

**United States Department of the Interior
National Park Service**

**National Register of Historic Places
Continuation Sheet**

Section number _____ Page _____

SUPPLEMENTARY LISTING RECORD

NRIS Reference Number: 00001057

Date Listed: August 11, 2005

Property Name: Bear Creek Fishweir #1

County: Tishomingo

State: Mississippi

none
Multiple Name

This property is listed in the National Register of Historic Places in accordance with the attached nomination documentation subject to the following exceptions, exclusions, or amendments, notwithstanding the National Park Service certification included in the nomination documentation.

for Daniel J. Vira

Signature of the Keeper

August 11, 2005
Date of Action

Amended Items in Nomination:

Section 8. Statement of Significance

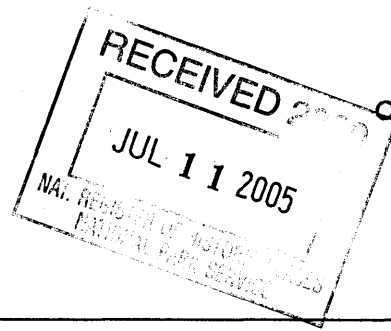
Maritime history is hereby removed as an area of significance.

[This change was made in consultation with and approved by the National Register staff of the Mississippi SHPO.]

The Mississippi State Historic Preservation Office was notified of this amendment.

DISTRIBUTION:

**National Register property file
Nominating Authority (without nomination attachment)**



**NATIONAL REGISTER OF HISTORIC PLACES
REGISTRATION FORM**

1. Name of Property

historic name: Bear Creek Fishweir # 1
other names/site number: 22-Ts-1604

2. Location

street & number: Tishomingo State Park not for publication ___
city or town: Tishomingo vicinity X
state: Mississippi code: Ms county: Tishomingo code: 141 zip code: 38873

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act of 1966, as amended, I hereby certify that this X 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 X meets ___ does not meet the National Register Criteria. I recommend that this property be considered significant ___ nationally X statewide ___ locally. (___ See continuation sheet for additional comments.)

Kimberly H. P. Paul July 8, 2005
Signature of certifying official Date

Deputy State Historic Preservation Officer
State or Federal agency and bureau

In my opinion, the property ___ meets ___ does not meet the National Register criteria. (___ See continuation sheet for additional comments.)

Signature of commenting or other official Date

State or Federal agency and bureau

4. National Park Service Certification

I, ~~hereby~~ certify that this property is:
___ entered in the National Register,
___ See continuation sheet.
___ determined eligible for the
National Register
___ See continuation sheet.
___ determined not eligible for the
National Register
___ removed from the National Register
___ other (explain): _____

for Daniel J. Vician 8/11/05
Signature of the Keeper Date of Action

5. Classification

Ownership of Property: Public-State

Number of Resources within Property:
(Do not include previously listed resources in the count)

Category of Property: Structure

Contributing

Noncontributing

buildings

sites

structures

objects

Total

1

1

Name of related multiple property listing

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

**Number of contributing resources previously listed
in the National Register**

N/A

0

6. Function or Use

Historic Functions:

Subsistence/fishing facility

Current Functions:

Landscape: underwater

7. Description

Architectural Classification(s):

Other/fishweir

Materials:

foundation:

roof:

walls:

other: large sandstone rocks

Narrative Description:

See Continuation Sheets

8. Statement of Significance

Applicable National Register Criteria

- 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.

Areas of Significance

Engineering
Maritime History

Period of Significance

unknown (prehistoric to 1930s)

Significant Dates

N/A

Criteria Considerations:

Property is:

- A** owned by a religious institution or used for religious purposes.
- B** removed from its original location.
- C** a birthplace or a grave.
- D** a cemetery.
- E** a reconstructed building, object, or structure.
- F** a commemorative property.
- G** less than 50 years of age or achieved significance within the past 50 years.

Significant Person(s)

N/A

Cultural Affiliation(s)

N/A

Architect/Builder

N/A

Narrative Statement of Significance:

See continuation sheets.

9. Major Bibliographical References

Bibliography See continuation sheet.

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

Primary Location of Additional Data

- State Historic Preservation Office
- Other State agency
- Federal agency
- Local government
- University
- Other

Name of repository:

10. Geographical Data

Acreage of Property: less than 1 acre

UTM References: Zone: Easting: Northing:
 16 391560 3828650

Verbal Boundary Description See continuation sheet.

