photograph(s) and number, include description of view indicating direction of camera:

Photograph	Subject	Direction
0001	Emergence of roadbed at the south end, Point A	North/northwest
0002	Roadbed beyond Point A	North
0003	Roadbed at Point B, south fence line and curve of creek	Northwest
0004	Roadbed near Point C, along curve of creek	Northwest
0005	Roadbed beyond Point C	Northwest
0006	Roadbed beyond Point C at fence line	West
0007	Roadbed	West/Northwest
0008	Roadbed near Point D	East/Northeast
0009	Roadbed northwest end	East/Northeast

**Paperwork Reduction Act Statement:** This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C.460 et seq.).

**Estimated Burden Statement:** Public reporting burden for this form is estimated to average 100 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Office of Planning and Performance Management, U.S. Dept. of the Interior, 1849 C. Street, NW, Washington, DC.

Ballard Creek Roadbed  
Westville Vicinity, Adair County, Oklahoma

**Map Redacted**