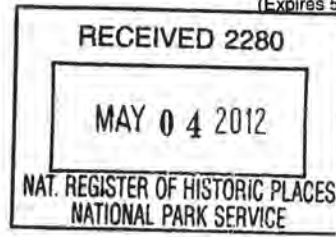


United States Department of the Interior  
National Park Service



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# National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in National Register Bulletin, *How to Complete the National Register of Historic Places Registration Form*. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. **Place additional certification comments, entries, and narrative items on continuation sheets if needed (NPS Form 10-900a).**

### 1. Name of Property

historic name Jamison Cemetery

other names/site number Fountain Church Cemetery, Pond Cemetery

### 2. Location

street & number 2 miles south on State Highway 16 and 2 miles west on E0820 Rd

<input type="checkbox"/>	not for publication
<input checked="" type="checkbox"/>	vicinity

city or town Okay

state Oklahoma code OK county Wagoner code 145 zip code 74446

### 3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, 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 at the following level(s) of significance:

    national     statewide   X   local

[Signature] 4/30/2012  
Signature of certifying official/Title Date

State or Federal agency/bureau or Tribal Government

In my opinion, the property     meets     does not meet the National Register criteria.

         
Signature of commenting official Date

Title State or Federal agency/bureau or Tribal Government

### 4. National Park Service Certification

I hereby certify that this property is:

entered in the National Register     determined eligible for the National Register

    determined not eligible for the National Register     removed from the National Register

    other (explain:)

[Signature] 6.20.12  
Signature of the Keeper Date of Action

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**5. Classification**

**Ownership of Property**  
(Check as many boxes as apply.)

- private
- public - Local
- public - State
- public - Federal

**Category of Property**  
(Check only one box.)

- building(s)
- district
- site
- structure
- object

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

Contributing	Noncontributing	
0	0	buildings
0	0	district
1	0	site
0	0	structure
0	0	object
1	0	<b>Total</b>

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

N/A

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

0

**6. Function or Use**

**Historic Functions**  
(Enter categories from instructions.)

Funerary: Cemetery  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Current Functions**  
(Enter categories from instructions.)

Funerary: Cemetery  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**7. Description**

**Architectural Classification**  
(Enter categories from instructions.)

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Materials**  
(Enter categories from instructions.)

foundation: N/A  
walls: N/A  
\_\_\_\_\_  
roof: N/A  
other: \_\_\_\_\_  
\_\_\_\_\_

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### **Narrative Description**

(Describe the historic and current physical appearance of the property. Explain contributing and noncontributing resources if necessary. Begin with a **summary paragraph** that briefly describes the general characteristics of the property, such as its location, setting, size, and significant features.)

#### **Summary Paragraph**

The Jamison Cemetery is located 2 miles south and two miles west of Okay in southwestern Wagoner County, Oklahoma. The cemetery is located on a high spot between the Arkansas River and the Verdigris River. Surrounding land is in private control and is used primarily for agricultural purposes. The cemetery suffers from neglect; the once clear boundaries are now obscured by trees and brush. The western boundary is being undermined by erosion. Brick and concrete posts mark the entrance to the cemetery and were installed at an unknown date. A small pavilion was also added in the center of the property in early 2000. Owned by Wagoner County, very little has been done to alter this historic location.

The Jamison Cemetery ably conveys its historic significance for the period of ca. 1849 to 1960. This period reflects the use of the cemetery by the Muscogee (Creek), Creek Freedmen and their descendants. The cemetery was once associated with Fountain Baptist Church which is non-extant; Fountain Baptist Church moved to Haynes, Oklahoma. That the cemetery continued to be used for decades after the disappearance of both the church and the local community surrounding the church, reflects the strong association between the cemetery, the community, Freedmen and Muscogee (Creek). Overall, the cemetery maintains its integrity of location, design, workmanship, materials, feeling and association. Most notably, the setting of the cemetery has evolved from its earliest days when it was part of the larger Fountain Baptist Church to its current pastoral setting. Because traces of the community were removed within the period of significance, their loss does not appreciably impact the property's historic integrity. The limited number of burials in the cemetery after the period of significance also does not prevent the cemetery from conveying its historic significance. The graves are located amongst the earlier graves and are distinguishable by their modern headstones.

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### **Narrative Description**

The cemetery is laid out in a fairly consistent manner, based on mapping provided by Wagoner County, with discernible rows of markers. However, due to neglect, many markers have fallen over or been up-rooted by trees. The majority of markers are clustered along the eastern edge of the cemetery; however there are some prominent ones along the western boundary. There is a scattering of markers along the west and south sides, although these tend to be smaller gravestones. There are undoubtedly unmarked graves within the cemetery, and possibly outside of the current boundaries, but no intensive study of the cemetery has been done to identify the number and/or location of these graves. In 1937, two workers with the Works Progress Administration surveyed the cemetery and identified approximately 250 burials with 75 marked graves.

The cemetery has a variety of tombstones with varied funerary artwork. The majority of early graves are marked by tall, narrow markers. The later graves are modern wide, short, upright granite markers. There are also some flat, rectangular, granite markers. There are two, flat, marble, veterans marker in the cemetery, that of Willie Sells and Alpha O. Crisp, who served during World War I. Overall, the markers in the cemetery are typical of their period and class of citizens. Most are in fair condition, although some have fallen down and several upright markers now lie flat, in multiple pieces. While not remarkably ornate, the markers do convey the intent of the families to remember and pay tribute to their loved ones in death.

Three of the headstones in the cemetery are for more than one person. This is common in modern times with husband and wives typically sharing a large, single stone with separate inscription spaces. However, in the case of Jamison Cemetery, one stone dates to 1876 and two from 1908. The stones dating to 1908 are for

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both a husband and wife union; Babe and Lizzie Mahardy, and Phoebe Tucker and Robert Reid. The stone that dates to 1876 is for a Samson Ponds and Gilbert Lewis who died within nine days of each other.

As to be expected for the time period due to a lack of prenatal and neonatal care and preventative medicine to check childhood diseases, twelve graves in the cemetery are for children under the age of six. Of these, the majority, seven, are for children one year old and under. The remaining five are for children between the ages of three and six. Three of these children are from one family with the death year of 1889, giving an indication that something significant happened to this family.

