

A HISTORY OF THE DANIEL BOONE NATIONAL FOREST

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**A HISTORY
OF THE
DANIEL BOONE NATIONAL FOREST
1770 – 1970**

**BY
ROBERT F. COLLINS
U.S. FOREST SERVICE – RETIRED
WINCHESTER, KENTUCKY
1975**

**Editor
Betty B. Ellison
Lexington, Kentucky**

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INTRODUCTION

This history of the Daniel Boone National Forest, and of the early settlement of the part of Kentucky in which it lies, has been prepared primarily as a source of information for Forest Officers of the U.S. Forest Service assigned to the Daniel Boone National Forest.

The development and administration of the resources of the Daniel Boone National Forest, over the years since it was established, has had a tendency to overlook the rich historical resource of the region in which it is located. To some extent, this has been due to a lack of awareness on the part of Forest personnel as to the extent of this historical resource, its direct connection with specific areas on the Forest, and the interest of the public in this phase of the area.

It is hoped that this history will serve to inform the personnel, who administer the Daniel Boone, of the interesting early history of eastern Kentucky, as well as to record the establishment of the Cumberland National Forest, its name change, and development and administration during the first 40 years of its existence.

This history should also serve to refresh the memory of the public as to the circumstances leading up to the settlement of Kentucky and of the heroic efforts of those early pioneers to hold and settle this beautiful land in which we live today. It will also serve to inform the readers of the establishment of the National Forest in Kentucky and of the efforts of its administrators to develop and utilize its natural resources for the benefit of the people and communities of Kentucky.

It is hoped that the readers of this history enjoy it as much as the author enjoyed its research and writing.

DEDICATION

It is fitting and proper that this history be dedicated to those individuals, each a pioneer in the interest of development and conservation of the natural resources of the forested country where today is located Kentucky's great Daniel Boone National Forest, whose actions stand out as milestones in this continuing effort.

In thankful recognition of their contributions to the establishment of the Daniel Boone National Forest, this history is respectfully dedicated to:

DANIEL BOONE, he first explored this part of Kentucky in 1769 – 1770. His glowing report of the country resulted in the establishment of the Transylvania Colony here in 1775.

GIFFORD PINCHOT, as the first forester, Chief of the U.S. Forest Service, his foresight and perception resulted in a study of eastern Kentucky in 1907 as a basis for the recommendation for a proposed Southern Appalachian Forest Reserve.

MARY BRECKENRIDGE, the founder of the Frontier Nursing Service, and a pioneer in her own right. Her all-out effort to convince the U.S. Forest Service of the importance of including the headwaters watersheds of the Kentucky and Cumberland rivers within the Purchase Unit boundary of the Cumberland Purchase Unit stands out as a pioneer effort in Kentucky to secure recognition of the importance of protection of the headwaters watersheds of major streams. Had her effort been successful, Kentucky today would have been the better for it.

WILLIAM E. HEDGES, his acquisition studies and recommendations were the basis for the establishment of the Cumberland Purchase Unit. As the Forest Officer in charge of the Purchase Unit establishment, he selected the boundary location, initiated land purchase and organized the entire operation. The skill and wisdom with which he accomplished these actions contribute to the administration of the Daniel Boone National Forest to the present day. His sincerity of purpose and objective thinking impressed the Kentucky people to the extent that it created a public image of the U.S. Forest Service in Kentucky which still exists. He is truly the father of the Daniel Boone National Forest.

THOMAS R. FRAZIER, he was the first District Ranger of the Redbird Purchase Unit with the responsibility of its on-the-ground establishment. His sound judgement, administrative ability and personal leadership resulted in a coordinated operation which was a major factor in the success of the operation. The establishment of a new Purchase Unit in eastern Kentucky, the first since the early 1930's, was a pioneer effort in a new country. The smoothness and efficiency with which this was accomplished is a tribute to the ability of this fine Forest Officer.

ACKNOWLEDGEMENT

To acknowledge by name the many people who have contributed to the assembly of information on which this history of the Daniel Boone National Forest is based is beyond the capability of this brief statement. To all of these people, I offer my sincere thanks and express my appreciation of their interest and encouragement.

Among the major contributors whom I wish to acknowledge by name are:

Dr. E. E. Curry, Winchester, Kentucky, whose willing loan of books and manuscripts, long out of print, provided the historical base for the early history of Kentucky.

Col. James H. French, Winchester, Kentucky, a direct descendent of Colonel Richard Callaway who accompanied Daniel Boone in marking the Boone Trace in 1775, made a major contribution to the accuracy of the early history by the loan of books and manuscripts from his personal library and by sharing personal information of that period passed down through his family.

Mr. Lucien T. Robinson, Mount Olive, Kentucky, who provided vital information relative to the early land laws and the formation of the counties of Kentucky at the expense of much travel and personal effort on his part. His interest and encouragement contributed much to the completion of the project.

Mr. Elmer Boggs, Whitley City, Kentucky, County Agent for McCreary County, Kentucky of the University of Kentucky Co-operative Extension Service. His contribution of information on the Indian history of that area during the early settlement period served to provide information not readily available.

The personnel of the Daniel Boone National Forest were of the greatest assistance in researching the Forest Service records for the basic foundation of information on which this history is based. The highest order of assistance and cooperation was furnished by the following:

John E. Alcock, Forest Supervisor, Daniel Boone National Forest. The full cooperation and favorable encouragement of Supervisor Alcock throughout the project was a major factor in its successful completion.

Jack Hatfield, Administrative Officer, Daniel Boone National Forest. Again the full cooperation of this Forest Officer and his section, together with his personal assistance and encouragement, contributed highly to the full completion of the project.

Evelyn S. Powell, Supervisory Resource Technician, Daniel Boone National Forest. Her full knowledge of the files and other reference material

in the Supervisor's Office, together with her willing assistance, contributed greatly to the completeness of the history.

Janet C. Tapp, Supervisory Clerk, Daniel Boone National Forest. Her work, and the work of her section, contributed highly to the final form and assembly of the history. The high standard maintained throughout the project was a major factor in the quality of the final product.

Hilda Riley, Engineering Draftsman, Daniel Boone National Forest. Her understanding of map preparation and skill in cartography has greatly simplified the understanding of the early traces, stations and counties cited in the text. Her personal interest in this project contributed much to its success.

To all of the above people, and to the many others who contributed in any manner to this history of the Daniel Boone National Forest, I offer my acknowledgement of their assistance, contributions and encouragement, and my grateful appreciation of their interest.

ABOUT THE AUTHOR

The author of this History of the Daniel Boone National Forest was born and grew up in southern Michigan.

Bob Collins' professional forestry education was acquired at Michigan State University, East Lansing, Michigan, and at the Yale Forest School of Yale University, New Haven, Connecticut. His professional service began with the Michigan Department of Conservation followed by 40 years of service as a member of the U.S. Forest Service.

The author's initial Forest Service assignment was in Research at the Lake States Forest Experiment Station. With the advent of the C.C.C. program he shifted to Administration, serving on the Medicine Bow National Forest in Wyoming, the Black Hills National Forest in South Dakota, and the Mark Twain National Forest in Missouri where he assisted in the initial purchase program and establishment of administration.

Following six years service in the armed forces during WW II, largely in the South Pacific, he served three years in the Branch of State and Private Forestry in the states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, and New York.

In 1953, the author was appointed Forest Supervisor of the Cumberland National Forest in Kentucky where he served for the next 17 years. During that time he was instrumental in changing the forest's name to the Daniel Boone National Forest.

Retiring from the Forest Service in 1970, he served as visiting professor at the University of Kentucky, teaching Forest Policy in the Department of Forestry for the next four years.

During this period he researched and wrote this History of the Daniel Boone National Forest, completing the manuscript in 1973. During the next two years he completed a text book, *The Forest Policy of the United States*, published by the University of Kentucky in 1975.

Bob Collins continues to maintain a deep interest in natural resource conservation at both the national and local levels, alert for more opportunities to serve in this field.

Jack Hatfield
Administrative Officer
Daniel Boone National Forest
Winchester, Kentucky



DANIEL BOONE PORTRAIT

by

Jack Kennedy Hodgkin

I first became fascinated with Daniel Boone when I was a boy. There was a wonderful woods across from my house on Boone Avenue in Winchester, Kentucky, and each summer the neighborhood children and I played the hours away pretending to be Robin Hood, Tarzan, and others, but especially

Daniel Boone, since he came to Kentucky and built the Fort at Boonesborough, only a few miles from our home.

This fascination was renewed again a few years ago when the Fort Boonesborough Park Association commissioned me to paint this great historical figure for the Fort and Museum, which was being constructed at the State Park.

I was quite honored and excited about this undertaking. My first decision was that I would paint him as a young man when he first came here to Kentucky and built the original fortification. He was forty-one years old, five-ten, and weighed one hundred and sixty-five pounds. He had blond hair, blue and very keen eyes, and was a very powerfully built man, well above average size for his day. These descriptions were made by a number of different people who had seen him at this time and were still alive after his death and the first histories of Kentucky were being written.

The only portrait of him rendered from life was by Chester Harding. This was six months before his death at 87 in 1820. Using Harding's portrait as a guide, I began sketches making him a young man. Boone, in his old age, lost his teeth, so I reconstructed the mouth and chin area by observing a number of his family descendents. They all seemed to have a common mouth characteristic which I used in my portrait.

To be sure of my results, I secured the help of a sculptor, E. Carrol Hale, Jr., who taught at Eastern University. Hale had a thorough knowledge of anatomy, and putting our efforts together, arrived at what the pioneer probably looked like as a young man.

Robert F. Collins, the author of this history, gave me his valuable assistance with decisions on the use of dress and rifle. I had a replica made which is prototype of the many that Boone brought to Kentucky. The buckskin outfit was also custom made and I used some five different male models that were of his size to get just the look I wanted. The background for this painting was a beautiful location overlooking the Kentucky River which Boone could have stood on.

The completed portrait is five by eight feet tall and the bust by Hale was cast in bronze by a foundry in the Eastern United States. These works are on permanent exhibit at the Fort Boonesborough Museum.

In addition to these works, it was my idea to show the establishment of Boonesborough and Kentucky in a series of paintings by myself and other state artists. This project was accomplished with the help of Collins and a committee of the Fort Boonesborough Park Association. The works were financed by local governments, businesses, and organizations and are being enjoyed by thousands of citizens who visit the Fort each year.

Historical painting is very difficult and has been regarded as the highest form of painting. Rembrandt stated this even in his day. It is not possible for the artist to make the correct rendering without the help of historical authority. Bob Collins has given me the knowledge, guidance, and inspiration I have needed to accomplish my work in this field.

Jack Kennedy Hodgkin
March 26, 1976

CHAPTER I

EARLY EXPLORATION

The Daniel Boone National Forest in Eastern Kentucky lies in one of the most historic regions in America. The history of its exploration and early settlement is one of the most interesting and exciting phases of American history.

By early in the 16th-Century the tales of Indians regarding this area, its great forests, huge game herds, magnificent rivers and rich land, had excited the imagination of the French and English alike. Both nations laid claim to this vast heartland of America.

History tells us that the French, from their developed colony in what is today Canada, were among the first white men to set foot in the area. In 1669, Robert Cavelier de La Salle, the French explorer, transversed the Ohio River from the Big Sandy to the Falls of the Ohio. In 1671, Thomas Batts, with a party of Virginians in search of the great western river described by the Indians, crossed into the valley of the Ohio. In 1673, J. Marquette and Louis Jolliett passed the mouth of the Ohio on their trip down the Mississippi River. In 1739, another French explorer, Baron Longueil, explored a portion of the Ohio River. In 1742, an English explorer, John Peter Sallings, traveled in the area; and in the same year, John Howard, another Englishman, made a trip down the Ohio River.

By 1749, the French were making formal claims to lands along the Ohio, sending Celeron de Blainville from Montreal to explore and claim the area in the name of the King of France, Louis XVI.

Not to be outdone, the English also made formal claims to the area. Their claims, based partly on the exploration of Batts, Sallings and Howard, were also firmly based on the royal charter to the London Company granted to them by King James I in the year of 1606. This grant, which included all territory from Cape Fear north to the Potomac River, specified no western boundary. In accordance with this royal charter, Virginia claimed all land westward from the above point to the western ocean.

In 1748, the Loyal Land Company was organized in London by Virginians for the purpose of dealing in western lands. The company secured a royal charter with a grant of 800,000 acres to be located north of the due western extinction of the boundary line between Virginia and North Carolina in the Kentucky area at the discretion of the grantees. The company selected Dr. Thomas Walker of Albermarle County, Virginia, to inspect the country and select the location of the grant.

In the spring of 1750, Dr. Walker, accompanied by Ambrose Powell,



William Tomlinson, Colby Chew, Henry Lawless and John Hughes set out on this mission. Crossing the Blue Ridge and seeking information from settlers and hunters along the way, the party arrived at a pass through the mountains, known as Cave Gap, on April 13, 1750. This sharp break in the high mountain walls of the western rim of the Appalachians was the most important discovery of the expedition. Through this gap, later known as Cumberland Gap, would pass hundreds of thousands of people enroute to settle the limitless western country beyond.

Continuing through the gap and following a well-traveled Indian road, known to the Indians as Athawominee (The Path of the Armed Ones or the Warrior's Path), the party continued down Yellow Creek and Clear Creek until they encountered a large clear river sweeping out of the hills from the northeast. This river, known to Indians and hunters as Shawnee River after the last permanent residents of the area, Dr. Walker named the Cumberland River in honor of the Duke of Cumberland, who was then a national hero due to his leading the English army to victory in the Battle of Culloden four years previously.

Finding the river at flood stage, they continued along the west bank following the Indian road to a narrow pass where the river cut through Pine Mountain, later known as Wasioto Gap, to a point just below the narrows where the Indian road crossed the stream. The high water prevented a crossing and they continued along the west bank for several miles through rough hills until they arrived at a big lick at a bend of a creek which, by the many buffalo trails leading to it, appeared to be used by huge herds of these animals. Finding the river still too high to cross by fording, they built a bark canoe and, on April 22, 1750, they crossed the river in the canoe, forcing their horses to swim.

Safely across the river, the party arrived at a large bottom of fertile land where Dr. Walker decided to build a cabin in evidence of their claim to the territory. Drawing lots to determine who would build the cabin, salt down the meat of a bear they had killed and plant corn and peach stones, Dr. Walker and two companions then continued westward from the cabin site, located about eight miles below the present town of Barbourville, in Knox County, Kentucky. Continuing westward about 20 miles and finding the land poor, the laurel tangled and the grazing for animals poor, Dr. Walker climbed a tree on a ridge top to look over the general area. Finding the country unsatisfactory for his purpose in all directions, the three returned to the cabin site where their companions had completed construction of a cabin 8 by 12 feet in size, the first cabin built by white men in the area that was to be Kentucky. (A replica of this cabin has been erected on this location designated by the Commonwealth as the Dr. Thomas Walker State Shrine.)

Marking several trees in the vicinity as evidence of their land claim, the

party headed north on May 1, 1750. Crossing the Laurel River the explorers again came upon a much used Indian road they correctly identified as the Warrior's Path, which they had left where it crossed the river. Continuing north along the Laurel River for two days, they crossed many streams and found the country rough and undesirable for their purpose. On May 11, the party camped under a large overhanging rock, large enough to shelter two hundred men. From this point, believed to have been on one fork of the Rockcastle River, the party turned eastward for the return trip to Virginia.

It appears that Dr. Walker selected one of the most difficult routes possible for the return trip. They traveled over 200 miles of difficult mountain country, crossing the present Kentucky River (which he called the Levisa in honor of the wife of the Duke of Cumberland) near the present town of Irvine, Kentucky. Camping one night on a bend of the Licking River near the present town of Salyersville, the party crossed the headwaters of the Licking, the Big Sandy and the Kentucky River and, crossing into Virginia through Pound Gap, they reached New River near its junction with the Greenbrier at a place since known as Walker's Meadow.

Dr. Walker has left no comment on his disappointment, and that of his sponsors of the Loyal Land Company, in failing to find desirable country in which to locate the company grant of 800,000 acres. Unfortunately he had failed to discover the beautiful rolling Bluegrass land only a few miles to the north and west of his return route.

As an indication of the abundance of game in Kentucky at that time, it is of interest to note that Dr. Walker reported that during the trip his party had killed a total of 13 buffalo, eight elk, 53 bear, 20 deer, four wild geese, 150 wild turkey and abundant numbers of small game. He stated, "We might have killed three times as much game, had we wanted it."

This expedition of Dr. Walker's was the first extensive exploration of the Kentucky country by the English with the objective of locating specific land for settlement. The French and Indian War, even then in the making, was to delay the settlement of this country beyond the mountains for a period of 20 years.

It is interesting to note that a part of Dr. Walker's route crossed country that today lies with the Daniel Boone National Forest.

In 1748 another group of Virginia gentlemen, which included George Washington's half brothers, Lawrence and Augustine, organized the Ohio Company for the purpose of dealing in western land. This company received a grant for 200,000 acres in what is now West Virginia, between the Monongahela and the Kanawha rivers. Later the company was awarded a second grant of 500,000 acres on either side of the Ohio River, below the mouth of the Kanawha, at their discretion. In return the company agreed to erect a fort at the junction of the Allegheny and Monongahela rivers and

another at the mouth of the Kanawha River and, in addition, to settle 300 families on these lands.

To locate desirable land for this venture the Ohio Company employed the famous frontiersman Christopher Gist, who lived on the Yadkin River in North Carolina, to explore the Ohio country for them. He was instructed to locate good level land and to make a rough survey of it. He was directed to extend the explorations as far downstream as the Falls of the Ohio, where the city of Louisville is now located, if necessary.

In the spring of 1751, Christopher Gist came down the Ohio, and, landing on the Kentucky shore near Big Bone Lick, proposed to explore downstream as far as the Falls of the Ohio. Becoming alarmed by the action of a body of Indians in that vicinity, he turned southward and, reaching the Salt River drainage, turned eastward, crossing the Kentucky, the Red and the Licking rivers. Beyond these he passed through Pound Gap into Virginia enroute to his home in North Carolina. On his return trip he crossed the route taken by the Dr. Walker Party in 1750. It is interesting to note that the information he gained on this exploration trip, when told around the campfires of General Edward Braddock's Army some four years later during the French and Indian War, would be instrumental in influencing young Daniel Boone to resolve that someday he would live in this fabulous land of Kentucky.

In the fall of 1752, a white trader named John Findley (or Finley), with a stock of trade goods and four white servants, came down the Ohio in canoes as far as the Falls of the Ohio, the present site of the city of Louisville, Kentucky. He had hoped to locate parties of Indians with whom he could contract to provide trade goods in return for their winter catch of furs. Finding no Indians there, he turned back upriver as far as Big Bone Lick where he met a party of Shawnee returning from a hunt in Illinois. They invited him to return with them to their village, promising him good trade there.

Traveling by canoe up the Kentucky River with Indian guides, Findley unloaded his trade goods on the bank of Upper Howards Creek at the Shawnee village of Es-kip-pa-kith-i-ki, located about 10 miles from the present site of Winchester, Kentucky. Here he built a log cabin surrounded by a stockade, unpacked his trade goods and was ready for the fall and winter fur trade.

The story has persisted in Kentucky history that this unpacking of trade goods was a most significant event in the development of Kentucky. According to the story, attributed to Daniel Boone and passed down in the Boone family for generations, these trade goods had been packed at Lancaster, Pennsylvania, in a hay known as "English Grass," and which we know today as Bluegrass. Seed of this hay had been brought to the Lancaster area from the homeland by the early settlers. As Findley and his helpers unpacked the

merchandise the packing hay was thrown aside. Seed from this hay took root in the rich limestone soil of Es-kip-pa-kith-i-ki and, during the following 25 years, spread across the cleared fields of the Indian village. When white men again came to the village site some 25 years later, the only Bluegrass they found in Kentucky was at Grassy Lick in Montgomery County and at Es-kip-pa-kith-i-ki or Indian Old Fields as the site is known today.

John Findley's dream of a profitable trading venture with the Shawnee was short lived. On January 28, 1753, a large party of Indians consisting of 70 Christian Conewagos and Ottawas, one French Canadian and a renegade Dutchman, named Phillips, came down the Warrior's Path from the vicinity of the St. Lawrence River on a scalp-hunting expedition against the southern Indian tribes. While on the Warrior's Path near the head of Station Camp Creek (Estill County) they met a party of seven Pennsylvania traders and their Cherokee servant. The northern Indians attempted to take the Cherokee's scalp and the traders objected. In the brief fight one of the Indians was shot in the arm. The Indians then proceeded to make prisoners of the white trading party and started on their return to Canada.

While passing through Es-kip-pa-kith-i-ki, John Findley apparently attempted to help his fellow traders. The fight which ensued resulted in the killing of three of Findley's servants and the stealing of all of his property and trade goods. Findley and his remaining servant, John Faulkner, barely escaped with their lives and were forced to make their way back through the winter forest to Pennsylvania.

One of the traders, James Lowry, and his Cherokee servant managed to escape from the Indian war party three days later. The remaining six traders were taken to Canada, and later two of them were sent to France, before they were rescued and returned home.

In reporting this affair to the government of Pennsylvania Major William Trent, Virginia Indian Agent, identified the location as "Kentucky," this being the first time that word appears in the records of the English colony.

In 1754, James McBride is reported to have traveled to the mouth of the Kentucky River.

In 1761, a party of 19 Virginians passed through Cumberland Gap into Kentucky, giving the name of their home county, Cumberland, to the mountains. They apparently had traveled only a short distance into Kentucky before returning back to Virginia.

In the fall of 1763, this same group of Virginians again came through Cumberland Gap, spending the fall and early winter hunting and trapping along the Cumberland River before returning home.

Apparently these hunters found conditions favorable in Kentucky as they again came through Cumberland Gap in 1764. Making their hunt on the Rockcastle River, they came upon a large orchard of sweetly blooming crab

apple trees at a great spring. This spot they named Crab Orchard which later became a significant point on the Wilderness Road.

This hunting ground proved to be so fruitful that they returned there each fall for several years. Because of the long trip to these hunting grounds, as well as the long time they were absent from home each year, they were referred to as the "Long Hunters" and so history has recorded them.

On one of these trips their hunt along the Rockcastle River found game scarce. The small group, led by James Knox of Augusta County, Virginia, met a small party of Indians led by a Cherokee chief named Captain Dick, whom they had met previously. Reporting the scarcity of game, Captain Dick invited the party to hunt on "his river" where he told them, game was plentiful. After giving directions for reaching the area the chief cautioned them, with significant emphasis, "To kill only what they needed and go home." Following the chief's directions, Knox and his party traveled west to the head of the stream described where abundant game was found. In honor of his Indian friend Knox named the stream, "Dick's River," and so it is named to this day. However, sometime in the intervening years, a mapmaker has changed the spelling of his name to, "Dix River," either in the interest of brevity or because he misunderstood the spelling from the spoken word.

On this trip to Dick's River, James Knox explored country through which, many years later, he would help to build the "Wilderness Road."

It is reported that prior to his trip of exploration to Kentucky in 1769, Daniel Boone, then living on the Yadkin River in North Carolina, contacted these long hunters for information regarding Kentucky, and stating as his reason for desiring the information that he had been employed to explore this general area beyond Cumberland Gap for the land firm of Henderson & Company.

In 1767, Isaac Lindsey and four companions from South Carolina came through Cumberland Gap and traveled along a stream having distinctive rock formations along its shore. Because of the resemblance of these imposing rock structures to the medieval castles of Europe, Lindsey named the stream the "Rockcastle River," a name it still bears today.

Following the Rockcastle River south to the Cumberland River, then down the Cumberland to the mouth of Stone's River in what is today Tennessee, this group met Michael Stoner and James Harrod, both of whom were later to become pioneer leaders in the settlement of Kentucky.

These first hunters apparently came to Kentucky in search of fur and skins as well as for the adventure of exploring a new country. However, all of the early visitors to Kentucky were not so motivated. As with every new country, there were questions as to the presence of gold and silver. Some of these early travelers were definitely motivated by the possibility of great wealth from such sources. Among such men were John Swift and his party, whose story

has been told around the campfires of hunters of the area and before the fireplaces of the cabins of Eastern Kentucky for the past 200 years. There are many versions of this tale, each having some scrap of documentary evidence or historical facts sufficient to authenticate it in the minds of eager listeners. Historical research indicated that John Swift was an Indian trader, working with the northern Indian tribes well before the French and Indian War. It is rumored that he married a beautiful Indian maiden (the daughter of a chief, no doubt), and that possibly he was made a member of the tribe. He is believed to have traveled with these Indians into Kentucky, where they came to obtain silver, which they traded to the French for various types of trade goods. It is believed that in this way John Swift learned of the presence of silver in the Eastern Kentucky area.

Fortunately, for the documentation of this story at least, trader John Swift was a methodical man who kept a detailed journal of his later travels, which not only provides much of the following information, but also includes a map of the Middle Kentucky River country. It is known that he made a series of trips from his home in Alexandria, Virginia, to the Eastern Kentucky country in 1761, 1762, 1764, 1767-68 and 1768-69. All but one of the earlier trips were made to Kentucky well before Daniel Boone's first visit there. In addition, trader John Swift's diary refers to three other trips, which were not documented, prior to the initial documented trip of 1761. On these journeys, John Swift and his party started from Alexandria, Virginia, proceeded as a group to the head of the Big Sandy River, and from there scattered over considerable area in their explorations, prospecting and mining. These widely scattered operations have served to confuse historians and others not familiar with the entire story.

While there are as many versions of the John Swift silver mine story as there are storytellers, the main stories and legends may be grouped into two principal versions.

The first story relates that John Swift and three companions, Mundy, Gries and Jeffrey, mined silver somewhere in the Kentucky River country, probably in a drainage of the Red River, over a period of approximately eight years (1761-1769). This story says that during that period they smelted approximately \$273,000 in silver bullion and coins, which was kept buried in the floor of a Kentucky cave. About 1769, they attempted to bring \$70,000 in value back to Virginia. Enroute, they were attacked by Indians, buried the \$70,000 worth of silver, and in trying to escape Swift's three companions were killed. Swift eventually reached the eastern settlement and his home in Alexandria, Virginia. This means that the \$70,000 worth of silver was buried somewhere on a trail between the Red River and the eastern seaboard settlements where, as far as is known, it remains today providing the irresistible lure of the secret of buried treasure, as it has in each of the succeeding

generations since that day. The remaining \$200,000 of silver bars was left buried in a Kentucky cave and, as far as it is known, remains there to this day.

The second version of this story is similar, but takes a more sinister turn. This story states that when John Swift returned to the Kentucky country of his earlier adventures with the Indians, he was accompanied by a motley crew of adventurers, including ex-sailors, ex-soldiers, and a few well-known pirates and cutthroats from the seaboard settlements and the Spanish Main. It is recorded that one of the members of his party was a former worker in the mint of England. The party came into the region with several loaded pack-horses; and, when they started back to Virginia a few months later, the packhorses were more heavily loaded than when they came in.

On one thing all stories are in agreement. John Swift and his companions were refining silver ore and were making counterfeit money. This is verified somewhat by a later story that John Swift was put on trial in Alexandria, Virginia, for counterfeiting, but was acquitted at this trial and released when it was proven that his pieces-of-eight contained more pure silver than did the coinage of either Spain or England.

Here again, the trail branches out in speculation over where the silver came from originally. Some believe, as in the first account, that Swift and his companions mined and smelted this silver on location, although geologists have stubbornly maintained that there is no silver ore in Kentucky. Another story, which has some basis of fact, is that the silver bars were taken from Spanish ships, either captured by the English navy or by pirates working in connection with Swift and his companions. It is well established that Swift had connections with the piracy trade of his day and time, and was part owner in 12 ships sometimes engaged in that trade. Further rumor has it that he was forced to testify at the trial in England of his fellow buccaneer, Black Beard. If this could be established as a fact, it would lend much credence to the entire Swift Silver Mine story. From this point, the main version of the second story closely parallels that of the first; that is, while packing the silver back to the Virginia settlement, the party was attacked by Indians, Swift's companions killed, and the treasure buried along the trail. At this point, another sinister version of the story relates that the party was not attacked by Indians on the return trip, but that John Swift, wishing to have the entire treasure and location of the mine for himself, killed his companions, buried them and the silver on the trail, and returned to the settlement with a story of Indian attack to explain the absence or non-return of his companions.

It is related that shortly after his return to the seaboard settlements, John Swift traveled to England in the hope of interesting investors there to the extent of outfitting an expedition to recover the caches of rich silver bullion and to operate the fabulous silver mine further. While in England, the

American Revolutionary War broke out, and, because John Swift had made many public statements as a true American and had given the public his opinion of the king and others, he was jailed in Dartmoor Prison where he remained until the end of the American War of Independence. As a result of spending many years in a dark and damp cellblock, John Swift lost his eyesight and returned to the colonies a blind man.

Once back in the colonies, "Blind John," as he was known, was unable to go into the woods by himself. As a result of his fabulous tales of lost treasure, he was able to interest and assemble a party who agreed to accompany him to Kentucky in an attempt to recover the treasure. On this exploring trip his principal companion was a man by the name of Anderson, who wrote, "It was pitiful to see the old man hobble over the rocky ground, up cliffs and across the mountain streams, searching frantically for the site of his former mining adventure." For 14 years, Blind John Swift, accompanied by various companions, attracted by his stories of fabulous wealth, searched the Kentucky country for the identifying reference marks he recorded in his journal that he had made to assist in relocating the various caches of buried treasure. In the year of 1800, broken in spirit and in body, John Swift lay dying; and, with almost his last breath, he admonished his companions: "It is near a 'peculiar rock', boys. Don't never quit hunting for it. It is the richest thing I ever saw. It will make Kentucky rich."

Since that day, hardly a year has passed that one or more searching parties had not been found in the hills of Eastern Kentucky, usually with a copy of the journal and a map, which someone has sold them as, the original, searching diligently for the lost treasure. As an example of the type of marking in Swift's journal which excites the interest and inflames the passion for finding buried treasure, is this entry: "On the first of September, 1769, we left between \$22,000 and \$30,000 in crowns on a large creek, running near a south course. Close to the spot, we marked our names (Swift, Jefferson, Mundy, and others) on a beech tree . . . with a compass, square and trowel (Masonic symbols). No great distance from this place, we left \$15,000 of the same kind, marking three or four trees with marks. Not far from these, we left the prize, near a forked white oak, about three feet underground and laid two long stones across it, marking several stones close about it. At the Forks of Sandy, close by the forks, is a small rock, has a spring in one end of it. Between it and a small branch, we hid a prize under the ground; it was valued at \$6,000. We, likewise, left \$3,000 buried in the rocks of the rock house."

For nearly 200 years the lure of John Swift's lost mine and buried treasure has served as a Kentucky El Dorado. John Swift's dying words have rung in the ears of prospectors and treasure seekers as a certain promise of riches. The "boys" have never given up the search. One of these was old man Cud Hanks at Campton, Kentucky, who tramped the hills above the town looking for

Swift's silver lode. Uncle Cud claimed that he knew Sailor John, and that he had first-hand information of the mine. Like the others, death overtook him, too, before he could find the precious cache. While many communities in Eastern Kentucky believe that their community is the real site of John Swift's fabulous silver mine, the majority of treasure seekers tend to concentrate their search on that portion of the Daniel Boone National Forest along Swift Camp Creek between the vicinity of Rock Bridge and the junction of the creek with the Red River. This area of high cliffs, rough and broken topography, and lack of clearly marked trails, may well provide succeeding generations of treasure seekers with much-needed, strenuous, physical exercise and many hours of enthusiastic and romantic contemplation. If the past is any indication, the future will not want for searchers for the Swift Mine Treasure in the Daniel Boone National Forest.

CHAPTER II

DANIEL BOONE'S INSPIRATION

The history of the Daniel Boone National Forest actually begins in Western Pennsylvania in the summer of 1755. An army of British and Colonial troops, commanded by Major General Edward Braddock of the British Army, had left Fort Cumberland in Western Maryland early in June with the mission of driving the French from British territory. The initial objective of this force was Fort Duquesne which the French had established at the junction of the Allegheny and Monongahela rivers, territory claimed by the English.

In December of 1753, Governor Robert Dinwiddie of Virginia had sent Major George Washington, accompanied by the experienced frontier scout Christopher Gist, with a letter to the French commander at Fort Duquesne demanding that the French depart peacefully from English territory. The French reply had been evasive, but they continued to maintain troops at Fort Duquesne. The British government had sent General Braddock to America to organize this force and to lead it to drive out the French and take possession of the fort. With this army were a number of people whose names were to become forever identified with the American Revolution.

First there was Colonel George Washington, a member of General Braddock's staff. The Commander of the Advance Guard was Lieutenant Colonel Thomas Gage who, just 20 years later, would be commanding a British force penned up in Boston by a Colonial Army commanded by General George Washington.

The principal commissary officer of the expedition was Dr. Thomas Walker who had led the exploration party through Cumberland Gap in 1750. He had been assisted in procuring teams and wagons for the expedition by Benjamin Franklin, then Postmaster of Pennsylvania.

Commanding a frontier scout company, the 17th Rangers, was Christopher Gist, who had explored a part of Kentucky as an employee of the Ohio Company in 1751. With him as a lieutenant in the 17th Rangers was his son, Nathaniel Gist, who was to serve with honor in the Revolution, to become the father of the famous Cherokee Chief Sequoia and to become an honored and respected resident of Clark County, Kentucky, in later years.

With the wagon trains, as a civilian teamster, was John Findley who had established a trading post at Es-kip-pa-kith-i-ki in what is now Clark County, Kentucky in 1752.

Another civilian teamster with this wagon train was a 21-year-old frontiersman from the Yadkin Valley in North Carolina by the name of Daniel Boone.

He and his family were neighbors of Christopher Gist and his son Nathaniel on the Yadkin.

As the army slowly cut its way through the forest towards Fort Duquesne, it was the custom of the soldiers to gather around the campfire at night and talk of the things that soldiers have talked about since time began; home, girls, and adventure. Frequently, as the fire burned low, talk would turn to adventure and John Findley or Christopher Gist would tell of the country they had visited beyond the western mountains, the land called Kentucky. Each time the stories of Kentucky were told, tales of the vast unbroken forests; of the rolling bluegrass with its cane and huge herds of buffalo, elk, bear and deer; of the limitless flocks of wild turkey and of the many clear streams bordered by rich land all free for the taking, young Daniel Boone resolved that someday he would visit and settle in this beautiful land of Kentucky.

Sixty years later Daniel Boone still remembered the details of these campfire stories; of trees 10 feet in diameter and 150 feet tall, of huge forests of oak, hickory, chestnut, walnut and poplar, of unlimited game and good land reaching in all directions as far as the eye could see. Here a man could live in freedom and raise his family in the midst of plenty. Daniel Boone often said that he could remember these campfire stories of Kentucky as clearly as though it were only yesterday.

These pleasant summer evenings by the campfires came to an abrupt and awesome end. On July 9, 1755, this column of troops had arrived within a few miles of Fort Duquesne and was crossing the Monongahela River at Little Turtle Ford when the advance guard was suddenly attacked by a force of Indians and French, nearly 900 in number.

The story of Braddock's Defeat at Little Turtle Ford is well known to all students of American history. Wagon trains in the rear of the column could well determine the situation when they saw Indians in war paint breaking through the confused column of British soldiers, scalping them where they fell. With sound frontier judgment, Daniel Boone, John Findley and the other teamsters cut the tugs of their horses and rode out of the fight. This British disaster resulted in the defeat and near annihilation of the British Colonial force. Out of an army of 1,459 officers and men only 23 officers and 459 men survived, the majority of these being colonial troupes who understood Indian fighting in forested country. Many of the British troupes surrendered under the impression that they would be treated as prisoners of war. Claimed by the Indians with the consent of the French, most of these prisoners were killed, many being tortured and some actually butchered and eaten in the same manner as cattle by the Indians. This is believed to be Daniel Boone's first experience with Indian warfare.

Following his escape from this military disaster, Daniel Boone made his

way home to his father's farm on the Yadkin Valley of North Carolina where he resumed work on the farm, coupled with hunting and trapping expeditions into the forest in an effort to forget the horrors of Indian warfare he had experienced.

Apparently he was successful in clearing his recent unpleasant experiences from his mind during the fall and winter because, by the spring of 1756, his mind, like that of most young men in spring, turned to lighter and more pleasant thoughts. He was considering getting married. After a brief frontier courtship, young Daniel Boone committed matrimony on August 14, 1756, with Rebecca Bryan, the 17-year-old daughter of a neighboring family and the niece, by marriage, of his sister Mary. Daniel had often said that all a man needed in life was, "a good rifle, a good horse and a good wife," he now had all three.

History has told us all too little of this tall brunette who married Daniel Boone at 17 in North Carolina and was still with him when she died in Missouri at the age of 73. For 56 years she was a faithful wife during which she bore him nine children, raised his family, tended the family farm, moved westward to Kentucky and later to Missouri, saw her husband wounded by an Indian tomahawk and her daughter by an Indian bullet, saw her daughter captured by the Indians, and live often for months at a time not knowing whether she was a wife or a widow. A true frontier wife.

In the fall of 1756, the increase in Indian trouble along the entire frontier caused most of the settlers on the Yadkin to move to a place of safety further north and east. Daniel and Rebecca moved to Culpepper County, Virginia near Fredricksburg where, it is said, he renewed his acquaintance with George Washington. While there Daniel found employment as a teamster with a bit of hunting and target shooting on the side.

In 1758, Daniel Boone was a member of the expedition of General John Forbes who commanded a British-Colonial Army which was successful in driving the French from Fort Duquesne and, to some extent, avenging Braddock's Defeat three years earlier. It is said that it was while Daniel Boone was with this expedition that he killed his first Indian.

The living conditions of Culpepper County, Virginia, and the opportunities offered there, must not have been to the liking of Daniel and Rebecca Boone. Despite the Indian wars which raged on the Yadkin during this period, a legal notice establishes that they had returned to the Yadkin by October 12, 1759, when a deed states that Daniel Boone bought 640 acres of land in Rowan County from his father for 50 pounds.

By the end of 1760, the militia forces had defeated the Cherokees, and by November of that year a peace treaty between the colonists and the Cherokee was agreed upon at a council assembled for this purpose. This eased the tension of frontier life and somewhat alleviated the dangers of travel into the

western wilderness. Through the signing of the treaty, Daniel Boone lost little time in returning to his first love, hunting and exploring in the western forests and mountains. During the next 10 years, we find him dividing his time between supporting his growing family by farming his land on the Yadkin and by hunting and trapping in the mountains. In 1760, he made his first trip across the Blue Ridge in company with his old friend from the Braddock expedition days, Nathaniel Gist. On this trip, he traveled into Eastern Tennessee, where he carved his name on the bark of a large beech tree on the banks of a stream known today as "Boone's Creek." This carving read, "D. Boon killed a bar on this tree in the year 1760." This inscription was seen and commented upon by other hunters as early as 1770, and the tree still stood in 1853 when the carving on it was photographed. Throughout his life, Daniel Boone enjoyed recording outstanding events of his daily life, such as a good game kill, finding fresh water, or his travel to a particularly desirable area, by carving his name and the date on a tree. In pursuit of this practice, some 13 years later, he left a similar inscription on a tree near Long Island, Tennessee which read, "D. Boon killa bar on this tree 1773." Such carving of information on the smooth bark of large trees appears to have been a common practice of the frontier hunter.

In reviewing the available facts of Boone's activities during the 10 years following 1760, it appears that his long trips into the western wilderness were more than hunting expeditions for skins and furs. These trips had an underlying pattern of exploration with a specific purpose in mind.

CHAPTER III

THE SEARCH

While living on the Yadkin, the Boone family was acquainted with many of the prominent men of that area. Daniel Boone frequently traveled to the market town of Salisbury on routine business and for legal business with the courts. Here he became acquainted with Richard Henderson, an eminent lawyer of the area who was, for some years, a justice of the Colonial Courts, and Henderson's close friend, Thomas Hart, Sheriff of Orange County. These two men, together with Sheriff Hart's brother, Nathaniel, were to become life-long friends and business associates of Daniel Boone in the years ahead. In fact, these friendships may well have altered the pattern of Daniel Boone's future life.

During this period an idea of great magnitude was developing in the mind of Henderson. He knew that a steady stream of families from Europe were pouring into the East Coast, each looking for land on which to build a home and a new life in America. The coastal area was already filled with these people, and many were turning their eyes westward for a fresh start in the new country. Good land was already scarce and, with the increasing demand, it was obvious to every businessman in the colony that a man who could establish title to large tracts of desirable land could, someday, sell this land to new settlers at an enormous profit.

Henderson realized fully that many obstacles must be overcome in a venture of this kind. Large areas of good land must be located. Title to this land must be secured. Trails must be located and marked over terrain which could be traveled by settlers with saddle horses and packhorses, and possibly later with jolt wagons. Suitable town sites must be located and forts built for the protection of the settlers from the Indians. If Henderson was a man of vision, he was also a man of action. He must find a man who could scout the wilderness beyond the mountains, a frontiersman familiar with wilderness travel who understood Indian country, who could recognize desirable farmland, and who could be trusted. Henderson believed that man to be Daniel Boone.

A study of historical records and the actions of Boone indicates that Henderson and Boone probably arrived at an understanding for such an undertaking by 1760, or shortly thereafter. From that time on the pattern of Boone's travels, the country which he explored and the type of information which he gathered, supports this theory.

By 1764, there was no doubt as to Boone's purpose. He stated frequently that he was employed by Henderson and his associates to explore the wilder-

ness country. In that year, he and Rebecca sold their farm on the Yadkin and moved westward closer to the mountains and to the land of Kentucky, which was to make him famous in future years. From this time forward hunting and exploring in distant forests occupied much of Boone's life. He farmed but little and hunted more. Since his marriage he had hunted not only the valley of the Yadkin but also the valleys of the Clinch, the Watauga, and the Holston, as well. His hunts were taking him ever farther and farther westward. His hunt with Nathaniel Gist in 1760 had taken him deep into Eastern Tennessee. Wherever he traveled, he questioned hunters he met as to the geography of the area which they had traveled, the character of the land and the forest, the stream pattern, and the abundance of game found. He well knew that settlers in the new country must depend on game for food, clothing, and skins and furs to trade for necessities, such as rifles, powder, lead, axes, etc.

Travel in the wilderness was a hard life. Boone had a family to support. True, his wife and growing family could raise much of their food on the home farm, but many other things were needed. A frontier farmer depended on his fall and winter hunting and trapping for most of his cash income. Deer skins were a valuable article of trade, bringing from fifty cents to five dollars each, according to their size and quality and the local market. At the trading post, where deer skins were marketed, they were classified as bucks and does — the bucks being larger, heavier and more valuable. It is from this classification that we get the term buck, meaning a dollar, in our present-day language.

It was not unusual for a frontier hunter to accumulate as many as 500 deer skins during a winter's hunt, in addition to a quantity of fur of beaver, otter and mink. A successful winter's hunting and trapping expedition might gross as much as \$1,000 by modern standards, but this was far from being all profit. Such a hunt would require several pack and riding horses (a pack horse could carry up to 100 deer skins, which weighed about 250 pounds), a quantity of steel traps, several rifles, as they could become inoperative in the wilderness, and powder and lead for bullets. On the longer hunts, basic gun repair tools, such as a vise, bellows, files and screwdrivers, as well as a supply of rifle flints and tools to chip more as needed, were required. All of these things cost money, which was a scarce commodity on the frontier. On these wilderness hunts there was always a chance of robbery by the Indians. Many a frontier hunter worked hard all winter only to lose all he had, skins, furs, horses, guns, traps and other gear, to Indians who claimed the wilderness belonged to them, as well as the game and fur in it. In these cases, the hunter was usually fortunate to escape with his life. The business of wilderness hunting and trapping had its hazards like any other.

Following the French and Indian War, Florida had become a British colony. As a means of encouraging English settlers, the British Governor

issued a proclamation in 1763 offering 100 acres of land to each Protestant settler. With the interest he always displayed for new country, and tempted by the offer of free land, Daniel Boone appears to have been unable to resist the temptation to investigate the situation and possibly to consider a change in his way of life. At any rate, in October of 1763, accompanied by his brother Squire who had just turned 21 years old and was newly married, Daniel left for Florida to look over the country, promising his family that he would return in time for Christmas dinner.

Florida proved a disappointment to Daniel and Squire. The land was flat, wet and swampy. Game was scarce. They reached St. Augustine, explored along the St. John's River where it is rumored, Daniel purchased a house with the idea of moving his family there. On the return trip, he and Squire paused frequently to hunt. Remembering his promise to Rebecca, however, Daniel Boone walked into the home cabin exactly at noon on Christmas Day.

On Daniel's return from Florida that Christmas of 1763, his proposal to move the family to Florida was met by a flat veto on the part of Rebecca. For once, she put her foot down firmly and refused to leave family and friends, and that was the end of that. This firmness on the part of Rebecca was, most certainly, a contribution to the settlement of Kentucky, for, had Daniel and his family moved to Florida, the early settlement of Kentucky might have taken a radically different turn and the name of Daniel Boone might be unknown today.

Following his return from Florida at Christmas of 1763, Daniel Boone resumed his previous pattern of extended hunting trips into the western wilderness beyond the Blue Ridge. In 1767, we find him on a greatly extended hunting trip into the Watauga country, now a part of Eastern Tennessee, with Benjamin Cutbirth, the husband of a niece. His association with Cutbirth certainly revived his interest in Kentucky, as Cutbirth had been a part of a group of hunters who had penetrated the western wilderness to the Mississippi River, probably one of the first to make that trip from North Carolina. We can be sure that Boone overlooked no opportunity throughout this hunt to learn the details of the country through which Cutbirth and his companions had passed and the routes which they had followed.

It is logical to assume that throughout this period of travel and exploration, Daniel Boone still retained a subconscious desire to visit the country of Kentucky, the wonders of which he had heard extolled around the campfires during his days with Braddock's ill-fated expedition in the summer of 1755. This desire, stimulated by Benjamin Cutbirth's descriptions of his trip to the Mississippi, apparently inspired Daniel Boone to attempt to do likewise. In the fall of 1767, Daniel Boone, with two companions, pushed across the Blue Ridge and reached the headwaters of a branch of the Big Sandy River on the eastern border of what today is Kentucky. Believing that this stream would

lead them to the Ohio they pushed on, following buffalo traces and game trails through the thick cane patches. As may be expected, these game trails led them to a salt spring near where Prestonsburg, Kentucky is located today. While there a snowstorm overtook the party and forced them to camp near the salt springs for an extended period. Here they learned the strategic value of a salt spring as an attraction for game. While located near this salt spring, they found that hunting was unnecessary, as all species of game came to the salt spring and were available for the taking. It was here that Daniel Boone saw and killed his first buffalo.

In view of the lateness of the season and the rough topography of the area, Daniel and his companions decided to return to their homes in North Carolina. It is doubtful that they realized, until many years later, that they had actually visited the fabled land of Kentucky.

CHAPTER IV

THROUGH THE GAP

When Daniel Boone returned from his exploring trip to the head of the Big Sandy to his home and farm on the Yadkin, it was apparent to all that his heart was not in it. As he paused in his farmwork or sat before his fireplace with his family in the evening, his gaze would drift to the blue of the mountains to the west. His old desire, born of the campfire stories of the Braddock army days to see the lush lands of Kentucky which lay beyond them, would well up again and again to fill his thoughts. In each man's life there are times and events which, when viewed in retrospect, definitely mark a milestone in his life. For Daniel Boone this was the year of 1769. In the early spring of that year an itinerant backwoods peddler wended his way slowly down the Yadkin Valley Road and, in due course, stopped at the Boone cabin to display his wares of fine cloth, needles, bright ribbons and similar items not readily available on the frontier and dear to the heart of the pioneer women and girls. This peddler was John Findley, a campfire companion and fellow teamster of Daniel Boone's Braddock campaign days. Needless to say, he was invited to stable his pack animals and welcomed to share the food and lodging of the Boone family, which afforded an opportunity to exchange with Daniel the stories of their respective adventures of the past 14 years.

His stories of Es-kip-pa-kith-i-ki and the wonders he had seen in Kaintuck' (as some called it) again thrilled Daniel Boone and held his family and his neighbors spellbound. These stories so impressed his listeners that some of them remembered John Findley and his stories of the wonders of Kaintuck' vividly many years later. Night after night, before the fireplace of the Boone home or in the local tavern, John Findley expounded on the wonders he had seen in Kentucky. Game in abundance and variety such as no man had ever seen. Deer at every lick, buffalo herds so large they could not be counted with their traces serving as trails through the great patches of lush cane; wild ducks and geese along the Ohio, in great flocks like clouds, available for the taking — it was a hunter's dream come true. The land was such as every settler dreamed of — fertile, green, lush, well watered, and available without limit for the taking. Indians, although he had seen no permanent villages there, from those Findley had encountered, seemed friendly. Certainly experienced woodsmen with rifles would be in little danger.

It was also found that John Findley wanted to return there for more trading, but he wanted to travel overland with saddle and packhorses to avoid that difficult and dangerous trip on the Ohio with an overloaded canoe. He

was not a woodsman, and he needed a skillful woodsman who could guide him to Kentucky and who was experienced in the ways of the wilderness and with hostile Indians. His old Army friend, Daniel Boone, just happened to meet all of these requirements.

In retrospect, one wonders if John Findley's meeting with the Boones on the Yadkin was by change or by design. Had he heard of Boone and his exploits in the frontier towns, and did he connect his name with the boy teamster of the Braddock days? One can only wonder whether it was chance, fate, or design that brought them together again. The stories of the wonders of Kentucky had again fanned into flame those embers of desire to see Kentucky which had smouldered in Daniel Boone's mind for the past 14 years. Findley had his pigeon ripe for the picking.

In the spring of 1769, North Carolina was filled with apprehension and discontent. The hand of the Royal Governor was heavy upon the land. The Regulators led the revolt with lawless acts and mob rule which, in one case, caused Boone's friend, Judge Henderson, to flee from the bench when a mob took over his court and the militia was required to restore order. Although the Regulators were defeated and scattered at the Alamance, the bitterness that had spawned them remained. The Royal Governor of North Carolina, Governor William Tryon, was brutal, overbearing, and blood-thirsty, as he tried to bully the courts into executing more citizens. As a result of this discontent, North Carolina families were drifting as far west as possible to get out of the reach of the government. The deep fertile valleys of the Clinch, Powells Valley, and the Watauga country were filling up with families caught up in a movement to the frontier. All that separated these people from Kentucky were the high limestone cliffs and the rough, impassable terrain of the Cumberland Mountains.

Judge Henderson and his associates were fully aware of the situation, and considered the time favorable to launch their dream of a land empire — but where? The desires of Daniel Boone and the needs of Judge Henderson appear to have complemented each other. Fate, in the form of a summons for Boone to appear in court in Salisbury in March of 1769, brought them together again, where Judge Henderson represented Boone in legal action. Apparently anticipating an opportunity for discussion with Judge Henderson, John Findley and John Stewart, Daniel Boone's brother-in-law, accompanied him to court in Salisbury. While there, the three of them discussed with Judge Henderson their plan of an extended trip deep into Kentucky. Such a trip would be expensive, and none of the three possessed the financial capability which such a trip would require. It is not known as to the extent which Judge Henderson encouraged them to make this trip to Kentucky, or whether he agreed to underwrite a part of its cost, but we do know he was in need of additional information as to the suitability of the Kentucky country for the

plan of colonization which was growing in his mind. Here was a man who could obtain this information for him. It is only logical that, when they parted, there was an understanding between Boone and Henderson.

Immediately following their trip to Salisbury, Boone, Stewart and Findley agreed definitely on a plan to travel deep into Kentucky, hunting and trapping while there as a means of financing their trip, with a bit of profit, if all went well. Plans for the trip were started at once. The season was right — spring and summer ahead of them promised favorable weather. Supplies must be considered carefully. While they could live-off-the-land for most of their food after they arrived in Kentucky, they would still need salt and flour. In addition, they must have a plentiful supply of powder, lead, blankets, traps, camp equipment and supplies, which included gun repair tools and extra parts, such as springs and screws, which would be difficult to make in the wilderness. Horses for riding and pack purposes must be secured, as well as saddles and other horse gear. Certainly an expense of this magnitude was beyond the financial means of these three. It appears almost certain that Judge Henderson either financed the trip or at least arranged for a loan to the three partners, with himself as part of the security.

As a part of the plan, three hired camp-tenders were to be included in the party; William Cooley, Joseph Holden and James Mooney. Their duties, in addition to the regular camp chores, would be to keep the company in meat, working the traplines, stretching and tending the skins, caring for the horses, and similar duties, which would leave Boone, Stewart and Findley free to hunt and to explore. A sound plan, born of experience. It would take several weeks to get all of this equipment and supplies together, and the three started immediately on their tasks.

While preparing for this wilderness adventure, Boone and his companions considered the most desirable route to follow. Boone and Stewart were familiar with the country across the Blue Ridge, and they knew of Cumberland Gap, probably from stories brought back by Dr. Walker and the Long Hunters but, beyond that, they had little information. Findley had reached Es-kip-pa-kith-i-ki by travel south from the Ohio with the Indians, so he had no knowledge of trails or terrain between Cumberland Gap and the Shawnee town, which appears to have been their initial general destination in Kentucky.

John Filson, in his famous book, *The Discovery, Settlement and Present State of Kentucke*, published in 1784, quotes Daniel Boone as describing the start of his initial trip as stating, "It was on the first of May, in the year 1769, that I resigned my domestic happiness for a time, and left my family and peaceable habitation on the Yadkin River, in North Carolina, to wander through the wilderness of America, in quest of the country of Kentucky, in company with John Findley, John Stewart, Joseph Holden, James Mooney

and William Cooley." Daniel's brother, Squire Boone, who was also to participate in the trip, had agreed to stay behind and assist the women of both families in planting and harvesting the crops and would follow with fresh supplies, joining the party in Kentucky in the late fall or early winter. This arrangement proved to be most fortunate.

Initially, the route lay through country familiar to Boone and Stewart, through Moccasin Gap, across Clinch Mountain, over Walden's Ridge and Powell Mountain, then up Powells Valley to Cumberland Gap, beyond which none of them had ever traveled.

On reaching the Powell Valley and approaching Cumberland Gap, Boone's party, to their surprise, encountered a group of about 20 men, under the leadership of Joseph Martin of Albemarle County, Virginia, busily engaged in the establishment of a settlement. They had already cleared the ground and were in the process of building cabins and planting corn. This was the settlement enterprise of Dr. Walker, who had traveled through Cumberland Gap and through Eastern Kentucky in 1750. This settlement, known as Martin's Station, was to become a well-known stopping point on the Wilderness Road and the last point of civilization before the final plunge through Cumberland Gap and into the wilderness of Kentucky. As Boone and his companions continued their travel and approached the break in the mountains made famous by Dr. Walker and his party some 19 years earlier, they were impressed with the ruggedness of the mountains on either side of the Gap. On their right, a sheer cliff loomed some 1,500 feet above them, while a smaller, rounded hill formed the other side of the narrow, v-shaped defile through which their trail led. As they climbed to the saddle of the Gap which marks the divide between the drainages of the Cumberland and Tennessee rivers, each man must have experienced a thrill at finally entering the fabled land of Kentucky. This was a particularly significant moment for Daniel Boone, who had dreamed of this visit since his Braddock Army days some 14 years previously. Now, he would see for himself the wonders of Kentucky.

As the little party entered the Gap, they left behind them the last of the country known to any of them. Ahead lay unknown trails.

In 1769, frontiersmen traveling the western mountains were aware of the ancient Indian road used by all of the tribes in traveling the country west of the Blue Ridge, which was called Athawominee, meaning "the path of the armed ones," or commonly known as "The Warrior's Path." This ancient trail originated at the junction of the Allegheny and Monongahela rivers where they formed the Ohio. It followed the Ohio southward to the mouth of the Kanawha River, then up the Kanawha and along New River, across the divide and down the Clinch, through the Powell Valley and through Cumberland Gap. It was at this point that Boone and his party first found and traveled the Warrior's Path.

From Cumberland Gap, the Warrior's Path ran north, crossing the

Cumberland River near the present city of Pineville, Kentucky; then crossing the divide between the Cumberland and Kentucky rivers; following down Goose Creek, passing the present town of Manchester in Clay County, Kentucky; proceeding northwest to the vicinity of Gray Hawk in Jackson County, Kentucky. From that point, it followed down Station Camp Creek, crossing the Kentucky River at the present town of Irvine and continuing west and north, crossing the Red River near its junction with the Kentucky. This trail continued to the vicinity of Es-kip-pa-kith-i-ki, known today as Indian Old Fields, located about 10 miles east of Winchester, Kentucky. From that point, the Warrior's Path turned to the northeast, passing near Mt. Sterling, following Slate Creek to its mouth, where it crossed the Licking River and continued northeast to the Ohio River, where it crossed near the present-day city of Portsmouth, Ohio. From that point, the Warrior's Path continued north up the valley of the Scioto River and on to Lake Erie.

Boone and his companions crossed through Cumberland Gap and continued on the Warrior's Path, which followed a meandering creek, whose waters had a yellowish cast from the sulphur picked up as it flowed over the soft coal deposits of the area. This was Yellow Creek, which would be known to the many travelers of the Wilderness Road in the years ahead. They continued on the Warrior's Path, fording the Cumberland River near the present town of Pineville, and continuing on about eight miles to Flat Lick, where Indians had frequently camped in the past to boil the waters to make salt. At this point, Boone and his friends left the Warrior's Path following a trail blazed by hunters until they reached the vicinity of the Rockcastle River, where the hunters' trail turned sharply to the west. Here, they left the hunters' trail and turned north through a heavily timbered and broken country which showed no evidence of previous travel by white man or Indians, and which, today, is a part of the Daniel Boone National Forest. Camping briefly on the headwaters of the Rockcastle River to hunt, they continued, crossing the divide between the Cumberland River drainage and the drainage of the Kentucky River, making camp on what is now Red Lick, a fork of Station Camp Creek. The campsite and surrounding country appearing desirable, they decided to establish a base camp at this location, construct shelter for themselves and their equipment, and explore the country. They named the creek Station Camp, as this was to be their operating headquarters or station for some time. They arrived at this location on June 7, 1769, having been on the trail some five weeks from their start on the Yadkin in North Carolina.

CHAPTER V

EXPLORING KENTUCKY

Leaving the others to complete the task of establishing the base camp, Boone immediately started exploring the surrounding country. He reached the summit of Big Hill on the divide between the Rockcastle and Kentucky rivers and, looking out across the rich, level, game-filled, beautiful land of the outer Bluegrass, he knew that this was the land he had come so far to find. John Findley was sure that they had reached the general area of Es-kip-pa-kith-i-ki where he had formerly traded. He now set off alone for a more intensive reconnaissance of the country to pick up familiar landmarks. He soon returned with the news that he had located the Shawnee Indian village, unoccupied and the huts burned, but with the stockade and gateposts still intact. Findley was now sure of his location. Pleased with the news, Boone and Stewart returned with Findley to the village of which they had heard so much. Boone and Findley then left Station Camp on a wider tour of exploration. Findley became ill, but since the illness appeared temporary, Boone left him with food and shelter and pushed on into the country north of the Kentucky River, again viewing the outer Bluegrass from a high hill near the Red River, probably Pilot Knob. He was well pleased with the country, the abundant game, the many clear streams and the continued absence of Indians.

Some years later, he described this situation to Filson, "We found everywhere abundance of wild beasts of all sorts, through this vast forest. The buffalo were more frequent than I have seen cattle in settlements, browsing on the leaves of the cane or cropping the herbage on those extensive plains, fearless, because ignorant of the violence of man. Sometimes we saw hundreds in a drove, and the numbers about the salt springs were amazing."

On Boone's return to where he had left Findley, he found him recovered sufficiently to travel and, together, they explored the Elkhorn Valley before returning to Station Camp. By this time Boone was probably convinced that this was the country suitable for Judge Henderson's plan of colonization.

Following this tour of exploration, the shelters and other facilities of the base camp being well established, the entire party began the work of hunting and trapping in earnest and bringing their furs and skins to Station Camp periodically for storage. During this period it is not unlikely that Boone or members of his party encountered members of the John Swift silver mine party working out of their base camp on the Red River (the Boone Hut). As yet, there was still no Indian "sign," although this hunting party had been careless enough to establish their permanent camp in close proximity to the

Warrior's Path on which Indian war parties or hunting groups passing through the country would be certain to travel. Future events proved this to be the case.

On December 22, 1769, Boone and Stewart were following a buffalo trace through a cane break and, when crossing a low hill near the Kentucky River, they were suddenly surrounded by a mounted party of Shawnees returning from a hunting trip in the Green River country to their home north of the Ohio. As the Indians came bursting out of the cane break, the two hunters were taken wholly by surprise and were seized without a chance to resist. They were ordered to guide the Indians to their various camps, tomahawks suggestively raised emphasized what would happen if the hunters failed to comply.

At the first camp visited, one of the camp keepers was almost surprised, but Boone contrived a warning and he escaped into the woods while the Indians were busy gathering up their plunder. Warned by this camp keeper, the others managed to conceal themselves so effectively that the Shawnees never realized how many white men there were in the party. Since the stores of fur and skins in the outlying camps were small, Boone and Stewart hoped that the camp keepers and Findley would have the main store of skins at Station Camp as well as the horses and equipment removed and well concealed before Boone and the Indians arrived there. To the dismay of Boone and Stewart, when the Indians arrived at Station Camp the entire store of skins and furs which the six men had worked seven months to accumulate were still there, as well as all of the horses, camp equipment and other gear.

In relating this story to John Filson several years later, Boone remarked, "The time of our sorrow was now arrived." He and his group had staked everything they had in the world on this trip. To see all the profits and property vanishing in the hands of these Shawnee was almost beyond human endurance.

When the Indians had appropriated everything of value at Station Camp, including horses, rifles and ammunition, they continued on their trip toward the Ohio taking their two captives with them. The attitude of the Indians in this affair was that this was their land and that the game belonged to them. Therefore, they considered the skins and furs accumulated by these intruders as their property, and the horses and equipment of the white men "fair game" as a penalty for intruding on the Indians' lands. John Bakeless, in his book, *Daniel Boone*, tells us that, "A sociologically inclined Shawnee later explained to a white friend that the game was the Indians' cattle, and killing it was downright theft." After a few days, Boone and Stewart were released unhurt. They were even provided with moccasins, a doeskin for patch leather, a small "trading gun," and enough powder and shot to kill food for themselves on the way to the settlements. They were told that they might go this time

but, if they again tried to hunt in Kentucky, they might expect the worst. The Indians had dealt with Boone and Stewart as they usually dealt with poachers on their hunting grounds when they desired to be lenient. These Indians wished to impress upon these two white men that they wanted them to get out of Kentucky and to stay out. The two hunters shook hands with the Indians and departed.

Boone and Stewart, who were furious at the Shawnee because of their losses, had no intention of giving up. Following the Shawnee until they had made camp, they were successful in recovering four or five of their horses and getting away undiscovered. The two rode all night, putting many miles between themselves and the Indians. At daylight, feeling that they had made good their escape, they paused to rest and feed the horses. Almost without warning, they were surrounded. Surprisingly enough, the Indians did not appear resentful over the theft of the horses. In fact, they seemed to be amused. They tied one of the horse bells around Boone's neck and forced him to scamper about in imitation of a horse for the entertainment of all, meanwhile grunting, "Steal hoss, ha?"

The Indians again started off to the north toward the Ohio River, again taking both white men with them, but informing them that they would release them as soon as the band had crossed the Ohio River and the horses would be safe from further attempts at recapture.

Boone and Stewart appeared to agree with the decision of the chief, and appeared to willingly accompany the Indians north towards the Ohio River. As the Indians were making camp near a large area of thick cane, Boone and Stewart escaped into the cane and lay quiet. Although the Indians searched the cane without finding them, they finally gave up and continued their camp chores. During the night, Boone and Stewart crawled quietly out of the cane, and hurried back in the direction of Station Camp. Arriving there, they found it had been abandoned by Findley and the three camp helpers who had given Boone and Stewart up for lost and started on the way back toward the settlements. Traveling as rapidly as they could on foot, Boone and Stewart soon overtook them. In the discussion that followed, it was clear that Findley and the three helpers had had enough of Kentucky. They were determined to return to the settlements. Boone and Stewart, alone and without food or arms, decided that they would stay in Kentucky on the chance that they could link up with Daniel's brother, Squire, who had agreed to follow them about this time of year. After shaking hands all around, Findley led the three helpers back down the trail to the settlements, and here he leaves the pages of history to be heard from no more. Whether he was killed by Indians or whether he traveled other parts of the country on his trading venture, no one appears to know.

A few days after the departure of Findley and the camp helpers, Boone

and Stewart made contact with Boone's brother, Squire, who had agreed the previous spring to join the party that fall. He brought with him Alexander Neeley, as well as horses, traps and ammunition. The Kentucky exploration party was in business again.

Deciding that Station Camp was too close to the Warrior's Path, they moved their base camp to a location near the junction of the Red River with the Kentucky on a small stream which they later named the Lulbegrud Creek. The naming of this creek came about in this manner. Among the items brought from the settlement by Squire Boone was a copy of the book, *Gulliver's Travels*. After establishing camp on this small creek near the mouth of the Red River, one of the party was reading aloud about the inhabitants of some mythical land whose town was known as Lulbegrud. At this point, Indians were observed approaching, and the hunters took to cover driving them off. As they settled down again around the campfire, Neeley remarked, "We have disposed of the Lulbegruds." This remark seemed to strike the fancy of the other two hunters, and it was agreed that this creek on which they were camped would be named Lulbegrud Creek, and was so posted on their map. This creek, which runs under the Mountain Parkway a few miles east of Winchester, Kentucky, is still known as Lulbegurd Creek.

As winter advanced, the three frontiersmen settled down to the business of trapping. Initially, they worked in pairs for safety's sake; but, as no more Indians were encountered, they decided to work singly in order to cover more of the trapping territory. It had been normal practice for Boone and Stewart to work together, but they had decided to separate meeting every two weeks at one of the outlying camps. Stewart crossed to the south side of the Kentucky River in a small canoe that they had built. He was never seen again. For awhile, his failure to return did not alarm the other three, particularly since the river was high with the recent rain and the crossing was difficult. But when the water subsided and Stewart, who was normally most punctual in fulfilling agreements with Boone, still failed to return, Boone went in search for him. He ranged the country over a wide territory, during which he found signs of Stewart's trail, he found a recent fire, and he found Stewart's initials carved in a tree, but he could not find Stewart. Five years later, when Daniel Boone was supervising the cutting and marking of the Boone Trace from Cumberland Gap to Fort Boonesborough, one of his men found a skeleton in a hollow sycamore tree where the Trace crossed the Rockcastle River many miles from the territory where signs of Stewart were last seen. There was no sign of a rifle, but the powderhorn which lay with the skeleton had a brass band with Stewart's initials; and, by this, Boone recognized the remains of his hunting companion. The left arm of the skeleton was broken, and the bones still bore the discoloration of a bullet, but the skull showed no signs of a scalping knife, and the skeleton no traces of other injuries. What

happened to Stewart, no one will ever know. Was it Indians? Was it an accident of some kind? There was no indication of the cause of death. Stewart may have been mortally wounded by the Shawnees and dragged himself to cover in the hollow sycamore where he died silently and alone. Stewart had been an experienced and skilled woodsman. Had the wound only broken an arm, he would probably have been able to reach the Kentucky River where Boone and his companions could have found him. Many years after the skeleton was found, a hunter found an abandoned trap line in the woods. Was it Stewart's? No one will ever know.

The loss of Stewart in this great wilderness had a sobering effect on the remaining three. Alexander Neeley had had enough. Although violent death was common, the mysterious disappearance of a member of the little party struck home. Neeley announced he was going home and immediately started for the settlement, leaving the Boones entirely alone. After the disappearance of Stewart and the departure of Neeley, the Boones took added precautions. They did their cooking at night in a sheltered place so that the flame could not be seen, and the smoke would not indicate their location. Upon returning to their various camps, they approached them carefully, from a different direction each time, wading part of the distance in a stream, where possible, to conceal their tracks, and walking on rock outcrops or fallen tree trunks to leave no trace of their trail. At their outlying campsites, Daniel told a friend many years later, it was a common practice to cook their evening meal at the edge of a large patch of cane. As darkness approached, they would take their blankets back into the dense cane a considerable distance to spend the night. Here, it would be difficult for the Indians to find them, and they would be able to hear any Indians searching for them long before they were found. Here, in the wilderness, life was perilous, but the unlimited freedom in the seemingly endless forest and meadowland of Kentucky more than compensated these two brothers for the dangers which they faced.

By May of 1770, approximately a year since Daniel Boone and his companions set off from the Boone cabin on the Yadkin in North Carolina, Squire and Daniel had accumulated a full load of hides and furs for their pack horses. In addition, their ammunition was running low and it was decided that Squire would return to the settlements with the loaded pack horses, sell their skins and return with more horses and a new store of supplies, ammunition and traps. Daniel decided he would remain in Kentucky until Squire returned.

As Squire Boone moved off down the trail, he left behind him his brother, Daniel, alone in the silence of the vast forest, with only his rifle and a limited supply of ammunition. As Boone later told John Filson, he was left by himself, "Without bread, salt or sugar, and without the company of even a horse or a dog. I confess, I never before was under greater necessity of

exercising philosophy and fortitude."

The fact that Daniel Boone elected to remain in Kentucky alone for the extended period required for Squire to reach the settlement and return further strengthens the theory that Boone came to Kentucky with the primary mission of wide exploration of the country, to determine its suitability for the scheme of Judge Henderson.

With the departure of Squire, Daniel set off immediately on his tour of exploration. He traveled as far north as the Ohio River and as far west as the Falls of the Ohio, where the city of Louisville, Kentucky, is now located. He became thoroughly acquainted with the valleys of the Licking and the Kentucky. This was the life Boone had always dreamed of. The unlimited forest, abundant game, freedom from the restraints of family and the settlements, freedom from taxes and from undesirable neighbors. Here, the world was his.

During his travels through extensive limestone country, Boone located many caves of which he made mental note for future use. In time of storm or heat of summer, he frequently took shelter in one of them. He is reported to have lived in one cave in Mercer County and nearby he left his characteristic mark, the initials "D. B. — 1770." Using this cave as a base camp, he explored Dick's River.

By the time he met his brother Squire by appointment on July 27, 1770 at their old base camp, Daniel Boone knew a large portion of the eastern half of Kentucky better than any white man. It is interesting to note that much of the area explored by him during this period is now included within the Daniel Boone National Forest.

Squire Boone had traveled to the settlements, sold their pelts, paid off their debts, provided for both families, and brought back fresh horses and supplies. The two hunters moved down the Kentucky River settling initially in a cave near the mouth of Marble Creek, later moving to another cave on Hickman Creek, both within what is now Jessamine County, directly south of the present site of the city of Lexington, Kentucky. It was at this camp that they encountered difficulty with wolves. At one time a wolf, raiding their camp, carried away Daniel's hat. Despite the common impression that all frontiersmen wore coonskin caps, it is well documented that Daniel Boone disliked the coonskin cap, and always insisted on wearing a hat when one was available. Not only was the coonskin cap hot in summer, but it provided no shade for the eyes in bright sunlight or protection for the face in a rainstorm. Apparently, Daniel Boone felt that a coonskin cap was adequate only when a good felt hat was not available. In this case, it is quite probable that Daniel did not carry a spare hat with him, and the loss of his hat would be a great inconvenience. However, in this case, a hasty but well placed shot from his trusty tick-licker killed the wolf and saved the treasured hat. There has always

been much speculation as the basis of the name, tick-licker, which Daniel gave his favorite rifle. One version is that a frontiersman asked Daniel if his rifle was accurate. Daniel replied that with it he could, "Kill a deer quicker than a bear could lick a tick." From that time on, that particular rifle was known throughout the frontier as old tick licker.

As fall approached, Squire Boone again took the store of skins and furs on his pack horses and delivered them to the settlement, Daniel electing to stay in Kentucky and continue his explorations alone. On Squire's return, the two moved southward to the valley of the Green and the Cumberland rivers. While this move may have been motivated by the desire to secure fresh hunting territory, the abundance of game would hardly make this logical. Again, it appears that Daniel Boone was extending his explorations of various parts of Kentucky in preparation for his report to Judge Henderson when he returned to North Carolina.

During this period, Boone appears to have been most happy and contented, despite his long separation from his family and from the settlements. A famous legend told of Boone relates that another party of Long Hunters reached the Green River at the same time. One day they were alarmed by a strange sound in the forest near them. Even though they were veteran woodsmen, they admitted that they had never heard anything that remotely resembled such a sound. Grasping their long rifles and moving as silently as possible, they moved to investigate this sound which came steadily from a single location. Believing this might be some kind of Indian decoy, they moved with extreme caution. Moving silently from the cover of one tree to another, they came upon Daniel Boone lying flat on his back on a deer skin and singing cheerfully to himself at the top of his voice.

Daniel and Squire continued their hunting and their exploration through the fall of 1770; and, by March 1771, their store of pelts and skins had reached the limit that their pack horses could carry. In that month, they started for the settlements and their homes on the Yadkin.

By May they had passed through Cumberland Gap and had reached Powells Valley and the first settlement. At Powells Valley, they met their former companion, Alexander Neeley, who had made his way safely to the settlement. Coming out with another hunting party, he had become lost in the woods. He was without food or ammunition. After caring for Neeley, the three proceeded toward the settlements. As they camped for the night, they were suddenly surrounded by a band of Indians who took from them their skins, their horses, their rifles, and all their equipment. When the hunters remonstrated, the Indians threatened them with tomahawks and moved off. Hurrying to the nearest settlement, they secured arms and aid and gave chase; but, as they followed the trail of the robbers, they noted the trail of other Indian bands joining them, until they had been reinforced in far greater

numbers than the pursuers. Despite this difference in numbers, the settlers continued to follow the trail of the Indians until one thoughtless settler impulsively fired his rifle at a deer, thus warning the Indians of the pursuit. The settlers immediately turned back, and it was fortunate that they did, for they learned later that an overwhelming force of Indians had been lying in wait for them only a short distance ahead, and the incautious shot at the deer had saved them from running into an ambush and probably a bloody massacre.

Daniel and Squire Boone returned to their homes on the Yadkin, arriving there a little over two years after that famous start for the wilderness of Kentucky on May 1, 1769. They arrived home with little other than the rifles and clothes on their backs and the two loads of skins Squire had brought back to show for two years of work in the wilderness.

At last, Daniel Boone had realized his life's ambition. He had explored Kentucky, he had seen the land of which he had dreamed so long, and he liked it. Here was a land where a man could live free of the trappings of civilization. It is a certainty that, at this point, he definitely planned to return to Kentucky, someday, someday.

CHAPTER VI

KENTUCKY SETTLEMENT ATTEMPT

It is safe to assume that soon after his return to the Yadkin, Daniel Boone made a full and complete report to Judge Henderson of his exploration of the land of Kentucky, and of the wonderful country he found there. It would not be an unfair assumption that this glowing and detailed report by Daniel Boone did much to convince Judge Henderson that the land of Kentucky beyond the western mountains was the logical site to implement his long-cherished dream of colony or empire.

During the next two years, the haze-of-history obscures many of the details of Boone's life. We know that he farmed in summer and hunted in winter, as did most frontiersmen. A friend had a pack of bear dogs with which Boone hunted, returning frequently with pack horses loaded with bear-skins. On one occasion he traveled as far as the French Lick on the Cumberland River where he met French hunters who came from the west, overland from the Mississippi. In 1772, there is a record of Boone living in Sapling Grove in what is now Tennessee where, in January of that year, a store account shows that he purchased, "2 qts. of rum" (undoubtedly for medical purposes). An account later in the year at a store in the same area shows that he purchased, "17 1/2 lbs. of low sugar."

It is pretty well established that during these years Daniel was traveling from one Cherokee village to another hunting with the braves and talking with the chiefs. He was approaching selected Cherokee chiefs, probably at Judge Henderson's suggestion, to see whether or not they would be willing to sell their title to the land called Kentucky. It appears that these discussions brought him to the conclusion that the Cherokees would sell their title to the land of Kentucky to the white men if the price were high enough. He undoubtedly reported his findings promptly to Judge Henderson, who appears to have been interested, but being occupied with judicial duties, he was not in a position to move on the project. Records show that he remained on the bench in North Carolina until 1773. This conclusion is further reinforced by a statement made several years later by Judge Henderson's brother, who stated that Judge Henderson had been, "Induced to attempt the purchase of Kentucky from the Cherokees through the suggestion and advice of the late Colonel Daniel Boone."

By 1773, Boone was becoming impatient to return to Kentucky. Early in 1773, in company with his kinsman, Benjamin Cutbirth and one or two others, he made a trip to Kentucky, occupying his old cave on Little Hickman Creek in what is now Jessamine County. As usual, he left a record of presence

there by carving "D. B. — 1773" on the wall of the cave. He found that he was as well pleased with that part of Kentucky as he had been on his previous visit, going so far as to select a possible site for a future home. On his return to the Yadkin he discussed the situation in some detail with Judge Henderson, who advised him that he and his wealthy associates were not yet prepared to underwrite the venture financially and, as yet, had not determined a feasible procedure for obtaining legal title to the land. As far as they were concerned, the establishment of a settlement in Kentucky would have to wait for a more favorable time.

Boone argued that to delay was dangerous. Competition was already present on the ground. Surveying parties were traveling down the Ohio and up the tributaries of the Licking and the Kentucky rivers, becoming acquainted with the Indians and exploring the land to determine the location of the more desirable sites. In early June of 1773, two brothers, James and Robert McAfee, and two other explorers met at the mouth of the Kanawha River where they joined forces and traveled together meeting another party of explorers led by James Harrod, also seeking desirable land for settlement. In mid-August, the McAfees, on their way home overland, met Daniel Boone and gave him the news that three parties of land hunters had already been in Kentucky and surveyed for themselves the best lands they could find. News of this competition in Kentucky apparently brought Boone to a decision that he could no longer afford to wait for Judge Henderson's support. Daniel Boone decided to initiate a settlement in Kentucky on his own at once.

On his return from Kentucky earlier in the season, he had sold his farm and all household goods he could not carry with him, and had spent the spring and summer in preparing for the trip with the aid of Captain William Russell, the Clinch Valley pioneer.

Throughout his life Daniel Boone demonstrated a certain quality of leadership and an adventurous spirit which always attracted followers. In this case, it was his wife's relatives, the Bryans, who still lived on the Yadkin that joined him. In addition, five other families agreed to accompany him to Kentucky, all agreeing to rendezvous in Powells Valley just short of Cumberland Gap and to travel to Kentucky together.

As Boone and his companions well knew, this was a dangerous adventure. Basically, it was in violation of British policy, as the Royal Government had forbidden western settlement. The Royal Governors of Virginia and North Carolina were already concerned at the wholesale violation of this Royal edict, and were considering legal measures against the violaters. In addition, no agreement had been reached with the Indians who were sure to object, as Boone's previous experience in Kentucky had demonstrated. The Cherokee nation claimed ownership of that portion of Kentucky where settlement was contemplated, and all legal rights supported this claim. With the usual dis-

regard for the niceties of the law, Daniel Boone and his companions were determined to go ahead. In later years, Daniel Boone told John Filson, "I returned home to my family with a determination to bring them as soon as possible to live in Kentucky, which I esteemed a second paradise, at the risk of my life and fortune." On September 25, 1773, the group of settlers started their travel to the land of Kentucky. At that time, the group consisted of six families from the Yadkin and an additional 40 men who had joined the party at Powells Valley, which lay approximately 150 miles from their destination in Kentucky. In his book, *Kentucky*, Dr. Thomas D. Clark reminds us that in later years, the folk artist, Caleb Bingham, "Was to portray Daniel Boone as an optimistic frontier Moses, leading his domestic band through Cumberland Gap to the promised land beyond."

As this caravan got underway, it certainly set the pattern for America's concept of the settlement of the successive frontiers during the next 100 years. Like nomads, they drove their livestock with them, milk cows, young cattle, and swine, which were to form the nucleus of the livestock herds they planned to develop in their new location. The country beyond Cumberland Gap through which this party must travel was such as to have discouraged any but truly frontier people. Since there were no roads, wagons were out of the question. Horses and pack horses were the only transportation. Those without horses were compelled to walk. Not only were there no roads, but there were no cleared or well-marked trails. This little column would be compelled to wind in and out among the trees and over rough terrain, following hunter trails wherever these existed and seeking game trails through thick underbrush and cane patches. One can imagine the difficulties of driving cattle and swine on such a trip as this. Add to this the constant danger of Indian attack and we cannot help but wonder, in this modern day, how anyone, much less families, would be induced to undertake such a trip. Truly, the desire for new land and the freedom of a new country must have been strong in these people to fortify them against the rigors of the trail, the threats of Indians, and the work, dangers and privations of establishing themselves in a wilderness country.

As the Boone settlement party left their assembly area in Powells Valley and moved slowly toward Cumberland Gap, no one anticipated Indian trouble, particularly before passing through the Gap into Kentucky. Travelers returning from that area had encountered no difficulty with the Indians. They had found both the Shawnees and the Delawares friendly enough.

After a few days' travel, Daniel Boone decided that he needed more flour and farm tools and sent his oldest son, James, back to Captain William Russell's place to get them. Since the party was still fairly near the settlements, the boy rode off alone without thought of danger. He contacted Russell, procured the needed supplies and equipment, and started back to

rejoin the column accompanied by Russell's son, Henry, a boy of about 17, two slaves, and a couple of white workmen. Having failed to catch up with the column at the end of the day, they camped the night of October 10, 1773 on Walden's Creek at a spot only three miles behind the main body. Being experienced woodsmen, they spread their blankets and went to sleep unconcerned by the normal night noises of the wilderness around them. Just before dawn, a party of Indians fired into them shooting Henry Russell and James Boone through the hips and killing most of the others. One man of the party escaped to the woods and was never seen again, although a skeleton reported to be his was ultimately found some distance from the scene. He had probably died of his wounds alone in the forest. One of the Negro slaves managed to slip into a pile of driftwood by the river where he lay concealed and witnessed the horrors that followed with abject terror.

The two boys had been rendered helpless by their wounds and were unable to move. The Indians proceeded, with great pleasure, to torture them to death.

James Boone had immediately recognized one of the Indians, a Shawnee known as "Big Jim" who had often visited at his father's cabin. The hidden slave, from his concealment in the pile of driftwood, distinctly heard James Boone repeatedly beg his father's friend to spare his life. The Indians were intent on torture and were not about to forfeit the pleasure. The hidden slave heard James Boone screaming for mercy time after time begging that he be tomahawked at once and allowed to die quickly. Again, the Indians refused and the torture lasted until at last the two boys died with their nails torn out, their palms squashed in their futile efforts to turn the blades of the Indian knives aside with their bare hands, and their bodies slashed to ribbons. It had been premeditated and prolonged torture of the most painful kind.

Early the next morning a deserter from the main body, slipping back along the trail, came upon the scene of the torture just after the Indians left. As he stared speechless, Captain Russell came up from the other direction on his way to join Boone's party. The party with Captain Russell started immediately to dig graves, sending one man ahead to warn Boone of what had happened and of the presence of Indians.

News of death and torture at the hands of the Indians were not new on the frontier. Immediately on learning the situation, Daniel Boone placed his party in a defensive position, the women and children sheltered in a large hollow under the roots of a beech tree, outposts were established for an immediate attack. Despite the possibility of an Indian attack, Rebecca Boone insisted on sending back one of the few linen sheets they possessed in which to wrap her son and keep the dirt from his body. After some time, the Indians attacked. But due to the settler's strong defensive position and finding the settlers ready for them, they fell back apparently waiting for a more favorable

situation. The settlers remained on the defensive all that day and through the night. During the night, the Indians were again discovered creeping up on the camp but, learning that the settlers were ready for them, they again drew off. Boone and some of the men followed the Indians downstream, coming upon the Indians gathered around a fire. As their rifles cracked, the Indians vanished into the forest.

Once it was determined that the Indians had definitely withdrawn, a general discussion was held in which it was decided that the majority of the settlers were too frightened to go on. The death of the men in the rear party and the torture of the boys indicated that there might be more Indians in the vicinity probably lying in wait along the trail. Gathering their scattered cattle, the entire party returned to the settlements. After resting up at Snoddy's Fort, the majority of them moved back to their homes in North Carolina. Boone's first attempt to establish a settlement in Kentucky had failed before getting well underway. The Boones, without a home and having spent most of their resources on equipment for the new settlement, settled down for the winter at Snoddy's Fort on the Clinch River. Despite these misfortunes and the death of his son, Daniel Boone's enthusiasm for settling in Kentucky had not be dampened.

Bakeless quotes a pioneer speaking about Boone during this period as saying, "I have a distinct recollection of seeing Boone at my father's camp on Reedy Creek of Holston — I think it must have been in 1773. Boone was dressed in deerskin, colored black, and had his hair plaited and clubbed up, and was on his way to or from Powells Valley." It is said throughout most of his life Daniel Boone wore his hair clubbed up.

In May of 1774, Daniel Boone traveled alone to Powells Valley to visit his son's grave. Although Indian troubles were increasing and travel extremely dangerous, Boone insisted on visiting the graves to see that they were properly cared for. Following the usual custom, logs had been laid above the graves to keep off the wolves, but wild animals of some type had pawed a part of these logs aside, and had dug partway down to the bodies. Boone opened the graves to make sure that the bodies, which he now saw for the first time, had not been touched, carefully covering them again and restoring the log protection.

As he finished covering the graves, a violent storm broke making it impossible to travel. Boone waited under the shelter of the trees for the storm to pass. The howling of the wind, coupled with the gloom of the storm and the dreadful associations of the spot where his son had been tortured to death to amuse the savages, created in his mind a deep melancholy which he later stated was the worst he had encountered in his life. After the storm had cleared Boone moved a short distance away to camp for the night hobbling his horse and attaching a horse bell so that he could find the animal in the

morning. As he was waiting for sleep to come, his keen ear detected Indians creeping up on the camp. Without appearing to be alarmed, he slipped out of his blankets and quietly caught his horse, which he led along slowly, so that it would appear to the Indians to be the noise of the horse grazing. As they reached a safe distance from the camp, Boone silenced the bell, mounted the horse, and rode for his life, leaving the Indians to attack the empty camp. If it had not been for the storm which delayed the Indians, they would have probably killed Daniel Boone on the very same spot where they had killed his son and the story of the early settlement of Kentucky might have been materially delayed and altered.

In the spring of 1774, unrest prevailed the entire frontier. James Harrod, accompanied by a large group of settlers, traveled down the Ohio River, up the Kentucky, and then overland to the present site of Harrodsburg. Scattered throughout Eastern Kentucky were small parties of surveyors laying out lands for the proposed grants to soldiers in the French and Indian War. The presence of these groups obviously preparing for settlement and a greater invasion had aroused the Indians. In addition, during the winter white men had murdered the family of the famous chief that the Indians called Logan, who had been a friend of the white man and was widely known among both whites and reds. These factors combined aroused the Indians to a fighting frenzy which developed into Lord Dunmore's War. Indian attacks and atrocities raged along the entire frontier during the summer and fall of 1774. It was certainly no time to initiate new settlements in Kentucky.

As many of the surveying parties had been sent out by Lord Dunmore, he feared for their safety and instructed Captain William Russell of the Clinch Valley to select two competent woodsmen to carry a warning to these widely scattered survey parties in Kentucky. Captain Russell selected Daniel Boone and his lifelong friend, Michael Stoner. Both men were probably outstanding along a frontier noted for skilled woodsmen. Their instructions from Captain Russell were to search the Kentucky country along the Ohio River as far as the Falls of the Ohio, and to return along the Cumberland River and through Cumberland Gap appraising all survey parties and settlers they met of the imminent danger from the Indian War to the settlements. No one could tell Boone and Stoner just where these survey parties might be found, other than that they had been directed to make surveys at the Falls of the Ohio, in the Kentucky River Valley, along the Licking River (which was then known as the Salt Lick River), and along the Cumberland River.

Since the Shawnees were already blockading the Ohio River, it was necessary that the route of these two woodsmen would be overland along the route that Boone had planned to travel into Kentucky.

Boone set forth on his mission on June 27, 1774, and reached the new settlement of Harrodsburg in Kentucky by July 8 of that year. It is significant

to note that his route of travel took him directly across the present Daniel Boone National Forest.

At Harrodsburg, Boone found Harrod and 34 men busily engaged in laying out the town, building cabins, and laying out 10-acre blocks of land for each. As Daniel was a settler at heart, Indians or no Indians he caught the settlement fever registering as a settler and confirming his claim by building a cabin. As a surveyor, Boone assisted in laying off the lots for the town. In spite of the warning brought by Boone, Harrod and his men remained and continued their work for some time until one man disappeared and two others had been killed by the Indians. The rest withdrew to the settlement, their buildings standing deserted but unharmed, through the winter, and were reoccupied when Harrod and his men returned the following year to establish Harrodsburg permanently in the spring of 1775.

Boone and Stoner followed the Kentucky River to its mouth, pushed on to the Falls of the Ohio, and then returned back to the Clinch Valley, having covered 800 miles of wilderness in 61 days. They had found and warned the greater number of the surveyors, most of whom got back to the settlement safely, although a few were killed by the Indians.

By the time Boone and Stoner returned to the settlement, Lord Dunmore's War was raging, and the governor was raising militia to defeat the Indians and reestablish peaceful conditions. Boone was immediately commissioned a lieutenant and directed to raise as large a company as he could for the defense of the frontier. Boone led several scouting parties and participated in a few small engagements which resulted in him being speedily promoted to the grade of captain on the petition of his immediate neighbors. These neighbors were not completely unselfish in this move, as they insisted on having a commander whose home was also in the community. This promotion gave him command of three frontier forts. Bakeless tells us that his commander reported that, "Mr. Boone is very diligent at Castle's Woods, and keeps up good order." In October, the frontier force under General Andrew Lewis defeated the Indians at Point Pleasant which ended Lord Dunmore's War. Captain Daniel Boone was discharged from the militia on November 20, 1774.

CHAPTER VII

JUDGE HENDERSON'S PLAN

Judge Richard Henderson of Hillsborough, North Carolina, was destined to play a leading role in the early settlement of that part of Kentucky in which the Daniel Boone National Forest lies. He was born in Hanover County, Virginia, April 20, 1735. At the age of 10, his family moved to Granville County where his father was appointed Sheriff and where young Richard, as constable and deputy, performed many of the duties of his father's office.

As a young man, Richard read law under the direction of his uncle, John Williams. After only a year's study, he passed the examination with a high rating and was admitted to the bar where he rose rapidly in his profession. He was appointed to the Superior Court of North Carolina as one of the two Associate Justices by Governor William Tryon of North Carolina on March 1, 1769.

While yet a young attorney, Richard Henderson became aware of the demands of the increasing population for new lands for settlement. His interest was particularly directed to the lands beyond the Cumberland Mountains, probably by the tales of the Long Hunters, Dr. Walker and frontiersmen such as Daniel Boone who had traveled and hunted there repeatedly. Several well-known and reliable writers of early western history have stated that Daniel Boone, Henry Skaggs and Samuel Callaway were employed by Henderson at various times in exploration of the country in which he was interested. Boone, according to historic record, was employed by Henderson as early as 1764 to explore the western wilderness of Virginia and North Carolina. It was the opinion of those best informed that Boone had been a secret agent of Henderson and his associates in the western land scheme for several years.

As Judge Henderson's interest in western lands grew, there developed in his mind a scheme of colonization of a magnitude far beyond that which would be expected of a country lawyer. His plan was not a scheme to extend the western boundaries of North Carolina or Virginia, but a plan to establish a new colony with himself and associates in control, and with the right to establish the government and sell land to the colonists. He had visions of great power and wealth. He was not only a man of visions and plans, but he was a man of action. His first move to implement these plans was taken while he was still a young attorney. In association with Thomas Hart, a member of the State Senate, and his law partner, John Williams, he organized a land company under the title of Richard Henderson & Company.

For a number of years there was little activity by this company other than

the accumulation of information of the western country brought back by Daniel Boone and others who were probably employed on an intermittent basis. One reason for this activity on the part of Henderson was the press of business. As an Associate Justice of the Superior Court, his time and energies were fully occupied by the duties of that office.

