

**NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY - NOMINATION FORM**

(Type all entries - complete applicable sections)

STATE: Tennessee	
COUNTY: Hamilton	
FOR NPS USE ONLY	
ENTRY NUMBER	DATE
	APR 11 1973

1. NAME

COMMON:
The Brown House (Representative Lamar Baker)

AND/OR HISTORIC:

2. LOCATION

STREET AND NUMBER: *about 10 miles NE of Ooltewah on Georgetown Pike*

CITY OR TOWN:
Ooltewah

STATE Tennessee	CODE 47	COUNTY: Hamilton	CODE 65
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3. CLASSIFICATION

CATEGORY (Check One)	OWNERSHIP	STATUS	ACCESSIBLE TO THE PUBLIC
<input type="checkbox"/> District <input type="checkbox"/> Site <input type="checkbox"/> Object	<input checked="" type="checkbox"/> Building <input type="checkbox"/> Structure <input type="checkbox"/> Private <input type="checkbox"/> Both	<input checked="" type="checkbox"/> Occupied <input type="checkbox"/> Unoccupied <input type="checkbox"/> Preservation work in progress	Yes: <input type="checkbox"/> Restricted <input type="checkbox"/> Unrestricted <input checked="" type="checkbox"/> No
PRESENT USE (Check One or More as Appropriate)			
<input checked="" type="checkbox"/> Agricultural <input type="checkbox"/> Commercial <input type="checkbox"/> Educational <input type="checkbox"/> Entertainment	<input type="checkbox"/> Government <input type="checkbox"/> Industrial <input type="checkbox"/> Military <input type="checkbox"/> Museum	<input type="checkbox"/> Park <input checked="" type="checkbox"/> Private Residence <input type="checkbox"/> Religious <input type="checkbox"/> Scientific	<input type="checkbox"/> Transportation <input type="checkbox"/> Other (Specify)

4. OWNER OF PROPERTY

OWNER'S NAME:
Sam H. Smith

STREET AND NUMBER:
Georgetown Pike, Route 3

CITY OR TOWN:
Ooltewah

STATE:
Tennessee

CODE:
47

5. LOCATION OF LEGAL DESCRIPTION

COURTHOUSE, REGISTRY OF DEEDS, ETC.:
Hamilton County Register's Office

STREET AND NUMBER:
Courthouse

CITY OR TOWN:
Chattanooga

STATE:
Tennessee

CODE:
47

6. REPRESENTATION IN EXISTING SURVEYS

TITLE OF SURVEY:

DATE OF SURVEY: Federal State County Local

DEPOSITORY FOR SURVEY RECORDS:

STREET AND NUMBER:

CITY OR TOWN:

STATE:

CODE:

SEE INSTRUCTIONS

STATE: Tennessee

COUNTY: Hamilton

ENTRY NUMBER

DATE

FOR NPS USE ONLY

APR 11 1973

7 DESCRIPTION

CONDITION	(Check One)					
	<input type="checkbox"/> Excellent	<input type="checkbox"/> Good	<input checked="" type="checkbox"/> Fair	<input type="checkbox"/> Deteriorated	<input type="checkbox"/> Ruins	<input type="checkbox"/> Unexposed
	(Check One)			(Check One)		
	<input checked="" type="checkbox"/> Altered	<input type="checkbox"/> Unaltered	<input type="checkbox"/> Moved	<input checked="" type="checkbox"/> Original Site		

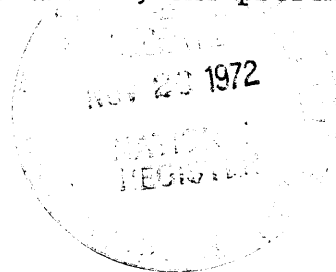
DESCRIBE THE PRESENT AND ORIGINAL (if known) PHYSICAL APPEARANCE

The Brown House, built circa 1828, is located on a farm on Georgetown Pike, near Ooltewah. Although visible from the road, it is not close to the pike. It is surrounded by farmland with a group of farm buildings, including a sizable barn and silo, immediately to the rear.

The house is a one-story brick dwelling with an L-wing, all set on a foundation of cut and dressed stone. There have been several additions to the house including a front porch. Some of these changes appear to be early: for example, there was probably always a wing of some form. There are exterior chimneys on each side of the main house as well as on the back of the wing. Most of the openings appear to be original. A unique feature is the rounded brick columns with stone bases flanking the front entrance. The mortar on the front side has been penciled.

The original interior plan of the main part of the house consisted of a central hall with a room to each side. Both rooms have carved mantels, simple in style, and somewhat crude in execution. The L-wing contains two rooms. Quite possibly the end room, which has a chimney, was the kitchen.

Although the house is not in the best condition, the present owners have struggled to stabilize it.



SEE INSTRUCTIONS

6. SIGNIFICANCE

PERIOD (Check One or More as Appropriate)

<input type="checkbox"/> Pre-Columbian	<input type="checkbox"/> 16th Century	<input type="checkbox"/> 18th Century	<input type="checkbox"/> 20th Century
<input type="checkbox"/> 15th Century	<input type="checkbox"/> 17th Century	<input checked="" type="checkbox"/> 19th Century	

SPECIFIC DATE(S) (If Applicable and Known) circa 1828

AREAS OF SIGNIFICANCE (Check One or More as Appropriate)

<input type="checkbox"/> Aboriginal	<input type="checkbox"/> Education	<input checked="" type="checkbox"/> Political	<input type="checkbox"/> Urban Planning
<input type="checkbox"/> Prehistoric	<input type="checkbox"/> Engineering	<input type="checkbox"/> Religion/Philosophy	<input type="checkbox"/> Other (Specify)
<input checked="" type="checkbox"/> Historic	<input type="checkbox"/> Industry	<input type="checkbox"/> Science	<u>Indian history</u>
<input type="checkbox"/> Agriculture	<input type="checkbox"/> Invention	<input type="checkbox"/> Sculpture	_____
<input checked="" type="checkbox"/> Architecture	<input type="checkbox"/> Landscape Architecture	<input checked="" type="checkbox"/> Social/Humanitarian	_____
<input type="checkbox"/> Art	<input type="checkbox"/> Literature	<input type="checkbox"/> Theater	_____
<input type="checkbox"/> Commerce	<input type="checkbox"/> Military	<input type="checkbox"/> Transportation	_____
<input type="checkbox"/> Communications	<input type="checkbox"/> Music		_____
<input type="checkbox"/> Conservation			_____

STATEMENT OF SIGNIFICANCE

SEE INSTRUCTIONS

James Brown, for whom the Brown House is named, was one of the most influential and wealthy members of the Cherokee Nation before its removal to the West in 1838.

As was true of many Cherokee leaders of this time, Brown was the son of a full-blooded Cherokee woman and a Scotch trader who had lived among the Indians. Some historians believe Brown was a brother of Elizabeth Ross, the first wife of the famous Cherokee chief, John Ross. This has not been proven. Brown was closely associated with Ross as one of the political leaders of the Cherokee Nation, both in Tennessee and Georgia, and later in Oklahoma.

Brown was a chief of the Cherokees as early as 1819, when he was one of the negotiators of the Treaty of 1819 by which the Cherokees gave up all their lands in East Tennessee north of the Tennessee River. By terms of the treaty, Brown, along with other Cherokees who were considered capable of managing their own affairs, was granted a reservation of land north of the river. Brown's white neighbors were not friendly, causing him to move across the river into territory which later became a part of the Cherokee Nation. He settled in the Long Savannah neighborhood about seven miles north of Ooltewah.

It was here that Brown built his house, circa 1828, and definitely by 1835 when it was known to be standing. The Cherokee census of 1835 shows that Brown had 100 acres of land under cultivation in Hamilton County, and that he owned 28 slaves. Brown, one of the wealthiest of the Cherokees, had amassed a fortune by trading.