Most of the people buried in Jamison Cemetery were born in the nineteenth century based on the marked graves. Two were born in the 1800s, one each in the 1810s and 1820s, three in the 1830s, six in the 1840s and the 1850s, five in the 1860s, sixteen in the 1870s, twenty-four in the 1880s and ten in the 1890s; sixteen were born in the twentieth century.

Located at the top of the hill, roughly in the center of the cemetery, is an area that is surrounded on all four sides by a low, three course high, brick wall. Located at the corners of the west wall of the brick area are short columns; all other columns appear to be missing. Grave markers inside the brick area are denoted with the last name of Pond. It is assumed that this was a family plot.

There is one modern grave house located in the northwest corner of the cemetery. It is for Gereese Swanson, 1989-1998. The construction is seven bricks high with a marker in the east end. Two vases are located at the eastern corners of the grave house. It has a flat roof.

A list of the markers in the cemetery is presented below. The list is based upon an inventory provided by Wagoner County. The list also notes that there are lost and unmarked graves that are missing from the list. Additions have been made to the list based on current photographs of the cemetery taken for this project. The list is arranged in number order based on the mapping from Wagoner County. Shared stones have been combined in a single entry. The list does not represent all graves in the cemetery as there are unmarked graves and unreadable stones.

Number:	Name:	Dates:	Notations:
1	Maria Masters	1866-1938	
2	Mahola Coatney	1867-1948	
3	Mokie McConnell	1901-1923	
4	Georgia M. Swanson	1944-1968	
5	George Swanson	1965-1951	
6	Mrs. J.J. Jones	1884-1941	
7	Alice Slaughter	1899-1920	Columns, drapes
8	Herman Slaughter (child)	1919-1920	Lamb
9	Jacob Watkins	1838-1893	Book
10	Irene Jones	1884-1965	
11	W.C. Jones	1894-1952	
12	Lewis Jones	1863-1956	
13	Henry Murrell	1872-1908	
14	Mondy Jamerson	1879-1919	
15	Pheby Stephens	d. January 9, 1893	
16	R. Morris Stephens	1862-1937	Cross
17	Annie Brody	1886-1967	
18	Pricilla Sawyer	1917-1960	
19	Sedelia Brody	1928-1970	
20	Felix Stephens (child)	1885-1889	
21	Clarence Stephens (child)	1886-1889	
22	Patsy Stephens (child)	1886-1889	

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23	Rachel Lewis	Aged 66 years	
24	Jacob Barnett	Aged 52 years	
25	Gertie Green (child)	1897-1903	
26	Dellila Bruner	1804-1899	
27	Robert Perryman	1900-1966	
28	Ben Grayson	1883-1946	
29	Fred Ponds (child)	1880-1885	
30	Sudgo Ponds	1848-1904	
31/32	Babe and Lizzie Mahardy	Died 1908 & 1915	Ivy
33	Alex Murrell	1875-1914	
34	Louisa Adeline Love	1871-1911	
35	Edward F. Clark	1887-1911	
36	Richard Ross Clark	1845-1911	
37	E.L. Robbins	1862-1905	Leaf
38	Neil Dwight Clark	1880-1914	"C"
39	Georgie Fulsom	1879-1901	
40	Phillip E. Hawkins	1870-1901	
41	William T. Robbins	1893-?	
42	Harriett Lewis	Died 1902	
43	Rosie Sells	1884-1904	
44	Elizabeth Jones (child)	1896-1897	
45	Adella Johnson	1882-1904	
46	Alice Hawkins (child)	1903-1904	Flowers
47	Lettie Hawkins	1870-1904	Calla Lily, Feather
48	Joanna Ford	1873-1930	
49	Floyd Ford	1900-1957	
50	Fred E. Hawkins	1890-1905	Heart
51	G.W. Johnson	1875-1907	
52	Rebecca Hawkins	1886-1905	
53/54	Phobie Tucker and Robert Reid	Died 1908 & 1918	
55	Lewrena Overton	1885-1903	
56	Nellie Hawkins	1829-1894	
57	George Colbert	1880-1904	
58	Daniel Tucker (child)	1893-1898	Book
59	Prisella Tucker	1850-1914	Cross
60	Gevers Tucker	1880-1895	
61	Cora Tucker	1875-1902	
62	Cody Jennison	1875-1894	
63	Dannah Ponds	1849-1894	
64	Glover McIntosh	1851-1891	Upward pointing hand
65	Amy Carter	1839-1899	
66	Christine B. Glover	1900-1957	
67	Rayfield Glover	Died 1966	
68	Charlie Austin (child)	1904-1905	Lamb
69	Harriet Colbert	1879-1905	Book
70	Calvin Jimmerson	1886-1905	
71	Jessie Jimmerson	1884-1906	Upward pointing hand, flowers
72	Mose Jimmerson	1843-1908	Calla lily, pansy
73	Gabriel Jimmerson	1836-1910	
74	Fannie Jimmerson	1858-1912	
75	Eadie Watson	1882-1907	
76	Jimmie Griffith	1901-1914	
77	Fannie French	1898-1961	
78	Dinah Henderson	1880-1944	
79	Albert Jones	1876-1945	
80	Hepson Jamison	1840-1930	
81	Jeff Marshall	1842-1914	
82	Macco D. Sells	1911-1939	

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83	Joanna Coward	1907-1944	
84	Willie Sells (WWI)	1891-1946	365 Inf 92 Div
85	Joseph H. Sells	1880-1957	
86	Rebecca E. Sells	1889-1960	
87	Charley W. Ford	1892-1957	
88	Charley R. Brown (child)	1968	
89	Charles T. Moore (child)	1968	
90	Jane Sells	1856-1935	
91	Harry A. Sells	1855-1930	
92	M.A. Fisher	1852-1925	
93	Lawrence Sells	1887-1903	Book
94	Alberta Ponds	1906-1925	Wheat
95	Ruth Evans	1904-1932	
96	Annie Ponds	1878-1946	
97	L.C. Ponds	1881-1950	
98	Rosa Jones	1920-1960	
99	Charlie Ponds	1913-1962	
100	F.C. Ponds	1875-1936	
101	Alpha O. Crisp (WWI)	1894-1963	Co. B. 530 Engineers
102	Archie Lee Crisp	1927-1953	
103	Virginia Lewis	1878-1969	
*104	Samson Ponds/Gilbert Lewis	January 31, 1876/February 9, 1876	
*105	Gereese Swanson	1989-1998	

