

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

(Type all entries - complete applicable sections)

STATE: <u>Oklahoma</u>	
COUNTY: <u>Cherokee</u>	
FOR NPS USE ONLY	
ENTRY NUMBER	DATE
	<u>JUN 28 1974</u>

1. NAME

COMMON:
Cherokee National Jail

AND/OR HISTORIC:
Cherokee National Prison

2. LOCATION

STREET AND NUMBER:
East Choctaw Street and Water Avenue

CITY OR TOWN:
Tahlequah No. 2 Honorable Clem McSpadden

STATE <u>Oklahoma</u>	CODE	COUNTY: <u>Cherokee</u>	CODE <u>021</u>
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3. CLASSIFICATION

CATEGORY (Check One)	OWNERSHIP	STATUS	ACCESSIBLE TO THE PUBLIC
<input type="checkbox"/> District <input checked="" type="checkbox"/> Building <input type="checkbox"/> Site <input type="checkbox"/> Structure <input type="checkbox"/> Object	<input checked="" type="checkbox"/> Public <input type="checkbox"/> Private <input type="checkbox"/> Both	Public Acquisition: <input type="checkbox"/> In Process <input type="checkbox"/> Being Considered	<input checked="" type="checkbox"/> Occupied <input type="checkbox"/> Unoccupied <input type="checkbox"/> Preservation work in progress
PRESENT USE (Check One or More as Appropriate)			
<input type="checkbox"/> Agricultural <input type="checkbox"/> Commercial <input type="checkbox"/> Educational <input type="checkbox"/> Entertainment	<input checked="" type="checkbox"/> Government <input type="checkbox"/> Industrial <input type="checkbox"/> Military <input type="checkbox"/> Museum	<input type="checkbox"/> Park <input type="checkbox"/> Private Residence <input type="checkbox"/> Religious <input type="checkbox"/> Scientific	<input type="checkbox"/> Transportation <input type="checkbox"/> Other (Specify) _____ _____ <input type="checkbox"/> Comments _____ _____

4. OWNER OF PROPERTY

OWNER'S NAME:
Cherokee County

STREET AND NUMBER:
Cherokee County Courthouse

CITY OR TOWN: <u>Tahlequah</u>	STATE: <u>Oklahoma</u>	CODE <u>40</u>
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5. LOCATION OF LEGAL DESCRIPTION

COURTHOUSE, REGISTRY OF DEEDS, ETC:
Office of the County Clerk

STREET AND NUMBER:
Cherokee County Courthouse

CITY OR TOWN: <u>Tahlequah</u>	STATE <u>Oklahoma</u>	CODE <u>40</u>
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6. REPRESENTATION IN EXISTING SURVEYS

TITLE OF SURVEY:
Oklahoma Historic Sites Survey

DATE OF SURVEY: 1958 Federal State County Local

DEPOSITORY FOR SURVEY RECORDS:
Oklahoma Historical Society

STREET AND NUMBER:
Historical Building

CITY OR TOWN: <u>Oklahoma City</u>	STATE: <u>Oklahoma</u>	CODE <u>40</u>
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7. DESCRIPTION

CONDITION	(Check One)				
	<input type="checkbox"/> Excellent	<input type="checkbox"/> Good	<input type="checkbox"/> Fair	<input checked="" type="checkbox"/> Deteriorated	<input type="checkbox"/> Ruins
	(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 Cherokees built their National Prison in 1874 of hand-cut sandstone. Originally a three-story affair -- or, more properly, a two-story-and-basement affair -- it measured 60 feet east-west, 50 feet north-south. It had two 9 x 12-foot porches, one on the north front and the other at the back (on the south).

Today the third floor is gone, replaced by a flat roof. But the porches remain and otherwise the building would appear basically unchanged. (Gone, too, is the gallows!) An 8-foot chain link fence surrounds the property.



SEE INSTRUCTIONS

SIGNIFICANCE

PERIOD (Check One or More as Appropriate)

- Pre-Columbian | 16th Century | 18th Century | 20th Century
 15th Century | 17th Century | 19th Century

SPECIFIC DATE(S) (If Applicable and Known) 1874-1904

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 | _____ |
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Invention | <input type="checkbox"/> Sculpture | _____ |
| <input 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

The Cherokee Nation was forcibly removed to Indian Territory from its ancient homeland in the Southeast in the fall and winter of 1838-1839. This tragic trek to a then virtually unknown wilderness has since come to be known as the "Trail of Tears," justifiably so because roughly one-fourth of those making the journey failed to arrive. The various routes westward were marked by a steady procession of graves of the new-born, the aged, and the diseased.

The tragedy of this forced removal is made even more poignant by the fact that the Cherokee Nation of Indians had, in 1822 -- sixteen years before their Trail of Tears began -- adopted a republican form of government patterned on that of the then relatively new United States of America. Included was a national judicial system, at the head of which stood a National Supreme Court.