It was during his term in office that the activities of the Regulators increased to the point of violence. As a result of his sincere efforts to enforce the law and to maintain order, he became involved in some of the incidents created by this movement which had its central headquarters in Hillsborough, the county seat of Orange County, North Carolina. By September, 1770, the situation had developed to the point where the Regulators invaded the courtroom of Judge Henderson with demands. The crowd suddenly became a mob threatening to beat John Williams and Judge Henderson. This mob did beat several other prominent men, among whom were Thomas Hart and John Luttrell, both of whom were later members of the Transylvania Company. The mob broke into the courthouse and entered comments on the court records that were sneering, ludicrous, and profane. In November, 1770, the Regulators burned a barn and stables belonging to Judge Henderson, together with a quantity of corn and several horses. Two days later they burned a house belonging to him. As the regular March term of court approached, the Regulators defied him to hold court. The records show that the three justices of the Superior Court, Howard, Henderson and Moore, petitioned the Governor's Council to suspend that term of court, which was approved. This unsettled condition continued until the Regulators were soundly defeated at the Battle of Alamance on May 6, 1771, after which the three judges held court at Hillsborough. The trials at this term of court resulted in the execution of six Regulators and imprisonment of many others, and terminated the activities of that organization.

These demanding activities, together with the loss of property at the hands of the Regulators, may well account for the lack of action on the part of Judge Henderson and his partners, then Henderson & Company. The return of Boone from his extensive travels in Kentucky in the early summer of 1771, brought to Henderson detailed information as to the character of the country and the glowing endorsement of Daniel Boone as to the suitability of Kentucky as the site of the proposed colony. This information may well have influenced Judge Henderson that the country described by Boone was the logical location for his colony, but he still had duties and responsibilities as a Justice of the Superior Court of North Carolina. In addition, there was a matter of financing such a venture and, more important, the matter of how to obtain legal title to the lands in question. To this question Judge Henderson had undoubtedly been addressing himself for some time.

Being familiar with the law and legal processes, it is certain that Judge

Henderson had searched the laws pertaining to the acquisition of the western lands and their settlement. The results of this search must have been most disturbing, as they revealed legal obstacles to the plan as great as the towering white limestone cliffs of the Cumberlands offered to the western travelers. However, as the western travelers had found a way through these cliffs by means of Cumberland Gap, so Judge Henderson proposed to find a route through or around the legal obstacles to his scheme of colonization.

The portion of Kentucky where Henderson proposed to establish his colony lay within the region reserved for the Indians by the British Government Proclamation of 1763. By the Treaty of Paris in 1763, all of the Indians in Canada and east of the Mississippi River, formerly under the jurisdiction of the French, now came under the rule of the British. Widespread Indian unrest, manifest by Pontiac's conspiracy and similar reactions made some action to reassure the Indians mandatory. In addition, the British Government was motivated by British traders to take action which would discourage the white residents of the colony from leaving the coastal areas. The result was the King's Proclamation of 1763 which established specific restrictions regarding the use and occupation of lands west of the Allegheny River watershed. Some of the more pertinent portions of this Royal Proclamation read:

" . . . that no Governor or Comander in Chief . . . do presume for the present, and until out further Pleasure be known, to grant Warrants for Survey, pass Patents for any Lands beyond the Heads or Sources of any Rivers which fall into the Atlantic Ocean from West and North West, or upon any Lands whatever, which, not having been ceded to or purchased by Us aforesaid, are reserved to said Indians, or any of them.

And We do, hereby strictly forbid, on Pain of our Displeasure, all our loving Subjects from making any Purchases or Settlements whatever, or taking Possession of any Lands above reserved, without our special leave and Licence for that Purpose first obtained. We do, with Advice of our Privy Council strictly enjoin and require, that no private Person do presume to make any Purchases from the said Indians of any Lands reserved to the said Indians, within these parts of our Colonies where, We have thought proper to allow Settlement; but that, if at any Time any of the said Indians should be inclined to dispose of the said Lands, the same shall be Purchased only for Us in our Name, at some public Meeting or Assembly of the said Indians, to be held for that Purpose by the Governor or Commander in Chief of our Colony respectively within which they shall lie "

These restrictions, when considered in the light of the colonization plans of Richard Henderson & Company, could only be interpreted as restrictive or prohibitive as far as the Kentucky country was concerned unless the British

Government should remove the restrictions or be induced to make some exception in this case. Even then, the venture would be bound by the regulations established by the British Board of Trade. We may be sure that Judge Henderson and his associates considered the situation from every angle.

Judge Henderson, being a lawyer, searched diligently for a loop-hole or "weasel words" in British law which might give him a toehold for his venture, and he eventually found one. This was the famous Camden-Yorke opinion of 1757 which the historian Samuel Wharton describes as briefly as:

"In 1757, the East India Company of London petitioned the King, that in a new charter which it was then soliciting, a clause might be inserted, for enabling them to hold and enjoy, subject to the King's right of sovereignty, all such districts and territories as they had acquired, or might hereafter acquire, (in Asia) from any nation, state or people, by treaty, grant or conquest, upon which these respectable lawyers Camden and Yorke (being then the King of England's Attorney and Solicitor General) officially advised him, 'that in respect to such territories as having been, or shall be acquired by treaty or grant from the Great Mogul, or any of the Indian princes or governments, your Majesty's letters patent are not necessary; the property of the soil vesting in the Company by the Indian grant subject only to your Majesty's right of sovereignty over the settlements, as English settlements, and over the inhabitants, as English subjects, who carry with them your Majesty's laws wherever they form colonies, and receive your Majesty's protection by virtue of your royal charters . . . '"

While this opinion pertained to British India, prominent British promoters of western colonial projects were quick to claim it also applied to Indian lands in America. Two of the most eminent lawyers of London had written opinions, the essence of which was that the Camden-Yorke opinion was applicable to the Indian grants. These promoters utilized this opinion in an attempt to convince British authorities that it was applicable to America as well as Asia. What they overlooked, perhaps intentionally, was that the word "Indian" in the opinion refers to the Indian of Asia, not the American Indian, and the rights declared by the opinion to be vested in the East India Company were inherent in its Royal Charter. It is difficult to understand how these promoters could reason that this opinion could be applied to a land company in America which had no Royal Charter. However, Judge Henderson seized on this opinion as justification and proceeded to have his concept confirmed by an opinion from Lord Mansfield, a prominent English lawyer, which indicated approval of Henderson's plan to purchase land from the Indians. It appears that even lawyers and judges can rationalize actions which they desire to take. Judge Henderson had, to his own satisfaction, found the answer to one of his problems. It had now become an opportunity.

CHAPTER VIII

THE TREATY OF SYCAMORE SHOALS

In 1773, Judge Henderson was relieved of his appointment as a Justice of the Superior Court by the expiration of the Act of 1766 which had created it. He was not reappointed on the court established by the new act, whether by choice or by circumstances is not shown by the record. In any event this left him free to devote his full energy to the business of Richard Henderson & Company and the western lands which had claimed his interest for so long.

Despite British law and Royal Proclamation Henderson, in his own mind, had rationalized the legality of purchase of lands from the Cherokees. His next problem was financing the project. It is known that he had suffered considerable financial loss from the acts of the Regulators. Now that his income as a Justice was eliminated, it is conceivable that his interest in the western lands was heightened by the possibility of recouping his finances as well as enhancing his power as the proprietor of a new colony. The return of Daniel Boone in the fall of 1773 from his ill-fated attempt at settlement of the Kentucky lands undoubtedly impressed upon Henderson the need to move promptly before others located in the Kentucky area.

There was increased Indian activity in the western lands which culminated in Lord Dunmore's War. While Boone was engaged in defending the frontier settlements, Judge Henderson and his associates were progressing with their plan, as was evidenced by the formation of a new land company on August 27, 1774. This new company, known as the Louisa Company, included the three original members of Richard Henderson & Company and added three new ones. Nathaniel Hart, a brother of Thomas Hart of Henderson & Company, John Luttrell, and William Johnston. The addition of the three new associates undoubtedly brought increased credit and financial backing which would be needed to support the western venture.

The name of the new company, the Louisa Company, was undoubtedly taken from the original name of the Kentucky River. Dr. Thomas Walker had named that river the Louisa in honor of the wife of the Duke of Cumberland when he first traveled in the Kentucky area in 1750. In later years, the name of this river was changed to the Kentucky, and the name Louisa was given to the West Fork of the Big Sandy and the spelling, over the years, changed to Livisia.

The decisive defeat of the Indians at Point Pleasant in October, 1774, and the subsequent treaty by which the Indians agreed to confine their activities to the area north of the Ohio River added new impetus to the movement to settle the Kentucky country. Realizing that many groups of settlers would be

eyeing the Kentucky country as a desirable location for new settlement, the members of the Louisa Company undoubtedly reached a definite decision to proceed at once with their land development project.

The plans of the new company were ambitious. The Treaty of Fort Stanwix on November 5, 1768, had resulted in the Iroquois Indians relinquishing their claims to all land south and east of the Ohio River. Supposedly this left only the Cherokees claiming the Kentucky land, and it was the purpose of the new company to purchase their title to these lands, thus clearing the way for a full proprietorship by the Louisa Company.

Their approach to this transaction was probably suggested by Daniel Boone who was familiar with the arrangements made with the Cherokees by the Watauga settlers, who has leased the Watauga Valley for a period of eight years by a payment of \$6,000 value in blankets, muskets, and other trade commodities. The action of the Louisa Company in moving to secure title to the Kentucky land was definitely influenced by this Watauga arrangement.

It should be remembered that Henderson had already had Daniel Boone and others make contacts with influential Cherokees to learn their attitude toward the sale of some of their lands in the Kentucky area to white purchasers. The reply had been favorable, providing the "price was right." Now, in the fall of 1774, Richard Henderson and Nathaniel Hart spent considerable time in the Cherokee country holding meetings with the chiefs of the Cherokee regarding the purchase of large acreage west of the Cumberland Mountains. Apparently, the results of these talks were most favorable and probably some informal agreements were reached as, on December 25, 1774, Richard Henderson & Company issued advertising in the press entitled, "Proposals for the Encouragement of Settling the Lands Purchased by Richard Henderson & Company on the Branches of the Mississippi River from the Cherokee Tribe of Indians." This was nearly three months before the so-called Treaty of Sycamore Shoals at which the actual purchase occurred. It is also known that the goods with which the Indians were to be paid for their land were actually selected by some of the Cherokee chiefs and purchased by William Johnston at Cross Creek (now Fayetteville, North Carolina) during the latter part of December, 1774. Henderson and his associates must have been reasonably sure of their ground as far as the Cherokee Indians were concerned by the end of 1774.

By the beginning of 1775, it was obvious to members of the Louisa Company that their operations had outgrown the capabilities of their organization, and that additional financing would be required. On January 6, 1775, a reorganization took place resulting in the formation of yet another land company and adding three more copartners, making a total of nine in all.

The new company was named the Transylvania Company, the total membership of which consisted of the following: Richard Henderson,

Thomas Hart, John Williams, William Johnston, Nathaniel Hart, John Luttrell, James Hogg, David Hart and Lend Henly Bullock.

These nine individuals entered into a lengthy and detailed agreement consisting of seven pages which declared the members were, "Copartners & Tenants in Common by the Laws of England." Each was to possess one-eighth interest in, "A certain Territory or Tract of Land lying on the Ohio River & waters thereof, including the Rivers Cumberland, Louisa & c That is to say each man's particular part to their and each of their respective use & uses," except David Hart and Bullock, who owned one-sixteenth each. The purpose of this organization was stated as: The proprietors "have purchased the same with an intent and Design to sell and dispose thereof, to such persons as are willing and chuse to become purchasers & hold from under them"

The covenant continues in some detail in the legal language of the day to bind each copartner and his heirs to the agreement. The covenant realizes that the actual sale by the Cherokees has not been completed by the statement contained therein:

(The proprietors) "have bargained and purchased of the Said Cherokee Indians the aforesaid Lands lying on the Ohio river and the waters thereof, still we have not obtained a Grant for the some of the Chiefs of the Said tribe of Indians, but only bargained for the Same and placing full confidence in the Said Indian Chiefs, that they will make to us the Said purchasers a sufficient Grant pursuant to the Said agreement, we the Said partners have bound ourselves our heirs &"

This portion of the covenant concludes with the statement:

" and that we & each of us shall & will be bound by the Same as firmly as if the Said Grant was now made "

This statement incorporated in the covenant clearly indicates that Henderson had a verbal agreement with the Cherokee chiefs, and all that remained to complete the transaction was the approval by the formal council of the Cherokees, which was then in the process of being organized.

The advertisement by Henderson offering settlers certain inducements to join his venture in late December of 1774, followed by the formal organization of the Transylvania Company in early January of 1775, coupled with the fact that Henderson and Nathaniel Hart were known to have spent much time among the Cherokees during the fall of 1774, started rumors and speculations which spread quickly through the backwoods country of North Carolina and Virginia, and eventually claimed the attention of the Royal Governors of these colonies. Colonel William Preston, County Lieutenant of Fincastle County, Virginia, expressed the concern of the King's officials in a letter to Governor Dunmore of Virginia dated January 23, 1775, which included the following statement: "This great and fine country Henderson proposed to

Settle early in the Spring, by selling it to the Adventurers at the moderate price of 20 Shillings Sterling per hundred Acres, which, with some further encouragement he offers, will, I am apprehensive, induce a great many families to Settle there who will not look upon themselves as Subjects of his Majesty, and therefore when they get possession, it may be almost impossible to remove or reduce them to obedience. Henderson undertakes to make deeds in his own and the Company's names to the purchasers as Sole proprietors of the Land: and may easily persuade these ignorant People to believe his Title good"

On February 10, 1775, Governor Josiah Martin of North Carolina, alarmed by the actions of the Transylvania Company, issued a proclamation against Richard Henderson and his confederates which was published in the North Carolina Gazette of February 24, 1775. In this proclamation, Governor Martin quoted at length from the Royal Proclamation of 1763, particularly from that portion prohibiting the purchase of land from the Indians, by private persons, in those areas reserved for the Indians.

Governor Martin also quoted at length from an Act of the North Carolina Provincial General Assembly which stated, "That no white Man shall, for any consideration whatsoever, purchase or buy any Tract or Parcel of Land claimed or actually in possession of any Indian without Liberty for so doing from the Governor and Council first had and obtained under the Penalty of Twenty pounds for every hundred acres of Land so bragained for and purchased" Governor Martin's proclamation further stated:

"And Whereas I have information that a certain Richard Henderson, late of the County of Granville of this Province, confederating with divers other Persons, hath, in open violation of his Majesty's said Royal Proclamation and of the said act of the General Assembly of this Province entered into Treaty with certain Indians of the Cherokee Nation for the Purchase and Cession of a very large Tract of Country"

This proclamation continued at considerable length. In a later portion of the proclamation, Governor Martin states:

" . . . I have thought proper to issue this Proclamation . . . strictly to forbid the said Richard Henderson and his Confederates, on pain of his Majesty's highest displeasure, and of suffering the most rigorous Penalties of the Law, to prosecute so unlawful an Undertaking, as also to enjoin all his Majesty's liege subjects to use all lawful means in their power to obstruct, hinder and prevent the Execution of his Design of settlement, so contrary to Law and Justice and so pregnant with ill consequences"

The proclamation continues in like vein:

" . . . contrary to the Tenor of his Majesty's Royal Proclamation aforesaid, as every Treaty, Bargain and Agreement with Indians repugnant thereto is illegal, null and void, to all Intents and Purposes, and that all

partakers therein will expose themselves to the severest Penalties ”
(See appendix B for the full text of Governor Martin's proclamation.)

The organization of the Transylvania Company and news of its activities related to the western land also affronted Governor Dunmore of Virginia. It was known that he was personally interested in organizing a land venture concerning these same lands. It had been runored that he precipitated the Indian War of 1774, known as Lord Dunmore's War, for the purpose of relieving these lands from the threat of Indian attack in the event of settlement. It is easily understood that the activities of Henderson and his associates presented a threat to the personal plans of Lord Dunmore, as well as a violation of the laws and proclamations of the British Crown and of the North Carolina Provincial General Assembly.

On March 21, 1775, Governor Dunmore issued a strong proclamation against Richard Henderson and his abettors. After reviewing the provisions of the laws relating to proper survey of the western lands and their disposal by public sale to the highest bidder, the proclamation continued with strong wording pertaining to Henderson and his assistants which stated:

“ . . . And whereas advice has been received, that one Richard Henderson, and other disorderly persons, his associates, under pretence of a purchase made from the Indians, contrary to the aforesaid orders and regulations of his Majesty, do set up a claim to the lands of the Crown in the limits of this Colony; I have thought fit, therefore, to issue this my proclamation, strictly charging all justices of the peace, sheriffs, and other officers, civil and military, to use their utmost endeavours to prevent the unwarrantable and illegal designs of the said Henderson and his abettors; and if the said Henderson or others concerned with him, shall take possession of, or occupy and lands in the limits of his Majesty's government of Virginia, merely under any purchase, or pretended purchase, made from the Indians, without any other title, that he or they may be required, in his Majesty's name, forthwith to depart, and relinquish the possessions so unjustly obtained; and in case of refusal and of violent detaining of such possession, that he or they may be immediately fined & imprisoned in the manner the laws in such cases direct ”

(See appendix C for the full text of Lord Dunmore's proclamation.)

Like many lawyers of today, Henderson and his associates continued with their plans to meet the Cherokees in council for the purpose of completing the transaction already agreed upon with the chiefs, by securing ratification of the agreement by the Great Council of the Cherokees and by delivery of the trade goods in payment, despite the proclamations of the Royal Governors of Virginia and North Carolina declaring the transaction illegal and contrary to English law.

Henderson and his associates in the Transylvania Company had already

moved to prepare for the Great Council and to finalize the land deal there. In December of 1774, the leading Cherokee chief, Atta-Kulla-Kulla (The Little Carpenter) had accompanied William Johnston to Cross Creek (Fayetteville, North Carolina) where he selected the trade goods to be given in payment, which were then purchased by Johnston and transferred by him to Sycamore Shoals on the southern bank of the Watauga River (Elizabethton, Tennessee) where they were placed in storage.

Throughout January and February of 1775, the Cherokee continued to assemble at Sycamore Shoals until, by the latter part of February of that year, over 1200 Cherokees, half of them men, had gathered to witness their leaders' participation in a Great Council with the representatives of the Transylvania Company and to decide whether or not they would give their approval to the land transaction to be discussed there. It may well be that the rank and file of the Cherokee had little personal comprehension of the scope of the proposed land sale, other than the fact that a large amount of trade goods were involved and each hoped to receive a share for himself.

The preliminary contacts and discussions of the Council had been initiated during the last week of February, 1775, and continued, increasing in scope and intensity, until March 14, when the formal business portion of the Council was convened. During this period Henderson, Hart and other members of the Transylvania Company and its employees had not been idle. First, contacts were made with the initial chiefs and influential members of the Cherokee Nation reaffirming verbal agreements reached during Henderson's and Hart's trip of the previous fall, and ensuring commitment of the voting members of the Council to approve of the proposed transaction. As an added incentive, samples of the trade goods to be given in payment were displayed for all to see. In general, the activities of Henderson and his associates during this preliminary period resembled those of the staff of a large corporation or political group of today just prior to a major conference which would decide a matter of importance to them.

Throughout this preliminary period Daniel Boone, as a representative of the Transylvania Company, had been active in his own quiet way. He was well acquainted with many of the important leaders of the Cherokees, as well as with many of the braves with whom he had hunted on his trips to their villages. A favorable word from him at the right time and in the right place could mean much to the success of the proposed transaction. Henderson was passing up no opportunities to ensure the successful completion of his purchase plan.

The Grand Council of the Cherokee Nation, convened in formal session at Sycamore Shoals on March 14, 1775, was a dramatic meeting for all participants and a milestone in American history. Here were assembled the representatives of the Cherokee Nation and the representatives of the Transylvania

Company for the purpose of considering the sale of a large area of Cherokee hunting ground to the Transylvania Company for the purpose of settlement. The price had been tentatively agreed upon and the principal chief of the Cherokees had selected the trade goods to be given in payment. All that remained was to formalize the transaction and to agree on the specific boundaries of the lands to be sold.

The principal representatives of the Cherokee Nation at this Council were: Atta-Kulla-Kulla, The Little Carpenter, so called because of his skill in putting together agreements and compromises; Oconistoto, Dragging Canoe, and Savanooko-Coronoh, The Raven.

Representing the Transylvania Company were Richard Henderson, John Williams, Thomas Hart and Nathaniel Hart.

Among the spectators to this Council were over 1200 people of the Cherokee Nation, over half of which were men. In addition, a considerable number of frontiersmen had assembled as spectators, many of whom were also interested in buying Cherokee land either directly from the Cherokees or from the Transylvania Company. Prominent among these frontiersmen were: John Sevier, Issac Shelby, James Robertson, William Bailey Smith and Nathaniel Gist.

The opening formalities of this Council being completed, Colonel Henderson began the discussions of the first day by a speech in which he questioned the Cherokees concerning their ownership of the land under discussion. After conferring among themselves, the chiefs answered that the land was theirs. They then offered to sell to the Transylvania Company a tract of land which they had previously sold to Colonel Donelson, but for which they had not received payment. Colonel Henderson replied that his company was not interested in small tracts, and that he had a houseful of trade goods for them. This closed the first day of the Council.

On the second day, the Cherokees opened the Council by presenting an offer to sell land north of the Kentucky River and between the Kentucky and the New River. Colonel Henderson replied that his company was not interested in these lands, as they were already owned by Virginia and were not the property of the Cherokees to sell. He then spoke at some length telling the Cherokees that if they would not sell the lands desired, he would keep his trade goods. He again described the land his company wished to purchase and emphasized the payment they were willing to make. Chief Dragging Canoe replied that, "The white people wanted too much of the Cherokee hunting grounds," and left the Council most displeased. The rest of the Indian members of the Council followed him, and the Council was adjourned for the day.

On the third day, the Cherokee representatives returned to the Council and participated actively in the discussions. On this day, Chief Dragging Canoe made a dramatic speech that was not only prophetic of events to come

but, from the standpoint of the Indians, most pathetic. In essence, he spoke in the following trend:

The chief began by describing the extent and affluence which the Cherokee Nation had once enjoyed. He spoke of the coming of the white man and of his encroachment on the land of the Indians compelling them to move from the home of their ancestors as a result of the never-ending greed of the white people for more land. He voiced the hope of the Indians that the whites would not expand beyond the mountains, but would be satisfied with the lands to the east. That hope had now vanished, he said; the whites had passed beyond the mountains and had occupied Cherokee land and now wished to have their trespasses legalized by the confirmation of a treaty.

Chief Dragging Canoe continued that, should the occupation be legalized by a treaty, the same spirit of encroachment would only lead the whites to occupy other lands of the Cherokees, new concessions would be demanded and, finally, all of the country which the Cherokees and their forefathers had owned and lived in so long would be demanded of them, and the small remnant remaining of this once great and formidable nation would be compelled to seek homes in some far distant wilderness. Pressing the situation further, Dragging Canoe said that even in such a remote retreat they could dwell only a short time before the advance of the white man who, being unable to designate a further retreat for the remnant of the Cherokees, would demand the extinction of the entire race. (How true this prophecy.)

Chief Oconistoto (Dragging Canoe) closed his oration with a strong plea to his people to resist any further encroachment of their territory by the whites, regardless of the consequences.

However, the displays of the bright-colored trade goods and the firm groundwork established by the Transylvania Company representatives during the previous months had accomplished their purpose. The Council voted to approve the sale of the lands desired.

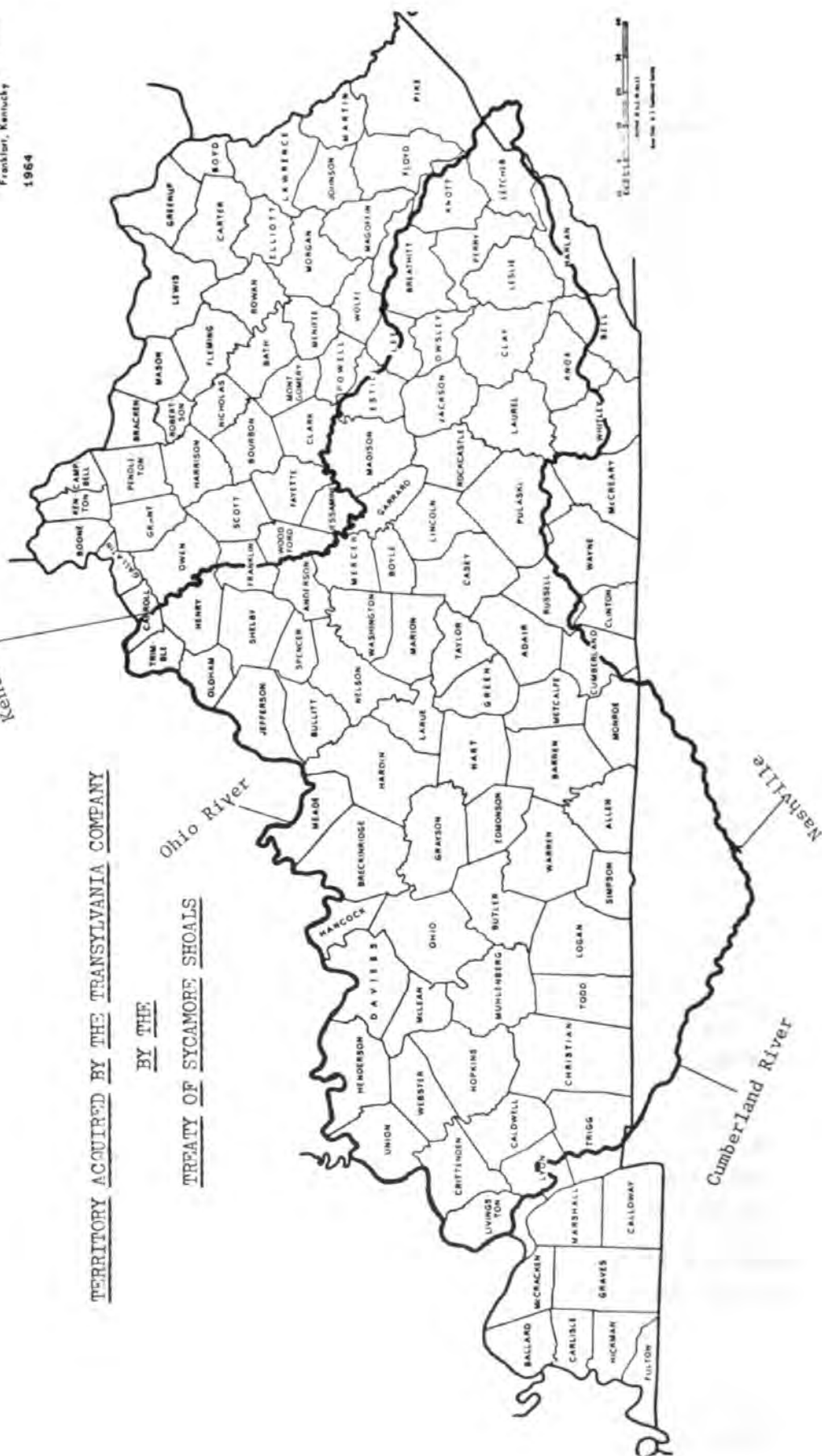
After considerable discussion and more speeches, an agreement was finally reached by which the Transylvania Company acquired all of the land from the Kentucky River south to the Cumberland River, a territory encompassing the greater part of the present State of Kentucky plus a sizeable strip of the present State of Tennessee reaching as far south as Nashville. During this final conference, one of the chiefs stated that they were selling land that would be needed as hunting grounds by their children.

On the fourth day of the Council (March 17, 1775), the deed to the agreed-upon land was signed by the representatives of the Cherokees. (See appendix D for the full text of this deed.) The careful work of Richard Henderson and his associates during the past months had not been in vain.

Kentucky River

TERRITORY ACQUIRED BY THE TRANSYLVANIA COMPANY

BY THE

TREATY OF SYCAMORE SHOALS

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However, the Transylvania Company had still another request to make of the Council. Between the lands already owned by Virginia and the lands covered by the transaction just completed lay a strip of land which still belonged to the Cherokees. Colonel Henderson told the Council that, "I do not love to walk on your land, and I still have a quantity of trade goods which they had not yet seen." For these trade goods, he wished to make an additional purchase of all of the lands lying down the Holston River and between the Watauga purchase and the land they had just agreed to sell to the Transylvania Company. This tract he called the Path and the deed he desired was referred to as the Path Deed.

One of the white visitors to the Council was John Carter, to whom the Cherokees were indebted to the amount of between 600 and 700 English pounds, and the prospect of payment by the Cherokees was remote. Carter offered to buy from the Cherokees the tract of land for which he would pay them by cancelling this debt and furnishing additional trade goods. After some consultation, this offer was refused by the Council. Colonel Henderson then came forward and in his persuasive legal manner offered to destroy the Carter account books containing the signatures of the Cherokees, to give them the goods Carter had offered, and to supply additional trade goods in return for a deed to the pathway. This offer was accepted by the Council, and a deed drawn to cover it, which has, since that time, been known as the Path Deed.

It is generally conceded that all parties involved in the Sycamore Shoals meeting were sincere, and that their dealings were open and above board. When the abrupt withdrawal of Chief Dragging Canoe closed the Council on the second day, some of the whites suggested that the Transylvania Company attempt to negotiate a secret deed with the Cherokee chiefs. John Williams promptly rejected this suggestion with a statement that the company would consider no arrangement other than an open transaction with the entire Cherokee Nation.

Every effort appears to have been made to ensure full understanding on the part of all of each speech, proposal and document. In addition to being represented by two attorneys, Joseph White and John Farrow, the Cherokees also had a number of whites and halfbreeds who understood both languages as added insurance against errors or omissions by interpreters in translation. An official linguist, Thomas Price, reviewed documents and was one of the witnesses to the Cherokee Chiefs' signature on the great grant. Many of the white visitors to the Council also had an interest in the purchase of Cherokee land. At the specific request of one of these, John Ried, each deed was read and interpreted in its entirety prior to its signing by the chiefs and witnesses.

A clear picture of this phase of the Council is presented by Charles Robertson, a prominent citizen and representative of the Watauga settlement,

in a deposition made before the commission appointed by the Virginia assembly on July 3, 1776 to investigate the Henderson land claim:

Throughout the 20 days of the Council, there was continuous discussion of the proposed boundaries of the territory under consideration, the wisdom of making such a sale, and the adequacy of the amount to be received in payment. Interpreters for both sides were kept busy translating talks, speeches and documents. Many of the younger chiefs of the Cherokees were bitterly opposed to selling any of the tribal hunting grounds, and they voiced their opposition eloquently to their people. Both Chief Dragging Canoe and Chief Raven, principal representatives of the Cherokee Nation, voiced their opposition strongly, but without success. The continued display of the trade goods, coupled with the skillful contacts made by the employees of the Transylvania Company, such as Daniel Boone, turned the tide and over 1200 Cherokees present agreed to the signing of the great grant, as it was designated to differentiate it from the path deed.

By the signing of the great grant, the representatives of the Cherokee Nation sold to the Transylvania Company the territory lying between the Ohio and Kentucky rivers on the north and the Cumberland River on the south, a territory comprising over half of the present State of Kentucky and a part of northern Tennessee as far south as Nashville. In return, the Cherokees received money and trade goods valued to a total of 10,000 English pounds. While no accurate inventory of these trade goods is available today, it has been reliably established that included were quantities of such items as guns, lead, gunpowder, tools, corn, flour, salt, hogs, bullets, bearskins, Dutch blankets, ribbons, metal wristbands, brooches, gadgets, and similar items. In addition, there was included a quantity of rum which was not transferred to the Cherokees until the close of the Council for obvious reasons. While the total quantity of these goods appeared large, their distribution to members of the Cherokee Nation left some individuals who received only one shirt apiece, a bit disappointed.

In general, the entire transaction appears to have been open and fair and to the satisfaction of the majority of the Cherokees. Chief Dragging Canoe, in a burst of anger and frustration, told the representatives of the Transylvania Company that they had made a noble bargain, but their new land would become a "dark and bloody ground." This graphic description not only proved prophetic, but has remained associated with Kentucky to the present day.

As the day of March 17, 1775, drew to a close with the grand feast provided by the Transylvania Company for the Cherokee Nation and the white visitors, it marked the end of one of the most historic periods of American history. In a brief period of four days of formal Council, the Treaty

of Watauga, or the Treaty of Sycamore Shoals as it is sometimes known, had been drawn up, approved by the Cherokees and signed by the chiefs designated to represent the Cherokee Nation. This action marked the successful completion of the first step of Colonel Henderson's plan of establishing a 14th colony, or perhaps a separate nation, in the country of Kentucky beyond the Cumberland Mountains.

At this point it appears appropriate to pause briefly for a review and analysis of the meaning of the Treaty of Sycamore Shoals from the standpoint of facts, legal standing, and political significance.

The so-called Treaty of Sycamore Shoals or the Treaty of Watauga was actually not a treaty in any sense of the word. Examined in the cold light of law and reality, it was only a quitclaim deed from the Cherokee Nation to the individual members of the Transylvania Company. A detailed analysis of the transfer document indicates the following facts:

The Cherokee Nation states that they are the aborigine and sole owner of the lands they are about to convey by right of occupancy from the beginning of time;

The Cherokee Nation empowers three of its chiefs to represent them in the Grand Council and empowers them to act. The chiefs designated were Oconistoto (Dragging Canoe), Atta-Kulla-Kulla (The Little Carpenter) and Savanooko – Coronoh (The Raven);

In consideration of money and trade goods received, the Cherokees do grant, bargain, sell, Alien, and Enfeoff, release and confirm unto the individual members of the Transylvania Company, by name . . . forever, all that tract, territory or parcel of land, situate, lying and being in North America on the Ohio River, one of the eastern branches of the Mississippi beginning on the said Ohio River at the Mouth of the Kentucky, Chenoca, or what, by the English, is called Louisa River, from thence running up the said River and the most northwardly branch of the same to the head spring thereof, thence a southeast course to the top ridge of Powell's Mountain, thence westwardly along the ridge of said mountain unto a point from which a northwest course will hit or strike the head spring of the most southwardly brance of Cumberland River, thence down the said river, including all its waters to the Ohio River, thence up the said river as it meanders to the beginning & c;

The land was not deeded to Richard Henderson & Company or to the Transylvania Company as such, but to the nine members individually in several and tenants in common, and not as joint tenants. Each of seven members named in the deed were to hold one-eighth part, the remaining two members – one-sixteenth part each;

Joseph Martin and John Farrow were designated by the Cherokees as their true and lawful attorneys to represent them in the sale and transfer

of the land considered;

The transfer document was signed by the three chiefs designated to represent the Cherokee Nation. Their signing was witnessed by eight witnesses. This procedure follows the legal practice in transfer of land from one party to another by deed. It is significant that none of the purchasers signed the document, as is the practice in the case of a treaty.

The legal right of power to participate as a party to a treaty is a right of sovereignty possessed only by national governments, whereby a group to whom the power of treaty making or sovereignty has been legally and specifically granted, as in the case of a Charter. Since Richard Henderson & Company, the Louisa Company, the Transylvania Company or any other individuals named in the transfer document had no charter or other designation of this power, it follows that to call the transfer document a Treaty is not in keeping with the facts, and reduced to plain facts, the transfer document signed by the Cherokee Nation at Sycamore Shoals through its designated representatives was a deed such as any two groups would employ to transfer land from one to another.

As a knowledgeable and well-informed lawyer, Colonel Henderson was fully aware of the facts of this situation. In addition, as an astute politician as well as an ambitious one, his knowledge of the growing unrest throughout the colonies with British rule undoubtedly enabled him to anticipate the Revolutionary War which, even then, was manifesting itself in Boston and at other points along the Atlantic Coast. If there was ever a time to take advantage of a situation, this was it. Richard Henderson and his associates were allowing no grass to grow under their feet.

News of the Treaty of Sycamore Shoals spread like wildfire across the western frontiers of Virginia and North Carolina. The Royal Governors of both states had been disturbed by the news that such a meeting with the Cherokees was planned, and had moved to discourage it.

The apprehension of Governor Martin of North Carolina over these events resulted in his issuance of his proclamation of February 10, 1775, against Richard Henderson and his Confederates. On March 10, 1775, Governor Martin wrote the Earl of Dartmouth in England:

"A certain Mr. Henderson, an attorney of some eminence in this Province, has lately executed a most extraordinary project for the particulars of which I have heard I beg leave to refer your Lordship to the Copy of the Proclamation herewith enclosed. It is an enterprise which threatens the worst consequences, in my opinion, and the more as Henderson is industriously persuading the people that purchases from the Indians are good in law against the crown as well as for any other Claimant, and I shall be glad to receive his Majesty's commands upon this point."

On March 10, 1775, Colonel Preston again wrote Lord Dunmore of

Virginia to inform him that the pre-Council conference with the Cherokees at Sycamore Shoals was already underway. He concludes his report with the following:

" . . however, that be the matter is now become serious and demands the Attention of the Government, otherwise it is too likely that valuable and extensive territory will be forever lost to Virginia."

It is apparent that Colonel Preston had at least one observer at the meeting on the Watauga who was keeping him currently informed of the proceedings in some detail.

This news, together with the rumors which swept the frontier, so concerned Lord Dunmore that he issued his proclamation of March 21, 1775, against Richard Henderson and his Abettors. In transmitting a copy of his proclamation to Lord Dartmouth in England, he explains that the proclamation was issued:

"In hopes of tempting the followers of Henderson by offering them the means of acquiring safe and legal titles to the Lands which they have drawn upon, the greatest part of which are within the limits of this colony . . . and inspiring some degree of apprehension of the Power of this Government in these People."

As Lord Dunmore was personally interested in engaging in enterprises in western lands, the action of Henderson concerned him deeply, and he planned to leave no stone unturned to defeat Henderson's scheme of colonization. Apparently believing that his proclamation would not be honored by Henderson, he dispatched a letter to the Cherokees in which he attempted to influence them against the land sale. He wrote, in part;

"I am informed that the Cherokees have inconsiderably (not to say worse) listened to the dangerous proposals of a Certain evill disposed and disorderly Person named Henderson, and, allured by little present gain, Have entered into a bargain for Lands, which they either have Sold or intend to sell to the said Henderson."

He further told the Indians that the King would not permit them to give titles to lands to private persons, and that he, as Governor, desired that they not sell their lands to Henderson, and if they had already done so, he desired they withdraw their sale. In his letter to the chiefs of the Cherokees, he told them that the people of the nearby provinces were alarmed at their sale of land to Henderson, and proceeded to show them that they had no claims to the land they had sold, as the title to these lands had been acquired by the King at the Treaties of Lancaster, Logstown, and Fort Stanwix. In addition, he transmitted copies of his proclamation and of his letter to the chiefs to Colonel Preston requesting him to circulate them along the frontier with the comment, ". . . It may probably have the effect of discouraging Henderson's followers to abandon him and his project."

Among the prominent Virginians greatly interested in western lands was George Washington, who appears to have very much alarmed by the Sycamore Shoals purchase. In a letter to Colonel Preston he said, "There is something in that affair which I neither understand, nor like, and wish I may not have cause to dislike it worse as the mystery unfolds."

John Stewart, Commissioner of Indian Affairs for the Southern District, wrote Lord Dartmouth on March 28, 1775, stating that a proclamation for the arrest of Henderson and his associates had been issued, emphasizing the danger that could result from Henderson's enterprise if it were not stopped.

The Governors of Virginia and North Carolina were on solid ground in issuing their proclamation forbidding Henderson and his associates to take over the Kentucky territory. Their actions were a direct violation of the royal proclamation of October 17, 1763, both in letter and in spirit. Despite the growing resentment against the Crown, there was no legal basis or justification for a group of nine individuals like the Transylvania Company, without charter or other authority, to take possession of British lands for their own use and profit. Dr. W. S. Lester in his book, *The Transylvania Colony*, sums up this situation with the statement, "It is only logical to conclude that, if the Revolutionary War had not intervened, the British Government would have easily and successfully maintained its rights against the attempt of the Transylvania Company."

Governor Martin of North Carolina appears to have had no personal interest in attempting to prevent Henderson from completing his clearly illegal enterprise. On the other hand, Lord Dunmore was known to be deeply involved in owning and developing the western lands. A Virginia historian relates, ". . . Individual Virginians of means were . . . staking out their claims in the far west. All these speculators found a patron and protector against the British ministry in their new Governor, Lord Dunmore, who became the head of what may be called an inclusive holding company, the exact purpose of which is obscure; but, it was Dunmore and his associates who precipitated, in pursuit of their ends, the Indian War of 1774, called by the Governor's name. The trouble between the Colonies and the Mother Country occurring just at the crucial moment brought to naught what was probably the most cleverly conceived, carefully planned, politically strongest, and most extensively speculated enterprise in the annals of the Colonies."

CHAPTER IX

THE BOONE TRACE

It is apparent that Judge Henderson had laid a firm and favorable foundation with the leaders of the Cherokee which insured the approval of the sale of the desired lands to the Transylvania Company by the Cherokee Nation at the Grand Council. The assurance of Henderson and his associates is manifest in the extensive and detailed plans for the occupancy and development of these lands made well in advance of the Council meeting. Among these plans was the selection of the site of the initial settlement and headquarters of the Transylvania Company in an area adjacent to the mouth of Otter Creek on the Kentucky River, as advised by Daniel Boone who had visited that area.

Judge Henderson was well aware of the apprehension he had created with the public announcement of his venture the previous December. As news of the pending Great Council of the Cherokees spread along the frontier, he knew that observers of the Royal Governors of both North Carolina and Virginia were reporting his progress in the land purchase. This was confirmed when on February 10, 1775, Governor Martin of North Carolina denounced his operations in a proclamation against Richard Henderson and his Confederates. He also knew that his action was causing great concern in Virginia where Governor Dunmore had personal ambitions in the establishment of settlements on the western lands. The possibility of legal action to restrain his activities by one or both Governors was strong indeed. For this reason, Henderson and his associates were determined to initiate occupancy of their purchase at the earliest possible date.

In anticipation of this need Henderson had employed Daniel Boone to lead a party of woodsmen to the proposed headquarters site on the Kentucky River, cutting and marking the trail enroute. With the need of initiating this expedition on short notice, Daniel Boone had spent most of the winter and early spring in recruiting a force of experienced woodsmen and assembling them at Long Island in the Holston River, a site readily adjacent to the Grand Council site at Sycamore Shoals on the Watauga.

As the Grand Council progressed according to plan and the enthusiasm of the Cherokees was increased by the displays of trade goods offered, Judge Henderson was convinced that the purchase of the lands in question was in the bag. At his direction, on the morning of March 10, 1775, the company of woodsmen led by Daniel Boone departed from Long Island in the Holston to mark the trail to the Kentucky River. This was a full week prior to the actual signing of the treaty which took place on March 17, 1775. Bakeless tells that

this early departure probably met with the full approval of Daniel Boone, as records show that on April 19, 1775, one of his creditors issued a warrant against Boone's property. The document still exists with the words "No goods" written across the back. A resulting warrant for his arrest for debt bears the words, "Gone to Kentucky."

The party of travelers who left the Holston that morning of March 10, 1775, was composed of several elements. First, there was Daniel Boone and his group of carefully selected woodsmen, which included his brother Squire Boone and his old friend Michael Stoner who had accompanied him to Kentucky the previous year to warn the surveyors of the Indian troubles resulting from Lord Dunmore's War. Two other groups traveling to Kentucky had elected to travel with Boone's party for guidance, company and protection. One was that of Colonel Richard Callaway of Virginia, a former neighbor of the Boones on the Yadkin. The other was that of Captain William Twetty and seven companions from Rutherford County, North Carolina, traveling to Kentucky in search of land. The latter parties were accompanied by Negro servants, hunting dogs and loaded pack horses. Exclusive of servants, the party totaled 30 well mounted and well armed men. As no trouble with Indians was expected, the party was equipped for wilderness travel and hunting.

We are indebted to one of Captain Twetty's party, Felix Walker, whose writings tell us that, "By general consent the accompanying group put themselves under the management and control of Daniel Boone, who was to be our pilot and conductor through the wilderness to the promised land . . . perhaps no adventurers since the days of Don Quixote, or before, ever felt so cheerful and elated in prospect . . ."

Boone knew that the trail to Powells Valley was well marked and traveled. From there his plan was to follow hunter and Indian trails, game trails, and streams wherever possible marking the trail plainly with axe blazes as they went. Where such trails did not exist, he planned for his axemen to cut a trail through forest and cane brake wide enough for mounted and foot travel with such aids as they could make at stream crossings — a crude route at best.

The party proceeded without incident across the high passes of the Blue Ridge, Clinch and Powell mountains, the rivers between and on to Cumberland Gap, that six-mile passage through the towering cliffs which led through the Cumberland Mountains, long a barrier to the westward movement. At that point they joined the Warrior's Path, long a major trail used by all of the tribes in their travels. From the Gap they followed the Warrior's Path for about 50 miles, crossing the Cumberland River near the present City of Pineville and proceeded a few miles to where they left the Path and followed a buffalo trace and a hunter's trace in a northwesterly direction across the Laurel and the Little Laurel rivers to the vicinity of the Hazel Patch. Here

they crossed the Rockcastle River and the trace ended. For the next 30 miles the expedition cut their way through dead bush, patches of dense cane, thickets of undergrowth and deep forests. For the first time the party found progress slow and the work of clearing a trail hard labor. From the Rockcastle River the route followed Roundstone Creek, which it crossed repeatedly, and finally emerged on the edge of the Bluegrass country through what is today known as Boone's Gap, just south of the present city of Berea.

As the party emerged from the dense forest into the Bluegrass, they were pleased and somewhat amazed by the country spread before them. Felix Walker of Captain Twetty's party wrote ". . . As the cane ceased we began to discover the pleasing and rapturous plains of Kentucky. A new sky and a strange earth seemed to be presented to our view. So rich a soil we had never seen before; covered with clover in full bloom, the woods were abounding in wild game — turkeys so numerous that it might be said that they appeared but one flock, universally scattered in the woods."

Once through Boone's Gap the morale of the members of the party, dampened by the hard labor and rough travel from the Rockcastle to that point, was amply restored by the sights of the Bluegrass and the knowledge that only two more day's travel would bring them to their destination on the Kentucky River.

On the evening of March 24, 1775, the party made camp on a small woodland stream in the rolling Bluegrass country about five miles south of the present City of Richmond, Kentucky. As no recent signs of Indians had been observed since leaving Cumberland Gap, no trouble from that source was anticipated and no guard posted about the camp. About an hour before daylight the next morning, the camp was fired on from the darkness by Indians. Those who were able grabbed rifles and powder horns and left the flickering light of the smouldering campfires for the safety of the darkness and surrounding woods. All prepared to repel the anticipated Indian attack as best they could.

On reaching the darkness and taking stock of the situation, Squire Boone found that he had grabbed his buckskin hunting shirt instead of his possible bag containing powder horn and bullet pouch and was without ammunition except for the one load in his rifle. He was forced to crawl cautiously in the darkness until he found Daniel from whom he borrowed powder and ball enough to last until he could retrieve his own.

The little group crouched in the half-light of pre-dawn with rifles ready until the increasing light assured them that the Indians had left, taking some of their horses with them. Daniel Boone assembled his party and took stock of the situation. It was found that Captain Twetty had been shot through both knees and was in great pain. Immediately after the first volley of rifle fire, an Indian had dashed for him to take his scalp but his faithful bulldog,

who had been sleeping by the campfire, grabbed the Indian by the throat and threw him off balance. A second Indian following close behind had brained the bulldog with his tomahawk, and both Indians had disappeared into the darkness. Captain Twetty's servant Sam, who had also been sleeping by the campfire, had received a ball in the head from the first volley. He had leaped to his feet in a purely reflex action and had fallen dead into the campfire. A third member of Captain Twetty's party, Felix Walker, was also seriously wounded by the first volley of gunfire which seems to have been directed largely toward that part of the camp occupied by the party of Captain Twetty.

It was out of the question to continue to travel with the two seriously wounded men and with the possibility of further Indian attack. The example of courage and firmness displayed by Daniel and Squire Boone, Stoner and the other experienced woodsmen helped to calm the rest of the party. This was further aided by giving them a job of constructing an enclosure of logs to serve as a breastworks in the event of more Indian attacks, collecting equipment and supplies within the enclosure and preparing food for all. When this was done, Sam and the bulldog were buried near the enclosure with due ceremony as the first casualties of the expedition.

Daniel Boone immediately set about organizing his camp to protect his people and animals and to shelter the wounded. As no doctor was available, Daniel Boone did his best to make the two wounded men as comfortable as possible with the simple remedies of the frontier. In recalling the incident afterward, Felix Walker wrote, "But let me, with feeling recollection and lasting gratitude, ever remember the unremitting kindness, sympathy, and attention paid me by Colonel Boone in my distress. He was my father, my physician, and friend; he attended me as his child, cured my wounds by use of medicines from the woods, nursed me with paternal affection until I recovered, without expectation of reward."

The firmness and fortitude of Daniel Boone and others soon restored the courage of the entire party. Although some members of the party had started back for the settlements, those that remained were resolved to protect themselves and their possessions from the Indians and to continue the journey. Their courage is illustrated by an incident which occurred on the second morning after the attack when one of the men who had run deep in the woods in his initial fright decided to return to the party. As he approached the camp moving from one tree to the next, he was observed by a black servant of Colonel Callaway who was gathering wood for the fire. She immediately ran back to the camp and gave the alarm. Daniel Boone grabbed his rifle, ordered the men to form as planned, take cover behind trees and to give battle and not to run till they saw him fall. Felix Walker writes of this incident, "I believe they would have fought with equal bravery to any

Spartan band ever brought to the field of action” The man behind the tree announced his name and came in, thus relieving the alert and the apprehension of the party.

On the third day Captain Twetty died of his wounds and was buried beside the enclosure with his servant Sam and his bulldog. Because of this, the enclosure was named Twetty’s Fort (sometimes called Little Fort), and the spot is so known to this day. It is located near Highway U.S. 25, about five miles south of Richmond and marked by a Kentucky Historical Society highway information marker. It has been written that this attack on the Daniel Boone party at Twetty’s Fort was the first battle between a group of white men and a group of Indians in Kentucky.

As the party was immediately in need of meat, Daniel Boone sent out parties of hunters to bring in meat and to scout the surrounding country for Indians which might be lurking among the hills and woods to renew the attack. One of these parties of scouts met a young man a few miles from camp who said that he was Samuel Tate’s son, and told how the previous night Indians had fired on their party while drying mocassins around a fire; and two men of the party, Thomas McDowell and Jerimiah McPeters, were killed and scalped. The rest of the party ran barefooted through the light snow and escaped. One of them, Samuel Tate of Powells Valley, took to the stream to hide his tracks, it being a moonlight night and the light snow provided good tracking. To this day the small stream which flows into the Kentucky River near Boonesborough is known as Tate’s Creek.

The two Indian attacks, occurring within two days, were interpreted by many of Boone’s party as an indication of an Indian war, which caused a few of the party to leave for the settlements. Daniel Boone, as the official representative of the Transylvania Company, took immediate action to protect the people in the area and to inform his employer of the situation and the needs of his advance party. The action taken by him could well be a credit to a trained officer of the army in a similar situation. He first quieted the fears of the members of his own party by his fearless and confident attitude of leadership. He dispatched runners from his party to all known parties in the general vicinity (such as the group at Harrodsburg and the Tate party) to assemble at the mouth of the Otter on the Kentucky River for mutual protection. Not knowing whether or not Judge Henderson had left Sycamore Shoals on the Watauga to follow the trail blazed by the Boone party, and desiring reinforcements and additional supplies as soon as possible, Daniel Boone wrote the following letter to Henderson to inform him of the situation and, if possible, to influence him to join him soon or send reinforcements. Here is Boone’s letter to Henderson:

"April the First, 1775

Dear Colonel:

After my compliments to you I shall acquaint you of our misfortune. On March the 25 a party of Indians fired on my Company about half an hour before day and killed Mr. Twetty and his negro and wounded Mr. Walker very deeply, but I hope he will recover. On March 28 as we were hunting for provisions we found Samuel Tate's son, who gave us an account that the Indians fired on their camp on the 27 day. My brother and I went down and found two men killed and scalped, Thomas McDowell and Jerimiah McPeters.

"I have sent a man down to all the lower companies in order to gather them all to the mouth of Otter Creek. My advise to you, sir, is to come or send as soon as possible. Your company is desired greatly, for the people are very uneasy, but are willing to stay and venture their lives with you, and now is the time to frustrate their intentions and keep the country, whilst we are in it. If we give way to them now, it will ever be the case. This day we started from the battle ground, for the mouth of Otter Creek, where we shall immediately erect a fort, which will be done before you can come or send – then we can send 10 men to meet you, if you send for them.

I am sir your most obedient,
Daniel Boone"

Several days having elapsed since the Indian attacks, without further sign of Indians and Felix Walker's wounds sufficiently healed to permit him to travel in a litter slung between two horses, the Boone party resumed its travel on the morning of April 1, 1775, to cover the remaining 12 miles to the mouth of the Otter on the Kentucky River.

Leaving the site of Twetty's Fort and the graves of two of their party, the little expedition resumed its journey down the meandering valley of Otter Creek, cutting their way through the recurring patches of cane. Arriving at the junction of Otter Creek with the Kentucky River, they were pleased to find a broad, well-beaten buffalo trace which paralleled the south bank of the river. Moving down this trace a bit over a mile they arrived at the site selected long ago by Daniel Boone and concurred to by Colonel Henderson as the site for the first settlement of the Transylvania Company and its headquarters.

As the party of horsemen approached the chosen site, their attention was diverted by the sound of trampling by many hooves. The sight which met their eyes is best described by an eyewitness, Felix Walker, who wrote, ". . . On entering the plain we were permitted to view a very interesting and

romantic sight. A number of buffaloes, of all sizes, supposed to be between two and three hundred, made off from the lick in every direction; some running, some walking, others loping slowly and carelessly, with young calves playing, skipping and bounding through the plain. Such a sight some of us never saw before, nor perhaps may never again." At the sight of the men and horses the entire herd of buffalo forded the river and disappeared into the forest.

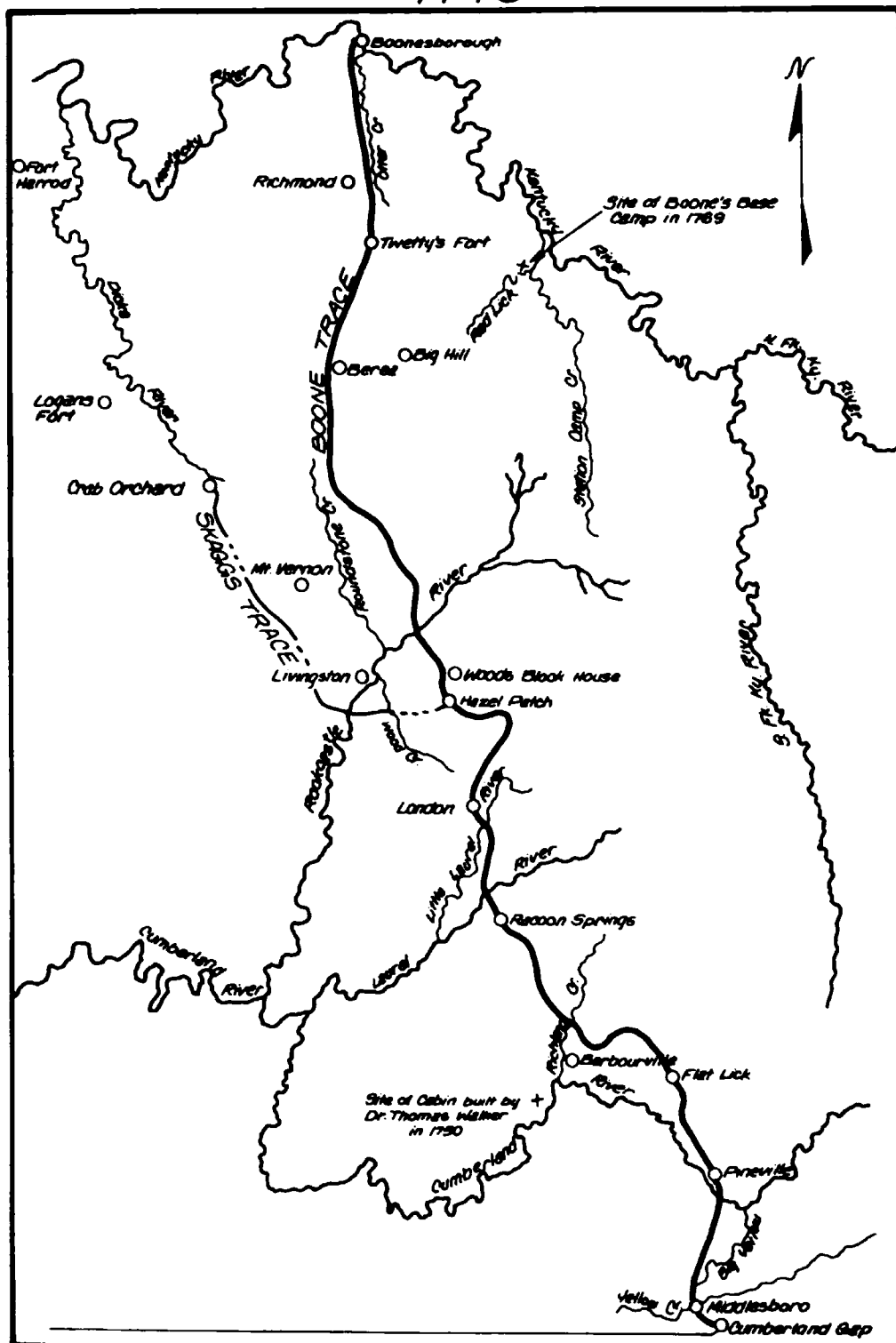
As Daniel Boone gave the order to halt and dismount, the members of his party realized with relief and wonder that they had reached the end of the trail and arrived at the objective which had seemed so distant and unreal when they left the Holston only three weeks before. Their safe arrival was a tribute to their leader, Daniel Boone, and to his skill and woodsmanship acquired through many years of wilderness experience. Dr. William S. Lester, in his book, *The Transylvania Colony*, tells us that, "In 15 days of wilderness travel Daniel Boone had brought his little expedition 200 hundred miles over rough country little frequented by men, 50 miles of it through trackless wilderness, dead brush and extensive patches of cane. With the true sense of topography of a modern engineer he had followed the most accessible route. He had followed the rivers and creeks, found the lowest mountain passes and the best fords with unerring accuracy. It is significant that today's railroads, surveyed by the most skillful engineers, lie for the most part along the route he established."

This Trace, from below the Rockcastle to Boone's Gap, had crossed an area of forest land that would, some 200 years later, become a part of a great national forest named in honor of that Kentucky pioneer, Daniel Boone, whose personal interest, exploration and leadership, and personal participation was largely responsible for the first marked trace from Cumberland Gap to the Kentucky River and which was the base for the Wilderness Road over which the forces of western migration would flow to achieve the settlement of middle America.

Here, in April, 1775, on the south bank of the Kentucky River about a mile below the mouth of Otter Creek, Daniel Boone and his party of tired woodsmen and land seekers unloaded their pack horses, cooked a simple meal and started the erection of several log huts for shelter and defense.

The site to which Daniel Boone had conducted the party bore a striking resemblance to the site of the Great Council at Sycamore Shoals. It was located on a level bench of land extending nearly two miles below the mouth of Otter Creek along the south side of the beautiful Kentucky River. The area varied in width from the river to the hills which rose sharply to the south from one-fourth to one-half mile of level to gently rolling land suitable for farming, pasture or a townsite. Across the river to the north the forested hills rose sharply from the riverbank, broken only by occasional draws, where

Map Showing
Route Of The Boone Trace
Through The Wilderness
Of Southeastern Kentucky
1775



Courtesy Kentucky Historical Society

small streams or drains entered the river.

The location on this plain where Daniel Boone had halted his little party was about one-and-one-fourth miles downstream from the mouth of the Otter Creek where a small lick, fed by two springs, traversed the plain to the river. These two springs, destined to become famous in history, were one of the reasons for the selection of this particular location as the settlement site. The spring nearest the river was a sulphur spring whose waters had impregnated the soil along the lick below it with salt forming a self-replenishing salt lick which had attracted herds of buffalo, elk, deer and other animals to that particular spot for generations. The second spring, located further up the lick from the river, provided a strong flow of clear, fresh water which provided the principal source of water for the settlement. For some unknown reason this second fresh-water spring soon became known as the Lick Spring rather than the sulphur spring which was the source of the salt for the lick.

Adjacent to these springs there grew a number of huge trees which towered over the site in majestic splendor. Four of them were particularly impressive. Three were huge sycamores whose white bark had been rubbed smooth by the herds of buffalo and deer which, for centuries, had crowded about the lick to partake of the salty soil. These trees so impressed everyone who saw them that the site about the springs was named Sycamore Hollow, and is known by that name to this day.

The fourth tree of the group was an elm of such magnificent size, spread of limb and symmetrical proportion that it stood out in its perfection and appearance from all of the rest of the huge trees in the hollow. It, too, was to become famous in the history of the settlement.

The ground beneath these great trees and for nearly a half-mile in either direction was free from undergrowth due to the trampling of generations of game herd attracted to the lick. The soil was rich, firm and, except for the trampled area immediately adjacent to the lick and the broad buffalo trace along the river, thickly covered with large patches of white clover and carpeted throughout with a natural grass of great richness and beauty. The sight of this beautiful verdant valley beside the sparkling river on that fine spring day appeared to the weary travelers as a glimpse of the paradise which Daniel Boone had told them about.

Being a practical woodsman and bearing the responsibility of command of the expedition, Daniel Boone immediately initiated action to provide defense and shelter for his people. He selected a level site about 60 yards back from the river and 250 yards below the lick as the site for the first cabins. After the men had eaten and rested, he asked them to begin the construction of several small log cabins for shelter and defense. Here he encountered a difficulty that was to hamper the defense and development of the settlement throughout its existence — the trait of human self-interest and the tendency to ignore danger

until it immediately threatened. Although having been subject to Indian attack only a few days previously and knowing of the attack on the Tate party in the immediate vicinity, the members of the party were so intent on looking over the land and selecting a particular tract for themselves that they refused to work on the construction of the cabins as Boone directed. After some persuasion 15 of the men (probably the woodsmen originally selected by Boone and in the pay of the Transylvania Company) started the construction of several cabins. The walls were completed to a point where they provided some defense, but the cabins were not completed with roofs for many months. These cabins were immediately named Boone's Fort, which name remained until the cabins were burned by the Indians during the fierce attack in the summer of 1777.

Probably the primary motive which induced each of the individuals in the Boone expedition to join it was the desire to acquire good land in Kentucky. So strong was this desire that, by popular demand, all other work was suspended and the land adjacent to Boone's Fort was surveyed into two-acre lots, which were distributed to the members of the party by drawing lots. It is obvious that these men believed strongly that the first on the ground should have the first choice of the land. The murder of a member of the party by Indians on April 4 again heightened the apprehension of some members of the party into considering a return to the settlements; but Daniel Boone's calm example, coupled with the desire for land and the wholesale killing of buffalo and deer for their skins, persuaded them to remain.

Many other parties in the vicinity left for the settlements in fear of a general Indian war; but Daniel Boone's calm example and advice, coupled with their confidence in him, probably prevented the initial stand of the Transylvania Company in Kentucky from being abandoned. Scouting the country for several miles around were Daniel and Squire Boone, Stoner and other experienced woodsmen, who soon established that the Indians who had attacked the Boone and the Tate parties were few in number and were probably a small hunting party en route from their hunting grounds on the Dick's River to their home village north of the Ohio River. The opportunity to steal a few horses and lift a few white scalps had been too much of a temptation for them to resist. The confidence of the Boone party in this deduction was well founded, as the settlement was not disturbed by Indians again for over a year, a benefit of the Treaty of Point Pleasant of the previous year.

The arrival of a messenger from Colonel Henderson bearing a reply to Boone's letter of April 1 asking for reinforcements did much to quiet the fears of the members of the Boone party. Captain William Cocke had left the Henderson party as they crossed the Cumberland and brought the news that Colonel Henderson, with 40 mounted riflemen, were enroute and would join

the Boone party in a few days. Geo. W. Ranck in his *Boonesborough* tells that, "When Captain Cocke arrived, the savages were almost forgotten, and he, greatly to his surprise, found that his plucky adventure and the letters he brought excited as much interest as the news of reinforcements which he had risked his life to bring."

The Transylvania proprietors, meeting at Oxford in the County of Granville in North Carolina in September of 1775, recognized the outstanding service rendered by Daniel Boone in the establishment of the initial settlement of that company in Kentucky by awarding to him a present of 2,000 acres of land, together with the thanks of the proprietors.

The Transylvania Company was not alone in recognizing the skill, leadership and experience displayed by Daniel Boone in bringing the trail-marking party safely to the mouth of the Otter. Felix Walker of Captain Twetty's party, to whose journal we are indebted for an eye-witness account of the trip from the Holston to the Kentucky, included in his records his personal evaluation of Daniel Boone. He wrote, "I must not neglect to give honor to whom honor is due. Colonel Boone conducted the company under his care through the wilderness with great propriety, intrepidity, and courage; and was I to enter an exception to any part of his conduct, it would be on the grounds that he appeared void of fear and of consequences — too little caution for the enterprise. But let me, with feeling recollection and lasting gratitude, ever remember the unremitting kindness, sympathy, and attention paid to me by Colonel Boone in my distress. He was my father, my physician, and friend; he attended me as his child, cured my wounds by the use of medicine from the woods, nursed me with paternal affection until I recovered, without expectation of reward."

CHAPTER X

JUDGE HENDERSON TRAVELS TO KENTUCKY

Judge Henderson believed it essential that the Transylvania Company occupy and organize its newly acquired territory without delay. His expedition to fulfill that requirement left Watauga on March 20, 1775, just three days after the close of the Grand Council.

The party of travelers that left Watauga that morning, for its destination on the Kentucky River some 250 miles distant, was equipped for the permanent occupation of a frontier settlement. In addition to Judge Richard Henderson and 40 mounted riflemen armed and equipped for frontier travel, the party included 40 pack horses, a herd of cattle, several Negro slaves and a train of heavily loaded wagons. Packed securely on these wagons were the many items essential for frontier living, such as powder, bar lead, flints, tools, materials for making gunpowder, garden seed, seed corn, food items and personal effects.

In addition to Judge Henderson other members of the Transylvania Company traveling with the party were Colonel Thomas Hart, Captain Nathaniel Hart and Captain John Luttrell. In addition, the group included Samuel Henderson, brother of Richard Henderson, and Captain William Cocke of Amelia County, Virginia. Another Virginian, William Baily Smith, who had served as a major in the Virginia Militia before moving to North Carolina, had joined the party for travel to Kentucky where he hoped to work as a surveyor. All of these individuals were destined to play important parts in the establishment of the Kentucky settlements.

The expedition, encumbered with heavily loaded wagons, cattle and servants, proceeded slowly following the trail route marked by Daniel Boone and his party that had left from Long Island some 10 days earlier. The Henderson party had to clear portions of the road to make it passable for the wagons, improve stream crossings, repair equipment and make the many adjustments necessary to travel under such circumstances.

The first 10 days of travel following Boone's marked route brought the expedition to the end of the road at Martin's Station in Powells Valley, the last occupied settlement of the frontier. Here it was necessary to reorganize and repack the entire load. The trail ahead was rough, rocky, steep and hardly fit for foot and horse travel. Shelters were constructed for the wagons. The heavy and bulky items such as salt, sulphur, bar lead and other items not immediately required at the new settlement were stored away for transport at a later date. From March 30 through April 4, they were busy at this task.

While this reorganization was taking place, the expedition was joined by a

party of five Virginians en route to the Kentucky country in search of good land. The leader of this group was William Calk and in his party were Robert Whittleage, Phillip Drake, Enoch Smith and Abraham Hanks. This latter individual was the uncle of Nancy Hanks, the mother of Abraham Lincoln. The journal maintained by William Calk on this journey (which has been preserved by descendants of his family living in the vicinity of Mount Sterling, Kentucky) has provided students of history with a vivid picture of conditions and occurrences on this famous journey. It was still available as of 1973.

On the afternoon of April 5, 1775, the expedition left Powells Valley and continued its way along the trail to Kentucky. On the morning of April 7, snow started falling about daybreak increasing the difficulty of travel and the discomfort of the travelers. About 11 o'clock it was learned that Indians had murdered five people on the trail to Kentucky. When this news arrived, Captain Nathaniel Hart and his immediate party turned back for Powells Valley with the intention of settling there and began making corn for the people in Kentucky. He must have changed his mind, however, as he and his party rejoined the expedition three days later and continued on to Fort Boone with them. Later the same day Boone's letter requesting reinforcements and telling of the Indian attack at Twetty's Fort reached Judge Henderson. This information, coupled with the previous information of Indian attacks on travelers to Kentucky, caused much concern and many again considered turning back to the settlements.

The next morning, April 8, 1775, travel was resumed about 10 o'clock, and continued through Cumberland Gap. About four miles beyond the Gap, they met a group of 40 people returning from Kentucky because of the news of the Indian murders of travelers. Knowing the effect of these returning travelers on the members of his party, Judge Henderson endeavored to persuade these people to join his party and return to Kentucky. Only one man agreed, but several Virginians of the Henderson party joined the returning travelers so the result for Judge Henderson was a net loss, much to his concern. The expedition continued to the Cumberland River where, on April 9, they met two more returning travelers, Robert Willis and his son, on their way back to the settlements until the Indian troubles were settled.

The rumors brought back by returning travelers, coupled with the information in Boone's letter, was occasion for great concern for Judge Henderson. He had invested his entire fortune in this venture. He had learned that the Governor of Virginia had issued a proclamation against him and his land purchase on the day following his departure from Watauga, which had directed all Virginia officers to apprehend Henderson and prevent his colonization effort. He dare not return to Virginia at this time. It was essential that he establish his new settlement in Kentucky. To accomplish

this, it was most necessary that Daniel Boone and his party hold their ground at the mouth of the Otter. If they failed to do this and returned along the trace, he knew that his expedition would also turn back and the entire effort would have failed. He realized that it was imperative that he let Boone know as soon as possible that he was on the way with reinforcements and supplies. He attempted to find one of his party that would ride ahead and carry a letter to Boone with this information but, in view of the many Indian rumors and general apprehension that developed, no such individual could be found. A trip of 130 miles alone through an unknown wilderness infested with hostile Indians appeared to be the height of folly. As an inducement, Judge Henderson offered a generous gift of land as payment for the service. At this point Captain Cocke, the gallant Virginian, volunteered to carry the message. Both he and Judge Henderson attempted to obtain another volunteer to accompany him for the same payment, but without success.

The following morning, April 10, 1775, Captain Cocke, equipped with ". . . A good Queen Ann musket, ammunition, a Dutch blanket, a tomahawk, a large knife and a quantity of jerked beef," and mounted on a good horse, all provided by Judge Henderson, set out to carry the message to Daniel Boone at the mouth of the Otter on the Kentucky River some 130 miles distant. As they watched this brave messenger disappear into the forest along the marked trace, most of the members of the party expected that they would never see him alive again. Judge Henderson wrote later that Captain Cocke ". . . Carried with him, besides his own enormous load of fearful apprehensions, a considerable burden of my own uneasiness."

At this point it is interesting to note that in 1796, some of the private arrangements between Captain Cocke and Judge Henderson came to light as the result of a lawsuit filed by Cocke, who had become a United States Senator from Tennessee, against the original proprietors of the Transylvania Company to secure 15,000 acres of land, or its equivalent value, as payment promised for his services as messenger on this trip. In the testimony of the suit, Senator Cocke stated that Judge Henderson had come to him on the night of April 9, 1775, with tears in his eyes and offered ten thousand acres of land as a reward for making the trip and saying that he and the Transylvania Company would be ruined if this initial settlement on the Kentucky was not established. Senator Cocke further stated that when Judge Henderson arrived at Fort Boone, he confirmed this offer and that ". . . Entries were made in the Book kept by said Henderson & Company, called the Book of Entries, to that effect."

Ranck, in his Filson Club publication No. 16, Boonesborough, calls this ride ". . . One of the most romantic deeds in the annals of the wilderness . . ." regardless of the offer of reward. Captain Cocke completed the trip in good time and without difficulty, catching up with another traveler,

Page Portwood, the two completing the trip together. Ranck tells us further ". . . When Captain Cocke arrived at Fort Boone, the savages were almost forgotten and he, greatly to his surprise, found that his plucky adventure and the letters he had brought excited as much interest as the news of reinforcements which he had risked his life to bring."

With the departure of Captain Cocke on the morning of April 10, 1775, Judge Henderson turned his attention to the immediate situation with which he, as the leader of the expedition, was faced. During the previous four days they had met over 100 settlers and land lookers returning from the territory which was the party's destination, each group bearing new rumors of Indian attacks. Among these groups were some individuals who had been members of Boone's party. They reported that, in their opinion, the men assembled with Daniel Boone at the mouth of the Otter would leave him before the Henderson party could arrive, even if no additional Indian attacks occurred. It was this information, in addition to the urgent request in Boone's letter, which had motivated him to make the effort that resulted in Captain Cocke's trip. In writing to other members of the Transylvania Company in North Carolina of this situation, Judge Henderson wrote, ". . . And with me it was beyond a doubt, that our right, in effect, depended on Boone's maintaining his ground — at least until we could get to him."

He goes on to describe the apprehensions of his company on the trail, "Every group of travelers we saw, or strange bells which we heard in front, was a fresh alarm; afraid to look, to inquire, lest Captain Boone or his company was among them, or some disastrous account of their defeat." Judge Henderson continued, "The general panic that had seized the men we were continuously meeting was contagious, it ran like wildfire; and, notwithstanding every effort against its progress, it was presently discovered in our own camp . . . In this situation of affairs some few, of genuine courage and undaunted resolution, served to inspire the rest; by help of whose example, assisted by a little pride and some ostentation, we made a shift to march on with all the appearance of gallantry, and, cavalier-like, treated every insinuation of danger with the utmost contempt."

By the morning of April 12, the expedition made camp just north of the present City of Barboursville where they had been held up by high water in Richland Creek. That evening another party of 11 returning travelers from Kentucky, led by a Mr. Stewart, camped nearby. Their rumors of Indians so impressed some of the Virginians that Abraham Hanks and Phillip Drake, of the Calk party, turned back with them. By the night of April 15, the party camped on the north shore of the Rockcastle River.

Before arriving there Judge Henderson had lost additional people from his venture. While camped at Powells Valley, Benjamin Logan and William Gillespie, accompanied by a number of slaves, had joined the caravan with the

intention of accompanying it to Kentucky. When they arrived at the Hazel Patch, where the trail taken by Boone and Stoner the previous year left the marked trace and proceeded west to the Falls of the Ohio, Logan and Gillespie left the Henderson party. They traveled west to the vicinity of the present town of Stanford where they established Logan's Fort, later known as St. Asaph's Station. Here they raised a crop of corn in the summer of 1775. In later years this trail from the Hazel Patch to the Falls of the Ohio, which passed through Crab Orchard, became known as Skaggs' Trace.

About noon on April 16, Judge Henderson's party met the party of James McAfee which consisted of 18 people, three of whom were James McAfee's brothers. They told Judge Henderson that they had been to Kentucky and had established McAfee's Station, but were abandoning it and returning to the settlements due to the Indian trouble. Judge Henderson made every effort to convince them to return with him, offering them lands and permitting them to make entries. His motive was twofold. First he was anxious to establish settlements on the Transylvania lands, and he feared that more of his party would leave and return to Virginia with the McAfee party. However, he encountered resistance on the part of James McAfee who not only rejected his proposition, but told the members of his party that Judge Henderson's claim to title could not be valid as he had purchased the land from the Cherokees without the approval of the Colonial government and could not protect the title to such land if granted to them. This advice was sound and correct. However, so convincing was Judge Henderson as to the benefits to be derived from his plan for establishing the colony that James McAfee's three brothers, William, George and Robert, joined Judge Henderson's party for travel to Fort Boone.

The Henderson party continued its travel across the head of Dick's River. About noon on April 18, they were met by Michael Stoner and three other men from Boone's party with pack horses to assist the Henderson party and to guide them to Fort Boone. That night the party camped in the edge of the Bluegrass which Judge Henderson called ". . . The eye of the rich land." Hunters from the party killed two buffalo that evening and all feasted on bison beef with great relish. The following morning the hunters killed three more buffalo as the party made an early start knowing that they were nearing the end of their journey. About eleven o'clock the party passed Twetty's Fort, the scene of the Indian attack on Boone's party, much to the interest of all members. William Calk's journal tells us, " . . . About 11 o'clock we came to where the Indians fired on Boone's company & killed 2 men and a dog & wounded one man in the thigh. We camped this night on Otter Creek . . ."

On April 20, which was Judge Henderson's 40th birthday, William Calk's journal describes the arrival of the Henderson party at Fort Boone. He wrote, "Thursday 20th this morning is Clear and cool We start Early & git Down to

caintuck to Boones foart about 12 oclock wheare we stop and they come out to meet us & welcom us in with a volley of guns."

Judge Henderson's entry in his journal for this day reads, "Thursday 20th Arrived at Fort Boone on the mouth of Otter Creek, Cantukey River where we were saluted by a running fire of about 25 guns, all that was then at Fort — The men appeared in high spirits and much rejoiced on our arrival."

In writing to members of the Transylvania Company back in North Carolina of his arrival at Fort Boone, of finding Captain Cocke had arrived safely and of finding Daniel Boone and his company still in place, Judge Henderson wrote, ". . . Here it was that the whole load, as it were, dropped off my shoulders at once, and I questioned if a happier creature was to be found under the sun. . . To get clear of all of this at once, was as much as we could well bear; and though we had nothing here to refresh ourselves with, but cold water and lean buffalo beef, without bread, it certainly was the most joyous banquet I ever saw."

There is no doubt that it was a great day for Judge Henderson. He had arrived safely at his destination — the mouth of the Otter on the Kentucky River. His initial settlement was underway with 65 riflemen to guarantee protection, and all men eager to locate their land and start clearing their fields for a crop. This was the colony as he had long dreamed of it. He had achieved his initial objective. As the leader of this venture, he was impatient to distribute the land and organize the government of the new Transylvania Colony.

CHAPTER XI

THE TRANSYLVANIA COLONY ESTABLISHED

When Judge Henderson and his company of over 40 people arrived at the chosen location on the Kentucky River on his fortieth birthday, April 20, 1775, he found that Daniel Boone and his party had not been idle during the preceding three weeks. They had partly erected three small cabins on the fertile bench along the river and about 60 yards back from it. Much to his surprise they had subdivided the land adjacent to these cabins, which they called Fort Boone, into two-acre lots and had already distributed these lots by a drawing to the members of the Boone party who were now in full possession and occupying them. The cabins remained unfinished, he was told by Boone, because the men refused to work on them, such was their eagerness to clear and improve their own property.

After looking over the situation and discussing it at length with Daniel Boone, Judge Henderson found himself deeply concerned about several aspects of the situation. First, as the head of the Transylvania Company, he believed that neither the subdivision of the land and its disposition should not have been completed prior to his arrival nor agreement on the sites and procedure.

Second, as the head of the new colony, he felt that he had a responsibility for its defense and well being of its inhabitants. The refusal of the members of the Boone party to complete the cabins for their own defense in the event of an Indian attack not only puzzled him, but gave him great concern for the safety of the settlement. If he had known it, these factors were only the beginning of a growing attitude on the Kentucky frontier of a disregard of the land title claims of the Transylvania Company, and a resistance to any type of discipline which could provide for the safety of all concerned.

It is apparent that his best efforts of leadership, and those of Daniel Boone, produced little results in overcoming this problem. In his initial report to the proprietors of the Transylvania Company remaining in North Carolina, which he wrote on June 12, 1775, he commented on this situation at some length. He wrote, . . . "It will no doubt surprise you, but it is nevertheless true, that we are in no posture of defense or security at this time; and, for my own part, do not expect it will ever be effected, unless the Indians should do us the favor of annoying us, and regularly scalping a man every week until it is performed; if the intervals should be longer, the same spirit of indolence and self-security, which hath hitherto prevailed, would not only continue, but increase. To give you a small specimen of the disposition of the people, it may be sufficient to assure you, that when we arrived at this place, we found

Captain Boone's men as inattentive on the score of fear, (to all appearances), as if they had been in Hillsborough. A small fort only wanting two or three days' work to make it tolerably safe, was totally neglected on Mr. Cocke's arrival; and unto this day remains unfinished, notwithstanding the repeated applications of Captain Boone and every representation of danger from ourselves. The death of poor Twetty and the rest, who at the time you were informed, became sacrifices to indiscretion, had no more effect than to produce one night's watching after they got to Otter Creek; not more than 10 days after the massacre. Our plantations extend near two miles in length, on the river and up a creek. Here people work in their different lots; some without guns, and others without care or caution. It is vain for us to say anything more about the matter; it cannot be done by words. We have a militia law, on which I have some dependence; if that has no good effect, we must remain for some time much at the mercy of the Indians."

Judge Henderson was a man of action who accepted his responsibilities as a leader. After a thorough discussion of the entire situation with Daniel Boone, Colonel Calloway and others, and a personal tour of the general area, he arrived at several conclusions on which to base plans for future action. Three basic facts had developed from his discussions. They were:

"The primary interest of all of the men now assembled at Fort Boone was the ownership of good land."

"Regardless of this personal interest on the part of the individuals, it was his responsibility, as their leader, to insure their continued safety and welfare if they were to remain to establish a settlement and colony of the Transylvania Company."

"Many people, other than those now assembled at Fort Boone, had already moved into the area covered by the Transylvania Company purchase from the Cherokees, and were initiating settlements without title or other permission from the Company. If the Company was to retain any kind of control over this vast territory, he must organize a Colonial Government promptly, demand payment for the land occupied, and be prepared to issue grants, titles or other evidence or ownership to those individuals occupying or claiming land under terms of the Transylvania Company. If he was to control the land purchased, he must establish dominion over it."

He moved promptly to meet these implied challenges. With the assistance of Colonel Callaway and Daniel Boone, he immediately surveyed 54 additional lots adjacent to those already distributed and, on the morning of Sunday, April 23, 1775, distributed them by means of public drawing. Several of the men appeared dissatisfied with the results of the drawing so, by common consent, a second drawing was held on the morning of Tuesday, April 25. This appears to have completed the distribution of the lots to the satisfaction

of all. Of this drawing Judge Henderson recorded in his journal that he had obtained four lots for the fort garden on which he immediately planted corn, cucumbers and other vegetables.

Having provided for the primary interest by land distribution, Judge Henderson next turned his attention to matters of the welfare of the people. The first item to claim his attention was that of an orderly supply of food. He now had 80 people in the settlement. All were living largely on a diet of fresh meat obtained by killing wild game. When Boone's party arrived, abundant wild game, such as wild turkey, buffalo, elk and deer, was present throughout the area. Although less than four weeks had elapsed, the wanton and wasteful killing of game by many individuals in amounts far beyond their needs, together with the bustle and activity of many people looking for land, had eliminated or driven away most of this game. Regarding this situation Judge Henderson wrote, "We found it very difficult at first to stop great waste in killing meat. Some would kill three, four, five or half-a-dozen buffalo and not take half a horse load from them all. For want of a little obligatory law our game as soon as we got here, if not before, was driven off very much. Fifteen or 20 miles was as short a distance as good hunters thought of getting meat, nay sometimes they were obliged to go even 30 miles, though by chance once or twice a week buffalo were killed within five or six miles range. It was some pleasure to find wanton men were afraid of discovery and I am convinced this fear saved the lives of many buffalo, elk and deer — as to bear, nobody wasted any that was fit to eat nor did we care about them."

It was apparent that the procurement of food for the little establishment must be approached on an organized basis, both to conserve available supply of wild game and to insure a daily supply. Bread was almost nonexistent and, although the Boone party had planted a small patch of corn on their arrival, it would be late summer before a harvest could be expected from this source. To insure a continuing supply of wild game, the 65 riflemen of the settlement were divided into hunting parties to which was scheduled the responsibility of providing the settlement with meat. This was no small task, as it was necessary for them to travel as far as the present locations of Mt. Sterling, Lexington and Georgetown to find game. Apparently even this arrangement did not insure adequate food at all times as Judge Henderson recorded in his journal some weeks later, ". . . No meat but fat bear. Almost starved. Drank a little coffee & trust to luck for dinner."

Even though some of the men had planted small patches of corn, it was apparent that a more organized approach to the production of food for the winter was necessary. To meet this need the workers of the settlement, by common consent, were organized into work parties who assembled each morning in the fields, standing guard or hunting, as assigned.

With these arrangements under way, Judge Henderson's concern for the

safety of the people, in the event of Indian attack, led him to the consideration of the location and construction of a fort of sufficient size to accommodate all members of the settlement with their families and livestock. From the day of his arrival he had been appraising the terrain with the objective of selecting the most advantageous site for such a fort. He discarded the partly completed Fort Boone as being too small for the purpose and having no room for expansion, as the land around it had already been assigned. He considered an area near a large spring over a large hill about three quarters of a mile from Fort Boone, but discarded it as being out of mutual supporting distance from Fort Boone and being too far from the river. He finally decided on a site located on a small ridge or plateau just across the Lick from Fort Boone and about three hundred yards from it. He conferred briefly with his principal associates as to the suitability of this site. All, including Daniel Boone, Mr. Luttrell and Colonel Callaway, agreed that the site was most desirable for the proposed fort. However, when he asked Captain Hart for his opinion of the site, the Captain replied in a cold and indifferent manner that, "He thought it might do well enough." With this majority agreement, the final decision on the site of the proposed fort was agreed upon on the morning of Saturday, April 22, 1775. On that same day Judge Henderson, Mr. Luttrell and their immediate parties moved their tents to the fort site and occupied it in the name of the Transylvania Company.

At this point it should be noted that a review of Judge Henderson's journal indicates that some difference of opinion had developed between Judge Henderson and Captain Nathaniel Hart who was also a member of the Transylvania Company. It appears that this situation may have developed while the Henderson party was camped at Powell's Valley and transferring the loads from the wagons to the packhorses in preparation for the trip over the Boone Trace. The Journal records that on April 7, 1775, the second day following their departure from Powells Valley, that Captain Hart and his party was received by Henderson. Although Henderson's Journal makes no further mention of it, Calk's Journal for April 10, 1775, records that Captain Hart and his party rejoined the group on that day. The above incident regarding Captain Hart's attitude toward the fort site is further strengthened by the statement that Captain Hart told Mr. Luttrell that he would have nothing to say relative to the location of the fort due to the manner in which the affairs were being handled. In Judge Henderson's letter to the proprietors of the Transylvania Company in North Carolina, he indicates that Captain Hart had chosen a piece of land adjacent to the town site for cultivation by him and his people. After discussing the general attitude of the members of the settlement towards security against Indian attack, quoted above, he stated, "Should any successful attempt be made on us, Captain Hart, I suppose, will be able to render sufficient reasons to the surviving company, for the withdrawing from

our camp, and refusing to join in building a fort for our mutual defense.” From these few statements remaining in the written record after an elapsed time of 200 years, it is clear that there was some disagreement on the part of Captain Hart with the manner in which Judge Henderson, as chief propretor, was conducting the business of the settlement. Apparently Judge Henderson was at a loss to determine the basis of Captain Hart’s discontent as he recorded in his journal of Thursday, April 28, 1775, Captain Hart’s remark to Mr. Luttrell and added, “. . . Tho’ cannot guess the reason of his discontent.”

While considering the site for the fort and the requirements it would have to meet, Judge Henderson had drawn up a plan for the proposed fort. We are fortunate that a copy of this plan has been preserved to the present day which confirms the size, shape and composition of the fort as it was constructed on the bank of the Kentucky in 1775. A copy of his plan is included here as it is presented by George W. Ranck in his Filson Club Publication No. 16, Boonesborough.

The fort consisted of a hollow rectangle with a blockhouse, with overhanging second story, at each corner, a total of 26 cabins, whose backs would form the outside of the fort, connected by stockades between the cabins and at the two gates – one on either of the long sides. In addition a powder magazine was constructed in the center to protect the all-important powder supply of the settlement. The cabins, the backs of which formed the outer walls, were to have shed-type roofs sloping toward the inside to catch rainwater for the garrison in time of siege. The outer walls of the blockhouses and the cabins were provided with portholes from which the defenders could fire as occasion demanded. The fort, as designed and constructed, was 180 feet in width and 260 feet in length. The outer walls were staked out on the ground with the rear wall roughly parallel with the river and about 60 yards from it. One blockhouse was closer to the river than the other to take advantage of the level top of the ridge.

Clearing of the fort site was started at once, the logs being cut to length and notched for the construction. Some of the larger logs were split for clapboards and some left full length and sharpened on one end for use as the stockade near the gates and between the cabins.

As the little settlement was dependent on its supply of gunpowder for its food as well as its defense, the initial structure was the powder magazine located near the center of the fort. The construction of the magazine was started under the direction of Daniel Boone on the morning of Saturday, April 29, and completed on Wednesday, May 3, 1775. It was a small log structure, half of which was below ground level, with a shed roof liberally plastered with clay as protection against sparks from chimneys, live chunks carried to transfer fire from one cabin to another, and from fire arrows and torches which might be tossed over the walls by Indians in the event of

attack. With the completion of the magazine Judge Henderson, Daniel Boone and other leaders felt that a milestone in the security of the settlement had been achieved.

The area cleared for the fort was extensive. Only a few shade trees were left inside the fort and along the river. The area between the fort and the river was cleared as well as a considerable area in front of the fort which faced the long ridge, already known as Hackberry Ridge, to insure during an attack an open field of fire for the long rifles of the defenders. The area towards the lick was also cleared to insure an open field of fire to cover anyone bringing water from the spring to the fort. Only the large sycamores and majestic elm were left in the hollow around the springs. These precautions were to prove their worth in the later history of the fort.

Among the first to take up quarters in the partly completed fort was Judge Henderson. He moved into the blockhouse nearest the junction of the river and the lick which he occupied as his personal quarters. The first cabin adjacent to the blockhouse on the river side he occupied as his kitchen with his servant, Old Dan, installed there as cook. The cabin adjacent to the blockhouse on the lick side, which had been constructed larger than the others for a special purpose, was used as the company commissary. Here were stored all of the supplies brought out by the company for the use of the settlers. This commissary was soon crowded with woodsmen, workmen and settlers who had been employed by the company to assist with the trail cutting and other tasks incident to the establishment of the settlement. They came to exchange their bills-of-credit and other vouchers with which they had been paid for their labor for powder, lead, flints, knives, axes, blankets, and all of the other items needed by the residents of a frontier settlement. This building became the first store to operate in Kentucky.

About the same time, the other blockhouse on the river side of the fort was occupied by Nathaniel Hart, another member of the Transylvania Company. As the remaining blockhouses were completed later in the summer and fall, Mr. Luttrell occupied one, and the other was occupied by Mr. Williams, agent for the Transylvania Company, when he arrived in November of 1775.

Up to this time the new fort under construction had no name. The little group of cabins in the hollow downstream was known as Fort Boone and it was recognized that the new fort, which was to be the center of the new settlement, should be named. In view of the part that Daniel Boone had played in the establishment of the settlement, it was unanimously agreed that the new fort should be called Fort Boonesborough. The first official recognition of this name was afforded by Judge Henderson when, on May 8, 1775, he ordered an election of members of "A House of Delegates of the Colony of Transylvania to be held at Boonesborough on the 23rd of May,

1775." In this action he had officially designated the name of the new colony to be Transylvania and its capital Boonesborough, names which they bore from that date.

Work on the fort continued slowly through the spring and early summer of 1775, at which time the hunters, who were out daily throughout the country in search of game, reported that Indian signs had ceased. With this news, work on the fort ceased entirely and, despite the urging of Judge Henderson, Daniel Boone, Mr. Luttrell and others, the men refused to work further on the fort and returned to work on their own property. While additional cabins were added to the fort from time to time, full construction in accordance with Judge Henderson's plan was not completed until the early fall of 1778, when the news of the approaching force of Indians and British motivated the inhabitants to complete the fort in a period of 10 days just prior to the Great Siege.