\*not on list from county but confirmed in field

In 1937, as part of the Works Progress Administration, Jas. S. Buchanan and Carl R. Sherwood documented a mausoleum at the cemetery. It was the tomb of Emma Ponds, wife of Sandy Ponds, both Creek Freedmen who appear on the Dawes Roll. Based on the renderings, it was designed in the Mission style with a main pane and panel door on the façade and three small windows on a side elevation. The mausoleum is non-extant. Based on this documentation and the comments provided by Wagoner County on their mapping, it is clear that more burials are located at the cemetery than can visually be accounted.

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**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.

**Areas of Significance**

(Enter categories from instructions.)

Archeology/Historic

Ethnic Heritage/Native American

Ethnic Heritage/Black

**Period of Significance**

Ca. 1849-1960

**Significant Dates**

**Significant Person**

(Complete only if Criterion B is marked above.)

**Cultural Affiliation**

Creek

**Architect/Builder**

Unknown

**Criteria Considerations**

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

Property is:

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

**Period of Significance (justification)**

The period of significance extends from ca. 1849 when the Fountain Baptist Church was founded to 1960 when the last known person was interned in the Pond family plot.

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**Criteria Considerations (explanation, if necessary)**

The cemetery meets National Register Criteria Consideration D because it is important African American burial ground that dates from the antebellum period; thus slave burial ground. It has been used as a cemetery for over 150 years and is still used by the ancestors of the initial Creek Freedmen buried in the cemetery. The burial patterns along with the traditions of burying grave goods make this an unusual burial spot but one that is very reflective of African American/Creek National cemeteries.

**Statement of Significance Summary Paragraph** (Provide a summary paragraph that includes level of significance and applicable criteria.)

Jamison Cemetery is significant at the local level as a Muscogee (Creek), Creek Freedmen, and African-American Cemetery. It has served for over a century, and most likely from antebellum days, as a cemetery for the Muscogee (Creek), Creek Freedmen and African-American community. It is directly associated with the freedmen community in Wagoner County, specifically in this southeastern region of Wagoner County which once supported multiple African American churches, a Rosenwald school, residential areas, farms and businesses. The Muscogee (Creek) area of Oklahoma includes all of Creek and Okfuskee counties and portions of Seminole, Tulsa, Hughes, McIntosh, Wagoner Mayes, Muskogee, Okmulgee and Rogers counties.

The cemetery is significant under Criterion A because as a cemetery it is an important part of the American cultural landscape for the once vibrant Creek Freedmen community it represents. The cemetery also is significant under Criterion D because while no archeological investigations have been done, and none are contemplated because of the nature of the site, the fact that this has been a cemetery in use since ca. 1849 to modern times; it has the potential to yield information about the burial customs of the Muscogee (Creek), Creek Freedmen and their ancestors.

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

Jamison Cemetery meets National Register Criterion A for Ethnic Heritage-Native American and Black as a unique pre-civil war site in this region of Wagoner County, Oklahoma. The cemetery remains today an active cemetery for descendants of the Creek Freedmen. Initially started as a cemetery associated with Fountain Baptist Church in 1849, the cemetery was a place of internment for Native American, Muscogee (Creek), who had been relocated to the Indian Territory (Oklahoma). Later, the cemetery became the burial location for Creek Freedmen and their descendants. The cemetery is directly associated with significant Native American and Black use during the relocation period, during the period where slaves gained their freedom from the Muscogee (Creek) and continued use by Creek Freedmen descendants through modern times. Documented as dating from as early as ca. 1849, the cemetery is clearly associated with Native American and Black cultural heritage from a unique period of history in which accustomed lifeways were being altered for Native Americans by the federal government and for slaves by the Muscogee (Creek). Viewed within this historic and cultural context, the cemetery is more than a common burial site.

The existence of other cemeteries in Wagoner County, rather than diminishing the significance of this property supports the cultural importance of this particular property type as an important vestige of the historic period. As the last resting place of ancestors who faced uncommon circumstances, these cemeteries are recognized as significant cultural places. The physical integrity of the site from a cultural perspective rests largely with the continued interment of Freeman ancestors.

Jamison Cemetery is significant in Archeology: Historic because of the potential to yield information in local history. The ability to verify and study the general characteristics of Native American, Muscogee (Creek) and African American burial practices as it applies to pre-and post- Freedmen status are all significant avenues of



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potential investigation from a scientific and cultural perspective. While no formal archeological investigation has been undertaken and none are contemplated, the long history of burials at this site, well over 150 years, leads one to believe that there is a great potential for information at this site. Additionally, because little documentary material regarding the cemetery exists and considering that the early burials were not generally denoted with permanent markers, archeological analysis even if done with remote sensing, could further define the number, extent, and physical layout of the burials, providing important information about the landscape, use of space and boundaries.

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**Developmental history/additional historic context information (if appropriate)**

Muscogee (Creek)

Creek oral tradition, recorded in the eighteenth century, told a legend of migration of one group of ancestral Creeks who established a colony at the Ocmulgee site near present Macon, Georgia. From that colony grew the pivotal towns of Cusseta and Coweta, in the period of A.D. 900-1000. The historic Creek Confederacy eventually was so widespread and influential that early-twentieth-century scientists speculated that Mississippian migrants had left their central Mississippi Valley homeland and journeyed onto the Macon Plateau, where they settled at Ocmulgee before beginning their regional expansion.

U.S. Indian Agent Benjamin Hawkins began a period of influence from 1796 to 1815 over the Creeks. He implemented an assimilation policy that emphasized missions, education, and individualized farming. Eventually, the changes that became visible, like ownership of slaves, Anglo clothing and lifestyle, and restructured government, lent the assumption and label "civilized" to the tribe.