Boundary Justification: See continuation sheet.

11. Form Prepared By

name/title: John Connaway, Archaeologist
 organization: Mississippi Department of Archives and History
 date: June 2005
 street & number: P.O. Box 571 telephone: 601-576-6940
 city or town: Jackson state: MS zip code: 39205

Additional Documentation

Submit the following items with the completed form:

Continuation Sheets

Maps

A USGS map (7.5 or 15 minute series) indicating the property's location.

A sketch map for historic districts and properties having large acreage or numerous resources.

Photographs

Representative black and white photographs of the property.

Additional items (Check with the SHPO or FPO for any additional items)

Property Owner(s)

name: Mississippi Department of Wildlife, Fisheries, and Parks
 street & number: P.O. Box 880 telephone: 662-
 438-6914 city or town: Tishomingo state: MS zip code: 38873

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. 470 et seq.).

Estimated Burden Statement: Public reporting burden for this form is estimated to average 18.1 hours per response including the 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 Chief, Administrative Services Division, National Park Service, P.O. Box 37127, Washington, DC 20013-7127; and the Office of Management and Budget, Paperwork Reductions Projects (1024-0018), Washington, DC 20503.

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**NATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEET**

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Bear Creek Fishweir #1
Tishomingo County, Mississippi

Narrative Description:

The weir consisted basically of a single wing stretching from the south bank of Bear Creek, across the creek in a northeasterly direction for approximately 38 to 40 meters, where it opened into a chute near the north bank (see diagram). There were rocks along the south side of the chute for approximately another 8 or so meters, but these were mostly underwater and had been scattered by people clearing the opening for canoes to go through, as well as by movement by the current, which was quite strong, fast, and dangerous at that point. This danger of being unfooted and falling into the creek made it difficult to get accurate measurements at the chute end of the long wing. The approximate northeast half of the weir's south wing was also partially underwater and the current prevented safe access to it, so that portion was estimated by using transit angles and other measurements across the creek. Stadia measurements were taken on the north side of the creek for distance and angle measurements on that side.

The north "wing" consisted of a very large sandstone boulder resting in the edge of the creek and some other large sandstone slabs just to the south of it and paralleling, as well as resting against, the north bank (see diagram). This appeared to be mostly a natural rockfall with perhaps a few extra slabs thrown in, so basically the constructed portion was the south wing itself. In this area along the bluffs of the north or west side of the creek there were numerous outcrops of feruginous sandstone which was used to construct the weirs in the area.

Rocks used to construct the south wing ranged from about 36 to 56 cm in width, with the average around 40 to 45 cm. Most are angular, flat slabs. There are also smaller fragments, along with stream-bottom gravel and sand washed in among the larger rocks. Three of the larger rocks used for reference points along the wing and near the south end measured 84 by 49 cm, 68 by 60 cm, and 80 by 58 cm in width; a fourth situated about a fourth of the way north along this wing measured 114 by 90 cm, while a fifth about midway of the wing measured 90 by 80 cm in width. At this mid-point, the wing spread to a width of about 3.2 meters; at the fourth rock, the wing spread was about 2.2 meters; while near the south end at the third rock, it spread to a width of about 2.6 meters. Apparently there has been less damage and movement of rocks by current near the south end where much of it has been covered with sand and gravel. The stream flows northeastward here at an angle of about N. 60° E.

There were no visible remains of a trap in the chute, that having been probably destroyed or washed away long ago. The current is very swift through this gap and the creek bed could not be seen in the turbulence. There was also little evidence of any wood posts having been used in the construction. Two poles were found lying horizontally and protruding from the sand/gravel shelf near the south end of the wing (just to left of "datum" in diagram), parallel to one another and paralleling the wing. Both had V-shaped sharpened ends exhibiting steel axe cuts, suggesting an historic period origin, both similar in cut technique and size to posts found in other weirs in the state. However, neither could be removed for further examination, being wedged tightly beneath large rocks and imbedded in the gravel. It is possible that both could have washed in and lodged against the weir from some location upstream, and they could not be proven to be components of this weir. Information above from Connaway 1999.