CHAPTER XII

THE TRANSYLVANIA LEGISLATURE

Judge Henderson regarded his responsibilities as chief proprietor and leader of the new colony seriously. He realized that he must act promptly and objectively if he were to hold the people already there together, and if he were to gain the respect of the other settlements and bring them in as a part of the Transylvania Colony. He had already taken care of the immediate need for land distribution and he had provided for the safety and welfare of the people in the months ahead by organizing to insure food supply and initiating construction of the fort for their protection. He must now establish the rights of the Transylvania Company, and he proceeded forthwith to lay the foundation for this action. As pointed out in the previous chapter, Judge Henderson had formulated a plan of government by popular representation for the Transylvania Company's wilderness domain. On May 8, 1775, as chief proprietor of this colony he had issued, in behalf of the proprietors, an order for an election of members of the house of delegates of the colony of Transylvania to meet on the 23rd of that month at Boonesborough.

The elections ordered were duly held at the four little settlements south of the Kentucky River. On Tuesday, May 23, 1775, the chosen representatives of the Transylvania Colony, rifles in hand, rode up to the log quarters of the chief proprietor, Judge Henderson, and reported for service. While a few of the absolutely necessary cabins and blockhouses had been constructed, the fort was still incomplete and so encumbered with the debris and disorderliness of construction that it was not a suitable place to hold such a convention. As an alternate, the site of this convention was chosen to be the huge elm in the hollow adjacent to the fort. Here the delegates assembled on the next day, May 24, 1775, under the spreading dome of the great elm, as reported by an eye-witness, "Which overshadowed what was called a heavenly green of fine white clover. Here was attempted for the first time in the vast region west of the Alleghenies the founding of an independent state based on the axiom that all power is originally in the people." It was to be a proprietary government built largely on the lines of a republic. A House of Delegates for the Colony was then organized and was formally opened by Judge Henderson in behalf of the proprietors in a carefully written and statesman-like speech.

For accuracy let us quote directly from the journal of the proceedings of the house of delegates or representatives of the Colony of Transylvania: "The proprietors of said colony having called and required an election of delegates or representatives to be made for the purpose of legislation, or making and

ordaining laws and regulations for the future conduct of the inhabitants thereof, that is to say, for the town of Boonesborough six members, for Harrodsburg three, for the Boiling Springs settlement four, for the town of St. Asaph – four, and appointed their meeting for the purpose aforesaid, on the aforesaid 23rd of May, Anno Domini 1775: . . .”

“It being certified to us here this day, by the secretary, that the following persons were returned as duly elected for the several town and settlements, to wit:

“For Boonesborough there was Squire Boone, Daniel Boone, William Cocke, Samuel Henderson, William Moore and Richard Callaway; for Boiling Springs, James Harrod, Nathan Hammond, Isaac Hite and Azarrih Davis; for Harrodsburg, Thomas Slaughter, John Lythe, Valentine Harmon and James Douglass, and for St. Asaph, John Todd, Alexander Spotswood Dandridge, John Floyd and Samuel Wood.”

As a part of their organization, the House unanimously chose Colonel Thomas Slaughter as chairman and Matthew Jouett as clerk. After the divine service was performed by Rev. John Lythe, the House initiated the business for which they had assembled.

As the first order of business, Colonel Richard Henderson, speaking in behalf of himself and the rest of the proprietors of the colony, opened the convention with a speech in which he asserted the independence of the new colony in the declaration, “We have the right to make laws for the regulation of our conduct without giving offense to Great Britain or any of the American colonies.”

The convention directed a committee appointed from their group to prepare a reply to the opening address of Judge Henderson. On May 25, 1775, this reply was presented in which the members of the convention stated, “That we have an absolute right, as a political body, without giving umbrage to Great Britain, or to any of the colonies, to frame rules for the government of our little society, can not be doubted by any sensible, unbiased mind . . . and being without jurisdiction of, and not answerable to any of His Majesty’s courts, the constituting tribunals of justice shall be a matter of our first contemplation; and as this will be a matter of the greatest importance, we will still keep in the genius and spirit of the English laws, which happy pattern it shall be our chief care to copy after.”

The convention continued with all of the dignity, regularity, and ability that was to be found in the Colonial legislatures of that day.

At the end of the convention, it had passed nine bills which were essentially as follows: an act for establishing courts of jurisdiction, and regulating the practice therein; an act for regulating the militia; an act for the punishment of criminals; an act to prevent profane swearing, and Sabbath breaking; an act for writ of attachment; an act for ascertaining clerks’ and

sheriffs' fees; an act to preserve the range; an act for improving the breed of horses and an act for preserving game.

At the close, the convention adjourned until the first Thursday in September next then to meet at Boonesborough. Unfortunately, this first convention of the Transylvania Colony in Kentucky, which adjourned on May 27, 1775, with the order to meet again on the first Thursday in September of that year at Boonesborough, was destined to be the last convention of the Transylvania Colony. The outbreak of the Revolutionary War on the eastern seaboard and other developments in Virginia served to alter this plan materially.

On Saturday, May 27, 1775, on the final day of the Transylvania Colony's convention, a striking incident was enacted which was the formal and public observance before the assembly of the ancient feudal ceremony, Livery of Seisin. This was the final act in the transfer of the immense portion of the territory sold by the Cherokees to Judge Henderson and his company. This scene is described best by George W. Ranck in his Filson Club publication, *Boonesborough*, in which he says, "Standing under the great elm, the attorney employed by the Indians, John Farrow, handed to Judge Henderson a piece of the luxuriant turf cut from the soil that extended beneath them and, while they both held it, Farrow declared his delivery of Seisin and possession of the land, according to the terms of the title deed which Henderson displayed, and the immediate reading of which completed a legal requirement now long since obsolete and almost forgotten." The session closed with the execution of its most important feature, the signing of a compact between the proprietors and the people, which, crude as it is, takes historical precedent as the constitution of the first representative government ever attempted in America west of the Allegheny Mountains.

Although the House of Delegates adjourned on Saturday, the met once more as a group before they dispersed on Sunday, May 28, 1775. On this day the entire settlement assembled under the grand old elm where divine services for the first time were performed in Kentucky by Reverend John Lythe of the Church of England, a minister from Virginia and a member of the delegation from Harrodsburg. Ranck tells, "It was a religious event absolutely unique. Most of the usual accessories of the service were wanting, from echoing church bell and long drawn aisle to pealing organ. No woman was there to join in Littany or hymn, no child to lisp Amen. Only men were present – Dissenters as well as Episcopalians – for common dangers had drawn them together, and this one chance for public worship was eagerly seized by pioneers who were as strong in simple faith as stout in heart, for there were others in the Colony of Transylvania besides the reckless few among the woodsmen from Powells Valley. And so, cut off from the whole civilized world, the forerunners of a mighty west of many states knelt

together in the sweet white clover, under that magnificent tree, the sole cathedral in a wilderness as vast and solitary as the illimitable ocean. This was the first and the last time that prayers were ever publicly recited on Kentucky soil for the King and royal family of England."

Less than a week after this impressive ceremony, the news of the Battle of Lexington arrived in Boonesborough. It threw the Kentucky settlement into a fever of excitement. The minister and the people not only sided at once with the rebels but the pastor, like some he had preached to under the elm, ultimately sealed his devotion to liberty with his blood. These same residents of Transylvania would have been even more excited had they known that Governor Martin of North Carolina, who had proclaimed them outlaws, had abandoned his palace while their legislature was still in session, and also that while they were responding to the slogan of the revolution, Lord Dunmore, Governor of Virginia, also was preparing to fly to the refuge of a vessel of the British fleet.

Early in the month of June, 1775, while the American colonists were preparing for the assault on Bunker Hill, all appeared quiet in the Kentucky wilderness. Daniel Boone again prevailed on the men to complete the three small cabins in the hollow, known as Fort Boone, and this time he was successful. The cabins were easily finished and were used primarily for residence until they were burned during the siege of Boonesborough in July, 1777.

About this time word was received at Boonesborough of the efforts of Lord Dunmore to inflame the Indians against the settlements in Kentucky with the motive of eliminating them. This news served to motivate again the residents of Boonesborough to complete the fort. This effort was almost, but not quite, successful, as the fort was nearly completed except for the gates and some of the connecting stockades. Before these final touches could be given to complete the fort, the lack of evidence of Indians in the country caused the workers to cease their labors and to repair their own property for clearing and planting.

With the main fort nearly finished, Daniel Boone set out on June 13, 1775, to return to the settlements for the purpose of bringing his family to Boonesborough. He was accompanied along the way by Richard Callaway who was returning to the settlement for the same purpose, and by Thomas Hart. Also with Daniel Boone was a detail of men from Boonesborough whose mission it was to bring back the salt which had been left at Martin's Station by Henderson when the wagons were abandoned there on the initial trip. When this group left Boonesborough, it was on the eve of a salt famine, which was in full force by the middle of the following month. This salt famine resulted in the increasing of the scarcity of provisions because of the extreme difficulty of preserving wild meat, particularly that of big game

animals, which now had to be brought in from quite a distance. This, combined with the hot weather, tended to limit the amount of meat that should be killed at any one time. This salt detail, after securing the salt, waited in Powells Valley to accompany Boone back to Boonesborough on the return trip. The delay of the salt caused increasing hardship at the settlement. Judge Henderson wrote on July 18, 1775, "Our salt is exhausted, and the men who went with Colonel Boone for that article have not returned, and until he comes the devil could not drive the others this way." This is another testimonial of the respect which the men of Boonesborough had for the leadership and integrity of Daniel Boone.

As the effect of the lack of salt at Boonesborough became increasingly acute, the distressed settlers made every attempt to make salt from the sulphur spring in the hollow below the fort. The results were too small to encourage any repetition of this experiment.

Others at Fort Boonesborough were also awaiting anxiously for the return of Daniel Boone. Judge Henderson and Mr. Luttrell were both anxious to visit North Carolina, for pressing business demanded their presence; but they delayed their start until they were assured that Daniel Boone was well on his way on the return trip and would soon be back in Boonesborough. The records indicate that they left Boonesborough for North Carolina sometime during the latter part of August. When Judge Henderson left Boonesborough, he little dreamed that his absence from this settlement would be one of years rather than weeks or months. By the same token, Mr. Luttrell could not have known or even guessed that he would never see Boonesborough again. As a sidelight, Mr. Luttrell eventually became engaged in the Revolution, for he was active against the Tories and met his death at their hands. He was shot through the body at the Battle of Cane Creek, North Carolina on September 14, 1781, in an engagement with the notorious David Fanning, the Tory partisan leader, and died the following day. Colonel Luttrell was a native of Westmoreland County, Virginia, and he left a widow but no children.

When Boone passed through Powells Valley with his family (Boone had eight children not including James – killed at Wallen's Gap in 1773) on the return trip to Boonesborough, he was joined by the salt detail as well as by quite a number of immigrants, which included several families from North Carolina. Among these was that of the reckless Hugh McGary, bound for Harrod's Station, who was to become notorious in Kentucky history as the instigator of the charge at the Battle of Blue Licks in 1782, which resulted in the unnecessary death of a great many prominent Kentuckians. When the Boone party reached the location known as the Hazel Patch in what is now Laurel County, Kentucky in the heart of the Daniel Boone National Forest, the McGary family and others bound for Harrod's Station left the party.

After their departure, Boone's party still contained about 30 persons, who

with their cattle, dogs and the packhorses loaded the the precious salt and provisions, as well as the household traps of the new families, still comprised a sizeable cavalcade. When this group arrived at Boonesborough on September 8, 1775, the fort turned out enmasse to welcome it. Daniel Boone's family, which included his wife and grown daughter Jemima, was the only family in the party. These two were not only the first white women to set foot upon the banks of the picturesque Kentucky River, but they remained for nearly three weeks the only women in the settlement. Initially the Boones' occupied one of the original cabins in the hollow, but soon exchanged it for more commodious quarters in the big fort. It is said that the influence of sun bonnets, there were but a solitary two present, were soon evidenced about the settlement. The men, particularly the younger ones, presented an immediately improved appearance as a result of sudden craze for shaving and hair cutting. The accouterments of frontier living, such as an ashhopper, a soap kettle and a clothes line, were soon set up while hickory brooms and homemade wash boards were much in evidence. The sound of the spinning wheel was heard in this land for the first time, and the appearance of a small mirror, a patchwork quilt, knitting needles and a turkey tail fan were new evidence of the presence of women on the Kentucky frontier.

This was a somewhat lonely time for the two women of the Boone family who were cut off completely from companionship of females of their own race. However, to the relief of both Mrs. Boone and Miss Jemima, on September 26, Colonel Callaway returned with his family and the party which included William Pogue and Barney Stagner with their families. This added three matrons and several younger women to the social life on the community of Boonesborough. William Pogue was a make of piggins and noggins, as well as washtubs and churns. Now that provisions were more plentiful and there was salt to preserve the game and the first fruits of the plantings were beginning to be harvested in the gardens of Boonesborough, times were better and the inhabitants happier.

CHAPTER XIII

TROUBLE IN KENTUCKY

It will be remembered that when the Transylvania Convention adjourned in May of 1775, it adjourned with an order that it would reconvene at Boonesborough on the first Thursday in September of that year. However, September came and went without an assembly of that legislature. With the initiation of the Revolutionary War on the eastern seaboard and the coming of people to Boonesborough from that area, revolutionary sentiments of the east had infiltrated into the backcountry of Kentucky. Before the summer of 1775 had ended, the idea of a proprietary government in Kentucky had become obnoxious to the Kentucky settlers.

A meeting of the majority of the members of the Transylvania Company, held on September 25, 1775, in the little town of Oxford, in Granville County, North Carolina, resulted in an immediate step being taken to secure the recognition of the Colony of Transylvania as the 14th member of the United Colonies by an adoption of a memorial to the Continental Congress which was then in session in Philadelphia. James Hogg had been elected as a delegate to that body.

Hogg reached Philadelphia on October 22, 1775, and, although he was not received as an official delegate, he worked faithfully among the leaders of that assembly. One of those leaders, Silas Deane, was so seriously impressed with the possibility of a new colony that he personally drew up a paper to aid in the proper shaping of its economy and government, but advised Hogg to contact the Virginia delegates as the Continental Congress was certainly not disposed to take any action on this matter without their consent.

On Hogg's contact with the Virginia members of Congress, one of them, Thomas Jefferson, indicated that he would like to see a free government established there in Transylvania, but that he would consent to no congressional acknowledgement of such a colony until it was approved by the Virginia Convention. It was quite plain to Hogg that none of the congressmen that he had consulted would countenance a proprietary government. In a report to Judge Henderson, Hogg wrote, "You would be amazed to see how much at earnest all these speculative gentlemen are about the plan to be adopted by the Transylvanians. They entreat, they pray we may make it a free government, and beg that no mercenary or ambitious views in the proprietors may prevent it. Quit rents, they say, is a mark of vassalage, and hope they shall not be established in Transylvania. They even threaten us with their opposition if we do not act upon liberal principles." Hogg stated that he was enclosing a copy of a sketch by John Adams, which he had

obtained from Richard Henry Lee, in which Adams, like Jefferson and Deane, urged the adoption of full and complete republican constitutions by all of the colonies. By this time Judge Henderson and the other members of the Transylvania Company must have realized, even though six or eight months would elapse before the signing of the Declaration of Independence, that the prospect for an American colony with a proprietary form of government was not particularly bright.

At the September meeting of the proprietors, they agreed to advance the price of land in Transylvania from 20 shillings per hundred acres to 50 shillings per hundred acres. This raising of the price of land initiated a dissatisfaction which was to increase as time went on.

On the first of December the uncle of Judge Henderson, John Williams, who had recently been elected general agent of the Transylvania Colony, arrived in Boonesborough accompanied by another group of immigrants and there opened a land office for the Transylvania Colony. At this time John Floyd, who had been a surveyor under the government of Virginia, was appointed surveyor, Nataniel Henderson was appointed entry officer, and Richard Harrison secretary. John Williams, in his new capacity as general agent for the Transylvania Colony, soon found that the rise in the price of land was causing great dissatisfaction throughout Transylvania. Some of the residents of Harrodsburg drew up a formal protest which was delivered to him by a special committee. His reply to this protest was not satisfactory to the residents of Harrodsburg or other residents of the colony, and dissatisfaction and trouble grew.

On December 23, 1775, the residents of Boonesborough were amazed, horrified and exasperated by an Indian outrage. The western Indians were still neutral in the struggle of the Revolutionary War. On that day two boys of Boonesborough, one named McQuinney and another named Sanders, left Boonesborough without their rifles, which was a common practice among the settlers, crossed the Kentucky River and climbed the hills opposite the fort where they fell into the hands of lurking Shawnee Indians who fired on another member of the garrison, also on that side of the river. At first, the residents of Boonesborough were alarmed under the impression that a large body of Indians had arrived in the vicinity of the settlement. This alarm increased as the boys did not return. On December 27, the body of the McQuinney boy, killed and scalped, was located in a cornfield about three miles north of the Kentucky River and there was evidence that the slayers had continued travel to the north. A party of Rangers under the command of Jesse Benton, father of the afterwards famous Thomas H. Benton, made an attempt to find the slayers. The Transylvania Colony had made an offer of five pounds for the scalp of each of the fleeing Indians, but no such scalps were secured. The other boy, Sanders, whether killed or a prisoner, was never

known as he never returned to the settlement nor was he heard from again. The Transylvania Colony had been free of any attacks by Indians since shortly after the attack on Captain Twetty the previous spring, and the residents of the colony had felt that they were free of such a threat. This outrage came as a shock and the first Christmas at Boonesborough was one of grief, anxiety and tears.

The new year of 1776, opened peacefully enough at Boonesborough and business at the land office continued. The spring was uneventful, but immigration from Virginia and North Carolina was noticeably checked by the Indian attack of the last days of the previous year. While both English and Americans were working for an Indian alliance, it was generally conceded that the Indians, as usual, would side with the strongest party. The outlook appeared gloomy to the residents of the frontier.

In May of 1776, a petition, based on the information contained in the remonstrations of the previous December to Commissioner Williams, was received by the Virginia convention from "The inhabitants and some of the settlers of that part of North America now denominated Transylvania." This was the last time that the name Transylvania was formally recognized as the name of that colony.

Judge Henderson, who was at Williamsburg watching the interests of the Transylvania Company, filed an answering petition while feelings waxed higher in the Kentucky wilderness. The rise in the price of land, coupled with the uncertainty of its title, and the futile features of the quit-rent system was not the only objections of the Congress to the proprietary government.

The government of the Transylvania Colony was not countenanced by any of the old colonies, it had no militia, and these deficiencies grew greatly in proportion as friendly Indians advised the settlers that some of the western tribes were leaning against the whites. The people of Transylvania realized at once the importance of an open and decided recognition of their territory as a part of Virginia. An eight-day election held at Harrodsburg, commencing on June 6, resulted in the selection of two representatives, George Rogers Clark and John Gabriel Jones, from West Fincastle, as the colony was now called, to the convention of Virginia, and of an executive committee to voice the wishes of the people. This was done on June 20, 1776, by the adoption of a petition to the convention which petitioned for the incorporation of West Fincastle as a county of Virginia. This had not been what the adventurous George Rogers Clark had contemplated, but the people had settled the matter, and he agreed. He declares in his Memoirs, "I wanted deputies elected at Harrodsburg to treat with the Virginia Assembly. If valuable consideration were procured we would declare ourselves citizens of the state, otherwise we would establish an independent government."

The convention adjourned before these proceedings could be submitted to

it, but not before it made provisions to accurately determine Virginia's chartered interest in Kentucky territory. It also made provisions for an inquiry into the alleged illegal purchase from the Indians. Both of these proposals looked ominous for the Transylvania Company, which issued a warning proclamation as to settlement on disputed land.

This was the beginning of confusion as to title and direction of lands which now lie within the exterior boundaries of the Daniel Boone National Forest. In establishing the national forest, this confusion of land action which followed has cost the government many hundreds of thousands of dollars and thousands of man days of legal work in attempting to establish true and clear title. Even to this day many cases are in Federal Court questioning the claim of title to land now being administered by the Daniel Boone National Forest.

While these actions were taking place in far-away Virginia, the Transylvania Colony on the banks of the Kentucky River had difficulties and anxieties of their own. While the Indian tribes still claimed to be friends with the white people, it was noted by the hunters that Indian signs in the general vicinity of Boonesborough had again appeared. It was also significant that several of the men who had left the settlement on long hunting trips had never returned. The residents of the Boonesborough settlement were anxious and apprehensive, but more than six months had elapsed since the murder of McQuinney, and no live Indians had been seen by anyone at the settlement.

In spite of the talk about Indian wars, Boonesborough had begun to feel so safe that on Sunday, July 14, 1776, a party of three young girls went for a paddle on the river. Jemima Boone was suffering from a cane stab in the foot, a not infrequent injury since there was lots of stubble and most of the women and girls went barefoot. She wanted to soak the feverish foot in the cool waters of the river. Fanny and Betsy Callaway went with her to paddle. Other youngsters clamoured to go along, but young ladies with suitors felt much too grown up to bother with small fry, although they had been perfectly willing to take Nathan Reid, a dashing young man lately arrived from Virginia. The Callaway sisters paddled safely enough with Jemima Boone dangling her sore foot in the water. The current carried them slowly downstream until they were near one-half mile below the fort and drew them toward the steep bluff on the north side of the river. Not being very skillful or very strong, they had trouble with the canoe and got stuck on a sand bar. The cane came close enough to the water's edge to make an ideal hiding place for five Shawnee warriors who had been watching the fort, and who, observing the girls trials, had quietly waited to see if they might not drift within reach. As they silently waited, the canoe drifted nearer and nearer. The girls' futile struggles with the paddles only brought it closer. When only a few yards from shore, the Indians pounced on them, one ran waist deep into the water to seize the canoe. Resist as best they could, the little white squaws

were soon overpowered, dragged through the shallow water for shore, then under cover of the dense thicket in the ravine, rushed to the hills which edged the north side of the river. Their cries and screams were soon silenced by threats of extreme violence. After traveling some seven or eight miles, the war party camped that night not far from the present site of Winchester.

The kidnappers had been so quick and so clever that, according to some, the girls were not missed for some time. It is not clear just how or when they were first missed; by their cries, by the little girls left on the south bank or that they did not show up at milking time.

Colonel Callaway and Daniel Boone got together a group to pursue the Indian party and the girls. Present were Samuel Henderson, who was engaged to marry Elizabeth Callaway, and the suitors of Jemima Boone and Fannie Callaway, Flanders Callaway and John Holden, respectively. There was only one boat available, and it was on the other side of the river where the Indians had put it adrift. A brave deed was rendered by John Gess who swam the river and brought it back, a courageous act in that no one knew whether or not the enemy was concealed and who could easily have taken the swimmer's life.

It was late in the evening when Boone, accompanied by five others, John Reid, John Floyd, Samuel Henderson and William Bailey Smith, set out for the rescue. At the same time, Colonel Callaway and eight or nine other men on horseback rode downstream about a mile to the ford where they crossed and soon joined the other group. A council was held and it was deemed best that Boone's party should pursue on foot, and that the horsemen under Callaway should hasten directly to the Lower Blue Licks to cut off the kidnappers. The first group was forced by darkness to camp in an unfinished cabin.

The pursuit commenced again early the next morning. Three other men, John McMillan, William Bush and John Martin who had been working on the cabin, joined the group. It was not long before they came upon the spot where the Indian party had camped the night before. Boone's superior knowledge of Indian habits and tricks aided them a very great deal. However, several times they followed false trails made by the wily Indians to mislead the pursuers. Even though the girls made numerous attempts to leave trail signs by the use of broken twigs, shoe prints, and torn pieces of clothing, the party had difficulty staying on the right course. Boone finally decided the pursued were getting along faster than the pursuers, and that the best thing to do was to follow a straight route to the mouth of the Scioto River. He did this for two reasons; there was the possibility that the rear guard Indians might see the pursuers and would tomahawk the girls rather than to let them be retaken, also that by a straight route they could make much faster time. On Monday they traveled about 30 miles, passing close to the present towns

of Winchester, North Middletown and Carlisle. By ten o'clock on Tuesday, they reached the Hinkston's Fork of the Licking River. There they found fresh tracks and muddy water and because of this, they again commenced to follow the trail.

The first day the Indians did not stop to cook food for fear of revealing their location. The girls were given dried venison and smoked buffalo tongue, both of which were dried, hard, unsalted and not very tasty to them. Betsy Callaway, the most courageous of the three, kept continually trying to keep up the spirits of the other two. She told them not to fret that their boy friends would soon come to their rescue. The second day, however, they were becoming more despaired. The Indians were kind to the girls almost to a show of affection. As was almost a universal custom of the Indians, they did not molest or abuse their female captives.

The first hill which the girls had to climb after being captured was steep and difficult. After reaching the more level ground the girls began using every possible device, and in which they proved to be quite clever, to delay the progress and leave a trail behind them. Jemima Boone, having the sore foot, at first refused to proceed and did not until she was given a pair of moccasins and threatened with bodily harm. Betsy had on heels made of wood, so when she walked she dug her heels as deeply as she could until her practice was discovered by one of her captors. On Monday morning the Indians found a stray pony on which they insisted the girls ride. They proceeded to annoy the poor beast causing it to rear up so that they would slide off the back. Also when going up a steep hill or bank, they would purposely slide off slowing progress as much as possible.

Thursday the Indians killed a buffalo, cutting from it the choice parts. Now becoming more careless, they built a fire to cook the meat.

Boone's party, traveling eight or nine miles from Hinkston's, came upon the slaughtered buffalo. Soon they divided and approached the Indian camp in two groups. The first man of one party advanced and, against previous orders, fired at one of the Indians with poor aim. Boone and Floyd came quickly from behind and saw Fannie and Jemima watching a large Indian spitting meat. He fell, the object of Boone's fire. Jemima cried, "That's Daddy's gun." The injured redskin, half bent, ran away with his companions following close behind. They had left everything behind except one gun. Betsy almost met a sad fate for as one Indian ran, he threw his tomahawk at her head, barely missing it. Also one of the girls, due to her dark coloring, somewhat aided by her fatigue and worry, almost fell to one of the white men who had mistaken her for an Indian leveled the butt of his gun to strike her, only to be prevented by Boone's arm.

After the rescue of the girls, the party did not even pursue the Indians but started joyfully toward home.

This was only the beginning of the Indian troubles for the summer. Before the rescue party returned to Boonesborough, another small band of Indians had arrived at Nathaniel Hart's clearing where they burned his recently completed cabin and destroyed young apple trees which he had set out. Due to the absence of the two rescue parties, it was deemed unwise for the remaining men at Boonesborough to pursue and punish these marauders. The news brought in by hunters and scouts indicated small parties of Indians lurking in the vicinity of all of the stations in Kentucky. It was apparent that the Indians were again on the prowl looking for any small groups of settlers that could be intercepted.

One beneficial effect of this Indian scare at Boonesborough was the fact that it motivated the men of the settlement to do further work on the fort, to fashion a set of clumsy gates at each of the gate openings and to fill in pickets between the cabins to complete the stockade. At last Judge Henderson's efforts to have this fort established for the benefit of the people had paid off, and at times of Indian troubles the surrounding settlers crowded into the fort for its protection and the safety of numbers. However, this Indian scare did have its effect on the Kentucky frontier.

Not all of the happenings at Boonesborough that summer of 1776 were sad or fearful. On August 7, just three weeks after the capture and rescue of the Callaway girls and Jermima Boone, there took place the first wedding to be held in Kentucky. At this wedding Elizabeth Callaway, the oldest of the three girls captured and rescued, was married to Samuel Henderson, a brother of Judge Henderson. The ceremony was performed by Squire Boone, who was a Baptist elder as well as an accomplished Indian fighter. Samuel Henderson had been a member of Daniel Boone's rescue party and had rescued his bride from the Indians. As was customary at such frontier celebrations, there was much fiddle music and dancing as well as the good natured banter which accompanied such events. One of the features of the celebration of this wedding was the treating of the guests to home-grown watermelon, the first grown at the Boonesborough settlement and of which the entire settlement was very proud.

A few days after the wedding, the settlement of Boonesborough was electrified by news brought from a traveler from Virginia. He had brought with him a copy of the Virginia Gazette containing the full text of the recently signed Declaration of Independence. Every word of this immortal document was read aloud to the assembled residents of Boonesborough who indicated their full support by cheer and war-whoops and by a huge bonfire that evening at the fort.

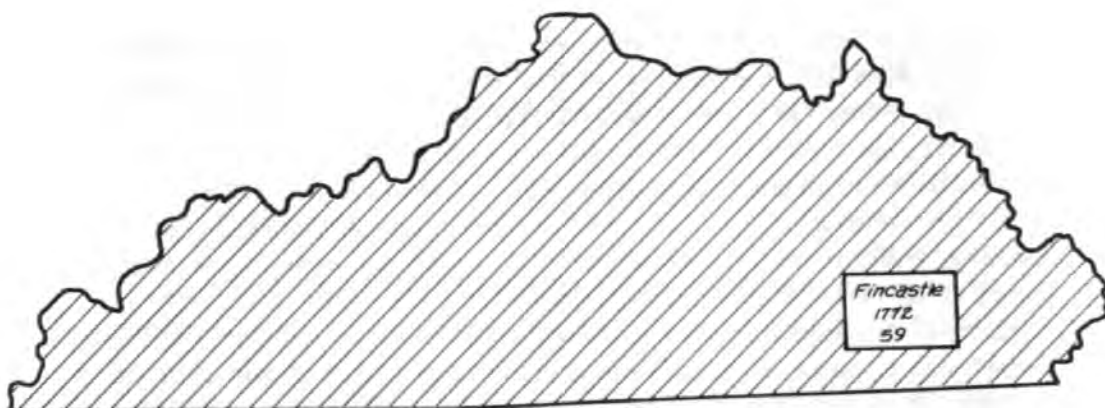
However, all of the news that came to Boonesborough at this time was not good. Judge Henderson had been working with the members of the Virginia Legislature, then being formed, to establish acceptance of his treaty with the

Cherokee as a basis for the Transylvania Colony. As he was encountering some difficulties with the members of this new legislature, two other members of the Transylvania Company, John Williams, the company agent, and John Floyd, the company surveyor, left Boonesborough early in September to return to Williamsburg to assist in any way possible with this matter.

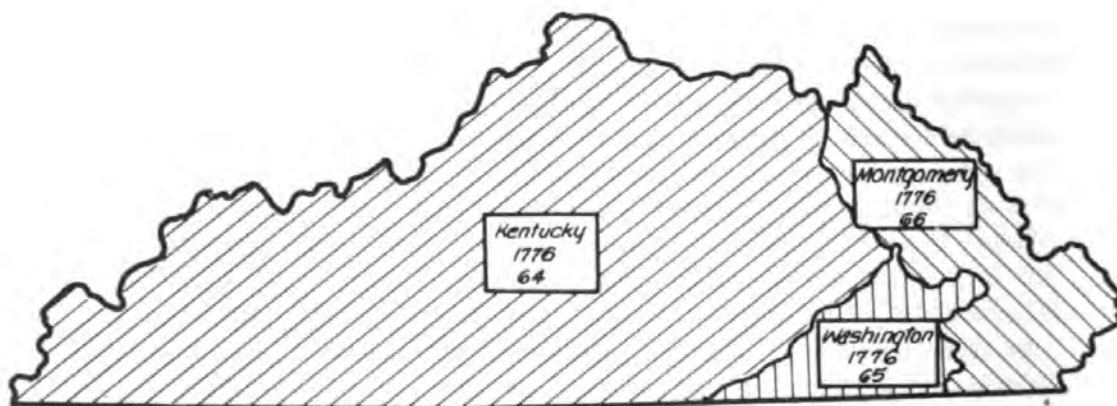
The first session of the newly created Legislature of Virginia began its session in Williamsburg in October of 1776. Judge Henderson and his associates of the Transylvania Company had made every effort to contact key members of this legislature and to convince them of the soundness of the Transylvania Company's claim to the land included in their Treaty with the Cherokee. However, they were unsuccessful and in December, 1776, the Commonwealth of Virginia assumed jurisdiction of the disputed territory, which included all of the area which is now the State of Kentucky by the passage of an act which created the County of Kentucky, which included the Henderson Purchase. On November 14, 1778, the Virginia House of Delegates wrote the final chapters by confirming this action of October 8, 1776, to eliminate forever the claims of the Transylvania Company and the proprietary government of Transylvania which now ceased to exist.

Boonesborough suddenly found itself a wilderness settlement in the extreme western county of the State of Virginia. The dream of Judge Henderson and his associates of the Transylvania Company to possess an empire with great territory and to gain for themselves the magnificent revenues it would yield now ended in a struggle for compensation for expenses, labor and trouble incurred in the enterprise.

However, the Virginia Legislature did not fail to recognize the service Judge Henderson and his associates gave in opening up the land beyond the mountains and of increasing the settlement through the establishment of Boonesborough. The same House of Delegates of the Virginia Legislature that declared the claim of Henderson and the Transylvania Company null and void recognized his efforts by awarding him a grant of 200,000 acres of land in Kentucky located on the Kentucky River below the mouth of Green River. This is the area where today the Kentucky city of Henderson is located.



FINCASTLE COUNTY, VIRGINIA
ESTABLISHED, 1772



KENTUCKY COUNTY, VIRGINIA
ESTABLISHED DECEMBER, 1776

CHAPTER XIV

THE WAR COMES TO KENTUCKY

The year 1777 was to prove one of trial and trouble for the settlers in Kentucky. The action of the Virginia Legislature on December 7, 1776, assuming jurisdiction over the entire territory, including that portion claimed by the Transylvania Company, and designating it Kentucky County, Virginia, had left the settlers in doubt as to their legal status and the validity of their land titles. In addition the garrison, which previously had been provided with ammunition and other necessities by the Transylvania Company, were now short of powder and lead and had little assurance that Virginia, already beset by the growing Revolutionary War, would be able to provide these necessities.

On New Year's Day, 1777, the settlers from McClelland's Station, now Georgetown, sought refuge at Fort Boonesborough (with the threat of war imminent, folks just naturally added the word, fort, to Boonesborough), reporting that Indians had attacked their station on December 29, 1776. The defenders of the fort had driven off the attackers, killing their chief, Pluggy. Knowing that the Indians would return and feeling that their position was exposed, they had abandoned the station and were now enroute to the settlements in Virginia. Thus was abandoned the last station north of the Kentucky River. A short time later the settlers from Hinkston's (Ruddle's) Station also passed through Fort Boonesborough on their way back to the settlements. The despair of these people spread, even infecting some of the residents of Fort Boonesborough, 10 of which joined the group when it left for Virginia, leaving but 30 riflemen for the defense of the fort.

Within a short time a total of seven stations were abandoned with nearly 300 residents leaving Kentucky for the eastern settlements and leaving only three stations, Fort Boonesborough, Fort Harrod and Logan's Station, on the entire Kentucky frontier. This readjustment of the situation in Kentucky had some advantages. First, it weeded out the weaklings and the timid souls, leaving a hard core of determined and experienced frontier families who refused to accept defeat and to be driven from the lands they had sacrificed so much to attain. Second, the remaining population was concentrated in three strong forts rather than scattered through a great many weaker ones. Third, the threat of a common danger drew them together in a common cause. As the result of the action of the Virginia Legislature the previous December, Kentucky was now organized as a single large county of Virginia. Organized after the English system, the county had as a chief civil head a county lieutenant. Its defense was provided for by an organized county militia.

In the case of Kentucky County this early spring of 1777, the chief civil officer was John Bowman who can be considered the first Kentucky Colonel, a position formerly occupied by Daniel Boone under the Transylvania Company. One of the two majors of this organized militia was George Rogers Clark, soon to become famous throughout the colonies. Previously, under the Transylvania Company, each settlement had selected its own leader. Now under the county system, these leaders became captains in the organized militia of the county. In this case the captains of the organized militia of Kentucky County, Virginia were Daniel Boone, James Harrod, John Todd and Benjamin Logan.

The Indians, angered at the death of Chief Pluggy in the attack on McClelland's Station, returned to Kentucky in force under the command of Chief Black Fish, a war chief of the Shawnee, determined to rid Kentucky of its white settlements. With a force of about 200 Indians, now armed and supplied by the British, whom the Indians had agreed to join, each of the remaining settlements in Kentucky came under continued surveillance.

The settlers were well aware of the presence of many small bands of Indians in their vicinity. At Fort Boonesborough two hunters were killed as they returned to the fort. At Harrodsburg a party of sugar makers were attacked and one of them, William Ray, was killed. Another was scalped within a hundred yards of the fort as his family watched from the stockade. The settlers were virtual prisoners inside their stockades which no man could leave without imperiling his life.

The first open attack at Fort Boonesborough occurred at sunrise on April 24, 1777. The Indians, numbering about 100 and lead by Chief Black Fish personally, had been able to dispose themselves around the fort before daylight without being detected by members of the garrison.

Their initial maneuver to draw the garrison out of the fort and into an ambush was nearly successful. An Indian tomahawked and scalped Daniel Goodman within sight of the fort. Simon Kenton, who was standing at the gate of the fort with his loaded rifle shot and killed the Indian. Members of the outraged garrison, which at that time numbered only 22 riflemen, pursued the few Indians who were apparently withdrawing with the intention of teaching them a lesson, and thus fell directly into the trap laid by the wily Shawnee chief. Sensing their danger immediately when they saw Indians between them and the fort, the members of the little band fought desperately and regained the refuge of the fort after a sharp hand-to-hand struggle in which four of them, Daniel Boone, Michael Stoner, John Todd and Isaac Hite, were wounded and a number of the Indians killed. The hero of this encounter was Simon Kenton who killed three Indians and, in addition, saved the life of Daniel Boone by carrying him back to the stockade. The Indians withdrew but remained in the vicinity stealing what they could and hoping to

pick up an occasional scalp.

On May 23 and 24, this same band of Indians made attacks on Fort Boonesborough, in each case maintaining the attack until nearly midnight. After several attempts to set fire to the fort, the Indians withdrew. Throughout these attacks Daniel Boone, still confined by his wound from the previous attack, directed the battle from his bed.

On July 4, 1777, Fort Boonesborough was subjected to the heaviest and most serious attack it had yet experienced.

Encouraged by British agents and still smarting from his failure to destroy Fort Boonesborough by his previous attempts, Chief Black Fish had laid careful plans to destroy or capture the settlement. With a force of 200 warriors he had crossed the Ohio River and moved rapidly on to Fort Boonesborough, at the same time sending small war parties to harrass the other stations with the objective of preventing them from dispatching aid to Fort Boonesborough.

Early on the morning of July 4, 1777, the Indians surrounded Fort Boonesborough and began to attack. This time Daniel Boone and his garrison were not caught napping. Scouts had discovered the attack force soon after it had crossed the Ohio and had warned the settlements well in advance. For two days and nights the attack continued. Constant firing against the stockade and repeated attempts to set fire to the fort by means of fire arrows and by torches thrown over the stockade kept the little garrison at the portholes continually. Women and girls molded bullets, loaded spare rifles, cooked and distributed food, rationed water and attended children and livestock without rest. During this attack the Indians burned Fort Boone in the hollow below the lick, and destroyed the remaining crops near the fort.

On the morning of July 6, the Indians, discouraged by their failure, withdrew before daylight taking with them their dead and wounded. The garrison had definitely identified seven dead Indians from their portholes and felt assured that a number of Indians had been wounded. The garrison had one man killed and two were wounded.

As soon as the scouts reported that the Indians had left the vicinity, the exhausted garrison opened the clumsy gates of the fort and permitted the livestock to return to the grass and water while the people refreshed themselves with the cool fresh water from the lick spring. Hunting parties left immediately to find fresh meat and messengers set out over the Boone Trace to carry the news to Virginia and to request aid, in the form of supplies and reinforcements, from the government of that state.

The two wounded men were given attention, and a solemn burial service added another settler to the little graveyard.

While Boonesborough was not attacked again that year, it was never free of the threat, and individual Indians as well as small bands roamed the country until late fall, maintaining the constant attention of the inhabitants.

On July 25, 1777, reinforcements in the form of 45 frontier riflemen from North Carolina arrived to reinforce the garrison. After a brief stay these men were replaced by a detachment from the 100-man force from the Virginia Militia which Colonel John Bowman had brought to the aid of Kentucky County. Soon these men were again replaced by a small force commanded by Captain John Montgomery of Virginia.

While the stays of these detachments were relatively brief due to the short enlistment period, they did provide the safety which permitted residents the relief to work their farms, hunt food and do other needed jobs. They also served to discourage Indian attacks for the remainder of the year.

The year 1777 was long remembered as one of near disaster on the Kentucky frontier. Because of the continued threat from Indians, little food was raised, and much of that was destroyed by the attacking Indians. By the end of the year the stocks of food were low and the supply of salt and gunpowder was nearly exhausted.

Despite the dangers and hardships, the residents of the three stations on the Kentucky frontier listened eagerly to every scrap of news of the Revolution which trickled in from the settlements. News that General John Burgoyne had been defeated at the Battle of Saratoga in October, 1777, reached Boonesborough in November of that year, and was the cause of widespread rejoicing and celebration. Again the huge bonfire blazed in the center of the fort, and around it were proud and patriotic citizens rejoicing with fiddle music and dancing. Despite Burgoyne's defeat, the hard-pressed settlers of the Kentucky frontier knew the danger from Indian attack was not over. By the year's end the acute shortage of both salt and gunpowder was the cause for worry among the leaders.

At one point during the late fall of 1777, the supply of gunpowder at Fort Boonesborough was completely exhausted. The entire garrison was heartsick and near to panic. Not only the means of securing fresh meat for the community had been eliminated, but an Indian attack at that time would have been disastrous. Again, the skills of Daniel Boone, acquired during his years of exploring distant places and the necessity of maintaining himself hundreds of miles from the settlement, came to the rescue. He had learned how to make gunpowder. Someone remembered a small supply of sulphur and salt-peter which Judge Henderson had brought to Boonesborough during the early days of the settlement to meet just such emergencies as this. Since that time these items had lain forgotten in the far corner of the company storehouse in the fort. Now they were brought forth and a supply of gunpowder of satisfactory quality to serve the purpose was produced. One major problem of the settlement was solved for the immediate present.

It was services like these in time of need that caused the people of Fort Boonesborough to turn to the leadership of Daniel Boone and to respect him highly.

CHAPTER XV

CAPTURE OF THE SALT MAKERS

Before the end of December the store of salt at Fort Boonesborough was exhausted, and at the other two settlements on the Kentucky frontier as well. The threat of sickness made the situation desperate. The nearest source of supply of salt to Kentucky was at the salt wells at North Holston. Threat of Indian attacks throughout the year had prevented bringing in a new supply of salt before winter. The long trip over rough terrain during the winter months was not to be considered. The only other alternative was for the settlers to make their own salt by evaporating the water from some of the salt springs in their vicinity. The nearest source of such salt water with sufficient salt content to make such an operation feasible was at the Blue Licks, a series of ancient salt springs located on the Licking River in what is now Nicholas County. Here salt could be made by evaporating the salt water by boiling. Two bushels of salt was considered a full load for a packhorse.

As there appeared to be no alternative, an expedition to the Blue Licks was organized. On January 1, 1778, Daniel Boone, leading a salt-making party of 30 men made up from the three forts, left Fort Boonesborough for the Blue Licks with packhorses carrying the large iron kettles necessary for salt making as well as tools and food for men and horses. On arrival at the Blue Lick the job of salt making was organized and started at once. This was a disagreeable job requiring the cutting of much wood to feed the continuous fires under the kettles, of carrying the salt water from the springs to the kettles and of maintaining a 24-hour watch to keep the fires burning at maximum heat. These chores, in addition to trying to keep fingers and toes from freezing, were generally distasteful to frontiersmen. The principal food supply was wild meat obtained from hunting. Although Indian attacks in mid-winter were almost unknown, scouts went out continually and combined the job of scouting with that of fresh meat supply. This duty usually fell to Daniel Boone, his son-in-law Flanders Callaway and a companion.

In making the decision to send the salt-making party to the Blue Licks it was realized that the garrison of each of the three forts would be weakened. However, the dire need of the salt for the health of the people, coupled with the experience that the Indians seldom attacked the settlements during mid-winter, certainly influenced the decision. Probably the deciding factor was the arrival in Kentucky of a detachment of Virginia Militia, under Captain Watkins, which had been sent out from Virginia to strengthen the defense of the settlements. It was agreed that Daniel Boone and his party would set up and start the salt making, after which his group would then alternate with

that of Captain Watkins in keeping the work going until enough salt had been produced to maintain the settlement until pack trains could bring in a new supply from North Holston in the spring.

It is significant to note that so dire was the need for salt that the first small bag of salt produced was immediately dispatched to Fort Boonesborough.

The work of salt making at the Blue Licks continued throughout January of 1778, with Daniel Boone and his two companions scouting widely for signs of Indians and hunting to keep the camp supplied with fresh meat. It was well known that the vicinity of the salt springs was dangerous territory as Indians frequently laid in wait at such places to surprise small parties of white hunters who came there in search of deer and buffalo. The frontiersmen of the salt-making party knew this, but believed that their party of 30 riflemen was more than a match for the usual small band of Indians which frequently came down from north of the Ohio to steal horses and lift the scalps of unwary hunters. Such expeditions were seldom undertaken in mid-winter.

By late January, sufficient salt had been produced to load the packhorses. A pack train was dispatched for the settlement loaded with salt under the charge of three of the salt makers. This salt arrived at Boonesborough without incident, much to the relief of the entire garrison.

The work of the salt-making camp had been underway for some five weeks and the weary salt makers were looking forward with anticipation to the arrival of the relief party of Captain Watkins, when the routine of the salt camp was violently interrupted.

On February 7, 1778, a date long remembered by the settlers of the Kentucky frontier, Daniel Boone set out on his usual scouting and meat-hunting patrol. While buffalo were usually found in the vicinity of the salt licks, it was their habit in mid-winter to linger in or near one of the larger cane breaks, common in that vicinity. Daniel Boone had been forced to travel several miles from the salt camp to find game but he had been successful. After loading his packhorses with buffalo meat he was returning to the camp, nearly numb with cold and in the midst of a violent snow storm, when he was suddenly siezed by a small party of Indians who were upon him before he could defend himself or escape.

This proved to be a small scouting party which took him to the main camp of the party of Indians on Hinkston's Creek, not far from the salt camp on the Licking River.

On arrival at the camp, Boone was surprised to find a war party of over 100 Shawnee, all painted for war and under the leadership of the famous war chief Black Fish and accompanied by another important chief of the Shawnee, Chief Munseka.

Accompanying the party were two French aides of British Governor William Hamilton of Detroit, named Lormer and Baubin. The presence of

these Frenchmen, serving as observers and advisors to the expedition, was ample evidence to Boone of British support and direction of this attack against the frontier forts of Kentucky.

Despite his apprehension Boone maintained a calm attitude and pretended to be pleased to be a guest of his red brothers. Chief Black Fish, delighted at the capture of such an important white man, told him that the objective of this expedition was to capture Fort Boonesborough. Boone told his captors that a large party of settlers had come to the fort from Virginia late in December, and that this was the reason that more salt was required for the rest of the winter. He also told Chief Black Fish that the capture of nearly 30 prisoners would bring him and his warriors great honor and many presents from Governor Hamilton at Detroit, and that the Indians could return with a larger force in the spring and capture the fort with ease. He intimated to Chief Black Fish that he personally would intercede at that time to insure the surrender of the fort as proof of the loyalty of the Kentucky settlers to the British crown. It was a long chance. The plausibility of the story, coupled with Boone's calm manner and self assurance, convinced Chief Black Fish.

In offering to negotiate the surrender of the salt makers, Boone extracted a promise, for what it was worth, from Chief Black Fish that the prisoners would not be tortured or forced to run the gauntlet. When this was agreed upon, the party set off, creeping up and surrounding the salt camp without being discovered. Boone, under the rifles of several Indians, approached the camp and told the men that they were surrounded by an overwhelming force of Indians. He pointed out the situation with the families back at Boonesborough and the certainty that they would be killed or, if captured, would probably die on the long trip back to Detroit. After many objections and expressions of desire to fight it out with Black Fish's warriors then and there, the logic of Boone's proposal finally prevailed, and with great reluctance some 27 salt makers yielded themselves as prisoners of the Shawnee.

The long march north of the Ohio to the Shawnee villages on the Scioto River and on to Detroit was started immediately. Later on some of these captives were ransomed, some escaped and some of them were never heard of again. As late as 1780, one of them, Joseph Jackson, was known to be still a captive in one of the Shawnee villages.

Boone was retained by Chief Black Fish who seemed to have a genuine liking for him and adopted him as his son, giving Boone the name of Sheltowee (Big Turtle).

Fort Boonesborough was not long in learning of the loss of its people. The other two scouts returned to find the salt camp deserted and thought that the salt makers had returned to Boonesborough, planning to meet the relief party enroute. However, on searching the camp, they found that some 300 bushels of precious salt had been thrown in the snow and some of the kettles

removed. This, coupled with the moccasin tracks of many Indians and a discarded Indian bow and arrows, told the scouts the story of what had happened. They left immediately to warn Fort Boonesborough. Finding the relief party in camp on their way to relieve the salt makers, the scouts told their story after which all made for Fort Boonesborough at full speed, believing that possibly the Indian war party might reach there in advance of them.

The news of the capture was a blow to the families at Fort Boonesborough. Nearly every family had lost one or more members. The news of the capture spread rapidly across the frontier and thence to the settlements. One party of settlers enroute to Kentucky turned back to the settlements to await a more favorable situation.

There was no news of the captives. Scouts who followed the trail north of the Ohio reported no signs of a fight, no bodies or evidence as to what had happened. The wilderness had swallowed them.

With the passing of many weeks without news of the captives, their families gave them up for dead. Even Rebecca Boone resigned herself to the fact that Daniel must be dead. Early in May 1778, she and her family joined the sorrowing families of many of the missing men on the long and rough journey back over the Boone Trace to settlements in North Carolina. Only one of the Daniel Boone family remained at the fort. Jemima, Daniel's daughter, now married to Flanders Callaway, remained at Fort Boonesborough with her uncle, Squire Boone, and his family.

The first direct news of the captives to reach Fort Boonesborough came when one of the salt camp prisoners, Andrew Johnson, managed to escape and returned to Fort Boonesborough. He not only brought news of the capture of the salt camp but of the location of the Indian towns, which had been unknown in Fort Boonesborough up until that time.

Fort Boonesborough now saw some of its darkest days. Not only were the early leaders, such as Judge Henderson, John Williams and other members of the Transylvania Company gone, but now nearly all of the heads of families of Fort Boonesborough, including their natural leader Daniel Boone, were captives of the Shawnee and many probably dead.

In this hour of need Colonel Richard Callaway became the leading spirit of Fort Boonesborough. It was no easy task. Skulking Indians, that waylaid the hunters when they ventured outside the stockade, kept the residents penned up within the fort, delayed the work on the adjacent farms, and so restricted the procurement of fresh game that, at times, the fort was close to the point of starvation. This close confinement, in addition to the other difficulties, reduced the morale of the people to a low ebb. The British, by the Indian raids they financed and encouraged, were coming closer and closer to accomplishing their objective – that of driving out the last three settlements in Kentucky. It is well for the future of Kentucky that massive Indian raids

did not occur during the spring and summer of 1778. Colonel Callaway faced a difficult task in trying to raise the morale of the people and bring them together.

In the meantime Daniel Boone was learning to live the life of an adopted son of Chief Black Hoof. He appeared to enjoy the wild and free life of the Indian village. While seeming content, he was ever watchful for an opportunity to escape, which did not materialize. On June 15, 1778, the major fighting force of the Shawnee returned from an unsuccessful raid against Donnelly's Fort on the Greenbrier River where they had been soundly repulsed. Smarting for revenge they decided on an immediate raid to surprise and capture Fort Boonesborough.

Daniel Boone, now familiar with the Shawnee language, heard these plans and knew that he must escape to warn the fort. Taking a horse and moving down stream channels to eliminate his tracks, he penetrated cane breaks and trackless forest to outwit the pursuing Indians and to reach the fort in time. On June 20, 1778, Daniel Boone arrived at Fort Boonesborough. He had abandoned his horse after a few miles and had made the rest of the way on foot. He had covered over 160 miles in four days, eating only one meal and a bit of jerked venison enroute.

Needless to say, friends and neighbors crowded around to welcome him back and to inquire for news of those captured with him. There were a few black looks from members of the families of the absent captives. Already rumors were circulating that Boone had saved his life by securing the surrender of his companions. It is also believed that the escaped Andrew Johnson had brought back tales of Boone's seemly friendliness and acceptance by the Indians, which was misconstrued by the other prisoners. Already murmurs against Boone and resentment of his escape were growing in Fort Boonesborough.

The news of the impending attack brought by Boone threw the entire population into a state of alarm and consternation. It did accomplish one thing that Daniel Boone and Judge Henderson had been trying to accomplish since 1775 — the full completion of the fort which, despite the attacks of the previous year, had fallen into disrepair. Now there was plenty of eager hands and willing workers to bring the fort to full completion of the plans prepared by Judge Henderson three years before. For 10 days the fort was a beehive of activity. The main gates were strengthened, the stockade at the gates and between the outer cabins was completed or repaired. Water barrels were filled and food stocks readied within the fort. Some members started to dig a well inside the fort to insure a continuing water supply. Always with dread for the coming attack. When no attack developed after two weeks and the scouts reported no sign of the advance of a large body of Indians, all work on the fort and well stopped and no further attempt was made to develop a depend-

able water supply within the fort.

Early in June a small party of riflemen ventured as far as the Blue Licks on the Licking River and recovered the large salt kettles, left by the Indians as too large and heavy to carry, but so necessary to the people of Fort Boonesborough. They reported seeing no Indians or fresh Indian signs.

Later in the summer the people of Fort Boonesborough received the joyful news of the capture of Kaskaskia by George Rogers Clark and his force, which included men from Fort Boonesborough. Soon afterward, a traveler from Virginia brought the news of the arrival of the French fleet off the coast to aid the Continental Army. Again great rejoicing was expressed by the usual frontier bonfire, fiddling and dancing. Similar activity which made the people of Fort Boonesborough forget, for the moment, the impending Indian attack. It was the lull before the storm.

On July 17, 1778, one of the men taken prisoner at the salt camp, William Hancock, returned to Fort Boonesborough. He brought news that Boone's escape had delayed the expedition against Fort Boonesborough for three weeks. Nine days of this time had already elapsed. At the time of his escape Hancock had been at Chillicothe while the Council of the Shawnees met to plan the attack and had actually seen the presence of the Indians sent from Detroit and had talked with the British officers who brought them. The plan of the British and Indians was to include a force of 400 Indians and four field guns to batter down the walls of the fort in the event the people refused to join the British. The plans included an extended siege to starve out the garrison, meanwhile feeding themselves with the settler's cattle. An awesome prospect at best, but there was no thought in Fort Boonesborough other than fighting it out to the bitter end.

Daniel Boone at once sent a message to Virginia military authorities telling of the Fort Boonesborough situation and requesting reinforcements. In his message he stated, "We are all in fine spirits and have good crops growing. We intend to fight hard in order to secure them." He added that he expected the Indians to arrive at Fort Boonesborough about the end of July.

The end of July came, but no Indians. It was now six weeks since Daniel Boone had returned and the fort was in good condition to receive an attack. The suspense was great and was growing.

At this point Daniel Boone proposed a scouting expedition of his own, back to the vicinity where he had been confined before his escape, to learn the situation there and perhaps attack one of the Indian towns with the object of securing horses and beaver pelts which he believed to be there. Colonel Callaway, who had been the leader of Fort Boonesborough before Boone returned objected vigorously to the men leaving the fort with an Indian attack pending. A sharp argument ensued in which Colonel Callaway voiced doubts as to Boone's motives and his loyalty, implying possible treach-

ery similar to that implied regarding the surrender of the salt maker's camp. It is believed that this was the start of an enmity between Daniel Boone and Colonel Callaway that continued until Colonel Callaway's unfortunate death at the hands of Indians.

Boone believed that he could lead such an expedition north across the Ohio and return to Fort Boonesborough in time to meet the Indian attack. It is possible that he realized that the building tension of the people needed the release that this plan would give. At any rate the prospect of some action and possibly a bit of loot looked good to the frontiersmen and, when a vote was taken, Colonel Callaway lost both the argument and his temper. Daniel Boone left for the Indian country with a tough band of 30 frontiersmen prepared to live off the country. Somewhere beyond the Blue Licks 10 of the party lost their nerve and turned back to Fort Boonesborough, but the remainder, which included Simon Kenton and Alexander Montgomery, scouts as experienced and skillful as Boone, continued on their mission.

Boone's expedition was really a reconnaissance in force, large enough to cope with the average band of roving Indians, but small enough to conceal their movements. Crossing the Ohio River they painted themselves like Indians and headed for the Scioto River valley where Boone had been held captive.

Arriving in that vicinity Boone's party had a skirmish with a small party of Indians and, learning that the town was empty of warriors, Boone immediately started back, as this indicated that the Indian force had gathered and was possibly even on their way to Fort Boonesborough. The scouts, Kenton and Montgomery, were left behind to keep a watch on Indian movements.



FORT BOONESBOROUGH

Just before the Celebrated Siege of September, 1778. (Design, from the Henderson Plan and Historical Data, by the Author.)
from "Boonesborough"
by
Renck

CHAPTER XVI

THE GREAT SIEGE OF BOONESBOROUGH

Daniel Boone's estimate of the Indian movement had been accurate. The Indians had crossed the Ohio close to the mouth of Cabin Creek, near the site of the present city of Maysville and, following the Warrior's Path, had proceeded south toward the Blue Licks where they would join the Great Buffalo Trace which led southward toward Fort Boonesborough.

On September 6, Boone's patrol detected the presence of this body of Indians and slipped around them in the woods at the Lower Blue Licks without being discovered. They continued rapidly south, moving faster than the Indians, and reached Fort Boonesborough that night, bringing full information of the impending attack to the fort.

On the night of September 6, 1778, just after Boone's force had crossed the river into the fort, the Indian force made camp on the north bank of the Kentucky River. They were a formidable force, by far the largest and best led to invade Kentucky up to that time. Boone and his scouts estimated the force to consist of 444 Indians, 12 Frenchmen and one Negro. They were led by the best and most capable war chiefs of the Shawnee.

In command of the entire expedition was the great Shawnee Chief Black Fish, Daniel Boone's foster father. Accompanying him were the experienced Chiefs Moluntha, who had led many raids into Kentucky; Catahecassa (Black Hoof), who had been born in Kentucky at Es-kip-pa-kith-i-ki (Indian Old Fields near today's Winchester, Kentucky) and who had been present at Braddock's defeat in 1776; and the famous Chippewa Chief Black Bird who, at a later date, left the British and joined the Americans. Serving as advisors to the expedition and representing the British General Hamilton at Detroit were 12 Frenchmen led by Lt. Antoine DeQuindre of Montreal. This group of advisors included such veterans as Peter Douiller, an experienced trader, and Isadore DeChaine, interpreter for the Wyandotts and the Ottawas. Accompanying the expedition also was a Negro slave named Pompey, probably captured in one of the raids on frontier settlements, and valuable to the expedition because of his ability to speak English. The expedition was accompanied by a train of about 40 packhorses carrying extra ammunition and supplies. From the size, composition and leadership of this force, it is obvious that the British at Detroit were the instigators and supporters of the entire operation, and that their advisors would exert a major influence on its operation.

The little garrison at Fort Boonesborough spent most of the night of September 6, 1778, in final preparation. All available containers were filled

with water, additional bullets were molded, spare rifles and muskets were cleaned, repaired and loaded, and final instructions given to the families and riflemen of the garrison. Undoubtedly, a brief religious service was held for all, as the survival of the fort and its inhabitants was open to question in view of the overwhelming force about to attack it.

At this time, the garrison of Fort Boonesborough consisted of a fighting force of but 30 men and 20 boys, augmented by the wives and older daughters of families of Richard Callaway, Squire Boone and a few others. These women were excellent shots with the longrifle and were certainly a force to be reckoned with. All were determined to fight to the bitter end and to sell their lives as dearly as possible. Their hour of truth had arrived.

At this time there was some lack of agreement as to the official commander of Fort Boonesborough. Colonel Callaway was the senior in rank. Major William Bailey Smith had been appointed commandant of Fort Boonesborough, after the capture of Daniel Boone at Blue Licks, by Colonel George Rogers Clark. Despite these facts, the active leadership of the fort appears to have fallen to Daniel Boone, by common consent, in view of his experience in Indian warfare and general frontier capability. Because of this confidence and the leadership of Daniel Boone and the loyalty of most of the garrison to him, the chances of Fort Boonesborough surviving this attack had been greatly enhanced by his return from Indian captivity.

Early on the morning of Monday, September 7, 1778, the Indian force crossed to the south side of the Kentucky River at a point about one-half mile below the present bridge, which is still known as Black Fish Ford. Climbing the steep bank the Indians moved along the rear base of Hackberry Ridge until nearly opposite Fort Boonesborough. Crossing the ridge and moving forward under cover of the forest and undergrowth, they deployed under cover within rifle shot of the fort, completing an approach march that would have been a credit to any well-trained military unit.

It is important to note at this point that the Indians had made no effort at surprise or concealment. It is believed that the Indians and British were hopeful of capturing Fort Boonesborough without a fight. Boone's statement to Chief Black Fish, at the surrender at the Blue Licks the previous winter, that the residents of Boonesborough were loyal subjects of the British Crown and that if Black Fish returned the following summer, Boone would assist in arranging a surrender of the garrison, had been taken with some credence by Chief Black Fish. Coupled with this had been the friendliness of Governor Hamilton for Boone at Detroit and his relatively good treatment by the Indians. Also, at this point in the Revolution, many of the frontier settlers were not definitely committed to the Revolution and there was still the possibility they might retain their loyalty to the Crown.

It is entirely possible that both Governor Hamilton and Chief Black Fish

actually believed that the appearance of an overwhelming force before Fort Boonesborough, coupled with an offer of honorable surrender and assurance of safe conduct of all to the comfortable living at Detroit, would result in their peaceful capitulation. Little did they reckon with the fierce loyalty, pride and courage of the settlers of the Kentucky frontier.

Indian actions at the beginning of the situation tend to support this attitude on the part of the British and Indians. Initially they made no hostile demonstration, but conducted themselves as might be expected of a force bent on opening negotiations. As soon as the major part of the force was in position before Fort Boonesborough, the Indians set forward an unarmed English-speaking messenger with a flag of truce.

As he approached across the open ground between the fort and Hackberry Ridge, all was quiet within the fort. In the peaceful cool of the morning, it appeared that the inhabitants still slept. The gates of the stockade were closed and the only signs of life was the smoke that curled slowly from the chimneys of some of the cabins within the fort.

However, the appearance belied the situation. Among the orders issued the previous evening was one to the effect that, to conceal the weakness of the garrison, all persons would stay within the fort and out of sight of the enemy. Despite the outward appearance, the nerves of the garrison were taunt, every eye was at a porthole of the cabin or the crack of the stockade, watching the approach of the messenger. As he attained easy calling distance of the fort, he mounted a stump and hailed the garrison with the usual frontier hello-oo. Receiving no answer he repeated his call which was answered, after a pause, from the block house nearest him. The messenger then announced that he was from a British force and that he was instructed to inform the fort that its commander was the bearer of letters from Governor Hamilton to Captain Boone, and that a meeting between the commanders of the opposing forces was desired to consider their proposal.

The garrison, hoping against hope for the arrival of the reinforcements promised from the Holston, were glad to seize this opportunity to open negotiation as a means of gaining time. After a deliberate silence and lapse of time to eliminate any hint of eagerness, the garrison agreed to receive the letters, "But only under the guns of the fort and at the hands of three of the unarmed leaders of the opposing force." The conditions agreed to, the bearer of the flag of truce announced that the British force would be represented by Chief Black Fish, Lt. DeQuindre and Chief Moluntha, and that, as a token of their good faith, he brought a gift of seven roasted buffalo tongues. Little did they know how welcome these were to the half-starved garrison.

The meeting took place in the opening before the fort. Representing the fort were Captain Daniel Boone, Colonel Richard Callaway and Major William B. Smith, who carried only a pipe and a white handkerchief tied to a ramrod.

The messenger served as an interpreter for the meeting.

The letters of Governor Hamilton, presented by Chief Black Fish, apparently contained a demand for the surrender of the fort and offered terms which both the governor and Chief Black Fish thought were too favorable for the garrison to resist. Chief Black Fish assured the delegation that "He had come to take the people away easily and that he had brought along 40 horses for the old folks, the women and the children to ride." The representatives of the fort acted pleased with the proposed terms. Intent on gaining a maximum delay, they proposed a truce of two days to consider the terms and to discuss them with all of the people. Remembering the bloodless surrender of the saltmakers at the Blue Licks, the chiefs agreed to this. After a friendly walk about the exterior of the silent fort, the party separated in good humor with the agreement that neither side would make any hostile move during the two-day truce period.

Inside the fort somewhat of a debate developed. Daniel Boone agreed to do whatever the rest decided. Since he was no longer in command of the fort, he had no intention of taking the entire responsibility of the decision on himself. He pointed out that the Indians could not be put off in negotiations much longer. They had promised to take the Kentuckians safely to Detroit and they probably would do so. That meant surrender. If Fort Boonesborough should resist and be defeated, there would be a dreadful massacre of women and children. There were obvious advantages in yielding; and if Daniel Boone presented these alternatives to the council of people, he did no more than his full duty.

The people of Fort Boonesborough, however, wanted no part of surrender and were unanimous in their decision for battle to the death. Feeling that their walls and stockades would turn a rifle ball and, from the statement of Chief Black Fish regarding 40 horses for the old folks, women and children, they felt that the Indians had greatly overestimated the size of the garrison. This was accounted for later by the fact that the Shawnee captured a Kentucky prisoner just before they started on their expedition. This prisoner, probably for his own purposes, gave out the news that the forts in Kentucky had lately been reinforced with three companies of 70 men each. From observing the Indians and their equipment, it appeared quite certain that they had brought no artillery. In addition to these facts, members of the garrison were still waiting anxiously for the appearance of the promised Virginia Militia to arrive. Their principal weakness was the lack of an adequate supply of water. They now regretted that they had not done the work to complete the well started earlier in the summer.

After considering these facts and alternatives, the people of Fort Boonesborough were unanimous in their decision for a fight to the death. Colonel Callaway stated indignantly that his family at least was not going to grow up

among Indians. Squire Boone, the pious hardshell Baptist, said that he would never give up; he would fight until he died. The rest of the garrison were of the same mind. After hearing these decisions Daniel Boone remarked philosophically, "Well, well I'll die with the rest."

During the two-day truce, Colonel Callaway had arranged to stage a show to confirm the Indian estimates of the people inside the stockade. Believing the story of the prisoner in Ohio, they apparently estimated the population inside the fort to be somewhat equal to the size of their own force. To confirm this the women, children and slaves of the fort were dressed in men's clothing with coonskin caps, buckskin shirts and various kinds of arms and, with the gates partly open, moved about inside the stockade giving the Indians a glimpse of what was apparently a large number of people inside the fort. By changing hats and other clothing, this masquerade was carried on during the two days of the truce. During this time the black slave Pompey appeared anxious to get close to the fort to see inside. It was realized that he might penetrate this masquerade and therefore he was warned to keep his distance or be shot.

Although some of the people in the fort were skeptical, it soon became apparent that the Indians planned to adhere strictly to the truce. When women and girls made trips to the spring for water, there was no hostile movement to prevent such action which was continued until all containers within the fort were filled with fresh water. At evening when the cows and livestock came back to the fort, there was no attempt to drive them away and they were brought inside and penned up.

During this time, both day and night, every man that was in the fort was at his station. Every porthole was manned, every blockhouse had its quota of sharpshooters. Despite this no hostile movement or act was observed.

Near sundown on the evening of the second day the white flag again appeared followed by the Indian chiefs. They were again met by the three representatives of the fort, and Daniel Boone personally told them the bad news. He told them that the Kentuckians were determined to defend the fort while a man was living. Although somewhat surprised, the chiefs moved aside to discuss this unexpected development. After a brief discussion they returned with another proposal which was unexpected by the Kentuckians. This time Lt. DeQuindre, the personal representative of Governor Hamilton at Detroit, was their spokesman. He told them that Governor Hamilton had ordered them to avoid bloodshed if possible. He pointed out that evidence of their peaceful intentions was their permitting free access to the spring for water and permitting the livestock to come into the stockade. He said that if the Kentuckians didn't wish to return to Detroit, it might be possible to negotiate a peace treaty. He suggested a third meeting of the group to draft such a treaty. He suggested that if nine of the Kentucky leaders would parti-

cipate in such a treaty and sign it, the Indians would withdraw, and they would all live as friends thereafter. Daniel Boone closed the meeting with the remark, "It sounds good to us."

Negotiations on a proposed treaty started the next day with the same atmosphere of friendliness that had prevailed in the previous conferences. Although the Indians requested that this conference take place in their camp well out of reach of the fort, the Kentuckians distrusted them enough to insist that the negotiations take place in the hollow of the Lick Spring which was only about 80 yards from the stockade and easily covered with rifle fire from the nearest blockhouses.

The negotiations gathered around the cloth-covered table out of doors with the Indians, the British and the settlers. It was all very formal with a clerk taking down the decisions, the British Union Jack and the flag of France being displayed at the site. Instead of the nine Kentuckians stipulated for this council, only eight are recorded as having participated. They were as follows: Daniel Boone, Squire Boone, Richard Callaway, Flanders Callaway, William Handcock, Stephen Handcock, Major William B. Smith and William Buchanan. While this conference was in progress, masqueraders inside the stockade showed themselves in great numbers for the benefit of the Indians, as great numbers of Indians had now emerged from the forest and were observing the peace conference and the fort.

The peace conference took the form of a prolonged discussion. The Indians showed the white negotiators every courtesy and every hospitality. Tanned skins were spread as seats. Food and drink from the British commissary at Detroit were provided as a subtle temptation to the pioneers who had seen nothing of this type of food and drink for some years. There was much conversation during which Squire Boone, the hardshell Baptist preacher, created a sensation by casually remarking that George Rogers Clark, the terror of the Indians, was on his way to Fort Boonesborough with a large army.

Finally an agreement was reached. It was to be signed the next day. Chief Black Fish stipulated that 18 warriors would attend him so that all of the villages represented in his army would also be represented at the conference. Daniel Boone and his associates objected in vain. Chief Black Fish was adamant on that point. He pointed out that otherwise the Indians could not be induced to regard the treaty as binding. The settlers did not dare to propose bringing an equal number, for it was not safe to risk having such a large part of their forces surprised outside the fort. They retired that evening knowing that they would be outnumbered by more than two to one at the signing of the treaty on the following day.

It is possible that the Indians may have been sincere in their initial offers, but it is certain that Daniel Boone and his pioneer associates never had been. They had been using a pretense of friendship and eagerness for peace as a

pretext to play for time from the beginning. Now they began to suspect the sincerity of the Indian negotiators. A number of things increased their suspicions. For example, towards evening Black Fish was seen walking around the fort at a little distance and surveying it carefully from every angle. Also from the Indian camp over towards the base of Hackberry Ridge, came the sounds of a war dance. It appeared to be a queer way to prepare for the signing of a treaty of peace.

It was apparent that neither party to this proposed treaty was sincere. During the night a strong detachment of the Indian army, detailed to assist in the surprise plan for the next day, hid itself in the weeds and underbrush that skirted the hollow by the lick. The following morning when Chief Black Fish led the way towards the council table under the great elm, the watchful settlers were struck by the fact that stalwart young bucks had replaced most of the older Indians who had figured in the negotiations of the previous day.

Because of these suspicions every rifleman in the fort was ordered to keep his eye on the hollow and to open fire on the Indians at the waving of a hat by any of the fort's representatives. The treaty was signed and Chief Black Fish then declared that it must be confirmed by what he said was an Indian custom, a handshake all around with two braves to each white man. This was the signal for treachery. The young Indians, in what appeared to be high good humor, seized the hand of the pioneers, but in this very act they betrayed their purpose by using too tight a grasp and by a sudden movement towards the underbrush. Highly suspicious, alert, and with the quickness of desperation, the Fort Boonesborough representatives freed themselves almost as soon as touched; and in the same moment, as they sprang aside they waved their hats and the deadly crack of the ready rifles from the blockhouses caused the unarmed savages to vanish quickly into the surrounding thickets. Colonel Callaway, who had been suspicious from the start, was the first to break away, and the others shook themselves loose eventually though some of them had a hard struggle. Major Smith, having broken loose, seized one of the Indians whom he had shaken hands; but as he did so, a ball from the fort killed the warrior and they fell together with Major Smith on top. He picked himself up, unhurt, and ran for the fort. Daniel Boone sent Black Fish sprawling as he shook himself free and some of the Indians thought their chief was dead. For a crucial moment their fighting slackened. A warrior who had carried a pipe-tomahawk to the conference under the pretext of smoking the pipe of peace, struck at Boone but the blow glanced, landing between his shoulders. He suffered only a slash on the head and a wound in the back. The warrior aimed a second blow, but he missed Daniel Boone and hit Major Smith who was passing at that moment. In the excitement Squire Boone is said to have thrown the warriors off as so many little children. Before he could run more than a few steps, he was struck by a bullet which knocked

him down; but he picked himself up and ran for the fort again. Before he reached the fort the gate had been closed and barred, but he and another man got in by a gate that had been previously designated and guarded for an emergency such as this.

It had been a lively few minutes. All of the negotiators ran for the stockade as soon as they could shake themselves free. They waved their hats madly as they ran and the fort blazed with rifle fire which was answered by Indian rifles from the underbrush on both sides of the hollow. All escaped without injury or with slight wounds, except Squire Boone. One of the negotiators failed to get back into the fort at all and he spent the rest of the day outside on his stomach hugging the ground behind a thick stump. He had no rifle and could not defend himself. Either the Indians did not know he was there or could not reach him in the face of the covering fire of the sharpshooters from the fort who knew he was outside well enough and could probably see him, but could not go out to his aid. Only when darkness fell was the exhausted negotiator able to worm his way to the gates and to safety.

All about the fort pandemonium reigned. The Indians gave the war whoop and the frontiersmen shouted in defiance. Women and children screamed, dogs barked and cattle stampeded around and around inside the stockade. Things presently quieted down a bit, although rifles continued to crack until dark. Once the Kentuckians had gained the safety of the fort, there was little to fire at except the portholes. The Indians tried to rush the stockade, but concluded after one or two attempts that this was not feasible not knowing the strength of the defenders. As the firing slackened, Daniel Boone took advantage of this opportunity to cut the bullet out of his brother's shoulder. Squire had managed to fire two shots with a little help in loading his rifle, but now no longer able to load at all, he retired to bed in his cabin taking along a broadaxe which he stood by his bed hoping to get in a whack or two before he died if the Indians broke in. Daniel and the others, wounded in the scuffle at the peace table, had their wounds dressed and settled down for the night.

The Indians continued to apply various strategy during the days that followed. Observing that their steady fire at the fort was producing no tangible results, Black Fish apparently decided to try strategy. In the quiet of the forest the people in the stockade could hear the sounds of ponies and packhorses being caught, saddled and loaded. Orders were shouted loudly from the forest near the fort, mostly in Shawnee but, as many frontiersmen knew some of the language, they could make out that packhorses were being loaded and that the whole Indian force appeared to be withdrawing with a great deal of noise. It was all too obvious. The Indians could drift through the woods with no more noise than a ghost as the Kentuckians knew only too well. The noisy departure was not only most unIndian-like, but it was accompanied by steady blowing of a bugle brought by Lt. DeQuindre and which was now

sounding at intervals growing fainter and fainter into the distance. The Indians then crept quietly back to the edge of the forest surrounding the fort.

The maneuvers did not for an instant deceive Boone or the other defenders of the fort. The Indians were counting on the normal reaction of the garrison of the fort from which the enemy had withdrawn, which was to rush out at the first opportunity. The interior of the stockade, with horses, hogs and cattle penned up along with men, women and children, had been unpleasant. Food was scarce, water more so, and with noise, sleeplessness and anxiety, it would have only been normal for the people of Fort Boonesborough to open the gates and rush outside with the withdrawal of the Indians. This the Indians had counted on. They also knew that it was a custom before rushing out of such a fort to send out scouts and small patrols to follow the Indians to assure that they had actually withdrawn.

In this case the garrison of Fort Boonesborough had not been fooled by the Indian strategy. They did not open the gates nor send out scouts, but stayed behind their walls and at their portholes waiting for the Indians who, concealed at the edge of the woods, also waited, patience against patience. It was the white man's patience which won out. After realizing that their strategy had failed, the Indians again opened fire on the fort. All day long they fired at every porthole and chink in the fort, and all day long the frontiersmen blazed back at every stir in the underbrush or at every stump that could possibly shelter an Indian.

So far the invading army of Indians had achieved no tangible results. It was time for another strategy to be applied. One morning, however, a new noise reached the defenders of the fort which sounded like woodchoppers at work. Then the sound changed somewhat and the waters of the Kentucky River, downstream from the fort, showed a broad muddy streak, while the water upstream remained clear. Over the edge of the bank one of the watchers from the blockhouse caught sight of the end of a pole which waved back and forth in a curious way, and he reported that it looked as though the other end was being used to loosen dirt. It was obvious that the attacking force was digging. Now, for the first time on the Kentucky frontier, the Indian advisor, Lt. DeQuindre, was about to try siege warfare. It was obvious that the Indians were running a tunnel from the riverbank under the stockade, possibly with the idea of blowing up a portion of it to open it for an attack.

In order to observe what the enemy was doing, the defenders of the fort constructed a crude watchtower and pushed it onto the roof of one of the cabins, and from the top of it could now see over the edge of the steep bank; and what they saw instantly confirmed the worst fears of the garrison. They could actually see the fresh earth being dumped into the river. Day and night squads of riflemen watched from the tower, but the Indians were too sheltered to be picked off. During this time the Negro slave, Pompey, occasion-

ally bawled out the demand to surrender, or engaged in an exchange of vile language with the men in the blockhouse.

The defenders started a countermine which was a trench about three feet wide and very deep under the cabins along the side toward the river. The purpose of this was to form an opening so that if and when the Indians should break through, there would be plenty of room to shoot them as fast as they emerged. If the Indians continued to mine, their drift would have eventually run into this countermine and, in fact, it was not long until each side could hear the other digging.

While this was going on, Daniel Boone's daughter, Jemima, moved fearlessly about the fort carrying ammunition, food and water to the men at the portholes. One day, while standing at the door of her cabin, she was hit by a spent bullet in, what records of the matter record as, "The fleshy part of her back." She was not hurt much and the bullet was extracted by merely pulling on the cloth that it had carried into the wound.

As an additional harrassment, Indian sharpshooters, stationed on the high ridge across the river, sent plunging fire into the fort which became annoying. The settlers cut doors from one cabin to another so that it was possible to move undercover almost the entire way around the stockade. Occasionally, this plunging fire killed cattle within the stockade, but this merely increased the supply of fresh beef. Settlers got hurt pretty regularly, but only a few were killed and a bullet wound was common enough in those days.

One of the most harrassing of the sharpshooters was the negro Pompey. He had been industrially sniping from a tall tree, doing his best to pick off people moving within the stockade over which he could fire from his high perch. Finally, the exasperated Daniel Boone loaded his rifle, ole tick-licker, with a heavy charge. At the crack of his rifle Pompey came tumbling out of the tree dead. When the siege ended, his was the only body left by the Indians. The Indians habitually carried off or hid their own dead to prevent scalping, but apparently no Shawnee cared in the least what happened to the black body or the wooly scalp of the Negro slave. Dead or alive, a warrior's honor was safe if he still had his scalp.

As a part of the Virginia Militia, the Kentuckians defending Fort Boonesborough flew their new flag. Its staff had been lashed to a tall pole which was set up inside the stockade. At one point the Indians managed to shoot the staff in two, and as the flag fell there was a chorus of war whoops from the underbrush surrounding the fort. It was but the work of a moment, however, for the men of the fort to lash it to a new pole which was raised with a defiant cheer. The attacking force displayed the British flag on a staff planted some 300 yards from the fort.

Another project supervised by Colonel Callaway was the fashioning of a crude cannon from a hollow log banded with straps of iron. This cannon,

when loaded with a huge charge of black powder and sacks of musket balls, was fired in the direction of a group of Indians some distance from the fort. The Indians scattered and it is not known whether any were hit. Unfortunately, the cannon split as a result of this shot and was ineffective from that point on. Apparently the Indians suspected what had happened, because they frequently shouted at the disgusted frontiersmen from a safe distance to shoot the big gun again.

On the seventh night of the siege another strategy was attempted by the Indians, that of hurling lighted torches against the stockade. This was not without its hazards as the lighted torch had to be carried well within rifle range, and running through the night with a lighted torch when a Kentucky longrifleman could see it distinctly was not particularly beneficial to the health of the torch bearer. Most of the torches sailed harmlessly over the stockade and cabins into the open square of the fort where they could do no damage and could be easily extinguished.

In addition to torches, blazing arrows were fired. These arrows wrapped with the inner fiber of shell bark hickory which is full of oil and burns readily. Others were filled with powder and were ignited with a piece of punk which served as a crude time fuse. These torches were made of bundles of this bark, an inch thick at the tip and extended loosely along the shaft to a thickness of four or five inches. Fire arrows carried smaller loads of the same material. When fired from the high bluff along the river, it was fairly easy for the Indians to drop these fire arrows on the cabin roofs and, at times, the torches, fire arrows and the flash of rifle fire made everything so bright inside the fort to the point that one defender remarked you could see to pick up a pin. With the water supply of the fort running low, it was necessary to conserve it to the utmost. To this end, Squire Boone unbreeched some old muskets and inserted pistons in the barrels. These improvised squirt guns would throw water on a cabin roof and were used by the women to extinguish fire in such places.

When the storm of torches and fire arrows were at their worst, it looked for a few minutes as though the fort was lost. If the stockade took fire from the torches, the settlers would have no choice but to rush out to meet the Indians. Even if only a small part of the stockade was burned, it would be an easy matter for a party of Indians to burst inside and end matters with a knife and a tomahawk. The Kentuckians waited. Fortunately, the wood of the stockade and the cabins was sufficiently damp from recent showers that the torches and fire arrows sputtered out without igniting the fort.

Despite the seriousness of the situation, the action was not without some points of grim humor. One Indian brave carried his activities to lengths which offended the Fort Boonesborough defenders' idea of decorum. It was this Indian's practice, after taking a few shots from the steep hill across the river, to climb out on the limb of a tree, stoop, take down his breech cloth and

present his copper-colored stern to the white men, at the same time making an extremely indelicate suggestion. He did it again and again, while Fort Boonesborough fumed. Not so much shocked as angry, everyone had fired a shot at the warrior but it appeared to be a waste of ammunition as he was always just out of range, uphill and across a river nearly 100 yards wide. Finally one of the marksmen of the fort loaded an extra large rifle with a huge charge and waited. The first shot missed, but the warrior was so pleased that he tried his joke again. The second shot brought him down and a cheer went up from the fort.

Matters were growing serious in Fort Boonesborough. There was little food and less water left. After a week of constant work, anxiety, loss of sleep and perpetual vigilance, the morale of the people drooped and there was dissention and distrust among the leaders. The defenders could hear through the ground the steady thump thump as the approaching enemy dug industrially at their tunnel. Eyes strained, but the relief from the Holston Valley did not appear.

The eighth day of the siege was dark and rainy and it faded into a black, rainy, impenetrable night. Guards at the blockhouses and the loopholes could see the clearing only during the brief flashes of lightening. Morale in Fort Boonesborough was at its lowest ebb. There was no thought of surrender, but no individual in the besieged fort expected more than one or two more days of life. Throughout the long dark night the settlers waited. At any moment they expected an explosion which might blow open the gate or a portion of the stockade, the scrape of scaling ladders which might mark the entrance of the Indians over the stockade or some other means by which the Indians would gain entrance. Finally the rain ceased and the guards noticed that there was a stillness and that no sounds of digging in the tunnel could be heard. At daylight only a few Indians could be seen at the campsite of the besieging forces. By the time the sun was an hour high, even these few Indians had disappeared. Was it another trick, another stratagem of the Indians to lure the defenders beyond their walls; Then it was noticed that the steady rain had soaked the earth above the rude tunnel and that many sections had caved in. It was apparent that the besiegers, disgusted by this final blow, had given up and withdrawn. The siege had lasted nine days and had broken all records for sieges of Indian warfare in Kentucky.

As the morning progressed, scouts left the fort and cautiously reconnoitered the surrounding woods. They came back with a report that this time the besiegers had really gone. By noon the gates were open and the half-starved cattle got out to drink and to graze. The defenders strolled about the clearing for the first time since the siege began. Around the portholes of the fort, Indian bullets were embedded so thickly as to form a leaden rim.

Some had fallen out and lay on the ground. Since lead on the frontier was

precious, this ammunition was picked up and melted down to be run into bullets for the longrifles of the defenders of Fort Boonesborough. Daniel Boone later stated that a total of 125 pounds of bullets were picked from the ground and this did not count those that remained stuck in the logs of the fort.

Within a few days the Virginia Militia from the Holston Valley reached Kentucky. They had arrived too late for the siege, and they were utilized in clearing the area of the many stragglers that still remained in an attempt to pick up a few scalps or loot from the settlers.

The great siege of Fort Boonesborough was over. The courage, the tenacity and the strength of the defenders had triumphed. In examining this situation in retrospect, historians have pointed out repeatedly that, had Fort Boonesborough fallen, undoubtedly the other two stations in Kentucky, Fort Harrodsburg and Fort Logan, would also have been destroyed and the Kentucky frontier emptied from settlement. Had this happened, it is possible that those of us living in Kentucky today would be citizens of Canada rather than of the United States of America.

CHAPTER XVII

KENTUCKY A STATE

Daniel Boone had barely had time to get rested from the exhaustion of the Great Siege of Fort Boonesborough when he had a summons served on him to appear before a court martial. Here, Colonel Callaway and Captain Ben Logan charged him with treason, of attempts to aid the British, of surrendering the saltmakers, of undertaking the expedition from Fort Boonesborough into the Indian country just prior to the Great Siege, and in favoring the attacking force in the peace negotiations at Fort Boonesborough.

Captain Boone appeared before the court martial and proved, to the entire satisfaction of the court, that all of the acts mentioned were patriotic and in the interest of the settlement. He proved that his conduct at both the salt camp and at the treaty conference were deceptions and strategy necessitated by the emergencies of war and practiced entirely for the advantage of the settlers and in defense of the fort. After due deliberation by the court martial, he was not only completely exonerated of the charges, but his conduct was endorsed by the court and he was promoted to the rank of Major in the Virginia Militia. A competent authority, who thoroughly investigated these charges and the ensuing court martial, attributes the charges to unfounded prejudices.

Immediately following his exoneration by the court martial, Daniel Boone left Fort Boonesborough for North Carolina in early October to visit his family and prepare for their return to Kentucky. He did not return to Kentucky to stay until the second summer after the Great Siege at Fort Boonesborough.

The act of the first session of the Virginia legislature, passed on December 7, 1776, created the County of Kentucky out of all of the territory west of the mountains, including the Transylvania Company's purchase from the Cherokees. It implied that the government of Virginia did not honor Judge Henderson's claim; that this act had been prefaced by the resolution of the Virginia convention, adopted June 24, 1776, against purchases of land from the Indians without authority from the State; and by their act of July 3, 1776, appointing commissioners to examine into such a legal purchase, which indicated that the matter had been thoroughly considered.

On November 4, 1778, the Virginia House of Delegates passed a resolution which stated, "Resolved, That all purchases of lands, made or to be made, of the Indians, within the chartered bounds of this commonwealth, as described by the constitution or form of government, by any private persons not authorized by public authority, are void."

The same resolution continued, "Resolved, That the purchase heretofore made by Richard Henderson and Company, of that tract of land called Transylvania, within this commonwealth, of the Cherokee Indians, is void; "

See appendix E for the full text of this resolution.

In recognition of the expense and effort put forth by Richard Henderson and Company in establishing a settlement at Boonesborough, this same legislature granted to Richard Henderson and Company and their heirs a tract of land on the Ohio River running 12½ miles either side of the mouth of the Green River and 12 miles deep. Part of this tract is the site of the city of Henderson, Kentucky, today.

All things considered, it was generally conceded that the year 1778 was the hardest year Fort Boonesborough had experienced since its establishment.

In February of 1779, word arrived that George Rogers Clark had captured the British post at Vincennes and, with it, Governor Hamilton. This success of American arms inspired immigration from east of the mountains, and before the spring of that year was over, settlers had again planted themselves once more on the north side of the Kentucky River. Blockhouses and stockaded cabins had risen between Fort Boonesborough and the Indian country beyond the Ohio. The founders of Bryan's Station, the company under John Grant who settled Grant's Station, and the groups who settled Strode's, Martin's and Ruddle's all came by way of Fort Boonesborough. About this time, Squire Boone, who by now had recovered from the wound received at the siege of Fort Boonesborough, set out with a small company and established his own station on Clear Creek near the present town of Shelbyville, Kentucky. On April 1, 1779, a small company, headed by a man named Robert Patterson, came by the way of Harrodsburg and established a blockhouse on a site which later became the city of Lexington, Kentucky. In the summer of 1779, culture also came to the wilderness. A young teacher from Stafford County, Virginia, by the name of Joseph Doniphan, conducted a school in one of the log cabins in Fort Boonesborough. This is believed to be the first school to be established in Kentucky. It is reported that this school had an average of 17 pupils during the summer of 1779.

With the main force of the Indian attacks on Kentucky appearing to be slacking off, immigrants began pouring into Kentucky over the Boone Trace in the spring of 1779. Fort Boonesborough, at the end of the Boone Trace, became the busiest post in the Kentucky backcountry. The old fort soon became overcrowded and too small, and the inhabitants of Fort Boonesborough petitioned the Virginia Assembly to incorporate the town of Boonesborough and to authorize a ferry across the Kentucky River.

In response to this petition, the Virginia Assembly passed an act in October 1779, which established the town of Boonesborough, in the County of

Kentucky, as a result of which a number of trustees were appointed for the town, including Richard Callaway and Daniel Boone. However, in view of the coldness which had developed between Daniel Boone and Richard Callaway as a result of the court martial immediately following the great siege, Daniel Boone declined to serve as a trustee of the new town of Boonesborough.