With the establishment of the Cherokee Nation, Brown was elected judge of the Chickamauga District, and was later made judge of the Supreme Court of the Nation. In 1838 he was vice president of the National Council or Convention of the Nation. Along with John Ross, he served as a member of the committee to make with Gen. Winfield Scott all arrangements necessary for the removal of the Cherokees west of the Mississippi, and was one of the chiefs in charge of the removal. After the removal, Brown continued as vice president of the Council and was a member of

9. MAJOR BIBLIOGRAPHICAL REFERENCES

Brandau, Roberta Seawell. History of Homes and Gardens of Tennessee. (Nashville: The Parthenon Press, 1936).
 Chattanooga Public Library Clipping File on the Brown House.
 Govan, Gilbert E., and Livingood, James W. The Chattanooga Country, 1540-1951: From Tomahawks to TVA. (Chapel Hill: The University of North Carolina Press, revised edition 1963).

10. GEOGRAPHICAL DATA

LATITUDE AND LONGITUDE COORDINATES DEFINING A RECTANGLE LOCATING THE PROPERTY				O R	LATITUDE AND LONGITUDE COORDINATES DEFINING THE CENTER POINT OF A PROPERTY OF LESS THAN TEN ACRES			
CORNER	LATITUDE				LONGITUDE			
	Degrees	Minutes	Seconds	Degrees	Minutes	Seconds		
NW	0	'	"	0	'	"		
NE	0	'	"	0	'	"		
SE	0	'	"	0	'	"		
SW	0	'	"	0	'	"		
	35°	11'	21"	85°	01'	17"		

APPROXIMATE ACREAGE OF NOMINATED PROPERTY: 5

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE:	CODE	COUNTY	CODE

11. FORM PREPARED BY

NAME AND TITLE:
Ellen Beasley

ORGANIZATION: Tennessee Historical Commission DATE: 11-8-72

STREET AND NUMBER:
403 7th Avenue, N.

CITY OR TOWN: Nashville STATE: Tennessee CODE: 47

12. STATE LIAISON OFFICER CERTIFICATION

NATIONAL REGISTER VERIFICATION

As the designated State Liaison Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service. The recommended level of significance of this nomination is:

National State Local

Name Michael J. Smith
Michael J. Smith

Title Executive Director
Tennessee Historical Commission

Date 11-10-72

I hereby certify that this property is included in the National Register.

Robert Utey
 Chief, Office of Archeology and Historic Preservation

Date 4/11/73

ATTEST:
Lois M. [Signature]
 Keeper of The National Register

Date 4-3-73

SEE INSTRUCTIONS

NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY - NOMINATION FORM

(Continuation Sheet)

STATE	Tennessee	
COUNTY	Hamilton	
FOR NPS USE ONLY		
ENTRY NUMBER		DATE
		APR 11 1972

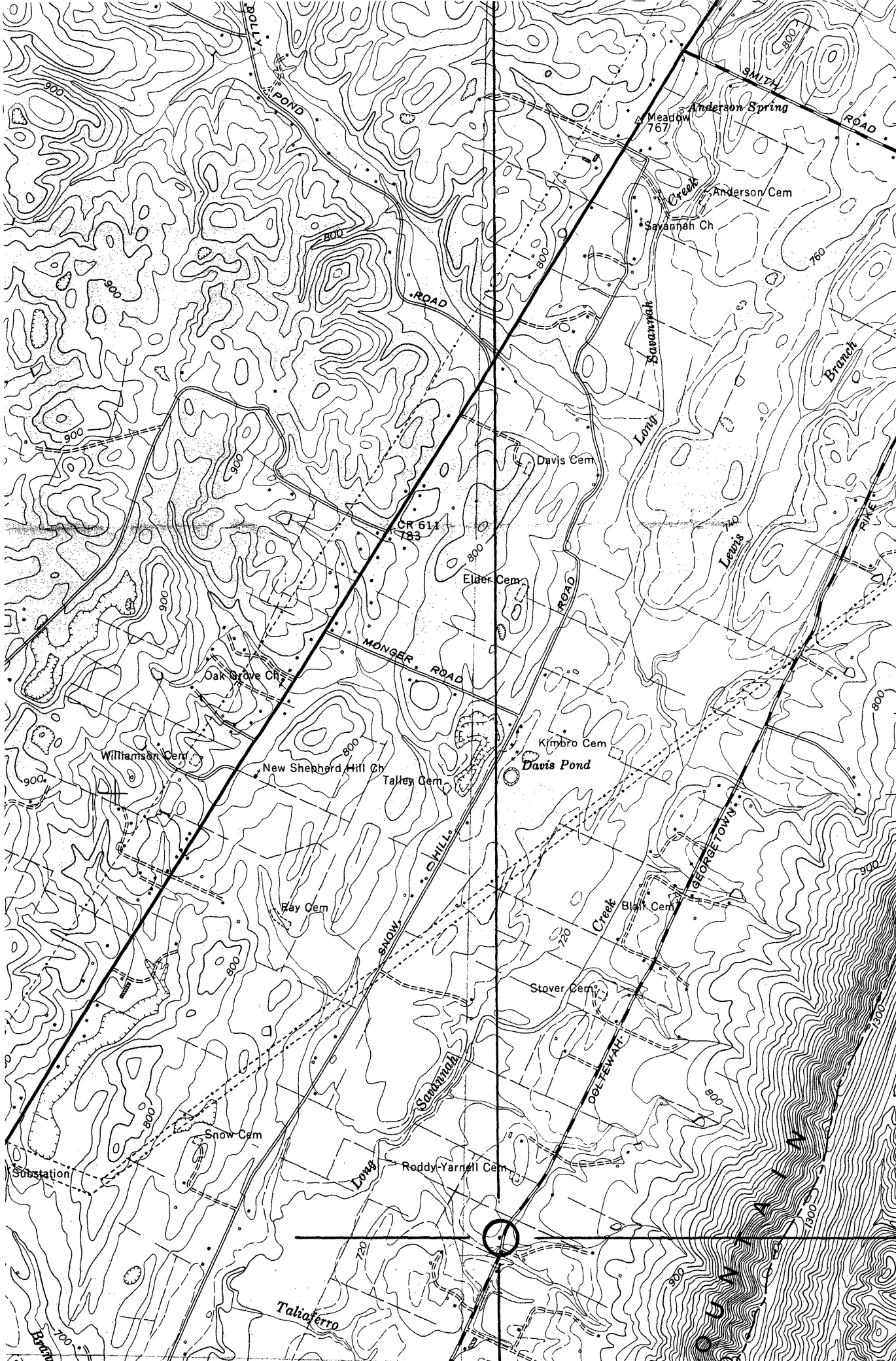
(Number all entries)

SIGNIFICANCE (cont.)

it in 1861, along with Ross, at the time of the outbreak of the Civil War.

With the Indians' removal in 1838, physician Dr. John L. Yarnell, who had married Brown's daughter, bought the house. Yarnell had settled among the Cherokees south of the Tennessee River and continued to practice medicine among the white people. The next owner of the house was Dr. Thomas H. Roddye, who married the Yarnells' only child. Roddye, who graduated from the medical college of the University of Nashville in 1857, was considered one of the best professionally trained rural doctors in Tennessee during this time. Since the late nineteenth century, there has been a succession of owners of the Brown House. The present owners acquired the property in 1947.

APR 20 1972



310 000
FEET

3901

6.0 MI. TO TENNESSEE 60

3899

3898

12' 30"

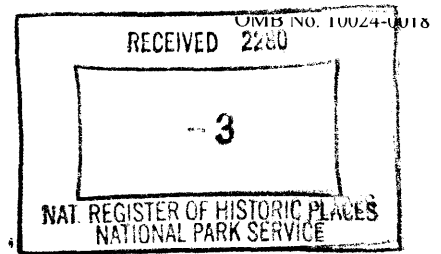
3897

3896

SOUTH CLEVELAND 120-NW/1
4054 III NW

35° 11' 2

73001781



**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 *How to Complete the National Register of Historic Places Registration Form* (National Register Bulletin 16A). Complete each item by marking "x" in the appropriate box or by entering the information requested. If an 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. Place additional entries and narrative items on continuation sheets (NPS Form 10-900a). Use a typewriter, word processor, or computer, to complete all items.

1. Name of Property

historic name Brown House (additional documentation)
other names/site number Yarnell House; Brown, James, Farmstead

2. Location

street & number 9521 Ooltewah-Georgetown Road NA not for publication
city or town Ooltewah vicinity
state TN code TN county Hamilton code 065 zip code 37363

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 for 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 nationally statewide locally. (See continuation sheet for additional comments.)