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Bear Creek Fishweir #1
Tishomingo County, Mississippi

Narrative Statement of Significance

The significance of the Bear Creek Fishweir #1 lies primarily in two areas, engineering and maritime history. These two areas are inter-related in this case in that the techniques used to construct the weir, the design principles by which it operated, and its function are all derived from an historical continuum dating back thousands of years in prehistoric North America. Fishweir technology and utilization have been recorded over most of North America from, for example, as early as the Sebasticook Fishweir in Maine, dating between 1,760 and 5,080 B.P. (Petersen et. al. 1994: 197-223), until as late as the 1950s. Hubbert and Wright (1987:100) estimate the use of fishweirs at least as early as the Middle Archaic period and possibly earlier. In Alabama many of the earlier rock fishweirs were repaired and used by Europeans up until the early 1950s when they were outlawed there. (Hubbert and Wright 1987:100). Such weirs were in use in Tennessee at least up until ca. 1939, although the State Department of Game and Fish tried to discourage their use by dynamiting them as early as 1915 (Cobb 1978:45). The use of weirs to catch game fish and the construction of weirs that completely blocked any running streams were outlawed in Mississippi in 1922. (Laws of Mississippi 1922), but with certain restrictions were still in use until as late as 1938. (Connaway 1999).

The design and construction techniques remained essentially unchanged over the long period of time mentioned above. With the exception of tidal weirs and special types built as traps around flowing springs, the basic design is a V-shaped dam with an opening for a trap at the downstream apex of the V. Depending on availability of materials, the dams were constructed of either large rocks or wooden posts or poles driven into the stream bottom, or combinations thereof. The preferable rock dams were more favorable against stream current force. If posts were used, some form of obstruction was attached or woven between them to prevent fish from escaping. This included brush, limbs, woven mats, boards, hogwire, and chicken wire. In both cases, there was usually a short chute constructed at the mouth of the weir where the trap was placed.

In prehistoric times, traps varied, including, woven baskets, fenced enclosures, nets and other similar devices. In historic times, traps were usually constructed like a rectangular box, sloping upward toward the lower or downstream end, with open slats in the bottom for the passage of water and small, unusable fish. The slats were arranged in tiers, stair-step fashion so that fish passing over them would fall behind the end of each step and get caught there. Though the Bear Creek Fishweir #1 had a chute at the apex, no evidence of the trap was visible. Anchor posts would be the most likely part to survive, but if any portions of them remained, they were obscured by deep water and strong current.

The function of the weir also remains unchanged through the ages, that of mass procurement of fish for food at times when local communities, both prehistoric and historic, were dependent to some extent on natural resources for subsistence. At a certain time of year when some fish species are spawning, these weirs were operating at their peak and were of great economic importance to the people who used them. They provided an easily acquired meat source in areas and at times when meat may not have been plentiful. This was especially true during prehistoric times, during early European settlement of this country, and during the depression era of the 1930s.

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Bear Creek Fishweir #1
Tishomingo County, Mississippi

The Bear Creek Fishweir #1 represents one of the better preserved fishdams recorded to date in Mississippi, exemplary of the style and construction techniques used both during the prehistoric and historic periods, up until the early twentieth century, one that has now all but disappeared. It is significant in that it illustrates the practical application of specific design and construction techniques to build a structure to serve certain human needs, the procurement of a certain kind of food, namely protein.

There are five other fishweirs upstream on Bear Creek, (Leatherwood 22-Ts-1611, Mann 22-Ts-1609, Cain 22-Ts-1612, Boggs 22-Ts-1610 and Bishop in Alabama). All are built of rocks in a similar V shape. There was also another large weir downstream from these that has been well documented as to origin and we have a photograph of it in use in 1925. Unfortunately, it is under Pickwick Lake and is in undetermined condition. The particular significance of the Bear Creek weirs #1 and #2 is that each is one of the better preserved specimens of rock weirs in the state along with the Ponta Creek #1 and the Sucamoochee River weirs. Most of the other recorded weirs are remnants that have suffered damage from flooding and floating debris and from being destroyed by game wardens. Most have portions that have been blown out, leaving only remnants that are barely recognizable as weirs. The Leatherwood weir (22-Ts-1611) was destroyed by game wardens in the 1930s, the Mann weir (22-Ts-1609) has been mostly leveled out by flooding. The Cain weir (22-Ts-612) was destroyed for the most part by channelization for the Bear Creek Floodway by TVA in 1971-72. The Bishop weir on Bear Creek in Alabama is still in fairly good condition, but in all cases a lot of the rocks in the dams have been scattered or displaced by strong currents or debris. By comparison, Bear Creek #1 (and Bear Creek #2) are better preserved and seem to have been the subject of more recent maintenance and repair.