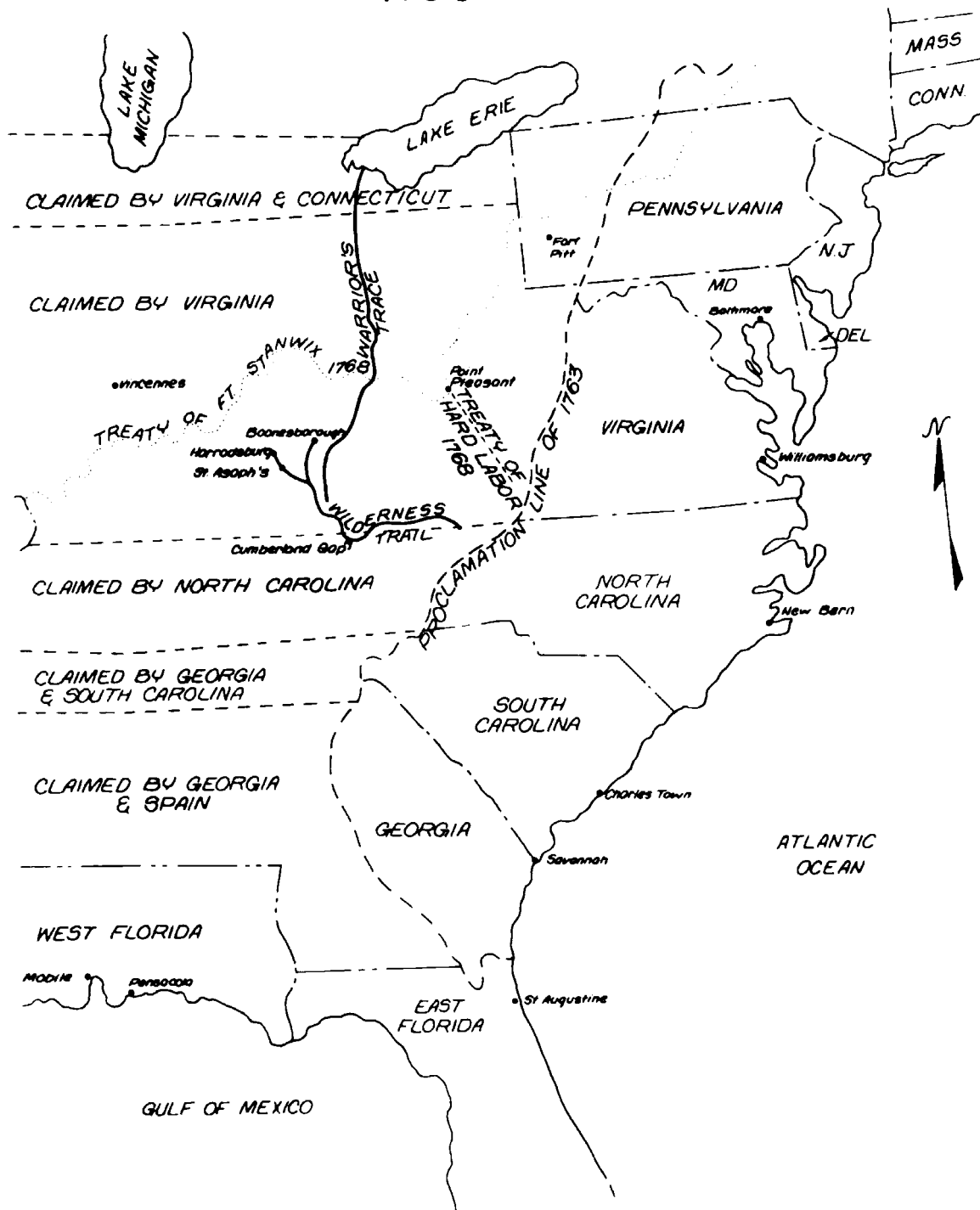
During this period, the fort itself remained unchanged, but more and more cabins were being constructed outside the fort to accommodate the great numbers of people coming into Boonesborough over the Boone Trace.

With the collapse of the Transylvania Company and the establishment of the area formerly held by that company as a part of Kentucky County, Virginia, great confusion existed as to the validity of land claims. In an attempt to settle this vexing situation, the government of Virginia sent out a special land commission, headed by Colonel Flemming of Virginia, for the purpose of hearing all claims and of determining which were valid. This commission had authority to issue certificates for 400 acres where settlers' right of occupation was established, and of awarding a preemption right to 1,000 acres of land adjoining each claim. In return, the settlers awarded titles were to pay the Commonwealth of Virginia 10 shillings for each 100 acres, plus 10 shillings to the clerk for validating the claim and issuing a certificate.

Needless to say, all landholders or those professing to own land in Kentucky were vitally interested in the operations of this commission. The commission began hearings in Kentucky on October 13, 1779, and continued thereafter, moving from one fort to another and awarding land to settlers who appeared before them and offered sufficient evidence as to the validity of their claim. This commission held several sittings at Boonesborough, during which Daniel Boone established what then appeared to be a good claim to 1,400 acres for himself, another 1,400 acres for Israel Boone, and 1,000 acres for George Boone. In addition, Daniel Boone appeared in behalf of six other settlers. In all, this special land commission issued certificates for 3,200 claims in Kentucky. At the conclusion of their work, it appeared as though the question of land titles in Kentucky had been settled at last. How little did they or anyone else know that this question of land titles would continue on down to the present day.

As a result of the activities of the Virginia Land Commission in establishing true and valid land titles, a great many immigrants from Virginia and North Carolina came to Boonesborough over the Boone Trace in the hope of securing tracts of fertile land in Kentucky at reasonable rates. One of these groups which came to Kentucky in the fall of 1779 was a company of approximately 40 mounted men and many packhorses, and headed by Colonel Richard Callaway who had served as a representative of Kentucky County in the General Assembly of Virginia that year. His arrival also brought forth the information that, as a result of the petition to the Virginia legislature to grant

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a franchise for a ferry across the Kentucky River at Boonesborough, this franchise had been granted to Colonel Richard Callaway and that the toll was set at three shillings for each man or horse.

The fort at Boonesborough was again experiencing a critical situation as to the supply of gunpowder. Colonel Callaway, on his return from Virginia, had brought in a good supply of lead and gun flints for the garrison, but because the supply of gunpowder in Virginia was critical at that time due to the Revolutionary War, he was able to bring only a small quantity of that important commodity. By early spring of 1780, the supply of gunpowder at Fort Boonesborough was nearly exhausted and the situation was highly critical. However, relief was experienced when Uncle Monk, an intelligent Negro slave who lived at Estill Station only a few miles away, came over to Boonesborough to visit his wife whose owner lived at that point. While there, Uncle Monk volunteered to make a supply of gunpowder which, to the amazement and relief of all, he accomplished. Needless to say, he was highly regarded and favored for this accomplishment. He explained that he had learned how to make gunpowder when he was living at an exposed settlement in the valley of Virginia. As his fame spread, he was called upon several times after this at the various stations in Kentucky to make gunpowder for them.

Because of a particularly favorable season, an unusually good corn crop was produced at Boonesborough in the fall of 1779, which not only provided ample corn for the needs of that settlement that winter, but also returned a good profit to those farmers who had raised it. It was as a result of this available corn that Judge Richard Henderson, the first proprietor of the Colony of Transylvania, returned to Boonesborough. In the spring of 1780, the colony which Judge Henderson had succeeded in establishing at French Lick, on the site of what today is the city of Nashville, Tennessee, experienced an acute shortage of corn. Colonel Henderson had come to Boonesborough to procure corn and while his stay there lasted but five days, he saw enough of the increased settlement and expansion to the town of Boonesborough to feel that his early estimates of the desirability of this part of Kentucky as the site for a future colony were thoroughly justified.

While Judge Henderson was able to procure the corn which he desired, because of the shortage of corn in most locations across the frontier and the devaluation of the continental currency, he was required to pay \$200 per bushel for the corn which he secured. This corn was shipped to the present site of Nashville in large canoes or boats which travelled down the Kentucky River and the Ohio, and back up the Cumberland River to French Lick Station. This visit of Judge Henderson was the last he ever made to the famous Fort Boonesborough, which he was the prime mover in establishing.

In the spring of 1780, Colonel Richard Callaway was making plans to put into effect the franchise which he had received to establish and operate a

ferry across the Kentucky River at Boonesborough. Early in March, he began making preparations for this establishment; and on March 8, he, Pemberton Rawlings, and three Negro slaves were engaged in building a ferryboat on Canoe Ridge about a mile above Boonesborough. Shortly after, one of the Negro slaves ran to Boonesborough, breathless and excited, with the news that without warning a volley of rifle shots had rung out and that the ferry builders had been attacked by Indians. Immediately Captain John Holder, then in command of the fort, with a hastily assembled party of riflemen, galloped to the scene in hope of saving Colonel Callaway and his people and of apprehending the Indians. On arrival there, however, they found that Colonel Callaway had been killed instantly, scalped and robbed of his clothing. Rawlings had been shot, tomahawked in the back of the neck, and scalped. Although terribly wounded, he still lived. The remaining two Negro slaves had been taken off as prisoners by the Indians and were never heard of again. Colonel Callaway's faithful assistant, Rawlings, died of his wounds that night; and the next day Colonel Richard Callaway and Pemberton Rawlings were buried in a single grave back of the fort that they had helped to defend, and overlooking the beautiful Kentucky River, which they had hoped to bridge with their ferry.

Colonel Callaway's hair was outstanding on the frontier, both for its length and its peculiar shade of gray. When this scalp was brought back to the Indian town across the Ohio and stretched on a willow hoop for drying, it was recognized with horror by Joseph Jackson, who had been with the unfortunate party of salt makers at Blue Lick prior to the great siege, and who was still a captive of the Indians.

About the middle of May 1780, two prisoners escaped from the Wyandotte. Abraham Chaplain and another by the name of Henricks appeared at Boonesborough and reported that Indians and Canadians in unusual force were planning to attack Boonesborough in about four weeks, and were bringing cannons to destroy the stockade. Needless to say, this news brought great apprehension not only to Boonesborough but to the Kentucky frontier, and a letter was dispatched immediately to Virginia requesting militia to help repel this invasion. Serious as the threat appeared to be, there is no record to indicate that the inhabitants of Boonesborough made any definite preparations to meet this obvious threat. Only the inhabitants of Grant's Station did make a wise withdrawal well in advance of the enemy force.

In spite of the warning some four weeks in advance, the invading force of Indians and Canadians under Captain Bird reached the heart of Kentucky without resistance and without discovery. On June 22, this force appeared before Ruddle's and Martin's Stations, and after a brief demonstration with their artillery, both stations surrendered. The fact that this force had cannons with them spread throughout the Kentucky frontier, and again the citizens of

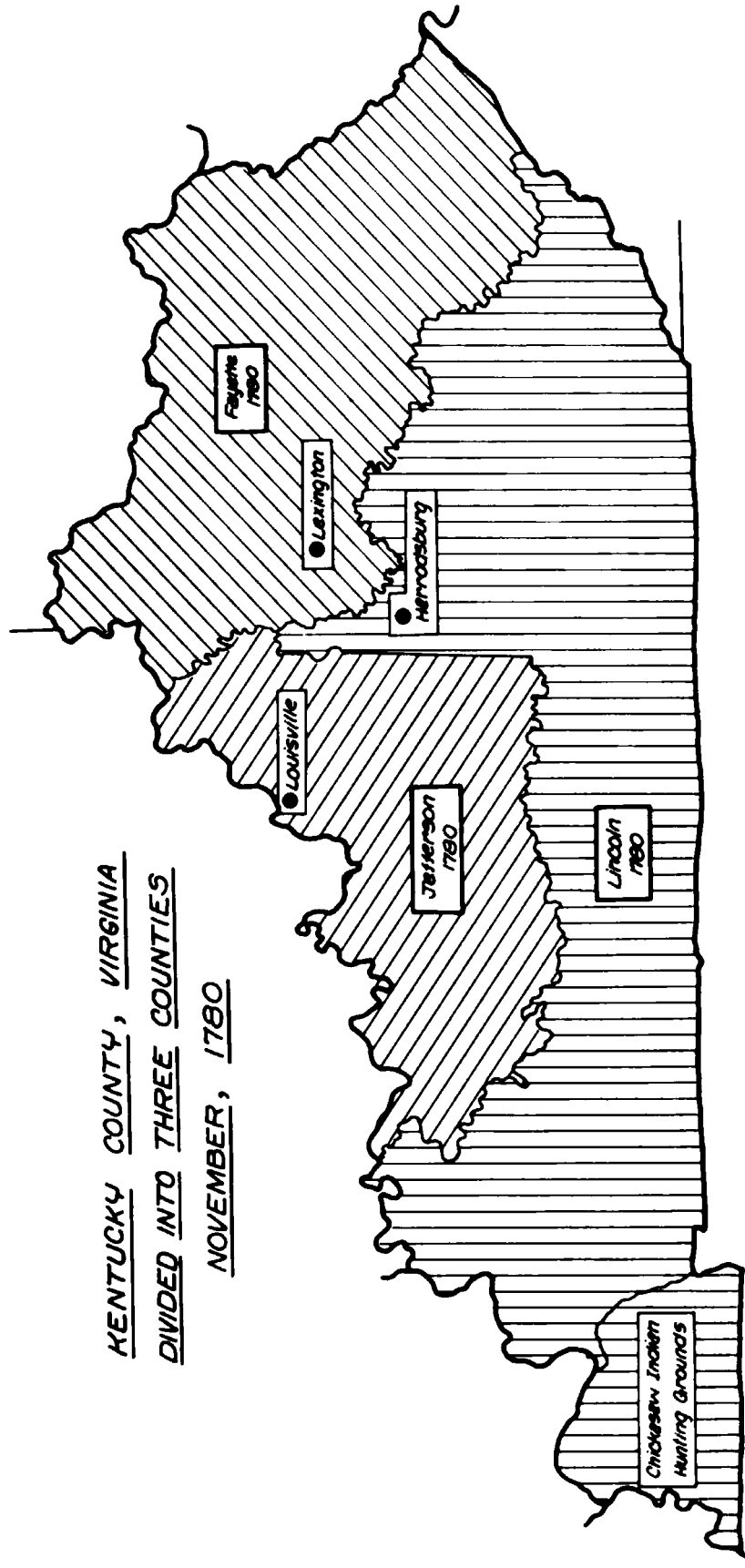
Boonesborough felt that they were doomed. The panic at Boonesborough probably reached its height when information came that this invading Indian army had surrounded Strode's Station which lay just across the river and about eight miles distant (the site of the present city of Winchester, Kentucky). This group that surrounded Strode's Station, however, came primarily to steal horses and to plunder, and did not bring artillery with them, much to the relief of Boonesborough. It was suddenly discovered that the entire invading force had strangely withdrawn from the country without striking another blow, which was difficult to understand when the whole interior of eastern Kentucky was at their mercy.

About this time, Daniel Boone returned from North Carolina with his family. He found that the population at Boonesborough had changed greatly during his absence, most of his old friends and associates having moved on or returned to the settlements. After a brief stay, he determined that the population of the fort and the surrounding cabins was entirely too crowded for his frontier life. About this time, his brother, Edward, who had returned from North Carolina with him, was killed by Indians during a hunting expedition in the vicinity of Blue Licks. Shortly after this, Daniel Boone moved out of the Boonesborough community with his packhorses and his dogs, crossed the river and located in what is now Fayette County in a site about five miles northwest of Boonesborough on a stream, which from that day to this, has been known as Boone's Creek. He inherited the tract on which he now settled from his eldest brother, Israel Boone, who had taken up this land and had settled briefly on this tract shortly after 1776. Israel Boone having recently died, the tract was inherited by Daniel Boone. Here, he built a new log and stockaded home which he called Boone's Station, and from here he made many a hunting trip and exploration trip into the forest surrounding the area. The site of Boone's Station was directly adjacent to the present location of the town of Athens, Kentucky.

In November of 1780, Kentucky County, Virginia, was divided by the Virginia legislature into three counties — Jefferson, Fayette and Lincoln — these counties being named after leaders of the American Revolution. Boonesborough was located in the most heavily populated of the three counties, Lincoln. Daniel Boone, at Boone's Station, now resided in Fayette County, and he was appointed the lieutenant colonel of that county.

The winter of 1780-1781 was one of the most terrible the frontier had seen. It began with a succession of snowstorms which came unusually early, and was followed by the coldest weather that the settlers had ever experienced. The snow was banked high and was locked with ice, and trees were so covered with ice they appeared to have been made of glass. The streams were solid; the Kentucky River became lost under the snow. Firewood had to

KENTUCKY COUNTY, VIRGINIA
DIVIDED INTO THREE COUNTIES
NOVEMBER, 1780



be chopped out of encircling ice, and food for wild animals was nonexistent. Many forest animals and cattle and hogs about the stations either froze to death or died of starvation. Food was scarce for humans, who found it difficult to eke out an existence. This unprecedented weather of the winter of 1780-1781 was forever after known as the hard winter.

With the coming of spring, the influx of immigrants from Virginia and North Carolina again raised the population of the Kentucky frontier. However, Indian trouble started early, and it appeared that Indians were attacking some point in Kentucky continually from their initial strike at McAfee's Station in May until winter came. Again, Boonesborough escaped without an Indian attack in force.

News of the surrender of Cornwallis at Yorktown, which made the eastern colonies feel that the war of the Revolution was won, brought little peace or comfort to the Kentucky frontier. It appeared as though the British and Indians were redoubling their efforts to wipe out the last of the settlers from the Kentucky stations. The spring of 1782 found the Kentucky settlers again pinned up as closely in their cramped, crowded and congested forts and stations as they had been at any time since their establishment. In March of 1782, Captain James Estill of Estill's Station, with a small body of men, was in pursuit of a body of marauding Wyandotte Indians, when he overtook them in the vicinity of Little Mountain near Mount Sterling. Forces being approximately equal, there occurred one of the most desperate and bloody combats between Indians and whites that occurred on the Kentucky frontier. Captain Estill and a number of his men were killed, and the Wyandottes withdrew to the north.

In August of 1782, another formidable Indian army, composed of Indians and Canadians, under the leadership of Simon Girty and Captain William Caldwell, swarmed across the Ohio in a last major effort to eliminate the frontier stations of Kentucky. Their attention was directed first at the capture of Bryan's Station near Lexington. Hoy's Station, only a few miles south of Boonesborough, was also threatened. In this period, two residents of Boonesborough were killed. One was Captain William Buchanan, who was a part of Captain Holder's force in pursuit of one of the small bands of Indians. The other was a member of the Transylvania Company, Colonel Nathaniel Hart. Colonel Hart was ambushed in the vicinity of White Oak Station, while he was out hunting horses, unaware that there were Indians in the vicinity. The Indians attempted to take him prisoner, and in the ensuing exchange of shots, Colonel Hart's thigh was broken and the Indians, finding that he would be unable to accompany them, shot him through the heart with a rifle at such close range that the powder burned his skin. He was then tomahawked, scalped and mutilated. Such was the turmoil that it was two days before his mutilated body was found.

Another serious and determined attempt was made against Hoy's Station. Daniel Boone left his station and hurried across the river to Boonesborough to assume command of the riflemen who were going to the relief of the threatened post. At this point, it was found that the demonstration against Hoy's Station was a ruse to decoy the frontiersmen away from the primary object of the attacking force, which was Lexington and Bryan's Station. Immediately, all companies moved to the relief of those stations. This appears to be the last time that Daniel Boone moved out in command of a force of frontiersmen to repel a large force of Indians in Kentucky.

The Indian army withdrew to the north, and the force, of which Boone's Company was a part, pursued them. Other companies were assembling throughout the frontier to come to their aid. This initial force overtook the Indian army in the vicinity of Blue Licks. By a clever maneuver, the Indians drew the force of settlers into a trap in which a great many of them were killed and the force severely defeated. Daniel Boone's son, Israel, was killed in this battle, and Daniel Boone himself barely escaped with his life.

All of the frontier stations in Kentucky were in deep grief and mourning for the people who had been killed at the Battle of Blue Licks. Probably at no other time since the spring of 1775 was there such deep despair throughout Kentucky, and never since that time had the pioneers come so near abandoning the entire frontier. It was feared that an additional force of Indians and British would again invade Kentucky before the summer was through. Fortunately, the Battle of Blue Licks was the last battle of the American Revolution.

Fortunately for the Kentucky frontier and its people, leaders again came forward. George Rogers Clark sent forth a call for a Kentucky force to invade the Indian country north of the Ohio. After two months of careful preparation, they moved out, on November 10 crossed the Ohio River, and descended upon the town of the Miamis, from which the astonished Indians fled without a fight. The Indian towns were burned and their corn and other winter supplies destroyed, and the pioneers of the Kentucky frontier regained their confidence, their defiance and their determination to stick it out.

The decisive defeat of the Indians, coupled with the negotiations between the Americans and the British which were eventually to culminate in the Treaty of Paris, gave the inhabitants of frontier Kentucky new courage. Regardless of this, as the spring of 1783 progressed, minor Indian outrages occurred from small bands roving throughout Kentucky. Of special interest to Boonesborough was the killing of its former resident, John Floyd, who had been chief surveyor for the Transylvania Company. Another group attempted to capture Daniel Boone at his home station, but he managed to outwit them.

In the spring of 1783, another unprecedented flood of settlers poured into the Kentucky country. Early in the year, the three Virginia counties had been

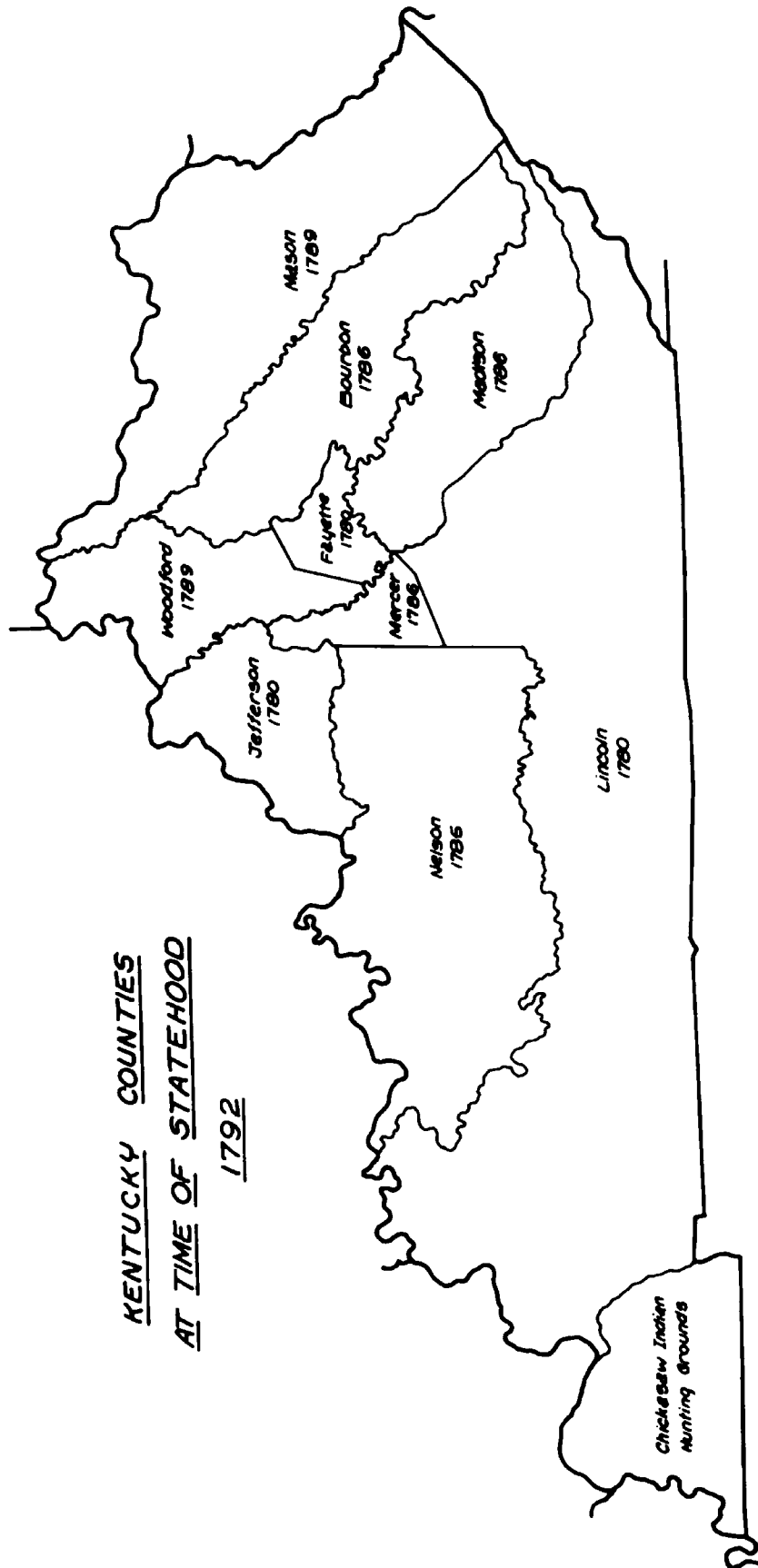
combined into a separate district called the District of Kentucky. In the spring of that year, news of the signing of the treaty reached Kentucky. When this news arrived at Boonesborough, there was again an old-time frontier celebration of bonfires, shouts, and pistols and rifles discharging in the air. Toasts were drunk and the health of Washington and the Continental Congress was toasted repeatedly far into the night.

From that day of rejoicing and celebration in spring of 1783, the ponderous and clumsy gates of battle-scarred Fort Boonesborough were opened, never to be closed again. The pickets between the cabins gave way to progress. New streets were opened up, the number of log houses increased, and the former capital of the colony of Transylvania, which had been enclosed by the stockades and the cabins of Fort Boonesborough, now became a thriving open town.

The Treaty of Paris, signed April 19, 1783, officially ended the American War of the Revolution; and, with it, the repeated invasion of Kentucky by Indian armies, equipped and directed by the British, ceased. However, for the next 10 years, small bands of roving redmen from the Indian towns north of the Ohio continued to harrass the small settlements and individual cabins of the Kentucky frontier.

At this time, there were less than 30,000 people in all of Kentucky. With the close of the war, the Boone Trace swarmed with new families from Virginia, Pennsylvania, Maryland, and the Carolinas, bound for Kentucky in search of new land. By 1790, the population of Kentucky had increased to more than 75,000 people. On the first of June 1792, Kentucky was admitted to the Union as an independent state. Isaac Shelby, a veteran officer of the battles of Point Pleasant, King's Mountain and Cowpens, was elected as the first governor and inaugurated with great ceremony at the newly designated state capitol at Lexington on June 4, 1792. Kentucky was now a state. At that time, Boonesborough was one of the largest towns in the new state, and had already become famous for its shipment of the great tobacco crops which originated there. At one time, it was proposed as the location for the capitol of the new commonwealth.

KENTUCKY COUNTIES
AT TIME OF STATEHOOD
1792



CHAPTER XVIII

MORE INDIAN TROUBLES

The tragic death of Colonel Richard Callaway at the hands of a small band of lurking Indians on March 8, 1780 did not end Indian trouble for Kentucky.

On March 19, 1782, an unoccupied Indian raft was observed floating past Boonesborough down the Kentucky River. To the alert frontiersmen this was an indication that Indians were crossing the river higher up, probably to gain the rear of the unprotected settlements in that area. This information was promptly dispatched to Captain James Estill at his station, located about 15 miles south of Boonesborough (about four miles southeast of the present location of the city of Richmond, Kentucky), as well as to Colonel Benjamin Logan, commanding officer of the region at Logan's Station (about one mile from the present city of Stanford, Kentucky).

Colonel Logan sent 15 men to Captain Estill with orders to secure 25 more men and make a reconnaissance of the country to the north and east of Estill's Station. This Captain Estill did, his party reaching the Kentucky River a few miles below the mouth of Station Camp Creek without encountering any Indians or observing any Indian signs. On the day following the departure of Captain Estill's party, a band of Indians appeared without warning at Estill's Station at dawn, killed and scalped the daughter of Captain Innes within sight of the fort and captured a slave belonging to Captain Estill by the name of Monk. On being questioned as to the strength of the garrison at Estill's Station, Monk told such a plausible story, in which he greatly exaggerated the number of fighting men present, that the Indians withdrew in haste. All but one of the men of the fort were absent with Captain Estill leaving only women and children and one sick man as the defense force. The women immediately sent two boys to follow the trail of Captain Estill's party and inform him of the situation.

The boys found Captain Estill's party early in the morning of March 21, 1782, between the mouth of Drowning Creek and the mouth of the Red River, and informed them of what had happened. After a brief discussion it was decided to pursue the Indians at once. Of the 40 men in Captain Estill's party, five had families in Estill's Station. It was decided that these five would return there at once in order that the fort would not be undefended. The remainder of the party crossed the Kentucky River, quickly picked up the trail of the Indians, and pushed forward rapidly. When night overtook them, they made camp near Little Mountain (the present site of the city of Mount Sterling and adjacent to the Daniel Boone National Forest of today).

At daybreak on the morning of March 22, 1782, pursuit was continued. Of the 35 men of the party, 10 were left behind, as their horses were too exhausted to travel further, and the remaining 25 men pushed forward, observing from the fresh tracks that the Indians were not far in advance of them. Soon they came on six Indians dressing a buffalo. Captain Estill fired on them and another member of the party, Ensign David Cook, observed an Indian to halt briefly. Cook raised his rifle and, just as he fired, another Indian stepped in line and the bullet killed both Indians. Most of the members of the party saw this unusual happening and were greatly encouraged by it.

The Indians, seeking to avoid a fight, were making off when their leader fell, too badly wounded to withdraw with his party. Had he been killed, the fight probably would have been over in a few minutes. However, his rallying cry brought the entire band to his defense, fighting with a determination seldom experienced from raiding parties of Indians. Dragging himself behind a screen of bushes, the wounded chief sat upright on the ground where he could see and direct his braves, his voice ringing out frequently with tones of command that held his party in the fight. Although three Indians had fallen before they returned a single shot, their attack became deadly. Numbers were about equal on each side. The battle became a series of single combats, each rifleman singling out one of the enemy and firing deliberately with life itself at stake.

This deadly battle continued for an hour and a half. With more than one-fourth of the combatants on each side killed or wounded, the courage of Captain Estill's pioneers had never been so severely tested. To this point no decided advantage had been gained by either side. The Indian chief could not retreat and his men would not leave him.

Appraising the situation Captain Estill detached six men, under the command of Lieutenant William Miller, with orders to move under cover of the creek to gain the flank or rear of the enemy, while he, with his remaining men, would keep the Indians pinned down in place. Had Lieutenant Miller and his party carried out their orders, the fight could have been won promptly. Unfortunately Lieutenant Miller and his party, once having disengaged from the fighting panicked and took to their heels, leaving their comrades at a moment of great danger, in order to save their own skins.

When Captain Estill realized what had happened, he ordered Ensign David Cook to occupy Lieutenant Miller's ground with three men, to hold the Indians in check on that flank. In executing this movement Ensign Cook became entangled in a fallen tree and was struck by an Indian bullet which entered below the shoulder blade and emerged near the collarbone. At about this same time Adam Caperton, a warm personal friend of Captain Estill, was shot through the head. The shot, which did not immediately kill Caperton,

crazed him to the point that he was not conscious of his actions. He staggered into the open between the combatants; and a powerful Wyandotte, whose rifle was not loaded, sprang from behind a tree with the intention of tomahawking and scalping him. Captain Estill, who was near but whose rifle was also empty and who had already suffered three wounds, rushed the Wyandotte with drawn knife to protect his wounded friend. The burly Wyandotte grappled with Captain Estill in a hand-to-hand life-and-death struggle. Each man proved so powerful, quick and skillful that neither could bring his weapon to bear. At last Captain Estill's arm, which had been broken by an Indian bullet only four months before and still not completely healed, gave way and with a blood-curdling yell of victory the Wyandotte buried his knife in Captain Estill, killing him instantly. The yell of the Wyandotte was his last, as a well-aimed ball from the rifle of Joseph Proctor snuffed out the life of the Indian who fell across Captain Estill's lifeless body. Joseph Proctor had been trying to get a shot that would kill the Indian without hitting Captain Estill, but the constant and violent struggle had prevented securing such an opportunity. Shortly afterwards Jonathan McMillan fell, the last of the whites to give his life in this fierce forest combat between white and red men.

With the fall of this last victim, a lull fell over the battleground. The voices of the Wyandotte chief was no longer heard. The voices of both leaders were stilled in death. By a kind of unvoiced mutual consent the fierce and bloody contest, which had waged in the silent forest for nearly two hours, subsided and the exhausted and heartsick remnants of Captain Estill's little force withdrew leaving their dead where they fell but, with great effort, carrying off their three severely wounded companions. One of the wounded, William Irvine, was carried much of the 40 miles to Estill's Station on the back of his friend Joseph Proctor.

While the fight actually ended in a draw, the fact that the Indians were left in possession of the ground has resulted in the name of Estill's Defeat, sometimes referred to as the Battle of Little Mountain.

Indian casualties as reported by the slave Monk, who escaped, were 17 killed and two wounded. This report was later confirmed by another prisoner of the Indians, Mrs. Gatcliffe. It was learned much later from the Indians that only one of the warriors engaged in this fight ever returned to his home village north of the Ohio.

Of the 25 white pioneers who entered the battle, the 11 who returned to Estill's Station were ever after held in highest honor and respect. The seven men in Lieutenant Miller's command who chose to leave their comrade to their fate were ever remembered in dishonor throughout the Kentucky frontier. For over 20 years Ensign David Cook, who survived his wounds, waited patiently for a sight of Lieutenant Miller who he swore to kill on sight,

but Miller never did appear. Had Cook carried out this threat it is believed that no jury in what was later Madison County would have convicted him, so intense was the feeling against the seven who deserted Captain Estill's command in its hour of need in what has been considered the most desperate and deadly of all frontier battles in Kentucky.

To the honor of the Wyandottes it should be remembered that they did not scalp or mutilate any of the dead whites. They carefully removed all of their own dead and wounded — it was never known where.

This famous Indian fight occurred directly adjacent to the west boundary of the Morehead Ranger District of the Daniel Boone Forest.

In 1788, occurred an incident, the sight of which is marked today on the southern part of the Daniel Boone National Forest.

During the period of waiting and uncertainty following the close of the Revolutionary War, the Americans in Kentucky had maintained a standing army as many of the settlers began their move into Kentucky and westward. Most of the Indians in the Kentucky area were peaceful by this time. However, there was known to be a band of renegades who waylaid settlers moving into a strange territory, playing havoc with their livestock and property as well as their lives. Because of these threats on the lives of the new settlers, the army began operating an escort service and providing military personnel to protect trains of settlers heading into the new frontier.

Lieutenant Nathan McClure, who had served in the army during the War of Independence, was assigned to such duties and his mission was to escort a group of settlers through the Kentucky area. This was to be the beginning of one of the memorable moments of Lieutenant McClure's life and its tragic end. His final victory in the fight for a safe frontier life might well be the origin of the community's name of Mount Victory, since his final battle took place only a short distance from the present day settlement of that name.

Lieutenant McClure and his small patrol, consisting of perhaps six or seven men, had escorted a small group of settlers from Cumberland Gap who were heading west to Kentucky. In May of 1788, this small band was camped near Crab Orchard in what is today Rockcastle County. The band of renegades raided the camp during the night and stole horses and livestock from McClure's party. Lieutenant McClure knew that the settlers could never carve a fresh start out of the wilderness without horses and livestock, and that he must recover the stock if the group was to continue. On his orders the party remained at Crab Orchard while he and his men began following the trail of the night raiders, which was most difficult. The line of pursuit took Lieutenant McClure and his men northeast through what is now Pulaski County for approximately 50 miles to the Mount Victory locale. Since the journey was on foot, it cannot be definitely determined how long it took for the soldiers to catch up with the Indians. Evidence shows, however, that the

young Lieutenant did catch up with the Indians, and in the fight that followed he was seriously wounded. This was the second time within a year that white soldiers and settlers had been defeated by the Indians in the same area.

Although McClure was seriously wounded, the remainder of his command had escaped unharmed and, after regrouping, was strong enough to once again take up the chase. Lieutenant McClure gave orders that he was to be left behind and the rest of his men continue until they could recover the stolen stock. On his orders he was taken to a shallow cave just a few yards from the trail and concealed. His men promised to return for him on their way back to Crab Orchard. Only a half mile from the scene of the first encounter the soldiers again made contact with the renegades, and in the ensuing skirmish were successful in defeating the Indians and rescuing the livestock. Since the fight took place high along the ridges between the Rockcastle River and Buck Creek, second guessers would have it that the renegades had reached the end of the line since the river was too rough to ford and the sheer cliffs on the opposite side impossible to scale.

It is believed that the fight took place late in the afternoon and that McClure's men were too weary to return that same night. The next morning, fully recovered, they returned for Lieutenant McClure. Upon entering the cave the men were astonished to find only the mangled remains of Nathan McClure. Wild beasts had attacked during the night and devoured the helpless man. Very possibly he was already dead before the wild beasts attacked, since there was no signs of a struggle. His men had no alternative but to bury their lieutenant and return to the unprotected settlers near Crab Orchard. A simple sandstone marker was the only indication that a man had died and could never tell the story of how or why.

Today on a lonely ridge in the Mount Victory community of Pulaski County, Kentucky, in a grave marked only by an unlettered headstone, lie the remains of Lieutenant Nathan McClure, a soldier of the Revolutionary War, killed by Indians in May of 1788. A small sign by the side of the Forest Service road on the Daniel Boone National Forest indicates the location of this grave.

On Easter Sunday, April 1, 1793, the residents of Morgan's Station, located on Slate Creek about seven miles east of the present city of Mount Sterling, were going about their normal tasks. The gates of the fort were wide open, the men working in their fields and women and children busy about the station. No watch or lookout for Indians had been posted as no Indian activity had been known in the interior of Kentucky for many months.

Without warning a band of hostile Indians appeared at the station, killing one woman and one old man. The remaining 19 women and children at the station were carried away as prisoners and hurried north towards the Ohio and the Indians' home villages.

It was some time before the men realized what had happened. A rescue party was hastily formed and sent out in hot pursuit of the Indians and their captives. When the Indians realized that the pursuing frontiersmen were on their trail, they herded their captives under an overhanging cliff at the head of a small branch that flows into the Licking River. Many of the captives were exhausted by the forced march and were having difficulty in maintaining the rapid pace set by the Indians. These the Indians promptly tomahawked and scalped before the rescue party could catch up with them, the rest of the prisoners being herded rapidly on the trip north.

When the pursuing frontiersmen arrived at the murder site, they were appalled at the scene which met their eyes. Among the prisoners were a Mrs. Becraft and her daughter. Both had been tomahawked and scalped. Mrs. Becraft was dead, but the daughter still lived and was saved by the rescue party. She fully recovered but wore a lace cap the rest of her life to cover her bare scalp. She later married and moved to Vincennes, Indiana, living to a ripe old age with many children and grandchildren.

The rescue party, realizing the danger to the remaining captives if the pursuit were continued, abandoned the rescue attempt. The prisoners were taken north of the Ohio River and sold to other tribes and villages. History records that, following the Treaty of Greenville in 1795, all remaining captives were restored to their families and friends:

The overhanging cliff where the Indians killed their captives is located on the Morehead Ranger District of the Daniel Boone National Forest directly adjacent to Cave Run Lake on the Licking River. This rock house is known today as Murder Cave, and the branch which rises at the foot of the cliff below it is named Murder Branch. In years past the State Historical Society placed marker number 189 at the mouth of Murder Branch on old State Highway 801 which was flooded by the Cave Run Lake.

In addition to difficulty with the Indians, the early pioneers of Kentucky continued to discover new wonders in this land. The Great Saltpeter Cave was discovered in 1790, about nine years before the discovery of the famous Mammoth Cave in Kentucky, by a man by the name of Baker who discovered the cave in what is now the Crooked Creek Community, about 15 miles from Mount Vernon, Kentucky. The local story has it that upon finding the entrance to this huge cavern Baker, bearing a pine torch, took his wife and children inside to do some exploring. Once deep inside his torch was accidentally extinguished leaving the group engulfed in stygian darkness. Having no way of relighting the torch, the family wandered around inside for three days before finding their way out again. It is said that they might never have escaped had it not been for the ingenuity and quick thinking of Mrs. Baker. She remembered that it had been raining outside and that all of their feet had been extremely muddy when they entered. Getting down on their hands and

knees and feeling over the cave's dry floor she located small pieces of wet mud which had fallen from their feet, and in this manner backtracked to the entrance.

Although the country surrounding it was sparsely settled at that time, word of this discovery reached the ears of a Doctor Brown of Lexington, who, on exploring the cave, found it to contain a rich deposit of nitrous earth known as peter dirt, a substance used to make saltpeter which, in turn, is used to make gunpowder.

Excited over his find, and in the hope of developing an important industry in Kentucky, Dr. Brown immediately got on his horse and rode to Philadelphia where he revealed the news of his and Baker's discovery to the Philosophical Society of America, which was founded by Benjamin Franklin; and sought its aid in developing this cave into a saltpeter mine. That Dr. Brown was at least partly successful on this trip is to be seen in old records, now in the possession of John Lair of Renfro Valley, which revealed that for several years afterward saltpeter was sent to Philadelphia by boat and packhorse to be turned into gunpowder. Gunpowder, made from saltpeter mined in this cave in Rockcastle County, was used in three wars — the War of 1812, the Mexican War and the War between the States.

This cave, which enters the mountain on one side and winds around to come out on the other side, and which is approximately one-half mile in length and 1,000 feet underground, still contains many evidences of the mining operation which carried on for nearly three-quarters of a century. Well preserved wood conduits used to carry the saltpeter outside where it was further refined by boiling still exist. The Great Saltpeter Cave also contains many natural wonders. There is the Frozen Cascade which appears as a waterfall of rock; Devil's Vase, a long narrow winding corridor of grotesque formations; a waterfall; a spring, and numerous other natural curiosities formed long ago by the action of water on limestone. At places, the cavern narrows for short distances to open up into gymnasium-size rooms with tremendous domes where sounds echo and re-echo in wierd and spectacular reverberations.

This great cave, with a constant temperature of 64 degrees and always filled with pure fresh air free from dust and dampness, has been used for church meetings, square dances, and meetings of fraternal organizations. Another section of the cave near the spring once sheltered a moonshine still. Close by it is a pit called Pig Pen where hogs were kept and fed on mash from the still.

The cave also has its fair share of legends, including tales of murder, ghosts, and high adventure. Although it has been known about 155 years and frequently used and visited over this expanse of time, much of it still remains unexplored. Not many people have the courage to take off the main pas-

sageway to probe narrow corridors such as Booger Branch and others which lead off into the darkness so thick it can almost be cut with a knife.

To date this cave has remained in private ownership. It is hoped that someday this cave may possibly become public property under the administration of the Daniel Boone National Forest where its unique history and scenic property may be developed, administered and protected for the maximum use, information and pleasure of the people.

Midway between the headquarters of the Daniel Boone National Forest at Winchester, and the site of Fort Boonesborough on the Kentucky River stands a structure whose history dates back to the period of the earliest Kentucky settlement. This is the Old Providence Church which still stands on lower Howard's Creek as a reminder of the faith, courage and determination of Kentucky's first settlers.

The history of this church goes back to 1780 in Orange, Spottsylvania, and Culpepper counties in Virginia. Captain William Bush, who had accompanied Daniel Boone on the expedition that located and marked the Boone Trace from Cumberland Gap to the mouth of Otter Creek on the Kentucky River in 1775, was so impressed with the beauty of the country around Boonesborough that he decided to bring his family and neighbors to settle here. Returning to Virginia in 1780, he organized a group of relatives, friends and neighbors in a travelling Baptist church for the long trip to Kentucky.

Bringing with them all their worldly possessions, including furniture, livestock and personal possessions, as well as their firm Baptist faith, they started the long journey to Kentucky. By late in 1780 they had halted at Holston due to reports of Indian attacks in the part of Kentucky which they must cross. Here they remained until 1783, when they again resumed their journey. After a difficult journey over rough trails, high streams and other obstacles, as well as personal sorrow for some of the members, they finally arrived in the vicinity of Fort Boonesborough in November of 1785, their journey having taken them across the present-day London and Berea Ranger Districts of the Daniel Boone National Forest.

At the start of the journey no regular ordained minister was available, so Elder John Vivion served as an acting minister until they reached Holston. While encamped there, waiting for the Indian situation in Kentucky to improve, an ordained Baptist minister, Reverend Robert Elkin, joined the group and the church chose him to be their pastor. At this point they re-organized their church and from that date in 1780 to the present time detailed records are available of the activity of this church. In this group was a slave owned by Joseph Craig by the name of Ole Captain Peter, who ministered to the slaves of the members who accompanied the travelling church.

Before returning to Virginia, Captain Bush had selected an area on Lower

Howard's Creek which he believed suitable for his group and which had the added advantage of being north of the Kentucky River and thus not in the original Transylvania Company Treaty area where land titles were uncertain at that time.

Settling on lower Howard's Creek the time of the members was largely occupied for the next two years with building cabins and clearing fields. During this time they met in the various homes for religious services. The first such meeting was held in the home of Captain William Bush on November 27, 1785, where new officers were elected and the organization adopted the name of Howard's Creek Church.

In 1787, a log church was erected which served until 1792, when work was started on the present structure. This church which was constructed on the site of the original log church, was built of limestone blocks 20 inches thick quarried from a cliff about a quarter mile from the site. The new building was 40 feet by 60 feet in size with portholes near the windows to permit defense in the event of Indian attack. Part of the design of this building was to permit it to be used as a central refuge for the community in the event of Indian attack. Another feature of this church was a gallery or balcony which was designed for the use of the slaves of the members.

The new building was completed and dedicated in May 1799. On December 11, 1949, fire partly destroyed the interior of the church, which had been transferred to the colored Baptist Church in August of 1870. During the resulting repair to the interior the old portholes beside the windows were closed and the shape of the old square windows changed to their present form.

It appears significant that no church building was constructed at Fort Boonesborough during its early years. This church, known as the Old Stone Meeting House and as the Old Providence Church served as a place of worship for many families of Fort Boonesborough and vicinity. Among the worshippers in this church were Daniel and Squire Boone and their families. It is reported that Squire Boone preached in this church on occasion. It is recorded that Squire Boone, Jr. and Mary Boone were baptized here.

Today the Old Providence Church still stands on lower Howard's Creek, the last standing symbol of the faith, courage and adventure of those hearty pioneers who travelled the Boone Trace from Cumberland Gap to Fort Boonesborough in search of new land, a new life for their families and their freedom of worship as they desired.

CHAPTER XIX

PRINCESS CORNBLOSSOM AND "BIG JAKE"

US-27 through the Stearns Ranger District of the Daniel Boone National Forest follows along a ridge or plateau which runs in the north-south direction generally parallel with, and to the east of, the Big South Fork of the Cumberland River. This highway follows an ancient Indian passway which connected the Cumberland River, at the site of the present-day town of Burnside, Kentucky, with the Sequatchie Valley, which is northwest of the present-day city of Chattanooga, Tennessee. In times of early settlement, this path was known as the Great Tellico Trail.

At the present-day community of Marshes Siding, located on US-27 about two miles north of Whitley City, Kentucky, Ky-700 leads to the west about five miles to a point on the head of Lake Cumberland known as Alum Ford. Ky-700 also follows an old Indian trail which crossed the Cumberland River at Alum Ford and lead into east central Tennessee. On the north side of Ky-700, about three and one-half miles west of its junction with US-27, and at the entrance to the Yahoo Recreation Area of the Daniel Boone National Forest, is located a single lonely grave, surrounded by a simple pole fence and marked by a standard U.S. Army Quartermaster headstone which bears, instead of the more usual cross, a Star of David and the inscription:

JACOB
TROXEL
PENNSYLVANIA
PVT 6 CO
PHILADELPHIA
CO MILITIA
REVOLUTIONARY
WAR
JANUARY 18, 1758
OCTOBER 10 1810

Overlooked by many visitors to the area, this grave and headstone by the side of the Old Alum Ford Trail are the reminders of a story of adventure, military duty, exploration and frontier love as thrilling and as exciting as any modern-day novel, movie, or television program.

The story, pieced together from military records of General George Washington's army, from folk tales of Indian tribes, from court and land records in county courthouses, and from stories handed down in white families of the area, is reproduced here from the records and writings of a present-day descendent of Jacob Troxel and Princess Cornblossom, Thomas

H. Troxel, the Scott County surveyor in Oneida, Tennessee. He has researched the details over many years and procured records of his ancestor's service in the Continental Army sufficient to satisfy the Army Quartermaster to the point of issuing the official grave marker which today marks the last resting place of Jacob Troxel beside the Old Alum Ford Trail.

The story begins with young Jacob Troxel, born of Swiss parentage in 1758, in the city of Philadelphia. As a lad of 15 years of age, he was living in Philadelphia, Pennsylvania at the outbreak of the American Revolution. Enlisting with other young patriots in the sixth company of the Philadelphia Militia he served four years with the Continental Army, including the terrible winter of 1777-1778 with General George Washington's army at Valley Forge.

As the main effort of the Revolutionary War appeared to be moving south and the British employment of Indian allies increased, Jacob Troxel was selected by Washington's staff as one of several young men to move by a round-about route into the backcountry, posing as an Indian trader, for the purpose of preventing the Indian tribes from joining with the British against the Continental Army.

The Troxels of Philadelphia trace their ancestors back to the Hebrews of Asia Minor. Peter Troxel was born in Switzerland in 1691. Peter, his wife and two small sons came to America on the ship Samuel and disembarked in Philadelphia in 1733.

Young Jacob Troxel, known as Big Jake because of his height of over six feet and easy friendly manner, was assigned to work with the Indians of the Upper Cumberland River. Travelling down the Ohio River he took a long round-about route to reach his destination. Travelling overland from the Ohio he reached the old French trading post at Vincennes which was the center of the western Indian trade. While there he made friends with a young Cherokee brave named Tuchahoe, the son of an important chief of the tribe of Cherokee (Tsa-Waagan Tribe) living along the Upper Cumberland River in the general area of today's McCreary, Pulaski and Wayne counties. At the invitation of the young brave, Jacob Troxel agreed to return with him to his home village and to trade for skins and furs that the tribe might produce.

After a trip of about 200 miles Trader Troxel and young Tuckahoe arrived at the home village where Troxel was received by the chief, known as Chief Doublehead by the white hunters, with great respect and ceremony due a distinguished visitor.

Chief Doublehead was the last powerful chief of his tribe. He had been born in the vicinity of the present-day location of Somerset, Kentucky. When as a young brave, he inherited, by succession, the leadership of his tribe, he was given the name of Chu-gula-tague, but soon became known by the English name of Chief Doublehead. He had been twice married, the second

wife being the daughter of Christian Priber, a white, self-appointed prime minister to the Cherokees during the period 1735-1753. The young brave Tuckahoe was the chief's son by his first wife. By his second wife he had a daughter, Princess Cornblossom who, at the time of the arrival of Jacob Troxel in the summer of 1779, was about twelve years of age. She had been born in 1768 in the ancient Indian village of Tsalachi near the site of the present city of Burnside, Kentucky. Even at this early age her beauty was widely known and she was the pin up girl and the favorite of the young warriors of the tribe. The arrival of Big Jake appeared to be of great interest to her.

The prominence of Chief Doublehead is attested to by the fact that he was one of the signers of his tribe at the Treaty of Sycamore Shoals in 1775, and of the Treaty of Holston on July 2, 1792. At the time of the Great Council of the Cherokee, which preceded the signing of the Treaty of Sycamore Shoals, Princess Cornblossom, then about eight years old, accompanied her family on the long trip to what is now Carter County, Tennessee. It is said that Chief Doublehead received for his tribal share of the trade goods from the Treaty of Sycamore Shoals 20 rifles, a quantity of hunting knives, tomahawks, gun-powder, lead, a fine red blanket for himself and a very fine bright shawl and a string of beads for Princess Cornblossom.

Following the Treaty of Sycamore Shoals, which required all Cherokee to leave the country north of the Cumberland River, Chief Doublehead and his wife, accompanied by Princess Cornblossom and her brother Tuckahoe, moved to a large, open-front cave on Middle Creek in what is Wayne County today. The cave in which they lived is today known as Hind's Cave. It was here that Big Jake, then about 21 years of age, first came to live with the tribe of Chief Doublehead and enjoyed their full confidence.

Although still mindful of his mission, Big Jake entered into the life of the tribe with great zest, hunting and trapping with the young braves. Because of his great size, strength, good nature and skill as a woodsman he was well liked, particularly by Princess Cornblossom. He was soon adopted by the tribe of Chief Doublehead and enjoyed their full confidence.

During the winter of 1779-1780, a small band of whites, possibly from the Holston settlements, moved into the area and were waylaying the Indian hunters and killing them for their packs of furs. Big Jake, with Chief Doublehead and Princess Cornblossom, discovered their camp on the Little South Fork in Wayne County and attacked it. One of the white men killed in the attack was Bill Dyke, a Tory from Watauga, in the service of Major Patrick Ferguson, British Commander of the 71st regiment of British infantry who was operating in the Carolinas. Dyke was apparently on a mission of trying to influence the tribes of the area to support the British and Tory army in South Carolina. Thanks to the position of Big Jake in the tribe, Chief Doublehead

and most of his warriors refused to support Colonel Ferguson's British and Tory force, then gathering for an advance on the Holston settlers. There is evidence, however, that some of Chief Doublehead's warriors did fight on the American side in the Battle of King's Mountain, which resulted in a defeat of the British by American frontiersmen, in which Major Ferguson was killed, and which was a contributing factor to the surrender of the British army of General Cornwallis to General Washington at Yorktown, Virginia on October 19, 1781.

Shortly after this Princess Cornblossom and Big Jake were married in an elaborate ceremony attended by some of the most powerful chiefs of the Cherokee nation. Their marriage was soon blessed with a son named Little Jake, who grew up to earn a reputation for himself in later years along the Cumberland River.

Shortly after the close of the Revolutionary War, the family of John Mounce moved to a homestead located at the mouth of the Rock Creek on the Big South Fork of the Cumberland River. Mounce had two beautiful daughters. Tuckahoe, son of Chief Doublehead, fell in love with one of them, Margaret Mounce by name. The young couple decided that it would be romantic if the girl were to be stolen by Tuckahoe in an elopement. All went well initially. After the eloping party had been gone for several hours, the sister of the bride notified her father that Tuckahoe had stolen Margaret. The angry father, accompanied by a neighbor named Jones, pursued the elopers for many miles overtaking them near the present town of Monticello, the county seat of Wayne County, Kentucky. Knowing the reaction of her father the girl threw her arms around her lover to protect him from harm, thus preventing her father from shooting Tuckahoe. However, Jones drew a bead on Chief Doublehead and killed him instantly. Thus in the year of 1807 ended the life of the last great Indian chief to rule over the Indians of the Cumberland Plateau. Chief Doublehead was buried where he fell. His grave may still be found at Doublehead Gap on the Little South Fork near the town of Monticello.

Soon after the tragic death of Chief Doublehead, John Mounce gave his consent to the marriage of his daughter Margaret to the handsome Tuckahoe, now in line to become the chief of his tribe. Young Tuckahoe and Margaret Mounce were married and established a home on Che-ry Fork, now Helenwood, Tennessee, on US-27 south of Somerset, Kentucky.

The most prized possession of Chief Doublehead's tribe was a secret silver mine located somewhere adjacent to the Cumberland River in the general area of today's McCreary, Pulaski, and Wayne counties, Kentucky. Silver from this mine was taken by the tribe by raft or canoe down the Cumberland River to the French trading post established by the trader Timothy de Monbruen in the new town of Fort Nashborough (the site of the present-day city of

Nashville, Tennessee) where it was traded for rifles, powder, knives, lead, hatchets, blankets, and many other trade items.

The location of this silver mine was a tribe secret which had never been given to a white man. A white trader, Han Blackberne, learned of this mine and was determined to find it. He offered to sell young Tuckahoe a fine rifle decorated with silver, together with a fancy powder horn and a fringed bullet pouch for a small amount of silver from the mine. Tuckahoe eagerly agreed. As he went to the secret mine for the silver, he was followed by Blackberne and a hired laborer by the name of Monday. As Tuckahoe was digging the silver to pay for his new rifle, the two white men appeared. While remonstrating with Blackberne for following him, he laid down a pick which he had been using. Monday, a simple-minded individual, grabbed the pick and struck Tuckahoe on the head killing him instantly. Monday then threw Tuckahoe's body down a deep crevice between two large rocks and covered it with leaves, dead branches and loose rock. He and Blackberne then started digging for silver.

In the meantime Princess Cornblossom learned of the deal of Tuckahoe with Blackberne and, suspecting that the trader planned to follow him to the mine, also started for the mine as rapidly as her little legs would carry her in an attempt to stop her brother before he reached the mine site. On approaching the mine she saw the tracks of Blackberne and Monday which confirmed her suspicions. Creeping forward cautiously she arrived at the mine where she observed the trader Blackberne resting under a tree and his hired hand Monday digging the silver. While her brother was not in sight, her worst fears were confirmed by the sight of his new rifle leaning against a tree and large pools of blood scattered about the mine where Tuckahoe had been killed. Realizing what had happened, Princess Cornblossom dashed forward, grabbed the rifle, horn and pouch and sped down the trail so swiftly that Blackberne and Monday were unable to catch her. Fortunately a violent thunderstorm approached on the south and west on the headwaters of Poncho Creek and along the Little South Fork, which made further tracking impossible. The Princess, having reached the top of the mountain, quickly built a shelter at the site of a fallen tree, picked wild grapes and chestnuts for her evening meal, and weathered the storm through the night in comfort, but with a heavy heart at the death of her brother Tuckahoe.

Resolved to avenge his death, as well as to guard the secret of the tribe's mine, she planned to kill both Blackberne and Monday before they could reveal the location of the mine to any other white man.

At the break of dawn she knew that some of her tribe would be searching for her. Sounding the tribal distress call she was answered immediately by two braves less than two miles distant. Knowing that Blackberne and Monday would probably head for their trading station near the Fonde settlement

(near what is now Williamsburg, in Whitley County, Kentucky) and that Poncho Creek was a raging torrent as a result of the thunderstorm it appeared Blackberne and Monday would be most likely to cross the creek at Turtleneck Ford. This ford (now called Cracker's Neck) is located about three miles west of the present town of Stearns, Kentucky.

Princess Cornblossom concealed herself on the steep hillside overlooking the ford, posted the two braves in concealment near the creek, and awaited the appearance of Blackberne and Monday. After a long wait she saw a glint of a shiny buckle and a fancy coat and another from the handle of a hunting knife and knew that the white men were approaching. Carefully renewing the priming in the pan of Tuckahoe's fine flintlock rifle, she rested the heavy barrel in the fork of a dogwood tree and waited. Arriving at Poncho Creek and finding it in flood Blackberne dismounted to inspect the ford before trying to cross. Sighting down the long sleek barrel, glistening with bear oil, Princess Cornblossom took careful aim and pressed the trigger. As the shot sounded Blackberne fell to earth dead of a bullet through his heart. The two braves quickly tomahawked Monday, disemboweled both bodies, filled them with rocks and threw them in the raging Poncho Creek. At last the death of the brave Tuckahoe was revenged and the secret of the tribe's silver mine was again safe.

With the death of Chief Doublehead in 1807 and the murder of his son Tuckahoe soon after that, the leadership of the tribe fell to Princess Cornblossom. Her son, Little Jake, born less than a year after her marriage to Big Jake, was now a young brave by tribal standards and helped his mother in the handling of the affairs of the tribe, whose numbers had dwindled to less than a hundred members. New settlements by the whites had crowded them from their previous homes and hunting grounds until they were now living in an area known as Dry Valley which today is known as Big Sinking in Wayne County, Kentucky.

Prior to his untimely death, Chief Doublehead had been in the process of negotiating for an opportunity for the youth of his tribe to obtain an education in the white man's school. In 1803, a school for Indians had been established at Sequatchie Valley in Tennessee by the Reverend Gideon Blackburn, a Presbyterian minister from Philadelphia, Pennsylvania. Princess Cornblossom now continued the negotiations started by her father to secure educational training for the young people of her tribe at the Blackburn Indian School. Young Jake had now become a hard-riding, fast-shooting, one-man army executing the orders of his mother, now the ruler of the tribe.

In the fall of 1810, an arrangement with the Indian school having been agreed upon, word went out to all members that the tribe of Princess Cornblossom was to leave the Cumberland River area and move to the Sequatchie Valley in Tennessee. They were directed to assemble at a large

rock house just to the west of the Old Tellico Trail. This location is now known as the Yahoo Falls Recreation Area in the Stearns District of the Daniel Boone National Forest.

In the late fall of 1810, when the moon was round and full, all that remained of Chief Doublehead's tribe of the Cherokee gathered at the big rock house below the cliffs where Yahoo Creek plunges some eighty feet from the great Cumberland Plateau to the bottom of the gorge which carries it to the Cumberland River, waiting for Princess Cornblossom to lead them south over the old Tellico Trail to Tennessee. Some of the squaws had already shouldered their packs of furs or sleeping mats for the children and were about to start when shots rang out from the darkness in front of the rock house. Bunched under the rock house and stunned by the unexpected attack, escape was impossible. The braves were the first to fall followed quickly by the mothers and children until not a single Indian was left standing and the floor of the rock house was covered with the dead and dying and ran red with their blood.

After the firing ceased and the little band of white men who had committed this foul murder were about to leave, the situation was suddenly reversed. Day was just breaking as Princess Cornblossom and her notorious son, Little Jake arrived on the scene ready to lead their people to the safety that awaited them in Tennessee. Taking in the situation at a glance and occupying a commanding position among the rocks which blocked the white men's escape route, they opened fire. The white party had been reduced to three, but only one of these three survived the firing squad of Princess Cornblossom and her son. Before the execution the Princess pronounced the death sentence in scathing terms such as "You paleface-treaty with Indians—if Indian no steal horse paleface no kill Indian. You palefaces kill our braves. You kill our squaws and our babies. Their blood made red the land you steal."

Princess Cornblossom, grief stricken by the massacre of her people, died in a few days and was buried by the large flat rock beside the old Tellico Trail that had been travelled by her people for so many years. This flat rock is now within the town of Stearns, Kentucky and the site is marked by an appropriate marker and information sign placed there by the Kentucky Historical Society, which reads:

PRINCESS CORNBLOSSOM

Burial site of daughter of Chief Doublehead. Legend is that as a young girl she accompanied her father at signing of Treaty of Sycamore Shoals, 1775, transferring Cherokee's land between Ohio and Cumberland Rivers to Transylvania Society. As-Quaw Tribe settled in region south of river. Protecting tribe's secret mine, she killed a renegade. Married Big Jake, trader.

Two days later Big Jake, the trader who came to the Cumberland on a mission for General Washington and the Continental Army and who liked the life of the tribe of Chief Doublehead and Princess Cornblossom so well that he spent the rest of his life with them, died of a broken heart and was buried beside the old trail to Alum Ford. This grave, marked by a U.S. Army official headstone provided by a grateful government nearly 200 years after he completed his military service, may be seen by the visiting tourists at the entrance to the Yahoo Falls Recreation Area of the Daniel Boone National Forest.

For the next few years Little Jake Troxel, the half-breed, terrorized the settlers along the Cumberland River. He finally surrendered to the sheriff of Wayne County at Monticello, Kentucky in return for a promise of amnesty. Surrendering his scalping knife with nine notches filed on the handle, he settled down on his 180-acre homestead on the Little South Fork River that today is a rice farm. Little Jake died in 1880, and is buried in the old part of the graveyard at Parmleysville, Kentucky.

Following the double massacre at Yahoo Falls, local investigations developed the information that the individual primarily responsible for the tragedy was an old Indian hater and brave fighter by the name of Hiram Gregory. He had learned of the proposed assembly of the Indians at Yahoo Falls' Big Rock House and, enlisting the aid of a number of his young neighbors, set up the ambush which ended in one of the major tragedies of the early settlement of the area. It is said that Little Jake Troxel once stated that although he and his famous mother arrived on the scene a bit late they did arrive in time to kill the last of the white men, including Homer (Big Tooth) Gregory.

The above information was assembled by Thomas H. Troxel, a direct descendent of the Cherokee and of Christian Priber. He was the great chief of the Cumberland River band of American Indians whose Council House is in Whitley City, Kentucky. He has stated that while researching this information many years ago he had lunch with Uncle Manuel Anderson, father of George Anderson, a surveyor, with offices in Whitley County courthouse. Mr. Anderson stated that he could remember when Indian bones were so thick in the Big Rock House at Yahoo Falls that it was difficult to walk there.

The tribe of Chief Doublehead practiced the type of game habitat management, not unlike that practiced today, in that they divided their hunting ground into blocks or compartments, based on drainage, giving each compartment a name. For example, the portion of the tribal hunting grounds that lay within today's Daniel Boone National Forest were delineated and named as follows:

The Great Hickory Forest, the drainage of Poncho Creek (Pauch Creek), and The Great Tellico Wilderness, the drainage of Marsh Creek.

It is not unlikely that the tribe distributed their hunting between these

areas, adjusting their hunting pressure according to the abundance of game in each.

At the time Big Jake came to the tribe of Chief Doublehead a number of Indian trails were in common use in that portion of what is now the Daniel Boone National Forest. Some of these were later used by the early settlers.

The route of the Great Tellico Trail is now occupied by US-27. This was a common pathway used by all tribes in travel between the Great Cumberland Plateau and the Tellico country of Tennessee. At the time of Big Jake's arrival it was used extensively by squaws carrying corn from Sequatchie Valley back to their home villages along the Cumberland River. According to stories handed down in the old frontier families of the area a group of white men camped in the area and made a practice of attacking squaws carrying corn along this trail. The young white man by the name of Prabtry, who was a squaw man, hunted down these white men and killed all of them with his long rifle.

The Baker-Watters Bridle Way started at Yamacraw and terminated at the Indian Gap (now Jane Hale Gap) near Williamsburg. Originally it was developed and used by the Indians of the Cheeknee River area travelling to and from their hunting grounds along what is today Jellico Creek. This trail is recorded as the Baker-Watters Bridle Way as early as 1804 as a public passway for settlers travelling to what is today Wayne County. This trail was used by the early settlers in the Great Tellico Forest. Among the first families to claim homesteads in that section were the Harmons, the Neals, and the Gilreaths. The Harmons are reported as having their grant under a concession from Chief Doublehead. Other families that were among the first to settle along Jellico Creek were the Stevens, Lovetts and the Creekmores. The Old Jellico Baptist Church, established in 1806, was built beside the Baker-Watters Bridle Way.

Another shorter trail, much used by the Indians, the name of which has been lost in the pages of history, started at the headwaters of Standing Fern Creek (Bear Creek) and terminated at the Katy Fields above the natural bridges near Barthell. This trail was made famous by the Battle of the Ridgeway Trail. Little is known of this battle other than it started when a party of five white horsemen killed one of Doublehead's braves. The running battle between these whites and the Indians terminated the following day with all five of the palefaces dead.

It is apparent that the Sterns and Somerset Ranger Districts of the Daniel Boone National Forest have a rich background of history from which to draw in developing the historical resource of that part of the national forest.

In the southern part of the Daniel Boone National Forest, at a point south of Stearns, Kentucky, where Ky. 92 crosses the Cumberland River, is located a community known as Yamacraw.

Local history reports that this name is applied to that area because of a

small tribe of Indians who settled along the banks of the Cumberland River in that vicinity shortly after the signing of the Treaty of Sycamore Shoals on March 14, 1775.

These Indians were apparently a part of the Yamacraw tribe of South Carolina, noted for their skills in agriculture, particularly in the growing of corn, their staple food source. It is reported that one of their squaws, Mary Musgrove, was probably one of the first county agents when she was hired by the Glathorf Colony to train a French botanist to grow corn in the Indian manner at a salary equivalent to four hundred dollars per year in gold. Yields of corn in excess of 300 bushels per acre were not uncommon in the agricultural practices of this tribe.

Such historical information as is now available indicates that this small band of Indians had left the Yamacraw tribe in South Carolina and moved initially to Old Fort Loudon, in what is now northwestern Tennessee, sometime prior to the French and Indian War. Living in the vicinity of Fort Loudon they raised corn and hogs for sale to that garrison. Shortly after signing the Treaty of Sycamore Shoals this small band of Indians moved from the Fort Loudon vicinity to the area along the Cumberland River which now bears its name.

It appears that these Indians did much to educate the Cumberland River Indians and the tribes of the Cumberland Plateau in their advanced agricultural methods. Mary Musgrove is reported as teaching these Indians how to build door ovens and how to use them in baking. In confirmation of the corn-growing capability of the Yamacraws, archeological excavations, made prior to the covering of the village site and the fertile cornfields which had supported them by the waters of Lake Cumberland in 1952, revealed the imprint of ears of corn as much as fourteen inches in length.

Little is known of the fate of this band of Indians. Apparently, being of a peaceful nature, they moved to more remote areas when the pressure of other tribes and of the increasing density of white settlement along the Upper Cumberland encroached upon their peaceful existence.

CHAPTER XX

THE EARLY IRON FURNACES

In the northern Ranger District of the Daniel Boone National Forest can be found the remains of a once-thriving iron-smelting industry, in the form of piles of squared stone blocks overrun with vines and surrounded with chunks of material resembling glass. At other locations, pyramidal stacks of similar blocks spell out the location of a long-defunct iron furnace. A few of these furnaces are relatively intact to the point where they are now a tourist attraction and a danger to small boys with a spirit of adventure.

The iron industry started early in the life of Kentucky. On October 3, 1782, a German, Jacob Myers by name, left Richmond, Virginia, for the wilderness of Kentucky. While the Kentucky country lured many men in search of gold or silver, Myers was in search of a baser metal iron. He apparently found what he was searching for, as records show that he surveyed, entered, and patented nearly 10,000 acres of land on the watersheds of Slate and Mill creeks in what, today, is Bath County, Kentucky. These lands were conveyed to him under grants signed by the Governor of Virginia, Patrick Henry.

In March of 1791, he started the construction of Kentucky's first iron furnace on Slate Creek, just below the mouth of Mill Creek, for the purpose of smelting iron ore from deposits found locally. Today, the well-preserved remains of this old furnace may be found beside Ky-36, about four miles southeast of the town of Owingsville. On the site of this aging furnace is a large, bronze marker, which reads:

"Bourbon Furnace Built 1791.
Land Patented 1782 by Jacob Myers.
Fort Protected Furnace from Indians.
First Blast 1792.
Myers' Interest sold to John C. Owings & Co.
1807 Col. Thos. Deye Owings contracted to supply
Cannon balls to American Navy.
Ammunition was floated down the rivers in 1812
to Andrew Jackson at New Orleans.
1822 Col. Owings sold furnace to Robert Wickliffe
who sold it to Major Mason.
Last blast made 1836."

This was the first and most widely known blast furnace in Kentucky. During this period, there were at least six furnaces in blast for the smelting of iron ore in Bath County, which provided most of the iron west of the Blue

Ridge Mountains. It was from this source that all of Kentucky, for many years, received its iron and iron products. The Bourbon Furnace was the first iron foundry situated west of the Allegheny Mountains.

Each furnace operation was a bustling, self-contained community known as an iron plantation, which operated under the direction of an owner, or iron master. The plantation consisted of the mansion of the iron master, cottages for the laborers, tool and storage sheds, shops for carpenters and blacksmiths, a store for general merchandise, stables for mules and oxen, a school for the employees' children, and the blast furnace itself.

Although the furnace required only a small crew to operate it, dozens of men and animals were required to support its operation. For example, many crews were required in the woods to fell timber, burn it into charcoal, for working the ore diggings, for mining the limestone, and for hauling the ore, charcoal and limestone to the furnace site, as well as caring for the oxen and mules used in the operation.

The general store operated at the Bourbon Furnace was one of the first in this section of the state. The goods and supplies which could be found at this store were purchased in Baltimore, Philadelphia, or Pittsburgh, and floated down the Ohio River in flatboats to Limestone (today's Maysville), and hauled from there to the Bourbon Furnace store by wagon.

The Bourbon Furnace became the meeting place of many distinguished men of that period. The soldiers and statesmen who came west to claim land granted them by Congress stopped there to rest, purchase supplies, and obtain advice from the more-experienced woodsmen. General Spotswood of Virginia was a visitor for a part of the year 1795, as was Louis Philippe, who afterwards became King of France.

The Bourbon Furnace went into its initial blast in the summer of 1791. Its blast machinery was driven by water power from Slate Creek which, during dry periods, frequently failed to produce sufficient power to provide the required blast to operate the furnace regularly.

Iron ore to supply the furnace came from an area about two miles to the southeast, and was hauled to the furnace site by teams of oxen. The production of this furnace was about three tons of iron per day when in full blast. (This was probably the origin of the slang term, full blast, for an operation working at maximum effort.) This operation lacked much in efficiency, requiring about three tons of ore to produce one ton of iron, as much iron was thrown off in the slag.

Once the iron was manufactured, it posed a problem of delivery to market. To solve this, a trail known as the Iron Works Road was built through the wilderness. Beginning at the town of Owingsville, it reached directly west, passing between the towns of Mount Sterling, Winchester and Paris, skirted the northern section of Fayette County, came close to the village of White

Sulphur in Scott County, and terminated at Frankfort on the Kentucky River. The products of the Bourbon Furnace were hauled over this road by oxcart to central Kentucky. Many iron castings were sent by boat down the Ohio River to Cincinnati and Louisville. When the Mississippi River was opened to navigation by the Treaty with Spain, shipments of boatloads of castings from the Bourbon Furnace to New Orleans became a regular event. In 1807, the Bourbon Furnace contracted with the American government to supply cannonballs to the Navy. These cannonballs were hauled to Maysville by oxcart, then sent by river to New Orleans. There still exists a receipt for such a shipment which reads: "Received from Thomas Deye Owings the following balls to be delivered to the commanding officer at New Orleans, viz: 413, 24-pound balls and 375, 32-pound balls weighing in all 21,912 pounds – in good order and neatly executed. John C. Owings, Jr., Sergeant Major."

During the War of 1812, the Bourbon Furnace supplied the Army Corps of Artillery with cannonballs, canisters and grapeshot. It is a known fact that some of the cannonballs fired by General Andrew Jackson's artillery at the Battle of New Orleans were cast at the Bourbon Furnace.

The Bourbon Furnace was originally built for the purpose of casting ten-gallon kettles, which were greatly in demand by the pioneers for the evaporation of water from the salt springs for salt and for boiling the sap of maple trees, which was the principal source of sugar. However, the demand for other necessities of the frontier resulted in the production of cooking pots, household utensils, nails, plowshares, axe blades, and similar items.

The final blast of the Bourbon Furnace was made in August of 1838, after continuous operation for 47 years.

About the year 1820, Beaver Furnace on Brushy Creek, about four miles from Frenchburg in what is now Menifee County, was erected by J. C. Mason, and began operation in that year under the management of Robert Crockett, iron master. In addition, Beaver Furnace supported not only a blast furnace, but a forge from which they furnished castings of every description and pattern, as well as bar iron of any size and shape.

The remains of the Beaver Furnace were in evidence, but were covered by the waters of the impoundment of the Cave Run Lake on the Licking River.

The Estill Steam Furnace was constructed in 1829, by Thomas Deye Owings, the leader in Kentucky's once-thriving iron industry. Here, iron ore, charcoal and limestone were utilized to make pig iron, which was made into finished products by the forges at Clay City. This furnace was unique in that it utilized steam to operate its blast, rather than water power, which was used by most such furnaces.

This furnace operated continuously from its construction to 1879, with

the exception of the period of the Civil War, 1860-1866. After 1879, the industry declined due to the obsolescence of the manufacturing process and the openings of the iron area in the northern Great Lakes Region. The ruins of this furnace are located on privately owned land within the Daniel Boone National Forest approximately six miles north of the junction of Ky-52 and KY-213 in Estill County. A more accurate map location of the remains of the Estill Steam Furnace is at the junction of Ky-213-1057 and Forest Service Road 920.

In 1838, another blast furnace, known as the Caney Furnace, was constructed on the Caney Fork of the Licking River. This furnace went into blast in August of 1838. The remains of this furnace still exist on Caney Fork at the extreme north end of the Pioneer Weapons Area of the Daniel Boone National Forest. However, unfortunately, this site was also covered by the waters of the Cave Run Lake.

Another blast furnace, known as Clear Creek Furnace, was located within the boundaries of the Daniel Boone National Forest about five miles south of the present town of Salt Lick, Bath County, on Forest Service Road 129. This furnace was built in 1839. It is of cut stone, the stack originally being 40 feet in height and 10½ feet across inside. This furnace burned charcoal, using air and air blasts developed by steam power. Its iron was used mainly for railway car wheels. This furnace operated from its construction in 1839 to about 1857, when it became idle. It was rebuilt in the period 1872-1873, and was renamed Bath Furnace. In 1874, it produced 1,339 tons of pig iron. The final blast of this furnace took place in 1875. The site of this furnace is on government-owned land administered by the Daniel Boone National Forest on Forest Service Road 129 on the south border of the Pioneer Weapons Area. The remains of this furnace have been cleaned up, and are protected by a fence. The U.S. Forest Service has constructed a camp and picnic area adjacent to the furnace, and has erected signs informing the public of its history. This furnace, adjacent to the campground and picnic area, has proved to be a great tourist attraction.

Cottage Furnace was located approximately seven miles northeast of the present-day town of Irvine, Kentucky, in Estill County. It was built in 1854, and was operated from that date under the supervision of several successive owners until 1879. A village with a church, shop, and a school grew up around the furnace. Some of the iron made here was cast into household utensils for local and Bluegrass area markets, and much of the production, in the form of pig iron, was hauled to the Clay City Forge and Rolling Mill, where it was made into bars, nails, and similar products. The region in which this furnace was located was known as the Red River Iron District. This furnace, located on government-owned land administered by the Daniel Boone National Forest, has been cleaned up, protected from the public, and a

modern picnic and recreation area constructed adjacent to it. Signs informing the public of its history have been erected.

Another furnace, located within the boundaries of the Daniel Boone National Forest, is in Estill County about 12 miles from the town of Irvine. This was the largest of the charcoal-burning furnaces in Kentucky. It was a double furnace, built as a single structure, 55 feet high and 115 feet long, with the masonry laid up without benefit of mortar. It is located on Furnace Fork of Miller's Creek in Estill County. This furnace, designed by Frank and Fred Fitch, was built by Frank and Sam Wortley in 1869. It is reputed to be the largest furnace of its type in the world. Over the front of the furnace, a special block is inset which reads: Red River Furnace – Frank Fitch, Designer. Frank Wortley, Builder, 1869. This furnace was operated from 1870-1874, and employed 1,000 men. In 1870, this furnace produced 10,000 tons of pig iron, valued at better than \$60,000. The town of Fitchburg, which grew up adjacent to this furnace, was chartered in 1871. This town no longer exists. The furnace is located on privately owned land within the Daniel Boone National Forest. It is the most carefully constructed furnace of the group, and today is in the best state of preservation. Negotiations have been made in the past to obtain this furnace by the Daniel Boone National Forest but, to date, such negotiations have not been successful. It would be highly desirable, from a historical standpoint, that this furnace be acquired, protected and preserved by some public agency before further vandalism or deterioration takes place.

Kentucky's iron production reached its peak during the 1840's and the 1850's. By 1860, it was definitely on the decline, and only the coming of the Civil War prolonged its life for another decade or two. By the year 1875, one by one the hearts of the old charcoal furnaces grew cold, and Kentucky's once-famous iron industry came to its end.

The remains of these famous old iron furnaces within or adjacent to the Daniel Boone National Forest constitute a historical resource of interest to the public, if they are made aware of the history connected with them. The iron industry of this area played an important part in the early settlement and development of the area now included within the northern part of the Daniel Boone National Forest.

CHAPTER XXI

EARLY TRACES AND ROADS

Long before the white man first came to the country now called Kentucky, many traces or trails were well known and used by the various tribes of Indians. In most cases these traces followed game trails beaten down by hundreds of years of use by the great herds of buffalo, elk and deer in their periodic travel from grazing areas to salt springs and from there to fresh water and back to grazing areas again. In addition these game herds made seasonal migrations from winter bedding grounds to spring and summer range, in each case visiting periodically the many salt springs which abounded throughout the area. These game trails and salt springs played an important role in the history of early settlement of eastern Kentucky, being used by both Indians and white hunters in search of meat as well as routes of travel. It will be remembered that Daniel Boone's first encounter with buffalo occurred in the fall of 1767 when he and two companions followed a buffalo trail to the salt springs near the present-day site of the city of Prestonburg, Kentucky, where a snow storm forced them to camp. Here they learned the strategic value of a salt spring as they were able to secure all of the buffalo meat needed without hunting for it. Undoubtedly many other early hunters had a similar experience.

It is well known by those who have hunted big game or worked in the cattle country of the west that game such as deer and elk, as well as domestic or range cattle, have an instinctive ability to select the most favorable routes through difficult terrain for their travels from grass to salt to water and back to grass again. Many of our major cross-country highways of today, as well as less travelled routes, followed the route originally occupied by game trails or cow paths. It is said that many of the streets of Boston, Massachusetts were originally laid out by following cow paths.

The Indians that travelled across Kentucky usually followed a series of game trails, shifting from one to another in order to keep their travel in the desired direction. This same procedure was followed by Daniel Boone and his companions on their first trip to Kentucky. They were able to travel nearly to the Rockcastle River by following game trails before they had to travel cross-country to reach the area they were headed for.

While the more lightly forested areas of early Kentucky abounded in game trails, only a few had been connected and marked by Indians or white men in their travels across the country now included in the Daniel Boone National Forest.

Probably one of the best known Indian trails of the North Carolina-Virginia frontier country was the Warrior's Path. This ancient trail, used by all of the tribes in their north-south travel, started at the junction of the Allegheny and Monongahela rivers where they join to form the Ohio River, and where the modern city of Pittsburg, Pennsylvania is located. It followed the Ohio south to the mouth of the Kanawha River, then up the Kanawha and along New River, cross the divide to the headwaters of the Clinch River, down the Clinch and across the divide to Powells Valley which it followed to Cumberland Gap.

From Cumberland Gap the Warrior's Path turns north crossing the Cumberland River near the present city of Pineville, Kentucky and, continuing north through Flat Lick, it crossed the divide between the Cumberland River and the Kentucky River to the head of Goose Creek. Continuing slightly west of north, it followed down Goose Creek and, passing close to the present town of Manchester, Kentucky in Clay County, it proceeded northwest to the vicinity of Gray Hawk, Kentucky in Jackson County, where it crossed through Sand Gap to the headwaters of Station Camp Creek. Following Station Camp Creek it crossed the Kentucky River near the present town of Irvine and, continuing west and north, crossed the Red River near its junction with the Kentucky, continuing north up Lulbegrud Creek to the vicinity of Es-kip-pa-kith-i-ki (Indian Old Fields). Just north of Indian Old Fields (which is about ten miles from Winchester, Kentucky) this famous trail forked, one branch turning northeast and, passing in the vicinity of the present day city of Mount Sterling, followed Slate Creek to its mouth where it crossed the Licking River near the present-day city of Portsmouth, Ohio. From that point, it continued up the Scioto River and on to Lake Erie.

While one branch of this trail turned northeast at Es-kip-pa-kith-i-ki, the other branch continued north to the upper Blue Licks where it crossed the Licking River and continued in a northeast direction, crossing the Ohio at the mouth of Salt Lick Creek. Just before reaching the vicinity of the present day town of Flemingsburg, a third fork took off to the left and ran due north reaching the Ohio River at the mouth of Cabin Creek.

Probably no single trail or road has played such an important role in the early settlement and development of that part of Kentucky in which lies the Daniel Boone National Forest as the Warrior's Path. Used by all of the tribes for centuries, in their travels across that land now known as Kentucky, they gave it the name which reflects the purpose for which it was most used – the trail followed by their war parties. The name they gave it "Athawominee," when translated literally means, Path of the Armed Ones, or in the language of the white pioneers, The Warrior's Path. This great trail has ably demonstrated its strategic as well as its topographic excellence of location. Most of the early hunters entering Kentucky by way of Cumberland Gap followed

portions of it. In most cases, however, their destinations lay to the west of the country traversed by this famous trail and so they left it at some point, most commonly at Flat Lick, where buffalo trails and hunters' traces led to the west and the northwest. Even as late as the Civil War the terrain traversed by the Warrior's Path was recommended by a Union Army captain to Union General George W. Morgan, commander of Union forces at Cumberland Gap, as the most desirable route of his withdrawal from Cumberland Gap to the country north of the Ohio River.

Many of the present-day highways of Kentucky had their beginnings long before men, either red or white, appeared on the scene. In many cases our present day roads follow the routes taken by buffalo to and from salt springs, cane patches and grazing areas for hundreds of years before man.

These buffalo traces, broad and well trampled, followed with uncanny sureness the most favorable terrain for travel. For this reason these traces were often determining factors in the location of Indian villages, principal routes of cross-country travel and the early exploration and settlement of the state by the white pioneer. As the country developed, the pioneer improved these traces which were normally along ridges or high ground which was drier during winter and spring. For this reason it is possible that early roads on these locations were known as highways.

Kentucky was a land of the buffalo. When Daniel Boone first visited the Bluegrass in 1769, herds of buffalo were everywhere. Travel was made easy by selecting a buffalo trace, running in the general direction. By following it through hazel thickets, cane breaks or forests, you were sure of a good travel route.

Sixteen years after Boone's first trip, John Filson, Kentucky's first historian and press agent, wrote of Kentucky, "The amazing herds of buffalo, by their size and number, fill the traveler with amazement and terror, especially when you behold the prodigious roads that have been made from all quarters, as if leading to some populace city."

One of the most noted of the buffalo traces was found by Boone during his first trip of exploration in Kentucky in 1769. It was a trace of unusual width and depth, being about fifty feet wide and averaging four feet in depth. It entered Kentucky where it crossed the Ohio River from the north near the site of the present city of Maysville in Mason County, and continued south by way of the salt springs at the Blue Licks, on the Licking River, to the vicinity of the present day site of Paris, in Bourbon County. This particular trace, long known to the Indians as Alanant-o-wamiowe, and by the white men as The Great Buffalo Trace, is believed to have been used by the migrating buffalo herds that numbered as many as 8,000 head, since before the birth of Christ.

The pioneers were quick to take advantage of this route. As early as 1783, a man named Smith drove a wagon over this particular trace from Limestone (present site of Maysville) to Lexington. From that time forward this particular section of trace was known as Smith's Wagon Road. Travel between Lexington and Limestone, a popular shipping point on the Ohio River, was by manmade roads from Lexington to the southern terminal of the trace at Bourbontown, as Paris was called in the early days, then by the trace to Limestone. From the earliest time of pioneer settlement this trace has been known as The Great Buffalo Trace.

The Great Buffalo Trace has always exerted a major influence on the settlement and development of central Kentucky. It was a principal route for Indians on the warpath travelling from north of the Ohio to attack Bluegrass settlements. When Daniel Boone discovered it in 1769, he might well have had a premonition that it would bring trouble to him and his fellow pioneers.

It was at the Blue Licks that he and his 26 companions were captured while making salt in the early winter of 1778, by a band of about 100 Shawnees, led by Chief Black Fish down the Great Buffalo Trace. It was near the Blue Licks that Boone's brother Edward was killed in 1780, while returning with Daniel from boiling salt at the Blue licks. It was at the Blue Licks on the Great Buffalo Trace that the frontiersmen from the Bluegrass settlements were ambushed and a large number killed, including Daniel Boone's son Israel, and Daniel himself barely escaped with his life.

The Great Buffalo Trace was a principal Indian route into Kentucky and therefore a dangerous one for use by white settlers.

As early as 1779, the matter of building a highway to the west was studied by the Virginia Assembly. As a part of this plan, the Lexington-Limestone Road became the southern part of a new route through the Ohio Valley which connected Kentucky with the growing population of western Pennsylvania and northwestern Virginia. The Lexington-Limestone Road later became the northern link between the Natchez Trace which ran north from Natchez, Mississippi to Nashville, Tennessee, then continued north through the Kentucky towns of Franklin, Bowling Green, Danville and Lexington where it connected with the Lexington-Limestone Road which connected at the Ohio River with Zanes Trace through Zanesville, Ohio and on to Pennsylvania. It can be said that the Great Buffalo Trace has always been one of Kentucky's major travel routes.

Today US-68 and US-27 follow almost exactly the route of the Great Buffalo Trace from Lexington to Maysville on the Ohio River.

Another of the Indian trade paths in use long before the white man came to Kentucky was the Great Tellico Trail.

This trail originated at the junction of the Cumberland River and the Big South Fork, where the present-day village of Burnside is now located, and

followed the wide flat plateau southward, paralleling the Big South Fork River, and terminating in the Sequatchie Valley northwest of the present day city of Chattanooga, Tennessee.

During the early days of white settlement this continued to be an important communication trail between the Cumberland River area and the general area of east Tennessee. About 1780, this trail was used by Indian squaws packing corn from the Sequatchie Valley to the village of Chief Doublehead's tribe along Cumberland River. Many tales of murder, robbery and mystery surround the history of this important early trail. As with most of these early trails, its site today is occupied by US-27, and it is still an important north-south transportation link.

The Boone Trace from Cumberland Gap to the mouth of Otter Creek on the Kentucky River is probably one of the most widely known pioneer trails in American history.

Initially it was located and marked in the spring of 1775, by Daniel Boone and a party of 20 experienced woodsmen, employed by Judge Richard Henderson of the Transylvania Company, for that purpose. Such a trail was necessary to guide the settlers to the colony the Transylvania Company proposed to establish along the Kentucky River on land they had acquired through a treaty with the Cherokee Indians.

Beginning at Cumberland Gap the trace followed the ancient Warrior's Path northward, crossing the Cumberland River at the present location of the city of Pineville and continuing in a northerly direction to Flat Lick. Here the trace left the Warrior's Path and followed a buffalo trail, previously marked and used by hunters, which lead to the northwest. The trace continued in this direction crossing the Laurel and Little Laurel rivers, through the site of the present city of London, to a large area covered with a dense growth of hazel which soon became a landmark on the trace for the many thousands of people who travelled it. This area, called the Hazel Patch, still is known by that name to this day.

Continuing across the Rockcastle River near the mouth of Roundstone Creek, the trace followed that stream, which it crossed about 50 times to the disgust of many travellers during the next 20 years, to its headwaters where it crossed through a low gap from the watershed of the Cumberland River to the watershed of the Kentucky River. This gap, known to this day as Boone's Gap, is located about two miles from the present day city of Berea.

Breaking out into the Bluegrass the terrain became less difficult and the trace continued in a northerly direction, passing through the present city of Richmond and north to the headwaters of Otter Creek which it followed to its junction with the Kentucky River, the northern terminal of the trace and the site of the pioneer community of Fort Boonesborough.

Initially this trace was little more than a marked line through the wilder-

ness. Its tread was rough and narrow, probably not more than 18 inches in width, and marked by woodsmen's blazes on trees. It was suitable for travel only by saddle horses, packhorses and on foot. In the years to follow it was to be marked by many graves of its travellers.

Even for the strong, the trip was exhausting as well as hazardous. An item in the Kentucky Gazette, published in Lexington on November 1, 1783, states, "A large company will meet at the Crab Orchard on the 19th of November in order to start the next day through the wilderness. It is very dangerous on account of the Indians and it is hoped that each person will go well armed."

The marking of the Boone Trace was completed on April 1, 1775. For the next 21 years this trace was to be the only route of travel between Cumberland Gap and the Bluegrass of Kentucky. It is estimated that at the height of the influx of settlers following the Revolution, at least 20,000 prospective settlers travelled this trace in a 12 month period.

In retrospect one cannot help but marvel at the skill of Daniel Boone in selecting a route through the wilderness which was as direct and as travelable as the Boone Trace. Dr. William S. Lester, in his book, *The Transylvania Colony*, summarizes this feat of woodsmanship by the statement, "In 15 days of wilderness travel Daniel Boone had brought his little expedition 200 miles over rough country little frequented by men, 50 miles of it through trackless wilderness, dead brush and extensive patches of cane. With a true sense of topography of a modern engineer he had followed the most accessible route. He had followed the rivers and creeks, found the lowest mountain passes and the best fords with unerring accuracy. It is significant that today's railroads, surveyed by the most skillful engineers, lie for the most part along the route he established."

Judge Richard Henderson, head of the Transylvania Company, with a party of about 40, later followed Boone along the newly marked trace by about three weeks. Accompanying Judge Henderson's party were Benjamin Logan and William Gillespie, together with several slaves, who had joined the caravan at Powells Valley for protection on the trip to Kentucky. When the party arrived at the Hazel Patch, the Boone Trace continued to the north. At this point a hunter's trail, which Boone and Stoner had taken the previous year enroute to the Falls of the Ohio, lead to the west. Logan and Gillespie and their slaves left the Henderson party at this point and proceeded on the western trace to a point near the present day town of Stanford, Kentucky, where they established a station and grew a crop of corn in the summer of 1775. This station became known as Logan's Fort. Later the name was changed to St. Asaph's. The hunter trail that these men followed from the Hazel Patch was later known as Skagg's Trace in honor of one of the long-hunters who established it.

From the beginning the danger from Indian attack was always present for travellers of the Boone Trace. Colonel William Whitley, who had built the first brick house in Kentucky five miles west of Crab Orchard and had named it Sportsman Hill, made repeated attempts to protect the travelers on the Boone Trace and to apprehend parties of Indians who attacked them.

In October of 1784, Colonel Whitley received word that a party had been attacked on the Trace at the head of Skagg's Creek and that a number had been killed and women and children taken prisoner. Colonel Whitley and 21 riflemen hurried to the scene to find six scalped and mangled bodies. After burying them they took the trail of the Indians. After a day and night of hard riding they came upon the Indians in camp wearing some of the clothes taken from the white victims. Taken by surprise two Indians were killed at the first fire, the rest scattering in the woods. A Mrs. McClure, her baby, and a black woman were rescued. Mrs. McClure told them that the Indians had attacked their camp at night. She and her four children hid in the woods. The baby cried allowing the Indians to find them. They killed and scalped the three older children and took her and the baby prisoner. They had forced her to cook a meal for them in spite of the fresh scalps of her children stretched on hoops to dry. Colonel Whitley took the victims back to Sportsman Hill where Mrs. McClure was eventually united with her husband who had escaped in the darkness. Actions like this were common along the Boone Trace. In another case, Whitley and his men followed a party of Chickamauga Indians into Tennessee after an attack. He eventually caught them and recovered 28 stolen horses, a large amount of stolen goods, \$50 in cash and eight fresh scalps. No white captives were found.