Richard G. [Signature] 11/1/06
Signature of certifying official/Title Date
Deputy State Historic Preservation Officer, Tennessee Historical Commission
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 certifying official/Title Date

State or Federal agency and bureau

4. National Park Service Certification

I hereby certify that the 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:) _____

Signature of the Keeper Date of Action
[Signature] 11-29-06

Additional Documentation Accepted

5. Classification

Ownership of Property
(Check as many boxes as apply)

Category of Property
(Check only one box)

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

- private
- public-local
- public-State
- public-Federal
- building(s)
- district
- site
- structure
- object

Contributing	Noncontributing	
0	3	buildings
2	0	sites
0	2	structures
0	0	objects
2	5	Total

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

NA

Number of Contributing resources previously listed in the National Register

1

6. Function or Use

Historic Functions

(Enter categories from instructions)

DOMESTIC: single dwelling

AGRICULTURE: agricultural outbuilding

Current Functions

(Enter categories from instructions)

VACANT

7. Description

Architectural Classification

(Enter categories from instructions)

Federal

Materials

(Enter categories from instructions)

foundation STONE: limestone

walls BRICK

roof ASPHALT

other WOOD

Narrative Description

(Describe the historic and current condition of the property on one or more continuation sheets.)

See Attached Sheets

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.)

Property is: N/A

- A owned by a religious institution or used for Religious purposes.
B removed from its original location.
C moved from its original location.
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.

Areas of Significance

(Enter categories from instructions)

- Social History
Ethnic Heritage: Native American
Architecture
Politics/Government

Period of Significance

c. 1828-1838

Significant Dates

1838

Significant Person

(Complete if Criterion B is marked)

Brown, James

Cultural Affiliation

NA

Architect/Builder

Unknown

Narrative Statement of Significance

(Explain the significance of the property on one or more continuation sheets.)

9. Major Bibliographical References

Bibliography

(Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

Previous documentation on file (NPS): N/A

- 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:

MTSU Center for Historic Preservation

Brown House (additional documentation)

Name of Property

Hamilton County, TN

County and State

10. Geographical Data

Acreeage of Property Approximately five acres (unchanged from original nomination)

UTM References

(Place additional UTM references on a continuation sheet.)

Unchanged from original nomination

1	<u> </u>	<u> </u>	<u> </u>	3	<u> </u>	<u> </u>	<u> </u>
	Zone	Easting	Northing		Zone	Easting	Northing
2	<u> </u>	<u> </u>	<u> </u>	4	<u> </u>	<u> </u>	<u> </u>

See continuation sheet

Verbal Boundary Description

(Describe the boundaries of the property on a continuation sheet.)

Boundary Justification

(Explain why the boundaries were selected on a continuation sheet.)

11. Form Prepared By

name/title Carroll Van West, with prior drafts by Jessica Davis and Jaime Woodcock

organization MTSU Center for Historic Preservation date March 1, 2006

street & number Middle Tennessee State University, Box 80 telephone 615-898-2947

city or town Murfreesboro state TN zip code 37132

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 Historic photo of main house taken in early 1900s

Interior floor plan prepared by Jon Buono for 2003 NPS Condition Assessment of James Brown House

Property Owner

(Complete this item at the request of SHPO or FPO.)

name Mr. E. Scott Smith

street & number 9521 Ooltewah-Georgetown Road telephone (423) 344-6029

city or town Ooltewah State TN zip code 37363

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 listing. 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 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 20303.

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 7 Page 1

Brown House (additional documentation)
Hamilton County, TN

DESCRIPTION

The Brown House (c. 1828-1838) is situated on a rise overlooking Georgetown Pike northwest of Ooltewah in Hamilton County, Tennessee. The Long Savannah Creek runs north of the property while the White Oak Mountains lie east of the property. The nominated property contains a Federal-style brick house and the c. 1828 remains of a storehouse and springhouse historically associated with James Brown. To the north of the house are two dairy silos (c. 1940), a milking shed (c. 1950) and a dairy barn (c. 1950) and a stock barn (c. 1950). These modern buildings are not associated with the period of significance and are non-contributing structures within the nominated boundaries.

The James Brown House (c. 1838) is a one-story brick symmetrical five-bay dwelling with central entrance, constructed in the Federal style, with an original ell built perpendicularly to the main block. The main body of the house measures 20 feet wide by 50 feet long, with a 20 by 30 foot ell wing. The foundation is composed of hand hewn, roughly dressed, limestone blocks. The bricks used to construct the walls of the house were handmade on site and measure approximately 8-8.25 inches by 4 inches by 3 inches. The faces of the completed brick walls were lightly stuccoed and the mortar joints decoratively penciled. A stepped cornice of molded brick completes the transition from wall to roof on each of the eave walls. The side-gabled roof, framed with pine pole rafters and covered at present with asphalt shingles nailed to one inch decking, originally utilized wooden shingles as covering.

The east façade consists of five bays arranged symmetrically with a central entrance. This central entrance is flanked on each side by two wooden, double-hung, nine-over-nine windows. Oddly, none of the openings in the walls employ structural lintels over them. This lack of support has contributed to the extensive cracks noticeable on the exterior. The entrance itself is single three-light wooden door with half-paneled sidelights and transom outlined with a "reeding" pattern molding¹. A modern aluminum screen/storm door protects the wooden door and the transom has been covered by a wooden board. The present front porch replaced the original portico c. 1920 and is comprised of a concrete slab resting on a foundation of historic cut limestone blocks. An engaged brick column sits on either side of the central entrance. These columns help to delineate the dimensions of the original portico, which had been removed. A shed roof supported by five pine poles resting on two feet tall squarish brick bases covers the present porch. The original hewn limestone bases of the columns of the c. 1838 portico remain extant.

The south elevation features a five and a half foot wide exterior single-shoulder brick chimney flanked by nine-over-nine, double-hung, wooden windows with limestone sills.

The north elevation contains the fallen rubble of an identical exterior chimney, but is flanked by a single wooden entrance door with three hewn limestone steps on one side, and a nine-over-nine, double-hung wooden window with a limestone sill on the other.

¹Jon Buono, *Condition Assessment of James Brown House* (National Park Service, 2003), 14.

National Register of Historic Places Continuation Sheet

Section number 7 Page 2

Brown House (additional documentation)
Hamilton County, TN

The ell wing of the north elevation contains three nine-over-nine double-hung wooden windows with limestone sills and a single wooden door with four limestone steps located between the second and third windows.

The west rear elevation has a large six foot eight inch wide exterior chimney once used for cooking. The west elevation also shows a filled-in porch constructed c. 1940. The walls of this porch are made of brick with a single wooden door flanked by two-over-two aluminum windows. There also is a modern brick bathroom addition, c. 1980, containing a central single wooden door entrance with two-over-two aluminum windows to the left of the entrance and a nine-over-nine double-hung wooden window to the right. This addition conceals the original west elevation brick wall and remains in a badly deteriorated condition.

The interior plan of the original house consists of a ten-foot wide central hall flanked by a twenty-foot square room on each side. A rear ell consisting of two rooms extends from the north front room to the west. The interior was extensively renovated during the 1940s, when electricity and indoor plumbing was installed, but some elements original to the house remain. The wall plaster has been repaired, but most remains intact. The two Federal-style paneled mantels and a six-panel wooden door of the east room are also thought to be original. In the 1940s a bathroom was added to the rear of the house. (C)

Store house ruins (c.1828) -- A rectangular foundation that measures thirty by twenty feet is believed to be the store house documented in the 1836 valuation of the property. The foundation consists of hand-hewn limestone blocks still laid up in small sections. Additional limestone blocks that once comprised the foundation now rest in a pile on the northern end of the site. (C)

Springhouse foundation (c.1828) -- The foundation consists of hand-hewn limestone blocks in a twenty-seven by thirteen foot rectangular layout. Limestone steps lead down from the existing grade. This springhouse was divided into two halves by a limestone wall. Water and mud now stand four and a half-feet deep on top of the stone floor. (C)

Dairy silo (c. 1940). A metal and concrete dairy silo is located to the northwest of the dwelling. (NC, due to lack of association with period of significance)

Dairy silo (c. 1940). A second metal and concrete dairy is located to the northwest of the dwelling. (NC, due to lack of association with period of significance)

Milking shed (c. 1950). A metal gable roof with concrete foundation frame milking shed is located to the northwest of the dwelling. (NC, due to lack of association with period of significance)

Dairy barn (c. 1950). A metal gable roof with concrete foundation frame dairy barn is west of the dwelling. (NC, due to lack of association with period of significance)

Stock barn (c. 1950). A metal gable roof frame stock barn is west of the dwelling. (NC, due to lack of association with period of significance)

United States Department of the Interior
National Park Service

National Register of Historic Places

Continuation Sheet

Section number 7 Page 3

Brown House (additional documentation)
Hamilton County, TN

The James Brown Farmstead has a high degree of integrity in its location, setting, feeling, and association. The views of the valley and the open countryside are outstanding. Deterioration of the house has set in during the last five years, but the property owner has taken steps to protect the building from further deterioration. Despite the damage, the dwelling still retains all of its historical defining features and reflects well its original design, materials, and workmanship, as noted in the 2003 assessment report by the National Park Service.