The Bear Creek # 1 weir, according to Curtis Leatherwood (who was 82 years old in the year 2000) was either built or rebuilt by his father, William Wiley Leatherwood. Curtis thinks there were existing rocks there at the site before the 1920s. Its historic use has therefore been documented but its origin is still in question. The Leatherwood weir, about three miles upstream from Bear Creek # 1, was built in the 1920s according to Curtis Leatherwood. He says that it was built and used by the Leatherwoods, including Curtis as a young man, and some others in the community. The younger men gathered the rocks and the older men hand hewed the wooden beams to be placed in the trap. Parts of these beams are still there in or near the weir remnant. According to Curtis, several people in the community had designated days that they could collect all of the fish from the weir for that day, demonstrating the community use similar to the Fishtrap Bluff weir. The Cain Weir has been documented through interviews with family members and others as having been used in the 1920s as a local community endeavor, with three Cain families and other families involved. Travis Cain, a small boy at the time the weir was operating, says that it was built by members of the Valley community, including his father and grandfather, and was strictly a local subsistence device, never used commercially. They quit using the weir around 1928-1930 after it was changed to conform to a law that required it to have an opening for fish to bypass it and few fish were caught thereafter. The Mann Weir, according to 90 year old (in 2000) William H Mann, was built maintained and operated by his father, James H. Mann, in the early twentieth century. It had to be repaired every year due to damage to the stone dam and the wooden fall trap by flooding and floating logs, a similar occurrence with the other weirs. Mr. Mann occasionally sold fish on his way to school for spending money., but the weir was not a commercial enterprise.

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Bear Creek Fishweir #1
Tishomingo County, Mississippi

The Bear Creek #1 Fishweir is significant in that it was the result of human effort and activity to serve their needs during difficult times. If this particular weir was, in fact, used historically (as is indicated by Mr. Leatherwood's statements), which could easily be the case since others were known to be in use on Bear Creek during the early twentieth century, it would thus fit into the context of local community history and significance, as well as representing the state-wide significance of similar endeavors in other parts of Mississippi during this particular time frame. It would be an expression of the late nineteenth through early twentieth century community life and community involvement and sharing in an economic endeavor that cannot be readily seen in other remaining structures from that period.

It might be considered of national significance in that it reflects an historic function and technology that was in common use over most of North America for thousands of years, but which is no longer legal and thus relegated to a niche in the prehistoric and historic past. It is typical of such structures that were commonplace throughout North America during past times, serving a function that has since been replaced by other commercial enterprises and technologies. This structure is a good specimen of its type and thus an important example of a particular building practice during its limited time in history, related to its predecessors through a cultural tradition carried on for millennia by prehistoric peoples and inherited by Euro-American settlers. It is part of our heritage that is fast disappearing through such modern practices as stream channelization, along with natural erosion, silting and channel displacement.

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Bear Creek Fishweir #1
Tishomingo County, Mississippi

Bibliography:

Cobb, James E.

1978 Historic Fish Traps on the Lower Holston River. *Tennessee Anthropologist* 3(1): 31-58.

Connaway, John M.

1999 The Fishweirs of Mississippi and Beyond. Mississippi Department of Archives & History, in press.

Hubbert, Charles M. and Richard A. Wright

1987 Lalakalka, the Fishing Place: Another Way of Seeing the Archaeology of the Rother L. Harris Reservoir. *Journal of Alabama Archaeology* 33(1).

Laws of Mississippi. 1922

Chapter 181, sections 15(b) and 16(c).

Petersen, James B., Brian S. Robinson, Daniel F. Belknap, James Stark, and Lawrence K. Kaplan

1994 An Archaic and Woodland Period Fish Weir Complex in Central Maine. *Archaeology of Eastern North America* 22: 197-223.