For many years parties of renegade Cherokee and Chickamauga Indians lurked along the Trace, attacking small parties of travellers, but avoiding parties large enough to defend themselves.

One of the major massacres on the Boone Trace took place on the night of October 3, 1786. A party of 30 travelers on their way to Fort Boonesborough camped for the night at a spring in what is now the Levi Jackson Wilderness Road State Park near London, Kentucky. The leaders were the prominent McNitt, Ford and Barnes families and their servants from Virginia. During the night a band of Chickamauga Indians attacked the camp, killed and scalped 21 persons, took five women prisoner and carried away all horses, cattle, and household goods. Items they did not carry off they destroyed. Pillows and bedticks were torn open and the feathers scattered over the ground. It is told that one woman hid herself in a hollow tree during the attack and, while hidden there, gave birth to a child. They were found the next day and taken to the settlement where she was reunited with her husband who had escaped the attack. At that time Colonel Whitley was absent from his home on a trip to Virginia, and the Indians were not followed.

On March 21, 1793, Thomas Ross, the first mail carrier over the postal route established in the fall of 1792, was following the route from Holston to Danville, Kentucky, accompanied by two other men. They were fired on at the crossing of Little Laurel River but were not hit. After riding hard about a quarter of a mile they ran into a large ambush. Ross was killed and the other two wounded. Captain John Wilkinson and 13 militia men went to the scene and found Ross's body, cut into strips and hung on bushes. They gathered the remains and buried them by the roadside. Five days later, on March 26, 1793, Colonel Whitley received word of another massacre on the Boone Trace, five miles south of the Hazel Patch. With a company of rangers he hurried to the scene where a party consisting of nine men, two women and eight children, led by James McFarland, had been ambushed as they were riding along the Trace. The men had dismounted and, in close formation, returned the fire of the Indians holding the attackers off for about 15 minutes. After that the attacking Indians had moved in and killed or made prisoners of all of the party but four. Colonel Whitley tracked the Indians to their camp, scattered them and rescued a little girl and recovered much of the stolen goods.

By the spring of 1794, the Chickmaugas ambushed a party travelling the Boone Trace at Richland Creek, killing two Baptist preachers and two ministers of the Dunkard Order. They were found next day by another party who buried them beside the Trace.

Colonel Whitley at last determined to end these many attacks on travelers on the Boone and Skagg's Traces. Recruiting a force of over 500 men he moved into the Tennessee country and took by surprise the Indian towns of Nickajack and Running Water, burning both towns and killing 52 warriors as well as taking prisoner 19 squaws and children, with a loss to his own forces of one killed and a few wounded. This attack pretty much put an end to the murders along the Boone Trace which, from that time forward, was comparatively safe for travel.

The Boone Trace has served its purpose well. For the 20 years, from 1775 to 1795, it is estimated that over 70,000 people traveled this famous trace into Kentucky. It was known throughout the country and had been preserved in our literature and our history as an important part of our national heritage.

It would appear appropriate, as a part of the celebration of the 200th anniversary of the founding of Kentucky, that the portion of the Boone Trace which lies within the Daniel Boone National Forest should be reconstructed, appropriately signed and made a part of our National Trail System.

Throughout the early history of Kentucky, particularly that having any reference to travel from Cumberland Gap to the Bluegrass over the Boone Trace, we find mention of Woods Block House. The best description of Woods Block House is offered by an article in *The Sentinel-Echo*, a newspaper of London, Kentucky, under date of August 20, 1942. The article was

written by Russell Dyche, owner and editor of that newspaper and long a student of the early history of eastern Kentucky. Editor Dyche's statement on Woods Block House follows, "The first building, certainly the first permanent building, in Laurel County, Kentucky was the Woods Block House at The Hazel Patch, which was erected beside Hazel Patch Creek about a half-mile above the present US-25. It was also the first shelter intended to be permanent in the vast wilderness between the new and the old settlements. It was at the junction of the Boone Trace, from Cumberland Gap to Boonesborough, and the Skagg's Trace, to the Crab Orchard, an outpost in the new settlement. According to the log of John Filson, who made the trip in 1784, the distance from the Hazel Patch to Cumberland Gap was 62 miles and to Crab Orchard 38 miles. Combining Filson's measurements with distances recorded by Bishop Asbury on his trip to Madison Courthouse in 1790, gives us 85 miles to Boonesborough, which possibly is 15 miles more than it should have been. The road seemed long to Bishop Asbury."

Charles Robert Baugh, in an article on McFarland's Defeat, published in the Lexington Herald, January 20, 1907, mentions the Woods Block House. As authority, he gives his own grandmother who was born nearby on the Wilderness Road in 1807, and other old people he had known in his youth. Says Baugh, "There was no living person in (what is now) Laurel County and probably none in the territory between Cumberland Gap and Fort Estill in Madison County, except one lone man living in a block house on Hazel Patch Creek beside the Trace. He was called John Woods, but it was said that his real name was a long German one and that he had adopted the name "Woods" for the convenience of his friends. Just why Woods lived alone so far from the other settlements I am unable to say, but it may be that he was put there by one Ramey who owned a large body of land in that section under a survey made in 1785. This is said to have been the same John Woods who was surveyor in Laurel County after it was established in 1825; and in the first assessment of Laurel County (Commissioner's Book 1827) is listed John Woods, Sr., who had 1,000 acres of land on the waters of Rockcastle River, and John Woods, Jr., who listed himself and one horse. William Chenault, in his Early History of Madison County, published in the Register of Kentucky Historical Society, April, 1932, relates, "Archy Woods, Sr., and his brother John in 1784, established Woods Station on Dreaming Creek near Richmond."

Bishop Asbury in his Journal reported how, "We then pushed through Little and Big Laurel to the Hazel Patch, Hood's Station (lapse in text)." This undoubtedly was Woods Block House, maybe a typographical error or maybe the Bishop couldn't understand the man's German. This was Wednesday, April 10, 1793. It is possible that Bishop Asbury also visited this same place one year earlier, Tuesday, April 3, 1792 when he says, "After

crossing the Laurel River, which we were compelled to swim, we came to Rockcastle Station, where we found such a set of sinners as made it next to hell itself. Our corn here cost us a dollar per bushel." The next morning Bishop Asbury says he, "Swam Rockcastle River and the West Fork thereof." So the two locations could not have been far apart, and if they were different the Woods Block House was probably built between the two trips. In 1793, Bishop Asbury mentions, "The deserted station," which possibly was the Rockcastle Station of 1792. (portion of news article omitted).

The site of Woods Block House has been definitely located by several of the older citizens of that section who in their youth played among its tumbled down logs. Large quantities of stone used in its construction may still be seen there. It has been appropriately marked by one of the twenty native stone monuments erected by the Laurel County, Kentucky Sesqui-centennial Committee, and the monument carried carved in stone, legends of the more important events mentioned in this brief article.

Though located in the heart of the Daniel Boone National Forest, the site of Woods Block House still remains in private ownership. During the last 20 years several attempts have been made to acquire this piece of land with the objective of establishing it as a historic site, reconstructing Woods Block House and possibly rebuilding a portion of the Boone Trace in either direction as an attraction for visitors to the national forest to give them the feel of the old Boone Trace. The site of Woods Block House is marked by a large stone set there in 1941 by the Kentucky Historical Society. This stone, frequently referred to as the Hazel Patch Marker, is located eight miles north of London, in Laurel County, Kentucky on Hazel Patch Creek. The carving on this stone reads, "Woods Block House, The Hazel Patch 1796, Skagg's Trace - 1795, 1775 - Boone Trace - 1795, and Bishop Francis Asbury lodged here April 10, 1793." This stone is still in place and should be one of the historic spots in the Daniel Boone National Forest. It was at this point that Skagg's Trace took off to the west from the Boone Trace and lead to the Crab Orchard, to Logan's Fort and eventually clear to the Falls of the Ohio.

When Governor Isaac Shelby took office as Kentucky's first governor on June 4, 1792, he was fully aware of the need of a good route of transportation linking the new Commonwealth of Kentucky with the states east of the mountains. For nearly 20 years the Boone Trace had been the only overland link with the country east of Cumberland Gap. Over this narrow trail had poured more than 70,000 people, eager for the new lands of Kentucky. Each year brought an increasing number of settlers to claim their share of the promised land. Clearly the road which served it must be made into a highway capable of vehicular travel.

It was evident that something must be done, but the new state had not one thin dime for such public improvement. As a start, Governor Shelby

passed-the-hat among his friends, starting the fund with his own pledge of three pounds. Judge Harry Innes and Colonel Levi Todd were named treasurers of this fund with Colonel John Logan and Colonel James Knox commissioned to direct and supervise the work. Logan was elected to keep the account book while Knox recruited the workmen and directed the work.

For 21 days Logan and Knox worked their crews on the road between Crab Orchard and Cumberland Gap trimming, widening and rerouting in an effort to shorten the distance. At the finish of the work the gash through the forest looked fresh and clean but not much improvement in the trafficability of the route had been achieved.

In November 1795, Governor Shelby approved a legislature act which recognized that it was the interest of the Commonwealth to construct a good wagon road to Virginia. This act contained seven provisions:

That three men of integrity and responsibility be appointed as commissioners.

That they be vested with full powers to open a wagon road to begin at Crab Orchard and to terminate at the top of Cumberland Mountain in Cumberland Gap.

That these commissioners were to have complete discretion in locating the road.

That the commissioners be given the power to employ guides, workmen, surveyors, chainmen and markers necessary to do the work in the cheapest and most effective manner possible.

That the road was to be so constructed as to afford safe and easy passage of wagons and carriages carrying one ton of weight and to be at least thirty feet wide, except where digging or bridging was necessary.

That two thousand pounds were appropriated for the work.

That when completed the road was to be considered as established and could not be changed, altered, or obstructed by private individuals, or by the court of any county, without the consent of the legislature.

With the act now a matter of law, Governor Shelby looked about for capable men to appoint as commissioners to undertake this task. An announcement of the need was printed in the Kentucky Gazette.

Daniel Boone, at 62 years of age, was living in a cabin belonging to his son on Brushy Fork in what is today Nicholas County near the Blue Licks. He heard about the proposed wagon road and was interested. Nearly 21 years had elapsed since he had blazed the Boone Trace into the wilderness over nearly the same route. He was acquainted with Governor Shelby, and he needed the money. Sharpening his goose-quill pen he wrote the Governor as follows,

"feburey the 11th 1796

Sir

after my Best Respts to your Excelancy and family I wish to inform you that I have sum intention of undertaking this New Rode that is to be Cut through the Wilderness and I think My Self intiteled to the ofer of the Bisness as I first Marked out that Rode in March 1775 and never Re'd anything for my trubel and Sepose I am No Statesman I am a Woodsman and think My Self as Capable of Marking and Cutting that Rode as any other man. Sir if you think with Me I would thank you to wright mee a Line By the post the first opportuneaty and he Will Lodge it at Mr. John Miler son hinkston fork as I wish to know Where and When it is to Laat So that I may atend at the time. I am Deer Sir your very omble Sarvent.

Daniel Boone

To his Excelancy governor Shelby"

The Governor's reply to Daniel Boone's letter is unknown, but it is significant that he appointed Colonel James Knox and Colonel Joseph Crockett to handle the job.

The summer of 1796, was occupied by Knox and Crockett in implementing the act and getting the work underway. The appropriation of 2,000 pounds was little enough to finance the construction of a road, such as was specified in the act, from Crab Orchard to Cumberland Gap, a distance of nearly 100 miles through virgin forests, over rough and rocky terrain and across many creeks and rivers subject to periodic flooding. It was apparent that the route would have to be selected carefully.

Where the Boone Trace had been laid out for foot and horse travel, and in many cases followed a buffalo trace or a hunter's path, the new route must be selected for wheeled vehicle travel with careful consideration given to soil stability and drainage, to grade and to stream crossings suitable for bridging or for fording with wagons or carriages. The surveyors laying out the new road changed the route materially in many places from that taken by the Boone Trace.

From the beginning poin at Crab Orchard to the Hazel Patch the new route passed to the north of the original Skagg's Trace and through the site of the present towns of Brodhead, Mount Vernon and Livingston. At the Hazel Patch it crossed the creek some five miles below the junction of the Boone Trace and Scagg's Trace at Woods Block House and did not join the original Boone Trace until it reached the site of the present city of London, where it crossed to the east of the original route and did not again approach the Boone Trace, until it rejoined it at Flat Lick to the eastern terminus of the new road at Cumberland Gap. This new road was the true Wilderness Road.

Throughout the writings of the early settlement of Kentucky, the Boone Trace and the Wilderness Road are often confused. These were two separate routes that were used at different periods of history and were travelled by different types of transportation.

The Boone Trace was a footpath and horse trail marked by Daniel Boone and his woodsmen for people to travel on foot, on horseback and to carry supplies on packhorses. From Martin's Station in Powells Valley, travel by wheeled vehicles on the Boone Trace was impossible. You will remember that Judge Henderson and his party started from Sycamore Shoals with much of their equipment and supplies for founding the new colony on heavily loaded wagons. On reaching Powells Valley they had to build shelters for their wagons, store a part of their cargo and pack the rest on horses for the journey to Boonesborough. This situation continued for 21 years, 1775-1796.

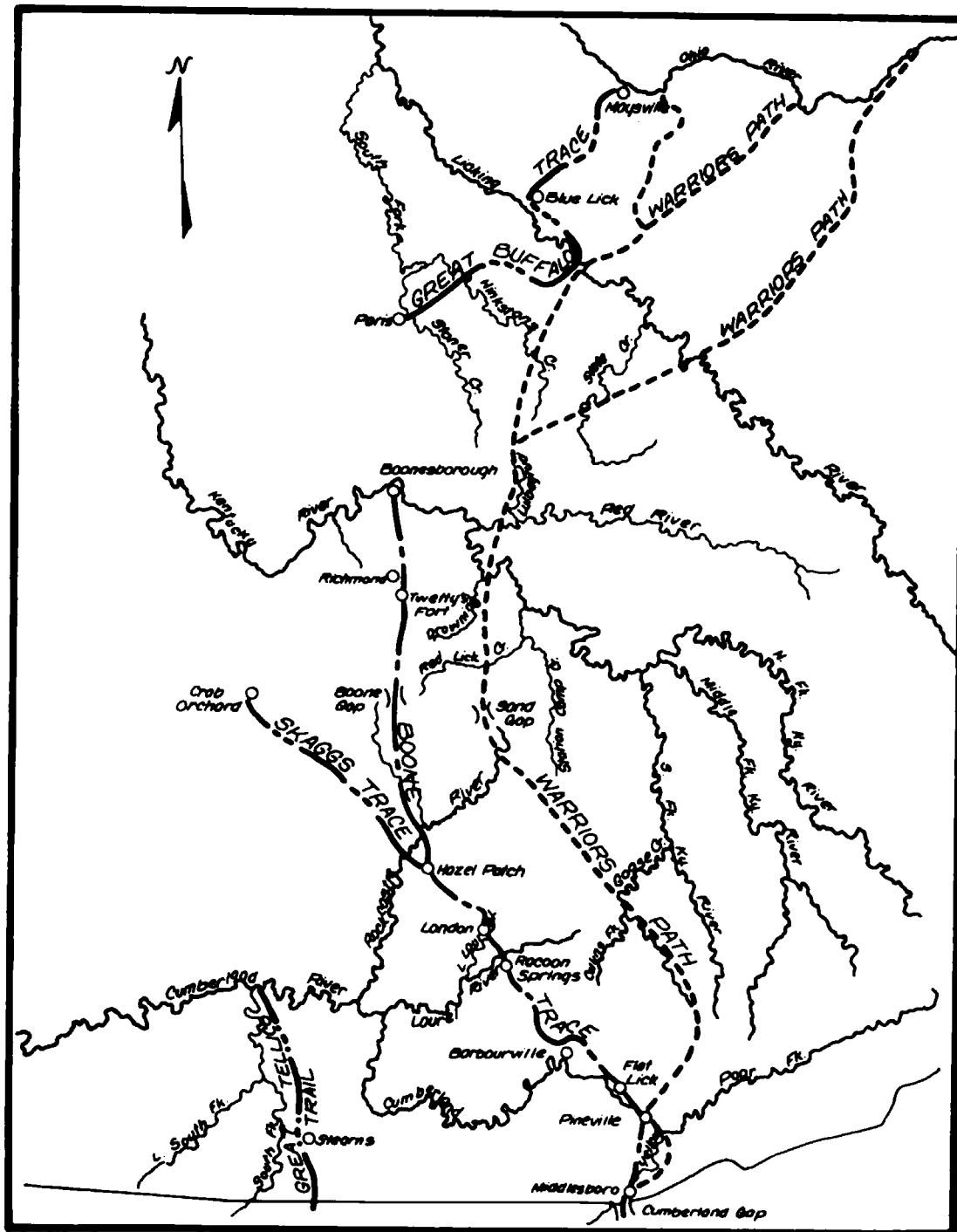
In addition the terminus of the two routes differed. Both routes began at Cumberland Gap but the western end of the Boone Trace was Fort Boonesborough. The western end of the Wilderness Road was Crab Orchard. The period of use of the Boone Trace was 1775-1796, while that of the Wilderness Road began in 1796 and has continued to the present time.

With the completion of the new road by Knox and Crockett, it became officially named The Wilderness Road and was so named to the public by an announcement in the Kentucky Gazette of October 15, 1796 which read, "THE WILDERNESS ROAD from Cumberland Gap to the settlements in Kentucky is now completed. Waggon's loaded with a ton weight, may pass with ease, with four good horses, — Travellers will find no difficulty in procuring such necessities as they stand in need of on the road; and the abundant crop now growing in Kentucky, will afford the emigrants a certainty of being supplied with every necessary of life on the most convenient terms. Joseph Crockett, James Knox, Commissioners."

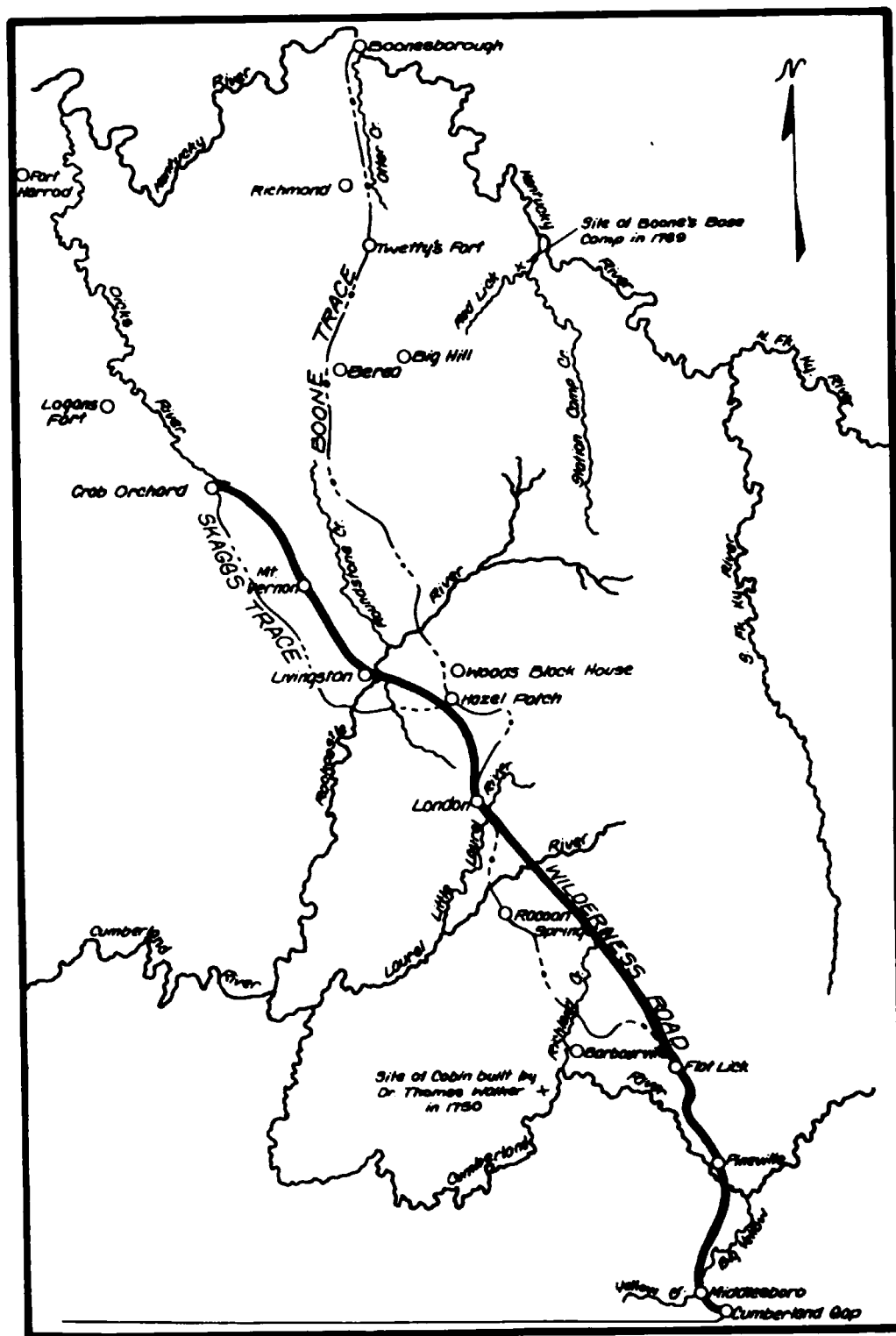
The old Boone Trace was never again used for travel between Cumberland Gap and the Bluegrass. An act of the Kentucky legislature of March 1, 1797, authorized Joseph Crockett to construct a new road from Milford, the county seat of Madison County at that time, south through the wilderness to intersect the new Wilderness Road at the site of the present village of Pittsburg, in Laurel County.

At the present time a bill has been introduced in Congress to place the Boone Trace on the National Trail System. This would be effected only if funds are made available to purchase the right-of-way or to secure easements for it. The original route of the Boone Trace, from Cumberland Gap to Fort Boonesborough, is still largely through country that is forest or rural, with the exception of a few miles where it passes through the city of Richmond, Kentucky. This situation leads itself to an opportunity to reconstruct this most historic trail in Kentucky as a hiking trail for visitors, particularly during the three dual bicentennial years directly ahead.

Map Showing Early Traces



Map Showing Wilderness Road



Courtesy Kentucky Historical Society

CHAPTER XXII

CIVIL WAR ACTION IN THE DANIEL BOONE NATIONAL FOREST

From the completion of its original construction in the fall of 1796, the Wilderness Road has played a key part in all development in eastern Kentucky. With the outbreak of the Civil War, the Wilderness Road and Cumberland Gap became key strategic features in eastern Kentucky. One of the first major actions of the war occurred within the boundary of the present Daniel Boone National Forest, in the London Ranger District – The Battle of Wildcat Mountain.

In the fall of 1861, the entrance of Confederate forces into the western part of Kentucky dissolved Kentucky's early stand of neutrality. Union regiments formed in Kentucky had been reinforced by regiments from states north of the Ohio River, principally from Indiana and Ohio. Union dispositions in eastern Kentucky were under the command of Union General Albin Schoepf as District Commander. These Union forces were concentrated largely at Camp Dick Robinson on the Kentucky River, the 33rd Indiana Infantry stationed at Big Hill near the present site of Berea, and a single regiment, the 7th Kentucky Infantry, stationed at Camp Wildcat on the Rockcastle River in Laurel County.

Confederate Brigadier General Felix Zollicoffer, commanding a force of approximately 7,000 men, had invaded Kentucky from Tennessee through Cumberland Gap. It is generally believed that his objective was to move eastward through the Kentucky mountains into the Bluegrass area, somewhere in the vicinity of the present site of Berea, with the objective of securing this area for the Confederacy and of influencing Kentuckians in the Bluegrass to the support of the Confederate cause. He moved from Cumberland Gap, with a force consisting of six regiments of infantry and one regiment of calvary, sacking the towns of Barbourville and London enroute. His initial objective was to cut off the single Union regiment stationed at Camp Wildcat on the Rockcastle River.

The advance of this Confederate force from Cumberland Gap was promptly reported to the Union district commander, General Schoepf, who dispatched the 33rd Indiana Infantry from Big Hill, with instructions to support Colonel Gerrard at Camp Wildcat, and to initially occupy a position, known as Wildcat Mountain.

The 7th Kentucky and four companies of the 33rd Indiana disposed themselves in a defensive position along the ridge of Wildcat Mountain, with special attention to the low point in the ridge, where the old Boone Stage-

coach Road crossed the ridge. Here, they dug entrenchments and rifle pits, and awaited the advance of the Confederate force.

As additional support, General Schoepf dispatched two regiments, the 1st Tennessee and the 2nd Tennessee infantry, Union, and Colonel Woodford's Regiment, the 1st Kentucky Calvary, from Camp Dick Robinson to further reinforce Union forces on Wildcat Mountain. General Schoepf and his staff also moved from Camp Dick Robinson to the defense position.

General Zollicoffer's force, fresh from their triumph in sacking the towns of Barbourville and London, and believing they would be opposed only by the small force reported at Camp Wildcat, expected an easy victory. The battle opened at approximately 8:00 a.m. on October 21, 1861, when the advance guard of the Confederate force attacked units of the 7th Kentucky Infantry near the saddle of Wildcat Mountain and along the route of the old Boone Road. The men of the 7th Kentucky were not caught napping and, although outnumbered, drove back the initial attack with deadly accurate musket fire. The Confederate Advance Guard retired to await the arrival of the main body of troops before renewing the attack. It was at this point in the battle that Colonel Coburn arrived with four companies of the 33rd Indiana Infantry from Big Hill, and deployed their approximately 350 men as skirmishers along the military crest of Wildcat Mountain.

At this time, the Confederates, reinforced by the main body, formed a line of battle along the stream in Happy Hollow, approximately one-half mile to the east of the Union position. This Confederate force started to advance and to fire on the Union position.

At this point, Colonel Woodford's 1st Kentucky Cavalry arrived and the troopers reinforced the lines of the 7th Kentucky and 33rd Indiana.

The Confederate force charged the ridge line and were repulsed with heavy fire from the Union force. The Confederates maintained their attack for approximately one hour, after which they withdrew in the face of continuing heavy and accurate fire from the Union force, leaving their dead and wounded on a field.

At this time, following the repulse of the Confederate attack, General Schoepf and four companies of the 17th Ohio Infantry arrived together with Company C of the 14th Ohio Infantry, all of which reinforced the Union line on the military crest of Wildcat Mountain.

At 1400 hours, the Confederate force renewed the attack with even greater fury, General Zollicoffer committing the great part of his force in the major attack. Despite the greatly superior number of the Confederate forces and the fury of their assault, the now-reinforced Union line, under the personal command of General Schoepf, held its position along the military crest of Wildcat Mountain. Despite the persistence and fury of the repeated Confederate attack, the well-directed infantry fire of the Union forces, supported

by artillery of Battery B, 1st Ohio, resulted in a total rout and dispersion of General Zollicoffer's force. With the approach of nightfall, the Confederate attack ceased and, during the night, the entire force was withdrawn to the east by General Zollicoffer, in the direction of Cumberland Gap, where he subsequently reinforced and heavily fortified the Cumberland Gap area.

While this battle was not particularly significant from the numbers engaged and the casualties, it did have a great morale effect. This was the first battle of the War for Southern Independence to be fought on Kentucky soil. It stopped the first major Confederate invasion of Kentucky from the east by Confederate forces and prevented their entrance into the Bluegrass at that time. In these early days of the war, there was great doubt as to whether Kentucky would be predominantly Union or predominantly Confederate. It appears that the decisive Union victory at Wildcat Mountain may very well have influenced the predominance of Union sympathy and support in Kentucky during the remaining years of the war.

Casualties of this battle were: Federal KIA – 4, Federal WIA – 21, Confederate KIA – 30, and Confederate WIA – 100.

Units engaged were: 1st Kentucky Cavalry, 7th Kentucky Infantry, 14th Ohio Infantry, 17th Ohio Infantry, 33rd Indiana Infantry and Battery B, 1st Ohio Artillery.

The two Union regiments dispatched from Camp Dick Robinson on the morning of the 21st, the 1st Tennessee Infantry and the 2nd Tennessee Infantry, marched the entire 45 miles that day, arriving at Wildcat Mountain at evening, just after the last Confederate attack had been repulsed.

The site of this significant battle today is heavily wooded and lies several miles from the nearest improved road. A small stone marker, located in the saddle of Wildcat Mountain where the old Boone Stagecoach Road crossed it, is the only marker or designation for this important battle. Unfortunately, few Kentuckians have even heard of this first significant battle on Kentucky soil of the great War for Southern Independence.

The site of the Battle of Wildcat Mountain is located completely within the proclamation boundary of the Daniel Boone National Forest but, unfortunately, is still in private ownership. Several attempts have been made to purchase this area and to develop it as a historic site. Physical conditions at the site would lend themselves to such development. Still wooded and undeveloped, the trenches and rifle pits constructed during the battle are still visible and could readily be restored to their original condition. In view of the key significance of this battle to the Union cause in Kentucky, it appears most desirable that the entire battlefield be acquired by the U.S. Forest Service and developed as one of the important historic sites of the national forest.

The Battle of Wildcat Mountain is the only formal engagement which

occurred within the area now included within the proclamation boundary of the Daniel Boone National Forest. The entire area abounded in guerrilla activity throughout the Civil War. Both Confederate and Union forces crossed and recrossed the Forest. The Battle of Mill Spring, sometimes known as Logan's Crossroads, was fought on January 19, 1862, in Wayne County, adjacent to the Somerset Ranger District. The Battle of Richmond, fought on August 29 and 30, 1862, in Madison County, adjacent to the Berea Ranger District. No historical sites on the present National Forest resulted from these battles.

CHAPTER XXIII

THE ROWAN COUNTY WAR

During the period following the Civil War, Kentucky was a highly partisan area. Many of her citizens had fought in one or the other of the armies and many more had participated in guerrilla activities. As a result of these experiences, many individuals had become belligerent and quarrelsome, quick to take offense and reluctant to avoid a fight. In addition intense political activity frequently tempered full law enforcement. Out of this situation grew many of the Kentucky feuds. One of the famous Kentucky feuds, the Tolliver-Martin Feud of 1884-1887, centered around Morehead, the District headquarters of the Morehead Ranger District of the Daniel Boone National Forest. This feud, which actually started in Morehead, eventually involved more than 100 people, resulted in the death of many and continued over such a period of time and large area that it was usually referred to as the Rowan County War.

In August of 1884, in an election brawl in Morehead, Kentucky, involving a number of individuals who had been drinking, and including John Martin and his friend Bradley, both Republicans, and Floyd Tolliver, a Democrat, shots were fired and Bradley was killed. John Martin accused Floyd Tolliver of firing the shots and Floyd Tolliver accused John Martin.

The feud was on.

The grand jury which met in Rowan County shortly thereafter charged Floyd Tolliver, John Martin and John C. Day (acting sheriff at the time of the shooting) with malicious shooting, wounding and murder.

In 1884, during the November term of court in Rowan County, at which the case involving the three individuals charged was to be tried, Floyd Tolliver and John Martin, both of whom had been drinking, met in the Galt House, Morehead, had words, pistols flashed and Floyd Tolliver was killed. Many members of the Tolliver family, one of whom was Craig Tolliver, and who normally lived in Elliot County, assembled in Morehead and, as a group, swore to kill John Martin.

On November 9, 1884, as a result of these threats Judge Stewart, of Rowan County, suspended the preliminary trial and moved John Martin from the Rowan County Jail to the Winchester, Kentucky, jail in Clark County as a means of avoiding violence and in the hope that the hot temper of the Tollivers would cool somewhat before the case came to trial.

At this action by the court, Craig Tolliver took command of his family group. He arranged for the name of Judge Stewart to be forged in signature on an order directing the return of John Martin from the Winchester jail to

the Morehead jail.

On November 15, 1884, by the direction of Craig Tolliver, town marshal Alvin Bowling of Farmers, Kentucky, who apparently was a member of the Tolliver faction, was sent to Winchester with the forged order and five armed guards to return John Martin to the Rowan County jail at Morehead. On their arrival at Winchester, John Martin protested loudly to the jailer that these men belonged to the faction which had sworn to kill him, that he would not reach the Morehead jail alive and demanded that the jailer verify with Judge Stewart that he had actually issued this order. His request was denied by the Winchester jailer and John Martin, with his hands handcuffed and his legs shackled, was placed on the train to Morehead. His wife had visited him in the Winchester jail earlier in the afternoon and was on the same train but in a different car, and did not know that her husband had been placed on the train. When the train stopped at the town of Farmers in Rowan County, a band of masked and armed men boarded it, moved directly to the car in which John Martin was held, and riddled his body with lead. His wife, in the car ahead, heard his screams. By the time she reached the car where he was held, John Martin's body was almost unrecognizable.

In March of 1885, Deputy Sheriff Stewart Bumgardner of Rowan County had stated in public that, "The Tollivers should be prosecuted." A few days later, he was killed while travelling on a public road by an ambush which riddled his body with buckshot.

In April of 1885, a few days following the above incident, Rowan County attorney Taylor Young was ambushed at the same spot and shot through the shoulder. Taylor Young had had enough. He left Rowan County, and moved to another part of the country as did many other prominent citizens.

In the spring of 1885, Sheriff Cook Humphrey of Rowan County, with his deputies and local supporters, fought a gun battle for several hours from the Carey House in Morehead with a group of heavily armed Tollivers and their followers from Elliott County. While the buildings were fairly well riddled with bullets and a few wounds resulted, no one was killed. As a result of this battle, more local citizens moved their families out of Morehead.

Shortly after this, one of the Tolliver associates, who had gotten in trouble in another county and had been sentenced to seven years in prison, made what he called a confession by saying that the sisters of John Martin and Sheriff Humphrey had paid him to shoot Taylor Young from ambush, had paid him two dollars and fifty cents per day in whiskey while following Young, and had offered two hundred and fifty dollars when Young was killed. It appeared that this alleged confession was another move by the Tollivers to discredit the family of John Martin, and it was apparent that Craig Tolliver and his followers would leave no stone unturned to accomplish this fact.

Craig Tolliver had been elected town marshall of Morehead by the simple means of surrounding all of the election polling spots with heavily armed Tollivers who threatened voters that they must vote for Craig Tolliver. On this last Saturday of July, 1885, Craig Tolliver, using the information in the confession, swore out warrants for the two Martin sisters, Ann and Sue Martin, and Sheriff Humphrey, accused as accessories to the shooting of Taylor Young. He took approximately 20 armed Tollivers with him when he went to the Martin sisters' home, about six miles from Morehead.

Sheriff Humphrey of Rowan County realized what was going on and tried to protect Mrs. Martin and her daughters. The boyfriend of Sue Martin, Ben Rayborn, a deputy, also accompanied Sheriff Humphrey to the Martin home.

About nine o'clock on Sunday morning the Tollivers, after having spent the night surrounding the house, attacked the Martin home by gunfire, riddling it with bullets. Mrs. Martin, her three daughters, Sheriff Humphrey and Ben Rayborn barricaded themselves on the second floor armed with a rifle, pistol, and an old shotgun. Craig Tolliver tried to rush the stairway and was shot in the face with a shotgun. Sue Martin was able to slip out the back door and went to Morehead for help. On her arrival there she was arrested and jailed by others of the Tolliver faction in accordance with the warrant sworn out by Craig Tolliver.

After Craig Tolliver was shot in the face with a shotgun, he tried to intercept Sue Martin on her way to Morehead and fired two pistol shots at her, but she eluded him and escaped. He then ordered that his party set fire to the house. With the firing of the house, it became apparent that those inside would have to leave or be burned to death. Mrs. Martin agreed to run to the stable first to attract the attention of the attackers while the Sheriff and Ben Rayborn ran across a cornfield into the woods. Mrs. Martin's run for the stable held the attention of the attackers only briefly, and immediately they detected the two men running across the cornfield. Rayborn was hit initially by three bullets and went down. Sheriff Humphrey's clothing was penetrated by several bullets but he was not wounded and escaped to Morehead. The attackers, after rifling the pockets of Rayborn and taking his money and other possessions, left his body where it fell. Mrs. Martin and her two remaining daughters were not harmed, but Ann Martin the other daughter charged in the warrant, was lodged in the Morehead jail with her sister Sue. Sheriff Humphrey resigned his office in disgust. The Tollivers named their man, Ramey, in his place as Sheriff. July 2, 1886, was court day in Morehead. This was accompanied by the usual heavy drinking and loud talk by members of both factions. As a result of an interchange of hard words in the store of Howard Logan, his son, W. O. Logan, was shot by Deputy Sheriff Henry Ramey of the Tolliver clan. The resulting uproar required the calling in of troops to restore order in Morehead.

In October of 1886, store owner Howard Logan, whose son had been killed in July, was wounded from ambush while going to his store in Morehead. He and his family moved out of east Kentucky permanently. At this time Craig Tolliver boasted that he would run every Logan out of Rowan County.

A doctor, Henry S. Logan, who lived but a short distance out of Morehead, was arrested and jailed on a fabricated charge by the Tollivers. He had two sons, Billy and Jack, the eldest of which was about 25 years old and very sickly, the younger about 19-years old and studying for the ministry. Craig Tolliver (police magistrate) accompanied by Marshall Buck Manning and a 10-man posse, four of which were Tollivers, attacked the home of Doctor Logan, set fire to it and killed both sons as they ran for the woods. Their bodies were mutilated by stomping with heavy bootheels.

At this point a cousin of the two boys who were killed, Boone Logan, took up the fight. He was later to be nicknamed "The Man Unafraid". He immediately appealed to Governor Knott of Kentucky for protection and for prosecution of the killers of his cousins. He was told by Governor Knott that the Governor was helpless to intervene, but was given the information that, should a law officer armed with a warrant for the Tollivers, attempt to serve it and be resisted, the supporters of the officer trying to serve the warrant would be within their rights to use force to assist him in serving it. This piece of advice gave Boone Logan an idea. He organized about 100 men of the better element of the town into a resolute group who would operate under his leadership. He purchased 60 high-power Winchester rifles and ammunition in Cincinnati, and shipped them into town in boxes labeled furniture. He was ready for the test. Deputy Sheriff Hogg, who had accompanied Craig Tolliver and his posse in the attack on the home of Doctor Logan, but who said he ran away when the shooting started, was selected to serve the warrant on Craig Tolliver with the citizens group of Morehead, 100 in number, to support him.

On June 22, 1887, Cousin Boone Logan and his followers decided to have a showdown with the Tolliver faction. Deputy Sheriff Hogg was sent out to serve the warrant on Craig Tolliver in the American House, which he operated as a saloon and as the headquarters for his faction. The Tolliver group was prepared and opened fire before the warrant could be presented. Deputy Sheriff Hogg left for parts unknown. The citizens group, lead by Boone Logan, opened fire on the American House and on the Central Hotel where some of the Tolliver faction had taken refuge. A heavy gun battle ensued for some time. Boone Logan directed that his group set fire to the Central Hotel where Craig Tolliver had taken refuge, which was done. Craig Tolliver, who had bragged many times that he would never die with his boots on, and that, "No damn Logan will make me break my promise," came out of the Central Hotel in his stocking feet with pistols flashing. He and others of his following

went down in a hail of bullets from Boone Logan and his followers. The battle raged for two hours. One of the humorous happenings which has been recorded for posterity was the fact that one of the Tollivers, young Cal Tolliver, was shot in the seat of the pants and lived. Cate Tolliver surrendered. Again troops came to Morehead to restore order. Except for the high feeling on both sides, some of which probably remains to this day, the Rowan County War was over.

Members of the family of both factions of the Rowan County War still live in the Rowan-Elliott County area. The average individual, when visiting in that part of Kentucky, is most discreet about mentioning the names or the circumstances of any of the happenings of the Rowan County War to this day if he wants to stay out of trouble. The details of this feud are still discussed in hushed tones seated before the fire or the television set. The subject, frequently discussed by the old men in the country stores or around the open fire on backcountry fox hunts, is mentioned discreetly and in hushed voices. So ingrained in the folklore of the people of that area is the story of the Rowan County War that a ballad had been composed based on the story. Only a few of the older men still remember the ballad which was found in an old, old magazine loaned by one of the residents of the Elliott County area.

Here it is.

ROWAN COUNTY TROUBLES

*Come on young men and ladies, Mothers and fathers too. --
I'll relate to you the hist'ry --of the Rowan County crew--
Concerning bloody Rowan and her many heinous deeds
Now friends please give attention, Remember how it reads.*

*It was in the month of August upon election day,
John Martin he was wounded, they say by Johnny Day,
Martin could not believe it, he could not think it so;
He thought it was Floyd Tolliver that struck the fatal blow.*

*They shot and killed Sol Bradley, a sober innocent man,
He left his wife and loving children to do the best they can,
They wounded young Ad Sizemore; although his life was saved,
He seemed to shun the grog shops, since he stood so near the grave.*

*Martin did recover, some months had come and past,
In the town of Morehead those men both met a last;
Tolliver and a friend or two about the streets did walk,
He seemed to be uneasy and with no one wished to talk.*

*He walked in Judge Carey's grocery and stepped up to the bar,
But little did he think, dear friends, that he met the fatal hour;
The sting of death was near him, Martin rushed in at the door,
A few words passed between them concerning a row before.*

*The people soon were frightened began to rush out of the room,
A ball from Martin's pistol laid Tolliver in the tomb.
His friends soon gathered round him, his wife to weep and wail;
Martin was arrested and soon confined in jail.*

*He was put in the jail of Rowan there to remain a while,
In the hands of law and justice to bravely stand his trial.
The people all talked of lynching him, at present though they failed,
The prisoner's friends soon moved him into the Winchester jail.*

*Some persons forged an order, their names I do not know,
The plan was soon agreed upon, for Martin they did go;
Martin seemed discouraged, he seemed to be in dread,
"They have sought a plan to kill me," to the jailer Martin said.*

*They put handcuffs on him, his heart was in distress,
They hurried to the station, stepped on the night express.
Along the line she lumbered at her usual speed;
They were only two in numbers to commit the dreadful deed.*

*Martin was in the smoking car accompanied by his wife,
They did not want her present when they took her husband's life;
When they arrived at Farmers they had no time to lose,
A band approached the engineer and bid him not to move.*

*They stepped up to the prisoner with pistols in their hands,
In death he soon was sinking, he died in iron bands.
His wife soon heard the horrid sound; she was in another car,
She cried, "Oh Lord/they've killed him/" when she heard the pistol fire.*

*The death of these two men has caused great trouble in our land,
Caused men to leave their families and take the parting hand.
Retaliating, still at war they may never, never cease,
I would that I could only see my land once more in peace.*

*They killed the deputy sheriff, Baumgartner was his name,
They shot him from the bushes after taking deliberate aim;
The death of him was dreadful, it may never be forgot,
His body pierced and torn with thirty-three buckshot.*

*I compose this as a warning. Oh/ beware, young men/
Your pistols may cause trouble, on this you may depend;
In the bottom of a whiskey glass the lurking devils dwell,
It burns the breast of those who drink, it sends their souls to hell."*

CHAPTER XXIV

EARLY FORESTS & FOREST INDUSTRY IN EASTERN KENTUCKY

The virgin hardwood forests of eastern Kentucky, as they existed some 200 or more years ago, were by the reports of early visitors, the finest and most majestic known at that time.

Cherry's History of Kentucky pictures the land which greeted early settlers as little short of a lush and verdant paradise. It states, "This territory, a changing scene of hills and mountains, rivers and valleys, forests and open stretches of fertile lands called 'Barrens' interspersed with numerous rivers, choked by fallen trees and fed by pure springs, wind in and out and up and down the fertile valleys."

"Dense forests crowded to the water's edge, reaching back in endless profusion. Giant forests of oak and tulip, beech and ash, sycamore and linden, cedar and pine, and many other varieties of trees grow so close that their leafy branches spread a canopy through which the rays of the sun could scarcely penetrate, producing twilight effects even at high noon."

Another traveller of Kentucky's earliest days writes, "In more than a thousand leagues of the country over which I have travelled at different epochs, in North America, I do not remember having seen one to compare with Kentucky for vegetative strength of the forest."

In 1785, Francois Michaux, a noted French botanist, was sent to America by his government to study the flora of North America. He spent the next 12 years travelling over the eastern part of what is now the United States. His reports on what is now Kentucky possibly served as a basis for the language quoted from Cherry's History above.

In 1802, Michaux, the French botanist, still travelling across Kentucky, was impressed by the size and height of trees which he saw along his route. His writings mention particularly the tulip poplar, the white oak, sycamore, and black walnut.

Over a quarter of a century earlier, Daniel Boone had laid out a trail from Cumberland Gap to Fort Boonesborough to mark the way to the Transylvania Settlement on the south bank of the Kentucky at the mouth of Otter Creek. He also reported trees of enormous height and circumference along his route.

Based on these and other observations, it is believed that of the 26-million acres which comprises present-day Kentucky, at least well over 24-million of these acres of the state's surface area supported magnificent forests. Estimates of volume in these forests, based not only on observations such as

those quoted above, but on the timber cruises and actual cuts of some of the early mills, appears quite certain that volume averaged from 10,000 board feet per acre on the poorest sites to well over 60,000 to 70,000 thousand board feet per acre on the better sites and undoubtedly occasional sites in the coves and the lower north slopes supported stands equalling 100,000-board-feet per acre by the standards of merchantability in vogue in those early days. It has been estimated that the total volume of timber in the area now comprising the present State of Kentucky ran in excess of 122-billion board feet. This estimate, based on the merchantability standards of the early timber industry, would probably be at least double that volume when estimated by the merchantability standards in vogue today.

Today, 200 years after the early settlement of Kentucky, it is unfortunate that the land along the Cumberland, the Laurel, the Rockcastle and the Kentucky rivers, so abundantly clothes with magnificent forests, contains only two small areas which have been set aside for study and preservation of examples of the virgin timber of Kentucky. These two tracts are the Rock Creek Natural Area in the London District of the Daniel Boone National Forest in Laurel County, and the Lilley Cornett Woods which is now being managed and preserved by the Division of Forestry deep in Letcher County of southeastern Kentucky.

Destructive land use, exploitation of the forest resources, and over 100 years of widespread and recurring forest fires have so changed the character of the forests of eastern Kentucky as to have little similarity to those magnificent forests which inspired Boone, Filson and Michaux.

To the pioneer farmer, the forest was an obstacle which must be cleared away before land could be plowed. Indians lurked in the forest, and wild animals were there to attack straying livestock. Therefore, the larger the clearing the safer the farmstead.

As new settlers arrived, the need for cleared land grew and log rollings, at which trees were piled and burned, became more and more frequent. The rich soil of the bottoms and the coves was cleared first. Since there was no market for lumber or other timber products, burning was the easiest way to get rid of these magnificent trees. In many instances, where the size of the tree made it almost impossible to cut them with the crude tools available to the pioneer, they resorted to girdling them deeply with an ax and allowing them to die on the stump and planted their corn between these skeletons of the magnificent forest giants. This is particularly true on the better sites of the bottomlands along the streams.

There was no improved pasture in the forested area and the settlers' livestock foraged in the woods. They burned the woods during the winter months, believing that burning improved and increased the growth of grasses in early spring as well as destroyed snakes and insects.

As the young state of Kentucky grew, markets developed for fine timber. Loggers swarmed into the forests, streams were filled with logs, while sawmills dotted their banks.

Tulip trees, white and red oak, and chestnut formed the bulk of the timber production in Kentucky but ash, cucumber tree and basswood were also utilized in large quantity. In this process the best trees growing near the creeks and rivers were harvested first as they could be floated downstream to the larger sawmills.

The big timber operations in New England and the lake states to the north and east had, in many places, exhausted the cream of the virgin stand by shortly after the Civil War, and these loggers now cast their eyes on the forest lands to the south and west. Beginning in the early 1870's, just as Kentucky was recovering from the effects of the Civil War, timber men and land speculators moved into the backcountry of eastern Kentucky seeking either to buy lands and mineral rights in fee simple or to contract for the cutting of hundreds of thousands of logs to be delivered at different points at a specified time.

Most of the big timber in Kentucky grew in the hills completely away from any established form of transportation. To think of hauling it out by wagons, steamboats or railway was out of the question. The only way to get logs to the sawmill and to market was to float them down the rivers. However, in Kentucky these loggers were dealing with hardwood, much of which did not have the buoyancy and floating capability of the pine logs of the north and the east. To meet this situation the resourceful loggers bound the logs into rafts, the size depending on the size of the logs and the size of the stream, thus utilizing the more buoyant logs and species to aid in floating the more dense and heavy logs and species to the mill.

From a very early date loggers had drifted small rafts of logs down from the hills to collect money to buy the bare necessities of life. It was their practice to cut the logs in the summer, let them dry and season in log decks along the stream during the summer, early fall and winter, and to form them into rafts, which could be floated down in the wild flushes of high water, or tides as the mountain people called them, of the spring rainy season. These early loggers had little or no concept of the bigger logging operation which would take place in eastern Kentucky between the dates of 1870 and 1920.

Doctor Thomas D. Clark, professor of history at the University of Kentucky, has stated, "It is doubtful that anywhere in North America was there greater confusion as to landownership on the one hand and the precise boundaries of timber tracts on the other. Literally hundreds of thousands of deeds in eastern Kentucky are still boundary deeds. That is, they do no more than wave a feeble legalistic hand in a general direction of a boundary and back up the best guess that an old timer can make as to the total amount of

acreage that it might contain." He goes on to states, "This was enough confusion, but added to it was the fact that there were both overlapping claims, and boundaries of land on which no one had a claim of record."

Professor Clark goes on to state that it was in this country that the great logging operations were started, and, simultaneous with these operations, a series of court actions were initiated, some of which endured as long as the logging of timber continued. In eastern Kentucky, land had never been especially regarded as valuable, except where it was level and cleared. In their minds, as in the minds of the early pioneers, forest land was waste land. The rough hill land and the endless winding benches, where the heaviest timber grew, was looked upon as having little more value than cover for game, for ticks and rattlesnakes and for moonshine stills. The activities of the timber buyers gave it a new value and made it an instrument of community discord, between families and between individuals, in thousands of cases.

The bulk of the merchantable timber was made up of more than half a dozen major species of trees. The huge and towering yellow poplar, sometimes measuring as much as six and seven feet in diameter at breast height, was found in the damp coves and immediately above the limestone cliffs. Interspersed with these stands were sugar maple, linden, black and red oak, butternut, black walnut, chestnut, and giant buckeye. Lower down on the slope and spreading out across the bottomland was shagbark hickory, white ash, hemlock and white oak. Interspersed in these stands we find an occasional black cherry, sweet gum and cucumber. Under foot throughout these stands was a tangle of grapevines, shrubs and ground cover plants where they could find a ray of sunlight streaming through the canopy high overhead.

From 1870 through the early 1900's, in some cases as late as the close of World War I, logging in the big timber country of Kentucky followed a regular seasonal pattern. Loggers worked in the woods in the dry months of the year cutting logs and snaking them to stream banks where they were decked for seasoning and could be floated down during the spring rainy season behind splash dams on the small streams or to be rolled into the flooded branches during the spring rains to be drifted to the mills below the mountains.

To the observant visitor in some of the forests of today it is still possible to verify some of the stories of the diameter of the logs produced from the early timber. An occasional moss-shrouded stump in some secluded hollow, or the decaying remains of a heavy butt log, too far up the hollow and too heavy to skid to the stream, may be found. In some cases the slopes and the benches show the remains of the old logging roads where teams of oxen, mules and horses skidded logs to areas called bunching grounds. Sometimes these bunching grounds were located at the top of a long steep slope or even

above low cliffs where the logs could be rolled down the slope to a lower level with a minimum of effort. In those cases these bunching grounds were frequently known as dumping drops. To the observant traveler of Kentucky's woods it is still possible to identify these brair choked dumps with the remains of log stops decaying and overrun with blackberries and briars at the foot of the slope. The path of these log slides may frequently be observed better from the opposite side of the hollow where a difference in the vegetation can be detected. Frequently aerial photographs will disclose these areas and make them more easily discernable than when standing in the area itself.

Professor Clark, in some of his writings, describes another monument of the very early logging days known as steer stops which were constructed with locust or cedar posts. These were the places where oxen were suspended to be shod to enable them to walk over the rocky ground and the sharp limestone rock of the mountainside. Today it would probably be impossible to find either teams of oxen or ox drivers throughout the mountain logging country. Some of the stories of the logs which were skidded by these ox teams are almost beyond belief. In this day of skidding tractors and power loaders it is really amazing what these men and animals accomplished. In many cases logs were snaked down from the slopes in tandem tied together by dog or coupler chain, by crotch grabs, by ring dogs, and even by rafting dogs or boom chains. Eventually mules and horses replaced the slower but sure-footed oxen in the latter days of the big logging era.

With the advent of the big timber companies into the logging operations of the eastern Kentucky mountains, it was immediately apparent that the characteristics of hardwood timber did not permit utilizing the stream driving methods of loose logs which had been used for nearly a century on the pine and spruce logs of Maine and the lake states.

Prior to 1900, the great bulk of the logs from the eastern Kentucky mountains were drifted down the rivers in huge rafts to mills at Louisville, Nashville, Frankfort, and Cincinnati. Running the rafts was a he-man's job which called for experience and skill equal to any of the log drivers whose fame has existed from the days of the river drives of Maine and the lake states. Many tales still exist of the hair-raising experiences of riding log rafts down the upper reaches of the Cumberland, the Kentucky and similar streams. These big rafts, once launched on the turbulent surface of the swollen streams, rushed down to constricted narrows between high limestone cliffs, and over rock-strewn shoals which could well become dangerous raft breakers. One such area on the Big South Fork still owes its name of Devil's Jump to its numerous successes in destroying log rafts in its boulder-strewn narrows of rushing current. The tale is told that the name Devil's Jump came from the fact that the loggers who rode the rafts were called raft devils, and it was a common saying that when you reach that stretch of the river, known

today as Devil's Jump, located at the present site of Blue Heron, the devils had better jump. The reputation on this stretch of water was known the length of the river. This particular landmark is located in the heart of the Stearns Ranger District of the Daniel Boone National Forest, and is the site of a proposed high power dam which has been the subject of a controversy for the past 20 years.

Professor Clark writes interestingly of some of the experiences of the three forks of the Kentucky above the present town of Beattyville. The old timers still tell hair-raising yarns of running these three forks on the log rafts then down the Kentucky to the mills at Beattyville, Ford and Frankfort.

There were two major rafting seasons. The first came with the fall rains, usually in November. The second, and longer period, came with the spring rainy season from February to late April.

In the headwaters on the small tributaries, small dams, known as splash dams, were built across the smaller creeks and tributaries and when pools of water had been built up behind these dams by the heavy rains upstream, the logs decked on their banks were rolled into these pools and the splash dams were opened, either by blasting or some other device, and the resulting splash or surge of water would carry the logs down the small stream to the next pool behind another splash dam below. This continued until the logs reached a main stream or the stream itself became large enough to float a log raft and there they were bound together with hundreds of chains and the skill, gained by years of experience, into rafts which would be floated down the main stream to the mill. It was not unusual for logs cut high up on headwaters of the small streams to run through anywhere from five to 20 of these splash dam operations before reaching a main stream large enough to form the logs into a raft. Once this was done and the raft bound and chained to the satisfaction of the rafting crews and the logging foreman, a small crew would be put aboard the raft for the run down the swollen river to its destination at some sawmill. It was not unusual for a big log raft to make its way down as much as 150 miles of river, swollen by the spring freshnets, within a period of five to seven days.

The key man on a raft crew was the oarsman. He was usually an experienced hand who had started as one of the minor members of a raft crew and had learned his craft from observation and experience under the direction of an old and experienced oarsman. He had to be able, by observation, to read the water at the various shoals and narrows, to identify, from landmarks, the spot where known eddies or whirlpools existed, and to start well upstream to avoid areas where projecting rocks were almost certain to tear the raft to pieces. Once the raft crew has started their run there was little opportunity for them to sleep or rest until the raft had arrived at its destination.

At the destination of these rafts such as at Louisville, Cincinnati, Frank-

fort and for the areas on the Daniel Boone National Forest, places like Beattyville and Ford, the rafts were brought into great booms and were held in place by thousands of dog chains, a dog chain being a short link of chain with a heavy spike on either end, one spike to be driven into one log, another spike to an adjacent log, and a chain of these logs would form a boom that would hold the floating logs until they were ready for use by the sawmill. Today an understanding observer can occasionally see evidences of these booms, snubbing trees, holding chains and other equipment of interesting activity of the past.

As might be expected, the theft of prime logs from the log rafts and log drives became prevalent. This practice had grown up in the lake states and in the Northeast so it was not unusual for the same difficulty to develop on the log drives here in Kentucky. As in other states, log brands were registered with the county clerks in the same manner that cattle brands are registered in the West. These log brands were the property of their registered owners and the log branded with a log brand remained the property of that owner no matter where found. Certain individuals made a practice of searching out prime logs which had escaped from a raft or a boom and of removing the brand by a process called "de-horning" which consisted of sawing off a thin slice from the end of the log bearing the log brand and stamping their own brand on the freshly cut end. However, most actions have reactions and this was no exception. The owners of branded logs quickly became aware of this and adopted a practice of branding their logs on the side rather than on the end. Those branded on the side had the advantage that the brand could not be removed without leaving a readily detected and telltale scar. While this did not completely eliminate the practice of log theft, it certainly did make the covering up of such theft somewhat more complicated. Beginning in the late 1800's railroads began to extend deeper and deeper into the forest areas of eastern Kentucky and as they did, the lumberman ceased to drive their rafts for long distances. In the period between 1880 and 1900, was the end of the long log drives by raft and the beginning of short drives and overland movements by railroads to the mills.

As the railroads were extended into the mountains, the big mills moved to the railheads, usually upstream along the major rivers. During this era some of the major operations, to which timber cut within the area now within the proclamation boundary of the Daniel Boone National Forest was rafted to large mills located in centers along the river like Valley View, Ford, West Irvine, Beattyville, and Jackson. Some of the big companies operating these mills were the Swan-Day Lumber Company, the Mowbray-Robinson Lumber Company, the John Mayo Lumber Company, the J. G. Brown Lumber Company and scores of others whose names have long been forgotten by any but the older residents. Most of these lumber companies either owned thousands

of acres of timberland outright or at least the cutting rights on them. Today the sites where these big mills operated are no longer identifiable. The sawdust piles have long disappeared and some of them have been occupied by building or housing development.

During the early lumbering years in Kentucky, from 1800 to 1830, most of the timber cut in the state was utilized at home. Following the Civil War, lumbering increased significantly as large companies moved into the state from the cut out areas of the lake states and, by 1870, the lumber industry was recognized as a major industry of the state. In 1870, Kentucky produced 214 million board feet of lumber which gave it a rank of 15th in lumber production in the nation.

Much of the area of the northern part of the Daniel Boone National Forest was within the drainage of the Kentucky River which served to bring huge rafts of logs to the mills located at railheads at Jackson, Beattyville, Irvine, Ford, Valley View and Frankfort. Few people realize that Frankfort, the capital city of the Commonwealth, was once a booming lumber town. Between 1890 and 1920, from five to seven band mills, with a combined daily capacity of 150,000 to 175,000 board feet of lumber, operated there.

On the south end of the Daniel Boone National Forest the principal rivers were the Upper Cumberland River and its tributary, the Big South Fork. Unfortunately Cumberland Falls, located a few miles below Williamsburg, prevented rafting above that point. Establishment of mills and the harvesting of timber on the Upper Cumberland was delayed until the railroads penetrated that area. However the principal tributary, the Big South Fork, brought its share of logs and rafts to the mills located at Burnside where it joined the main Cumberland River. Because of the transportation factor, the early sawmill center towns were clustered along the major waterways.

Lumber production in Kentucky reached its peak shortly after the turn of the century. In 1907, nearly one billion board feet of lumber were produced by Kentucky sawmills which provided employment for over 30,000 people. Unfortunately much of this lumber was shipped to neighboring states for manufacture, and many of the products produced from this lumber were again imported for local use.

Secondary wood-using industries got an early start in Kentucky. During the pioneer days many of the craftsmen worked as individuals, often as itinerants, but a few did initiate businesses which grew into larger shops employing a number of men. One of these industries, based on the utilization of Kentucky's fine hardwoods, was that of the manufacture of wagons and carriages, which began early in the state's history and remained an important industry for 125 years. As late as 1930, at least 11 wagon manufacturers still operated in Kentucky.

The portion of Kentucky within which the Daniel Boone National Forest

lies has contributed materially to the development of industry since Kentucky's earliest days. With the establishment of the iron industry there before 1800, large areas were cutover annually to produce the charcoal to feed the furnaces, as well as for fuel for the families who operated them. During the period of railroad development within Kentucky and adjacent states, Kentucky hardwoods provided crossties, bridge timbers and planking for railroad car construction.

Early in the life of the state, forest fires began to take their toll. As early as 1831, forest fires had become such a menace that a special act of the Kentucky Legislature, applying only to Harlan County, provided a penalty of \$20 for setting fire to the woods if the individual were a free person, and of a whipping of not to exceed 39 lashes, if a slave. Similar acts, applying to other heavily forested counties, were passed in 1835, 1840 and 1846.

In 1877, a visitor to Kentucky wrote, "There is a practice of yearly 'burning off of the woods' which has done almost irreparable injury to the forest in those parts where the timbers are the finest. In many places this practice has been going on so long that the old forest is rapidly dying out, and there is nothing coming on to take its place."

In 1884, Charles S. Sargent noted in his Report of the Forest of North America that in the census year of 1880, Kentucky burned 556,647 acres of forest land. Only five other states burned greater areas that year, and they all had much larger areas of forest.

Sargent also reported, "The forests of Kentucky . . . suffer severely from the almost universal custom of using woodlands for pastorage . . . what the fires spare, browsing animals devour; hogs root out seedlings, and by selecting the sweet acorns of the white oak in preference to the bitter fruit of the black oak, are gradually changing the composition of the oak forest. The injury, too, inflicted by the constant stamping of animals and the constant packing of the land about the stems of old trees is very great, and all reports speak of the gradual dying of old trees left standing in the pastures of Kentucky and Tennessee." Despite this, the warnings and recommendation of these scientists went unheeded for many years.

CHAPTER XXV

NATIONAL INTEREST IN KENTUCKY'S FOREST LANDS 1900 – 1930

With conditions in Kentucky at the turn of the century as described previously, developments at the national level were taking place that would eventually have their effect in Kentucky.

In 1897, the Sundry Civil Appropriations Act of June 4 of that year spelled out the purposes for which forest reserves might be established and provided for their protection and administration. This amounted to a statement of national policy of recognition of the value of forest reserves and of pinpointing the purposes for which they would be established. It indicated a growing interest in the Congress of the United States in acquiring in federal ownership additional areas of timberland.

In 1898, Gifford Pinchot, the first American-born professional forester in America, was appointed chief of the Division of Forestry, U.S. Department of Agriculture. At that time the forest reserves were under the administration of the Department of the Interior, while the few professional foresters in the employ of the Federal Government were assigned to the Division of Forestry in the U.S. Department of Agriculture.

By the Act of May 25, 1900, Congress appropriated \$5,000 for investigating forest conditions in the Appalachians with a view of purchasing land for forest reserves. Here again this was a statement of forest policy of the Congress of the United States of their interest in the Appalachians as a location for the establishment of additional forest reserves.

In 1905, by the Act of February 1 of that year, Congress transferred the forest reserves from the administration of the Secretary of the Interior to the administration of the Secretary of Agriculture. Gifford Pinchot had long advocated that the forest reserves should be administered by the Department of Agriculture as a crop-of-the-land, and that the forest reserves should be in the same department as the foresters in the employ of the United States Government. The passage of this act is adequate proof of the success of Gifford Pinchot in convincing the Secretary of Agriculture, and influential members of Congress of the soundness of that position.

In the same year, by the Act of March 3, Congress changed the name of the Bureau of Forestry to Forest Service. This was another proposal put forth by Gifford Pinchot to provide status for the profession of forestry and for the practice of forestry by the Federal government.

By the Act of March 4, 1907, Congress changed the name of the forest reserves to national forests. Here again we see the hand by the key forester

Gifford Pinchot organizing the forests of the country, and getting them ready for management by the Forest Service.

Also on March 4, 1907, Congress passed an act appropriating \$25,000 for a survey of lands in the White Mountains and the Southern Appalachians in connection with their proposed purchase as national forests.

As Gifford Pinchot, Forester, U.S. Forest Service, was well acquainted with the forests of the southern Appalachians, he saw in them a great potential as national forests. Not only were they capable of producing high-quality timber, but their management for flood control and watershed protection, as well as influence on maintaining uniform stream flow, could be of great public benefit. With the passage of the above act, he immediately implemented his plans for preliminary examinations of forest lands in both areas covered by the act.

The forest officer selected to make these examinations was R. S. Bruce whose title at that time was export lumberman, Forest Service. Mr. Bruce had apparently spent most of his time the previous March in examination of lands in both areas and in making recommendations as to their suitability as national forests. In November of 1907, Mr. Bruce made his report on the southern Appalachians directly to the Forester in Washington, D.C. Some of the highlights of that report are most interesting in the light of conditions subsequently encountered in that area at a much later date. A review of the Bruce report discloses the following points:

"The sentiments of the local people of the southern Appalachians were almost universally in favor of the formation of a National Forest Reserve when they had finished cutting the timber.

"Logging in the mountains was expensive. Many large tracts of excellent timber could not be logged at a profit at prevailing timber prices and were being held until such time as prices reached the level where logging was economically feasible, or until a buyer for land and timber was found who would pay the owner's asking price.

"The inaccessibility of the timber was partly due to rough mountain terrain and partly to the unsuitability of most of the headwaters streams for driving the logs to mill.

"Most timberland owners were favorably inclined to sell their land to the government at a reasonable figure, if they would be allowed to cut and remove certain species of timber above a specified diameter limit, the most frequently quoted diameter limit being 12 to 14 inches. The average price quoted for such an arrangement ranged from three dollars to five dollars per acre.

"The southern Appalachian streams offer many opportunities of benefiting a great number of people living along them, provided that they are properly cared for and that the watershed is so managed that the springs

which feed them maintain a steady flow.

"The streams of the area will eventually be used to generate electrical energy which will be used by industry and the railroads of the south, providing that the forests of the watersheds are properly protected and managed.

"The greatest difficulty of acquiring land in the southern Appalachians for the proposed national forest will undoubtedly be the securing of a valid title. In many cases pending legal action relative to title, some of it of long standing, has prevented the exploitation or the lumbering of much of the territory.

"In nearly every town visited, courts of justice were in session to determine the validity of titles to areas of desirable timberlands. A source of endless confusion has been brought about by the original method of allowing people to take up grants of land which overlap each other; and in many cases, there are several claimants to the same piece of land.

"The Squatter's Right laws, which allow a squatter to hold 100 acres of land if he can show that he has held peaceable possession of a portion of it for seven years, and giving such squatters a title which takes precedence over all others, even if another owner has a valid title in every other respect and has regularly paid the taxes on the land, while the squatter has never paid any, is also responsible for one of the many complications which will be found in this locality. Squatter's Rights exist in nearly all of the states through which the Appalachian mountain range extends, under varying forms, which are too lengthy to be incorporated in this report. They will be found very prominent and troublesome in the acquisition of titles to lands once the purchase of lands constitute a reserve is actually commenced.

"I want to make a special point of calling attention to this matter of the difficulty of securing a good title, since there is no question in my mind of what this is going to be the very hardest feature of the work of establishing the proposed reserve. There will, in my judgment, be no trouble in securing the lands in the southern Appalachian mountains that are desirable and necessary at a reasonable price per acre. The trouble is going to be to get a title that will hold and at the same time avoid being implicated in the long and expensive litigation in connection therewith.

"The probably cost of acquiring cutover land in the southern Appalachians will be somewhere between two dollars and four dollars per acre with the average about three dollars to three fifty; while virgin timberland, exclusive of the heavy stands of favorably located coniferous timber, and including this quality when located in the more inaccessible locations from six dollars to eight dollars per acre with an average of about seven dollars per acre for virgin timber.

"The right to take land under condemnation proceedings will undoubtedly be very necessary to have in order to secure or perfect, in some instances, a valid and satisfactory title. But, this condemnatory right will be one of the most delicate features of the proposed acquirement of lands to handle, and should not be used except with the greatest care and judgment and only in extremely necessary cases, if the respect and confidence of the people of the mountain regions of the south is to be gained and retained, which is a very necessary thing to be done in order to make the proposed reserve a success. A thoughtless or indiscriminate use of the right of condemnation would unquestionably result disastrously to the very existence of the forest which the formation of this reserve is intended to maintain, and would also undoubtedly result in more or less loss of human life. The greater portion of the territory shown on the map can be secured without going to the extremity of resorting to condemnatory proceedings, if the transaction is properly managed.

"I believe the purchase of timberland to constitute a forest reserve in the southern Appalachians to be a wise move, and that the financial returns and beneficial results to be derived would eventually amply justify the necessary outlay for the acquirement of such land. Further, that the sooner the acquisition of desirable timberland by the government is commenced, the less such reserve will cost, since the prices of both land and timber will probably escalate."

It is interesting to note the shrewd observations made by Mr. Bruce in 1907, as compared to conditions actually encountered throughout the same area during the national forest acquisition period of the 1930's.

On January 7, 1910, Henry S. Graves replaced Gifford Pinchot as Forester, U.S. Forest Service. The press for the acquisition of additional national forests in the Appalachians declined at about this time.

The Act of March 1, 1911, more commonly known as the Weeks Act, was passed which gave new impetus to activity looking to the acquisition of additional national forests in the southern Appalachian region. One reason for this new impetus was the fact that the Weeks Act provided specifically for the condition and for the benefit which prevailed in the southern Appalachians. For example, one segment of the Weeks Act read as follows, "Appropriated one million dollars for the fiscal year 1910, and two million dollars for each succeeding fiscal year until June 30, 1915, for use in the examination, survey, and acquisition by the Government of land located on the headwaters of navigable streams." This section of the Weeks Act appeared to be designed specifically to take advantage of the conditions which prevailed in the Southern Appalachians where public ownership of key watershed could be of inestimable value to the people of the area.

It is apparent that the Forest Service planned to take advantage of the

provisions of the Weeks Act, if possible, by purchasing land in the Southern Appalachians. In August of 1914, Forest Examiner E. Murray Bruner of the U.S. Forest Service prepared a report on the "Reconnaissance of the Headwaters of the Kentucky and Cumberland Rivers." Mr. Bruner points out that the region considered in his report includes the whole of Letcher County, except the extreme eastern end which lies in the watershed of the Big Sandy River, the southern portion of Knox County covering the Carr Fork Drainage, the southern end of Perry County, that part of Harlan County north of Pine Mountain, all of Leslie County and the eastern part of Clay County, all embracing the greater part of the headwaters of the North Fork, South Fork and the entire headwaters of the Middle Fork of the Kentucky River. On the Cumberland River watershed his report includes the south slope of Pine Mountain from its crest to the Cumberland River and Big Clear Creek from the Virginia line to the Bell-Whitley county line, and in addition all of Bell County north of Pine Mountain. The region considered covers approximately 900,000 acres and lies wholly within the State of Kentucky.

It will be noted that, in conformance with the provisions of the Weeks Act, these two areas considered comprise the headwater drainages of two major river systems.

Some of the highlights of the report include:

"Eighty percent of the entire region is forested. Leslie County, the part of Perry County included the Pine Mountain fault are over 90 percent forested.

"Part of Clay County included shows the highest percent of cleared land.

"The central portion of the area considered situated north of Pine Mountain, including portions of Harlan, Letcher, Clay and the whole of Leslie County, is entirely without railroad and independent on the streams for timber transportation.

"Land values in Letcher and Perry counties vary from \$20 per acre to \$100 per acre, the greater part attributable to coal which underlies practically the whole of both counties.

"Land values in Bell County are similar for the same reasons.

"The section considered as "The Pine Mountain Area", which includes the Pine Mountain Faults and country lying north of Pine Mountain between the North Fork – Middle Fork and the Middle Fork – Redbird Divide, about half of the region, land values are very low.

"Recommendations: Very high values seem to preclude the possibility of purchase by the government in all sections of the region except in that considered as the Pine Mountain area; it is, therefore, recommended that any attempt to acquire land in this region be confined to the section embraced within the Pine Mountain area."

Mr. Bruner's report on the Reconnaissance of the Pine Mountain Area reveals very similar values to those above. A few points conveyed in this

report will be of interest however.

Mr. Bruner states: "There is no section of Kentucky so bountifully supplied with streams as is the part of this area north of Pine Mountain which embraces the entire headwaters of Middle Fork, the largest branch of South Fork and important tributaries of North Fork. The Kentucky River has been made navigable up to the confluence of these three forks, and for this reason it is especially important that this area be left forest covered for the protection it affords the navigation on the main river." Mr. Bruner would be amazed today if he could see the complete devastation of the watersheds of this area by extensive strip mining which is continuing throughout the area.

Another item regarding this area is the pointing out by Mr. Bruner of the fact that approximately 65% of the total area is owned in fee by the large coal companies.

Mr. Bruner's recommendation for this critical watershed area is as follows, "Because of the general rugged topography of this section and the very great influence it exerts upon navigation on the Kentucky River, it is very essential that its protection from extensive clearing be assured. For these reasons the section is eminently desirable as a purchase area, and therefore, in view of the fact that the prices of land now prevailing are very reasonable, there is a favorable prospect for making large purchases, it is recommended that this section be set aside as a purchase area to be known as the Pine Mountain Area." At the end of Mr. Bruner's recommendation, there is a notation in longhand, "Approved as a first class area by the Assistant Forester."

It is interesting to note that this area embracing the headwaters of the Kentucky River is probably one of the most critical watershed areas in Kentucky today. Extensive strip mining on private land throughout this area is threatening the quality and the stream flow of the entire Kentucky River which is the heartblood of the Bluegrass and on which depends water for the growing populations, water for the industries already present, and water for industries being induced to come in to the area. Had this area been purchased by the Forest Service at this time, it undoubtedly would have been one of the greatest public services that the Federal Government would have rendered the entire Kentucky River Valley, particularly the Bluegrass area of Kentucky.

A third report made by E. Murray Bruner, Forest Examiner, U.S. Forest Service, dated September, 1914, indicates it is a report on the Reconnaissance of the Quicksand and Troublesome tributaries of the Kentucky River and the headwaters of the Licking River. Mr. Bruner's recommendation at the end of his report is as follows: "In view of the fact that the Kentucky Union Company and the Kentucky River Coal and Timber Development Company together own some 80,000 acres covering the heads of the various Quicksand branches, the possibility of concluding satisfactory terms of purchase for their land is considered the determining factor in the attempt to establish a

national forest in this region. Since the proposed area is desirable for watershed protection and from other standpoints, it is recommended that it be approved and an effort made to reach an agreement with these two companies." At the end of Mr. Bruner's recommendation is written in longhand, "Approved as a second-class area by the Assistant Forester."

From these reports it is apparent that the U.S. Forest Service was definitely interested in the forest lands of eastern Kentucky, particularly from the standpoint of the provisions of the Weeks Law of 1911, that of watershed protection of the headwaters of navigable streams.

These reports are of special interest today because of the extreme importance of the watersheds of the three forks of the headwaters of the Kentucky River. It is firmly believed that before too many years the people of the Kentucky River Valley will demand some sort of watershed management on the headwaters of the three forks of the Kentucky River, covered by these reports, in defense of the water values of the entire Bluegrass region.

A letter from the U.S. Forest Service, dated March 7, 1917, addressed to J. E. Barton, State Forester, Frankfort, Kentucky, reads:

"Dear Sir,

At its meeting held yesterday the National Forest Reservation Commission considered your letter of February 6th and the previous correspondence in regard to the establishment of a Purchase Area in the State of Kentucky. After carefully going over all the conditions the Commission decided that it was inadvisable to authorize purchases in Kentucky at the present time"

From this correspondence, it is interesting to note that there was activity in Kentucky requesting the establishment of national forest purchase units as well as activity at the Washington level trying to determine feasible areas for such establishment.

In reviewing correspondence of the period of the 1920's, it is significant to note that the interests of the Chief of the Forest Service and his staff in Kentucky continued. For example under date of October 14, 1921, H. G. Garrett, President of the Broahead-Garrett Lumber Company at Clay City, Kentucky, wrote to Chief Forester Colonel W. L. Greeley at Washington, D.C. His letter states:

"My Dear Colonel Greeley:

Your Elmer D. Fletcher was here for several days looking over the land that we own in Menifee, Powell and Wolfe Counties for the purpose of a forest reservation. He stated that as soon as he reached Washington he would mail us topographic maps showing this particular territory. Also maps covering Lee and Jackson County, Kentucky and that we would mark off the boundaries of land that we and other parties own and would be willing to sell to the government along the lines that we have discussed

with the Forestry Department since 1914, by letter and by calling at your office in person.

I wish you would send us a number of blanks to submit prices of this lands by ourselves and others joining us.

I wish you would mail two sets of topographic maps so we can retain copies for our files.

Yours Very truly,

Brodhead-Garrett Company
by W. G. Garrett, President"

Several letters later in this correspondence on October 22, 1921, F. W. Reed, District Forester, wrote a memorandum to Mr. Kneipp in which he said, "Attached is Mr. Fletchers' report on his recent visit to Kentucky from which you will see that of the areas which were laid off and recommended in 1914 by Bruner, there are two of them in which it would be practicable to make purchases at moderate prices in the near future, with favorable prospects of building up a practicable administrative unit.

"It is, of course, out of the question to consider making any purchases in Kentucky out of this year's appropriation. Since the prospect of any appropriation at all next year can be used to buy land is so slim, there will be nothing to do with to the extent you deem necessary."

Reviewing the correspondence further, we find that the situation in the Forest Service as to uncertainty of funds in 1921, was very similar to that which tends to exasperate and frustrate forest officers today — lack of firm budgets. Under date of November 5, 1921, F. W. Reed, District Forester wrote to Mr. Garrett the following, "When Mr. Fletcher was in Kentucky, there was a chance that we would be able to acquire lands within the state, but since then the Federal Budget Committee has decided not to recommend that an appropriation be made for the next fiscal year to carry on this work under the Weeks Law. Viewing this situation from the standpoint of the landowners of Kentucky it is little wonder that they were somewhat disgusted with the uncertainty of dealing with the Federal Government." However, Mr. Garrett was somewhat philosophical about this situation and not easily discouraged. Under date of November 11, 1921, he wrote to F. W. Reed, District Forester, in Washington, D.C. to the effect " . . . I wish you would advise if we should get the statistics up on this land to have it ready by the time we can get an appropriation to take over this territory. The spirit of the country is for Good Roads and Forest and Forest Reserves. I am sure when things get normal that there will be no trouble to put over an appropriation and your Department acquire new territory." From this it is quite apparent that at least the Garrett Lumber Company was most interested in seeing a national forest purchase unit started in Kentucky.

At the same time the Forest Service was also negotiating with the Turkey-Foot Lumber Company of Huntington, West Virginia. Apparently the landownership portion of that company was handled by a group known as the Warfork Land Company. Under date of October 11, 1921, the Warfork Land Company wrote E. D. Fletcher in care of the Forestry Department, Washington, D.C. the following, "In answer to your phone communication in regard to whether or not our Company would be interested in selling its cutover land for a National Forest: Beg to advise that this matter has never been considered by our Directors, but we feel safe in assuring you that a proposition of this kind at a fair evaluation would be considered favorably." And persuing the file further, we find that on October 13, 1931, F. W. Reed wrote the Warfork Land Company to the effect that " . . . As you know, the Federal Government has been purchasing lands for a National Forest since 1911, in the eastern states under the so-called Weeks Law. Certain areas in Kentucky were considered as purchase units, but as yet no land has been acquired in the State. It was understood that your Company will finish cutting this year, and since cutover areas are the class of land in which the Government is largely interested in acquiring, it was thought that you might desire to dispose of your holdings. Since your lands lie within a proposed purchase unit, we would like to consider them providing funds are made available, and areas of sufficient size can be acquired at a reasonable price warranting the establishment of an administrative unit."

Reviewing the early correspondence further, we find that little progress in actual determination to establish purchase unit in Kentucky had been made. Under date of August 6, 1923, the Forest Service wrote Dr. Thomas Cooper, Dean and Director, University of Kentucky, as follows, "Reference is made to the Conference acquiring for National Forest purposes, under the Act of March 1, 1911, lands surrounding or adjoining lands those controlled by the University of Kentucky, with a view of simplifying management and reducing the cost of protection.

"It is found upon further examination that the University lands located largely in Breathitt County, Kentucky, are not within or near the proposed Licking Purchase Unit, which was favorably recommended by the Forest Service examiner, but are along the southern edge of the proposed Quicksand Unit on which the examiner who reported made an unfavorable recommendation. That is, he regarded other portions of Kentucky as being so much more desirable for national forest purposes than the Quicksand Unit that if purchases are begun in that State the first ones would be made in these other units.

"W. W. Ashe of the Forest Service has recently reexamined some of the Kentucky units including the Quicksand for the purpose of determining whether any change could be made in the previous recommendation respect-

ing the Quicksand area. His report, however, confirmed the position of the original examiner that the Quicksand Unit is not so desirable as others in Kentucky."

By 1930, it appears that matters had been progressing steadily if slowly. A memorandum dated March 1, 1930, from Joseph C. Kircher, District Forester, to the Forester of the Forest Service begins, "There is herewith transmitted a report by W. E. Hedges upon a proposed purchase unit in Kentucky designated as the Cumberland Purchase Unit, containing a gross area of 580,000 acres." The memorandum continued describing in detail the situation within this proposed purchase unit discussing topography, types of cutover land in relation of farmland, to topography and that sort of thing, county finances, and prices at which lands could probably be acquired, the normal things in such a memorandum. The Forest Service's top staff had apparently reviewed Mr. Hedges' report in some detail. Under date of March 18, 1930, the Chief's Office writes to the staff as follows, "This is a very good report, which gives quite a complete picture of the proposed purchase area.

"If our fifty million dollar Bill were enacted I would unhesitatingly recommend early action to establish this as a purchase area.

"Since our appropriations for the next two or three years apparently will be rather restricted, the principal question is whether we should at this time consider the creation of new and additional commitments.

"We have under consideration an area in eastern Oklahoma, near the home of the Secretary of War and therefore one in which he personally is interested. Circumstances may dictate the early consideration of that area.

"This Cumberland Area impresses me as one of outstanding merit and importance. It is part of a large forest region in which leadership in forestry is badly needed but in which there is no such leadership at present. Public sentiment is favorable, even eager, prices apparently are reasonable, and purchase opportunities good.

"In addition, this area would afford us wide public relations contacts within an extensive and important part of the United States in which we now lack some contact.

"Personally I would like to see the area submitted to the Commission for early action, so that the initial steps could be taken. This however is a question of policy on which you will wish to pass. It is apparent that the Chief of the Forest Service and his top staff are becoming more and more interested in the establishment of a National Forest Purchase Unit in Kentucky."

Under date of February 5, 1930, G. G. Garrett of the Brodhead-Garrett Company at Clay City, Kentucky, writes to W. E. Hedges, Chief Land Examiner of the Forest Service stationed at Elkins, West Virginia, as follows:

"Dear Mr. Hedges:

We have yours of January 30th and do not know what to say about the

maps. Hope they will show up.

Will you be back down here any more we would like to see you any time you are in this section. We don't believe anyone connected with the Federal Forest Department knows more about his business than you do.

If the Department, is going to do anything, we would be glad if they would indicate it soon as possible.

Mr. H. G. Garrett
President"

Here is our old friend from 1921, nine years later, still optimistically corresponding with the Forest Service in the hope of selling his company's land to the Forest Service for the establishment of a purchase unit in Kentucky.

Under date of February 10, 1930, Joseph C. Kircher, District Forester, replies to Mr. Garrett in which he says:

"Your statement relative to the plans of the Government to acquire lands in Kentucky is noted. The Forest Service is not in a position, however, to suggest any date as to when the purchases might actually begin. As a matter of fact our plans do not become concrete until the National Forest Reservation Commission authorizes purchases to be made, and this body has as yet taken no action in regard to land in Kentucky."

In view of these uncertainties and vague comments on the part of the Forest Service, in the case of Mr. Garrett, continued over a nine-year period, it is surprising that the landowners of Kentucky could maintain their interest in the establishment of a purchase unit or their confidence in the Forest Service. From this late date it is estimated that probably the interest of these landowners was maintained largely by their desire to sell (unload) their cut-over lands at a reasonable price, and the absence of any other possible purchasers other than the Forest Service left them little choice as the Forest Service appeared to be their only hope.

In amplification of this is quoted from a letter written by Mr. Garrett to Major Robert Y. Stuart of the U.S. Forest Service which states, "I think what's the matter with the country now is too many important matters of Government being taken under advisement by Commissions of the different branches of Government. I do not apply this to your Commission as I was much impressed with its frank way of handling matters when I was before it, and I could say nothing except in praise of its members. It seems to me that someone in authority should indicate to us in some way so we could judge just what is going to be done in this forestry matter, as we have been working on it for a period of sixteen years. We will thank you very much if you will inform us just how we can get an indication as to what they expect to do about starting a forest in the section we have named." It would appear that Mr. Garrett was approaching the end of his patience.

It appears that Mr. Garrett's comments motivated Major Stuart. On March 20, 1930, Mr. Stuart, then Forester, U.S. Forest Service, wrote to Mr. Garrett as follows, "I have just completed a review of the report made by Mr. Hedges on the area he covered in Kentucky embracing parts of Bath, Menifee, Morgan, Rowan, Estill, Jackson, Lee, Madison, Owsley, Powell, Rockcastle, and Wolfe Counties.

"This area as described by the report seems to be a satisfactory one in which to carry out the purposes of the Act of March 1, 1911, known as the Weeks Law, and I hope to be able to recommend its establishment as a purchase area at the next meeting of the National Forest Reservation Commission, which will probably be held soon after the Agricultural Appropriation Bill is passed by Congress. As already explained by Mr. Stabler in his letter to you of February 10, the approval of this Commission is necessary before any direct negotiations may be undertaken with landowners.

"If favorable action is taken by the Commission, and if adequate funds for land purchase are provided by Congress, it is probably that this Summer or Fall it will be possible to start the examination and appraisal of such tracts within the unit as may be offered at reasonable prices."

It would appear that the chances of establishing a National Forest Purchase Unit in Kentucky are advancing satisfactorily if slowly in the spring of 1930.

It is apparent that the possibility of a National Forest Purchase Unit in Kentucky was being observed by a number of people. It appears that a Kentucky lawyer, Coleman S. Moffett, of Winchester, Kentucky, had written Senator Alben W. Barkley, from Kentucky, relative to securing employment with the Forest Service in the examination of land titles for such a purchase unit. In the file is a letter dated April 4, 1930, in which District Forester Joseph C. Kircher, writes to Senator Barkley and explains that in the event such a purchase unit is established, the work of examining the titles will be handled in the Office of the Solicitor of the Department of Agriculture and he states that he is referring Senator Barkley's letter to the Solicitor. Coleman Moffett, for many years, was one of the chief title examiners of the U.S. Forest Service for lands acquired in Kentucky. A long history of outstanding service by Mr. Moffett fully justified any comment that Senator Barkley may have made in behalf at this time.

Under date of April 18, 1930, the file contains a letter written by the Forest Service to Congressman M.F. Thatcher of the House of Representatives. This is in reply to a letter from Congressman Thatcher recommending a S.D. Reese for employment in the acquisition of land. One of the items in this letter indicates the progress towards establishing a purchase unit. It reads, "It is planned to present the Cumberland Unit, which is our name for the Licking River area, to the next meeting of the National Forest Reservation

Commission, and if they approve it as a purchase unit, the Forest Service will start to examine land on that area sometime this year."

On June 20, 1930, the file contains a letter from Regional Forester John C. Kircher, to the Honorable Robert Blackburn who was a Congressman. This letter implies that progress was being made in establishing the Cumberland Purchase Unit. It reads, "Since you have had so much to do with the establishing of a purchase unit in your state, I know you will be interested in my impression secured during a recent trip to the area included within the unit.

"As you know, the unit extends for some 90 miles along the mountains just east of Winchester, Kentucky. I visited this area for the purpose of seeing the kind of country in which the Forest Service soon intends to purchase considerable cutover timberland for the establishment of a National Forest, and to make arrangements for the examination of any areas which are offered for sale to the Government during the coming summer.

"While much of this area is in a rather rundown condition because of past cutting and numerous fires which have burned in it, it should become a valuable asset to the country when once it is under Government ownership and has received a number of years protection. In fact, I have become quite enthusiastic about the prospects of building up a valuable National Forest in this region.

"Another thing which I want to mention to you is the attitude of the people whom I met. I received a very cordial reception and everyone seemed to be enthusiastic about the prospects of securing a National Forest and the benefits which it would bring to their communities.

"I am sure that in the future you will look back with a good deal of satisfaction to your interest in connection with the establishment of this National Forest." The letter is signed, "Very Sincerely Yours, Joseph C. Kircher, Regional Forester." I would like to call the attention to the fact that this is the first time that Joseph Kircher has signed under the title Regional Forester. Previously he has used the title District Forester, so apparently there was a change in title during this period.

Attached to this letter to Congressman Blackburn is a data sheet on the specific facts regarding the proposed Cumberland Purchase Unit. This data Sheet follows.

"Proposed Cumberland Purchase Unit

Gross Area: 580,000 acres.

Location: Bath, Estill, Jackson, Lee, Madison, Menifee, Morgan, Owsley, Powell, Rockcastle, Rowan and Wolfe counties, Kentucky.

Streams: Kentucky River, Licking River, flowing directly into the Ohio, Red River, flowing into the Ohio thru the Kentucky.

Proposed Under: Section 6, Act of March 1, 1911 (36 Stat. 961) for the

protection of watersheds of navigable rivers. The Geological Survey has already reported favorably on this area except about 26,600 acres in Bath, Madison and Owsley counties.

Forest Composition: Majority of area supports hardwood mixtures in which hemlock is sparingly represented on the lower moist sites and pitch, yellow and scrub pine sparingly on the higher dry sites, white pine sparingly on Red River watershed.

Forest Condition: The greater part of the unit has been cutover or heavily culled. Approximately five percent of the total has been so recently cutover or burned that reproduction is not well established. On the remainder of the area the young and second growth ranges all the way from young growth stands to second growth up to tie size.

Local Sentiment: Very favorable.

State Law: Adequate, State officials favorable.

Soil and Surface: Considerable area rolling, but majority consists of irregular but broadly rounded ridges; sandstone, shale, limestone, clay and conglomerates.

Growth: About the same as that throughout the Appalachian Mountains; virgin stand averaged from four to seven M feet per acre; future crops of timber ought to be 50 percent higher.

Accessibility: Kentucky River is navigable thru the unit to Beattyville, traversed by C&O Railroad and Louisville and Nashville.

Ownership: Approximately 160,000 acres of nearly 30 percent of the gross area of the unit consists of known ownerships of over 1000 acres each. The owners of the greater portion of this land have already expressed their willingness to sell.

Price of Land: It is believed the Government can acquire this land at prices ranging from \$3.00 to \$10.00 an acre and that the average price will be around \$4.50 per acre.

Industries: Lumbering, farming, recreation, approximately 12 percent of the gross area has been cleared for farming. Much of this land, however, is sub-marginal in character, and a large acreage has already been abandoned.

Recommendation: It is recommended that the Commission authorize the establishment of this area as the Cumberland Purchase Unit."

The following report outlines the circumstances leading up to the actual establishment of the Cumberland Purchase Unit in Kentucky.

Establishment of the Cumberland National Forest

by

W. E. Hedges — U.S.F.S. — Retired

When Kentucky qualified for a national forest by passing an enabling act on March 17, 1914, Green Garrett of Lexington assumed the role of leader in securing action on the part of the federal government. Mr.