The "Red Stick War" of 1812-14 climaxed in what is known as the Battle of Horseshoe Bend, among the Upper Creeks. A punitive land cession resulted. The treaty led to increased Anglo settler pressure and to the growing prominence of William McIntosh of the Lower Creeks. The latter removed west of the Mississippi River in the 1820s. Thereafter, Opothleyahola's leadership of the Upper Creeks increased. The majority of the Creeks with their slaves were removed over their Trail of Tears to a new Indian Territory, now Oklahoma, through the late 1830s.

Lower Creeks settled in the Three Forks area of the Arkansas River in Indian Territory, while the Upper Creeks lived along the North Fork, Deep Fork, and Canadian River valleys in their new homeland. The groups numbering perhaps only thirteen thousand by then agreed (1840) to a new national government, located at both Upper and Lower Creek sites of Council Hill. The Civil War destroyed much that had been built up in the Creek Nation, but another new national government, modeled on a bicameral legislative system similar to that of the United States, emerged after 1866. It was located at the newly selected national capital in Okmulgee. The nation formulated a new constitution the following year.

Again, a period of rebuilding began as the Creek Nation prospered while the tribe was left to its own influences. Schools, churches, and public houses were built as the tribe reestablished itself as a working government. At Okmulgee a national capitol building was constructed in 1867 and then enlarged in 1878. The rebuilding of the tribe continued. Its florescence was marred by changes on the United States level that were all too familiar land envy. Beginning in the 1880s an outburst of violence from a bloody political turmoil of resistance greeted the renewal of allotment and assimilation policies that climaxed with Oklahoma statehood. The Creeks lost more than two million acres of allotted domain. Through the late nineteenth and early twentieth centuries mainstream pressures gradually transformed many of the forty-seven tribal towns from ceremonial grounds into rural agricultural communities. These centered on their Baptist Indian church among Upper Creeks and their Methodist Indian church for descendants of Lower Creeks.

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### Creek Freedmen

The forced removal of the Five Civilized Tribes from their homelands in the southeastern United States to Indian Territory in the 1830s also included the African American slaves owned by many tribe members. The transition of these slaves to American citizenship is unique in the history of race relations in the United States. It was a journey filled with contentious negotiation among factions of the Five Nations, the federal government, capitalist developers, black and white agricultural colonizers, and the freedmen themselves. Efforts to secure the rights of the freedmen represented one aspect of the struggle that ultimately opened Indian lands to non-Indian settlement.

By the time of the outbreak of the Civil War in 1861, the slaves owned by the Five Nations numbered approximately ten thousand. Unlike slavery in the southern states, the form of slavery in Indian Territory widely varied. The Muscogee (Creek) and Seminole often intermarried with their slaves and allowed a broad range of freedoms. The Cherokee resisted intermarriage but pursued benign relationships on their small farms. The Choctaw and Chickasaw more closely approximated the system of white slave holders on the cotton plantations. In all cases the slaves adapted to the patterns of the Indian cultures in dress, food, language, and communal landholding. Episodes of mistreatment and violence occurred, but more often, runaway slaves came to Indian Territory because they believed it to be a less race-restrictive environment.

As the Civil War began, some Indians declared their allegiance to the Union, while other groups from all of the Five Nations signed agreements with the Confederacy to provide supplies and troops. The slaves were caught in the crossfire. The war in Indian Territory began with an attack on loyal Muscogee (Creeks), Cherokees, and runaway slaves retreating toward Kansas in 1861. In the next four years guerilla raiding by both Union and Confederate Indian units and desperate foraging destroyed many of the prosperous farms, businesses, and homes of the territory.

Federal government officials refused to recognize the divisions within the leadership of the Five Nations or the contributions of the loyal factions to the war effort, choosing instead to deal with them all as rebels and to enact a punitive peace agreement. Leaders from the Five Nations met first at Fort Smith, Arkansas, and later in Washington, D.C., to conduct treaty negotiations. Sizeable land cessions, railroad right of way, and a unified territorial government were among the government demands, but the most complex issue dealt with the fate of the freedmen. The government insisted on the abolition of slavery and the incorporation of the freedmen into their respective tribal groups with full citizenship rights. All of the Five Nations were willing to end slavery, but citizenship rights conferred access to land and tribal monies as well as political power. When reports reached Washington that the freedmen were being mistreated and kept in bondage, Major General John Sanborn was dispatched to investigate the charges, distribute supplies to alleviate some of the suffering, and make clear the government's position with regard to freedmen's rights. Indian leaders resented Sanborn's interference and the elevated status of their former slaves.

Each treaty dealt with the freedman problem in some way. The Seminole promptly concluded their treaty in March 1866, granting full citizenship to their freedmen. After extensive negotiations, northern and southern Muscogee (Creek) factions agreed to a similar treaty. Life for the freedmen, their acceptance and assimilation, generally followed patterns set before the war. The children of Seminole and Creek freedmen attended segregated schools, and freedmen voted and served in political posts in the tribal governments. Social interaction, outwardly peaceful in most of the territory, sometimes changed to racial violence when the freedmen attempted to exercise their rights.

In the last two decades of Indian Territory, Indians and freedmen faced complicated choices about citizenship and land ownership that ruptured any remaining ties between the two. Both Cherokee and Creek freedmen waged lengthy challenges through the United States courts for their rightful share of tribal monies gained in land sales. Both cases were decided in favor of the freedmen. In 1893 Congress created the Dawes

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Dawes Commission to bring about the dissolution of tribal governments and the allotment of land to individual tribal members. The commission had no authority to override the Indian governments, however, until the passage of the Curtis Act in 1898. The enrollment process became a nightmare of bureaucratic paperwork that placed the burden of proof of tribal membership on the applicants themselves. Mixed-blood black Indians were all enrolled as freedmen with no Indian blood. When stalling tactics failed the Indian governments, they used every measure at their disposal to limit the number of freedmen admitted to the rolls. Once again the freedmen challenged the obstruction of their citizenship rights through the United States courts, and the litigation dragged on long after Oklahoma statehood. Of those interned at the Jamison Cemetery, twenty-two names were identified on the Dawes Roll. When the rolls closed in 1907, freedmen eligible for land allotments numbered 23,415. Oklahoma statehood brought new challenges for the African Americans who had been slaves of the Five Nations, but their history as citizens of their respective tribal groups represented a unique period in American race relations.