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 8 Page 3

Brown House (additional documentation)
Hamilton County, TN

STATEMENT OF SIGNIFICANCE

Located on a prominent rise facing an Appalachian mountain valley, the James Brown Farmstead has been long recognized as a landmark of Cherokee history, settlement, and removal in Hamilton County, Tennessee. The James Brown Farmstead in Hamilton County, Tennessee, is significant due to its associations with James Brown, an important Cherokee leader from 1806 to 1863, and the theme of westward expansion, especially the relationship between that theme and the related sub themes of Cherokee nationalism, Cherokee removal, and the Trail of Tears. This revised nomination does not change the period of significance, level of significance, or areas of significance. It provides additional documentation, clarifies the count of resources, and clarifies the areas of significance.

I. Past Documentation of the Property's Significance

The first statewide identification of the James Brown Farmstead as a significant landmark came in the 1930s. In the *History of Homes and Gardens of Tennessee*—the state's first such compilation of historic houses—Landau identified the property as the “Yarnell Home (Indian House), Ooltewah,” and described the place as follows:

James Brown, builder of the brick house near Snow Hill which has been known for many years as Yarnell House, was a prominent Cherokee chief who fished and hunted and traded in the district that is now Hamilton County.

Under the treaty of 1819, Brown had been granted a reservation north of the Tennessee River, but the unfriendliness of white neighbors caused him to move across the river within the bounds of the Cherokee Nation. He settled in the Big Savannah neighborhood, six miles north of Ooltewah, where he built a home which he occupied until removal of the tribe in 1838.

In 1825 the Cherokees adopted a civilized form of government, and James Brown was elected Judge of the Chickamauga District. Being a man of superior talent and ability, he was later made Judge of the Cherokee Supreme Court.

In the year 1835 Brown had one hundred acres of land under cultivation in Hamilton County, and was the owner of twenty-eight slaves. He was considered one of the wealthiest among the Cherokees, having amassed a fortune by trading.

The daughter of Judge Brown, Jane, was educated at the Brainerd Mission, and in 1835 married Dr. John L. Yarnell, a physician who settled among the Indians. After the removal of the Cherokees, Dr. Yarnell bought the property of his father-in-law from which he carried on his practice among the

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 8 Page 4

Brown House (additional documentation)
Hamilton County, TN

white people who settled in the district as soon as it had been vacated by the Indians.”²

Almost forty years later, when the James Brown House (NR 4/11/1973) was nominated to the National Register of Historic Places by Ellen Beasley of the Tennessee Historical Commission, the narrative of what the Brown House was, what it represented, and why it was significant had changed little. The significance statement recorded:

James Brown, for whom the Brown House is named, was one of the most influential and wealthy members of the Cherokee Nation before its removal to the West in 1838.

As was true of many Cherokee leaders of this time, Brown was the son of a full-blooded Cherokee woman and a Scotch trader who had lived among the Indians. Some historians believe Brown was a brother of Elizabeth Ross, the first wife of the famous Cherokee chief John Ross. This has not been proven. Brown was closely associated with Ross as one of the political leaders of the Cherokee Nation, both in Tennessee and Georgia, and later in Oklahoma. [The Ross connection had been introduced into the popular narrative by a Chattanooga newspaper columnist, Alfred Mynders, in 1924. The Mynders column, a copy of which was in the research files on the Brown House at the Chattanooga-Hamilton County Public Library, served as a basic source for the remainder of the original National Register significance statement.]

Brown was a chief of the Cherokees as early as 1819, when he was one of the negotiators of the Treaty of 1819 by which the Cherokees gave up all their lands in East Tennessee north of the Tennessee River. By terms of the treaty, Brown, along with other Cherokees who were considered capable of managing their own affairs, was granted a reservation of land north of the river. Brown's white neighbors were not friendly, causing him to move across the river into territory which later became a part of the Cherokee Nation. He settled in the Long Savannah neighborhood about seven miles north of Ooltewah.

It was here that Brown built his house, c. 1828, and definitely by 1835 when it was known to be standing. The Cherokee census of 1835 shows that Brown had 100 acres of land under cultivation in Hamilton County, and that he owned 28 slaves. Brown, one of the wealthiest of the Cherokees, had amassed a fortune by trading.

With the establishment of the Cherokee Nation, Brown was elected judge of the Chickamauga District, and was later made judge of the Supreme Court of the Nation. In 1838 he was vice president of the National Council on Convention of the Nation. Along with John Ross, he served as a member of the committee to make with Gen. Winfield Scott all arrangements necessary for the removal of the Cherokees west of the Mississippi, and was one of the chiefs in charge of the removal. After the

² Roberta Seawell Landau, *History of Homes and Gardens of Tennessee* (Nashville: The Parthenon Press, 1936), 54.

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 8 Page 5

Brown House (additional documentation)
Hamilton County, TN

removal, Brown continued as vice president of the Council and was a member of it in 1861, along with Ross, at the time of the outbreak of the Civil War.

With the Indians' removal in 1838, physician Dr. John L. Yarnell, who had married Brown's daughter, bought the house. Yarnell had settled among the Cherokees south of the Tennessee River and continued to practice medicine among the white people."

The National Register nomination of 1973 emphasized Brown's significant role in the Cherokee Removal, and recommended that its nomination be for its local significance.

With the creation of the Trail of Tears National Historic Trail, there was renewed interest in the John Brown House, which had been neglected in recent years. In 2003, Jon Buono, a historical architect with the National Park Service, produced the next major piece of documentation about the James Brown House, titled "Condition Assessment of James Brown House." In the report's historical background and context, Buono largely repeated the historical narrative of the 1973 National Register nomination. However, he did add that "it is reported that he [Brown] owned and operated a race track in addition to horse breeding. It has been previously suggested that Brown's slaves were used in the construction of his home. The bricks are certainly hand-made, and were likely created onsite."³

Buono's major contribution to the property's documentation was his brief description of the house's significance as an excellent example of Federal style architecture in Tennessee. He concluded:

Given Brown's success as a trader and the evidence of his travels, he may have had contact with skilled craftsmen. In addition, the livelihood of many craftsmen and apprentices was dependent on their ability to journey and gain work in rural areas. But, as has been suggested, the construction of the Brown home may be directly the work of slave labor. Especially in the South, the organization of the trade of craftsmen was complicated by the competition of well-trained slaves. If Brown's slaves did perform this level of construction, they were uniquely skilled and certainly his most valuable slaves, if not property.⁴

Buono's report next explored the Trail of Tears association with the house and with Brown. After an overview of the state and federal laws and treaties that led to removal in 1838, Buono repeated the National Register nomination's statements on Brown's association with the removal. Then he added, however, key information on how Brown led a detachment of 850 Cherokees on the trail's northern route, beginning in September 1838 and arriving in Indian Territory in March 1839 with 717 in his group.

II. Assessing the National Significance of the James Brown Farmstead

³ Buono, 7.

⁴ *Ibid.*, 8.

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 8 Page 6

Brown House (additional documentation)
Hamilton County, TN

Three documentary reports over approximately seventy years clearly identify that the James Brown farmstead has significance; the issue that has evolved is who built the brick house and when was it built. The 1973 National Register nomination marked that the property was locally significant. The 2003 NPS report makes a case for national significance due to the property's association with the Cherokee Removal and the Trail of Tears National Historic Trail. But these prior efforts leave many gaps, both in documentation and in analysis. The national significance of the James Brown farmstead is a more complex story, involving more than just the house, one that only emerges once the property is placed within the context of new scholarship and once the old narrative is looked at with a different perspective and old evidence, both written and onsite, is re-evaluated.