Garrett, a native of Powell County, was a widely known, self-made, and successful businessman. He was a past master in the art of persuasion and when that failed he was equally proficient in applying pressure – political and otherwise. He was a power in Republican politics on both state and national levels yet he never ran for public office and never held but one (appointive) political position.

Kentucky, to him, was a sacred word and his loyalty to his beloved state was boundless. This paid dividends in later years when negotiations for land struck rough going. He would break the barrier by telling vendors that this was all for the good of Kentucky – and they couldn't afford to let Kentucky down.

He was possessed with a determination to see a national forest established in Kentucky as his crowning achievement. Although he disclaimed any thought of personal credit, some said he was motivated by the fact that he had several thousand acres of land to sell. Others thought it was remorse over the way he had butchered the forests incidental to acquiring his modest fortune. Others believed he aspired to have the forest named after him. But the masses thought he was completely unselfish in the matter. His actions throughout would indicate this latter appraisal to be the most accurate.

Not long after passage of the State enabling act, and in response to Mr. Garrett's request, the Forest Service sent an agent into Kentucky to study the situation. He reported on two potential national forest areas but neither seemed to qualify since eastern Kentucky was still in the development stage and land values were speculative. The railroad up Powell Valley (which later served its purpose and has since been removed) had not yet been built.

Following World War I contacts with Washington were resumed and increased in frequency and intensity until 1928.

All along the Forest Service had been less than enthusiastic about going into Kentucky – and with very good reasons. While it was well known that any part of eastern Kentucky would qualify – and that the land was crying out for better use than it was receiving – the ownership pattern and attitude of owners seemed to preclude the consolidation envisioned by the Weeks Law.

The ownership was about equally divided between very large and very small tracts – with very little in between. The large land tracts were mostly in the hands of non-resident corporations and comprised a small part of their overall assets. It was next to impossible to break through the local management organization to contact those who had final authority and when such contracts were made there was a general lack of interest.

The small tracts were largely owner-occupied marginal or sub-marginal

farms. These were subject to all sentimental loyalties the word home implies and, in addition, few of the people had the wherewith to go elsewhere.

All of the land had real or speculative mineral values and the owners were in easy memory of skyrocketing values resulting from mineral developments elsewhere — as well as in parts of eastern Kentucky.

In 1928, a showing was made that many of the barriers were being reduced or eliminated and the time was ripe to at least study the situation with a view to determining the feasibility of a national forest. But there was one fly remaining in the ointment: The State Forester was violently opposed to a national forest on the grounds that it was unnecessary since he was providing all the state's conservation and forestry needs on his annual budget of \$12,000.00 — and it was Forest Service policy not to go into a state over the protest of the local forest officials.

When Mr. Garrett failed to shake the Forest Service he asked the Chief to go ahead with the study and he would pledge that if the State Forester's opposition continued there would be a new State Forester who would agree to the establishment of a national forest but with the face-saving stipulation that he would hope the land acquired would eventually come into state ownership.

With this last hurdle removed W. E. Hedges, Chief Land Examiner, was assigned to make an overall study of the area to determine the feasibility of establishing a national forest — and if so, where.

Hedges entered the Forest Service in 1914, and had come up through the ranks. He had served as Supervisor of the Monongahela National Forest and at the time he was on special assignments out of the Regional Office — although attached to the field.

Hedges' arrival at Winchester was accompanied by a great deal of publicity and an atmosphere soon developed that a national forest was definitely on the way.

It didn't take long to verify the former opinion of the Forest Service that throughout the heavily mineralized portions of the Cumberland Plateau the land was either unavailable or could only be bought subject to reservations that would defeat the purposes of the Weeks Law. Thus, the most promising area appeared to be along the Highland Rim and further investigations were centered there.

Nearly everybody wanted to help in any way they could and this help was of inestimable value in reaching final conclusions.

Hedges' detailed investigations covered 580,060 acres and included the northern portion of the forest substantially as it exists today. His report on that area was submitted to Washington and approved by the National Forest Reservation Commission. This latter action authorized purchase of

land anywhere within the approved area.

While wild open forest land never had and perhaps doesn't yet have a standard or consistent going value the Forest Service endeavored to establish the minimum price below which owners would not sell and then adhere to that price in making purchases of comparable land throughout the Region.

Although this powerful buying leverage had been made clear to the people the news went the rounds that if everybody set a price of \$10.00 per acre they may be able to make it stick – and proposals began to come in at that price.

The Forest Service refused to act on the basis of such offers in view of the false hopes it might create, but it did agree to proceed with the appraisal of land offered at \$6.00 per acre – with the understanding that a value much less than that would likely be found. Whereupon, the asked prices were reduced to \$6.00 per acre.

During the Summer and Fall of 1930, a large area centering in Red River Canyon was appraised. When the appraisals showed values averaging closer to \$3.00, than the \$6.00 asked – and offers were made accordingly – the people were disappointed but decided to wait and see what Mr. Garrett did about his land. If he went along they would too. After extensive negotiations Mr. Garrett gave an option on his land but not until he had extracted a pledge from the Associate Chief E. A. Sherman that the options would be recommended for approval by the N.F.R.C.

In the meantime, President Hoover, exercising his executive authority to forestall the impending depression, froze all unobligated funds.

Each optionor was notified of this action and was told that when and if other funds were made available the Forest Service would be back to pick up where it had left off.

Most people, both in and out of the Forest Service, thought the prices that had been agreed upon were at least morally binding even though the options had expired. But the policy making officials thought otherwise and acted accordingly. So, when President Roosevelt made funds available to continue land purchases the records were gone through and the former option prices discounted to reflect the recently depressed economy. This did much to shake the confidence and faith of many in their government but, here again, Mr. Garrett came to the rescue by giving an option on his land at the reduced price and urging others to do likewise. Although he made it perfectly clear that he thought they had been treated unfairly.

These options were approved by the Commission and the national forest was under way.

CHAPTER XXVI

THE NEW DEAL – CUMBERLAND NATIONAL FOREST ESTABLISHED

The previous summary of the National Forest situation in Kentucky by W. E. Hedges, brings the situation down to early 1933, and the beginning of the Franklin D. Roosevelt administration, so important to the history of national forests everywhere.

In December of 1933, Mr. Hedges, Chief Land Examiner, submitted a report on a proposed extension to the Cumberland Purchase Unit comprised of 378,759 acres situated in Laurel, McCreary, Pulaski, Rockcastle and Whitley counties. After discussing the usual factors, Mr. Hedges published his report with the following recommendations, "It is recommended that this area be approved as an extension to the Cumberland Purchase Unit and that purchase work be instituted immediately after approval." On March 26, 1934, the National Forest Reservation Commission approved the addition to the Cumberland Purchase Unit located in Laurel, McCreary, Pulaski, Rockcastle and Whitley counties.

As pointed out in Mr. Hedges' report, the advent of the Roosevelt administration in 1933, to which programs of conservation, employment, expansion of national forests and social welfare, opened up a new field of operation on the Cumberland Purchase Unit. Funds became available for acquisition and an extensive program of land examination, negotiations and purchase was initiated. The establishment of a national forest in Kentucky was most favorably received by the people and by most public officials, evidenced by attempts to induce the expansion of the Cumberland Purchase Unit into other counties.

One of the most earnest and sincere appeals was made by Mrs. Mary Breckinridge, who had established, and for many years had administered, the Frontier Nursing Service in the mountains of eastern Kentucky, largely in Clay and Leslie counties. Mrs. Breckinridge was a forceful and remarkable woman who had earned the respect of the people of the mountains and the public officials who knew her.

Early in 1933, Mrs. Breckinridge wrote the Chief of the Forest Service and proposed that the Cumberland Purchase Unit be extended to include the headwaters of the Kentucky and the Cumberland rivers. Over the next three years she maintained an active correspondence with both the Regional Forester and the Chief, pressing for action to include the country she knew so well in the Cumberland Purchase Unit. Most of the country she was talking about she knew first hand having ridden over it horseback many times in the

course of administering the Frontier Nursing Service.

On July 6, 1933, she made a personal call on Secretary of War George H. Dern, then chairman of the National Forest Reservation Commission, whom she knew personally. She gave him an oral report on the proposed area including reasons for the extension. On the same trip she made two visits to the Office of the Chief of the Forest Service on July 5 and July 7, 1933, where she pressed for action on her proposal. On her return to Kentucky, she prepared the information she had presented in the form of a report, copies of which she sent to Secretary Dern and to Major R. Y. Stuart of the Forest Service. The report, which is of a professional quality, is included in the appendix.

In replying to Mrs. Breckinridge's letter on July 25, 1933, R. Y. Stuart of the Forest Service writes, "Many thanks for your letter of July 21, and the accompanying report on a project for the conservation of the forest on the watersheds of the Kentucky and Cumberland rivers. The report is admirably prepared, rich in information, and apparently sound in its conception of the relationship of forests to the social welfare and economic progress of the residents of the Kentucky mountains. It therefore will be of great value to the Forest Service in its further consideration of the project."

As a part of her report under the heading Yardstick, Mrs. Breckinridge wrote, "Forest land owned and operated by the Government can be made a 'yardstick' by which to measure a fair income for private enterprise. True, the government pays no taxes, and state tax systems often work for the advantage of wasteful lumbering and to the disadvantage of scientific forestry. Inequitable taxes, however, can be adjusted by legislation designed to encourage the employment of private funds in forestry instead of in lumbering. A yardstick for purposes of measurement is first necessary, for in all the years in which the forests have been ruthlessly destroyed in America, private enterprise has never found a way out. An example, under government control, of scientific forestry, began in this generation on an existing stand of virgin timber and developed as the admirable U.S. Forest Service will develop it, is essential to teach the lesson to this generation of Americans."

Although Mrs. Breckinridge was visited by the Regional Forester and by representatives of the Chief's office, who examined the area in question, unfortunately for us today they did not see fit to include in the Cumberland Purchase Unit the headwaters of the Kentucky and the Cumberland rivers. The logical reasoning of Mrs. Breckinridge still applies today and, had the Forest Service acquired large areas of the counties in question at that time, it is possible that the watersheds of the headwaters of the Kentucky and of the Cumberland would not be ravaged by strip mining to the extent they are today. Whatever the reason of the Forest Service for not including the headwaters of these river systems in the Cumberland Purchase Unit in the early

1930's, we know that we, as a people here in Kentucky, are poorer today because of their failure to do so.

Another attempt to secure the expansion of the Cumberland Purchase Unit was made in January and February of 1935, by Albin J. Stein of the Lewis County Democratic Campaign Committee, Vanceburg, Kentucky. Mr. Stein wrote Chief Silcox of the Forest Service on January 30, 1935, and urged that the Cumberland Purchase Unit be extended to include Lewis County which would have extended it to the Ohio River. The Forest Service replied that they were then engaged in consolidating ownership within the already established purchase unit and until such time as this had been accomplished, they were not in a position to expand, however they would keep this request in mind should such expansion be considered.

At the time, the U.S. Forest Service had been making its investigation of the possibility of establishing a national forest in Kentucky in 1914, the Legislature had passed an Enabling Act to make this legally possible. This Enabling Act read as follows, "March 17, 1914, This Act gives the consent of the State of Kentucky to acquisition by the United States by purchase or gift, or by condemnation of such land in the mountain region of Kentucky as in the opinion of the Federal Government may be needed for the establishment of a National Forest Reserve in the high mountain region of Kentucky.

Acquisition on the Cumberland Purchase Unit had started in 1933, based on this Act. However, in January of 1936, a bill had been introduced in the Kentucky legislature which would have repealed the existing Enabling Act and have substituted a much more restricted authorization. A review of the correspondence indicated that action on the part of the then Kentucky State Forester Mr. McConnel, was able to kill this bill in committee before it came up for vote in the legislature. In that same legislature an extended Enabling Act was passed which reads:

"February 18, 1936, This Act gives the same authority as to acquisition as the March 17, 1914 Act, but extends to 'prescribed areas within the boundaries of the Commonwealth'; provides that the area of land so acquired, which approval shall be evidence of record in his office before such establishment."

In compliance with this amended Enabling Act, it was necessary to obtain the written consent of the governor. This was accomplished by Supervisor R. F. Hemingway of the Cumberland Purchase Unit on July 15, 1936, when he finally obtained an audience with the governor and such a letter of consent was drawn up, signed by Governor A. B. Chandler and furnished to him. The letter of consent follows.

**OFFICE OF THE GOVERNOR
COMMONWEALTH OF KENTUCKY
FRANKFORT, KENTUCKY**

Consent of the COMMONWEALTH OF KENTUCKY is hereby given to the acquisition by the UNITED STATES OF AMERICA by purchase, by gift, or by condemnation, according to law, of any or all the land or lands within the boundary of the Cumberland Purchase Unit, for the purpose of the establishment of a National Forest, as outlined and shown on the attached map, the area so outlined and shown having been approved and consented to in accordance with an Act of the 1936 General Assembly of the Commonwealth of Kentucky, which became effective on May 18, 1936.

By The Honorable Albert B. Chandler, Governor of the Commonwealth of Kentucky, this 15th day of July, 1936.

(s) ALBERT B. CHANDLER
Governor, Commonwealth of Kentucky

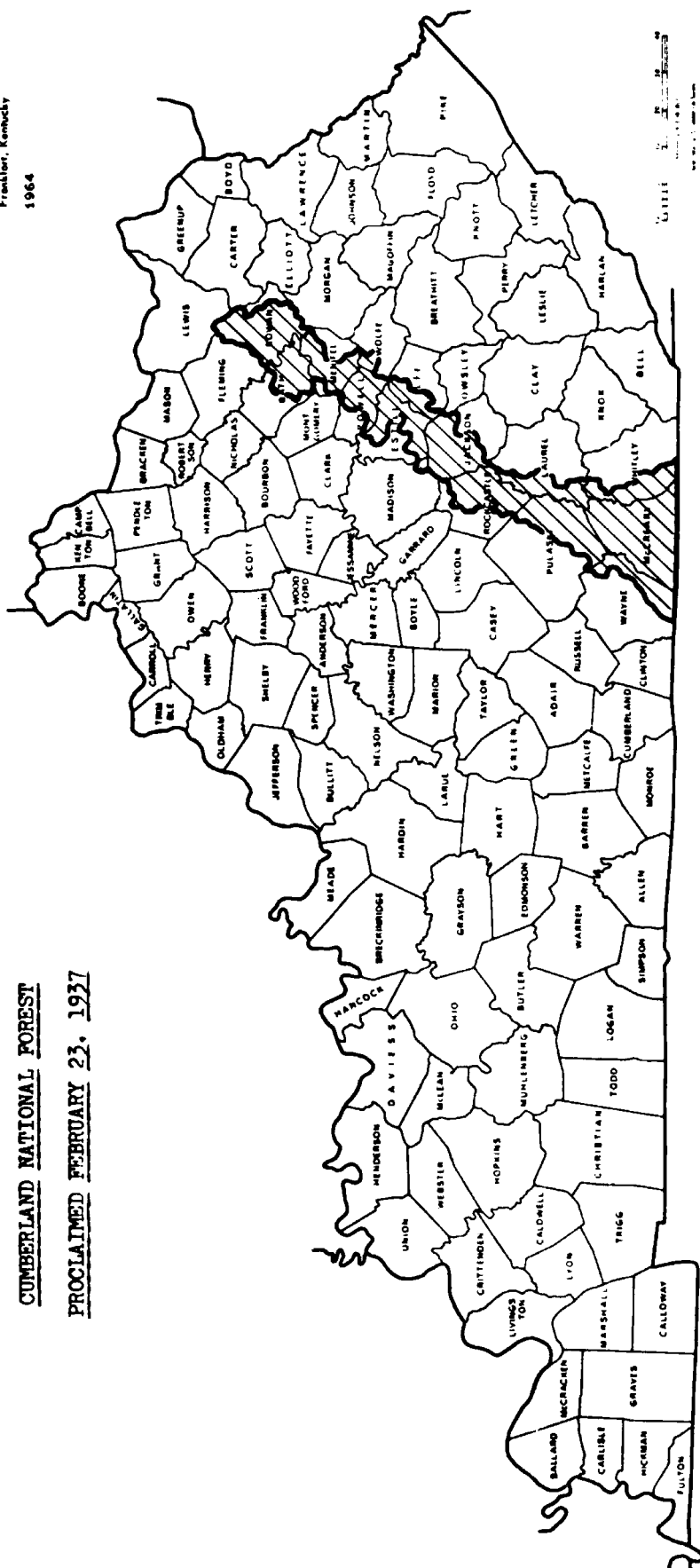
With these preliminaries out of the way, on February 9, 1937, the Secretary of Agriculture, H. A. Wallace, submitted to President Roosevelt the draft of a proclamation to establish the Cumberland National Forest in the State of Kentucky. In his letter he told the President, "The approximate gross area of the Cumberland National Forest is 1,338,214 acres, of which it is proposed to ultimately acquire 1,215,142 acres. A total of 409,567 acres has now been or is in the process of being acquired."

On February 23, 1937, the President of the United States signed the proclamation establishing the Cumberland National Forest. A copy of this proclamation, which appears in the Federal Register for February 26, 1937. See appendix F for the full text of this proclamation.

KENTUCKY Base Map Series B-5
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 Frankfort, Kentucky
 1964

CUMBERLAND NATIONAL FOREST

PROCLAIMED FEBRUARY 23, 1937



CHAPTER XXVII

NAMING THE NEW NATIONAL FOREST

Scarcely had the new purchase unit been established, and before the work of acquisition had proceeded to any extent, a question immediately arose as to an appropriate name for this purchase unit. Apparently discussions at the local level had taken place and it had been proposed that, because of the proximity of the Cumberland River and the Cumberland Mountains, the purchase unit be named the Cumberland Purchase Unit. In reviewing the file it is interesting to note the various comments on this decision. It is important to note that this correspondence was not particularly concerned with the name Cumberland as a purchase unit, but was concerned with continuing the name of Cumberland when the purchase unit should be proclaimed a National Forest.

On November 15, 1930, W. E. Hedges, Chief Land Examiner in charge of initiating the acquisition work on the Cumberland Purchase Unit, wrote to the Regional Forester in Washington, D.C. as follows, "Since protest has been registered against the name Cumberland being applied to this purchase unit, and since that protest appears to be well taken, it is recommended that the name be changed to Boone in memory of Daniel Boone, 'the Prince of Pioneers', a nationally-known character whose name is indelibly associated with the early settlement of Kentucky and whose activities in Kentucky were largely in the vicinity of this unit."

"It was here that in 1769," he wrote, "On the 7th day of June . . . we found ourselves on the Red River . . . and from an eminence saw with pleasure the beautiful level of Kentucke.' He established a fort at Boonesborough just outside the unit. His son was killed in battle and lies buried not far away. While he moved on to the West, Kentucky claimed his body, which now occupies a place of honor at the state capital.

"His memory should not only be an inspiration to the Service personnel located here, but we could do him no greater honor than to perpetuate, in his name, the things he most loved. Very truly yours, W. E. Hedges, Chief Land Examiner."

On July 21, 1931, Mr. Garrett of the Brodhead-Garrett Lumber Company, wrote to Joseph C. Kircher, the Regional Forester at Washington, D.C., as follows, "In talking to Mr. Hedges last Saturday, he stated the time was about at hand to select a name for the Cumberland Unit. I don't know who decides on this name, but suppose it is the Chief Forester, though it seems to us that you, being Regional Forester, should have more information about selecting

the name than some other one who did not know so much about it. I wish you would have whoever decides on this name to hold it up until we can be heard. Mr. Hedges indicated that there is some talk of calling it the Daniel Boone National Forest. We seriously object to this. Not that we are knocking Daniel Boone, but if he ever did any outstanding act while he was in Kentucky we don't know anything about it, and we think the name is over-worked. We have in mind the name of Richard Menefee, who was Congressman from Kentucky, and as well as I remember without looking it up, this would be a very desirable name, yet we are not fully wedded to this name until we look up the historical facts about Menefee. Menefee County was named for him. When you come down, I would like to discuss this with you, and I hope the name will not be decided upon until we can be heard.

"What do you think about letting the land-owners, which will be several hundred before you get through, selecting the name? I am just writing you this that you may be thinking it over before I see you. Mr. Garrett."

Another letter dated August 26, 1931, written to the Forester, U.S. Forest Service, Washington, D.C., and bearing the stationery letterhead, Boone Family Association, reads, "I have been requested by residents of Powell County, as President of the Boone Family Association, to join in the request that the National Forest in the eastern part of Kentucky be named for Daniel Boone, and that this name is now under consideration. In this suggested honor to the man who in 1769 to 1771 made the first extended residence in the heart of Kentucky, (The Bluegrass Region, the Kentucke of the Indians); who made the first extensive exploration; who organized its first colony in 1773, though stopped by a disastrous Indian attack, finally reached the Kentucky River in 1775, bring with them the first women, Boone's wife and daughter; who cut out the first highway, the 'Wilderness Road', over which a 'young nation made its way'; who built the first American fort in the West, Boonesborough, Kentucky, and who led in its defense throughout the American Revolution, I most heartily concur and pledge the concurrence of this Association. We hope that kinship to the old pioneer will not weaken the force of our request which we believe will meet the approval of a large majority of the citizens of Kentucky, who annually celebrate June 7th as Boone's Day, as on that date in 1769 Boone and his party first saw the famous hunting grounds the Indians called Kentucky'.

"We believe that Daniel Boone is an outstanding character in American pioneer history, who explored the region you will now preserve as a National Forest is worthy of the honor of having it bear his name. Respectfully submitted, William Boone Douglass."

In reply to the above letter Regional Forester Kircher replied in part, "Mr. Kircher asked me to thank you for the interesting information as to Daniel Boone and your suggestions as to the name to be given to the

Cumberland Purchase area in Kentucky when it becomes a National Forest. In all probability this forest will not be placed under administration for about a year and the question of the name will not be decided until the proclamation creating the National Forest is prepared. Your suggestions will be given careful consideration at that time."

Another letter was written on the letterhead of The Noble Store #9, Leanord Boone, Manager. This letter, written November 9, 1931 in Stanford, Kentucky, began, "To Whom It May Concern, Forest Reserve, Washington, D.C. Gentlemen: I with a large number of Kentucky folks ask that the eastern Kentucky forest Reserve of 510,000 acres located in those counties be named Daniel Boone Forest. Sincerely yours, Leanord D. Boone."

Under date of November 10, 1931, in a letter to Regional Forester Kircher in Washington, D.C., Mr. Garrett, President of the Brodhead-Garrett Lumber Company at Clay City, Kentucky, again writes, "We have talked to a good many of the land-owners in the forest area about a name for the forest. They know they do not have the right to select a name for the Federal Forest Reserve, but we know you would like for them to be pleased with the name, and the ones I have talked to have agreed on the name Daniel Boone National Forest. I understood from someone with the Forestry Department that it would be called Cumberland, Henry Clay or Daniel Boone, and of these three I think the land owners as a whole will be better pleased with the name Daniel Boone."

"One of Daniel Boone's descendents is working in some Federal Department in Washington and has been for many years. He is President of the Organization of the Daniel Boone Family, and they have re-unions about once a year. Some of them live in this county — Powell."

"I hope your department will consider the name Daniel Boone National Forest. (Signed) Yours truly, H. G. Garrett, President."

Regional Forester Kircher replied to Mr. Garrett's letter which in part says, "... The choice of a name will be taken up and decided upon at the time the proclamation is issued for the creation of the forest which will not be until a sufficiently large area of land is actually acquired and ready to be placed under administration. At that time we will be glad to give the fullest consideration to the suggestions which you and these other gentlemen have made."

Another letter prepared on the stationery with a letterhead City Of Louisville, Kentucky, Executive Department, dated November 24, 1931, reads, "U.S. Forestry Division, Washington, D.C., Gentlemen: I am writing to ask that the five hundred ten thousand acre forest reservation in Eastern Kentucky, now in process of formation, be named the Daniel Boone Forest Reserve. It is signed Very Truly yours, W. B. Harrison, Mayor."

Another interesting letter was dated December 6, 1931, and headed Level-

green, Kentucky. The letter is written in a very shakey hand with a pen, apparently by some person of advanced age. The letter reads, "I think the name of Daniel Boone Forest Reserve is a very appropriate name for the reserve and also am glad that the Government is having the work done as I own a lot of land that has some pretty scenery on it, high hills and a lot of cedars making a forest of evergreens. Mrs. J. N. Brown."

Under date of July 30, 1935, Forest Supervisor C. L. Graham writes to C. Frank Dunn, Lexington Herald, Lexington, Kentucky, as follows, ". . . I am also glad to know of your interest in the Cumberland National Forest and we are now trying to make arrangements to permit the dissemination of information about the Cumberland for the use of yourself and other interested representatives of public opinion throughout the state.

"In regard to the last paragraph of your letter concerning the possibility of having this area named the Daniel Boone National Forest, I am not in the position at this time to state whether or not there is any possibility along that line. I will, however, be glad to present your suggestion to the Regional Forester and see that it is given full consideration. I will keep you in touch with any developments along that line . . . " As a footnote to the copy of that letter which went to the Regional Forester, Supervisor Graham added the following comment "P.S. — Offhand this does not sound like such a bad idea to me. Certainly it would be received with much favor by many of the influential citizens and organizations throughout the state. We of course are not yet committed to the title "Cumberland National Forest" in that an official proclamation has not yet been made. It appears, however, that we are approaching the point where such a proclamation should be issued and I believe it would be well to give this very serious consideration before that event takes place.

"I can foresee no opposition to dropping the word Cumberland particularly since the word Cumberland in Kentucky is chiefly associated with the Cumberland River rather than the Cumberland Plateau. Such a change would also do away with the possible confusion resulting from having a Cumberland Falls State Park within the Forest.

"If the idea strikes you at all favorably, I will explore the proposition further from this end and possibly sound out public opinion in a limited way. Were we to make the change I believe it would be Boone National Forest rather Daniel Boone National Forest. Supervisor Graham."

As the next step in this process it was customary to obtain the opinions of the various chiefs of the Divisions of the Regional Office of the Forest Service before making any decision on the matter. Included with the copies of correspondence is a copy of a routing slip from the Regional Office which had been sent to each of the Division Chiefs and on which they had made their comments as to the desirability of naming the new purchase unit the Daniel

Boone National Forest. Their comments were as follows:

Mr. Evans, "I prefer Cumberland."

Mr. Scott, "I don't like the idea."

Mr. Shields, "Let's not change it."

Mr. Hopkins, "I prefer the Cumberland. Don't like two names, Daniel Boone and without the Daniel the main point is lost."

Mr. Tillotson, "Prefer Cumberland."

Mr. Yarnall, "I prefer Cumberland — especially since seeing statue of Daniel Boone."

Mr. Dort, "Cumberland, Daniel Boone is well advertised already."

Mr. Mahurin, "Don't like the idea but think it a point that could well be conceded to local public opinion."

On the basis of this informal poll on September 18, 1935, Assistant Regional Forester Yarnall wrote to Forest Supervisor Graham of the Cumberland as follows, "Reference is made to the copy of your letter of July 30, to Mr. C. Frank Dunn, of Lexington, with reference to a change in the name of the Cumberland when it is proclaimed a National Forest.

"It is the consensus of opinion in this office that Cumberland is preferable to Boone or Daniel Boone. Of the latter two, however, Boone is preferred as a matter of convenience.

"While this office will not oppose the change you have suggested if there appears to be a popular demand for it, I hope that you may be able to so guide public opinion that the necessity of making the change may not arise."

A further review of correspondence indicates that opinion at the Regional level and at the Chief's office level was still somewhat divided. Under date of March 10, 1936, there appears a memorandum for file which reads as follows: "This morning I discussed with Major Guthrie over the telephone the subject of a name for the Cumberland Purchase Unit, which it is proposed to have proclaimed a National Forest as soon as suitable maps are available.

"I advised Mr. Guthrie that two names that had been suggested were Boone and Cumberland. He stated that it was very definitely his opinion that of the two names Boone is preferable." This memorandum was signed by S. H. Marsh, Regional Inspector.

In reviewing the correspondence file further we find under date of March 26, 1936, a letter to the Regional Forester, Washington, D.C., from Forest Supervisor C. L. Graham in which he says, "The question of changing the name of the unit is a fairly delicate one and cannot properly be put up for public discussion. This is particularly true right now when there is consideration of a long war here in Kentucky as to whether Mr. Boone or Mr. Henderson were the most important in the development of the State. I did put the matter up in a confidential manner to Tom Wallace, of the Louisville Times, at Louisville. We had better keep clear of trying to name any area in Ken-

tucky after an individual or organization because of the difficulties we would run into with all the other groups who might feel they had been slighted. There are, of course, many illustrious names in Kentucky to choose from, but I am very much inclined to agree with Mr. Wallace that we would do better to stick to the present name rather than get mixed up in what might turn out to be a really serious public tangle. More than that, the area has already been pretty well accepted and known by the people here in Kentucky as the 'Cumberland National Forest', and I think we would be losing a lot of good publicity work, as well as setting up some confusion in the people's minds, were we to change it at this time.

"In view of the situation as explained above, it is my definite recommendation that the Cumberland Purchase Unit be proclaimed as the Cumberland National Forest."

On May 4, 1936, in a memorandum to the Regional Forester, Assistant Regional Forester Ira. T. Yarnall writes, "Since we had previously discussed with Major Guthrie the matter of a name for the proposed Kentucky National Forest; now the Cumberland Purchase Unit, and he had recommended the name Boone, I felt that he should be advised of the contents of Supervisor Graham's letter of March 26.

"Major Guthrie has been out of the city, but upon his return the matter was discussed further with him and after reviewing Supervisor Graham's recommendations he is still of the opinion that we should name the forest the Boone, for the following reasons:

"It is a National Forest, and although we should take into consideration local opinion and controversies, we should not necessarily be governed by them in the selection of a name for a National institution;

"Boone is a national figure, very definitely associated in the minds of most people with the development of Kentucky;

"The name Cumberland is adequately perpetuated by mountains and a river of that name. There are likewise Cumberland Counties in some states and Major Guthrie feels that this name is not peculiar to Kentucky.

"In accordance with our discussion of this subject on May 2, you decided that the name of this forest should be continued as is; namely, Cumberland. Accordingly when an adequate map is available steps will be taken to have this area proclaimed Cumberland National Forest."

It is interesting to note the processes by which the national forest name was decided. It is also interesting to note that some 30 years later this same subject was raised by a supervisor and staff who had no knowledge of the foregoing actions and correspondence. At that time this question was based on a study of the history of the area and what appeared to be the appropriate naming.

CHAPTER XXVIII

THE CUMBERLAND NATIONAL FOREST IN 1937

On February 23, 1937, President Franklin D. Roosevelt proclaimed the Cumberland Purchase Unit in Kentucky as the Cumberland National Forest. It is well at this point to pause and take stock of the area and conditions which faced the Forest Service in completing the acquisition and putting the land under administration as of that date.

A report written in 1937, outlined some of the conditions which existed at that time. The Cumberland National Forest is located in one of the most densely settled sections of the Southern Appalachian Highlands. It had been established as a purchase unit in 1930, and created as a National Forest in 1937. As constituted at that time, it extended over 200 miles along the western border of what is popularly known as the Cumberland Mountains. At that time the area within the proclamation boundary was 1,338,214 acres, and extended into 16 Kentucky counties. It is significant that at that time over 48,000 people lived within the boundaries of the newly proclaimed forest — 8,000 families.

As of June 30, 1937, 336,692 acres had been acquired and approved for purchase in a total of 649 acquisition cases. The establishment of the purchase unit in early 1930, had been dependent on the acquisition of a number of key tracts which were largely extensive single ownership. Most of these key tracts had been acquired and around them the Cumberland National Forest was being built. The principal large ownerships which formed the basis of the Cumberland National Forest were: The Stearns Coal and Lumber Company Tract of 48,000 acres; the Castle Craig Coal Company Tract of 27,000 acres, and the Warfork Land Company Tract of 22,000 acres.

The first tracts purchased were comparatively isolated and thinly populated; but as the purchase program continued and the tracks acquired became smaller and smaller, more owner-operated tracts, chiefly poor farms, were acquired. Eliminating the larger tracts from consideration, the small cases of acquired lands varied from a few acres up to 200 and 300 acres, and averaged a little over 100 acres in size. They were mostly poor farms, and the owner usually received from \$250 to \$500 per farm, usually not a sufficient amount to establish himself elsewhere in a better farming area. The occupancy of the larger tracts acquired was characterized by squatters and tenant settlers, who had never paid cash rental to the former owners. In a few instances tenants on these larger tracts were given permission to occupy and cultivate a small portion of the land in return for protecting the property. In a very few cases the cash rental had been paid, usually a few dollars a year.

As the Forest Service acquired 176,851 acres, which had actually been paid for up to June 30, 1937, it attempted to place all of the occupants of its land under a form of permit, a special use permit for cultivation or for residence. This was attempted whether the occupants on the land were squatters, tenants or owners.

To provide a general picture of the background of the situation within which the Forest Service operated, a few facts concerning the general Southern Appalachian region are appropriate. For example — 67 percent of the land area was in forest or wild land; 67 percent of the farms were non-commercial or part-time; the average farm was 87 acres of which only 17 acres was harvested cropland; the average farm was valued at \$2957; the value per farm of all farm products annually was \$759.00 and almost one-half of this value of the products was consumed by the family; 85 percent of population was rural; 7.5 percent of the farms had telephones, 3 percent had radios, 4 percent had electric lights in the dwelling, 6 percent had running water, 3 percent had bathrooms — at that time this was 75 percent lower than the average farm in the United States; 20 percent of all families were on relief as of June 1934, 60 percent were farm families, 44 percent being farm owners, 16 percent tenants and 40 percent sharecroppers — at that time local relief workers estimated that only one-sixth of the relief families were qualified to operate a full-time farm.

The problem of placing the residents on land acquired by the Government was monumental. After three years of administration, out of 284 cases which should have been placed under some type of special use, only 41 cases were operated under paid permits, both farming and resident types. There were 10 resident permittees, two barn permittees, 28 cultivation permittees and one free permittee for cultivation. The residence usually included some farmland for cultivation use.

The permits varied from one-acre cultivation permits with a \$2 minimum annual fee to a 13-acre resident permit with a charge of \$27 annually. Almost half of the paid permits were issued at the minimum fee of \$2 for cultivation and \$5 for residence, as set up by National Forest regulations. Four cultivation and two resident permits issued in 1936, were still not paid for in 1937. Four paid residency permits, and one paid cultivation permit had been closed as of 1937. A comment made in a report prepared as of 1937 states, "It is safe to say that only one-half of the families occupying National Forest land are bonafied permittees."

As of 1937, it was estimated that there were over 500 encroachments or unauthorized uses on the 176,850 acres which had been bought and paid for up to that date. The Forest Service considered the adjustment of these encroachments as one of the first jobs that should be approached. Such action necessitated dealing individually with the person or persons using

National Forest land. Although the actual acreage involved was not of major consequence to the Government, the encroachments were most important to the individual farmers who cultivated but a small amount of land. If these encroachments were not adjusted, it would tend to break down the entire purpose for which the land was acquired — to put it to its proper use and to give it proper administration. Encroachments varied from a fraction of an acre to five acres in size and adjustments made it necessary for the Forest Officer to work out on the ground, a satisfactory arrangement with the farmer by agreement on the exact boundary. Many times this involved moving a fence or building by mutual agreement. Needless to say it was time consuming.

However, these problems which already faced the Forest Service appeared to be relatively small compared to the problem which lay ahead in the acquisition of many smaller tracts, with a family living on each tract. It was estimated at that time that on the 203,841 acres, which had been approved for purchase but had not yet been paid for, it would be necessary to issue 100 resident permits and 100 cultivation permits, the acreage of which would be in the smaller tracts. It was also estimated that there would be over 100 encroachments to adjust on this acreage.

A summary of the problem included in the report pointed out that the size of the problem facing the Forest Service was quite evident when it was comprehended that some 6,000 families, over 36,000 people, were at that time occupying land that the government expected to acquire as a part of the Cumberland National Forest. The large tracts with relatively few people occupying them, chiefly tenants and squatters, had already been acquired. From that time forward the purchase program would be one of buying up owner-operated poor farms, each tract of small size averaging 100 acres or less and with one or more families living on them. Most of these families would have no place to go. The money which they would receive from the sale of their land would not be sufficient to enable them to buy land outside the National Forest and reestablish themselves. Furthermore most families were not mentally and physically equipped to adapt themselves to farming or industrial conditions elsewhere. Most of these families had an inherent love of the mountains and would prefer to remain where they were, if farming and forestry opportunities could be provided.

A brief summary of living conditions on the area within which the Cumberland National Forest had recently been established may well set the stage for the monumental task faced by the relatively few Forest Service personnel manning the newly established Cumberland National Forest.

The people of this area of Kentucky were classified as: the average family consists of 5.6 members, varying from two to 12 persons; 75 per cent of the families have received relief within the past three years; the

average family diet consisted of fried potatoes, beans, fat salt pork, onions at all meals, strong black coffee, an occasional fried pie, and very occasionally some sweet dough cake, invariably cornbread or hot biscuits, water gravy, and whatever other meat they could acquire such as rabbits, squirrels and fish; it was estimated that 75 percent of the families were undernourished and were chronic cases of malnutrition, with pellagra widespread; very few families would call a doctor in case of illness, relying primarily on home remedies; 75 percent of all births were handled by midwives whose normal charge was \$5.00; 75 percent of the women had some chronic disorder, due principally to overwork and poor care at childbirth; 50 percent of the families were Baptist — 50 percent belonged to the Church of God; 30 percent of the children attended school regularly up to the sixth grade; 90 percent of the family heads were illiterate; 80 percent of the families owned their farms and called themselves farmers; male workers in the family have usually had experience in coal mining and in work in the woods; the annual cash income per family varied from \$40 to \$280 per year, with an average of \$200 to \$1400 over the past five years; there was very little recreation of a community type, with the exception of an occasional apple cutting, bean stringing, quilting bee, and log rolling — young people generally traipsed around and many got into trouble because of lack of sufficient interesting and wholesome diversion, and the women folk in the family usually made from one to three trips to town in a year, while the male members of the family usually got into town about once every two weeks.

The homes these people lived in were measured thusly: 98 percent of the dwellings were of log and pole construction; a one to three-room house with outbuildings consisting of a pole barn and crib; only 25 percent of the dwellings were ceiled, the ceiling when used being a rough board or paper or both; all dwellings had fireplaces of mud and stone construction and a small, cheap, iron cookstove of the two to four-lid variety; 50 percent of the dwelling roofs leaked badly; 10 percent of the dwellings had no windows; only 2 percent of the dwellings had screens; only one out of every 10 farmsteads had a toilet of any description, and those were extremely poorly constructed and were usually built over an open creek or drain; only 10 percent of the farmsteads had wells — the balance were served by springs where water for the home use must be carried from 200 feet to a mile; the washings were usually done at the spring or near a stream, sometimes in cold water, other times boiled in an open kettle over a wood fire; household furnishings usually consisted of two or three iron or rough-hewn wooden beds with straw or shuck mattresses and perhaps a feather bed; a few straight chairs made at home, a small washstand, a kitchen table with oil cloth, board shelves on the kitchen walls; and per-

haps an old organ; kitchenware normally consisted of a cast iron tea kettle, cast iron skillet, one or two sauce pans, a large kettle, a well worn and blackened coffee pot and the cheapest kind of cutlery; practically all of the dwellings are encircled by a picket or stake fence; livestock on the average farmstead usually consisted of one very poor cow, one heifer and a few chickens; only 10 percent of the families had a mule; 85 percent of the families had at least one pig; the usual garden truck raised consisted of both Irish and sweet potatoes, cabbage, beans, cucumbers, red beets, carrots, lettuce, radishes and perhaps rhubarb; the principal field crop was corn; food purchased at the store usually consisted of lard, flour, salt, sugar and a very cheap grade of coffee; 15 to 20 percent of the families could not be reached by roads; 75 percent of the families lived in overcrowded conditions; 30 percent of the houses had lice or bed bugs, or both; most dwellings averaged 20 to 30 years old; vegetables such as potatoes, carrots and turnips were usually stored by burying them in the ground during the winter; home canned foods were usually kept under the beds, and meat was usually preserved by salting down.

In Laurel County, the work of the county agent and the home demonstration agent did not reach the majority of these people. Out of 170 rehabilitation clients of the Resettlement Administration in Laurel and Rockcastle counties, none were located within the National Forest.

CHAPTER XXIX

THE C.C.C. PROGRAM ON THE CUMBERLAND

With his acceptance for the nomination for the Presidency of the United States on July 2, 1932, Franklin D. Roosevelt made natural resource conservation a major issue of his campaign. Less than three weeks after his inauguration he asked Congress for legislative authority to proceed with a conservation program for the nation. Ten days later Congress had passed the Emergency Conservation Act of March 31, 1933, and President Roosevelt had signed it into law. A record for legislative speed. Throughout the programs established under this authority, the work carried on was identified as E.C.W. (Emergency Conservation Work).

Samuel Dana, in his textbook, *Forest and Range Policy*, tells us of this act and its development:

"The Act authorized the President to employ unemployed citizens on work of a public nature 'for the purpose of relieving the acute condition of widespread distress and unemployment now existing in the United States, and in order to provide for the restoration of the country's depleted natural resources and the advancement of an orderly program of useful public work.' The program was to be conducted on Federal or State land but could be extended to county, municipal, and private land for the control of fires, insects, disease, and floods. Research in forest management and wood utilization was also authorized.

"The duration of the Act at first was limited to two years, after which it was continued by annual appropriation until 1937. The Civilian Conservation Corps (C.C.C.) was then formally established for a period of three years by the Act of June 28, 1937. The purpose of the Act was stated to be not only to provide employment in conservation of the natural resources of the country, but also provide vocational training, to which 10 hours per week might be devoted. Some educational work had been a part of the program from the beginning, but after 1937, it was systematized and extended. Further continuations kept the Corps alive until June 30, 1943, when it was finally liquidated by Congress.

"Enrollment was first opened to young men between the ages of 18 and 25, who were unmarried, unemployed, and had dependents. Later the age limit was set at 17 to 23; enrollees had to be unemployed and in need of employment, but were not required to have dependents. Compensation was \$30 per month, of which at first \$25 and later \$22 had to be assigned to dependents, if any, with slightly higher pay for a few in supervisory positions. Provision was also made for employment of a limited number of Indians, of

veterans of the First World War, and of local experienced men (L.E.M.).

"General supervision over the program was exercised by a director, Robert Fechner, with the assistance of several Federal Departments. The Department of Labor handled recruiting; the War Department operated the camps and ran the educational programs; the Department of Agriculture and the Department of the Interior directed the field activities of the men. In 1939, the Corps was placed in the Federal Security Agency.

"Camps of 200 men each were located on Federal and State lands throughout the entire country and to a lesser extent on private land. The first camp, on the George Washington National Forest in Virginia, was occupied on April 5, 1933, and actual work in the woods started on April 17. When the program was at its peak in 1935, there were 520,000 enrollees and 2,652 camps of which about half were forestry camps. Altogether the Corps gave employment to approximately three million men at the cost of some two and one-half million dollars.

"Never before had there been a comparable enterprise for the simultaneous building up of young men and of natural resources. No conceivable activity that would improve the latter was overlooked. The Director of the Corps reported more than 150 major lines of work that might be classed under the general heading of reforestation, forest protection and improvement, soil conservation, recreational developments, range rehabilitation, aid to wildlife, flood control, drainage, reclamation and emergency rescue activities. In forestry alone, the Forest Service estimated that 730,000 man years were devoted to such activities as reduction of fire hazards, construction of fire breaks, actual fire fighting, timber stand improvement, tree planting, and the building of roads, trails, bridges, telephone lines, lookout towers, and other permanent improvements. Similar results were accomplished in other fields."

While the Cumberland Purchase Unit had been established in 1930, funds for the acquisition of lands within the purchase unit did not become available until 1933 as a major benefit of the W.C.W. program. Dana tells us, "A highly important by-product of the C.C.C. was the great enlargement of the purchase program for the acquisition of National Forests. In order to make available more Federal land in the Eastern United States on which the Corps could usefully pursue its activities, President Roosevelt in May, 1933, allocated \$20 million of emergency funds for the purchase of forest land under the Weeks Act of 1911, and the Clark-McNary Act of 1924. Subsequent allocation in 1934 and 1935 brought the total made available for land purchases to \$44,534,500. That sum was 76 percent greater than all of the appropriations for acquisition made by Congress from 1911 to 1932. It resulted in the establishment of nearly 60 new purchase areas and in the acquisition of 7,725,000 acres, two and a half times as much as during the pre-

ceeding 22 year period."

Between the funds available for land purchases and some 15, 200-man C.C.C. Camps, activities on the Cumberland Purchase Unit expanded rapidly following the early summer of 1933. The basic improvements of forest fire protection and forest land administration, such as roads, lookout towers, telephone lines, campgrounds and similar items, were planned and their construction initiated. Many thousands of hours were spent in fighting forest fires which had been allowed to burn without restriction in previous years. Without the funds and work of the C.C.C. programs, the Cumberland National Forest might never have become established.

Despite the importance of this program to the Cumberland and the fine work accomplished by the C.C.C. Camps, the benefits of much of which we are enjoying today, little or no factual or statistical records remain in the files of the Daniel Boone National Forest.

From the best information available it appears that the 15,200-man C.C.C. Camps were operated at one time or another in the Cumberland National Forest. They were located and identified as follows:

**C.C.C. CAMPS ON THE CUMBERLAND NATIONAL FOREST
1933 – 1943**

Camp Identification No.	Camp Name	Camp Location	Remarks
F-1	Pine Ridge	Pine Ridge, Ky.	Veterans Camp – Replaced by F-9
F-2	McKee	McKee, Ky.	Jr. Camp Replaced by F-12
F-3	McKee	McKee, Ky.	Jr. Camp
F-4	Clearfield	Near Morehead, Ky	Moved to Rodburn Park in June 1937
F-5	Bald Rock	Bald Rock P.O. on Ky-1193	Near present site of Experimental Forest
F-6	Greenwood	Greenwood, Ky.	On U.S. 27 north of Whitley City
F-7	Jellico Cr.	On Pleasant Run	Near Ky-92 near Peak Mountain 1 mile west of Jellico Creek Post Office
F-8	Frenchburg	Near Frenchburg, Ky.	On present Morehead District
F-9	Boen	Near Boen, Ky.	On Ky-15, Replaced F-1

Camp Identification No.	Camp Name	Camp Location	Remarks
F-10	Ravenna	Near Ravenna, Ky.	Constructed but never occupied
F-11	Indian Trail	Indian Trail P.O. Ky.	Ky-80, on present London District
F-12	Stearns	At Stearns, Ky.	At Hwy. Dept., garage site on U.S. 27, replaced F-2
F-13	McKee	Near McKee, Ky.	On Ky-89 – Replace F-2 and F-3
F-14	Bell Farm	On Rock Creek	Near Bell Farm P.O.
F-15	Bald Rock	Bald Rock P.O.	Replaced F-11
Side Camps	at Murder Branch at Mount Victory Bald Rock Bell Farm	Temporary before permanent camp was established	

In addition to the C.C.C. Camps administered by the U.S. Forest Service, as listed above, there were four C.C.C. Camps administered by the State of Kentucky, and located as follows: Natural Bridge State Park, Cumberland Falls State Park, Stearns (Replaced by Forest Service Camp F-12) and Emlyn (on U.S. 25, south of Williamsburg, Ky.).

An excellent evaluation of the C.C.C. program as a whole is provided by Dana who states, "Taken as a whole, the CCC program proved to be one of the most constructive and most popular of all of the New Deal projects. In addition to achieving its primary objective of relieving unemployment, it gave some three million young men a new start and a new outlook on life, educated the general public as to the importance of natural resources in the national economy, expanded Federal ownership of forest lands, and accomplished much in the restoration and the improvement of our land and water resources."

CHAPTER XXX

THE SUBLIMITY PROJECT

With the situation outlined in the previous chapter with regard to people, land ownership and living conditions as a background, it is easily understood why the area of the Cumberland National Forest was chosen as the site of one of the New Deal Social Projects. This was the Sublimity Forest Community situated in Laurel County directly adjacent to the city of London, Kentucky.

The information upon which this chapter is based may be found in a report entitled, "History of the Sublimity Forest Community Situated in Laurel County, Kentucky", written by W. E. Hedges in 1947. This report may be found in the library of the Daniel Boone National Forest at Winchester, Kentucky.

The introduction to the history of this project states, "Subsistence homesteads represented the first public rural rehabilitation attempt in the United States. This program was begun in 1933, under the Department of the Interior, Division of Subsistence Homesteads, and was later consolidated with the programs of the Resettlement Administration and the Farm Security Administration. These administrations were established in 1935 and 1937, respectively, to continue and enlarge resettlement efforts. Official interest of the Forest Service began on July 31, 1933."

The Sublimity Forest Community was developed under authority of the Emergency Relief Appropriation Act of 1935 (49 Stat. 115). The Forest Service was charged with the development and management of the Sublimity Forest Community under Administration Order #171, dated May 27, 1936. The Resettlement Administration was changed to the Farm Security Administration in the Department of Agriculture on September 1, 1937. The cooperating agencies for this project then became the Farm Security Administration and the Forest Service.

A preliminary report was prepared by S.H. Marsh of the Regional Office in the spring of 1935, and was submitted to the Chief on June 3, 1935, together with the other reports required. This report provided for the purchase of 80 submarginal farms aggregating 6,320 acres at a cost of \$50,560, and for the resettlement of the 80 farm families on three-acre subsistence farms at a development cost of \$416,240. The plan provided for the purchase of the resettlement area about two miles south of London, and the correlation of subsistence farming with timber sale and other work on the nearby Cumberland National Forest.

The tentative plans provided for government ownership of homesites and subsistence farms and the forest land which would afford employment for the

settlers. Since timberland sufficient to provide the estimated employment had already been acquired as a part of the Cumberland National Forest, the next step was to determine the availability of suitable farmland.

Investigation of the large number of the less fortunate who made up the majority of families considered for this project presented a pitiful picture, and showed a desperate need of something to improve their social and economic condition and to wean them from their traditional habits of living, which were contributing factors. Resettlement appeared to at least offer a clue to a solution to the problem.

Social justification appeared to be obvious, but since economic justification was considered only from the standpoint of direct money return, a good showing on this score appeared doubtful from the beginning.

Upon determination that efforts at economic justification had lead only to confusion, it was decided by the framers of the report on January 17, 1936, that the only honest economic justification was as an experiment.

From that point the project was looked upon purely as an experimental undertaking. In consideration of this the report stated, "Developed and administered simply as an isolated farm and housing project, with the nearby forest looked on merely as a fortunate opportunity for employment, it has little virtue as a U.S. Forest Service venture. Used, however, as a testing ground of fitting a minor agricultural resource into a major forest resource for the purpose of securing the maximum obtainable social and economic benefits for a large forest population, it can and should be undertaken by the U.S. Forest Service."

It is apparent in reviewing the proceedings in the report that the usual complications resulting from having two agencies equally responsible for the success of the project, but neither having final command, pertained to the operation of this project. Throughout the report, by reading between the lines, it can be determined that the Forest Service was continually hampered in its decisions and in its activities by decisions from the "allegedly co-operating agency."

The procedures to be followed in the selection of settlers for this community was one of the first occasions where disagreement was encountered. The report continues, "The matter of choosing settlers on a sound and equitable basis was one of the most controversial questions that confronted the management at any time. The framework of the final report and all forest and regional officers were of the opinion that some sort of measuring scale would be highly desirable, but how to reduce to a common denominator such virtues as honesty, industry, compatibility, and so forth, remained a problem. The Chief's office agreed with the regional point of view, and in January of 1936, set up a broad and general base for reducing intangible family characteristics to specific terms. However, another section of the Chief's office

disagreed with this and took the position that there be no local responsibility for major decisions affecting individual families and that families be accepted or rejected by one who would not be available at a later date to give reasons for his decisions." Upon insistence by the region that no such responsibility be hidden or conveniently placed out of reach, they were advised, "It may prove damn convenient to have final selection of settlers made from afar so that responsibility for decisions cannot be located."

The region prepared a detailed settler-selection plan which included a numerical scale for showing the relative suitability of applicants. This plan was not well received by the Resettlement Administration who took the position that no scoring system would be acceptable to real sociologists, since it would be a reflection on their ability to use their professional talents. The problem that the Sublimity project was confronted with was the practical problem of non-professional people choosing settlers, and maintaining records to justify their recommendations was of no avail, and the Resettlement Administration agreed with the viewpoint that the local public should not be able to locate the source of decisions, on the grounds that it would strengthen the local management organization to be able to truthfully say that rejections were caused by a social worker who would be gone by the time questions were asked. This position was in conflict with the standards for Resettlement Administration's own projects which required that settlers be chosen by a local committee.

It was finally agreed between the Forest Service and the Resettlement Administration that a plan based upon a scale used for evaluating the relative suitability of families for the various elements of selection be followed, which was implemented at once.

There were 691 applications received. These were disposed of as follows: Accepted as settlers — 227; rejected as settlers — 293; withdrew before action — 92; disqualified because of age, residence and so forth — 61, and pending as of January 15, 1943, when settler selection activities were discontinued — 18.

Of the 691 applicant families, 325 were examined and rated according to the scale of the plan. The results of the examinations were tabulated and are included in the report.

An interesting insight into the matter of settler selection, which reflects the psychology of the times, was the feeling on the part of almost everybody connected with the project, except District Ranger B.E. Mansberger, that the management would be swamped with applications. One of the early problems was how to prevent an excessive number of applications and what to do to keep the demand for occupancy from getting out of hand. In the Forest Service, applications were thought of in terms of hundreds. In fact, the final report provided for the Ranger to visit the first one hundred highest rated applicants. Mention of as many as a thousand applicants to be considered at

one time was not uncommon in discussions with members of the Chief's office. Ranger Mansberger argued that there may have to be some canvassing in order to get the desired number of suitable applicants and when he failed to get a hearing he commented, "This all proves that we don't know the people we are dealing with."

The Agricultural Appropriations Act of 1943, and subsequent years indicated an intention on the part of Congress to liquidate resettlement projects. It was the decision of the Department of Agriculture that the Farm Security Administration and not the Forest Service would be the liquidating agency. This was implemented by a Memorandum of Understanding dated June 30, 1945, which provided that the Sublimity Community Project with the exception of certain land described therein, was thereby transferred from the Forest Service to the Farm Security Administration. The memorandum was effective as of July 1, 1945.

Some of the conclusions listed in the report are as follows, "Progress was indicated in every activity and relationship. This was particularly true in the following respects:

While occupancy was never entirely satisfactory it became more stable each year.

Rental payments increased each year and 97.9 percent of all rentals were collected.

A cooperative spirit, almost non-existent at first, took root and there was an increasing tendency to take cooperative undertaking as a matter of course.

The economic security and social outlook of the people was greatly increased.

Community meetings which were first monopolized by a few to carry on petty bickering, later developed into enjoyable, profitable and wholesome occasions.

Heads of families developed a keen sense of responsibility for maintaining themselves and their dependents in a self-respecting manner, while children accepted school as an opportunity and not something being imposed upon them.

It is a debatable question, and depends on the value placed on turning a family from a condition of dependence and despair to self-reliant members of society, as to the extent to which Sublimity was a success from a Governmental investment standpoint. Many thoughtful people believed that the United States was made much richer, in human values, than the \$73,780 loss indicated in the balance statement.

However, the seasoned consensus appears to be that except for experimental and demonstration purposes such projects have little or no place in our economic, political and social setup. The chief reasons for this conclusion

are:

The minimum successful management would require considerable control over the people; thus extending public employment and so-called bureaucracy.

The control necessary to success implies tenacy or only limited ownership. This is countered to the more wholesome unrestricted ownership.

Success would often require concession which could be taken as favoring the few at the expenses of many.

A resettlement program ambitious enough to provide for all eligibles would upset the economy of the country.

Life on such a community basis, even though it may be wholesome, suggests a form of regimentation which is often objectionable to those it is designed to help.

It may be concluded that to the extent Sublimity was managed in accordance with the original objectives, it was most successful as an experimental undertaking. The anticipated results, pointing out what not to do, as well as what to do, were not fully accomplished due to the letdown in management, the war and liquidation.

At least two results from Sublimity can be applied on the National Forest to the benefit of all concerned. These are: the reaction of both land and people to an opportunity to produce should put to rest any doubt as to the soundness of the program of rehabilitation, on an individual basis, on the National Forest, and the effect of the Advisory Committee on the attitude of the general public; this committee had no official authority, yet the fact that it existed and local people were included in its membership created a public attitude all but unknown to projects handled solely by public employees — to the general public Sublimity was 'ours' while the Cumberland National Forest managed by the same staff was 'theirs'.

The following recommendations represent the opinion of the report writer as to the proper course for the Forest Service, particularly Region 7, to pursue with respect to subsequent rehabilitation activities: that the establishment of rehabilitation communities on or in connection with the National Forest be discouraged; that in case such projects are to be established on or in the connection with the National Forest, the Forest Service insists that full authority for all phases of management and finance be centered in one agency, that there be reasonable assurance of continuity of the given level of management, that there be a closed season on official reports and news items for the purpose of putting the reporter in a favorable position and that official inspections be made against prescribed policies, procedures and techniques and not the current whim of the inspector; that the methods used to increase land production and to assure compliance on the part of the tenant be extended on an individual basis to all areas of National Forest lands that

are more suitable for farming than for other purposes, and that the Advisory Committee philosophy he studied with a view of incorporating it as an essential part of National Forest development and management.

Thus ended one of the noble social experiments of the New Deal, which involved the Cumberland National Forest in Kentucky.

It was the plan of this project to select a number of the best qualified mountain families and bring them together in a community where each would have a small acreage of productive farmland, with a suitable house and outbuilding; to provide the services of specialists such as the social workers, agronomists, etc., to assist each family in their planning and use of their land and resources. Also should provide each family with supplementary employment on the National Forest, or on a Forest Service project such as the sign shop, exhibit shop or a similar activity to provide sufficient income, supplementary to their income and food production on their own tract of land, to provide a better standard of living than they have known previously.

This plan was implemented to the best ability of a dual-headed, cooperatively administered relationship hampered by all of the types of interagency red-tape inherent in such a governmental undertaking. Considered against the impact of these obstacles, the project made surprising progress during its brief active life from 1937 to 1945.

However, the end product of such an experiment is the final measure of the extent of its success. The houses and outbuildings constructed on this project still stand in this community on the edge of London, but not a single one is owned or occupied by one of the project-selected-families which made up the original experiment. All have long ago gone elsewhere, many returning to the environment from which they came. It has been experienced many times that mountain people live where they do because that is where and how they prefer to live.

It is significant that few, if any, of these artificial, social and economic relationships, established by government regulation and financed by taxpayers' funds, have continued to function on their own efforts once the regular contribution of public funds has ceased.

Any individual interested in studying in more detail the sociological and economic relationship involved in this project will enjoy reviewing in detail the records and detailed discussions of the happenings at Sublimity between 1933 and 1947 as contained in the report.

CHAPTER XXXI

THE FEDERAL-STATE COOPERATIVE WILDLIFE PROGRAM

With the proclamation of the Cumberland National Forest early in 1937, the Forest Supervisor promptly initiated action to develop a wildlife program on the National Forest land in cooperation with the State of Kentucky.

A series of meetings were developed between the Forest Supervisor and his staff, and the Director, Division of Game and Fish, Kentucky Department of Conservation and his staff for the purpose of developing a cooperative program on land already acquired and to be acquired by the Federal Government in Kentucky.

As an initial step, a Memorandum of Understanding was developed and signed by representatives of both agencies on August 8, 1940. As a measure of the importance placed on this agreement, the following officials signed for their agencies: For the U.S. Forest Service – R.W. Evans, Regional Forester, Region 7; for the Commonwealth of Kentucky – Keene Johnson, Governor, Commonwealth of Kentucky, J. Dan Talbott, Commissioner of Finance, Charles Finnell, Commissioner, Kentucky Department of Conservation, James Brown, Director, Division of Game and Fish, Kentucky, Department of Conservation. It is significant that the name of the Forest Supervisor does not appear on this agreement, although he was responsible for the on-the-ground administration of the work to be carried on under this agreement.

The initial project selected for the cooperative program was the establishment of the Beaver Creek Wildlife Management Area of 10,687 acres in McCreary County, occupying nearly the entire drainage of Beaver Creek. A Wildlife Management Plan, covering the five-year period, 1941-1945, was drawn up and, on October 12, 1940, was signed not only by the Forest Supervisor, but also by the District Ranger and the Assistant District Ranger of the Laurel Ranger District, in addition to the signature of approval by Regional Forester Evans, on October 17, 1940. Signing for the State of Kentucky was Director James Brown of the Division of Game and Fish, Kentucky Department of Conservation. Here was the first specific working agreement for a designated area.

At the time of the initiation of this project a study to determine the wildlife population of the area showed the following estimated wildlife population: whitetail deer, 0; wild turkey, 0; ruffed grouse, 40; squirrel, grey and fox, 100; cottontail rabbit, 50; raccoon, 5; quail, 100 and opossum, 20. This appears to have been a rather thin and meager wildlife population for a management area of approximately 17 square miles. An estimate of the

habitat cover types on the area indicates that over 3,000 acres were in mature timber, the remainder cutover area of various ages including about 150 acres of old abandoned fields.

Among the provisions of the plan were: no hunting on the area during the first five years; entry on the area to be permitted only by permit issued by the Ranger; a habitat inventory; an initial stocking with deer and wild turkey; the initiation of cultivated food plots in a portion of the old field; a marking of the boundary by paint and by signs; a cooperative attempt to consolidate Government ownership by acquiring two privately owned tracts of 18 acres and 67 acres respectively within the boundaries prescribed for the management area, and clearing the area of grazing livestock, particularly hogs, cows and goats, belonging to local residents.

Correspondence and records available indicate that during the five years covered by this particular agreement, there was little activity on the ground and the area remained a Wildlife Management Area in name only.

At the end of the five-year period, on April 9, 1945, a new Memorandum of Understanding, replacing that of August 8, 1940, was drawn up and executed by the Forest Supervisor for the Forest Service and by the Director, Division of Game and Fish for the State of Kentucky. This document was much more specific, having some 26 points enumerated. Probably the most noteworthy feature of this new document is contained in the second paragraph which read, "Recognized the Forest Service as the agency responsible for the protection and management of the Government-owned land and wildlife habitat thereon, and recognized the Division of Game and Fish as the agency responsible for the protection and management of the resident wildlife population."

Early in May of 1946, the State Division of Game and Fish assigned a Resident Manager, Frederick C. Hardy, a biologist in the employ of the Department, to the management area to represent the state and to make various studies of wildlife species and habitat. A review of Resident Manager Hardy's report at the end of the calendar year of 1946, indicates that during that year a total of 21 whitetail deer, 10 raccoon and four wild turkey were released on the area. The boundary of the management area had been revised to enclose a total of approximately 16,000 acres, including some privately owned which the state had agreed to acquire and resell to the Forest Service. By the end of the year this outstanding ownership within the new boundary, which now included 17,317 acres, had been fully consolidated with the exception of the Freeman tract which fronted on the Cumberland River. Since the owner had definitely refused to sell this tract the state had purchased all wildlife rights on the tract for a period of 10 years. This report for the calendar year of 1946 also included a statement by Area Manager Hardy that considerable damage had resulted to the food plots he had established from

the trampling and grazing of domestic livestock. From the standpoint of habitat management, he reported that he and the District Ranger had selected several sites for clear-cutting to provide habitat for wildlife. This report also indicates that although it had been planned to exclude hunting from the area, this practice was still continued and still permitted on the area as Area Manager Hardy reported interviewing fourteen squirrel hunters having a bag of 40 squirrels of which 83 percent were grey squirrels and 17 percent fox squirrels.

It is interesting to note that in a letter written on December 5, 1946, from the Forest Supervisor to the District Ranger of the Laurel District, the question of law enforcement was discussed at some length. It was pointed out that under Kentucky law any fine imposed for game law violation on the area would be divided 40 percent to the County Attorney prosecuting the case and 60 percent to the Game and Fish Fund. The Forest Supervisor was pointing out to the Ranger that it might be an incentive to the County Attorney to prosecute cases of game law violation on the area and contact to this end should be made. Area Manager Hardy's report also indicates that trespass by free-running dogs continued to be a major problem.

Early in 1947, Area Manager Hardy reports that the grazing livestock situation was intensifying as he reports observing a total of 50 hogs, 20 head of sheep and five of cattle on the area. The Forest Supervisor continued his correspondence with the Regional Forester in an attempt to determine whether or not any of the Federal laws would permit the closure of the area to domestic livestock to the extent that violations could be prosecuted in the Federal Court. From the correspondence it appeared that the Regional Forester was reluctant to support such action.

It appears that the new Memorandum of Understanding, signed on April 9, 1945, was not sufficiently specific to suit either agency. On April 8, 1947, a document headed as a modification of that Memorandum was signed by Forest Supervisor H.L. Borden and Director of Game and Fish Earl Wallace. This new document covered relatively the same ground as the previous one and, in addition, highlighted the following points: the Division accepted primary responsibility for enforcing game and fish laws on the area, and the Division of Game and Fish was to erect no structures without first securing the approval of the Forest Supervisor.

The record indicates that the Forest Supervisor continued his efforts with the Regional Forester to find some manner which he could close the management area to entry by people, particularly those carrying firearms, and to grazing livestock to the extent that violations could be prosecuted in Federal Court. In August of 1949 the Forest Supervisor of the Cumberland National Forest was advised definitely by the Regional Forester, Region 7, that the Forest Supervisor could not close the management area to entry by

individuals, either with or without firearms, under Public Law 410 which had been investigated for this purpose. He also advised the Forest Supervisor that Regulation T-9(I) did not support closure to grazing of public land under the administration of the Forest Service in this particular case. From the report it is apparent that local livestock owners continued to graze the management area with increasing frequency as in November, 1951, the District Ranger of the Laurel District reports that he had identified six local residents as having a total of 66 head of hogs and three goats grazing on the management area and also reported that one local resident, whom he had contacted requesting that he remove his livestock, complained to him that deer on the management area were becoming destructive of the crops of local farmers.

In summary during the period of 1940 to 1951, accomplishments of this cooperative venture had been mostly of a learning nature to both agencies involved. Both had learned that neither had legislation available to them whereby they could close the management area to unauthorized entry either by people or livestock. They had also learned that while the Forest Supervisor and the Director of Game and Fish in Frankfort might be very much in agreement, it did not follow that their local representatives on the ground were always as well coordinated.

For example in August of 1947, one incident which occurred somewhat strained the cooperative relationship between the two agencies. It appears that the State Division of Game and Fish had released three tame black bear on the management area. These bear, apparently lonesome for human company, had made their way to some of the nearby farms where one of the local fire wardens attempted to capture one of them which he and others had chased up a tree. Getting a rope around the bear's neck, he proceeded to strangle him, whether by accident or intent is unknown. Although the state threatened legal action against the fire warden, there's no record that charges were preferred. In the correspondence Supervisor Borden of the Cumberland National Forest pointed out that this fire warden was only a cooperator over which the Forest Service had no legal control, except when the warden was actually employed on a National Forest fire.

Another of these bears travelled as far south as the community of Pine Knot, south of Stearns. His first adventure with the local community came one evening when he showed up at a tent meeting. Needless to say, the meeting broke up promptly with people scattered in all directions.

Not discouraged by this unfriendly reception, this particular bear again tried to become acquainted with the local folks. This time he appeared at the door of a local barber shop. The customers, as well as the local barber shop loafers, vacated the shop promptly through a back window and took refuge on the roof while the bear took full possession of the barber shop. The wife of the State Wildlife Biologist, Mrs. Fred Hardy, lured the bear out of the

shop with a cracker. This bear was removed to a more remote part of the Forest.

A second incident which emphasized and highlighted the futility of trying to prevent trespass on the management area by individuals carrying firearms was presented about 1949. While public relations contacts had been made by both agencies, both individual and group, in an attempt to discourage trespass on the area with firearms, one resident of Greenwood proclaimed repeatedly that he would go through the area with a firearm any time he wanted to. This appears quite a typical and characteristic reaction of the local Kentuckians of that time. Records of the area recite the case which points up the difficulty of legal action in local courts for trespass with a firearm. A local resident by the name of John Hyden was apprehended on the Beaver Creek Management Area in possession of a loaded firearm. Mr. Hyden was directed by the local conservation officer to appear before the McCreary County Court at Whitley City. Mr. Hyden failed to meet this appointment. The local conservation officer, Vola Owens, then appeared before the Grand Jury which returned a true bill and ordered Mr. Hyden to stand trial before the Circuit Court. For the second time Mr. Hyden chose not to appear. This time he was cited for contempt of court and fined \$100. Mr. Hyden was brought before the Court and gave the Circuit Court Clerk his check for one hundred dollars, but at the same time he told the Clerk not to process the check as it was not good, but to hold the check until the next term of court. There is no record that Mr. Hyden ever made this check good or that the court took further action against him for these violations.

Following is a news item from the Courier Journal of April 22, 1951, prepared by Burt Monroe, Wildlife and Outdoor Writer for that newspaper. This news item pretty well summarizes what has been done to date on the Beaver Creek Wildlife Management Area and indicates an optimism as to the value of future operation of this area.

"Outcome of Beaver Creek Plan to Have A Great Influence on Future Hunting in State, By Burt Monroe, The future of the hunting in Kentucky of such game as white-tailed deer and wild turkeys can well be hinged on the final success of the Cooperative Beaver Creek Management Plan. And the outlook is bright.

"The story of the long negotiations and efforts to bring about a cooperative management for the management of wildlife on Cumberland National Forest land goes back to the summer of 1937 when the U.S. Forest Service opened negotiations with the Kentucky Division of Game and Fish.

"From the standpoint of consolidated public ownership, the Beaver Creek watershed on the Laurel Ranger District was considered the area of greatest promise. A brief history of the area is sufficient to show that the choice was a wise one.

"The early settlers depended in no small measure upon game animals as a source of food. This was particularly true in Southeastern Kentucky which had relatively little to offer in the way of tillable soils.

"Reports handed down from early settlers indicate that large populations of deer, turkey, grouse and squirrels were found at the time of settlement. Heavy hunting had, for all practical purposes, eliminated the deer as early as 1880. Turkeys persisted longer and were hunted as late as 1910. Severe winters during the years 1908-1911, together with uncontrolled hunting, were sufficient to remove the few remaining birds from the region.

"Ruffed grouse and squirrel populations here do not vary greatly. Grouse are scarce. Squirrels are hunted regularly and heavily, but in spite of this maintain themselves in reasonable numbers.

"Black bear and beaver were once present, but apparently never in large numbers. These fur-bearers became exterminated in the area about the time the war was fought between the states.

"The experimental area of 17,317 acres is typical Cumberland plateau formation. Deeply cut canyons have been carved by Beaver Creek and its tributaries in the soft limestone cap rock formation which maintains a uniform elevation of between 1,000 feet and 1,100 feet in this section. Ridges vary from broad to narrow, usually nearly level or gently sloping to the abrupt edge of cliffs.

"A large lumber mill on the property for several years cut the higher grade of timber which included large pine, hemlock, white oak, poplar, and other choice species. But now 20 years or more have elapsed since the last cutting of timber by this mill and now the ridges carry a stand of advanced pine and hardwoods.

"On April 9, 1945, Earl Wallace, director of the Division of Game and Fish, and H.L. Borden, supervisor for the Forest Service of the U.S. Department of Agriculture, signed an agreement which combined the efforts of these two agencies to restore, protect, and manage the wildlife resources on the Cumberland National Forest in such manner as to return to the public fuller use and enjoyment of this valuable resource. Work has begun in earnest and is now continuing with the aid of Pittman-Robertson projects headed by Federal Aid Coordinator Don Strode.

"Responsibilities for the parts of the program are divided. The Forest Service will be responsible for habitat, physical improvements, education, grazing privileges, occupancy, mining, fire protection and issue of campfire permits. The Division of Game and Fish will be responsible for the protection of game and fish, posting and maintenance of boundaries, planting game, water development, clearings and plantings, and fact finding and experimentation. And the U.S. Fish and Wildlife Service will be the recognized research agency."

In the spring of 1953, Supervisor Borden retired and was succeeded by Supervisor Robert Collins. In the resulting reanalysis and realignment of the program of the Cumberland National Forest, the wildlife resources of the forest were designated for increased emphasis, as a base for a new program of leadership in the field of wildlife in Kentucky, to be undertaken by the entire Forest staff and Rangers. The history of the establishment and operation of the Beaver Creek Wildlife Management Area was reviewed in detail and it was decided that activities of this type should be extended over more area of the National Forest.

In keeping with this concept in 1954, the Supervisor of the Cumberland National Forest approached the Director of the Kentucky Department of Fish and Wildlife Resources as to the desirability of establishing additional management areas on the center and northern portion of the Cumberland National Forest as a base for the stocking of wild turkey and deer in those portions of the Forest. As a result of these discussions and the agreement of the Department of Fish and Wildlife Resources with this concept, a new broad cooperative agreement was drawn up in 1955 between the Forest Service and the State of Kentucky. This new agreement pertained to all wildlife activities on the Cumberland National Forest and outlined the cooperative relationship between the Forest Service and the Department of Fish and Wildlife Resources. This new agreement, which superseded all previous agreements and amendments, was to be effective immediately on its signature by representatives of both agencies. It covered, in general, the same ground as previous agreements, but it emphasized strongly close cooperation on all wildlife matters pertaining to all portions of the Cumberland National Forest. One point of this agreement, insisted upon by the Regional Office of the Forest Service, stated that all questions of disagreement between the Director, Kentucky Department of Fish and Wildlife Resources and the Forest Supervisor, Cumberland National Forest, be referred to the Regional Forester. To some extent this weakened the hand of the Forest Supervisor of the Cumberland National Forest in his dealings with the state.

As a second step in implementing the new concept of increased emphasis and wildlife leadership on the part of the National Forest, a new five-year wildlife management plan for the entire Cumberland National Forest was prepared by the Forest staff in close consultation with the biologists of the Kentucky Department of Fish and Wildlife Resources who fully concurred in the finished plans. This plan, while similar in many respects to the plan for the previous five years, was a milestone from the standpoint that it emphasized that, for wildlife habitat purposes, timber cutting in small blocks up to 10 acres in size, would be given preference over individual tree selection silviculture. Here was joint recognition for the first time of the value of clear-cutting in small blocks in the culled-over hardwood stands of the Cum-

berland as a desirable wildlife habitat measure. The areas to be so cut were selected jointly by the Ranger and a State Wildlife Biologist. This program, which had been tried out experimentally on the Beaver Creek Management Area, was set up to be applied Forest-wide on the Cumberland National Forest.

In 1955 the Director, Kentucky Department of Fish and Wildlife Resources, concurred with the Forest Supervisor in the desirability of establishing additional wildlife management areas as a base primarily for the stocking of wild turkey which, at that time, were being trapped in Western Kentucky and moved to Eastern Kentucky for stocking. After considerable reconnaissance, both by the Rangers and staff of the Cumberland in company with the biologists of the Kentucky Department of Fish and Wildlife Resources, two areas were selected for the new management areas. One was the Sky Bridge Wildlife Management Area of approximately 9,000 acres of National Forest ownership in Wolfe and Powell counties. The second area selected was the Mill Creek Wildlife Management Area of approximately 10,000 acres in Jackson County. These were established, marked and signed that same year. With the establishment of these areas and including the Beaver Creek Wildlife Management Area, a total of 36,000 acres or approximately 8 percent of the ownership of the Cumberland National Forest was committed to a program of wildlife protection, research and cooperative management.

In establishing these areas as a part of the cooperative program, the Forest Service set up four primary objectives which were: to provide conditions favorable to the build-up of a nucleus of a big game herd and to insure the perpetuation and increase of wild turkey on the National Forest; to develop wildlife habitat management information which would insure as near optimum habitat conditions for wildlife as is possible, compatible with other recognized uses; to insure continuing coordination with the Kentucky Division of Fish and Wildlife Resources in matters pertaining to the management of the wildlife resources of the Cumberland National Forest; and to provide tangible wildlife projects as focal points of interest to individuals and groups within and adjacent to the National Forest as a means of securing their cooperation and assistance in the job of building up the wildlife resource.

The Supervisor, staff and Rangers of the Cumberland National Forest realized after analysis of the previous 10 years that something other than business as usual must happen in the field of wildlife if reasonable progress was to be made.

As a basis of justification for these new wildlife management areas, an analysis of the activities on the Beaver Creek Management Area over the previous 10 years was made to determine what might be expected on the new areas. The analysis indicated as follows: during the previous 10 years a total of 106 whitetail deer and 41 wild turkey had been released on the Beaver

Creek Wildlife Management Area as basic stock; During the last ten years a total of 70 openings of various sizes, totalling 350 acres, had been developed, seeded to game food plants and cultivated, or been maintained by mowing; the result of these management activities appeared to be most rewarding — a deer drive on a portion of the Beaver Creek Wildlife Management Area during the winter of 1954-55 yielded data that indicated an average population of whitetail deer of approximately one deer per 27 acres for the entire management area, studies indicated a total deer population on the management area itself of 500 deer with an additional 500 deer produced by the herd which had spread to surrounding areas and the wild turkey population was estimated at 100 birds scattered in several flocks throughout the area.

These results on the Beaver Creek Wildlife Management Area, despite the difficulties with enforcing closure to livestock, with trespass by local residents, and with a large population of free-running dogs, indicated that wildlife management area activities were still reasonably productive.

In field examinations in 1955 and 1956, both the Forest Service personnel and the biologists of the Kentucky Department of Fish and Wildlife Resources could identify indications of the beginning of browsing damage by the deer populations. As a result, it was decided by the Kentucky Fish and Wildlife Commission to open a deer season, in effect on the Beaver Creek Wildlife Management Area and the area immediately surrounding it. This was done in the fall of 1956, with outstanding results as far as hunter success is concerned. It was estimated that at least 3,000 hunters descended on the Beaver Creek Management Area and areas immediately adjacent for four days. Hunter success ratio was high and the deer brought out were large and healthy and it appeared that the management area was well on its way. However, by the third year of such hunting it was obvious that the deer population had been severely reduced but, so firmly had the popularity of the Beaver Creek Management Area become fixed in the minds of the deer hunters that they continued to flock there each fall in great numbers, even though their success ratio dwindled drastically. As new areas and counties were opened to deer hunting, the hunting pressure on the Beaver Creek area gradually diminished, but the damage was done and the small remaining population has taken many years to recover, and has never recovered, at the present time, to the level which it had at the time the season was opened. Part of this, of course, was due to the low breeding level of the herd. Another reason for lack of recovery of the deer herd on the Beaver Creek Management Area has been excessive poaching, through night hunting, and a continued high population of free-running dogs. Despite efforts to the contrary these two factors appear to be the most serious deterrent to maintaining a high huntable population of deer on the National Forest.

In 1960, five years following the initial establishment, both the Sky Bridge

Wildlife Management Area and the Mill Creek Wildlife Management Area were discontinued and the area again opened to public hunting and use. While both deer and wild turkey have established a basic breeding population in those areas, due to the factors enumerated above concerning the Beaver Creek Area, they have never attained what would be considered a highly satisfactory population from the standpoint of hunting.

By 1955, the efforts of the personnel of the Daniel Boone National Forest, both by participation in meetings of sportsmen's groups, by newspaper publicity, and by individual participation in various types of hunts and other activities, had established a reputation in Kentucky of being favorable to wildlife and the use of wildlife as recreation. At that time, the only area on which hunting with a longbow and broadhead arrow could be legally done was a Federal cooperative waterfowl refuge in Western Kentucky between the Cumberland and Tennessee Rivers where Lake Barkley is now located.

Sportsmen's groups in Louisville, Lexington and other points in Eastern Kentucky were clamoring for additional areas where they could have access to deer hunting with a longbow without the long travel to Western Kentucky. As a result of contact with these groups, as well as a desire to see the wildlife population of the Cumberland National Forest serve as many different types of recreation uses as possible, Forest Supervisor Collins requested permission to speak briefly to the Commission of the Kentucky Department of Fish and Wildlife Resources at their August meeting. This permission was graciously granted and Forest Supervisor Collins, accompanied by the president of the State Target Archery Association and by the president of the State Bow Hunters Association, met with the Commission of the Kentucky Department of Fish and Wildlife Resources and presented a statement outlining the basis of bow hunting, its utilization of the deer herd for a sport for additional people at a relatively low cost in number of animals to be taken and, in general, recommended that an area on the Cumberland National Forest, in the vicinity of Mount Victory, bounded on the north by Ky-192, bounded on the south by Lake Cumberland, bounded on the east by Buck Creek and bounded on the west by the Rockcastle River be set up as an additional bow hunting area in Kentucky. At the close of the presentation, Commission members asked a few questions and then asked the group to remain outside while they conferred. Within a few minutes the Chairman of the Commission came out and said that the Commission had voted to grant the request and that such a bow hunting area would be set up.

The recommended area was visited by a large number of bow hunters from Louisville, Lexington and other parts of Eastern Kentucky throughout the fall bow-hunting season with excellent success. Fortunately, the state president of the Bow Hunters Association was able to bag a buck weighing nearly 300 pounds on this area of the National Forest. Needless to say, the interest

of the Forest Service in securing this additional bow hunting area and the success of the bow hunters in the state did much to give the Forest Service a favorable image in the field of wildlife resources in Kentucky which, it is gratifying to say, the Forest Service still enjoys.

The reevaluation of the overall programs of the Cumberland National Forest, made at the time of the change of Forest Supervisors in May of 1953, included a general objective of bringing to the people of Kentucky a better understanding of the Cumberland National Forest and the place it occupied in the overall natural resource picture of the State.

It was decided that this was to be accomplished, not only by news releases, but by active participation in the programs and activities of the various conservation-oriented organizations and activities of the state. It was agreed that such a program should be spearheaded by the Forest Supervisor personally, to lend emphasis to the dedication of the National Forest to the principles and actions recommended.

A review of the activity of the Cumberland National Forest in this field indicated that to that time they had consisted largely of championing the causes of Federal acquisition of timber lands, forest fire control and timber management, all logical programs of the relatively new and growing National Forest.

A staff discussion of conditions in Eastern Kentucky indicated that probably the two most critical areas of need were in the field of watershed management and the development of wildlife population and programs. It was pointed out that one of the jobs of the Forest Service should be to instill in the minds of the people of the area that wildlife, as well as timber, was a renewable resource which responded to protection and management. At that time there was no legal deer hunting in Eastern Kentucky and wild turkey populations were small and scattered with no open hunting season. It appeared that the wildlife resources was one of the more fruitful resources of the National Forest in need of highlighting to the general public.

The initial step for the National Forest was to undertake the reinforcement and strong support of the wildlife program of the Division of Fish and Game of the State Department of Conservation. Meetings between administrators and staffs of both organizations were initiated promptly which resulted in a new and strengthened overall understanding of the objectives of both agencies which was incorporated in a new overall cooperative agreement. Features of this overall cooperative agreement included participation of wildlife biologists in the planning of silvicultural operations on the entire National Forest, and in the timber management training of Cumberland National Forest personnel.

Another development was a new five-year wildlife management plan for the Beaver Creek Wildlife Management Area that recognized the desirability

of clear-cutting in small blocks for a dual advantage of improving wildlife habitat and of securing regeneration of the more desirable forest species.

While these developments were in progress, Forest Supervisor Collins was utilizing every opportunity to present the economic and recreational potential of the forest lands of Kentucky, which occupy nearly one half of the land area of the state, to the newly organized State Rural Development Committee, of which he was a member. As a means of highlighting this potential, which appeared to make little impression on the sociological and agriculturally oriented members of the State Committee, he prepared and presented at one of the early state-wide meetings a paper entitled, *Deer Values*. This presentation outlined in detail the potential of the deer herd for increase under conditions of proper habitat development and protection from poaching and the packs of free-running dogs which were present throughout the area. It further detailed the hunter use which would be supported by such a population and the economic return which could accrue to the people of the forested counties of Eastern Kentucky. It pointed out that, with the hunter pressure which could be supported on a sustained basis, using success ratio common in other deer hunting states and current travel and commodity prices, a return of \$5,280 per deer killed by bow hunters and of \$1,200 deer killed by gun hunters could be expected by the people of counties supporting such deer population.

The paper further applied these results to conditions in McCreary County, one of the more depressed counties of the Cumberland National Forest, which had been reported by the University of Kentucky's Bureau of Business Research as having a per capita income of \$446 in 1952. With results based on a desirable harvest of 25 percent of a managed deer herd, a potential return to the people of the county of nearly \$2 million annually was indicated.

These dollar results were further confirmed by a study conducted by the Tennessee Game and Fish Commission in 1965, on their Catoosa Wildlife Management Area which indicates an average expenditure of \$1,390 per deer killed by hunters in the area. Similar studies in other states have indicated the values developed above to be conservative.

As a follow-up on this paper, an article written by Supervisor Collins and based on its content was published in the *Happy Hunting Grounds Magazine* of the League of Kentucky Sportsmen. This article attracted much attention and favorable comment from outside the state as well as within, and aided in establishing the Cumberland National Forest in a favorable position concerning wildlife activities in Kentucky. Favorable comment was received from Deputy Chief M.M. Nelson of the U.S. Forest Service which gave encouragement to the Cumberland staff that they were on the right tract.

Beginning about 1958, the desirability of a special area of the National

Forest, on which deer hunters would be limited to the use of muzzle-loading firearms for hunting during the gun season, and could use crossbows as well as longbows during the bow season, was proposed to the state representatives during the annual Wildlife Management Coordination Meeting. After considering all aspects of the proposal, Commissioner Missor Clark of the Department of Fish and Wildlife Resources, recommended to the Fish and Wildlife Commission of Kentucky that such an area be authorized.

With the approval of the Commission the problem of selection of a suitable area confronted both agencies. After a study of possible locations for a block of National Forest land of sufficient size that was available, and at the same time supported a suitable habitat of wildlife and isolation for this type of hunting, an area of over 7,000 acres adjacent to the Licking River in Bath and Menifee Counties was proposed by State Biologist Harold Barber who was the principal coordinator between the state and the National Forest. The Forest Service agreed, the Commission passed the necessary regulations and the area of over 10 square miles of hardwood forest land was established as the Primitive Weapons Area as of July, 1962.

The normal publicity through news releases, and by an article in the League of Kentucky Sportsmen Magazine, Happy Hunting Grounds, was given this action. The area was a great success with muzzle-loading hunters from all parts of the state travelling to the area as well as increasing numbers from Ohio and other states in succeeding years as information pertaining to this area was disseminated. These hunters came to hunt small game and wild turkey as well as deer and to enjoy living again the days of Daniel Boone with flintlock rifles, buckskin hunting shirts, tomahawks, powder horns and knives. A number of national sportsmen's magazines have carried articles on the area, sending special feature writers to hunt and photograph as a basis for their writing. In February of 1963, Michael Hudoba gave the area two paragraphs in his Sports Afield column, Report from Washington.

During the period of study prior to the establishment of this area some biologists voiced a fear that the number of deer killed by muzzle-loading firearms would be insufficient to control the deer herd within the capacity of the habitat. A study of hunter's success ratio on this area with muzzle-loading weapons indicated that, for that particular year, hunter success was two and one-half times as great on the Primitive Weapons Area as was the hunter's success ratio with modern repeating weapons on the National Forest land outside. The hunting ability and marksmanship of the muzzle-loading weapon hunter has repeatedly proved to be at least equal to that of the modern equipped hunter on the area surrounding the Primitive Weapons Area.

Apparently there had been some question in the minds of the game biologists as to the effect on the deer herd of permitting the use of crossbows during the deer season. A study of the situation during the first four years of

operation of the Primitive Weapons Area was summed up by Game Biologist Harold Barber at the 1966 Annual Wildlife Coordination Meeting in his statement that, "Crossbows are not proved to be the potent deer killers that they have been reported." He recommended that crossbows be made legal hunting weapons elsewhere in the state.

When established, this was the only such area in the United States set aside for free wilderness type hunting with muzzle-loading firearms, either flint-lock or percussion. It is further unique in that the hunter may use rifle, shotgun with ball or buckshot, or a pistol. Crossbows must have a minimum pull of 80 pounds and use barbless broadhead arrows at least seven-eighths inches in width.

While hunting with crossbows has not been heavy, a number of crossbow hunters have hunted the area each year with a success ratio proportionate to that of the longbow hunters. It is believed that as of 1970, this was the only such area in the United States where deer could be hunted legally with a crossbow. Crossbow hunters have travelled long distances to hunt on this area. It is known that at least four such hunters travelled from New Jersey to spend the week at crossbow hunting on the Primitive Weapons Area.

In general, the success of this area, whose name was changed to Pioneer Weapons Area to conform more closely to the change in name of the forest, is a real tribute to the cooperative wildlife program on the Cumberland National Forest. It emphasizes the sincere desire of both the Forest Service and the Kentucky Department of Fish and Wildlife Resources to provide a maximum of public use and sport by their management and administration of the game population.

As another part of the program of the Cumberland National Forest of emphasizing the wildlife resource by doing, District Ranger Everett Towle, of the Somerset District on which the Beaver Creek Wildlife Management Area is located, organized a joint law enforcement expedition against deer poaching. Based on reliable information obtained from his field work-crews that at least seven deer had been poached from the National Forest on his District during the previous week, Ranger Towle believed that the time for action had come. With the cooperation of Division Superior Buchanan the Kentucky Division of Fish and Wildlife Resources, a cooperative effort was made to apprehend deer poachers on and near the Beaver Creek Wildlife Management Area on the night of October 23, 1964. A total of 13 State Conservation officers and eight Forest officers were formed into field teams of two Conservation Officers and one Forest officer equipped with a two-way radio. One Forest officer was placed on Buck Knob Lookout Tower as a radio relay center and to observe lights of poachers' cars approaching the general area and to guide the Conservation officer teams to them.

The operation was most successful. Although only one party of poachers

were apprehended under conditions which supported prosecution, several other parties of poachers were observed in the general area. This operation accomplished among other things — it definitely discouraged widespread poaching of deer in the vicinity of the Beaver Creek Management Area for the rest of the year; it proved that the Forest officers of the Cumberland National Forest and the State Conservation officers could work together successfully in combating the poaching evil, and it definitely established that widespread poaching of deer was taking place on the National Forest, and particularly on the Beaver Creek Wildlife Management Area.

The Cumberland National Forest continued to participate actively in state-wide natural resource meetings. Two of those meetings the Forest Supervisor presented papers on wildlife subjects.

In the Third Annual Conservation Congress on October 17-18, 1963, Forest Supervisor Collins represented the Forest Service by presentation of a paper entitled, Forestry and Recreation Resources of Kentucky, in which he emphasized both fish and wildlife as a renewable resource, within the reach of every county in the state through protection and habitat management, which could enhance both the recreation attraction and the economic level of local people.

At the First Governor's Conference on Forestry on February 27-28, 1964, again Forest Supervisor Collins represented the Cumberland National Forest on the program by the presentation of a paper entitled, The Relation of Forest Management to the Wildlife Resource. Here again was emphasized the potential of the wildlife resource for both recreation and economic return. The place of sound silviculture, employing clear-cutting in small blocks, in the development of desirable habitat for deer, wild turkey and small game, was presented in detail.

By 1965, the results of active participation by the Cumberland National Forest in behalf of the wildlife resource of Kentucky, and its potential benefits for the people, were beginning to become evident. News stories of wildlife and of hunting were frequently centered around the Cumberland National Forest. The wildlife program of the Cumberland National Forest and its hunting potential had been highlighted in news items and stories in national sporting magazines.

The crowning confirmation of the recognition of the Cumberland National Forest in the field of wildlife in Kentucky came when the League of Kentucky Sportsmen, at their 30th annual meeting in Paducah, in July of 1965, selected the Forest Supervisor of the Cumberland National Forest to be the recipient of the Governor's State Conservation Award of Forest Conservationist of the Year for 1965. This recognition of the Forest Service wildlife effort over a 10-year period was most gratifying to the personnel of the Cumberland National Forest.