### Jamison Cemetery

Jamison Cemetery is associated with the Fountain Baptist Church established ca. 1849 at the same location. The Baptist Indian church was located among Upper Creeks and the Methodist Indian church was located among the Lower Creeks. While no documentation exists for the early burials at Jamison Cemetery, it is likely that Muscogee (Creek) were being buried here, whether they were full blood Muscogee (Creek) or Muscogee (Creek) through marriage remains a question. Muscogee (Creek) allowed for the intermarriage of Muscogee (Creek) peoples and slaves. According to an interview with Charles Ponds by Jas. S Buchanan and Carl R. Sherwood in April of 1937, in the early days of the cemetery, "Indians and Colored people both used this burial ground, but in later years it was only used by the Colored."<sup>1</sup>

Prominent families located in the cemetery include: Jane McIntosh Sells of the Chief William McIntosh clan, Harry A. Sells who sold his allotment which became Broken Arrow and John Sells, a member of the party of Creeks who executed Chief McIntosh for treaty violations.

### Summary

Jamison Cemetery is significant at the local level as it embodies multiple elements of association: Archeology-historic, Ethnic Heritage-Native American and Ethnic Heritage-Black, as it functioned for the Muscogee (Creek), Creek Freedmen, and African-American communities. It represents an important part of the American cultural landscape for the once vibrant Freedmen community it represents. The cemetery also is significant because while no archeological investigations have been done, and none are contemplated because of the nature of the site, the fact that this has been a cemetery in use since ca. 1849 to modern times; it has the potential to yield information about the burial customs of the Muscogee (Creek), Creek Freedmen and their ancestors.

<sup>1</sup> "Burial Ground Form for Fountain Church Cemetery aka Jamison Cemetery," Indian Pioneer History Collection, Indian-Pioneer History Project for Oklahoma, April 29, 1937.

Jamison Cemetery  
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Wagoner, Oklahoma  
County and State

**9. Major Bibliographical References**

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

Brown, John Gary. *Soul in the Stone: Cemetery Art from America's Heartland*. Lawrence, Kansas: University Press of Kansas, 1994.

Carter, Kent, "Dawes Commission," *Encyclopedia of Oklahoma History and Culture*, <http://digital.library.okstate.edu/encyclopedia> (accessed January 24, 2012).

Index to the Final Rolls of Citizens and Freedmen of the Five Civilized Tribes in Indian Territory, 03/04/1907, Library of Congress.

Indian Pioneer History Collection. Indian-Pioneer History Project for Oklahoma. "Burial Ground Form for Fountain Church Cemetery aka Jamison Cemetery," April 29, 1937.

Indian Pioneer History Collection. WPA Slave Narrative Project. "Lucinda Davis," Volume 13

Isham, Theodore and Blue Clark. "Creek (MVSKOKE)," *Encyclopedia of Oklahoma History and Culture*, <http://digital.library.okstate.edu/encyclopedia> (accessed January 24, 2012).

Meyer, Richard, ed. *Cemeteries and Gravemarkers: Voices of American Culture*. Ann Arbor, MI: University Microfilms, Inc., 1989.

Morris, John w., Charles R. Goins, and Edwin C. McReynolds. *Historical Atlas of Oklahoma*. Norman, Oklahoma: University of Oklahoma Press, 1986.

Reese, Linda, "Freedmen," *Encyclopedia of Oklahoma History and Culture*, <http://digital.library.okstate.edu/encyclopedia> (accessed January 24, 2012).

Watson, Irwn A., Mrs. "Creek Indian Burial Customs Today." *Chronicles of Oklahoma* Volume 28 (2005): 95-102.

Yarrow, Harry C. *North American Indian Burial Customs*. Odgen, UT: Eagle's View Publishing, 1988.

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

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

**Primary location of additional data:**

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

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

Jamison Cemetery  
Name of Property

Wagoner, Oklahoma  
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**10. Geographical Data**

**Acreage of Property** 3 acres  
(Do not include previously listed resource acreage.)

**UTM References**

(Place additional UTM references on a continuation sheet.)

1 15S 287081 3968500  
Zone Easting Northing

3 \_\_\_\_\_  
Zone Easting Northing

2 \_\_\_\_\_  
Zone Easting Northing

4 \_\_\_\_\_  
Zone Easting Northing

Latitude: 35.837588  
Longitude: -95.357371

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

This tract of land is located in Wagoner County, Oklahoma and is legally identified as the west half of the southwest quarter of the northwest quarter of Section 25, Township 16 North, Range 19 East.

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

This is the current legally recorded description of Jamison Cemetery. It is the property that has historically been associated with Jamison Cemetery.

Jamison Cemetery  
Name of Property

Wagoner, Oklahoma  
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### 11. Form Prepared By

name/title Robert Burgess & Daryl (Sells) Williams/edited by Lynda Schwan Ozan  
organization Rozella & Ozella Universal Education Corp/OK-SHPO date September 30, 2011/January 24, 2011  
street & number 2004 N. 37<sup>th</sup> Street/800 Nazih Zuhdi Dr telephone 918-441-5652/405-522-4478  
city or town Muskogee/Oklahoma City state OK zip code 74401/73105  
e-mail pathtoadulthood@yahoo.com/lozan@okhistory.org

### Additional Documentation

Submit the following items with the completed form:

- **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. Key all photographs to this map.
- **Continuation Sheets**
- **Additional items:** (Check with the SHPO or FPO for any additional items.)

### Photographs:

Submit clear and descriptive photographs. The size of each image must be 1600x1200 pixels at 300 ppi (pixels per inch) or larger. Key all photographs to the sketch map.