The mountainous corner where North Carolina, Tennessee, and Georgia meet along the river valleys of the Tennessee, Hiwassee, and Ocoee rivers was a refuge of Native American culture, and a place of considerable interaction between white traders, African American slaves, and native peoples—a tri-cultural society—for several decades. “After the Revolution, and before the Removal,” historian Tom Hatley has emphasized, “the Cherokees would engage in a remarkable renaissance, managed and presented to the American public by métis [mixed blood is perhaps a more appropriate term] Cherokee planters and white sympathizers and missionaries. Yet these families remained profoundly in the middle, between two societies whose drift apart already had a long history and momentum behind it.”⁵

Hatley's generalized comment provides insight into the deeper significance of both James Brown and of his farmstead in northern Hamilton County, Tennessee. James Brown was the son of a full-blooded Cherokee woman and a Scottish trader, John Brown, born near the end of the American Revolution in 1780. As he took on the life of a trader and planter, he mixed both native and white traditions as his father had. James Brown sent his daughter Jane to Brainerd Mission where she was taught by white missionaries and others sympathetic to the needs and plight of the Cherokees. Brown continued to exemplify Hatley's mixed-blood Cherokee elite, stuck in the middle between the worlds of trade, reciprocity, and frontier exchange that his family had achieved with the Cherokees and the lifestyle and material culture that accompanied the status of being a planter in the Tennessee valley. As Hatley explains, the Cherokee mixed blood elites, who came “to possess the accoutrements of large landowners—cattle, slaves, land—and managed their families in the style of white patriarchy,” still rarely met with anything but white hostility and indifference. Even when these families in the early nineteenth century, “mainly in northern Georgia and the Tennessee River valley, “erected respectable white clapboard houses with the help of black hands,” they remained in the middle ground between a native world and a white world.⁶ Brown tried that balancing act for the first time in the early 1820s when he attempted to live on one of the reserved properties that he and the other Cherokee elites had negotiated for themselves. But within a few years, with whites remaining “not friendly” to him, Brown

⁵ Tom Hatley, *The Dividing Paths: Cherokees and South Carolinians through the Era of Revolution* (New York: Oxford University Press, 1993), 240.

⁶ *Ibid.*, 232-33.

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 8 Page 7

Brown House (additional documentation)
Hamilton County, TN

left the reserve and returned to Cherokee land south of the Hiwassee, where he made his home and established a track for horse racing, a clear sign of his association with the lifestyle of the planter elite.

What does the story of Brown and his shifting fortunes along the Tennessee River tell us about still larger, more national patterns in American history besides his “middle ground” position as a Cherokee planter? Historian Daniel Unser recently observed that “for a long time American Indian history followed anthropology’s ethnographic preoccupation with single tribal groups, reconstructing precontact societies and then tracing predictably deleterious effects of European colonialism and American expansionism upon them.” He found new insight, however, from a generation of scholarship that is “more interested in the everyday lives of natives and newcomers within wider regional contexts. We are consequently discovering that, in many different places over various lengths of time, Indians interacted with Europeans and Africans more openly and mutably than imperial policies officially permitted.”⁷

The story of James Brown and his Hamilton County farmstead is one of those different places where from c. 1828 to 1838, multi-cultural interaction took place until the forced removal of Brown and thousands of others and the start of the Trail of Tears. The potential of this property to add a significant layer of history and meaning to the national narrative of American Indian history, the westward movement, the frontier experience, and the Trail of Tears is further compounded by what we have learned from several major new works from Peter C. Mancall, Kathryn Braund, James H. Merrell, Robbie Ethridge, and others. As Unser summarizes, the new scholarship has recovered

important periods and places from North America’s past that became obscure or forgotten because of their transitory nature. The very forces that eventually displaced or destroyed earlier worlds of cross-cultural interaction also inhibited later understanding of the non-Indians as well as Indians who occupied them. More careful examination of those ‘middle grounds’ is now revealing that the American Indian experience has been more integral to, and less separate from, the main story of American history.⁸

The story of the James Brown farmstead, in other words, not only tells us about the Trail of Tears experience; it also is a powerful document, in its history and its architecture, of how one prominent family attempted to negotiate the middle ground that existed on the southwest frontier between Scots, mixed bloods, Cherokees, African Americans, and white settlers—a pattern that shaped history not only in the Tennessee

⁷ Daniel H. Unser, Jr., *American Indians in the Lower Mississippi Valley: Social and Economic Histories* (Lincoln: University of Nebraska Press, 1998), 56.

⁸ *Ibid.*, 56-57; see Robbie Ethridge, *Creek Country: The Creek Indians and their World* (Chapel Hill: University of North Carolina Press, 2003); Kathryn E. Holland Braund, *Deerskins and Duffels: The Creek Indian Trade with Anglo-America, 1685-1815* (Lincoln: University of Nebraska Press, 1993); Peter C. Mancall, *Valley of Opportunity: Economic Culture along the Upper Susquehanna, 1700-1800* (Ithaca, NY: Cornell University Press, 1991); James H. Merrell, *The Indians’ New World: Catawbas and their Neighbors from European Contact through the Era of Removal* (Chapel Hill: University of North Carolina Press, 1989); Gregory E. Dowd, *A Spirited Resistance: the North American Indian Struggle for Unity, 1745-1815* (Baltimore: Johns Hopkins University Press, 1992).

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 8 Page 8

Brown House (additional documentation)
Hamilton County, TN

Valley but in almost every other place where whites, natives, and blacks interacted across the American frontier experience to the early twentieth century. It is also associated with the story of the Cherokee leaders who gained a sense of nationalism during the conflicts between the Cherokees and the federal government over removal and how a Cherokee leader, who fought with Andrew Jackson at the Battle of Horseshoe Bend against the Creek Indians and who lived the successful life of a planter, who also accepted the burden of leading a detachment of his fellow Cherokees across the Trail of Tears to Indian Territory, where for another twenty years he served the Cherokees as a judge and councilor.

III. A Chronological Narrative of James Brown and the James Brown Farmstead

His first independent mark came during the first serious federal push toward Cherokee removal during the administration of President Thomas Jefferson. Brown aligned himself with other mixed-bloods and young chiefs to form an anti-government faction among the Cherokee leadership to oppose federal treaties of 1805 and 1806. These men “maintained leadership for the next generation and, together with Ross, became the pillars of the rising nationalist program” of the Cherokees. Many of this new leadership class were mixed-bloods, “who dressed, thought, acted and lived like the nouveaux riches white cotton planters” but they “identified themselves as Cherokees,” and it was that affiliation that so infuriated government officials who found that the new leaders were not pliant and rather consistently resisted state and federal efforts to remove them to new lands for the next twenty years.⁹ The mixed-blood leaders, concluded historian David Edmonds, “were far removed from the common stereotypes of Indian leaders as war chiefs, ‘noble savages,’ or victims. As the new Indian history has illustrated, they were complex figures, representatives of complex societies, but they were people who controlled their own fortunes and who did much to shape the wealth of their tribal communities.”¹⁰

Brown and other young leaders further added to their status among Cherokees by their participation in the Creek War [or Red Sticks War] of 1813-1814, where their successes gave them a reputation as warriors. James Brown joined the command of Gideon Morgan, another mixed blood Cherokee, and served as a major in the horrific fighting between whites, Cherokees, and Creek at Horseshoe Bend, Alabama.¹¹

Five years later, again with Gideon Morgan, he was one of the white-recognized chiefs who signed the Calhoun Treaty of February 27, 1819, in which the United States acquired Cherokee lands northeast of the Hiawassee River and all remaining Cherokee lands located west of the Tennessee River. In exchange, federal officials promised 640-acre reservations for “the contracting parties” that would “include their improvements, and which are to be as near the centre thereof as possible,” and would include “each of the

⁹ William G. McLoughlin, “Thomas Jefferson and the Beginning of Cherokee Nationalism, 1806 to 1809,” *William and Mary Quarterly*, 3rd Ser., 32 (Oct., 1975): 557, 560; John R. Finger, *Tennessee Frontiers: Three Regions in Transition* (Bloomington: Indiana University Press, 2001), 218-222.