Another activity of the cooperative wildlife management program on the Cumberland National Forest was that of put-and-take trout fishing which proved most popular to the public. A joint study of the trout fishing use of Rock Creek during the summer of 1965, produced some revealing information for the Forest Program of translating wildlife use into terms of economic returns. This study indicated that for the period of May through October, 1965, a total of 3,782 trout fisherman had expended over 15,000 man hours of fishing time on Rock Creek. Considering the travel time to reach the area, and that many of the fishermen came from locations far outside the county, an average total cost per trip of \$10 was assigned. Capitalizing this value at 4 percent, this stream had produced a revenue from fisherman expenditures equal to a capital investment of over \$900,000 which could be considered the value of the Rock Creek Fishery to the local economy.

The study also gave an indication of efficiency of this put-and-take operation as it indicated that 82 percent of the total number of trout stocked in Rock Creek in 1965, had been harvested during the six-months period of the study.

The Forest made every effort to utilize information of this kind to indicate the value of the natural resources of forest land to the local community terms of dollars and cents.

As a part of the overall program of highlighting the wildlife resource of the Forest, it was recognized that in Kentucky more hunters seek squirrel than all other species of game combined. Squirrel hunting is traditional for Kentuckians and, therefore, it appeared most appropriate to utilize this custom to focus public attention on the wildlife resource of the National Forest.

While many of the people are squirrel hunters, few understand the relationships between population abundance and the mast crop. In like fashion few understand that timber can be harvested, thinned and otherwise managed without reducing materially the overall squirrel population of the county or area. As the Forest had encountered some objection to harvesting hardwoods, this appeared to be an excellent opportunity to inform squirrel hunters of some of these facts of life. In April of 1966, the name of the Cumberland National Forest had been changed to the Daniel Boone National Forest. In June of 1966, the Forest published an attractive booklet entitled, Squirrel Hunting on the Daniel Boone National Forest.

Initially distribution of this booklet was selective, the first copies going to presidents of fish and game clubs, county judges, county clerks, officers of wildlife organizations and similar people who normally receive complaints of National Forest management program. The response was most gratifying. One of the outstanding compliments came from a wildlife research biologist of the Department of the Interior who wrote, "I have read many popular accounts of squirrel hunting and a few on squirrel management. This booklet is the

best account of forest management designed to maintain high squirrel populations that I have ever read. It is presented in a simple, straight-forward manner and all of the context is based on sound basic biology of the squirrel and his needs. Congratulations. We hope that this bulletin will get in the hands of every Forester and squirrel hunter in the South."

This publication, in the preparation of which the biologists of the Kentucky Department of Fish and Wildlife Resources contributed materially, has served the Forest Service well and should continue to do so for many years to come.

Enumerated above are some of the actions of the Cumberland National Forest in providing leadership in Kentucky in the utilization of the potential of the wildlife resource of the half of Kentucky that is forest land. Every effort was made to emphasize that wildlife was only one of the resources of forest land and that, when managed under the principles of multiple use, its contributions can be made without materially reducing the contribution from the other resources of forest land.

CHAPTER XXXII

THE FOREST NAME CHANGE

In previous pages are the correspondence and discussion regarding the name for the National Forest when it was to be changed from a purchase unit to a national forest by Presidential proclamation. It will be recalled that the majority of the local leaders had recommended that the new National Forest in Kentucky be named the Daniel Boone National Forest. It will also be remembered that a poll taken of Regional Office Division Chiefs had recommended against the name of Daniel Boone, and in favor of continuing the name of the purchase unit as Cumberland in the proclamation of the new National Forest. And it will also be remembered that Assistant Regional Forester Ira T. Yarnall had summed up these various opinions in his memorandum of May 4, 1936, to the Regional Forester and had implemented the Regional Forester's decision that the name of the new National Forest to be proclaimed would be Cumberland.

On the recommendation of the Chief of the Forest Service and of the Secretary of Agriculture, the Cumberland Purchase Unit in Kentucky was proclaimed the Cumberland National Forest by the President of the United States on February 23, 1937.

The ink on the signature of the proclamation was barely dry when the first of a series of protests on the new name came to light. The first was a letter written by Senator Alben W. Barkley to the Secretary of Agriculture H. A. Wallace on February 26, 1937. Senator Barkley tells Mr. Wallace, "I am in receipt of protest from my constituents against a draft of a proclamation, which it is stated you have submitted to the President, to name the 1,388,214 acres of land now being purchased by the U.S. Forest Service in 17 counties in eastern Kentucky, the Cumberland National Forest. These interested parties are desirous of having it called the Pioneer National Park or the Daniel Boone National Park, preferably the latter."

On February 26, 1937, William Boone Douglass, President, American Order of Pioneers, writes to the Honorable President of the United States as follows: "Our Vice President, Mr. C. Frank Dunn, Secretary of the Daniel Boone Bi-Centennial Commission, — writes me under date of February 24, protesting against the naming of Kentucky's National Forest Cumberland, as given in the proposed proclamation submitted to you for your signature and issuance by the Honorable Secretary of Agriculture.

"I am sure that the sentiment, both state and national, is with the Commission in its desire that the Forest be named for Daniel Boone. Some three years or more ago I was told in the Forest Service that such a name would be

satisfactory to it."

On May 5, 1937, a letter signed by Bailey P. Wootton, Director, Division of Parks, Department of Conservation, Frankfort, Kentucky, to the Forester, U. S. Forest Service, Washington, D.C. stated, "I notice quite an active move on for changing the name of Cumberland National Forest of Kentucky to Daniel Boone National Forest.

"I hope that this can be done, as it is a name we think more appropriate than Cumberland. We have Cumberland everything else in this section of the state and should like to see the Forest over which Daniel Boone hunted and fought named for him. Very truly yours, Bailey P. Wootton, Director."

The position of the Forest Service at that time was rather succinctly stated in a letter written by F. A. Silcox, Chief of the Forest Service, to Tom Wallace of the Louisville Times on May 19, 1938. In the closing paragraph of that letter Chief Silcox states, "Our position is that if or when the people of Kentucky generally agree upon a more appropriate name the Department will be glad to consider its adoption. Until then the continued use of the name Cumberland seems appropriate."

As far as the official record goes, this appeared to end the discussion as to the name of the new National Forest in Kentucky, and for nearly 30 years this name remained without question. About 1958, the Forest Supervisor of the Cumberland, who had been studying early Kentucky history as a background for the public relations program of the Cumberland National Forest, began to wonder why the National Forest had not been named for the famous pioneer who had blazed the Boone Trace across the Forest in 1775, who had explored the greater portion of the Forest in 1769, and who had been more instrumental than any other individual in the Transylvania Company establishing their initial settlement in Kentucky in 1775 at Boonesborough. The preceding information did not come to the attention of the Forest Supervisor, and he had no knowledge of the attempt made by the people of Kentucky to name the National Forest in honor of Daniel Boone at the time it was initially proclaimed.

It was decided to investigate the matter thoroughly to determine, if possible, the origin of the name Cumberland and its appropriateness as a name for the National Forest. After some study it was found that the name of Cumberland came to Kentucky when Dr. Walker and his party came through what is now Cumberland Gap in 1750, and named the large river encountered after entering Kentucky after the then-famous Duke of Cumberland. History tells us that the Duke of Cumberland was William Augustus who was the illegitimate son of King George II. In 1746, he commanded the Royal English Army which defeated the Scottish clans who had assembled under the leadership of Bonnie Prince Charlie who was trying to reestablish the Stuarts on the throne of Scotland.

On April 16, 1746, at the Battle of Culloden Moor, the Scottish Army was defeated. The Duke of Cumberland gave no quarter to the prisoners, ordered the wounded slaughtered and burned the houses in which wounded had crawled for shelter. Many of the Scottish chieftans, who had been captured by the English and disarmed, were butchered after they had surrendered. As a result of this, the Duke of Cumberland was forever after known as The Butcher. History has branded the Duke of Cumberland the Bloody Duke.

The families of the murdered Scottish chieftans were forced to flee Scotland to escape the wrath of the Bloody Duke who sought to stamp out the rebellion in the Scottish Highland through the murder of the families of the Scottish leaders. Many of these families came to western Virginia and North Carolina and from there migrated into eastern Kentucky in the very early days. Descendents of these families are still found throughout the eastern Kentucky area. It was found that when speaking to various service clubs and other organizations about the origin of the name of Cumberland that, following the meeting, several local people would come forward and state that they were descendents of these families of the Scottish chieftans, and that today the name of Cumberland was still most distasteful to them.

In studying the history of eastern Kentucky, another factor appeared as a result of the Revolutionary War. Many of the early settlers of eastern Kentucky came there because of land grants, rewarding them for their services in the Revolution. During the Revolution and for many years afterward, there was a definite opposition to names connected with the British. Prior to the Revolutionary War, the Kentucky River had frequently been named the Levisa in honor of the wife of the Duke of Cumberland. Following the Revolution, with many Revolutionary Army soldiers settling in Kentucky, public indignation against the name of Levisa, because of its British connotation, resulted in the renaming of the river the Kentucky River.

In considering these facts the personnel of the Cumberland National Forest felt very strongly that the Forest should be renamed in honor of Daniel Boone. Undoubtedly, the influence of Daniel Boone, more than any other single individual, had resulted in the early settlement of the part of eastern Kentucky occupied by the Daniel Boone National Forest. For example, he had first explored the area in 1769 and 1770, in company with his brother Squire. It was his report, in glowing terms of the desirability of the country as a colony site, that influenced Judge Henderson and his associates in the Transylvania Company to acquire title to the area through a treaty with the Cherokee and to establish their colony there. It was Daniel Boone who had blazed the first trail, the Boone Trace, from Cumberland Gap to the Kentucky River on the mouth of the Otter, over which for more than 20 years a stream of settlers poured into the country. It was Daniel Boone who had provided the leadership and the reassurance to the early settlers at

Boonesborough which had encouraged them to stay, to resist the Indian attacks and to settle the country. In view of these facts it appeared highly justified that an attempt to be made to change name of Kentucky's National Forest from that of the Bloody Duke to the name of Daniel Boone National Forest.

The first official effort to initiate action consisted of a letter written on September 1, 1960, from the Forest Supervisor to the Regional Forester, Region 7, at Upper Darby, Pennsylvania, recommending the change in name and supporting the recommendation with information similar to that above. Regional Forester Pyles' reply was neither favorable nor unfavorable. He pointed out that changing the name of a National Forest which had been established as long as the Cumberland was neither simple nor rapid. He pointed out that to make such a name change it would be necessary to secure the support of the people of the area, as evidenced by letters to the Secretary of Agriculture, to the Congressional Delegation, to the Chief of the Forest Service and by resolution passed by such organizations, which would demonstrate that the majority of the people were in favor of such a change. He pointed out that to bring this about was neither easy nor rapid. However, he did comment that in view of the information submitted the recommendation appeared to be logical and sound; and therefore, he pretty well left it up to the National Forest to take further action as they saw fit.

For the next several years the Forest officers of the Daniel Boone National Forest, in speaking in groups and organizations and in talking with key individuals, brought up the proposal and the reasons for it. In most cases the replies and the attitudes appeared favorable. The proposal had been the subject of news items by various organizations at various times and of discussions, all of which appeared to be favorable to the name change. However, it seemed difficult for the personnel of the National Forest to sufficiently inspire any organization or individual to initiate direct action to secure this change. Finally in 1965, a breakthrough came in the form of a discussion between the Forest Supervisor and Joe Creason, Special Feature Writer for the Courier-Journal newspaper in Louisville. Seated side by side at a banquet, Mr. Creason asked the Supervisor what progress was being made on securing the name change, which he had commented on favorably in his column several times. On being told that there appeared to be little or no opposition, but that no means of motivating direct action had been found, Mr. Creason asked the Supervisor what was needed to get this proposition off of dead center. The Forest Supervisor replied that he believed that a letter from the Governor to the Secretary of Agriculture might start the wheels in motion. Mr. Creason then agreed that he would try to motivate such action. As a result of this conversation, a small item appeared in Mr. Creason's daily column in the Courier-Journal suggesting that the Governor take such action.

The paragraph ended, "How 'bout it Governor?" As the matter had already been discussed several times with Governor Edward T. Breathitt, this small item in the newspaper was enough to strike the necessary spark.

On May 20, 1965, Gov. Breathitt, responding to Mr. Creason's item in the Courier-Journal as well as to a great many resolutions from organizations, letters from individuals and advice from the Kentucky Historical Society, of which he was Chancellor, wrote a letter to Secretary of Agriculture Orville Freeman and recommended the changing of the name of the Cumberland National Forest to the Daniel Boone National Forest.

Secretary Freeman referred this recommendation to the Chief of the Forest Service in Washington, who initiated a study of this request from the standpoint of suitability of both the present name and the proposed name, measurement of the proposed name against the basic criteria established by the Forest Service in naming a National Forest, and the administrative advantages of the new name over the present name. After detailed studies of these facts, in the course of which the Cumberland National Forest was called upon to present information, discussion of the proposed change with both Senators and Congressmen from Kentucky, and consideration of the many letters and resolutions that had been submitted to both the Secretary of Agriculture and to the Chief of the Forest Service, an overwhelming majority of which were in favor of the name change, the Chief of the Forest Service recommended the change favorably to the Secretary of Agriculture.

Some of the letters written to the Chief of the Forest Service in support of the name change carry interesting comments such as a letter written on October 15, 1965, by the senior Senator of Kentucky, John Sherman Cooper, in which he states, "It seems to me that the proposal is an attractive one, as Daniel Boone has a natural association with Kentucky and it is a name which would stick in the minds of potential visitors from other states. However, I want to consult with groups in the area before a decision is made, and will keep in touch with you."

Another pertinent comment is a letter written by Congressman Tim Lee Carter to Secretary of Agriculture Freeman on October 21, 1965, in which he states, "Overwhelming sentiment in the Fifth District of Kentucky favors changing the name of the Cumberland National Forest to Daniel Boone National Forest. In response to literally thousands of requests, I, in turn, solicit your approval of the name Daniel Boone National Forest for the Cumberland National Forest."

Another most interesting letter was written by a junior high school teacher from Owensboro, Kentucky, on December 1, 1965, in which she states, "Our 7th grade classes study Kentucky during the fall semester. As a result of several articles in the Louisville Courier-Journal concerning the changing of the name of the Cumberland National Forest to the Daniel Boone National

Forest, the classes have had many interesting discussions. They have talked about both sides of the issue and have come to the conclusion that the large majority favors changing the name to the Daniel Boone National Forest. Therefore, they wrote letters expressing their opinions in their own words and I have enclosed a number of them with this letter. Would you let us know the feelings of the Department of Agriculture and what the possibilities are of changing the name? Mrs. Joan Robertson."

On December 28, 1965, the Chairman of the McCreary County A.S.C. Committee sent to Senator Cooper the following resolution, "WHEREAS, the United States Forest Service has in the past, administered the Cumberland National Forest in a manner to be of great benefit to southeastern Kentucky and McCreary County, and

"WHEREAS, the leaders in this service have expressed a desire to change the name of the Cumberland National Forest to the Daniel Boone National Forest because, as they say, it will better identify and bring publicity to this particular area of the National Forest, and, WHEREAS, we have confidence in the leadership of the United States Forest Service.

"Now, therefore, we urge that their recommendation be taken and that this change in name be effected."

Another letter from the Chairman of the McCreary County Board of Education written to Senator John Sherman Cooper in Washington on January 11, 1966, states, "Upon a motion made by John Vahle and seconded by George Neal, the Board voted unanimously to express its approval of a change in the name of the United States forest lands in Kentucky from Cumberland National Forest to Daniel Boone National Forest."

Another significant supporting statement came in the form of a resolution from the Kentucky State Senate under the following:

"SENATE RESOLUTION NO. 43, Thursday, February 17, 1966, Senator Ed J. Kelly introduced the following resolution, which was ordered to be printed.

"A RESOLUTION requesting the U.S. Department of Agriculture to change the name of the Cumberland National Forest to the Daniel Boone National Forest. WHEREAS, many civic organizations have gone on record as favoring the name Daniel Boone National Forest for the present Cumberland National Forest; and

"WHEREAS, Governor Edward T. Breathitt has indicated that he would assist in having the name of the National Forest changed to Daniel Boone National Forest; and

"WHEREAS, the life of Daniel Boone was more directly connected with the history of Kentucky and therefore it is fitting and proper to rename the Cumberland National Forest in his honor; NOW, THEREFORE,

"Be it resolved by the Senate of the Commonwealth of Kentucky;

"Section 1 That the Department of Agriculture, Division of Forestry Service, change the name of the Cumberland National Forest to the Daniel Boone National Forest.

"Section 2 That a copy of this resolution be forwarded to Orville Freeman, Secretary of Agriculture and Edward Cliff, Chief of the Division of Forestry."

in the House of Representatives.

Another interesting incident which undoubtedly hastened the process of starting the government wheels turning in Washington occurred on February 16, 1966, in Lexington, Kentucky.

On that date the Third Annual Governors' Conference on Forestry was being held in Lexington, Kentucky. Banquet speaker for that conference was Edward P. Cliff, Chief, Forest Service, U.S. Department of Agriculture. As Chief Cliff completed his banquet speech and was about to return to his seat on the platform, Gov. Breathitt, who was Chairman of the program that evening, called him back to the platform and commissioned him a Kentucky Colonel. After Chief Cliff had properly thanked the governor and was again about to return to his seat, the governor turned to him and said, "Just a minute, you understand that you are now a Colonel on my staff, do you not?" And Chief Cliff said, "Yes I do." Whereupon Gov. Breathitt said, "Now I would like you to expedite the changing of the name of the Cumberland National Forest to that of the Daniel Boone National Forest." Needless to say, this delighted the audience and when the uproar had subsided, Chief Cliff, now a Kentucky Colonel, assured Gov. Breathitt that he would take the necessary action.

Chief Cliff was as good as his word, and the following Monday morning a series of telephone calls from various divisions in the Chief's office to the Forest Supervisor indicated that the wheels of government were turning.

Shortly after this, the necessary proclamation was drawn up and submitted to Lyndon B. Johnson, President of the United States, who signed it on April 11, 1966. On that date Kentucky's National Forest, which for approximately 30 years had been known as the Cumberland National Forest, was now henceforth officially known as the Daniel Boone National Forest. A copy of the Presidential proclamation is included in Appendix G.

Needless to say, planning was immediately started for a formal dedication of the newly proclaimed National Forest. In Kentucky, a special Daniel Boone National Forest Association was formed within the framework of the Kentucky Historical Society. Chairman of this association was Dr. Hambleton Tapp with W. A. Wentworth as Secretary. W. E. Caywood, Jr., publisher of the Clay City Times newspaper of Clay City, Kentucky, was designated Chairman of the Dedication Ceremony.

After some consultation it was decided that the dedication ceremony

would be held at the Levi Jackson Wilderness Road State Park at London, Kentucky. There was much "eyebrow raising" in Washington when it was reported that the ceremony would take place in a Kentucky State Park rather than on the National Forest itself. However, when it was explained that this State Park was located on the Old Wilderness Road, was famous as the site of two massive Indian massacres of settlers coming into Kentucky, and was adjacent to the Ranger Station of the London District, it was realized that this was an appropriate site for this ceremony.

After much planning, the date of Saturday, July 23, 1966, at 1:30 p.m., was selected for the dedication ceremony. Both Gov. Breathitt and Secretary of Agriculture Freeman had planned to take part in this ceremony, but an unexpected change of plans caused by a special emergency visit by the President of the United States to western Kentucky made it necessary that these dignitaries be represented by members of their staffs. When the day of the ceremony arrived, John A. Baker, Assistant Secretary of the U.S. Department of Agriculture, represented Secretary Freeman and made the dedication speech. Edward P. Cliff, Chief, U.S. Forest Service, was present and also made a brief dedication speech. H. C. Erikson, Deputy Regional Forester, U.S. Forest Service, Atlanta, Georgia, represented the Regional Forester, and also made a short address as a part of the ceremony.

The highlight and the drawing card of the event however, as well as the crowning honor of the Forest, came in the participation of actor Fess Parker, internationally famous as carrying the role of Daniel Boone in that television series nationwide. Mr. Parker travelled all night by airplane in order to be present at the ceremony. Prior to the ceremony, his gracious attention to everyone he met charmed all, young and old, men and women. By his friendly graciousness and his willingness to sign autographs and otherwise to participate in the ceremony, he was the outstanding feature of the dedication. His brief talk from the platform was undoubtedly the highlight of the entire ceremony for the some 5,000 people gathered in the amphitheatre of the Levi Jackson Wilderness Road State Park on that hot afternoon.

Many other people and organizations participated in the dedication program, including a selected group from the Pine Knot Job Corps Center, a color guard from the Governor's Corps of Kentucky Longriflemen who fired a salute with their muzzleloading flintlock rifles, members of the cast of the pageant Wilderness Road, then playing at the amphitheatre at Berea, members of the pageant, Legend of Daniel Boone, then playing at the amphitheatre at Harrodsburg. Needless to say, both Dr. Tapp and Editor Caywood did an outstanding job of welcoming the guests and serving as masters of ceremonies. All went off smoothly and well thanks to the literally dozens of Forest officers, members of the State Department of Publicity, the State Police, and others who willingly helped with the arrangements, the ceremony, the park-

ing and the functioning. It is impossible here to give credit to all who served so faithfully on this occasion, but their names are inscribed in the files covering the name change and this ceremony which is in the Forest Supervisor's Office in Winchester marked for permanent retention in the open file.

Subsequent experience with the administration of the National Forest under the new title of Daniel Boone National Forest has more than justified the recommendations and the action taken for the name change. The new name and the signs bearing it are of prime interest to tourists. One incident illustrated this new interest very well. For the 30 years that this National Forest had been named the Cumberland National Forest, no one could remember of having seen a tourist having his picture taken in front of one of the National Forest signs; yet, following the name change and the change of the National Forest identification sign, it was a common sight to see a tourist stop by the side of the road, line his family up in front of a Daniel Boone National Forest identification sign and take their picture. We felt that this item very definitely illustrated the added attraction of the name Daniel Boone to the National Forest visitor.

As a memento of the dedication ceremony, the leading participants were given miniatures of the Daniel Boone National Forest identification roadsign sign. It was most gratifying to the Forest officers of the Daniel Boone to be informed a number of years later that this miniature sign still remained prominently displayed in the office of Chief Cliff of the U.S. Forest Service in Washington. In addition, replicas of the proclamation were prepared in a form suitable for framing and were presented to many important dignitaries who had assisted with the name change.

CHAPTER XXXIII

FOREST EXPANSION – THE REDBIRD PURCHASE UNIT

With the change in Forest Supervisors of the Cumberland National Forest in 1953, a reanalysis of the natural resource situation in eastern Kentucky, as a basis for realigning objectives and programs for the Forest, indicated that one of the most critical resource situations in the general area was that of watershed. Although four major rivers had their origin in eastern Kentucky, the headwaters of none of these were included within the Cumberland National Forest.

A review of the history of the U.S. Forest Service interest and activity in eastern Kentucky indicated that this situation had been recognized almost from the beginning of the Forest Service when Gifford Pinchot, the first Chief of the Forest Service, sent Forest officers into the area to determine its suitability for National Forest purposes.

An analysis of the watershed situation, from the standpoint of the general welfare of the people of Kentucky, pointed to the Kentucky River as having the most critical situation. The Kentucky River is the lifeblood of the Bluegrass, the most intensely developed part of the state and, by all reports, due for an increase in population and industrial development in the years immediately ahead. The cities and towns of the Bluegrass region are dependent on the Kentucky River for their water supply, both domestic and industrial. Many of the larger cities of the Bluegrass are located on the Kentucky, portions of them in the floodplain of the river. Therefore, the quality and quantity of the flow of the Kentucky is of vital importance to the several million people who are dependent on the Kentucky River for their water supply and are at its mercy in the event of extreme flood.

It has long been recognized that the characteristics of a river are largely determined by the conditions of its headwaters watershed. The headwaters of the Kentucky lie in the mountains of eastern Kentucky, the three forks coming together in Beattyville to form the Kentucky River. The watersheds of these three forks had been heavily logged prior to 1920, and heavily and repeatedly burned by forest fires since that time. Coal drift mines have penetrated the mountains with the resultant siltation from the piles of spoil and from the roads and tramways which served the mines. In addition, acid pollution from mine drainage is present in the small feeder streams throughout the watershed. Coupled with this adverse situation was the beginning of extensive strip mining along the coal seam and outcrops in nearly every major drainage of the area. From the miles of spoil banks along the mountainside came heavy siltation, earth slides and, for the spoil that contained acid shale,

acid pollution of the water itself.

This situation has been described repeatedly in the public press, discussed by state organizations and publicized nationally, but no action to correct or even halt the spread of the situation had been initiated. Public demand had enacted a strip-mine law whose effect, when measured by the improvement of the end product of halting pollution and siltation of the streams, was of no consequence.

The critical watershed importance of the headwaters watershed of the Kentucky has long been recognized. The Forest Service had examined the area in 1907, again in 1914, and again in 1921, each report recommending it as desirable for establishment of National Forests, in each case based the recommendation heavily on its critical watershed characteristics. In each case establishment of National Forests was discouraged by large financial interests, organized as coal and timber companies, which held large key tracts of land which they declined to sell until their program of exploitation of coal and timber resources was complete.

Again in 1933, Mrs. Mary Breckinridge, founder and director of the Frontier Nursing Service, made every possible effort to secure establishment of a National Forest on the headwaters of the Kentucky River. She personally visited Washington where she appealed to the Chief of the Forest Service and, finally, to the National Forest Reservation Commission through its Chairman, Secretary of War George H. Dern, a personal friend; all to no avail. Again in 1934, W. E. Hedges visited the area, conferred with Mrs. Breckinridge and examined the area, reporting most favorably on the need to locate a National Forest purchase unit there to insure protection and continued management of the critical headwaters watershed of the Kentucky River.

In her book, *Wide Neighborhoods*, Mrs. Breckinridge has stated of this effort, "Our failure to get the National Forest Reservation, with all that it would have meant to Americans from the sources of the Middle Fork to the Mississippi Delta, was total and in a few years there will be no forests as we once knew them. The reason for this failure seems to have lain in minerals that underlies the forest, which could not be bought by the Forest Service, or side-stepped in the purchase of surface rights."

After his return to Washington, W.E. Hedges, Chief Land Examiner of the Forest Service in the Eastern Region, wrote to Mrs. Breckinridge about the continued uninterrupted destruction of the Forest. Mrs. Breckinridge commented on this in the last paragraph of Chapter 35 of *Wide Neighborhoods*, "For this destruction one should not place blame on the lumber companies. The tax laws of many states, including Kentucky, discourage forestry and favor lumbering. No cash concessions are given companies to conserve trees of small girth for later harvesting; no penalties are laid on men for the destruction of such trees. The fault for this lies partly with us, an apathetic citizenry.

Meanwhile, floods in here and in lowlands, are bigger and more frequent, as the forest cover disappears, and terrible forest fires start on cutover land, strewn with dead branches, to destroy such of the soil as had not already been washed away by erosion. Meanwhile, the cities on the Ohio River build more and better flood walls. If a man from Mars were to drop in upon the planet Earth, he might find it perplexing to understand why money, including Federal money, is paid out in the construction of the flood walls to protect the cities in the lowland valleys when the same money, spent in the conservation of the highland forests, would have controlled the flood. Some of those who travel through here see the operations of the lumber companies, including outside companies who take out of the region the wealth they glean from it, and think that an economic outlet has been assured our people through them. This is transient. It will soon pass away, but the desolation left by the destruction of the forest will remain for generations to come."

Again in 1939, two years after the Proclamation of the Cumberland National Forest, the Forest Service sent Mr. W. E. Hedges and David Tabbutt into the area for a more detailed study of the critical watershed area which had been recognized and by-passed for many years. Their report, which covered nearly 50 pages, spelled out in detail the conditions found within an area of nearly a half-million acres of forest land on the headwaters of the Kentucky and the Cumberland rivers.

In discussing the watershed protection and soil conservation aspects of this area, the report quoted from U.S.D.A. Miscellaneous Publication Number 351 as follows, "The one system of attack on erosion which promises success is ... to begin where the erosion begins, at the crest of the ridge, and working down ... to the stream banks in the valleys below. Control of timber and watershed ... in order to conserve and restore vegetation and increase the absorptive capacity of the soil, will provide the kind of land management that will cause reduction in flood runoff, silt damage, destructive mud flow, and deposit of erosional debris."

The report continues by pointing out that the description given above is particularly applicable to the area covered in the report. The report states that the slopes are not only steep and the ridgetops and valley floors narrow, but the soil, when exposed, is very susceptible to erosion. Consequently, a heavy contribution is made to practically all downstream floods and to the silt deposits in downstream channels.

The report continues, "In view of the fact that this area affects a much larger area, from a watershed and soil conservation standpoint, it should be given a high place in any plan of action on any part of these watersheds."

Although these facts have been known for a long time, there is little effort, except on National Forest land, to correct, or even slow, this process of erosion and development of conditions favorable to flood development to this day.

As a result of reviewing the above history of the area in question, foresters agreed that spearheading an effort to establish a National Forest purchase unit on the headwaters of the Kentucky River ranked high in the long-range objectives of the Forest in the field of watershed protection. Such a unit, once established, could initiate intensive control of forest fires, establish and maintain the continuing forest cover on the slopes, take action to heal eroding abandoned roads and tramways and, where abandoned strip-mine areas would be purchased, possibly be eligible for Federal funds to restore these bleeding areas to a reasonable watershed condition.

In addition, a Natural Forest purchase unit could provide the normal benefits of some increased employment and vigorous leadership in all phases of rural development involving employment on natural resources and the use of public land.

Personnel of the Cumberland National Forest immediately initiated the program by laying a groundwork for such a proposal. At every opportunity, such as talks to conservation groups, talks to service clubs, contacts with other government agencies, discussion programs in the State Rural Development Committee, reports to the Regional Office, discussions with Regional and Chief's office staff personnel, and even in discussions in barber shops and social gatherings, the importance of flood and erosion control on the headwaters of the Kentucky River were illustrated and emphasized.

By 1960, the information was becoming familiar to many people, some of whom had become real supporters of the idea. Among these were some of the staff officers of Governor Bert T. Combs, and the governor himself, a resident of eastern Kentucky, was familiar and sympathetic with the need to do something on the headwaters of the Kentucky River.

Simultaneously, events in Kentucky were developing what was to prove a fertile seedbed for ideas as to the desirability of a National Forest purchase unit on the headwaters of the Kentucky. The poverty program was in full swing, and Gov. Combs of Kentucky, as Chairman of the Organization of Appalachian Governors, had called the famous White House Conference to meet in Washington in late March of 1963.

During that same period of March, 1963, another event focused public attention on watershed situations in eastern Kentucky. During that period destructive floods occurred throughout the area causing much damage and financial loss.

Just prior to the meeting of the White House Conference of Appalachian Governors, the Forest Supervisor of the Cumberland National Forest, reading about the proposed conference in the newspaper, called one of Gov. Combs staff officers, with whom he was associated on the State Rural Development Committee, and suggested that the proposal for a new National Forest purchase unit on the headwaters of the Kentucky be included in the Kentucky

program for the conference. The Governor's staff officer thought the suggestion merited consideration and asked for detailed information on the proposal to be telephoned to him that night at his hotel room in Washington, for which he was leaving within the hour. The information was provided and, to the surprise of the Chief of the Forest Service, who was attending the meeting, Gov. Combs proposed, as one of the 12 key points for development of Kentucky, the establishment of a National Forest on the headwaters of the Kentucky River, and added that Forest Supervisor Bob Collins has a map showing just where it should be located. Needless to say, the telephone in the Forest Supervisor's headquarters in Winchester started ringing shortly after that, and the interest of the Chief's Office in the proposal picked up materially.

As a direct result of this chain of events, the Eastern Region (R-7) made another study of the watershed situation in eastern Kentucky. Entitled, *The Kentucky Highlands*, it covered an area of over five million acres of the mountainland of eastern Kentucky which includes the headwaters of the four major river systems which drain eastern Kentucky — the Big Sandy, the Licking, the Kentucky, and the Cumberland.

Certain portions of this report were particularly significant in view of the situation. For example, "The disastrous floods which swept through eastern Kentucky in March of 1963 have highlighted again the fact that upstream watershed protection and rehabilitation and construction of effective flood control structures on the major streams are essential to the economic development of the region." At another point the following paragraph appears, "On March 28, 1963, at the White House conference on eastern Kentucky, Gov. Combs of Kentucky recommended the establishment of National Forest units on the headwaters of major eastern Kentucky streams. As a result, the Forest Service has brought together this information." And still a third paragraph appears significant, "The objective of this report is to further expand on the major conclusions reached above and purchase units roughly conforming to upstream watershed boundaries and ranging in size from 100,000 to 400,000 acres would be established in any of the four major river drainages where sufficient forest, watershed and sub-marginal farm land are voluntarily offered for purchase."

Studies to delineate the boundary of the initial purchase unit were initiated promptly. These studies were based on the principle that purchase unit boundaries should coincide with watershed boundaries rather than conform to man-made boundaries such as property lines or county lines. The studies were based on a number of small units, each a complete watershed segment. This would facilitate expansion of the original nucleus by logical watershed subdivisions as well as facilitate selection of the most critical areas as the initial base unit.

After considerable study, three of these watershed units, numbers 7, 8 and 9, including some 591,000 acres lying on the headwaters of Goose Creek, the Red Bird River, the South Fork and Middle Fork of the Kentucky River, were selected as the initial purchase unit. The area included all of Leslie County, 95 percent of Clay County, 12 percent of Harlan County and two percent of Bell County. The initial objective was the purchase of 300,000 acres by the end of 1971.

In the meantime, the program of public information, contacts with key individuals and organizations, and generation of favorable news stories proceeded on a planned and organized basis.

The local attitude toward the establishment of a National Forest was generally enthusiastic. This applied to the county officials as well as individuals. However, the large mineral owners were generally not in favor of Federal ownership of the surface although they did not voice opposition at the local level.

State officials were enthusiastic about the establishment of National Forest areas in eastern Kentucky. Endorsements were received from the Governor, Commissioner of Natural Resources, State Forester and the entire Kentucky Congressional Delegation. The Kentucky Farm Bureau endorsed the project on the basis of its contribution to watershed protection. The establishment of a National Forest in eastern Kentucky was received with as near unanimous approval as could ever be expected. It was enthusiastically supported at the local, state and federal level. The only questions raised by the public were how soon will it start, and how big will the program be.

On February 24, 1964, the Redbird Purchase Unit was established by the National Forest Reservation Commission. On April 13, 1965, Robert Montgomery, Deputy Commissioner, Kentucky Department of Natural Resources, appeared before the Senate Appropriations Committee in Washington and presented a statement in support of restoring \$500,000 to the Appalachian Regional Development Act Appropriation for the purpose of forest land acquisition under the Week's Act for National Forest purposes. Here, again, was emphasized the critical flood control and pollution influence of the headwaters of the Kentucky River.

Full cooperation by State and other Federal agencies, as well as the press and public, was outstanding in establishing this purchase unit and getting its administration underway.

District Ranger Thomas R. Frazier of the Williamsburg District, Cumberland National Forest, was assigned as the Ranger of the new purchase unit with headquarters at Manchester, Kentucky, the county seat of Clay County.

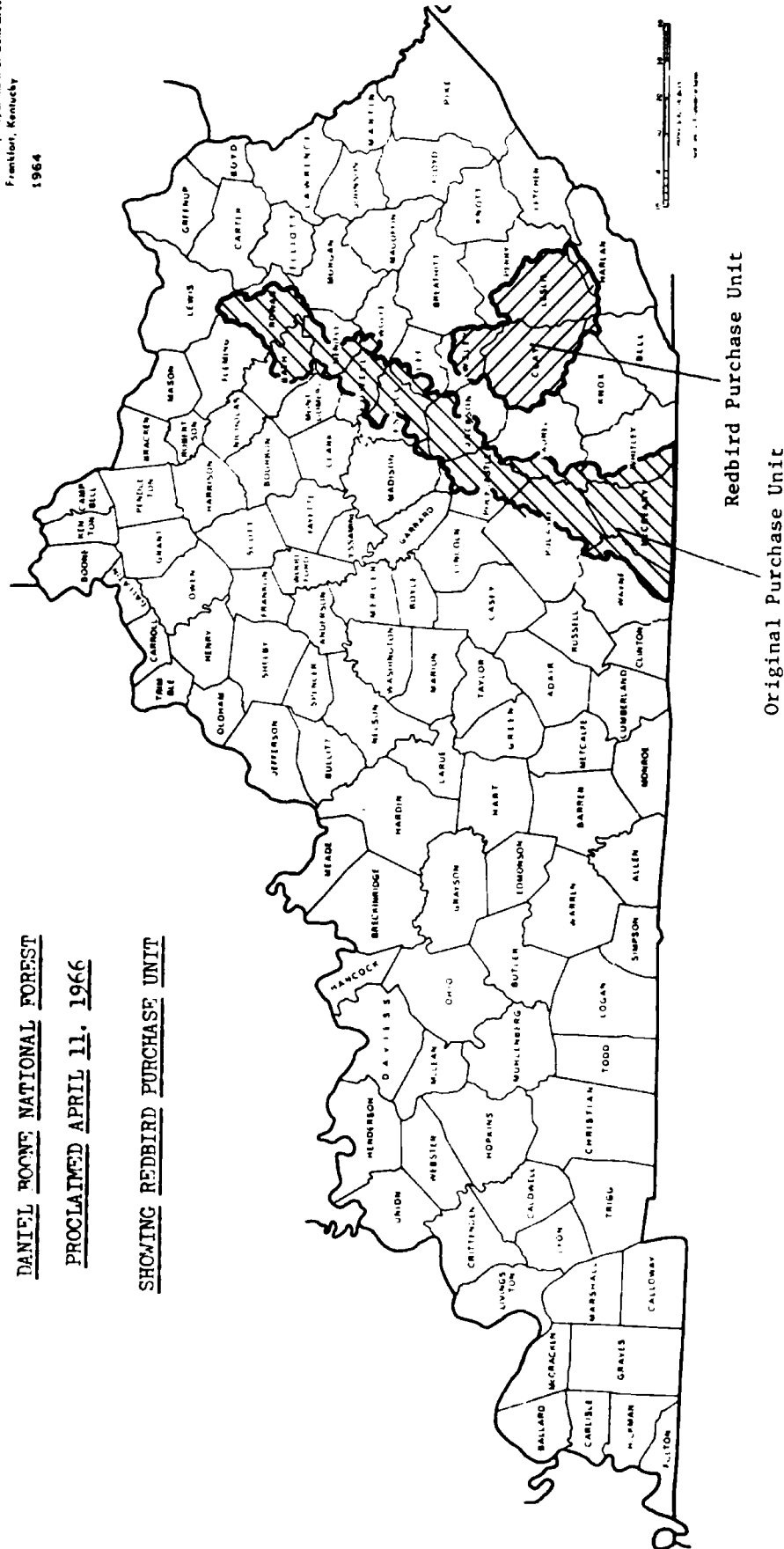
The initiative and community leadership demonstrated by Ranger Frazier, not only in administering the work of the Forest Service, but in his participation in the development programs of the area, won him and the Forest

KENTUCKY Base Map Series B5
Compiled and distributed by
Kentucky Department of Commerce
Frankfort, Kentucky
1964

DANIEL ROONE NATIONAL FOREST

PROCLAIMED APRIL 11, 1966

SHOWING REDBIRD PURCHASE UNIT



Service respect and support from the community leaders and the majority of the people.

As a standard practice, a new purchase unit is usually established around a large tract of forest land available for purchase as a nucleus for the purchase unit. In this case the key purchase was a tract of 60,000 acres which had been purchased by the Ford Motor Company in the days when hardwood was an essential material for automobile bodies and wheel spokes. It had been held uncut for many years and was famous for its stands of old growth hardwood timber. This tract was frequently referred to in the early Forest Service studies of the area. It had finally been sold and cutover several times before becoming the property of the Red Bird Timber Corporation who sold it to the Government.

It was the first acquisition case on the Redbird Purchase Unit to be paid for. As this was a milestone in the development of the Redbird, the passing of the check in payment was the occasion of a brief ceremony inasmuch as it was the largest single land purchase to be made by the Forest Service in many years.

The following news release, issued by the Supervisor's Office of the Daniel Boone National Forest on January 6, 1967, presents the details of the occasion. It reads, "A two million dollar check presented today in Barbourville, Kentucky to Moses Richter, Charlotte, North Carolina, President of Red Bird Timber Corporation, represents final transfer of ownership of 60,000 acres of forest land to become part of the Redbird Purchase Unit, an administrative unit of the Daniel Boone National Forest. The check, presented on behalf of the Forest Service, U.S. Department of Agriculture, by Grady Simmons of the Department's Office of General Counsel, Atlanta, Georgia, represents funds authorized under the Appalachian Regional Development Act. This is one of the largest single land transactions ever made by the U. S. Forest Service in recent years."

The land was purchased under authority of the Weeks Act of 1911, a law designed to protect headwaters of major streams and to promote timber production.

The 60,000 acres, made up of two tracts, are located in Leslie, Clay, Harlan and Bell counties. These are the first tracts to become a part of the Redbird Purchase Unit which was established as part of the Daniel Boone National Forest by the National Forest Reservation Commission with concurrence of the Governor, Commonwealth of Kentucky.

Robert F. Collins, Winchester, Supervisor of the Daniel Boone National Forest, who was present at the land transfer ceremony in Barbourville, explained that National Forest watershed management on headwaters of the Kentucky River would have a most favorable impact upon water quality of that stream. "This is especially important to the larger cities downstream,

such as Lexington and Frankfort, who depend upon the Kentucky River for their water supply," he added.

Supervisor Collins stressed that all National Forest lands are open to public hunting, fishing, camping, and other recreational uses, including the 60,000-acre area on the Redbird Purchase Unit.

Thomas R. Frazier, Peabody, Kentucky, Project Leader of the purchase unit, is a Forestry graduate of North Carolina State College, and has been with the U.S. Forest Service since 1956.

As of July 1, 1975, the Forest Service has acquired in excess of 126,000 acres on the Redbird Purchase Unit.

CHAPTER XXXIV

NATURAL RESOURCE CONTROVERSY IN KENTUCKY

Kentucky has been a land of controversy from its earliest beginning. First, it was the Indians. The game herds of Kentucky were so abundant that all tribes living to the north and south used it as their hunting grounds. So desirable was it for this purpose that no one tribe dared to claim it as a place to live or as their exclusive hunting ground. Without doubt, many a savage battle was fought between hunting parties of the various tribes in an attempt to protect what each tribe claimed as their own hunting territory. Before the white man came to Kentucky, the condition of continuing controversy existed between the tribes as to which one would use the vast herds of buffalo, elk, deer and wild turkey of the Bluegrass. Only the abundance of these species, providing good hunting for all, prevented open and aggressive warfare between the many tribes claiming hunting rights there.

With the earliest explorations of the interior of America, the land that is now known as Kentucky was claimed by both the French and the English. The French claim was based on exploration of La Salle in 1659, and of Baron Longueuil, who explored along the Ohio River in 1739. The English claim was based on the exploration of the Ohio by John Howard in 1742, and by the westward extension of the London Company Charter, which defined no westward boundary of the Virginia colony. Again, there was controversy as to which country would develop the vast natural resources of Kentucky.

Again, in 1775, we find Kentucky involved in controversy. While the Iroquois nation had relinquished all claim to that part of Kentucky south and east of the Ohio River by the Treaty of Fort Stanwix, signed November 5, 1768, the Cherokee nation claimed all of that part of Kentucky south of the Ohio and the Kentucky rivers. When Judge Henderson and the Transylvania Company purchased this land from the Cherokee nation by the Treaty of Sycamore Shoals, signed March 17, 1775, and moved to establish a separate colony there, the Virginia colony again asserted its claim to Kentucky on the basis of the original charter of the London Company. Again, controversy over the ownership of Kentucky and how it would be developed existed.

The first controversy of recent times, involving the factors of natural resources, preservation of forests, local organizations of conservation leaders and the U.S. Forest Service, appears to have started in March of 1935. At that time, E. Lucy Braun, a professor of botany at the University of Cincinnati, presented a talk at the spring meeting of the Garden Club of Kentucky, at Millersburg, Kentucky, on March 29, 1935. The subject of her talk was: Save the Big Trees on Leatherwood, Perry County.

The first paragraph of Miss Braun's talk set the scene for the controversy. It reads as follows, "Down in the southern part of Perry County, on Lynn Fork of Leatherwood Creek, is one of the most beautiful tracts of virgin forest I have ever seen. For some time, I had heard of the Big Poplar of Perry County, and it was while on the quest for this that I saw this magnificent forest. It occupies the Left Fork of Lynn Fork; and, for some two miles, we walked through untouched forest, following a faint trail which led to the Big Poplar, a gigantic tulip tree nearly 24 feet in circumference, breast high. It took five people with arms outstretched to reach around the tree. This gigantic trunk towered upward, unbranched, to such heights that it was impossible to distinguish the leaves of the crown. Nowhere east of California have I seen such a gigantic tree. And this was only one of many large trees.

"The forest contains a variety of trees — tulip trees, oaks, beech, sugar maple, hemlock — all large. Oftentimes, we see tracts of so-called virgin forests, from which this or that tree has been removed; or, if the canopy is intact, with the undergrowth ruined by grazing or by rooting hogs; but, not so here. Nothing has ever disturbed this area; the luxuriance of the undergrowth is beyond description. There is a wealth of herbaceous plants, and beautiful wildflowers and ferns are everywhere. The whole place is awe-inspiring in its beauty and grandeur.

"Very few virgin forest areas remain. Of the original forest of Kentucky, less than two percent remains in such condition that it can be classified as old-growth forest; and only a small part of this is really virgin. The Lynn Fork Forest is one of these."

Miss Braun went on to point out the importance of saving this rare specimen of the primeval forest. She stated, "Nowhere in the whole world is there the equal in beauty and magnificence of our eastern deciduous forest. It is unexcelled. And in Kentucky and Tennessee, this deciduous forest reached its superlative development. By saving a piece of Kentucky's virgin forest, you would be saving a forest outstanding of its kind."

She continued her appeal to the ladies of the Kentucky Garden Club, and she made several suggestions as to how this area might be saved. First, she suggested making the area a state park, but she went on to say that this was not satisfactory because it would be trampled, overrun by picnickers, and the road access and many paths would destroy the primitive wilderness character of the area.

Her second suggestion was to make the area a state forest. Here again, she immediately discounted this suggestion, because state forests are now only managed for the production of timber, and that would defeat the purpose. Her third suggestion, which she indicated as probably the only satisfactory solution, was to include this area within the Cumberland National Forest, and then designate it as a primitive area which would remain forever untouched as

an example of America's primitive wilderness. Miss Braun continued, stating, "... if sufficient public opinion were reflected through the Kentucky Representatives and Senators in Congress, they could probably be influential in extending the boundaries of the Cumberland National Forest, so that eventual purchase would be possible. If sufficient pressure is brought to bear — if we want this badly enough — we can get it.

"We must ask quickly before it is cut — the timber rights are held by the Leatherwood Lumber Company, who are now cutting in the next branch. Remember, timber rights and land are held separately, and to secure the land is *not* to secure the timber." She closes her talk to the State Garden Club with the following statement, "By all means, this project is worthy of your greatest effort. Nowhere, not even in the Great Smoky Mountains, have I seen a more beautiful forest or larger trees. Let us work together to save this area."

On January 6, 1936, Supervisor C. L. Graham of the Cumberland National Forest writes, he had recently attended a meeting at Lexington held under the auspices of the "Save Kentucky's Primeval Forest League." Here, he points out the pros and cons and difficulties of acquisition of this area which, at that time, lay outside the Cumberland National Forest. With his letter, he includes a copy of the program of the meeting, which was held at the Phoenix Hotel in Lexington, Kentucky. Reviewing this program, we find all of the power of the Kentucky State Garden Club assembled behind this project. The President of the State of Kentucky's Primeval Forest League was Miss Daisey Hume of Lexington, Kentucky, one of the most prominent members of the State Garden Club. To give an idea of the level and prestige of this meeting, the principle address was delivered by the Honorable A. B. Chandler, Governor of Kentucky. His address was followed by another talk by the Honorable Tom Wallace, Editor of the Louisville Times newspaper, and one of the principle conservation leaders in Kentucky. Following that, Dr. Lucy Braum, Professor of Botany at the University of Cincinnati, again delivered her stirring address, "Save Kentucky's Primeval Forests." Following her was a 100-ft. movie reel of trees on Lynn Fork of Leatherwood Creek, presented by Mrs. J. Kidwell Grannis, who, at that time, was Chairman of the Leatherwood Conservation Committee of the Garden Club. The program was completed by an address by Dr. Mary Breckinridge, Director, Frontier Nursing Service, Wendover, Kentucky, on the subject, "Conservation of Kentucky's Wildlife." To people familiar with the leaders of conservation in Kentucky in 1936, this was a real powerhouse, manned by all the members of the first team. This group, in 1936, was able to exert approximately the same pressure as could be exerted today by a group which included the Sierra Club, the Audubon Society, and the Izaak Walton League. Appeals from this organization went to Senator Alben W. Barkley, Mrs. Franklin D. Roosevelt, and to the Society for Protection of New Hampshire Forests. An additional appeal directly to

the Regional Forester, U.S. Forest Service, by Miss Katherine Pettit of Lexington, Kentucky, another leader in the State Garden Club, elicited the usual, long, government-type letter, in which the process of establishing purchase units, the National Forest Reservation Commission, the availability or lack of availability of public funds, and the time required for the necessary surveys and examinations were pointed out. In reply to a letter of inquiry from the Regional Forester, W. E. Hedges, Chief Land Examiner, Region 7, U.S. Forest Service, replied, "With reference to the interest taken in the establishment of a purchase unit around Lynn Fork of Leatherwood Creek for the purpose of protecting the stand of virgin timber, it is my understanding that the Kentucky River Coal Corporation owns the land which is being held for its coal, and it is not for sale; also, the Leatherwood Lumber Company owns the timber which is now being cut."

The final correspondence in the file on this case of controversy, which indicates a Forest Service connection with it, is written on August 28, 1936, to the Regional Forester of Region 7, by Ira T. Yarnall, Assistant Regional Forester in charge of lands. Mr. Yarnall states, "I know of no authority that the Forest Service has to estimate and appraise the 2,500 acres on Lynn Fork of Leatherwood Creek, which the Save Kentucky's Primeval Forest League desires to preserve by acquiring title to the surface and the present stand of timber. Personally, I do not blame either one of these companies for taking their present attitude, unless they can be assured by the League that it will be in a position to finance the purchase on terms acceptable to the prospective vendors, if and when a meeting of minds occurred." This closes the record of correspondence in this case, and apparently closed the interest and participation of the Forest Service in it. The records indicate that this area of virgin timber was logged by the Leatherwood Lumber Company. Today, Kentucky is the poorer because of the loss of this tract of virgin hardwood.

It is interesting to note the procedure of citizens' groups in 1936, as compared to the activities of similar groups in the late 1960's and 1970's. In 1936, this group, composed of some of the most influential and prominent people in Kentucky, limited its activity to an appeal of its Senator, to the wife of President Roosevelt, and to the U.S. Forest Service. Should the same controversy have arisen in 1965 or later, it is almost certain that the Sierra Club, the National Audubon Society, and the Izaak Walton League would have taken action at the national level; and, if necessary, initiated legal action to stop the cutting of this tract indefinitely. Times certainly do change.

In 1937, the year the Cumberland Purchase Unit was declared a National Forest, the largest single tract to be purchased, the Stearns Coal and Lumber Company tract of approximately 47,000 acres, was acquired. As was the case on most of the land acquired in the southern counties of the Forest, the land was purchased subject to a reservation of the mineral rights by the vendor,

and certain rights to operate such minerals, subject to the Rules and Regulations of the Secretary of Agriculture (which provided for watershed protection, clean streams, etc.).

Reduced to simple language, this was a purchase of surface rights only. At that time, strip mining, frequently called surface mining, was generally unknown as a means of coal mining. The coal operations of the Stearns Company and similar operators were based entirely on draft mines. At that time, no difficulty, other than possible erosion from spoil, dump, and acid drainage from the drift mines, was anticipated.

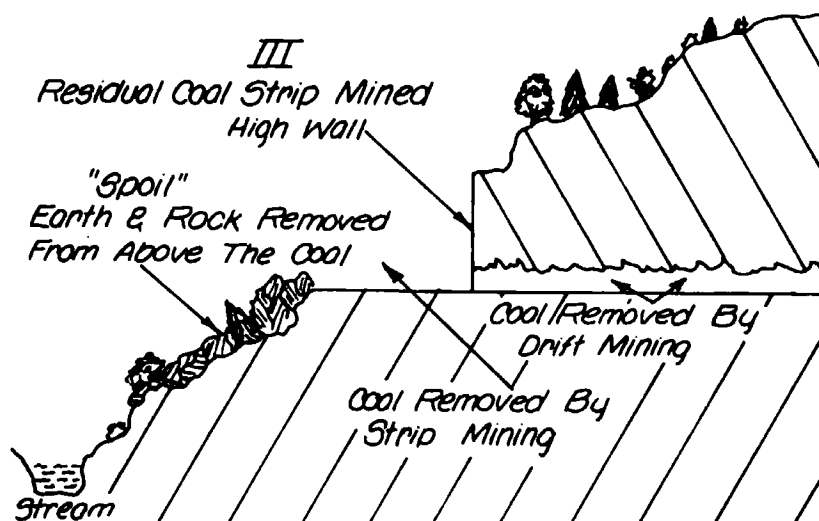
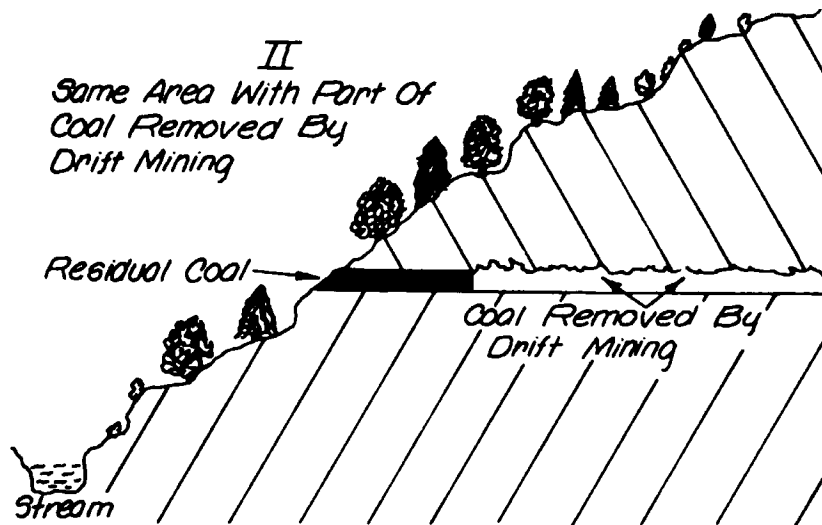
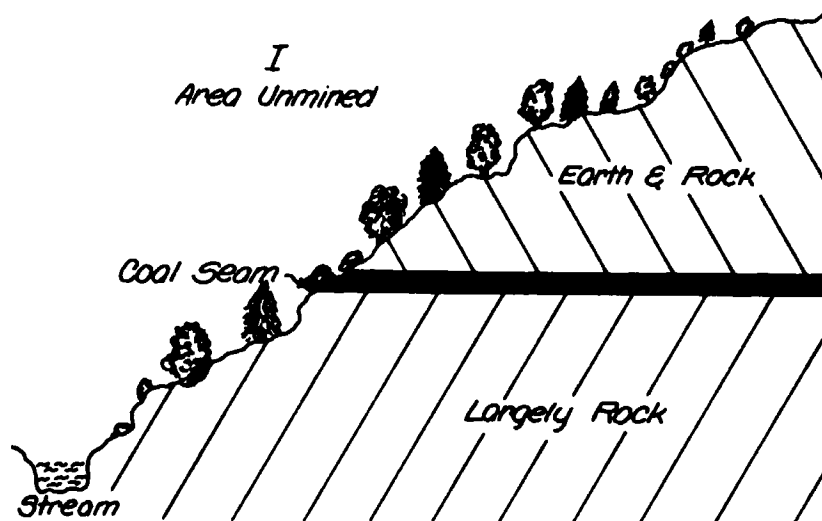
By 1953, many coal operations in southeastern Kentucky had developed a system of surface mining, whereby the edge of the coal seam or the outcrop at the edge of the slope was cleared of the soil and the rock above it, picked up by a power shovel, and loaded directly into huge trucks for transportation to a tipple, where it could be cleaned, graded, and otherwise prepared for market. The width of coal seams which could be so cleared dependent on two factors: the thickness of the coal seam and the steepness of the slope on which the coal outcrops, and the amount of soil and rock which must be removed.

This was usually measured by the height of the high wall, which is a vertical wall of earth and rock left on the mountainside of the strip or cut.

With coal seams in the general area of the Stearns' holdings averaging from 36 inches to as much as 60 inches in thickness, a high wall of as much as 50 feet could be expected on most operations. Since the coal seam on the 47,000 acres of the Stearns mineral ownership outcropped on both sides of most of the hollows or valleys, the total lineal mileage of outcrop was considerable.

Much of the coal under the surface purchased from the Stearns Company had been removed by drift mining during the previous 30 years, leaving, along the edges of the hollows, bands of coal seams varying from 50 to 200 feet in width, where the slope of the hill and the absence of sound rock above had made removal of this edge of the coal seam too dangerous or expensive to remove, due to lack of sound roof for the drift. At the time of this controversy, it was estimated that the Stearns Company owned about 100 lineal miles of drift under the Forest Service surface ownership. It is evident that many thousands of tons of coal, not recoverable by drift mining methods, could be recovered by the new surface or strip mining system.

The Stearns Company had sold their surface ownership to the Forest Service in 1937 at the depth of the depression. This 47,000 acres had all been cut over heavily by the Stearns Company, removing all types and sizes of timber which could be sold or utilized as mine props. In fact, they had induced the government to extend the purchase unit, whose southern boundary had originally been the Cumberland River, south to the Kentucky-



Tennessee line, to include their holdings in McCreary County, by offering this large ownership at an attractive price. President Robert Stearns had appeared personally before the National Forest Reservation Commission in Washington to urge the extension of the purchase unit, and to offer his company's land (with mineral rights reserved) at an attractive price.

His request was successful, the purchase unit was extended, and the government purchased the 47,000 acres of the Stearns Company holdings in McCreary County. At the time, the Stearns Company considered this sale as a shrewd business accomplishment. Prior to the sale, they had cut all usable timber, they had retained all mineral rights, including reservations of areas around existing mines, and the right to open new mines. Best of all, they had relieved the company of paying taxes on the 47,000 acres sold to the government. The money received for the land appeared to be clear profit.

By the beginning of the year 1953, the economy had strengthened, as had the price of coal. Coal operators in the general area had begun to utilize the new method of surface recovery or strip mining to recover coal at the edges of outcrops and in valley areas where the overburden was such that the coal operations could yield an economic profit. The Stearns Company, alert to new methods of operation which promised an economic advantage, immediately saw an opportunity to recover the many thousands of tons of desirable coal, previously believed inoperable under the drift method, by strip mining. Early in 1953, preliminary discussions of such operations were initiated with District Ranger Hurst of the Stearns Ranger District, and with Forest Supervisor Borden of the Cumberland National Forest. After a study of strip mining operations in the general area, and noting their adverse effects on the watershed and streams, the Forest Service offered the Stearns Company little encouragement.

In May of 1953, Forest Supervisor Borden retired and was succeeded as Forest Supervisor of the Cumberland National Forest by Robert F. Collins, previously serving in the Division of State and Private Forestry in the Regional Office, Region 7, at Philadelphia, Pennsylvania. Apparently believing that there was a possibility that the new Forest Supervisor might have a different attitude toward the situation, the Stearns Company requested a conference with the Forest Supervisor to discuss the possibility of strip mining on their mineral reservation. It was agreed that the meeting would be held in President Stearns' office on August 12, 1953. The Stearns Company presented its former request in a letter to the Forest Supervisor, dated August 20, 1953. Reduced to fundamentals, this letter requested the administrative permission of the Forest Service to strip mine any place on the 47,000-acre tract purchased from the Stearns Company under authority of the mineral reservation of the deed of December 18, 1937, without reclamation.

After a detailed staff review and analysis of the Stearns Company's re-

quest, a copy of the letter was transmitted to the Regional Forester with Supervisor Collins' memorandum of August 28, 1953, which summarized the Forest's analysis of the situation and presented the Cumberland's recommendation as follows:

"In view of the points presented above, it is my firm recommendation that Mr. Stearns be given a negative answer to his proposal, that he be refused permission to undertake strip mining operations on National Forest lands of the Cumberland National Forest, and that this decision be defended in the courts by every legal resource at our disposal."

Needless to say, the Stearns Company's request was the subject of staff review in the Regional Office and of many conferences between the Regional Forester and the Chief's staff in Washington. Legal staff officers of the Assistant to the Solicitor were consulted, and opinions furnished the Chief and the Regional Forester.

On January 29, 1954, Regional Forester Tebbe advised the Stearns Company by letter of that date that he could not approve its request to strip mine the 47,000 acres of National Forest surface ownership without reclamation.

On July 1, 1954, the Stearns Company again requested administrative authority to strip their mineral rights under the 47,000 acres of Forest Service surface ownership, with only such reclamation as was required by the new Kentucky Strip Mine Law which became effective on that date. After adequate staff reconsideration and recommendation, Regional Forester Tebbe wrote the Stearns Company on July 30, 1954, again declining to issue administrative authorization to the Stearns Company to recover the coal from their mineral reservation on the 47,000 acres of National Forest land, completing only such reclamations as were required under Kentucky State law.

On August 29, 1954, Robert L. Stearns, Jr., President of the Stearns Company, appealed in person to the Office of the Secretary of Agriculture, from the decision of Regional Forester Tebbe which denied the application of the Stearns Company to strip mine coal from their reserve minerals on the 47,000 acres of the Cumberland National Forest.

The Secretary of Agriculture, Ezra Taft Benson, proposed that an appeal board, composed of disinterested persons, be designated to: examine the area proposed for strip mining, consider the type of mining operation planned, consider the effect of such mining on other values, explore general public reaction and make recommendations to the Secretary of Agriculture as to appropriate action in this case. This suggestion was concurred in by Mr. Stearns.

In accordance with the agreement, Secretary Benson appointed a three-man group of consultants composed of the following: Charles T. Taft, attorney, Cincinnati, Ohio (brother of Senator Taft); R. L. Wilhelm, mining engineer, St. Clairsville, Ohio; and Samuel T. Dana, former Dean, School of

Conservation, University of Michigan, Ann Arbor, Michigan.

On December 13, 1954, this board met at Columbus, Ohio, for the purpose of organizing the board and deciding on a schedule of operation. Charles Taft was elected chairman of the board, and assumed that position for the operation of this group.

During the period of January 24-26, the board visited the area in question, examined the sites proposed for initial stripping operations, examined operations on private lands similar to those proposed on the National Forest, and examined streams and the watershed of these operations to determine the effects of the strip mining on their quality.

On January 27, 1955, the board held a public hearing in a rural school building near Stearns. Despite a wintery day with snow and ice-glazed roads, a large group of interested people participated in the hearing. Many came from Lexington and Louisville, and other distant points. Included in this group were: Tom Wallace, Editor, Louisville Times (former President, National Park Association); Mrs. J. Kidwell Grannis, President, Kentucky Conservation Council; and Richard McArdle, Chief, U.S. Forest Service, along with many others of state and national interest. With the exception of a few local employees of the Stearns Company, all spoke strongly against the approval of strip mining of the National Forest.

Throughout the entire period of the controversy, individuals from many other states wrote the Forest Service, protesting any strip mining of the Cumberland National Forest. One high school class in Pennsylvania wrote that their country and streams had been ruined by strip mining, and they did not want the same thing to happen to the National Forest. Many organizations of all types passed resolutions protesting strip mining of the Forest. All of the major newspapers and many of the smaller ones carried editorials against approval of the Stearns Company's request.

It was quite apparent that the general public was overwhelmingly against the Forest Service yielding to the demands of the Stearns Company that they be permitted to recover the coal deposits of their mineral reservation on the 47,000 acres of National Forest lands by strip mining operations. A topographic map study of the land in question indicated that, if all coal seam outcrops on the land in question were strip mined, a total of over 2,000 linear miles of strip-mined side-hill-cuts could well result. It was repeatedly pointed out to the board that such destructive practice to watersheds was contrary to the purposes of the Weeks Act of March 1, 1911, which was the legal authority under which the land had been purchased.

After detailed study of available information, consultation with the public, field review of strip mine operations on private land similar to the land in question, as well as full consideration of the purpose for which the Cumberland National Forest was acquired and the legal authority on which it was

based, the chairman of the board, Charles P. Taft, on May 12, 1955, reported to the Secretary of Agriculture that a majority of the board recommended that the application of the Stearns Company to strip mine the National Forest land in question be denied.

On July 22, 1955, E. L. Peterson, Assistant Secretary of Agriculture, issued the following statement, "Upon examination of the record and consideration of the recommendation of the consultants, it is my conclusion that strip mining of the lands acquired by the United States from the Stearns Coal and Lumber Company in McCreary County, Kentucky, would not be in the public interest; and, the decision of the Regional Forester, denying the application, is affirmed."

The decision of the Department of Agriculture in this appeal was transmitted to the Stearns Company by Assistant Secretary Peterson's letter of July 27, 1955, which reads as follows:

"After a great deal of careful study, I have decided to sustain the denial by the Forest Service of the application of the Stearns Coal and Lumber Company to strip mine the coal on lands in the Cumberland National Forest. I want you to know that this decision was reached only after my personal review of the testimony given at the public hearing at Stearns and the report of the three-man group of consultants appointed to study this matter, and after hearing your comments on the consultants' report. I have tried to give full recognition and proper weight to all aspects of the problem.

"I appreciate that our decision will be a considerable disappointment to you. I regret this. It seems clear to me that my decision must be based on my best judgment of the public interest. Sincerely yours, E. L. Peterson, Assistant Secretary."

In transmitting copies of this decision to the Forest Supervisor and Rangers of Region 7, U.S. Forest Service, on August 4, 1955, Regional Forester Tebbe stated, "This decision is an important milepost in the care and management of National Forest land, particularly in the eastern Forests."

This case attracted nationwide attention, as it was the first time that a vendor, owning reserve mineral deposits under National Forest land, had requested administrative authority to remove those mineral deposits by use of strip-mining methods. This request was further compounded by the fact that the mineral to be removed was coal, which involves the formation of acid drainage due to the sulfur content. Another adverse factor was the steep topography and the instability of the soils of the area, which have a tendency to result in earth slides when wet, even without strip mining. The combination of these adverse factors, when applied to National Forest land, purchased under authority of the Weeks Act of 1911 for the combined purposes of flood control, watershed protection and timber growing, would have resulted in wiping out National Forest benefits for the public.

Since the practice of strip mining as a means of coal recovery was growing rapidly, not only in Kentucky, but in the states of West Virginia, Tennessee, Ohio, Illinois and Pennsylvania, the entire nation was watching the outcome of this case as an indication of the ability of the Forest Service to protect National Forests nationwide.

While the decision of the Department of Agriculture closed this particular case, the personnel of the Cumberland National Forest and the Stearns Company continued to explore the various sites, coal seams and possible methods of strip mining which might permit coal removal by this method without a deteriorating quality of the streams, watersheds, and scenic values. Although much time was spent by the technical personnel of both organizations, both individually and together, in such studies, no situation and method was found which could insure against heavy damage to natural resource values from coal removal by strip mining. As a result of these effort, it became apparent that protection of natural resource values and strip mining by any known method were not compatible in eastern Kentucky.

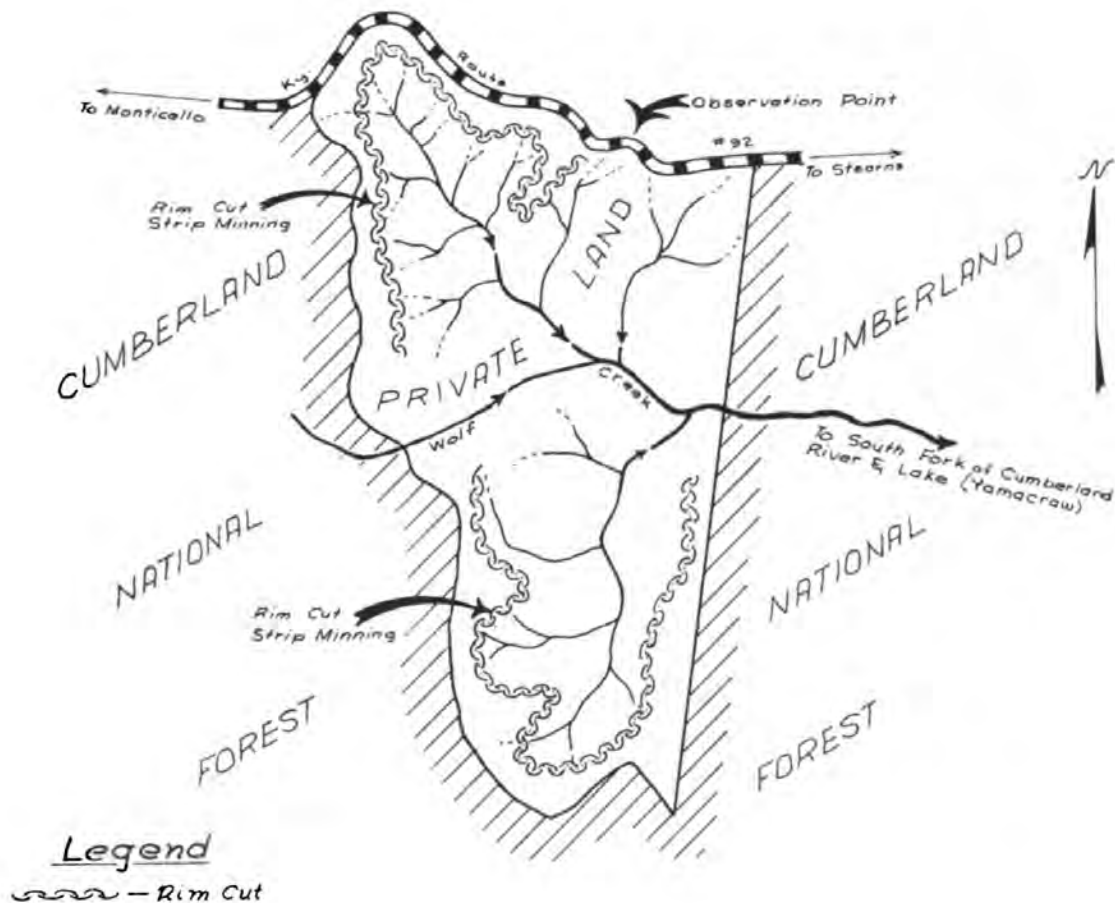
In all justice, it should be recorded that, throughout this controversy, the attitude of R. L. Stearns, Jr., President of the Stearns Coal and Lumber Company, was friendly and constructive. As president of the company, he was endeavoring to liquidate the mineral ownership of the company in a manner to insure a maximum dividend to its stockholders. His contacts with Forest officers and others involved were gracious and hospitable. This attitude toward the Forest Service prevailed until his death in May of 1965.

Shortly following the decision of the Secretary of Agriculture on the Stearns appeal, the District Ranger of the Stearns District was contacted by a local lawyer for technical information which could be used to defend his clients from having their land strip mined by the Stearns Company against their will. The situation was as follows:

A group of local residents, known as the Coffey Heirs, were the joint owners of a tract of land of about 1,400 acres lying in the drainage of Wolfe Creek, less than two miles above the point at which it empties into the headwaters of Lake Cumberland at Yamacraw. This tract, which was surrounded on three sides by National Forest land and on the fourth side by Ky-92, was of divided ownership typical of much land in McCreary County. The surface was owned by the Coffey Heirs, and the mineral rights by the Stearns Coal and Lumber Company. The surface owners had declined to give the Stearns Company permission to remove their coal by strip mining. The Stearns Company had asserted what they claimed to be their rights under their mineral deed, and were preparing to strip mine. The Coffey Heirs had retained the services of a lawyer to defend their surface ownership from destruction by strip mining.

Since this tract was entirely included within the exterior boundaries of the

Mineral Reservations & Rights Outstanding



*Coffey Heirs Tract
 McCreary County
 Cumberland National Forest
 Stearns Ranger District*

(Tract Contains Approx. 1400 Acres)

47,000 acres purchased from the Stearns Company by the Forest Service, and since the conditions existing in this case closely paralleled those in the recently completed Stearns case, it appeared that this might well be a part of a plan to lay a foundation for the Stearns Company to take their appeal, recently denied by the Secretary of Agriculture, to Federal Court.

At the close of the Stearns case, Mr. Stearns had stated that he and his legal advisors, one of whom was Howard Baker, Jr. of Tennessee, now a U.S. Senator and prominent in the Watergate investigation, believed that they could win their case in the Federal Court. After reviewing the facts in the Coffey Heirs case, it appeared possible that the Stearns Company was pressing this case with the hope that the Coffey Heirs would take it to court. It appeared that, if the Stearns Company could win this case in Circuit Court, it would stand as a precedent that, in cases of this type, the mineral rights owner had a legal right to remove his coal by strip mining, regardless of the wishes of the surface owner.

If this could be established, it would follow that the Stearns Company would probably initiate a similar case in the Federal Court, demanding the right to remove its coal from under the surface ownership of the National Forest by strip mining without reclamation, citing the precedent of the Coffey Heirs case in the Circuit Court.

This situation was presented to the Regional Office and the Chief, whose staff discussed it with the Assistant to the Solicitor of U.S.D.A. The possibility that this was a move to establish a precedent for taking the Stearns case to Federal Court was sufficiently strong to convince the Forest Service legal staff that the Forest Service should enter the case as a friend of the Court. This action was initiated promptly, and the technical witnesses, assembled by the Forest Service in the Stearns case, were again assembled at Stearns on the day of the opening of the Coffey Heirs case in Circuit Court at Whitley City.

When Mr. Stearns and his lawyer entered court that morning and saw the assembled legal and technical witnesses which had confronted them at the Appeal Board Hearing, the Stearns Company lawyer immediately requested a conference with the Coffey Heirs lawyer, and later with the judge.

After about two hours' delay, the judge announced that the opposing sides had reached an agreement and that the case was dismissed. The Stearns Company had offered the Coffey Heirs a royalty of 25¢ per ton of coal mined from their tract, and the Coffey Heirs had accepted. The land was strip mined, yielding but little coal and very little revenue for the surface owners. There was no reclamation and, for many years, this strip mined area has been bleeding silt and acid into Wolf Creek, and from there, into the headwaters of the Lake Cumberland.

From the Forest Service standpoint, the action was successful in pre-

venting the Stearns Company from securing a legal precedent for strip mining a mineral ownership without the concurrence of the surface owner.

Beginning about 1967, the Daniel Boone National Forest became involved in the natural resource controversy which has reached proportions claiming national attention at the level of the national press, as well as that of Committees of Congress. This is the controversy over the Red River Dam, the proposed site or sites of which lie within the Daniel Boone National Forest. The involvement of the Forest Service in this controversy is both direct and indirect.

It is often said that it is the innocent bystander who gets shot in the leg. This appears to be the case in the controversy over whether or not there should be a dam on the Red River; and, if so, where?

Briefly, the situation is this. The Red River rises in eastern Kentucky on the Cumberland Plateau, and flows generally westward some 70 or 80 miles to join the Kentucky River in the Bluegrass. About midway in this journey, the Red River drops from the level of the Plateau to the level of the outer-Bluegrass over a distance of 12 to 15 miles through a rocky canyon of rare and spectacular beauty known as the Red River Gorge. This portion of the Red River is within the Daniel Boone National Forest. As the River continues westward beyond the Forest to join the Kentucky River some 47 miles distant, it flows through a wide, fertile plain of Bluegrass country, containing some of the best agricultural land in the counties which it traverses. Unfortunately, during periods of high precipitation, the Red River is subject to flooding, particularly the portions downstream from the Forest, which includes within the floodplain the towns of Stanton and Clay City, as well as many rural residents. During the frequent floods, damage to crops, livestock and property is heavy.

For many years, the residents of these downstream counties have petitioned their representatives in Congress for action by the Federal Government to eliminate these costly floods, or at least materially reduce the flood crest.

In response to these requests, the U.S. Army Corps of Engineers initiated studies of the situation as a part of the overall study of the Kentucky River Basin, holding hearings in Hazard and Frankfort in 1954. At this time, local residents specifically requested construction of a flood control dam on the Red River. Such a dam was recommended by the Corps as a part of their report of this study. Both the House of Representatives and the Senate Committees of Congress held hearings on the Kentucky River Report, in which was included a recommendation of the Red River Reservoir. There is no record of any opposition at either of these hearings.

In 1962, the Red River Reservoir was authorized by Congress as a part of the Flood Control Act of that year. In 1963, the Corps of Engineers held a

public hearing in Stanton in March to inform residents of the area of the extent and nature of the project. Approximately 200 people attended this hearing, none of which expressed views opposed to the Red River project.

In August of 1967, at a hearing at Stanton to inform the people of the area of the procedure to be followed in acquiring land needed for the project, the Cumberland Chapter of the Sierra Club, organized the previous February, registered their formal opposition to the project on the grounds that development within the Red River Gorge would destroy the scenic and natural values of that area. They maintained that the Red River Gorge should be held inviolate.

The Corps of Engineers' study had included, among other values, those of hydraulic, economic, aesthetic and recreation factors. One of the conclusions expressed was that the scenic attributes of the area would be made accessible to a greater number of people than now used the area by the construction of the Red River Reservoir. The Corps' study also concluded that, while many alternative projects to provide the same end-product had been considered, none were determined to be as functionally efficient nor as economically feasible as the multiple-purpose Red River Reservoir. The study also provided convincing evidence that the Red River Reservoir is essential in meeting the water resource needs of the area.

The Corps pointed out that every reasonable effort would be made to protect and enhance the scenic beauty of the area. To that end, they invited the Sierra Club to submit suggestions as to how protection and enhancement of scenic and environmental values could best be achieved in combination with the reservoir construction.

With the authorization of the Red River Reservoir in 1962, and the initial funding for study, the Daniel Boone National Forest made a review of the potential for such a project to enhance or damage the natural resource environment of that portion of the Forest. This study recognized several possibilities; but, until a specific site was selected for the dam and flood and pool levels proposed for the reservoir specific, evaluation was limited.

Needless to say, the Forest Service was pressed from all sides to take a position in the controversy. When the initial damsite was announced as just below the mouth of Indian Creek, with a pool elevation of 725 feet, a flood pool of 807 feet and a seasonal pool of 767 feet above sea level, respectively, this provided specific data on which to evaluate the impact of the project on the National Forest land evolved.

Initial studies indicated that about 2,000 acres of National Forest land and 1,400 acres of private land would be flooded at the flood pool level. In addition, about 8,000 acres of National Forest land and 2,000 acres of private land would be affected by the management and public use of the reservoir.

An evaluation of anticipated impact indicated the following factors:

Geology – The general area surrounding the proposed reservoir, containing 23 known, large, natural rock arches or bridges, many miles of spectacular cliff lines towering 250-300 feet above the Gorge floor, and individual rock formations, such as Courthouse Rock, rising 520 feet above the Red River, make the natural geologic scenery outstanding throughout this part of Kentucky.

Fortunately, with the exception of one minor arch (Moonshiner's Arch), no other significant rock formation would be reached by the flood pool proposed, nor would the vegetation around them be killed. It was estimated that flood waters might reach the base of Moonshiner's Arch one year out of five or 10, and would not damage it.

Ecology – It was accepted that the vegetation of the area actually flooded would be destroyed. This was not considered a major loss, as over half of such area had been cleared for farming at some time in the past. Although both the Sierra Club and the Audubon Society made impassioned pleas that the ecology so destroyed was unique and occurred nowhere else in the area, repeated challenges to provide proof of this poing remained unanswered by either organization. No unbiased studies were presented nor specific species or associations of plants pointed out to substantiate this point. Since most of the area to be flooded was frequently covered by the annual flood waters, the vegetation was largely the plant association normally associated with sand bars and silt beds. In summary, the National Forest analysis failed to disclose any threat of a major ecological loss from the proposed reservoir.

Water – At the time of the study, the portion of the Red River involved in the project was not the unpolluted, crystal-clear, white-water stream pictured in the claims of the Sierra Club. During most of the year, the stream carried a heavy silt load derived from the agricultural lands and unstabilized road fills of the area upstream from the Gorge, as well as raw sewage and debris from the Campton area. By comparison, the study rated the Red River below the Rockcastle, the Big South Fork and the Upper Cumberland as a white-water stream.

Fish and Wildlife – While the project would eliminate stream habitat conditions in the portion flooded, it would substitute a lake fishery habitat, stocked with large-mouthed bass, walleye, and muskellunge from the new State Hatchery below the Cave Run Dam, less than a dozen miles distant. In general, the quality of the fishery could be expected to improve with the reservoir in place.

Road Access and Recreation Improvement – As the Daniel Boone National Forest had long protected the Red River Gorge as a unique area from which roads and permanent recreation development had been excluded, no improvements of this type would be lost. Ky-715, paralleling the river downstream from Sky Bridge, would be lost. In view of the impact of high-

density use of such an area by the public, this loss of road access into the Gorge could well be counted as a gain for the ecological resource. Ky-77, from Nada to Frenchburg, could well be relocated to cross the Gorge on a high bridge.

Future Development – With the reservoir in place, its unique ecological setting and wilderness atmosphere could well be protected by limiting access to hand-propelled boats on the water and foot trails by land. Such improvements as campgrounds and parking areas would be restricted to adjacent National Forest land and well screened from the Gorge itself.

Summary – The study of the Red River Gorge Reservoir by the staff of the Daniel Boone National Forest disclosed no major impact on the general ecology, scenic value, sport fishery, water quality or administrative improvement. On completion of the reservoir, the Daniel Boone National Forest would develop plans to protect its natural features and develop on nearby National Forest land facilities to accomodate public demand without contributing to the deterioration of the wilderness atmosphere of the reservoir and surrounding scenic natural features.

With the authorization of the Red River Dam and the allocation of planning and construction funds by Congress, the people of Lexington, Powell County, and the Red River Valley assumed that the dam was assured and that its construction was only a matter of time. With the formal opposition to the dam by the Sierra Club at the August, 1967, hearing at Stanton, these people, who had worked so long for the dam and the flood control which it would provide, were outraged. They voiced their opposition to the bird watchers, all of whom live well outside the floodplain of the Red River, who opposed the dam. A major controversy was established, which has not been reconciled to this day (1976).

The Sierra Club enlisted the aid of the National Audubon Society in its campaign to "Stop The Dam." They attempted to enlist the League of Kentucky Sportsmen, the National Wildlife Federation, the Kentucky Conservation Council and other conservation organizations to support them, but without success. The Cumberland Chapter of the Sierra Club, supported by the national organization, embarked on a national campaign of letter-writing, personal contacts with key political figures, and meetings featuring prominent, self-styled conservationists and ecologists.

On Saturday, November 18, 1967, the National Office of the Sierra Club induced Supreme Court Justice William O. Douglas to visit the Red River Gorge briefly, and to serve as a speaker for their meeting in Lexington that evening. The local residents in favor of the dam, who had formed the Red River Dam Association, also met Justice Douglas when he arrived in the Gorge to make a short walk from the highway to Moonshiner's Arch and return. They let the Sierra Club and Justice Douglas know how they felt

about the dam and the opposition to it. Only the presence of a detail of State Police prevented actual physical opposition.

Throughout this controversy, the Forest Service, both at the national level and at the Daniel Boone National Forest level, was challenged to speak out and take a position on the situation. Many organizations, such as the National Wildlife Federation, the League of Kentucky Sportsmen, the Kentucky Conservation Council, members of the Governor's staff, and similar groups came to the Forest Service for factual information and for a tour of the project area. After they had not been able to substantiate for themselves the extravagant claims of the opponents of the dam, while it was gratifying to have these people demonstrate their confidence in the Forest Service, it also put the Forest Service on the spot as to their position in the matter.

In December of 1967, the Forest Supervisor of the Daniel Boone National Forest, after conferring at length with the Regional Forester to insure firmness of policy, announced the position of the Forest Service essentially as follows: "This is a project of the Corps of Engineers, authorized and funded by Congress. The Forest Service is a Government agency, and we fully support this project." This cleared the air as to where the Forest Service stood in the controversy.

The controversy continued throughout 1968, in the public press and even in the halls of Congress, where Kentucky's Senior Senator John S. Cooper took a position against the Red River Dam, while Kentucky Congressman Carl Perkins urged its construction to provide flood protection for the people within his District. In July of 1968, Senator Cooper proposed that the Red River Dam be constructed at an alternate site some 5.5 miles further downstream from the original site, and just above the junction of the main Red River with the Middle Fork; and, at the same time, lowering the spillway height to reduce the pool levels in the Gorge. This suggestion offered all parties an opportunity to escape the stalemate into which the controversy had developed.

In April, 1969, Governor Louie B. Nunn, after conferring with Dr. Elvis Stahr, President of the National Audubon Society, which had been supporting the Sierra Club in its opposition to the dam, announced that he could not approve the construction of the Red River Dam at the original site. This brought all planning on the project to a halt, as the Corps of Engineers have never constructed a dam at a site not approved by the Governor of the state in which the site was located.

At about this time, a letter to the Editor of the Louisville Courier-Journal pointed out that Dr. Elvis Stahr, as Secretary of the Army in 1962, had signed the letter of transmittal for the Kentucky River Report, which recommended the authorization of the Red River Dam. Acting on this recommendation, Congress authorized the project. Now, in 1969, as President of the

National Audubon Society, Dr. Stahr was opposing the construction of this dam. It was obvious that Dr. Stahr's viewpoint had changed.

At about this time, Senator Cooper appealed to President Richard M. Nixon to save the Red River Gorge by supporting the move to construct the dam at the alternative site.

On April 10, 1969, the New York Times, under the heading, "Victory At Red River," published the following: "The decision of the Nixon administration against building a dam in the Red River Gorge of Eastern Kentucky is a notable triumph for citizen conservationists. A beautiful and scientifically interesting wilderness valley has been saved from drowning and an important principle established.

"It is rare, if not unprecedented, for the Army Corps of Engineers to drop a project, once it has received Congressional authorization and appropriations. But, a new breed of conservationists has appeared in Kentucky and elsewhere on the American scene, and has proven that even the most impenetrable bureaucracy can be made to yield. Outsiders like Justice William O. Douglas, who led a protest hike along the Gorge two years ago, provided the local people with valuable help."

Time Magazine, in its issue of April 11, 1969 states, "The cement pourers have been thwarted on dam projects before, but rarely — if ever — on such ecological and aesthetic grounds. What rescued the Red River Gorge was frenzied activity by the Sierra Club and the Audubon Society, an outpouring of statements by Kentucky biologists, and, most important, intervention by some high-level Republicans, including Governor Louie Nunn, Senator John Sherman Cooper and President Richard Nixon."

Glenn O. Rutherford, writing in the February, 1972, issue of American Forest Magazine, somewhat sums up, in a prophetic manner, what has happened to the Gorge in recent years. He writes, "By the late 1960's, people swarmed over the Gorge, from the top of Chimney Rock to the depths of hollows crowded with giant hemlock, tulip poplars, sycamores, beeches, hickories and oaks. They came with packs on their backs and in \$15,000 camping vehicles. They came to see the place the Army was going to destroy with water — and in doing so, they succeeded in destroying much of it themselves."

Finally, after over a year of study and preliminary design, the Corps of Engineers announced in April of 1971, that it was recommending that the Red River Dam be constructed at the alternate site.

At this writing the controversy continues, with the Sierra Club continuing to question whether or not any dam should be constructed in the Red River Gorge. The Corps of Engineers is holding additional hearings in an attempt to determine the desires of the people. The Sierra Club and other opponents of the dam have now been joined by a recently organized group of Powell

County residents known as Save Our Red River (S.O.R.R.). The basis of opposition of this group is not ecological, but is a protest against a large number of homesites, prime agricultural land, productive timber, and unique recreation areas which will be lost, if the reservoir is constructed. In addition, this group believes that the proposed reservoir will prove to be unsightly, due to large areas of mud flats resulting from fluctuating water levels.

It appears that this controversy is far from being resolved, and that the Daniel Boone National Forest is still literally in the middle.

As a result of the involvement of the Cumberland Chapter of the Sierra Club in the Red River Gorge controversy, that organization assumed the position of watchdog over all of the National Forest land located within the drainage of the Red River.

To implement this role, the Sierra Club concentrated its outdoor activities on the Gorge area. Its canoeing outings featured trips down a stretch of the Red River which laid within the Gorge. Overnight camping meetings concentrated on the use of the Forest Service camp area at Kooser's Ridge. Hiking outings concentrated on the National Forest trails adjacent to the Red River Gorge. Throughout these field expeditions, each Sierra Club member considered himself or herself a fully qualified inspector of environmental administration of the National Forest with a mission of checking up on Forest Service activities. It is significant that little or no attention was paid to the administration of privately owned land intermingled with Forest Service land within the Gorge area.

Late in February of 1969, the Forest Supervisor of the Daniel Boone National Forest received a telephone call from a member of the Executive Committee of the Cumberland Chapter of the Sierra Club. This member informed the Forest Supervisor that his organization had discovered a Forest Service timber sale in the Red River Gorge. The Forest Supervisor assured him that there were no Forest Service timber sales in the Gorge, and asked the location of the cutting referred to. On being informed that it was located at the head of Reffitt's Branch, just east of Ky-715, the Forest Supervisor readily acknowledged that it was a Forest Service timber sale, whose purpose was primarily the regeneration of a new hardwood stand by releasing sprouts of white oak, tulip poplar, hickory and hemlock through a cutting of the remnants of undesirable trees of poor species, form and defect left by the logging operations of many years before. The sale would result in the salvage of those trees, containing some merchantable material, and the release of the young growth already present. He also pointed out that the sale area was not in the Gorge, but over three miles from it as the crow flies, and about five miles distance by stream, and located on the plateau above the Gorge. This explanation was completely unsatisfactory to the Sierra Club representative, who informed the Forest Supervisor that his organization insisted that all

such sales in the entire Gorge area (Red River Drainage) be suspended at once, pending an investigation by the Sierra Club. The Forest Supervisor assured him that he and other representatives of the Sierra Club would be welcome to meet with the Supervisor and his staff on the matter, and that a Forest officer would be glad to accompany them on a field trip over the sale area. He also advised that the timber sale in question had been in progress for over a year, and still had about a year to run; also, that the merchantable timber on the area was now the property of the permittee, and that the sale could not be cancelled or even shut down, except for violation of the timber sale contract by the operator. This information did not appear to be satisfactory to the caller.

Within a few days, the Forest Supervisor received a letter, dated March 3, 1969, and signed by the Chairman of the Cumberland Chapter of the Sierra Club, which contained the following points: it expressed extreme concern over the timber cutting activity which the Club had "discovered" in the Red River Gorge area during the previous week, it stated, "We are requesting that timber cutting be suspended immediately in and near the Gorge area, pending a decision as to the ultimate use and administration of the area," and it stated that the Cumberland Chapter of the Sierra Club was accelerating its effort to define a position regarding the ultimate use, administration, and boundaries of what they hoped would remain an outstanding example of Kentucky wilderness in the Red River Gorge.

After checking the details of the timber sale in question, and discussing the situation with the Ranger and staff officers concerned, the Forest Supervisor replied to the Sierra Club letter on March 7, 1969. The essence of his reply was as follows.

The sale referred to was one of many then in progress on the Daniel Boone National Forest.

The National Forests were managed under the principle and policy of the Multiple Use Act of 1960.

The main Red River Gorge and tributaries, below the cliffs, were delineated in the Multiple Use Plan for the Forest as areas of special scenic, geological, ecological and recreational value; and management prescriptions had been established that would protect and enhance these values.

Above the cliffs, the area had been delineated into zones providing for special management to enhance recreation development, roadside and trail-side protection, special scenic features, and for management to fully utilize the timber and wildlife resources and to make them fully productive.

The management decision involving the area surrounding the Gorge had been made by professional personnel of the U.S. Forest Service, qualified by technical training and their competence proven by years of experience.

These decisions were in keeping with the Multiple Use Act, the Multiple

Use Plan for the Daniel Boone National Forest, and with the principles of sound natural resource management.