Name of Property: Jamison Cemetery  
City or Vicinity: Okay Vicinity  
County: Wagoner State: Oklahoma  
Photographer: Lynda S. Ozan  
Date Photographed: January 5, 2012

Description of Photograph(s) and number:

No.	Subject	Dir.
0001	Cemetery	East
0002	Cemetery	Northeast
0003	Samson Ponds/Gilbert Lewis	East
0004	Priscilla Tucker	East
0005	Albertha Ponds/Brick wall of Family Plot	East
0006	Jessie Jimmason	East
0007	Neil Dwight	East
0008	E.L. Robbins	West
0009	Lettie Hawkins	East
0010	Gereese Swanson	West

Jamison Cemetery  
Name of Property

Wagoner, Oklahoma  
County and State

**Property Owner:**

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

name Wagoner County  
street & number 307 E Cherokee telephone \_\_\_\_\_  
city or town Wagoner state OK zip code 74467

**Paperwork Reduction Act Statement:** This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C. 460 et seq.).  
**Estimated Burden Statement:** Public reporting burden for this form is estimated to average 18 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Office of Planning and Performance Management, U.S. Dept. of the Interior, 1849 C. Street, NW, Washington, DC.

Jamison Cemetery  
Name of Property

Wagoner, Oklahoma  
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Datum: (WGS84)

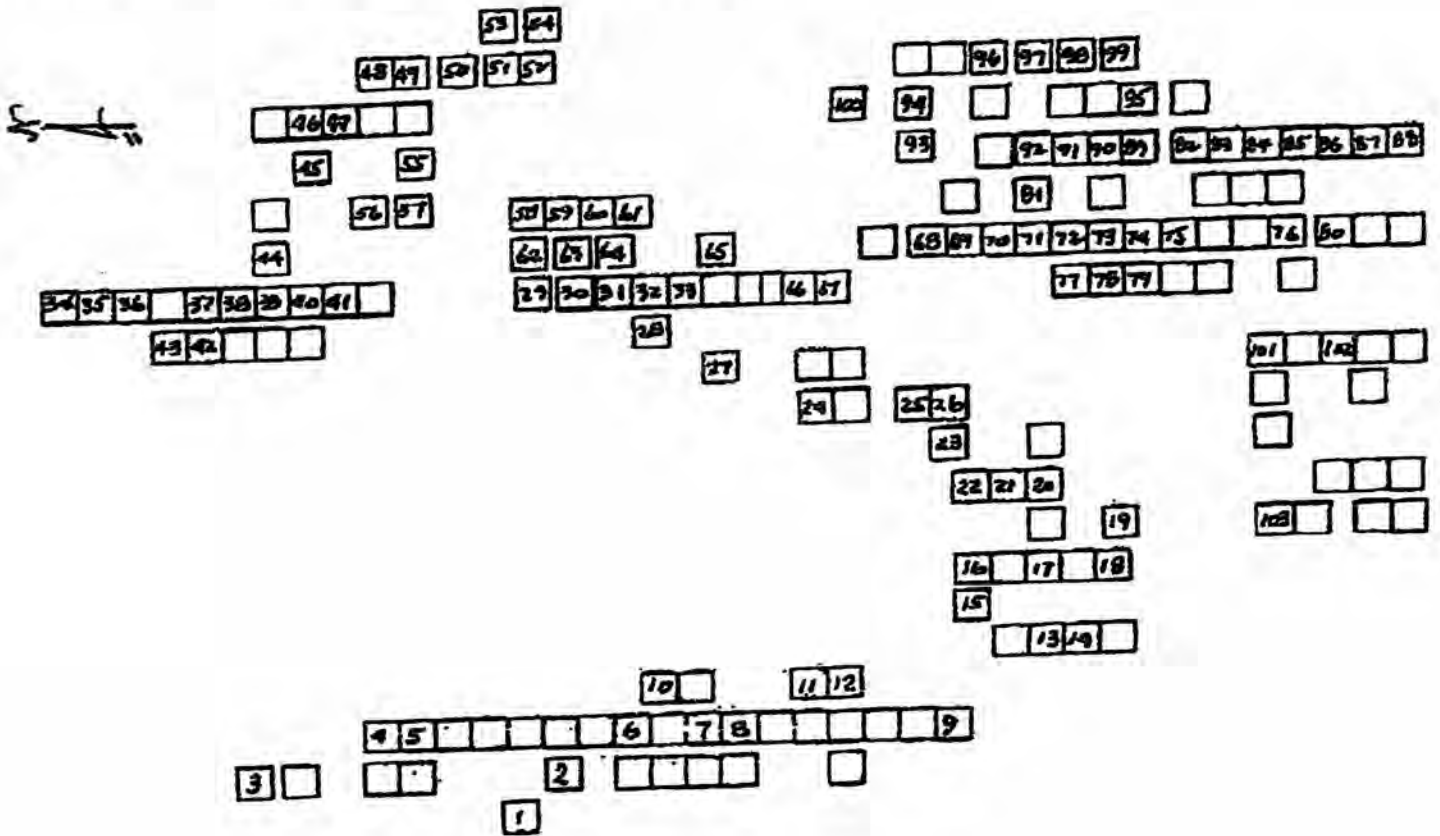
- |                        |                       |
|------------------------|-----------------------|
| 1. Latitude: 35.837588 | Longitude: -95.357371 |
| 2. Latitude:           | Longitude:            |
| 3. Latitude:           | Longitude:            |
| 4. Latitude:           | Longitude:            |