¹⁰ R. David Edmonds, “Native Americans, New Voices: American Indian History, 1895-1995,” *American Historical Review*, 100 (Jun., 1995): 731.

¹¹ Gary Moulton, ed. *The Papers of Chief John Ross*, 2 Volumes. (Norman, OK: The University of Oklahoma Press, 1985), II, 717-718.

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 8 Page 9

Brown House (additional documentation)
Hamilton County, TN

persons whose names are inscribed on the certified list annexed to this treaty, all of whom are believed to be persons of industry, and capable of managing their property with discretion, and have, with few exceptions, made considerable improvements on the tracts reserved.”¹² Why did the young chiefs of the Cherokees agree to this treaty? They sacrificed Tennessee lands in order to keep their Georgia homelands intact and contiguous to Creek lands. In addition, “what seemed clear—to the Cherokees at least—was the treaty’s implied promise that their would be no more demands on the tribal homeland, that the Cherokees could continue their strides toward civilization without threat of dispossession. And for the present, the federal government allowed them to believe it.”¹³

In October 1819, federal surveyor Robert Armstrong surveyed a 640-acre reservation, “on the north side of the public road trading [meaning trading road ?] from Washington [located on the west bank of the Tennessee River in present-day Meigs County] to John Brown’s ferry of Tennessee.” James Brown’s neighbors included Richard Timberlake, the mixed blood son of Lt. Henry Timberlake, who had visited and recorded the Cherokees in the 1770s. His brothers (or relations; records are unclear) John Brown, and William Brown also were among the other four Cherokee families—all mixed bloods—who received the reservations in present-day Hamilton County.¹⁴

James Brown’s reservation protected his dwelling and property at the place where a public road between Washington and Brown’s Ferry crossed Little Chickamauga Creek. “Brown lived here at Long Pond Place for some time before it became his reservation.”¹⁵ Over the next two years, he began to acquire some of the other Cherokee land. In February 1821, David Fields contracted with Brown to give him the power of attorney to collect rent due from William Lauderdale who was renting Fields’ reservation. The following month, March 1821, Timberlake sold his 640-acre reservation to Brown for \$3,000. Four years later, in late November 1825, Brown purchased the Fields reservation for \$2,000. James Brown almost immediately resold the Fields reservation—at no profit—to James Smith in February 1826. A year later, May 29, 1827, James Brown sold his original 640-acre reservation to James Smith for \$2,500.¹⁶

After that transaction, Brown only owned the Timberlake reservation of 640 acres, which he proceeded to sell most of it in two different transactions on February 23, 1829. First, Brown sold 160 acres to George Sawyer for \$402; the second transaction was for 314 acres for \$675 to Preston Gann.¹⁷

¹² Charles J. Kappler, *Indian Affairs: Laws and Treaties* (Washington: Government Printing Office, 1904), II, 178.

¹³ Finger, 292.

¹⁴ James L. Douthat, *Robert Armstrong’s Survey Book of Cherokee Lands* (Chattanooga: Institute of Historical Research, nd), 35; Gilbert E. Govan and James Livingood, *The Chattanooga Country, 1540-1951: From Tomahawks to TVA*, 2nd ed., (Chapel Hill: The University of North Carolina Press, 1963), 67.

¹⁵ Govan and Livingood, 67-68.

¹⁶ *Tennessee Records of Hamilton County Deeds*, Vol. I. A-B-C, 1796-1838. WPA Historical Records Project No. 65-44-1453, April 11, 1936, pp. 4, 17, 21.

¹⁷ *Ibid.*, 25.

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 8 Page 10

Brown House (additional documentation)
Hamilton County, TN

Why the multiple land transactions, especially since the amounts per acre decreased rather than increased? Accounts cited earlier give no sources for the observation that Brown sold out and moved back to Cherokee land due to the unfriendly behavior of his white neighbors. In addition to facing resentment and violence from white settlers, Brown found out in 1825 that a Revolutionary War veteran, Charles McClung, also claimed his land based on an earlier North Carolina grant.¹⁸ In 1835, Tennessee Secretary of State Samuel G. Smith visited the Cherokee Agency and heard another reason why Brown sold out and moved. As Smith reported to Congressman James K. Polk, who chaired the House Ways and Means Committee, “agreeable to the treaty of 1817 & 1819 many of the leading men were allowed reservations before giving notice in six months of their intention to occupy them under protection of the law. They all took the benefit of that provision and subsequently sold the land, many of them for large sums of money, & all moved into the nation and enjoyed the privileges as Cherokee. [sic]”¹⁹

Whatever the motivation, the various transactions recorded in the county deed books do give a strong indication of when Brown moved his primary residence to the location of the present property. That move happened sometime between the winter of 1825-1826 and the spring of 1827. When Brown bought the Fields reservation on November 29, 1825, the deed book described him as “late” of Hamilton County. Three months later, however, when he sold the Fields reservation to James Smith, Brown was described as being from “Hamilton Co. Tenn.” But when Brown sold his own reservation to Smith on May 29, 1827, the deed book recorded him as a resident of the “Cherokee Nation.” The transactions of 1829 also recorded Brown as a resident of the “Cherokee Nation in U.S.”²⁰

These dates are important in determining the beginning of the period of significance for the nominated James Brown Farmstead. That period would begin certainly in 1827 and if the architectural scholars are correct in dating the house as c. 1828, it is clear that the house and Brown’s direct association with the property coincide and would continue until the removal in 1838.

At this point we encounter the issue of the date of the brick dwelling on the farmstead. If the National Register nomination of 1973 is correct, Brown’s construction of his fine residence is another reflection that in the 1820s the Cherokee renaissance earlier identified by McLoughlin and Hatley was in full bloom. The Cherokee Nation established a Supreme Court in 1822 and James Brown was appointed as one of the judges. They adopted their first constitution in 1827. The Cherokee Constitution, fashioned after that of the United States, designated separate legislative, executive, and judiciary branches and disenfranchised women and African-Americans. They founded a bi-lingual national newspaper, *The Phoenix*, in 1828. The Cherokees had a well-established system of home education and a government administered by educated Christian men, such as the missionaries at Brainerd Mission.

¹⁸ William G. McLoughlin, *The Cherokee Ghost Dance: Essays on the Southeastern Indians, 1789-1861* (Macon, GA: Mercer University Press, 1984), 167-168.

¹⁹ Herbert Weaver and Kermit Hall, eds., *The Correspondence of James K. Polk* (Nashville: Vanderbilt University Press, 1975), III, 75.

²⁰ *Tennessee Records of Hamilton County Deeds*, 17 and 21.

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 8 Page 11

Brown House (additional documentation)
Hamilton County, TN

As a successful trader, planter, and Cherokee Supreme Court judge, Brown had the means and desire to display his prominence in both Cherokee and white society. By building his home in the Federal style, again according to the National Register nomination before 1835, Brown made yet another statement of his place within the leadership elite of the Cherokees as well as his particular status as a mixed-blood in a tri-cultural society. While not as extravagant as the showplace of the Cherokee Nation, the Vann House in Georgia (NR 10-28-1969), the James Brown House is an elegant expression of the five-bay, central-hall house with classical undertones and a powerful symbol of the middle ground occupied by the Brown family. The architectural antecedents of the dwelling were clearly British—a residue of the family's Scottish heritage: for more than a century the symmetrical three-bay central entrance home was popular in England, Scotland, and Ireland. The architectural style was also clearly American, certainly Southern, in that the central hall house dominated vernacular house plans in the region by the second quarter of the nineteenth century. The most interesting detail of the house is the craftsmanship embodied in the molded brick cornice—rare to find in the Tennessee Valley, but evident in another valley landmark, the two-story brick Roper Tavern (c. 1817) in Dandridge on the French Broad River.²¹

What if Brandeu's 1935 account, identifying it as the Yarnell House but attributing the construction to Brown, is closer to the truth? Some of the most persuasive information is what federal surveyor John L. Young wrote after assessing the James Brown property for its "value" on September 13, 1836. The surveyor itemized a large farm complex:

Six log houses for slaves, worth \$180
Twelve hen houses, worth \$48
A "good hewed log cabin 15-15," worth \$30
"Rude" log cabin, 14 x 12, worth \$25
Log kitchen, 18 x 18, worth \$65
"Rude" log smokehouse, 18 x 18, worth \$30
"Rude" log corn crib, 20 x 20, worth \$25
"Hewed log house 35 18 good floors," worth \$225
Log stable and three log pens, worth \$120 "Hewed log B.S. Shop" 18 x 16, worth \$35
"Rude" log house, 10-16, worth \$15
Spring house and shed, worth \$8
100 acres upland under good fence, worth \$700
½ acre garden, worth \$25
3 one-acre lots, worth \$30
80 house logs, worth \$16
400 boards, worth \$4

²¹ James Patrick, *Architecture in Tennessee, 1768-1897* (Knoxville: University of Tennessee Press, 1981); Clifton C. Ellis, "Houses, Early Vernacular Plans," Carroll Van West, et. al., eds., *Tennessee Encyclopedia of History and Culture* (Nashville: Tennessee Historical Society, 1998), 440; Carroll Van West, *Tennessee's Historical Landscapes* (Knoxville: University of Tennessee Press, 1995), 138.