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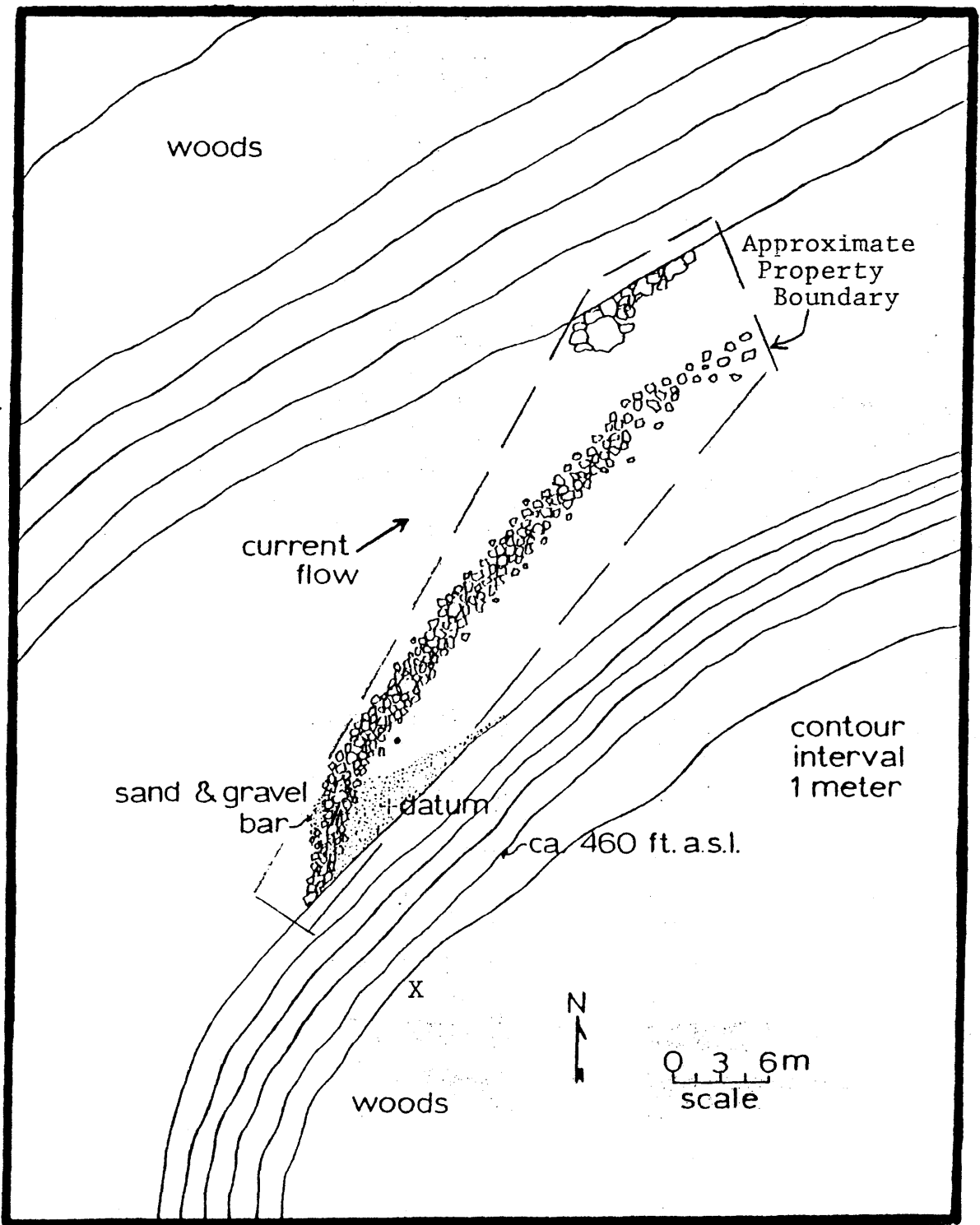
Bear Creek Fishweir #1
Tishomingo County, Mississippi

Verbal Boundary Description:

The weir is located in the E ½, SW ¼, SE ¼, SW ¼, Section 31, Township 5 South, Range 11 East. Except for a short chute near the northwest bank, as shown in the diagram, the weir remains are essentially in a straight line from bank to bank. GPS data was not available at the time of recording to give precise UTM coordinates for the two ends of the structure.

Boundary Justification:

The structure is small and is situated in Bear Creek within a valley bordered by a steep, wooded hillside on the northwest side and a narrow, wooded floodplain on the southeast side. The only essentially permanent and easily accessible reference feature is the fishweir itself. Mapping of the weir was done from an arbitrary point on the south bank ("datum" in the diagram), 3.1 meters due east of the wing centerline at a point ca. 6 meters northeast of the south end of the wing at the south bank (see diagram).



BEAR CREEK FISHWEIR #1 TISHOMINGO COUNTY, MISSISSIPPI
 X = Vantage point of Photo #1