Jamison Cemetery  
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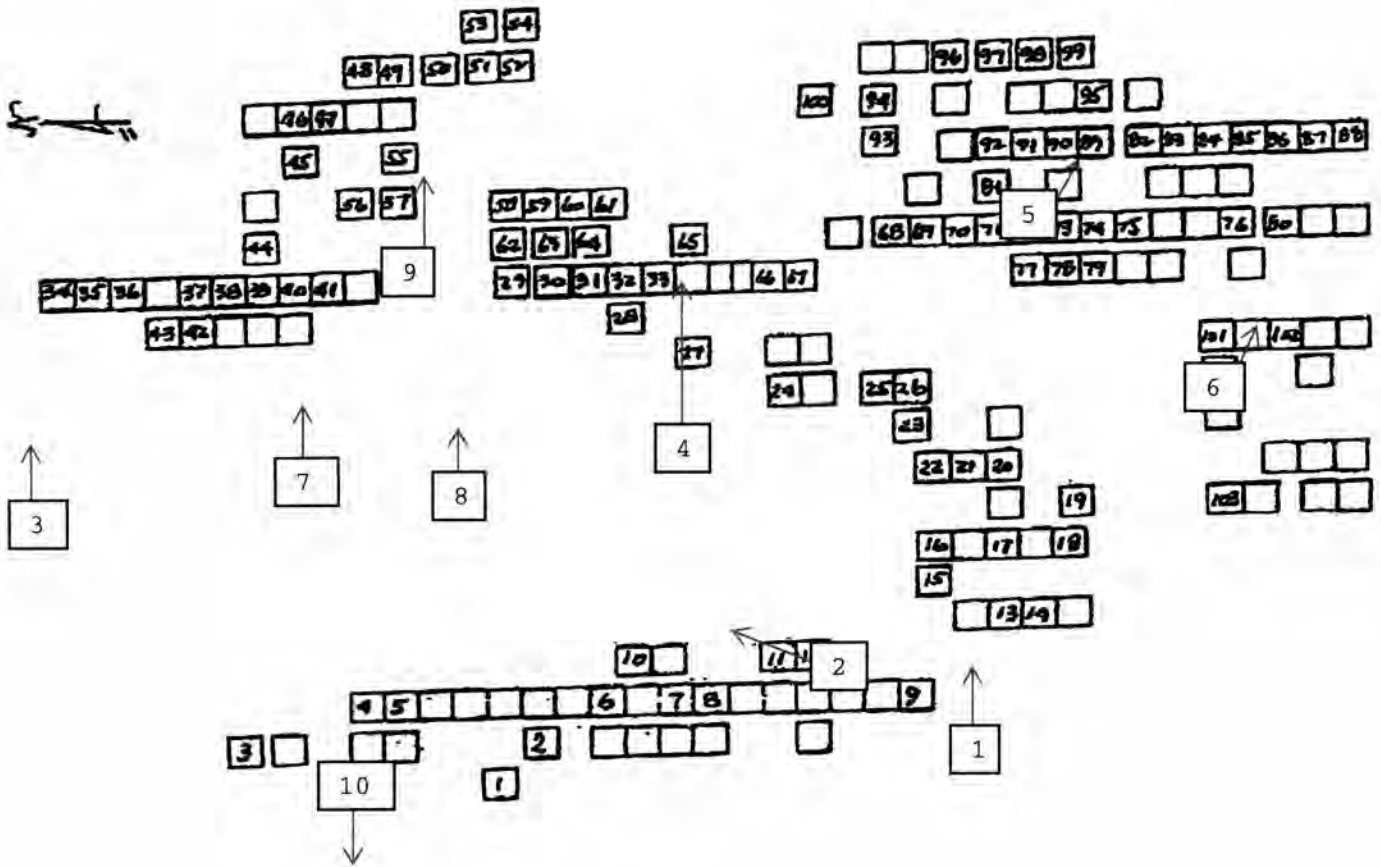
Jamison Cemetery Grave Location Map (Not to Scale)



Jamison Cemetery  
Name of Property

Wagoner, Oklahoma  
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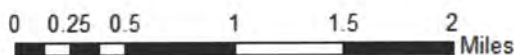
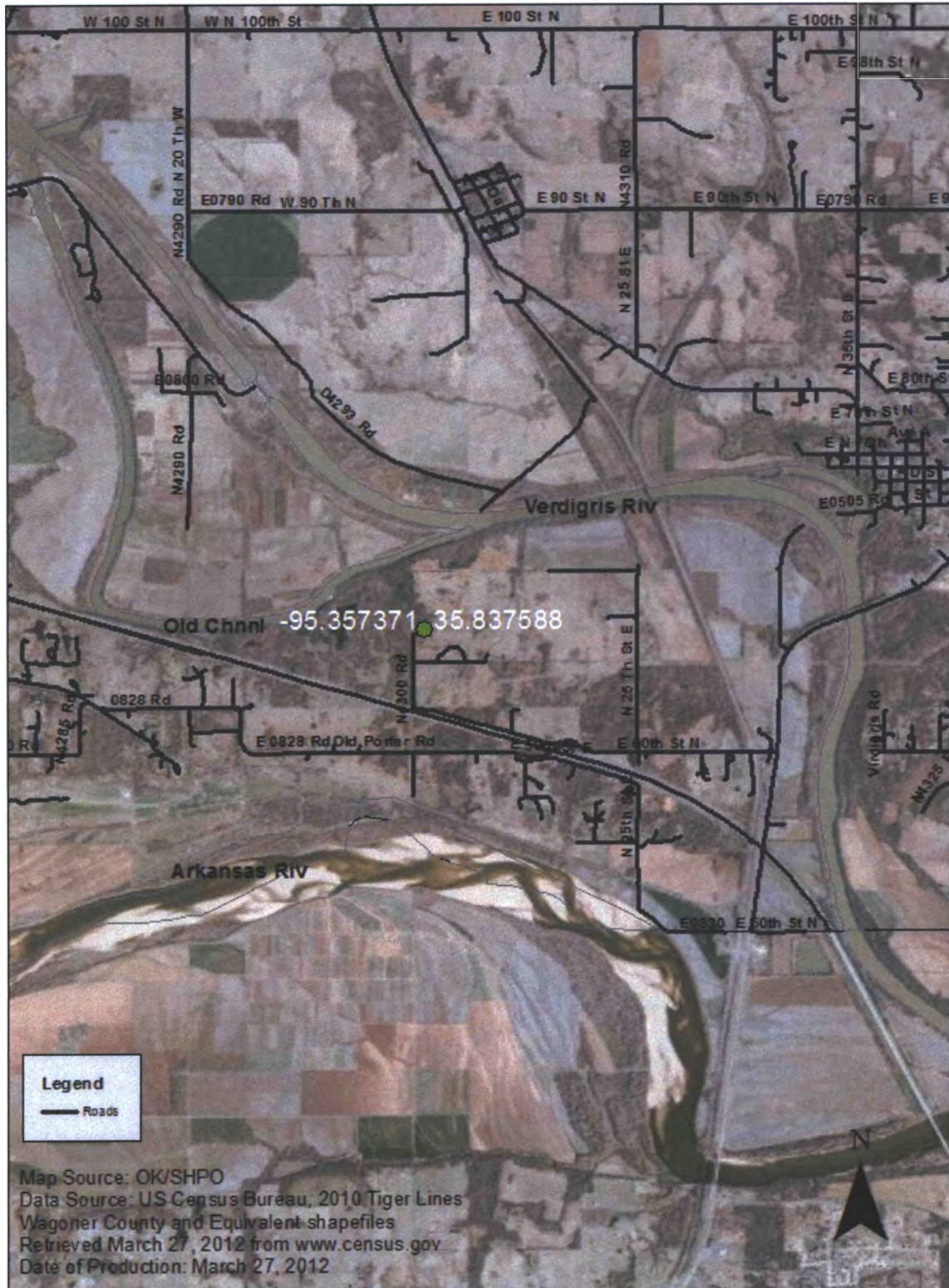
Jamison Cemetery Photograph Map (Not to Scale)