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 8 Page 13

Brown House (additional documentation)
Hamilton County, TN

did not define Brown as having the same interests as the white planter class. As he increasingly extended his efforts to oppose removal, Brown demonstrated that his personal identity was as a Cherokee.

Brown reappears in the official records in 1833 when the U. S. House of Representatives considered (but did not approve) a bill that would have provided James Brown and John Brown, identified in the bill as “half breeds,” with additional compensation for the land and improvements they turned over in the 1819 treaty. Two years later, the federal government carried out a census of the Cherokee Nation. The final count underscored Brown’s different economic and cultural status within the Cherokee Nation. The report noted that the James Brown property had: “Three halfbloods and one quarterblood. Twenty-eight slaves. Four read English. A farm and one farmer. One weaver and one spinner. One reservee [Brown?] and one descendent of reservees.” The census identified Brown as one of the largest slave owners. According to the census, the entire Cherokee Nation possessed just over 1,500 slaves; Brown alone owned 28 of that total. Of those who owned slaves, most owned between two and ten. Brown on his farmstead had at least three times that number. In addition, all four members of the family spoke English—not uncommon, but like slave ownership, it was a rarity to have all members of the family identified as English-speaking.²⁷

That same year, 1835, Tennessee Secretary of State Samuel G. Smith gave another perspective on the Cherokee elite. In his January 1835 report to Congressman James K. Polk, Smith claimed: “I have taken great pains to see and converse freely with the Indians and to examine their situation and country.” Although Smith never listed any Cherokee by name, he reported that the 1819 reservees were “very numerous and wealthy. . . , [but] they cannot influence things much.” Smith added: “Those having wealth will find competition from the whites in their speculations and the chiefs will not only feel their own inferiority but the common Indians will discern this. A great revolution is now taking place. Many of those who were very obstinate are subdued in their feelings of opposition. Many who are & have produced the greatest difficulties are now so well satisfied of the necessity that I have been able to learn it from them.”²⁸ Smith was right about a handful of Cherokee elites who conspired with governmental officials to sign the Treaty of New Echota later that year, but he misread many others, and federal officials in 1836 to 1838 found neither a subdued Cherokee elite nor one “well satisfied of the necessity” of removal.

In December 1835, a small group of wealthy slaveholding Cherokee men gathered at the Cherokee capitol in Georgia, New Echota, to negotiate a treaty with the United States government. Known as the Treaty party, this faction of the Cherokee people saw removal as imminent and signed the Treaty of New Echota on behalf of the entire Cherokee Nation without the consent of the people. This treaty ensured western lands and five million dollars to Cherokees in exchange for all of their remaining lands east of the Mississippi River. The treaty also laid out plans for the removal process.²⁹ As he had in 1805-1806, James Brown opposed the

²⁷ The proposed bill is available through the American Memory website administered by the Library of Congress. H.R. 717, January 28, 1833: Bill for Relief of James Brown and John Brown; James Tyner, *Those Who Cried: The 16,000: A record of the individual Cherokees listed in the United States official census of the Cherokee Nation conducted in 1835* (NP: Chi-ga-u Inc., 1974), 170. On slaveholding, see Gilbert C. Fite, “Development of the Cotton Industry by the Five Civil Tribes in Indian Territory,” *Journal of Southern History*, 15(Aug., 1949): 345.

²⁸ Weaver and Hall, III, 75-76.

²⁹ Finger, 306-308.

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 8 Page 14

Brown House (additional documentation)
Hamilton County, TN

treaty party and joined the majority of Cherokees in opposition.

However, once approved by Congress, the removal proceeded without delay. One of early stages of that process was for whites to determine the “worth” of Cherokee land, property, and improvements. Thus, on September 13, 1836, John L. Young surveyed the James Brown property for its “value,” in buildings, which he assessed at \$1579 and then counted an “additional valuation” for “store house and 20 acre field,” worth \$1080.³⁰

While making preparations for his family, James Brown remained opposed to the treaty and to removal. In January 1838 Chief John Ross and other Cherokee leaders, including R. Taylor, Edward Gunter, James Brown, Samuel Gunter, Elijah Hicks, Sitewakee, and White Path traveled to Washington to petition Congress and dispute the legality of the Treaty of New Echota. The United States government refused to recognize the illegitimacy of the Treaty party but did allow John Ross to conduct the Removal of his people. Ross called upon Brown and others of the old “anti-government” faction to help plan and direct the removal process.

The Cherokees were divided into thirteen detachments to be led by Cherokee leaders. James Brown was appointed to lead the ninth detachment composed of 850 people. On May 8, 1838, General Winfield Scott arrived at the Cherokee agency in Charleston, Tennessee, and ordered the construction of crude stockades and encampments to house the Cherokees while they awaited departure scheduled for the fall of 1838. In July 1838, the National Council of the Cherokee created a three person committee, which included James Brown, to supervise the removal and the actions of John Ross as the leader of the process. Brown’s service on this committee is clear evidence of his prominence and of the amount of respect he received from his fellow Cherokees who had opposed the removal to the end. For Brown that end came on September 10, 1838, when he abandoned his well-established plantation to his daughter, granddaughter, and son-in-law. His detachment left their encampment located along Ooltewah Creek, near David Vann’s plantation, and began their lengthy trek to Oklahoma.³¹

Detachment leaders not only led their parties; they were also in charge of keeping their group supplied, the best they could, and to keep them safe during the weeks-long trek. Brown once again strengthened his reputation as a reliable leader by his service as a detachment leader. Under Brown’s supervision, 850 Cherokees and 42 wagons marched across the northern route of the Trail of Tears until they reached Oklahoma on March 5, 1839.³² By the time they reached their destination, according to one official count, only 717 Cherokees remained of the original 850 members comprising the detachment. Brown later received \$835 in compensation for leading the detachment.

³⁰Shirley C. Hoskins, *Cherokee Property Valuations in Tennessee 1836* (Private, 1984), No. 127.

³¹Thomason and Associates, National Register of Historic Places Multiple Property Documentation Form, “Historic and Historical Archaeological Resources of the Cherokee Trail of Tears,” 30 July 2002: 20-21.

³²Stanley Hoig, *Night of the Cruel Moon: Cherokee Removal and the Trail of Tears* (NY: Facts On File, 1996), 103-121.

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 8 Page 15

Brown House (additional documentation)
Hamilton County, TN

Recognized by the National Park Service's Trail of Tears National Historic Trail, the Trail of Tears is a historical event of national importance. Over 16,000 Cherokees were forcibly removed from their homelands in the southeastern United States despite their assimilation efforts. The Cherokee Removal was extremely significant to the process of the westward movement in American history. Anthropologist Charles Hudson wrote, "It was with Indian removal that the seemingly perpetual availability of free land became a dominant factor in American history."³³ The idea of "free land" that forced Native Americans out of the Southeast persisted as white settlers made their way west across the United States. The Cherokee experience during the 1830s foreshadowed the continued hostile and violent treatment of Native Americans in the United States during the nineteenth century. As a Cherokee detachment leader for the Trail of Tears, James Brown played an important role in this national story.