The word "civilized" in the so-called Five Civilized Tribes that eventually comprised Indian Territory was not an idle one. Thanks to the genius of Sequoyah, the Tribe by 1828 was publishing a newspaper in two languages - English and Cherokee. It was the only native American Indian tribe with a written language of its own - a language that stands as one of the great literary "inventions" of history.

The Cherokees, then, were not a band of savages being uprooted by a dominant society, but a nation largely of new Christians, ably led by visionary and dedicated leaders, being transplanted in a new and undeveloped homeland. And so it is that one of their first major accomplishments, after arrival in Indian Territory, was the reorganization of a tribal government torn apart by the stresses and strains of forcible removal from an ancient homeland.

Schools were started within months. A restored judicial system was soon to follow. Significantly, the first permanent structure erected at the new capital site was a plain two-story brick building to house the Supreme Court. Before too many years, however, normal life in the Cherokee Nation was again to be disrupted, this time by the Civil War. In this tragic conflict the Cherokee people were bitterly divided into Union and Confederate groups and their government structure was essentially destroyed as a functioning body. Destroyed with it were all of the government buildings in Tahlequah, the national capital, with

SEE INSTRUCTIONS

9. MAJOR BIBLIOGRAPHICAL REFERENCES

Foreman, Grant, The Five Civilized Tribes, University of Oklahoma Press, 1934
 Starr, Emmett, History of the Cherokee Indian, Oklahoma City, 1921
 Woodward, Grace Steele, The Cherokees, University of Oklahoma Press, 1963
 Wright, Muriel H., A Guide to the Indian Tribes of Oklahoma, University of Oklahoma Press, 1951

"Constitution and Laws of the Cherokee Nation," Cherokee Nation, Tahlequah, Oklahoma

10. GEOGRAPHICAL DATA

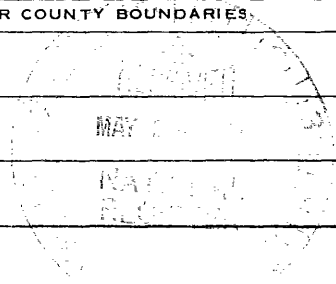
LATITUDE AND LONGITUDE COORDINATES DEFINING A RECTANGLE LOCATING THE PROPERTY				O R	LATITUDE AND LONGITUDE COORDINATES DEFINING THE CENTER POINT OF A PROPERTY OF LESS THAN TEN ACRES				
CORNER	LATITUDE		LONGITUDE		LATITUDE		LONGITUDE		
	Degrees	Minutes	Seconds	Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
NW	°	'	"	°	'	"	35°	54'	42.6"
NE	°	'	"	°	'	"	94°	58'	1.8"
SE	°	'	"	°	'	"			
SW	°	'	"	°	'	"			

NO JIM
HL

APPROXIMATE ACREAGE OF NOMINATED PROPERTY: **less than one acre**

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

STATE:	CODE	COUNTY:	CODE



SEE INSTRUCTIONS

11. FORM PREPARED BY

NAME AND TITLE: Col. M. A. Hagerstrand, Exec. V-P Kent Ruth, Deputy

ORGANIZATION: Cherokee Nat'l Historical Society Oklahoma Historical Society DATE: March 1974

STREET AND NUMBER: P. O. Box 515, TSA-LA-GI Historical Building

CITY OR TOWN: Tahlequah, OK 74464 STATE: Oklahoma CODE: 40

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 [Signature]

Title SLO for OIA

Date MAY 10 1974

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

[Signature]
Chief, Office of Archeology and Historic Preservation

Date 6/28/74

ATTEST: [Signature]
Keeper of The National Register

Date 6-28-74

NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY - NOMINATION FORM

(Continuation Sheet)

STATE	
Oklahoma	
COUNTY	
Cherokee	
FOR NPS USE ONLY	
ENTRY NUMBER	DATE
	JUN 28 1974

(Number all entries)

No. 8 Significance

Cherokee National Jail

the sole exception of the Supreme Court Building. (National Register status for it is being sought with a separate nomination.)

For a time following the trauma of the war years law and order in the Cherokee Nation had pretty much broken down. Robbery, assault, and murder became commonplace. Outlaws, Indian and white, roamed the area. Then gradually some semblance of order was at last re-established. The court system began again to function and it soon became obvious that if government under law was to survive, a secure facility was needed to house major offenders prior to trial and, if convicted, to hold them while they served out their sentences.

Thus in 1874 the Cherokee National Prison was added to the growing list of permanent buildings erected to house government functions in the capital. (The handsome red brick Capitol itself dates from 1867. It, too, still stands and is already on the National Register.) A gallows was erected adjacent to the sandstone jail. Both remained in use by the Cherokee Nation until 1904, when the property was sold to Cherokee County. The building still serves as a jail. That it has survived a century of use, in the capacity for which it was erected, is a significant commentary on the quality of workmanship achieved by the Cherokees as they managed their full-fledged nation-within-a-nation.