Jamison Cemetery  
Name of Property

Wagoner, Oklahoma  
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### Jamison Cemetery, Okay Vicinity, Wagoner County, Oklahoma



UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES  
EVALUATION/RETURN SHEET

REQUESTED ACTION: NOMINATION

PROPERTY NAME: Jamison Cemetery

MULTIPLE NAME:

STATE & COUNTY: OKLAHOMA, Wagoner

DATE RECEIVED: 5/04/12      DATE OF PENDING LIST: 5/31/12  
DATE OF 16TH DAY: 6/15/12      DATE OF 45TH DAY: 6/20/12  
DATE OF WEEKLY LIST:

REFERENCE NUMBER: 12000349

REASONS FOR REVIEW:

APPEAL: N    DATA PROBLEM: N    LANDSCAPE: N    LESS THAN 50 YEARS: N  
OTHER: N    PDIL: N    PERIOD: N    PROGRAM UNAPPROVED: N  
REQUEST: N    SAMPLE: N    SLR DRAFT: N    NATIONAL: N

COMMENT WAIVER: N

ACCEPT     RETURN     REJECT    6.20.12 DATE

ABSTRACT/SUMMARY COMMENTS:

Entered in  
The National Register  
of  
Historic Places

RECOM./CRITERIA \_\_\_\_\_

REVIEWER \_\_\_\_\_ DISCIPLINE \_\_\_\_\_

TELEPHONE \_\_\_\_\_ DATE \_\_\_\_\_

DOCUMENTATION see attached comments Y/N see attached SLR Y/N

If a nomination is returned to the nominating authority, the nomination is no longer under consideration by the NPS.



Jamison Cemetery  
Wagoner County

Photo 1 of 10



Jamison Cemetery  
Wagoner County, OK

Photo 2 of 10





Jamison Cemetery  
Wagoner County, OK  
Photo 3 of 10



Jamison Cemetery

Wagoner County, OK

photo 4 of 10



Jamison Cemetery  
Wagoner County, OK

photo 5 of 10



1881  
JIM MASON  
BORN  
DEC. 25, 1884  
DIED  
APR. 10, 1911

Jamison Cemetery

Wagoner County, OK

Photo 6 of 10





NEIL DWIGHT

SON OF

RICHARD & T E

CLARK

AUG 13 1880

DEC 11 1914



Jamison Cemetery

Wagoner County, OK

Photo 7 of 10



E. L.

ROBBINS

BORN

MAY 4, 1862

DIED

JULY 30, 1905

Care not mark  
for forgotten

Jamison Cemetery

Wagoner County, OK

Photo 8 of 10

LETITIA  
WIFE OF  
JOE HAWKINS

BORN  
JAN 12 1870

DIED  
JUNE 5 1904

aged 34 years 5 months 14 days

Jamison Cemetery

Wagoner County, OK

Photo 9 of 10



GERESE  
SWANSON  
JUNE 28, 1989  
MAY 29, 1998

Jamison Cemetery  
Wagoner County, OK

Photo 10 of 10





## Oklahoma Historical Society

Founded May 27, 1893

### State Historic Preservation Office

Oklahoma History Center • 800 Nazih Zuhdi Drive • Oklahoma City, OK 73105-7917  
(405) 521-6249 • Fax (405) 522-0816 • [www.okhistory.org/shpo/shpom.htm](http://www.okhistory.org/shpo/shpom.htm)



April 27, 2012

Ms. Carol Shull  
Acting Keeper of the Register  
National Park Service 2280, 8th floor  
National Register of Historic Places  
1201 "I" (Eye) Street, NW  
Washington D.C. 20005

Dear Ms. Shull:

We are pleased to transmit four National Register of Historic Places nominations for Oklahoma properties. The nominations are for the following properties:

- Clay Hall, 311-325 Lakeview Drive, Enid, Garfield County
- Whittier Square Historic District, roughly bounded by Lewis Ave, Zunis Ave, East First St, and I-244, Tulsa, Tulsa County
- Osler Building, 1200 North Walker, Oklahoma City, Oklahoma County
- Jamison Cemetery, 2 miles south on State Highway 16 and 2 miles west on E0820 Road, Okay Vicinity, Wagoner County

All members of the Historic Preservation Review Committee (state review board) were present for the public meeting at which each of these nominations was considered and the recommendation to the State Historic Preservation Officer was formulated. Therefore, the member possessing the requisite professional qualifications for evaluation of each nominated property participated in the recommendation's formulation.

We look forward to the results of your review. If there may be any questions, please do not hesitate to contact either Lynda S. Ozan of my staff or myself.

Sincerely,

A handwritten signature in black ink, appearing to read "Melvena Heisch".

Melvena Heisch  
Deputy State Historic  
Preservation Officer

MKH:Iso

Enclosures