But as one of the removal leaders, Brown found that his tasks did not end in 1838. At various times in the 1840s continuing into the 1850s, Brown remained one of three tribal commissioners on the Committee for the Removal of the Cherokee People, who dickered with federal officials over the full accounting and payment of the costs of the removal. Brown was to receive \$500 for his services, but as late as 1861 the money was still not forthcoming, even when John Ross reminded the National Council to pay "the venerable James Brown" the "full and explicit & duly authenticated" amount.³⁴

Once a resident of Indian Territory, James Brown served in many different posts in the Cherokee Nation. He was a signer of the 1839 Cherokee Constitution, and member of the Cherokee Executive Council in 1842, 1853-55, and 1857-61. He even received a long overdue military bounty land warrant for his service in the Creek War in 1856.³⁵ Brown continued to be a central figure in the Cherokee Nation while in Oklahoma until his death in 1863.³⁶ However, there are no known existing resources associated with Brown in the Cherokees' western lands. Thus, the James Brown Farmstead near Ooltewah, Tennessee, is of even greater importance because it is the only extant property associated with this important leader, who served the Cherokees from 1806 to 1863.

What about his former property in Hamilton County, Tennessee? In 1851, Zerelda Brown Yarnell married Dr. Thomas Hale Roddy, a physician taught by her father, and who later received training from the Medical College at the University of Nashville. Zerelda died in 1854, and the James Brown farmstead remained in Roddy's hands.³⁷

Since Zerelda's death, the farmstead has changed ownership several times, yet still retains its historic integrity from the early 1800s. The Smith family currently owns the property, and has maintained the farmstead since the 1940s.

³³ Charles Hudson, *The Southeastern Indians* (Knoxville: University of Tennessee Press, 1976), 451.

³⁴ Moulton, *Papers of John Ross*, II, 501.

³⁵ *Ibid.*, 717-718.

³⁶ The exact date is not known, but on January 23, 1863, Daniel H. Ross reported to John Ross that "Judge Brown is dead." *Ibid.*, 533.

³⁷ John Wilson, *Hamilton County Pioneers* (Chelsea, Michigan: Bookcrafters, 1998), 251.

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 8 Page 16

Brown House (additional documentation)
Hamilton County, TN

While the period of significance for the James Brown farmstead is short, those years were of paramount importance for the Cherokee Nation and illustrated several trends in American history. Cherokee nationalism, United States' treaties, and Cherokee Removal all represent the complex nature of the Cherokee and American governments, societies, and interactions during the 1820s and 1830s and provide excellent case studies for researching comparisons and themes surrounding Native American, African-American, and United States history. The historic contexts surrounding James Brown's life, and the farmstead that he built and that his daughter and son-in-law continued to improve after removal, and make the property a valuable resource for telling the story of early America.

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 9 Page 17

Brown House (additional documentation)
Hamilton County, TN

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United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 9 Page 18

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Hamilton County, TN

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United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 9 Page 19

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Hamilton County, TN

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United States Department of the Interior
National Park Service

National Register of Historic Places

Continuation Sheet

Section number 10 Page 20

Brown House (additional documentation)
Hamilton County, TN

GEOGRAPHICAL DATA

Unchanged from the original.

United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number photos Page 21

Brown House (additional documentation)
Hamilton County, TN

PHOTOGRAPHS

Photographs by: Carroll Van West
Middle Tennessee State University, Center for Historic Preservation
Murfreesboro, TN 37132
Negatives: Tennessee Historical Commission
Date: August 2003 and January 23, 2004

- 1 of 32 East facade, facing W
- 2 of 32 View of farm and house, facing SW
- 3 of 32 House and driveway, facing SE
- 4 of 32 Facade and north elevation, facing SW
- 5 of 32 North elevation, facing SW
- 6 of 32 North elevation, facing S
- 7 of 32 Kitchen chimney, west elevation, facing E
- 8 of 32 Porch infill added to kitchen, west elevation, facing NE
- 9 of 32 South elevation, facing NW
- 10 of 32 Chimney detail, south elevation, facing NW
- 11 of 32 Detail of cornice located on north elevation, facing S
- 12 of 32 Foundation of kitchen, facing SE
- 13 of 32 Fallen chimney and stone steps on north elevation, facing SW
- 14 of 32 Central entrance, facing W
- 15 of 32 Central entrance and front steps, facing W
- 16 of 32 Detail of rounded columns flanking central entrance, facing NW
- 17 of 32 Front north parlor, facing N

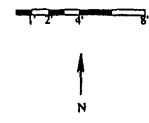
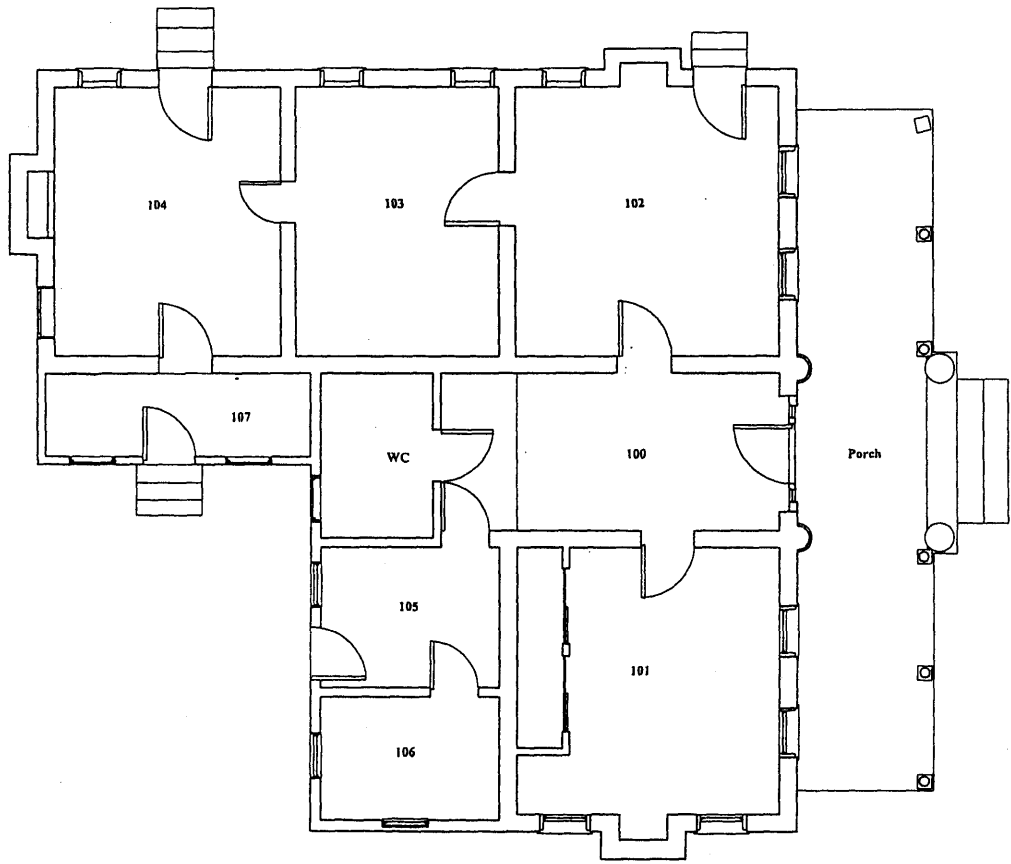
**United States Department of the Interior
National Park Service**

National Register of Historic Places Continuation Sheet

Section number photos Page 22

Brown House (additional documentation)
Hamilton County, TN

- 18 of 32 Front south parlor, facing S
- 19 of 32 Front north parlor, detail of mantel, facing N
- 20 of 32 Central hall, facing W
- 21 of 32 Central hall, facing E
- 22 of 32 Kitchen wing, facing N
- 23 of 32 Original door, kitchen wing, facing SW
- 24 of 32 Kitchen, facing NE
- 25 of 32 Kitchen, facing E
- 26 of 32 Springhouse remains, facing SW
- 27 of 32 Springhouse remains featuring steps, facing NE
- 28 of 32 Store house ruins, facing W
- 29 of 32 Store house ruins, facing E
- 30 of 32 Store house ruins, facing S
- 31 of 32 Viewshed from main house, facing NE
- 32 of 32 Viewshed of farm, facing W



UNITED STATES DEPARTMENT OF THE INTERIOR National Park Service Cultural Resources Division	Drawn by	Trail of Tears NHT Resource Study "James Brown House" First Floor Plan
	Scale	
	Date	
	Sheet	
	1 of 1	