The decisions which resulted in the timber sale in question were in conformity with the above guidelines.

The timber on the area had been marked, advertised and sold under established timber sale procedures.

The timber sale was within the multiple use zone providing for the management of the timber resource. The purpose of the sale was to regenerate a new timber stand.

The Forest Supervisor is responsible for the administration and management of the Daniel Boone National Forest. He meets this responsibility by managing the National Forest in conformity with the policies and regulations of the United States Forest Service.

In view of this responsibility, he could not honor the Sierra Club request that the timber cutting in the area be suspended immediately.

The recommendations, mentioned in the Sierra Club letter, would be reviewed with interest and given every consideration.

A new phase of the Red River Gorge controversy had been established. The press quickly picked up the issue and expanded it with bold headlines. Fortunately, the Daniel Boone National Forest had maintained a working relationship with the press. When a call for information on this subject was received from the Louisville Courier-Journal newspaper, they were invited to send a staff writer to the Forest, which they did. This resulted in an accurate news story in the Sunday, March 9, 1969, edition, which presented the facts in good perspective.

Several members of the Executive Committee of the Cumberland Chapter of the Sierra Club accepted the invitation of the Forest Supervisor to meet with the Forest staff for a full-scale discussion of the timber sale, and of the Forest policies regarding timber cutting on Forest Service land throughout the entire drainage of the Red River. At the same time, the National Office of the Sierra Club contacted the Office of the Chief of the Forest Service in Washington, with the demand that the Reffitt's Branch Timber Sale be cancelled. On being told the timber belonged to the purchaser, the Sierra Club requested a copy of the sale contract and supporting papers for examination by their lawyers. This information was furnished promptly; and, after lengthy discussions, they agreed that closing the sale by the Forest Service was not legally feasible.

The next step taken by the Sierra Club was to approach the operator and request that he discontinue operating the timber sale. He agreed to do this, providing the Sierra Club would reimburse him for the stumpage he would leave uncut, plus his profit margin for this volume of timber. This the Sierra Club declined to do, so the timber sale was completed according to contract.

In the meantime, members of the local Executive Committee continued to meet with the Forest Supervisor and staff, and to press for having the entire drainage of the Red River inside the National Forest boundary established as a Wilderness Area or similar special area with restricted cutting and specialized administration. At the same time, the Sierra Club was writing and contacting Senators and Congressmen to bring pressure on the Forest Service for a special area classification. As the controversy on the Red River Dam was a matter of national news and Congressional discussion at this time, pressure on the Forest Service at the Washington level continued to increase.

In January of 1970, the Louisville-Courier Journal newspaper again sent a staff writer to the Forest for a field trip to the area in question. Again, a factual and accurate news story resulted.

At this time, it became clear that the Sierra Club had sufficient support at the Washington level to enable them to harass and embarrass the Forest Service over this issue indefinitely, regardless of the justification the Daniel Boone National Forest had for their management and administrative practices. The Sierra Club and the Audubon Society were proposing that the entire area be removed from the jurisdiction of the Forest Service and made a National Park or a Wilderness, neither of which was justifiable or feasible.

Early in 1970, the Forest Supervisor of the Daniel Boone National Forest, after conferring with the Regional Forester to insure conformance to policy, issued a directive that a complete study of the entire Red River Gorge area would be undertaken to determine how the special features of the area could best be protected and administered to render a maximum of service and enjoyment to people. The directive also suspended all timber operations of every type, including timber sales, timber stand improvement, and any other timber cutting operation, during the planning period. Thus, the Sierra Club had obtained their objective for the time being.

At this writing in 1976, the planning and production of reports on this area are continuing, as is the suspension of any timber cutting operation throughout the Stanton Ranger District of the Daniel Boone National Forest. As pointed out above, the Red River Dam question is still not resolved, and the Corps of Engineers continues to hold public hearings in an effort to bring that question to a head. The entire controversy, like a cat with nine lives, continues to rise up again and again, each time after it appears to have been resolved. Foresters, engineers and administrators are at the mercy of the politicians.

A public hearing on the proposed Forest Service Environmental Statement for the management of the Red River Gorge Unit of some 40,000 acres was held at Stanton, Kentucky, on September 7, 1973. At this hearing, the Sierra Club demanded that the entire 40,000 acres be established as a "no-cutting" unit.

CHAPTER XXXV

FOREST ADMINISTRATION 1950–1970

The period 1950-1970 was a period of development for the Cumberland – Daniel Boone National Forest. At the close of World War II, late in 1945, the task of readjustment from the wartime programs of timber production for the war efforts, and assistance to small timberland owners and mill operators in timber production, to the general administration of the National Forest began.

A readjustment of personnel within Region 7 was necessary to redeem commitments to returning servicemen, and to tailor personnel patterns to the path ahead. Until about 1955, financing in the Cumberland was extremely limited, and staffing of both Supervisor's Office and Ranger Districts at a minimum. At the time of Forest Supervisor Borden's retirement in May of 1953, Ranger Districts were manned by the District Ranger and one or possibly two District Assistants. No Ranger had even a part-time Ranger Clerk. The Forest Supervisor's Office force consisted of the forest supervisor, one resource staff officer, a forest engineer, an administrative assistant, a chief clerk, a resource clerk, one typist and a road crew foreman. The job load and financing of the Cumberland continued to expand during the 20-year period to arrive at the active and well-manned Forest of 1970's.

When President Franklin D. Roosevelt signed the proclamation which created the Cumberland National Forest of February 23, 1937, the Forest included a gross area of 1,338,214 acres of eastern Kentucky land. At that time, 409,567 acres had already been purchased as a result of an active acquisition program during the years 1933-1937.

Up to the beginning of World War II, in December of 1941, acquisition had not been inhibited by lack of funds, which were made available for qualifying tracts as provided by the Emergency Conservation Act of March 1, 1933.

Following World War II, Congressional appropriations for purposes of National Forest acquisition were limited. Such funds as were available were allocated to the highest priority cases, which involved key watersheds, recreation sites, road access right-of-way and similar factors. A report issued by the Cumberland National Forest as of June 30, 1945, indicated the purchase of 432,918 acres at an average price of \$3.78 per acre. This summarized the acquisition accomplishments of the Forest from 1933 through June 30, 1945.

With the establishment of the Redbird Purchase Unit in 1965, land purchases, financed by funds allocated from the Appalachian Regional

Development Act Appropriation, increased materially. The following tabulation summarizes progress of acquisition on the Cumberland and Daniel Boone National Forest during the period 1937-1972. The establishment of the Redbird Purchase Unit, with financial support indicated above, accounts for the dramatic increase indicated for the years 1970 to 1972.

LAND ACQUISITION – CUMBERLAND NATIONAL FOREST 1937 – 1972

Proclamation signed February 23, 1937.

As of that date: Gross area – 1,338,214 acres.

Proposed acquisition – 1,215,142 acres.

Acquired (or in process) – 409,567 acres.

ACQUISITION PROGRESS

Year	Acquired Since Previous Report	Total Acquired to Date
1937	—	409,567 acres
1945	23,351 acres	432,918 acres
1950	23,608 acres	456,526 acres
1955	502 acres	457,028 acres
1960	1,034 acres	458,962 acres
1965	3,569 acres	461,631 acres
1966 – Proclamation changing Forest name to Daniel Boone National Forest signed 4/11/66.		
1970	114,198 acres	575,829 acres
1972	39,967 acres	615,796 acres

Gross area, as of June 30, 1972 – 2,044,239 acres (includes 687,061 acres Redbird Purchase Unit).

In summary, as of June 30, 1972, a total of over 600,000 acres of east Kentucky land had been acquired for National Forest purposes. Of this total, over 100,000 acres were acquired in the Redbird Purchase Unit.

While reasonably good progress had been made in land acquisition during the 20 years following 1950, many sound acquisition objectives remain unobtained. Looking forward to the wave of awareness of environment, water quality and historic background, the Forest pointed out the desirability of consolidating National Forest ownerships in the vicinity of the Red River Gorge, to maintain the Forest environment, improve and protect watershed quality, and to protect the area from commercial encroachment entirely outside of, and incompatible with, the entire concept of development of the area surrounding the Red River Gorge. Part of the failure to reach these acquisi-

tion objectives was, of course, due to inadequate acquisition funds. Other factors also contributed to this situation. One was the extremely high price demanded for rough mountain land, even within several miles of the Gorge. Another was the difficulty of justifying appraisals of features such as natural arches the size of Moonshiner's Arch or Star Gap Arch. At other locations on the Forest, acquisition objectives, such as the Wildcat Mountain Civil War Battlefield, Wood's Block House, and sections of the Boone Trace, all of pertinent historical interest for future development, could not be obtained due to a reluctance of owners to sell at prices our appraisals could justify. Where do you find comparative sale appraisal data on battlefields or natural rock arches?

As a result of failure to attain these acquisition objectives, commercial developments have already invaded the immediate Gorge area. A large, summer home subdivision has been laid out and advertised on a privately owned tract of land within a large block of Forest Service ownership on the Tunnel Ridge Road in the immediate Gorge area. Raven Rock, an outstanding towering rock pinnacle landmark overlooking the Red River Gorge, is now being prepared for the construction of a revolving restaurant which will tower over the Red River Reservoir, if and when it is built.

The acquisition situation throughout the Forest is extremely fluid. Only prompt and objective action on the part of the Forest Service will protect these environmental and historic resources from destruction by commercial development.

By 1950, forest fire control on the Cumberland National Forest was a firmly established and well-organized activity.

At the time of the establishment of the Cumberland Purchase Unit in 1930, the forest fire situation was anything but favorable. As with all of the purchase units established in the Appalachians, the widespread occurrence of forest fires is a part of the way of life. Public attitude not only tolerated forest fire, but many of the people believed that annual woods burning contributed to the health of the community, reduced the density of tick and chigger population and, at the same time, killed back the hardwood sprouts that competed with the sparse grass which supported woods grazing of livestock.

With the establishment of the Emergency Conservation Act in 1933, the development of the CCC program, and the organization of the purchase unit into Ranger Districts for acquisition and administration, one of the first activities undertaken had been forest fire control.

Initially, the first activity was the suppression of fires occurring within the purchase unit, employing CCC and other emergency program employees. Suppression crews were sent to any and all fires which occurred. During 1933 and 1934, no records were kept of the number or size of fires suppressed. At

that time, no thought was given to the enforcement of Federal and State forest fire laws.

With the aid of E.C.W. funds and the manpower of CCC, construction of lookout towers, telephone lines, and some access roads went forward rapidly. By 1935, the fire control activity on the Cumberland was becoming maintained and fire reports prepared for individual forest fires. At times, this became a major task at camp and District level. For example, 1936 proved to be one of the most intensive fire years to be experienced. Prolonged drought, coupled with high winds, maintained conditions of high fire danger for long periods, and fires burned hard and were difficult to extinguish. A total of 483 forest fires was recorded on the Cumberland that year as burning 8,404 acres of forest, an average of 17.4 acres per fire. This suppression record, under the conditions which prevailed, was one of which the new fire control organization might well have been proud.

As the record of fires and their causes grew, the objective of the fire control organization of the Forest was two-fold: to reduce the size of the average fire through efficient detection and suppression action and to prevent as many fires from starting as possible.

Action on this plan started early. Efficiency in suppression was to be increased by training of fire crews and their supervision, and by earlier and more accurate detection. It was realized that the prevention effort would be long and difficult, as it involved a reeducation of the people to the value of the unburned forest, the damage of fire to the forest and, most difficult of all, the errors of their concept of the value of annual woods burning — an ambitious undertaking.

The beginning of this prevention program was with the use of CCC fire patrolmen, whose primary job was fire detection, to contact local residents with a brief message of fire prevention, and a request to help. While tangible results were small, it was a beginning. By 1937, the fire organization had developed, and this job of local contact was taken over by regularly employed lookouts and other local employees who were given special training for the job. This practice continued to be a part of the fire control program of the Forest and, in a modified form, is continued to the present time.

In 1937, a movie project was added to the prevention program. One man devoted his full time to bringing the fire prevention message to rural schools and to entire communities by evening programs of fire prevention movies at rural schoolhouses. Since electricity was not available at these rural schoolhouses, the projectors were operated by electricity from gasoline-driven generators carried on the back of the operator's pick-up truck. Many of these communities were in remote locations and, frequently, families attending had never seen a movie previously. Needless to say, these movies made a lasting impression. Viewed from the prospective of nearly 40 years, it is safe to say

that these backcountry movie programs were most effective in bringing some understanding of sound forest conservation practices to the people of the Kentucky mountains. They were a sound investment.

In the search to reach a solution to the forest fire problem, particularly that of incendiary fires, the Forest left no stone unturned. In 1938, a psychologist was employed to study the attitudes and behavior of the rural people of the Cumberland with regard to forest fires, and to evaluate their general attitudes towards the entire program of the Forest Service in eastern Kentucky. Posing as a geologist, he spent six months travelling the backcountry of the Forest and adjacent counties, visiting with country storekeepers, postmasters of remote crossroads post offices, community leaders and with men, women and children living in remote hollows of the area. While his findings were interesting, he developed little information that District Rangers and other Forest Service personnel did not already have. However, his findings added to the growing accumulation of fire data being assembled on the Cumberland National Forest.

Added to the above efforts were the standard fire prevention tools, such as posters, press releases for the local newspapers, exhibits at county fairs, leaflets for distribution to individuals as part of the program of personal contacts, radio spot announcements and brief talks. In the field of education, it has long been known that there are two basic types of human motivation: reward and punishment. The astute and aggressive fire control officers of the Cumberland National Forest did not overlook the latter. Early in the fire prevention program, it became apparent that a promise of rewards for fire prevention was insufficient motivation for certain individuals in each community. To impress the people, as well as to deter others with similar ideas, local law enforcement action was added to the program of fire prevention.

In 1936, a legal assistant was employed on the Forest Supervisor's staff to push law enforcement in the Forest, with official emphasis on both federal and state fire laws. Training schools were held for all regular employees. A law enforcement manual was prepared and issued for their guidance. The initial objective in law enforcement was to investigate the cause of every fire and take action against the offender in all cases where legal action appeared justified.

This program of law enforcement had been stimulated by the bad fire season of 1936, cited above. It is obvious that no such program had existed prior to that year. In 1935, out of 185 fires, only two law enforcement cases were initiated. In 1936, out of 483 fires, a total of 81 cases was initiated, 20 of which were criminal cases involving 31 persons. Of these, 13 paid fines or went to jail (a total of 85 days) for failure to pay fines, the remaining 18 having their fines suspended. Ten other cases were settled by the collection of damages. The remaining 41 cases had indictment refused by the grand jury, or

the case was dismissed after initiation. Of these 41 cases, 16 were refused by prosecuting officials. In addition to the above action, a total of 51 letters were written by the Forest Supervisor to individuals shown, by investigation, to be responsible beyond a reasonable doubt for causing forest fires.

With this beginning, law enforcement action continued hand-in-hand with public education, individual contacts and all other phases of the fire prevention program of the Cumberland National Forest.

An analysis of all fires recorded from 1935 to 1948 indicates the causes of forest fire occurrence during that period on the Cumberland National Forest to be as shown in the table below.

**FIRE CAUSES – CUMBERLAND NATIONAL FOREST
1935 – 1948**

Causes	No. of Fires	Percent of Total
Incendiary	717	30
Smokers	638	26
Debris Burning	430	18
Miscellaneous*	255	10
Railroads	166	7
Campfires	111	5
Lumbering	47	2
Lightning	39	2
Total	2403	100

*Includes smoking game out of hollow trees, burning buildings, and children playing with matches.

In 1941, the Cumberland National Forest purchased two bloodhounds for use in trailing incendiaries. These were effective for that purpose, as well as a marked deterrent to many who might, otherwise, have been tempted to string out a bit of fire during high fire hazard weather.

In 1942, at the beginning of World War II, Assistant Forest Supervisor Sipe, of the Cumberland National Forest, was included with a group of representatives of key industries and utilities, and public agencies of major natural resource responsibility, who assembled at Camp Oglethorpe, Georgia, for training to prevent sabotage. This training, conducted by the F.B.I., covered the entire field of complaints, warrants, arrests, searches, investigation methods, types of clues, sources of information, handling evidence, topography, ballistics, sabotage methods, court procedure, admissibility of evidence and report-writing. On completion of the course, Assistant Supervisor Sipe passed this information on to rangers, guards and representatives of the state forestry organization in a three-day school conducted at

Cumberland Falls State Park.

By 1949, the fire control responsibilities of the Cumberland National Forest included an area of 433,000 acres of Government-owned land and an additional 524,000 acres of interspersed, privately owned land as well.

During the following 20 years, the foundation of law enforcement as a part of fire control continued to pay dividends. At times, lack of funds and available trained personnel hampered the full effectiveness of this effort; but, although some of the elements of the early fire prevention program, such as movies in rural communities and individual contacts of local residents, were greatly reduced, the law enforcement element was maintained as a must part of the program.

With the increase in size of the Forest, particularly after the activation of the Redbird Purchase Unit, and the increase in the intensity of use for all parts of the Forest, law enforcement demands on Rangers and other field personnel were in excess of their ability to devote adequate time to this important activity.

Beginning about 1965, the Forest initiated a series of requests, substantiated by work load documentation, to the Regional Office to establish a full-time law enforcement position in the Supervisor's Office on the staff of the Forest Fire Control Officer. While this was given favorable consideration at the Regional level, delays in agreeing on a position description, allotment of funds for the position and similar delays, characteristic of a Government agency, combined to delay actually employing a well-qualified individual until the early summer of 1970. At that time, the appointment of an incumbent having both State Police and Treasury Department experience, as well as F.B.I. training, made available to the Daniel Boone National Forest experienced law enforcement leadership, qualified training of Forest officers, and a sound law enforcement program.

With the change in Forest Supervisors in 1953, Assistant Supervisor Henry Sipe transferred to the Monongahela National Forest in West Virginia, and his position on the Cumberland was abolished as an economy measure. This deprived the Cumberland of the strong fire control leadership and know-how which Assistant Supervisor Sipe had provided for many years. However, the fire control program which he had built continued to function, supplemented by forestwide training in large fire overhead organization, employment of aircraft to supplement fire detection; and, the use of chemicals, both ground-applied and air-dropped, was added to the program.

While aircraft, both fixed-wing and helicopter, had been employed intermittently to supplement the ground detection system during periods of low visibility, in 1960, the Cumberland recommended to the Regional Office the employment of a helicopter, carrying two fire fighters in addition to the pilot, for initial attack on fires in an effort to reduce the elapsed time be-

tween detection and initial attack.

Approval of this project by the Region and the Chief's office brought their blessing and a small increase in funding, together with authority to initiate a test project on the four-District project area on the south part of the Cumberland National Forest. Planning completed and helicopter contract executed, the project was initiated in 1961 and continued for two years. At the end of that period, the results were analyzed, the entire project evaluated, and the final report prepared.

Results of this trial project were successful beyond expectation. For example, initial attack by helicopter crews had been able to control 87 percent of all fires occurring on the project area during the two-year period, in addition to checking out an additional 132 non-reportable fires.

There is an old saying that, "It is a poor cook who will not eat his own cooking." This is also true in fire control. After reporting favorably on the results of the two-year test of initial attack by helicopter, the Cumberland National Forest incorporated this practice as a part of the regular fire suppression program of the National Forest without special funding. Initial attack on forest fires by helicopter-borne crews is still standard practice on the Daniel Boone National Forest. With larger and more versatile helicopters available, developed as a result of the military operations in Asia, and some 10 years of additional experience, initial attack on forest fires by helicopter, both by crews and by chemical drops, is proving a most successful practice.

At the time of the initial test project in early 1961, the Cumberland was the first mountain National Forest in the nation to utilize this effective practice. Since President Roosevelt proclaimed the Cumberland National Forest in 1937, the Cumberland-Daniel Boone National Forest has provided strong leadership in methods and practices of improving the efficiency of forest fire control. In the fall of 1963, Robert F. Collins, Forest Supervisor of the Cumberland National Forest, presented a paper on the helicopter study at the annual meeting of the Society of American Foresters held in Boston, Massachusetts.

The following table presents the forest fire control record of the Cumberland-Daniel Boone National Forest for the period 1935-1970.

**NUMBER OF FIRES
CUMBERLAND – DANIEL BOONE NF**

Fiscal Year	Total No. of Fires	Acres Burned			Average Acres Per Fire
		N.F. Land	Private Land Inside Prot. A.	Total Acres	
1935	185	—	—	1498	8.1
1936	483	—	—	8404	17.4
1937	179	—	—	2380	13.3
1938	195	—	—	1482	7.6

Fiscal Year	Total No. of Fires	Acres Burned		Total Acres	Average Acres Per Fire
		N.F. Land	Private Land Inside Prot. A.		
1939	212	—	—	2162	10.2
1940	324	—	—	4342	13.4
1941	207	—	—	2920	14.1
1942	124	—	—	1996	16.1
1943	93	—	—	1218	13.1
1944	74	326	977	1303	17.6
1945	55	436	389	825	15.0
1946	131	808	215	2959	22.5
1947	89	816	550	1366	15.3
1948	76	310	502	812	10.7
1949	72	166	313	479	6.7
1950	52	673	439	1112	21.5
1951	36	130	117	247	6.8
1952	118	3445	8112	11,557	97.8
1953	116	374	1629	1976	17.0
1954	93	711	1041	1752	18.8
1955	72	258	463	721	10.2
1956	74	315	184	499	6.7
1957	49	87	105	192	3.9
1958	31	169	96	265	8.5
1959	53	261	296	557	10.5
1960	57	788	485	773	13.5
1961	34	197	68	265	7.2
1962	57	174	195	369	6.4
1963	119	1693	383	2076	17.4
1964	70	149	113	262	3.7
1965	78	124	322	446	5.7
1966	80	623	305	928	11.6
1967	65	125	405	530	8.1
1968	85	225	212	437	5.1
1969	94	387	647	1034	11.0
1970	107	741	1035	1176	16.6

By 1950, timber management activities on the Cumberland National Forest were well-organized and operated on a scheduled basis in accordance with the Regional Office allotments for that purpose.

Timber sales had started early on the Cumberland in an attempt to maintain the small sawmills in the area which, in the early days of the depression, offered about the only employment available. Both stumpage and rough lumber prices were low; and woods labor, for those fortunate enough to have a job, paid \$1.00 per 10-hour day. However, in view of the low cost of food and clothing, many a family was able to live comfortably on this wage.

Early records show that, in 1936, the Forest sold 226,000 board feet of

timber, which brought an average stumpage price of \$4.35 per thousand. The following year, the timber sale volume more than doubled, as more land with residual timber came into Government ownership. In 1937, a total of 1,357,000 board feet sold for an average price of \$2.61 per thousand. By the beginning of World War II, the demand for stumpage increased materially, although stumpage prices remained low. This low stumpage price reflected two factors present in National Forest timber sales of those days.

The first factor was the quality of the trees cut. Practically all land acquired by the Forest Service had been logged two or more times prior to sale, leaving many cull trees and a scattering of trees barely merchantable. Logs from these trees produced a generally low grade of rough lumber.

Another factor reflected in this low stumpage price was the scattered stand. Some sale areas produced an average cut as low as 21 to 38 board feet per acre for the sale area. It is surprising that some of this timber could be sold at all. Only the absence of good stands of merchantable timber in the entire area enabled the Forest Service to move these timber stands.

Stumpage prices remained around \$3.00 per thousand or less throughout the war years until 1946, the last year of the war, when the Cumberland National Forest sold 15,832,000 board feet at an average stumpage price of \$6.49 per thousand, a record on the Forest up to that time.

Even in these early years, the Foresters of the Cumberland were sensitive to the needs to regenerate timber stands on the lands acquired. As stated above, most lands which were acquired prior to 1950 had been heavily cut for all species and products which could be sold. Occasionally, small pockets of good timber had been left below steep cliffs or in other locations expensive and difficult to log. It was a general policy to organize each timber sale in a manner to regenerate, release or thin the stand of timber on the area. Silvicultural prescriptions were aimed at the removal of mature, defective, or undesirable trees which would release young growth or relieve stand density. Where trees of good form and quality were present, a species adapted to the site, it was the policy for removal not to exceed 50 percent of the merchantable volume, leaving the rest of the volume in the best quality trees on the area for future growth. The major species cut during this period were the oak, yellow poplar and shortleaf pine. In 1945, the cut for that year was 15,440,000 board feet. A statement in the timber report of that year indicated that the Forest hoped to triple this cut in 15 years.

In addition to the timber sale areas treated by commercial cuts, large areas of newly acquired land supported little or no merchantable timber. Prior to the end of the CCC program in 1942, most of the CCC camps kept large crews at work doing stand improvement work (TSI), such as thinning, release of young pine from poor-quality hardwoods, girdling of cull and wolf trees, and similar silvicultural operations. In addition, planting of abandoned fields

and denuded sites with pine and hardwoods, both in pure stands and in mixtures, was carried on. Some of these stands have obtained a merchantable size and have been thinned by commercial sales after careful marking. Stands of white pine and tulip poplar, established by CCC, still grow on the Stearns and Berea Districts of the Forest, marked by information signs indicating their origin.

In 1965, the elimination of Region 7 of the Forest Service brought the Cumberland National Forest under the jurisdiction of Region 8 with headquarters at Atlanta, Georgia. With this change in jurisdiction came a changing in administrative and silvicultural direction. Where Region 7 had given the Cumberland considerable latitude in deciding on the application of silvicultural principles to the various stands, Region 8 followed a pattern quite the reverse. Silvicultural policy for various timber stands was clearly defined and, by Regional Office inspection, strictly enforced.

One example of this occurred about 1967, when the Region 8 policy of regeneration of shortleaf pine required clearcutting in large blocks. As this policy had previously been developed in the more level portions of the Region, regional inspection officers were insistent that such regeneration cutting cover 100 to 500 acres per block. In the broken terrain of the Daniel Boone, blocks of this size would have covered many changes in site, exposure, and species mixture. Timber management staff and Rangers on the Daniel Boone agreed to restrict the size of the clearcut blocks in accordance to the topography, soil type and site, which resulted in blocks of from 10 to 40 acres in size. At the first regional inspection, the Daniel Boone timber job was taken to task rather severely for failure to conform to Regional policy in size of clearcut blocks. One of the areas so treated was a rolling area of shortleaf pine and hardwood mixture just north of Whitley City on the Stearns Ranger District. The area had been cut in blocks of about 30 acres, with alternate uncut blocks left between. The following spring, a tornado crossed through this area, breaking over or uprooting the trees on the uncut blocks. An emergency salvage project was organized, and a volume in excess of four million board feet of shortleaf pine was salvaged from the blow-down. Shortly after this, possibly as a result of the large-blocks cutting policy, the Forest Service was attacked nationwide by national conservation organizations for their clearcutting, timber regenerating activities. In order to get on the bandwagon, the local fish and game club at Stearns attacked the Forest Service by letter to Washington, to the press, and by an appeal to their state organization, the League of Kentucky Sportsmen, charging destruction of the wildlife habitat by excessive clearcutting, citing the area blown down by the tornado and salvaged, as an example. Letters from the President of the League of Kentucky Sportsmen and from the Commissioner of the Kentucky Department of Fish and Wildlife Resources, protesting the employment of stand

regeneration by clearcutting, were sent to the Forest Supervisor. His reply, citing the example at Whitley City as an exception, due to tornado damage, was regarded by both League and Department as an alibi for poor forestry.

At this same time, the Stearns Fish and Game Club wrote the Forest Supervisor, protesting several timber management practices, including: regeneration of shortleaf pine – it was not favorable to squirrel hunting; cutting of hardwood stands in timber sales, as it removed mature trees which produced mast for squirrels and provided proper squirrel hunting timber; and demanded the practice of clearcutting in timber sales cease, and that all timber on the Daniel Boone National Forest be managed under the selection system.

Offers to serve as hosts for the officers of these organizations on a field trip to the areas in question were ignored.

While these charges were being hurled at the timber management practices of the Daniel Boone National Forest, the Sierra Club launched their campaign against any cutting in the vicinity of the Red River Gorge. Encouraged by the campaign of the Izaak Walton League to eliminate clearcutting practices on the Monongahela National Forest in West Virginia, and by the national press coverage of the controversy over timber management practices on the Bitterroot National Forest in Montana, the Cumberland Chapter of the Sierra Club launched a campaign to eliminate all types of timber cutting on some 100,000 acres of forest land within a radius of five miles or more of the Red River Gorge. This situation has been discussed in the chapter on Controversies.

Needless to say, the personnel of the Daniel Boone became somewhat sensitive of their timber management practices. The Regional Office did agree that the Forest could limit the size of regeneration cuts to the terrain and not to exceed 40 acres in a single block.

Forest Service reaction at national and regional levels to the attack on clearcutting as a regeneration method had its effect on the Daniel Boone. Timber sale and TSI policies were revised to reflect servicewide policies. I and E activities emphasized the wildlife benefits of even-aged management. To meet the charges of impact on scenic beauty (the Lady Bird Johnson contribution), landscape architects were assigned to lay out cutting boundaries of regeneration blocks to fit them to the terrain to insure that they were pleasing to the eye.

These activities are continuing on the Daniel Boone National Forest into the 1970's. Foresters are striving to meet and alleviate public criticism of timber management methods, and still continue to regenerate, TSI, and harvest the timber stands of the Daniel Boone National Forest in a manner long prescribed for sound silviculture, and described sufficiently by the first American-born Forester Gifford Pinchot as improve the forest by cutting.

Within the counties of the Daniel Boone National Forest, there are two schools of thought as regard timber-cutting. One school, who have designated themselves as environmentalists, would like to institute a policy of no cutting on National Forest land, with a view of achieving wilderness and virgin forests. This group includes some ladies' garden clubs, the Sierra Club, the local chapters of the National Audubon Society, and some sportsmen's groups.

A second school of thought supports the Forest Service in its timber management practices. This group includes the timber industry, the people of many of the Forest communities, and the county fiscal courts and school-boards. The factor motivating the latter groups is the 25 percent fund distribution to counties for roads and schools. This has become a sizable financial contribution to county budgets, produced largely from the timber sales on the Daniel Boone National Forest.

Following are two tables, the first showing the volume of timber actually cut on the Daniel Boone National Forest for each year, 1936 to 1970. The second table shows the amount of money from the 25 percent fund divided proportionately by National Forest acreage between counties of the Forest for the period 1936-1970.

**TIMBER CUT
1936 - 1970**

Fiscal Year	Timber Cut Million Bd. Ft.	Fiscal Year	Timber Cut Million Bd. Ft.
1936	.23	1954	12.30
1937	.52	1955	11.80
1938	1.76	1956	17.78
1939	2.83	1957	17.58
1940	2.69	1958	17.67
1941	5.93	1959	23.37
1942	9.33	1960	18.88
1943	9.18	1961	23.41
1944	16.69	1962	20.46
1945	15.44	1963	20.62
1946	15.83	1964	25.14
1947	13.59	1965	28.53
1948	10.50	1966	29.99
1949	10.70	1967	26.13
1950	13.30	1968	34.88
1951	10.80	1969	36.89
1952	14.20	1970	30.78
1953	12.20		

25 PERCENT FUNDS TO COUNTIES

1936 – 1970

Fiscal Year	25 Percent Fund To Counties	Fiscal Year	25 Percent Fund To Counties
1936	383.99	1954	42,024.57
1937	345.90	1955	48,511.18
1938	2,819.60	1956	63,996.86
1939	2,680.25	1957	60,167.60
1940	2,789.27	1958	54,907.45
1941	5,041.12	1959	67,314.46
1942	6,324.54	1960	76,879.40
1943	10,345.59	1961	68,765.38
1944	20,458.44	1962	70,610.45
1945	24,526.30	1963	59,262.68
1946	27,379.76	1964	92,343.26
1947	23,308.52	1965	87,633.79
1948	29,565.10	1966	100,729.25
1949	24,676.26	1967	104,011.74
1950	36,801.09	1968	93,838.90
1951	31,930.32	1969	81,208.14
1952	40,590.16	1970	83,258.86
1953	44,616.57		

Immediately following the close of the Stearns case, several of the Forest Service personnel had a brief conference with one of the members of the appeal board appointed by the Secretary of Agriculture. In the course of the conference, this board member pointed out that their decision had been difficult, as the Forest Service, who had the burden of proof that the proposed strip mining would be detrimental to the streams of the area, as well as to land from the standpoint of erosion, scenic value and future use, had presented no factual data, measurements, or other scientific information to substantiate their claims. The committee had been forced to make their decision on what they could see on the ground.

The action of the Stearns Company in the Coffey Heirs case indicated further action of a similar nature, possibly leading to a test case in Federal Court, might be expected. Other holders of mineral reservations on Forest Service land were following the actions of the Stearns Company closely. In the event of a favorable Federal Court decision on a Stearns demand to remove their coal under National Forest surface ownership by strip mining, other holders of mineral reservations under National Forest land would make similar demands.

At the beginning of the Stearns appeal to the Secretary of Agriculture, the Forest Service had requested any technical data available on siltation, stream pollution or other effects of strip mining under conditions existing in eastern Kentucky from federal and state agencies concerned with natural resources. All replied that such information was not available within their agencies.

With the ever-present threat of legal action by the Stearns Company and the knowledge of the lack of technical data to support Forest Service claims of stream damage resulting from strip mining, the Forest Supervisor appealed to Regional Forester Pyles for the initiation of technical studies to supply such information. Contacts with the Director of the Central States Forest Experiment Station at Columbus, Ohio, indicated little or no interest on the part of that organization to undertake such studies, as their interest in strip mining damage lay in studying the revegetation of spoilbanks after the mining was completed.

These appeals producing little interest, the Forest Supervisor then obtained permission to make a personal presentation to the Regional Forester and his top staff in Philadelphia, Pa.

As a result of this presentation, and to the everlasting credit of Regional Forester Pyles, Don Whelan, a hydrologist on the Regional staff, was asked to contact federal and state agencies to the end of initiating a cooperative study to supply at least a part of the needed information.

It is a credit to the persuasive powers of Don Whelan that he was successful in securing the cooperation of a total of 13 such natural resource agencies, who agreed to contribute some funds and the time of their scientists to such a study.

Early in 1955, an organization meeting was held at Cumberland Falls State Park. Represented there were the following agencies: U.S. Forest Service, U.S. Geological Survey, U.S. Soil Conservation Service, U.S. Army Corps of Engineers, U.S. Bureau of Sport Fisheries, U.S. Bureau of Mines, Tennessee Valley Authority, Kentucky Geological Survey, Kentucky Department of Conservation, Kentucky Department of Fish & Wildlife Resources, Kentucky Reclamation Association, Kentucky Department of Economic Development, and Ohio River Valley Water Sanitation Commission.

At this meeting, the representatives of the U.S. Geological Survey agreed to provide primary leadership and coordination for the study. E. L. Hendricks, Chief, Surface Water Branch, U.S. Geological Survey, stationed in Washington, D.C., agreed to serve as the Chairman of the study and Chairman of the Beaver Creek Work Group Committee, which also included: C. R. Collier, G. W. Whetstone and J. J. Musser, all of the Quality of Water Branch, U.S. Geological Survey.

Prior to the meeting, Don Whelan, after extensive reconnaissance of possible study sites on the Cumberland National Forest, had selected a site on

the headwaters of Beaver Creek, near the community of Greenwood, which he recommended to the committee. Following a field trip to the recommended area and a study of topographic and soil maps, the group accepted this site.

The site selected was on the extreme headwaters of Beaver Creek, which rises near the junction of US-27 and Ky-90 at the community of Parkers Lake, from several branches or forks which join to form Beaver Creek, which flows through several miles of the National Forest to empty into the upper reaches of Lake Cumberland.

In organizing the study, Helton Branch of Hurricane Fork, which lay entirely within Government ownership, and whose watershed was undisturbed and forested, was selected as the control watershed. Cane Branch of Hughes Fork, whose upper reaches flowed through private land which had been recently strip mined, was selected as the study watershed.

To provide accurate measurement of factors involved, standard U.S.G.S. gaging stations, measuring stream flow, sedimentation and chemical content, were erected on Helton Branch and Cane Branch, and serviced by the U.S.G.S.

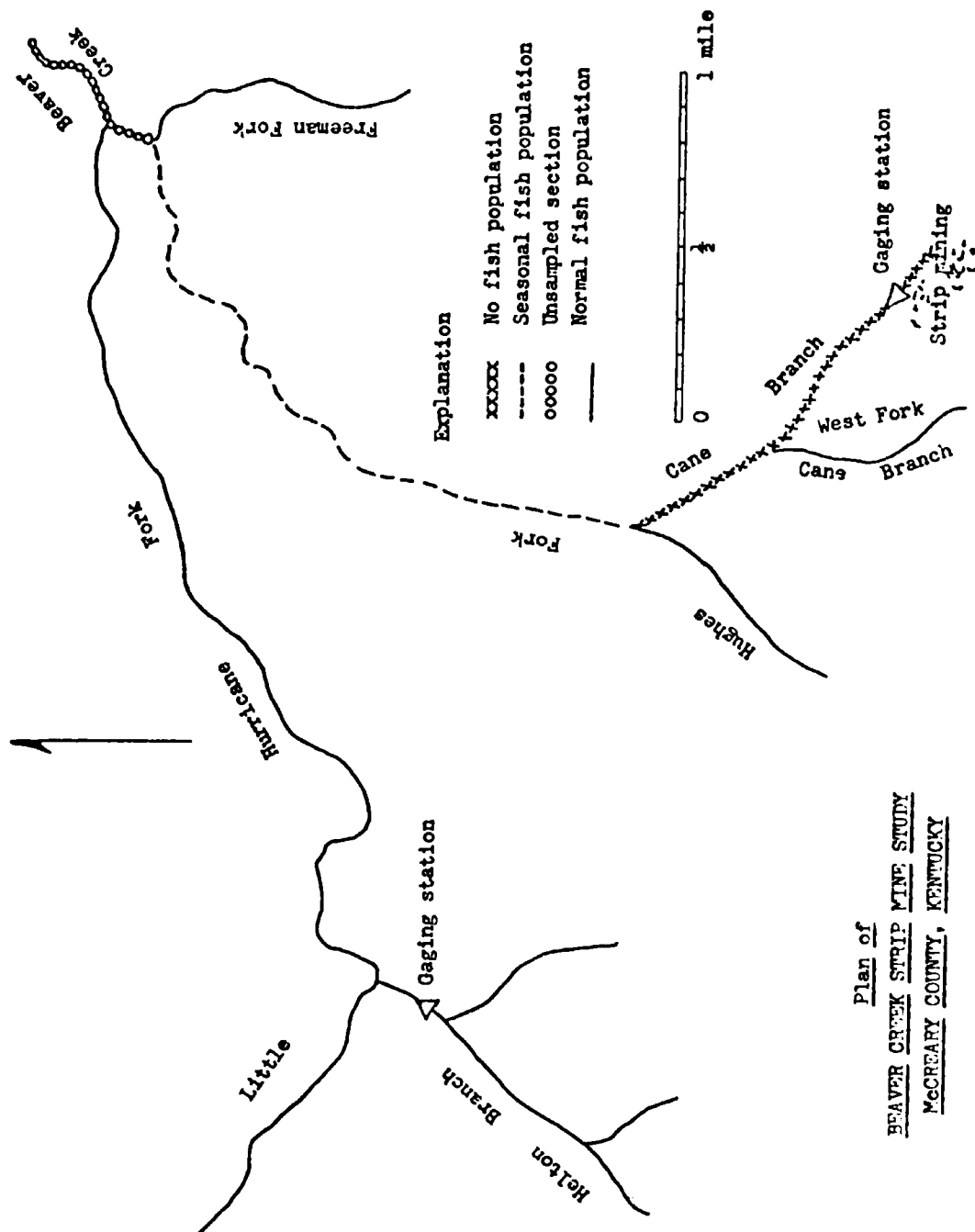
This important study continued throughout the period 1955-1959, representatives of all involved agencies participating by handling their assigned studies and by participation in the progress and coordination meeting held in May of each year.

About 1960, it was agreed that sufficient pertinent data had been secured to permit publication of some results, and the study was placed on a maintenance basis pending new disturbance of either watershed or the need for additional information.

The U.S. Geological Survey accepted the responsibility for the publication of results. Publications of information on this study and the information obtained included the following.

Preliminary Reports – Hydrologic Influence of Strip Mining of Parts of the Beaver Creek Basin, Kentucky, by John J. Musser – March, 1961, and Influence of Strip Mining on the Hydrologic Environment of Parts of the Beaver Creek Basin, Kentucky, 1955-1959, in an open file report by Charles Collier – May, 1962.

Professional Papers included – Description of the Physical Environment and of Strip Mining Operations in Parts of the Beaver Creek Basin, Kentucky, Geological Survey Professional Paper 427-A – 1963; Influence of Strip Mining on the Hydrologic Environment of Parts of Beaver Creek Basin, Kentucky, 1955-1959, Geological Survey Professional Paper 427-B – 1964; and Influences of Strip Mining on the Hydrologic Environment of Parts of Beaver Creek Basin, Kentucky – 1955-66. Geological Survey Professional Paper 427-C – 1970.



These professional papers are available for purchase from the Government Printing Office, Washington, D.C.

While the results of this study can be said to apply strictly to the specific site of the study, they are a good indication of the general effect and intensity of influence on streams when the watershed is disturbed by strip mining.

Some of the principal indications yielded by this study are: the flood runoff of the stripped watershed exceeded the runoff of the control watershed by as much as 60 percent; the stripped watershed demonstrated less favorable water retention and storage characteristics than the control watershed; the stripped watershed demonstrated approximately twice the 5-year flood potential of the control watershed; the stripped watershed demonstrated a definite detrimental effect on aquatic life; when correlated with the discharge of acid mine effluent, fish life disappeared from the stream within the first year, due to the drastically increased acidity; in individual tests, fish died within 150 minutes of exposure in the acid water (pH 2.9) of the stripped watershed (Cane Branch); in similar individual tests, no mortality resulted from the exposure of fish of the same species to the water of the control watershed (Helton Branch); weathering and erosion of disturbed rock are accelerated on stripped watersheds – on West Cane Branch, sheet erosion from the stripped area averaged 0.7 tons per acre for the 1957-1958 water year; for the 1957-1958 water year, the rates of discharge of sediment were – the stripped watershed (Cane Branch) – 2,800 tons per square mile, the control watershed (Helton Branch) – 49 tons per square mile; and during the period of the study, the average annual sediment yield from the spoil banks per square mile was more than a thousand times greater than the yield from undisturbed areas.

These scientifically measured results have supplied some of the information so badly needed during the Stearns appeal board hearings. The information listed above is only a general summary of the fine documentation contained in the U.S. Geological Survey Reports.

Great credit must go to E. L. Hendricks for the overall guidance and coordination of this study, and for its efficient operation. Similar credit goes to other U.S.G.S. members of the Beaver Creek Work Group Committee – Musser, Collier and Whetstone – for their diligent scientific work on the site, compilation and analysis of data, and for the preparation and publishing of the reports.

This study, accomplished with a minimum of funds, with the contributed time of scientists of 13 agencies, and without any legal organization of the group, has probably provided more useful and usable information for the forest land administrator on the ground than many more detailed and expensive studies. It clearly demonstrates what can be accomplished when

technically experienced men and agencies have a real desire to accomplish a task. Much honor goes to all concerned.

Following the placing of the Beaver Creek Strip Mine Study on a maintenance basis, a situation developed which, at first thought, appeared to be a major impact. However, as it turned out, it proved the truth of the motto of the Daniel Boone National Forest, "We have no troubles, only opportunities." Here is what happened.

In the fall of 1965, the State Highway Department initiated a project of straightening and improving U.S. 27 in the vicinity of Greenwood, Ky. It was found that one section of road fill, some 200 feet long and 84 feet high, with a 2:1 slope on the downstream side, would occur within the headwaters watershed of Helton Branch, the control watershed for the Beaver Creek Strip Mine Study. Although the initial phase of that study had been completed, this disturbance would alter materially the conditions in the control watershed.

When the highway improvement project was being planned, staff officers of the Cumberland National Forest met with representatives of the State Highway Department on the ground to identify possible impacts to the watersheds of National Forest streams, and to plan measures to minimize them. It was generally conceded that the construction of the highway fill would result in siltation of Hurricane Fork of Beaver Creek, and particularly in Helton Branch. To insure the reduction of this siltation to a minimum, it was agreed that the construction of this particular fill section would be completed during the fall season, and that a series of small settling basins would be constructed in Helton Branch to catch the sediment. These stipulations were written in the highway right-of-way easement between the State Highway Department and the Cumberland National Forest. The locations for the silt dams were designated and the dams designed by the Forest staff.

As may be expected, things failed to work out according to plan. The highway fill construction was delayed until the winter months, affording no opportunity for revegetating the fill slope draining into Helton Branch. In April of 1965, heavy rains fell. In a period of a few days, around April 13, over two inches of rain fell on the new construction. Although the dry fill absorbed most of this rain, some sediment entered the stream. On April 25, a rainfall of .66 inch occurred, followed by light rains for two days. Then, on the fourth day, April 28, over an inch of rain fell. By this time, the soil of the construction was completely saturated, and most of the rain on the 28th ran off the surface of the fill, carrying a load of loose soil particles with it. Rain continued for several days, continuing to move large sediment loads.

Fortunately, the portion of the Helton Branch Watershed concerned was above the U.S.G.S. gaging station, which was still in operation, and measurement of silt loads was possible. A total of 17 sediment basins had been

constructed in Helton Branch which were considered adequate to hold the sediment, had construction and revegetation been completed the previous fall.

During April, 1966, these basins trapped and held about 4,000 cubic feet of sediment. During the same period, over 20,000 cubic feet of suspended sediment passed the gaging station located one mile downstream. Total sediment from this section of highway construction during April of 1966, exceeded 24,000 cubic feet. This was equivalent to the loss of one foot off the downstream face of the 84-foot fill.

During April, 1966, there was 20 times as much sediment moved as was moved during the entire two water years of 1957 and 1958. At the same time, the water flow during April, 1966, was less than one-twenty-sixth of the flow for the total 24 months of 1957 and 1958.

This study illustrates the tremendous amount of sediment that moves into our streams from highway construction. From this, we can faintly imagine the terrific volume of sediment flowing into our streams from the hundreds of miles of strip mine spoil banks and roads throughout eastern Kentucky.

It is fortunate that personnel of the U.S.G.S. and of the Cumberland National Forest recognized the opportunity afforded by this situation, activated the measurement equipment, and followed up with this study. This information can be most useful in demonstrating the effect of construction and strip mining on our watersheds and streams.

With the establishment of the Cumberland Purchase Unit in Kentucky in 1930, little or no activity on the part of the Forest Service took place, as there were few funds or personnel available. With the establishment of the E.C.W. program in 1933, and the establishment of CCC camps, a public education program was initiated, aimed primarily at forest fire prevention and securing support for the Forest Service acquisition program.

In 1941, the first effort was made to provide conservation leadership by the Forest Service for the people of Kentucky. In the late 1930's, the Chief's office of the Forest Service had employed Mrs. Helen Worth Gorden in their Division of Information and Education for the purpose of providing leadership in forest conservation for women's groups in each of the 14 states of the Eastern Region of the Forest Service (R-7), of which Kentucky was a part. Mrs. Gorden soon found that there were far too many women's organizations in each state for her to be able to deal with effectively. Being a resourceful woman, she developed the idea of a Conservation Council, composed of two representatives from each woman's organization in the state having an interest in conservation, and serving as a coordinating organization for the work of the various conservation interests. In 1940, Mrs. Gorden initiated a test of her idea by founding the Virginia Conservation Council. So successful was this organization, and so well did it enable her to work directly with the conserva-

tion leaders of the state, that she immediately turned her attention to Kentucky. By the fall of 1940, she had completed her key contacts to the point that a founding meeting was held at the Kentucky Ridge State Forest near Pineville, Ky., which was attended by about 50 leaders of Kentucky's women's organizations interested in natural resource conservation in the State.

Among the speakers on the program of this meeting were: Richard E. McArdle, Director of the Southeastern Forest Experiment Station at Asheville, North Carolina, later Chief of the U.S. Forest Service, and Roby M. Evans, Regional Forester of the Northeastern Region (R-7), with headquarters in Washington, D.C.

Among the founders of the new Kentucky Conservation Council were a number of women who became strong supporters of the Forest Service program in later years.

Prominent among these were Mrs. J. Kidwell Grannis, Mrs. Fred Wallis, Mrs. Cassius Clay, Miss Daisy Hume, Miss Dudley Hume, and Mrs. Fred Pace.

Although originally conceived as a council composed entirely of representatives of women's clubs, from the beginning the Kentucky Council concept included men as well as women and individuals as well as organizations in its membership. Among the charter members of the new organization were also included Tom Wallace, Robert Blair, Eugene Stuart, H. K. Gayle, Kenneth McConnel, State Forester, Harrod Newland, Asst. State Forester, Harry Nadler, Supervisor, The Kentucky Ridge State Forest, and Harold Borden, Forest Supervisor, Cumberland National Forest.

Tom Wallace, Editor of the Louisville Times and one of the most prominent conservationists in America, became the first President of the Council. Under his aggressive and able leadership, the Kentucky Conservation Council quickly became influential and its voice was heard and respected in the State Capitol and in the halls of Congress. So well did Helen Gordon select, organize and build, that the Kentucky Conservation Council is today still one of the oldest, most respected and active conservation organizations in Kentucky. At present (1974), charter member Harry Nadler, now the State Forester, is President of the Council.

This first venture of the Forest Service in leadership in statewide conservation was an excellent investment which has returned manyfold in the form of conservation leadership in Kentucky, as well as support of Forest Service programs of the Cumberland National Forest. Forest Supervisors of the Cumberland and the Daniel Boone National Forest have continued to remain active members, and have continued leadership through active participation and support in this organization.

In 1953, Forest Supervisor Harold Borden also became a charter member of the Kentucky Agricultural Council, organized in a similar manner and

representing approximately 100 agricultural organizations in Kentucky. With the change in Forest Supervisors in that year, Forest Supervisor Robert Collins continued to work actively in the Council. In May of 1955, he presented a statement to the Council on the Forest Resources of Kentucky. In 1957, he was named the Chairman of a Special Forestry Committee charged with developing a long-range forestry platform for Kentucky. Assisted by other forester committee members (Harrod Newland, State Forester; James Newman, State Extension Forester; and Malcolm Williamson, Leader, Berea Research Center), a report was prepared and presented to the Council in October of 1957, which the Council adopted as A Forestry Platform for Kentucky. This was the first long-range forestry plan to be developed for the state.

In 1961, this same committee was named to follow up on the platform and evaluate progress achieved. The committee report was presented to the Council on November 2, 1961.

From the beginning, the administration of the Cumberland National Forest has included the concept of strong statewide leadership and participation in the field of natural resource conservation. While one part of the mission was to develop the resources of the Cumberland to their full potential, the other part was to use the National Forest as a demonstration area of what could be done throughout the state.

With the development of the state Rural Area Development Committee, the Forest Supervisor of the Cumberland National Forest was, of course, a member. The Forest moved promptly, through its representatives, to demonstrate to the state committee, and to representatives of the county committees, some of the means by which the natural resources of the forested counties of eastern Kentucky could develop their resources to their own benefit.

One of the first moves in this direction was the presentation of a statement to the State Policy Committee of Rural Development on the subject, "The Forest Resource Contribution Potential for the Rural Development Program in Kentucky," in December of 1956.

Personnel of the Cumberland utilized every opportunity to present to the leaders and people of Kentucky the opportunity of wildlife development in the state and the economic potential of such development to the counties of eastern Kentucky. One such effort was the presentation of a study, based on data collected in other states, of the potential in eastern Kentucky. This study report was presented to the State Rural Area Development Committee, at one of its regular meetings in 1960. Entitled Deer Values, it created considerable interest throughout the state, and requests for copies came from several adjacent states and from Washington.

Another channel of Forest Service leadership in natural resource con-

servation was through participation in the various statewide meetings sponsored by the Kentucky Department of Natural Resources.

With the election of Bert T. Combs as Governor of Kentucky in 1961, emphasis and interest in natural resource conservation was given an added impetus. The appointment of J. O. Matlick, formerly owner and editor of the farm magazine, "The Kentucky Farmer," and an ardent conservationist, as Commissioner of the Department of Conservation, initiated a wave of conservation activity throughout Kentucky. One of Commissioner Matlick's first acts was to change the name of the Department of Conservation to the Department of Natural Resources as a means of emphasizing the broad interest of the Department. Commissioner Matlick then called together a group of conservation leaders of the state and organized them into the Kentucky Natural Resources Development Committee, the purpose of which was to bring to the people of Kentucky an understanding of the State's natural resources and how they could best be developed and used to the advantage of all of the people of Kentucky. At the first meeting, Commissioner Matlick was elected Chairman and Mrs. John D. Roberts of the League of Women Voters, Vice Chairman of the Committee. Forest Supervisor Collins represented the Forest Service in this Committee.

It was decided that the initial effort of the committee would be a Conservation Congress, where the leading conservation experts of the state could be brought together with community leaders and others interested in natural resource conservation for a discussion of the natural resource opportunities and problems of the state. As a result, the First Annual Conservation Congress was organized and held in Louisville, Kentucky, on September 28-29, 1961.

Forest Supervisor Collins of the Cumberland National Forest was designated as Chairman of the Forestry Section of the program. Here was an opportunity to bring to the leaders of Kentucky some of the outstanding forestry personnel of the state and nation. As keynoter of the Forestry Section, Supervisor Collins invited Dr. Richard E. McArdle, Chief of the United States Forest Service, who spoke on the subject, "The Role of Forestry in Our State Economy".

In addition to the keynote speech, a three-man panel of prominent foresters participated in a symposium, speaking on subjects supporting the keynote speech. Composing this panel were: Erwin G. Wieseuegel, Chief, Investigations Branch, TVA, North Tennessee; Dr. Richard L. Lane, Central States Forest Experiment Station, U.S. Forest Service, Columbus, Ohio; and C. D. Dosker, President, Gamble Brothers Timber Industry, Inc., Louisville, Kentucky.

Each of the speakers was outstanding in his field. By bringing foresters of this stature to such a meeting, the image of forestry and the Forest Service in

Kentucky was considerably enhanced.

As a measure of the level of the Conservation Congress, the banquet speaker was the Honorable Stewart L. Udall, Secretary of the Interior, Washington, D.C. He was introduced by the Honorable Bert Combs, Governor of Kentucky. This was a most successful beginning of the conservation campaign in Kentucky, and the Cumberland National Forest was firmly established as a part of it.

Encouraged by the success of the initial Conservation Congress, it was decided to make them an annual event. The Second Congress, held in Louisville on October 17-19, 1962, was equally successful. The Cumberland National Forest was again successful in securing Arthur R. Spillers, Director, State and Private Forestry, in the Washington Office of the Forest Service, as the keynote speaker for the afternoon session of the entire Congress. He spoke on the subject, "Forestry in the Overall Conservation Program." In addition, Mr. Spillers participated in the forestry panel, where the Forest Service was also represented by Dr. Carl E. Seliskar of the Forest Service Research Laboratory at Delaware, Ohio. Forest Supervisor Collins of the Cumberland National Forest also participated as a member of the panel on forestry. Again, the U.S. Forest Service played a prominent part in the natural resource affairs of Kentucky.

The Third Annual Conservation Congress was held in Louisville, Kentucky, October 17-18, 1963, featuring the theme, "Water — The Stream of Life." The Forest Service was represented by Forest Supervisor Collins, who served as keynoter of the Congress, speaking on the subject, "Forestry and Recreation Resources of Kentucky," which emphasized the place water quality and uniformity of flow played in the base for recreation, and the part that sound forestry played in determining these factors.

Immediately following this meeting, Forest Supervisor Collins presented a paper at the annual meeting of the Society of American Foresters, held at Boston, Massachusetts, on October 21-24, 1963. The subject presented was, "Fighting Forest Fires with Helicopters," based on the Cumberland National Forest study. Again, the Forest Service was providing leadership in the forestry conservation field.

Participation of the Cumberland National Forest in the Fourth Conservation Congress, whose theme was Youth, Supervisor Collins was a member of the planning committee.

However, 1964 did not slip by without a major public contact by the Cumberland National Forest. On February 28, 1964, Forest Supervisor Collins participated in the Governor's Conference on Forestry, speaking on the subject, "Resource Management."

This presentation emphasized the great need of an organized approach to the management of the natural resources of Kentucky, and pointed out the

advantages of multiple use in such management.

The Fifth Annual Conservation Congress was held in Louisville, Kentucky, on October 14-15, 1965. The Forest Service was represented by Supervisor Collins of the Cumberland National Forest, who served as Moderator of the Forestry Panel, and by Dr. Richard Lane, Director, Central States Forest Experiment Station, Columbus, Ohio, who participated as a panel member.

In 1966, the Forest Service continued to exert its leadership in state conservation meetings by participation of top-level people. In February of 1966, Edward Cliff, Chief of the United States Forest Service, came to Kentucky and served as keynote speaker at the Governor's Conference on Forestry, held at the Phoenix Hotel in Lexington, Kentucky. In addition, Douglas Craig, Director, Southeastern Area, State and Private Forestry, of Atlanta, Georgia, served as the luncheon speaker. Forest Supervisor Collins of the Cumberland National Forest served as a member of the planning and arranging committee for the meeting.

On April 17-19, 1966, the Cumberland National Forest was represented by Forest Supervisor Collins, who participated on the program of the Central States Conference on Litter Prevention and Beautification, in Louisville, Kentucky, by presenting a paper entitled, "Litter Control in Recreation Areas."

Early in July of 1966, the Cumberland National Forest served as host for a visit by Michael Fromme, nationally known conservation writer, author of the book, "Whose Woods These Are," and later columnist for the American Forest Magazine. Included in his tour of the Cumberland was an overnight boat trip down the Cumberland River above Cumberland Falls. Mr. Fromme appeared impressed with the scenic resources of the Forest and with the Cumberland's administration of them. After returning to Washington, he wrote the Chief of the Forest Service in support of the Cumberland National Forest for funds to purchase Star Gap Arch in the Red River Gorge area. During the trip, he met a number of Forest officers, with whom he discussed resource administration and with whose resource management philosophy he appeared to agree. As a result of this trip, Cumberland received favorable mention in several of his columns and a writeup entitled "Boone's Woods."

A Sixth Conservation Congress, held in Louisville, Kentucky, October 27-28, 1966, again saw the newly named Daniel Boone National Forest participating actively in the program. In addition to serving as the Director of the Kentucky Natural Resources Development Committee, Forest Supervisor Collins recruited and organized speakers for the Forestry Panel and served as its Moderator. Forest Service leaders participating on the Forestry Panel were E. W. Schultz, Regional Forester, Region 8, Atlanta, Georgia; James B. Strange, Associate Director, Southeast Area, State and Private Forestry at Atlanta, Georgia; and Benjamin A. Roach, Berea Research Center, Berea,

Kentucky. Again, the Forest Service had provided strong leadership in natural resource conservation in Kentucky.

In 1967, the Daniel Boone National Forest turned its attention to advancing another resource of the Forest — early Kentucky history. On June 5, 1967, Forest Supervisor Collins presented a talk to about 100 members of Kentucky's most dedicated historical organization, The Filson Club in Louisville, Kentucky, on the subject, "Historic Sites on the Daniel Boone National Forest."

The talk was very well received and was taped by the club for their tape lecture library. It was also printed in its entirety in the January, 1968, issue of the Club magazine, The Filson Club History Quarterly. So many requests were received by the Forest for copies of this talk that additional copies had to be made from time to time. It is known that some individuals have reproduced a great many copies at their own expense for distribution to their friends.

The above information is included to demonstrate the value of the historic resource of the Daniel Boone National Forest and its appeal to people of all ages and of all walks of life. For this reason, the historic resource of the Daniel Boone National Forest should be developed for the enjoyment and information of the public.

On June 13, 1969, the Daniel Boone National Forest again utilized an opportunity to provide leadership in land use and natural resource conservation when Forest Supervisor Collins presented a talk to the State Convention of the Soil Conservation Society of America at Eastern Ky. State University, Richmond, Kentucky. The presentation entitled, "Kentucky's Forests of the Future," outlined the potential of Kentucky's forest land, and pictured the end product of sound development and management in future years. However, it also pointed out some of the obstacles which are encountered, and leaves it up to the people of Kentucky to determine, by their action, how much Kentucky's forest lands will contribute to human welfare in the years ahead.

On December 5, 1969, Forest Supervisor Collins served as a member of a panel discussion of the subject, "Foresters — Yesterday — Today — Tomorrow," before the Annual Meeting of the Kentucky-Tennessee Section, Society of American Foresters. Speaking on the subject, Today's Forester, his paper pointed out the necessity of today's forester dealing with self-appointed, environmental groups with narrow interests and no responsibility for administering results. It also pointed out the necessity of today's forester maintaining a working relation with the press and with the representatives of the major conservation groups.

In March of 1970, Forest Supervisor Collins participated, in company with a group of the I and E staff and of the staff of the Southeast Area, State and

Private Forestry, from Atlanta, Georgia, in a panel discussion of the I and E techniques and other information activities which are a part of a forester's work. This presentation was made before the faculty and student body of the Forestry and Wood Technicians' School of the University of Kentucky stationed at Quicksand, Kentucky.

As 1970 and this part of the history of the Daniel Boone National Forest, drew to a close, the Forest had a major opportunity to again provide natural resource leadership in Kentucky. Forest Supervisor Collins was invited to serve as the speaker at the annual dinner meeting of the Kentucky Development Committee at Cumberland Falls, on October 15, 1970.

The Kentucky Development Committee is the present-day successor to the original Rural Development Program State Committee, and is composed of representatives of the major public agencies, both state and federal, of Kentucky. Their responsibility is to guide and facilitate the development of the state in a manner to benefit its people and community, utilizing the resources and programs of all of its respective agencies. Forest Supervisor Collins had been a member of this group since the beginning of the program in the early 1950's. He had repeatedly urged programs for eastern Kentucky to develop the natural resources of the forest land of that area, over 70 percent of the total, as a base for a long-time, self-sustaining economy based on timber industry, wildlife utilization, watershed improvement, and a natural resource-based recreation industry. Over the years, these urgings have brought little response from the Committee members or from the agencies which they represented. In this presentation to the entire Committee, Supervisor Collins summed up the potential of the natural resources of the forest land, which comprises over 70 percent of the land area of eastern Kentucky.

The foregoing outlines the high points of the program of the Cumberland-Daniel Boone National Forest during the period 1950-1970, to provide statewide leadership in the field of natural resource conservation. This phase of the program was handled personally by Forest Supervisor Collins, largely because he represented the Forest Service on the many statewide committees.

Throughout this period, the staff and Rangers were carrying on a similar program at the Forest and Ranger District levels through talks before local service clubs, schools, garden clubs and similar groups. Active participation by District Rangers in the programs of the Area Development Councils provided many opportunities to present the basic principles of sound land use and natural resource conservation to local leaders, as well as to the representatives of other public agencies throughout the zone of influence of the Cumberland-Daniel Boone National Forest.

The investment of time and travel made by the Forest is reflected in the public image of the Daniel Boone National Forest in Kentucky today.

This chapter, covering the major activities which comprise the adminis-

tration of the Daniel Boone National Forest during the period 1950-1970, has, of necessity, presented only the highlights of activity during that period.

The establishment and growth of the Cumberland-Daniel Boone National Forest may well be divided into two, major 20-year periods: 1930-1950, the acquisition and organization period, and 1950-1970, the development period.

What will take place in the next 20 years in the life of the Daniel Boone National Forest remains to be seen. Will public opinion recognize the role of the Forest in the protection and development of the key watersheds of eastern Kentucky, as well as in making these forest lands productive of goods and services, to the point of supporting the expansion and consolidation of ownership to the level where the Daniel Boone can be a major service to the people and communities of the State? Only time and the continued sound administration of the Daniel Boone will tell the story.

The rich historical resource of the Daniel Boone National Forest remains largely unknown to Forest officers, local residents, and National Forest visitors alike. While a few local residents are familiar with a few individual stories handed down in their family or in their community, few have any comprehension of the entire historical background of the area wherein the Daniel Boone National Forest lies, or its significance in the development of this country.

In the summer of 1967, rumors of an ancient campsite under the cliffs in the Red River Gorge filtered into the Office of the Forest Supervisor of the Daniel Boone National Forest in Winchester, Kentucky. Fortunately, the source of these rumors, Roy Reed, was a neighbor of a member of the staff of the Daniel Boone National Forest, Lionel Johnson. It is also fortunate that Staff Officer Johnson has an interest in, and an understanding of, the value of the historical resource of the Forest. Accompanying Roy Reed on a trip to the site, Staff Officer Johnson was convinced that the find of Reed was of great age and of historical significance. His report aroused the interest of Forest Supervisor Collins, who immediately scheduled a visit to the site, after which he set the wheels in motion to learn as much as possible about its historic origin.

The investigation began with Roy Reed, who related the following circumstances. It had long been a habit of Reed, a native of Powel County, but now a resident of Winchester, Kentucky, to roam the more remote portions of the Red River country in search of possible mineral deposits, rare plants or other unusual natural developments. On these trips, he was usually accompanied by his son, Don, and by his father-in-law, Jesse Ashley, of Longbar, Kentucky.

On the particular occasion in question, the group was making its way along the base of a high cliff, deep in the Red River Gorge. After stopping to rest, they were about to continue when one of them happened to look under an overhanging cliff or rock house, which is so common in the Gorge country,

and noticed there a small structure of a peculiar nature. Investigating further, it was discovered that the hut was constructed with a pole frame covered with split shakes of red oak laid on the frame in an overlapping pattern, and held in place with rocks laid on the top. Inside the structure, which was about five feet by 10 feet by four feet high, in one corner, was a small rock furnace with the top fashioned to fit the bottom of an iron kettle. Over this furnace, or fireplace, the shakes had been laid in a manner to leave a small opening to permit smoke to escape.

In examining the construction of the hut, which was obviously very old, Mr. Ashley noticed some carving on one of the shakes. Examining it more closely, he was able to make out the letters "D. BOON," which had been formed by outlining them by small dots or stipples made by twirling the point of a large knife. These dimples had then been connected by a carved line.

A further search of the area under the cliff, which was more like a cave, turned up the rusted remains of an old iron kettle, two wooden paddles, a fragment of leather which could have been the remains of a moccasin, and small wood fragments which could have been chips from the split shakes or resulted from the construction of wooden troughs. Also found was about a pound of homemade black powder of a type not made since early pioneer days. In addition, a handmade wooden eating utensil fashioned from a piece of pipe cane with a fork on one end and a spoon on the other was discovered. Nearby the hut were two rock furnaces constructed of sandstone, and portions of three wooden troughs formed by hollowing out portions of logs. The chisel and gouge marks were still plainly visible on these troughs. Between the hut and the face of the overhanging cliff was a pile of sand and sandstone rock reaching from the floor nearly to the roof of the opening and concealing the hut from the view of anyone passing along the face of the cliff. Only by chance and the sharp observation of Mr. Ashley was the hut discovered.

A more detailed search of the area under the cliff revealed markings chiseled into the cliff wall and overgrown with moss and lichens. These markings, which consist of crosses and diagonal marks, resemble some of the marks described by John Swift in his journal as being left as reference marks to the location of the famous silver mine and to the quantities of silver coins and bars which had to be abandoned on his flight from the Indians back to Virginia.

Considering all of these factors, Mr. Ashley believed that he had discovered a site of historic value. He tried to interest a number of officials and individuals, but was apparently unable to describe his find in sufficient detail to convey its real significance. He finally brought the facts to the attention of Dr. Johathan Dorris, Professor of History and Curator of the Museum at

Eastern Kentucky University at Richmond, Kentucky. Dr. Dorris, although rather unsteady with age, made the trip down the face of the cliff with Mr. Ashley to view the site. He stated that, in his opinion, it was a camp of great antiquity, and felt that it was definitely connected with the exploration of Daniel Boone. The shake, bearing the "D. BOON," was removed to the University for safekeeping.

This was the status of the story when it came to the attention of the Daniel Boone National Forest in 1967. Staff Officer Johnson and Forest Supervisor Collins made a search of historical writings and maps of early Kentucky in an attempt to obtain a lead to the site and the identity of the individual who had lived there. This search is still continuing. The shake bearing the carving was obtained from Eastern Kentucky University and sent to the Forest Products Laboratory in Madison, Wisconsin, for definite identification of the wood and a possible estimate of its age.

The report from the Forest Products Laboratory confirmed that the material of the shake was red oak and was very old. As to approximate age, no indication was available, as the process of Carbon-14 test is not accurate to closer than a plus or minus one hundred years.

The Forest then contacted Dr. Martha A. Rollingson, Acting Director of the Museum of Anthropology, University of Kentucky, for such assistance as the University could provide. After examining the site and reviewing available information, Dr. Rollingson arrived at four conclusions.

There was no evidence of Indians having used the shelter.

That the items found at the site appeared to have resulted from a short period of use.

That the furnaces and wooden troughs, together with the sandstone rock, possibly indicated an operation to produce "niter" (potassium nitrate) as a base ingredient in the manufacture of gunpowder. In this process, sandstone rock was broken into fragments and placed in boiling water to reduce it to sand. The niter was then leached from the sand by allowing cold water to drip through it. This leached solution was then evaporated and the crystals of niter were obtained for use in the manufacture of gunpowder. Some types of sandstone were said to have yielded as much as 20 to 30 pounds of niter to a bushel of sand. The niter obtained by this method is potassium nitrate, rather than the sodium nitrate or calcium nitrate more frequently produced for this purpose by leaching the soil from the floor of limestone caves.

That exploratory work, to indicate the value of full evacuation, could be done for about four thousand dollars, using the services of an archeologist for a month and six diggers for two weeks.

In addition to the contact with the University of Kentucky, additional contacts were made with the Smithsonian Institution in Washington, D.C.;

with the Pennsylvania Historical and Museum Commission in Harrisburg, Pennsylvania; with the Filson Club, and the Kentucky Historical Society in Kentucky in an effort to throw some light on the situation surrounding this historic campsite deep in the Red River Gorge.

Needless to say, the press of the entire nation was interested in this find, which might throw some light on Kentucky's early history. Newspapers throughout the state carried numerous articles and editorials speculating on the origin of this remote camp and on the individuals who built it. Interest was not limited to Kentucky, as many newspapers from adjacent states called for information, purchased news stories on it from local reporters, or actually sent their feature writers to the Daniel Boone National Forest for a tour of the site and an interview with Jesse Ashley, the discoverer.

One such newspaper was the Atlanta Journal and Constitution, which carried a fall news story by Staff Writer Chip Calloway in the issue of Sunday, October 25, 1970. Interest in this situation continues to exist.

A measure of the national interest in the story of the D. Boon Hut is the interest shown by national television. After making arrangements for their visit by telephone, Charles Kuralt of CBS News brought his camera crew to the Daniel Boone National Forest and filmed scenes in the Red River Gorge and at the D. Boon Hut campsite, as well as filming his interview with Jesse Ashley. To Mr. Kuralt's question as to the circumstances under which he found the site, Mr. Ashley replied, "We walked around the cliff and Don looked over there and he said, 'Well, lookee a here. I seen some old logs over there with some wooden pegs drove in 'em'. I said, 'Yeah, and look on down there. I see a cabin', and he liked to fell over. I reached over here and Joe, he come over and he picked this board up like this and turned it over and there was D. Boon's initials on there. I told him that was just like what was on D. Boon gunstocks, and that's just bound to be his initials. Did you ever see that . . . anything like it in your life before? Did you ever see Daniel Boone's initial on a gunstock?"

The taped TV program was presented to the nation on Tuesday, April 2, 1968, on Walter Cronkite's CBS news broadcast. Much interest and many letters resulted, including an acknowledgement from Glenn A. Kover, Director, U.S. Forest Service Motion Pictures, Radio and Television Unit in Pasadena, California. The Daniel Boone National Forest really received nationwide coverage on this one.

In the middle of this wave of nationwide acclaim at the discovery of the D. Boon Hut, a bombshell was tossed by a local resident of Powell County.

On April 12, 1968, about a week following the CBS News broadcast, Henry Catron, age 47, of Powell County, told District Ranger Robert Brooks that the story was in error, and that he and his younger brother, Hugh, age 45, had built the cabin while playing in the Gorge some 35 years previously.

Taken to the site by Ranger Brooks, Henry Catron admitted that it, "didn't look exactly as I remembered it." When contacted by Ranger Brooks, Hugh Catron, the younger brother, denied helping to construct the hut or being in that location as a boy. However, this story was soon cleared up when Ranger Brooks, following Henry's description of the cave where he had built the shelter as a boy, located near a branch, found that site and the crude shelter built with small poles in another location less than a quarter of a mile from the original site. That cleared up the situation.

With their interest aroused almost to a fever pitch, Supervisor Collins and his staff searched through old histories, journals of the 1700's in Kentucky, old family records and interviewed local families, as well as newswriters, on early Kentucky history and folklore. One such writer, Nevyle Shackelford, an employee of the University of Kentucky and a special feature writer for the Lexington Leader newspaper, visited the site and assisted in every way in the inquiry as to the origin of the D. Boon Hut.

These sources exhausted, Forest Supervisor Collins and his staff reviewed all findings, data and historical facts assembled, and evaluated them in the light of known history, corresponding dates and times of certain events and circumstantial evidence.

These facts and factors were considered:

John Swift and his silver exploration party came to Kentucky each summer, 1761 – 1769.

Evidence is strong that the Red River Gorge was one location of their summer headquarters.

The site of the Boon Hut was ideally situated for such a camp: it was in a remote arm of the Gorge and it was located in the face of the cliff, well above the valley floor, yet at the base of a sheer cliff nearly 100 feet in height.

It was difficult to locate from a distance of greater than 100 feet.

Access to it was limited to a narrow ledge along the face of the cliff.

It was well off the normal travel route of Indians and was easily defended by a few longrifles, if discovered and attacked.

During most of the year, a small waterfall came directly over the entrance from the cliff above, providing for water and concealment.

The area under the overhanging cliff was very dry – the dust of ages covered the floor and the rocks. It was apparent that it was not used by Indians.

During the winter months, the area under the cliff was warm – when photographing the hut, coats needed to be removed for comfort.

The cross-and-hash marks on the wall has been there many years, as indicated by moss and lichens covering them.

The marks were similar to those described in John Swift's journal as

reference marks to locations where he buried silver coins and bars when pursued by the Indians.

The location was only about 20 miles, as the crow flies, from the location of Daniel Boone's base camp established at the mouth of Red Lick on Station Camp Creek early in June, 1769.

The last known trip of the John Swift silver mine party to Kentucky was in the spring of 1769.

This means that the Swift party and the Boone party were living and travelling in the same general area at the same time.

It is known that Daniel Boone had a habit of carving his name on some object at key points — trees, rocks, and even his own rifle stock.

History tells us that Daniel Boone did not spell his name with the final "e" until after he came to Boonesborough in 1775.

The arrangement of the letters in the word "BOON" is the same as used in known carvings of his name. The slender sweep of the curved portion of the "D" with the vertical line slanted slightly to the right. In the word "BOON", both the "B" and the "N" are capital letters, while both the "O's" are lower-case letters. This is characteristic of Daniel Boone's spelling and carving of his name.

The late Judge Edward C. O'Rear often spoke of a tree in Morgan County, where he was at one time a resident, on which was carved "D. BOON". This tree was located in the Elk Fork Creek section of Morgan County, beyond the Scout Cave.

After assembling all possible reference material and noting circumstances that appeared to be more than coincidence, the Daniel Boone National Forest has come to believe, in the absence of evidence to the contrary, that the story of the Boon Hut is as follows.

The Boon Hut is the site of the headquarters of the John Swift silver mine party while they were in Kentucky in 1769. While Boone and his companions were exploring the country from their base camp at the mouth of Red Lick, less than 20 miles from the Boon Hut site, they made contact with the Swift party, and possibly spent the night at their camp. A woodsman of Boone's skill, ranging widely in wilderness country, would be sure to detect the presence of other white men who were as active in their exploration as Swift's silver mine party. While Boone does not mention such a contact, it is possible that he agreed with the Swift party to refrain from such mention in the interest of keeping the location of the camp (and possibly the mine) a secret. Knowing the location of this secret camp in the Red River Gorge, it is most likely that Daniel Boone used it many times on his hunting expeditions to that area.

It is not unlikely that Boone may have used this site for his base camp in the early summer of 1770, while his brother, Squire, took the packhorses and

the furs and skins back to the settlement to sell and return with fresh supplies. The secluded site would have been ideal for Boone to have concealed his presence from Indians and used as a base camp during that period.

While the above story of the Boon Hut is based partly on recorded fact and partly on circumstantial evidence, it is the story the Daniel Boone National Forest believes, and will continue to tell, until better evidence to the contrary is produced. The circumstantial evidence is strong — men have been hanged on less.

Immediately after the news stories were published and the CBS broadcast of Charles Kuralt on the Walter Cronkite CBS News, the Forest was besieged by all types of people wanting to visit the site. It is suspected that many believed this to be the site of the famous Swift silver mine. It was apparent that fast work would be required on the part of the National Forest to save the site from being destroyed by the public. One of the Forest Service engineers, with a crew of workmen, started at once to protect the site by a strong fence composed of steel posts extending from the rock floor to the rock ceiling and connected laterally with steel bands. They worked continuously through the weekend to complete the job.

Although the location of the Boon Hut had never been given in the press or on TV or radio; and, although it was necessary to scramble over a hundred feet of nearly vertical cliff to reach the site, in excess of 150 people visited the site where the crew was working on a single Sunday.

On completion of the fence, a foot trail, nearly a mile in length, was constructed leading from the Gray's Arch parking area, located on Tunnel Ridge Road, to the Boon Hut site. A Forest Service sign located at the beginning of the trail identifies it to the public. Many hundreds of Forest visitors follow this trail to view the Boon Hut each year. This popularity of the Boon Hut well illustrates the attraction of the historic resource of the Daniel Boone National Forest for the people of Kentucky.

Only those Foresters who have been privileged to occupy the position of District Ranger or of Forest Supervisor on one or more of America's National Forests can fully realize the awesome responsibility of these positions, or the great professional pride which results from successfully accomplishing such administration jobs.

A District Ranger or a Forest Supervisor realizes that the people of the United States have entrusted him with the protection, development, and sound and efficient administration of the many natural resources of the land for which he is responsible.

These lands are a part of the national heritage of the American people. They must be administered in a manner that will yield a maximum of their potential to the advantage of all of the people in the form of goods and

services. The Forest administrator must also continue to provide leadership in natural resource conservation, translated into the language and the understanding of the local people, while utilizing the Forest land he administers as a living demonstration of the results of good conservation practices.

In addition, he must insure that all actions of the organization for which he is responsible, including his own, are fully in compliance with the laws and regulations of the United States, and with the policies and operating procedures of the U.S. Forest Service.

This is a most responsible job, requiring not only technical knowledge, administrative skill and the ability to get things done, but a certain kind of strong, personal leadership which will influence people, both in his own organization and among the general public.

The U. S. Forest Service has included many people with these capabilities since its organization at the beginning of the century. The original organizer of the U. S. Forest Service, and the father of American forestry, Gifford Pinchot, was such a leader. He required no skills, labor or hardship from his subordinates which he was not willing to provide or undergo personally. His example founded a tradition in the U. S. Forest Service which has endured to the present day.

From the establishment of the Cumberland Purchase Unit in 1930 to the present time, its development and administration have been directed by men of the U. S. Forest Service whose professional skill, administrative ability, and public leadership, coupled with a basic personal integrity, have won the approval and the admiration of the people of Kentucky with whom they have been associated. The public image of the Daniel Boone National Forest in Kentucky today is the cumulative result of the performance of the hundreds of individuals who have served on the Forest during the past 40 years, and particularly a tribute to those Forest officers who bore the responsibility of the position of District Ranger and of Forest Supervisor.

Listed on the following pages are the names of the Forest officers who have occupied these key administrative positions on the Cumberland and Daniel Boone National Forest during the past 40 years, together with the location and period of service of each.

FOREST SUPERVISORS CUMBERLAND-DANIEL BOONE NATIONAL FOREST

Initial Acquisition Project		
1930 – 1933 (3 years)	—	W. E. Hedges
1933 – 1934 (1 year)	—	W. L. Kramer
1934 – 1936 (2 years)	—	C. L. Graham
1936 – 1939 (3 years)	—	R. F. Hemingway
1939 – 1953 (14 years)	—	H. L. Borden
1953 – 1970 (17 years)	—	R. F. Collins
1970 – 1974 (4 years)	—	J. E. Alcock
1974 –	—	R. H. Wengert

MOREHEAD RANGER DISTRICT

Established – December, 1933.

District Headquarters – Initially at Mt. Sterling, Morehead After 1941.

First District Ranger – Alfred H. Anderson.

Original District Name – Red River District.

District Name Changed to Morehead Ranger District in 1958.

Gross Area as of Proclamation in 1937 – 460,000 Acres.

District Boundary – All land within the Proclamation Boundry north of the Kentucky River.

Area Adjustment – The portion of the District south of US-460 was detached to form the Stanton District in 1960.

DISTRICT ADMINISTRATION

District Ranger	From	To
Ephe M. Olliver	12/33	7/35
Karl M. Stoller	7/35	6/44
John R. Hicks	6/44	6/48
George E. Nietzold	6/48	12/55
Seymour G. Hile	12/55	8/56
Charles C. Elsbree	8/56	11/60
Herbert R. Steidel	11/60	6/62
Robert A. Reynolds	7/62	4/68
Richard J. Bonyata	4/68	—

STANTON RANGER DISTRICT

Established – October, 1960.

District Headquarters – Stanton, Kentucky.

First District Ranger – Bernard J. Schruender.

Original District Name – Stanton Ranger District.

Formed in 1960 From That Part of the Morehead District south of US-460.

District Boundary – All land within the Proclamation Boundary south of US-460 and north of the Kentucky River.

DISTRICT ADMINISTRATION

District Ranger	From	To
Bernard J. Schruender	10/60	5/65
Robert G. Brooks	5/65	8/70
Harry D. McCutcheon	8/70	6/73
Don F. Fig (Acting)	6/73	1/74
John W. Moore	1/74	—

BEREA RANGER DISTRICT

Established – April, 1935.

District Headquarters – Berea, Kentucky.

First District Ranger – Bernard A. Eger.

Original District Name – Rockcastle Ranger District.

District Name Changed to Berea Ranger District in 1958.

Gross Area as of Proclamation in 1937 – 377,283 Acres.

District Boundary – All land within the Proclamation Boundary south of the Kentucky River and north of US-25.

DISTRICT ADMINISTRATION

District Ranger	From	To
Bernard A. Eger	4/35	11/35
Bruce E. Mansberger	11/35	10/36
Chester L. Kinney	11/36	10/40
Noyes D. Shirley	10/40	3/42
Earle H. Meekins	4/42	5/47
Noyes D. Shirley	6/47	7/51
Seymore G. Hile	7/51	12/55
John F. King	12/55	6/72
Kirby A. Brock	7/72	—

LONDON RANGER DISTRICT

Established – February, 1937.

District Headquarters – London, Kentucky.

First District Ranger – Bruce E. Mansberger.

Original District Name – Sublimity District.

District Name Changed to London Ranger District in 1958.

Gross Area as of Proclamation in 1937 – 83,533 Acres.

District Boundary – All land within the Proclamation Boundary south of US-25 and north of the Laurel River and Lake Cumberland.

DISTRICT ADMINISTRATION

District Ranger	From	To
Bruce E. Mansberger	2/37	10/40
Karl W. McNasser	10/40	9/42
Ephe M. Olliver	9/42	8/43
John R. Hicks	8/43	6/44
Seldon W. Campbell	6/44	10/46
Karl W. McNasser	10/46	6/47

District Ranger	From	To
Seldon W. Campbell	6/47	6/48
Edward L. Hurst	6/48	8/49
Seldon W. Campbell	8/49	7/56
Joseph W. Fromme	7/56	9/58
Noel K. Sheldon	9/58	10/60
Charles G. Bartlett	10/60	6/70
Jack E. Reichert	6/70	10/74
Donald K. Kight	10/74	—

SOMERSET RANGER DISTRICT

Established — January, 1952.

District Headquarters — Somerset, Kentucky.

First District Ranger — Harold H. Bush.

Original District Name — Pulaski District.

District Name Changed to Somerset Ranger District in 1958.

District Formed From a Part of the Laurel District in 1952.

District Boundary — All land inside the Proclamation Boundary, which is north of KY-90 and KY-927, west of Lake Cumberland and the Rockcastle River, and south of KY-80.

DISTRICT ADMINISTRATION

District Ranger	From	To
Harold H. Bush	1/52	3/57
Arthur T. Leach	3/57	3/58
Wayne E. Ruziska	4/58	9/62
Everett L. Towe	9/62	3/65
Danny W. Hile	3/65	12/67
Robert O. Harllee	1/68	6/74
Jack F. Steelmon	6/74	—

STEARNS RANGER DISTRICT

Established — April, 1935.

District Headquarters — Stearns, Kentucky, moved to Whitley City, fall of 1964.

First District Ranger — Alfred H. Anderson.

Original District Name — Laurel District.

District Name Changed to Stearns Ranger District in 1958.

Gross Area as of Proclamation in 1937 — 427,400 Acres.

District Boundary – All land within the Proclamation Boundary south of the Cumberland River and the Laurel River.

Area Adjustments – 1947 – Area south of Laurel River and east of the Cumberland River and Marsh Creek withdrawn and established as the Jellico Ranger District.

1952 – Area north of KY-90 and KY-927, west of Lake Cumberland and the Rockcastle River and south of KY-80 withdrawn and established as the Pulaski Ranger District.

DISTRICT ADMINISTRATION

District Ranger	From	To
Alfred H. Anderson	4/35	6/35
Ephe M. Olliver	7/35	6/38
Ralph O. Smoot	6/38	8/43
Wilson J. Mitchell	8/43	11/45
Ralph O. Smoot	11/45	6/48
Seldon W. Campbell	6/48	8/49
Edward L. Hurst	8/49	8/54
Stanley H. Ockers	8/54	8/56
Carl E. Burgtorf	9/56	9/60
Noel K. Sheldon	10/60	6/62
Herbert R. Steidel	6/62	10/67
Sam A. King	10/67	1/70
Glen W. Kile	1/70	—

WILLIAMSBURG RANGER DISTRICT

Established – June, 1947.

District Headquarters – Williamsburg, Kentucky.

First District Ranger – Earle H. Meekins.

Original District Name – Jellico District.

District Name Changed to Williamsburg Ranger District in 1958.

District Formed From a Part of the Laurel District in 1947.

District Boundary – All land within the Proclamation Boundary south of the Laurel River and east of the Cumberland River and Marsh Creek.

Area Adjustment – 1970 – District deactivated and land incorporated in the Stearns and London Districts.

DISTRICT ADMINISTRATION

District Ranger	From	To
Earle H. Meekins	6/47	5/58

District Ranger	From	To
Walter A. Guerrero	5/58	4/62
Everett L. Towle	4/62	9/62
Thomas R. Frazier	9/62	9/65
Joseph Hedrick	9/65	2/68
Richard J. Bonyata	2/68	4/68
Harry D. McCutcheon	5/68	8/70

REDBIRD RANGER DISTRICT

Established – July, 1965, as a Purchase Unit.

District Headquarters – Manchester, Kentucky, moved to Peabody, Ky., in 1966.

First District Ranger – Thomas R. Frazier.

Original District Name – Redbird Purchase Unit.

District Name Changed to Redbird Ranger District.

Gross Area as of 1972 – 687,061 Acres.

District Boundary – Purchase Unit boundary.

DISTRICT ADMINISTRATION

District Ranger	From	To
Thomas R. Frazier	7/65	12/69
Sam A. King	12/69	6/71
James D. Lunsford	7/71	—

Other Personnel

Following, in tabular form, is a record of other key personnel who have served on the Cumberland-Daniel Boone National Forest in key positions, and whose contributions have contributed materially to the development of the National Forest and to its contribution to the people of Kentucky:

SERVICE ON THE CUMBERLAND – DANIEL BOONE NATIONAL FOREST

Forest Engineers

A. T. Kendrick
James T. Hall
Frank J. Hammond
Van LaBoon
Glen Bonar

Administrative Officers

William J. Elliot
John C. Claman
William S. Avelar
Walter R. Hudgens
Michael J. Noordewier
Jack Hatfield

Key Supervisor Office Staff

Bruce E. Mansberger
Seymour G. Hile
William W. Wentz
Alan R. Duhnkrack
Everett Towle
Joe R. Griffiths
Stanley H. Ockers
Carl E. Burgtorf
Jim O'Keefe
Lionel R. Johnson
Robert A. Reynolds

Deputy Forest Supervisor

Leonce A. Cambre, III
John W. Korb, Jr.

Ranger District Clerks**Morehead District**

Hazel D. Ramey
Katie R. Maze
J. Maxine Stephens

Stanton District

Katie R. Maze
Wilda R. Derickson

Berea District

Ruth B. Stafford
Connie Hendricks
Charlotte Moore
Doris J. Gish

London District

Sue Taylor
Martha A. Hunt

Somerset District

Iris W. Glass
Sarah J. Gooch
Catherine F. McQueen
Joyce Wilson
Betty Lair
Donna Cromer
Betty Lair
Janice G. Davenport

Stearns District

Andy E. Griffith
Barbara Gilreath
Don Waters
Brenda W. Martin

Williamsburg District

Lucy Witt
Jo Elizabeth Bryant
Linda Brewer

Redbird District

Sandra R. Conner
Carolyn S. Mills

In every successful organization, there are certain personnel who have served faithfully and well for many years. They are the reliable people who do the day-to-day primary jobs and do them so well they are taken for granted. In the Cumberland-Daniel Boone National Forest, the faithful and efficient service of the following individuals has contributed much to the operation and administration of the Forest over a long period of time:

Forest Supervisor's Office

Jean Whiteside Hudgens
Evelyn S. Powell
Otella R. Witt

Ruth B. Stafford
Mildred Green Reed
D. Gene Carter

Field & Road Crew

Troy N. Anderson
Jess Francis Ball
Hagon Barnett
Leonard F. Brewer
Stanley Fields
George Freeman
Paul Gilreath
Andy E. Griffith
Archie Griggs
Kermit Hale
Scott W. Hale
Leonard Hicks
Morris Johnson

Berlin J. Knox
Espie C. McCarty
Everett T. Mason
Joe J. Mauk
Ledford E. Perry
Albert W. Standau
Elmer Sumner
Luther Vanzant
Vester Wright
Clarence E. Henson
Gotto Patierno
Frank Roberts

In addition to these loyal members of the Cumberland-Daniel Boone team, many others have contributed, and are still contributing, to maintaining the everyday operation of the Forest. All honor to them for their faithful service.

It is obviously impossible to recognize by name the hundreds of Forest officers who have contributed much to the development of the resources of today's Daniel Boone National Forest. However, it is most fitting that mention be made of a few individuals whose administrative skill and devotion to public service contributed much to establishing the foundation of the Daniel Boone National Forest of today.

W. E. Hedges

Undoubtedly, the reconnaissance reports on eastern Kentucky, prepared by W. E. Hedges in the late 20's and early 30's, were a major factor in the selection of the area which comprised the original Cumberland Purchase Unit for that purpose. From the establishment of the Purchase Unit in 1930 to the assignment of the first Forest Supervisor in 1933, W. E. Hedges guided the organization and establishment of the unit headquarters and the initial acquisition force. As a key Lands Staff Officer in the Regional Office of Region 7, first in Washington, D.C., and later in Philadelphia, Pennsylvania, he continued to guide the land purchase program of the Forest until his retirement in the 1950's. The Forest Service, and the Daniel Boone National Forest, owe much honor to W. E. Hedges for his wise guidance of its land's foundation of its land purchase policies.

Espie C. McCarty

During a career of about 30 years on the Cumberland National Forest, Espie C. McCarty probably contributed more to the clearing up of land titles on the Forest than any other individual.

Starting with only a moderate education, McCarty was attracted by the concept of a National Forest in Kentucky. Starting as an axe man on one of the first acquisition surveying crews in 1933, he determined to make work on the National Forest a career. Attracted initially by the techniques of surveying, he qualified himself in land surveying through correspondence courses and other self-study. Progressing as he worked, he moved into the field of land description and land titles. Working with title attorneys on land records in county courthouses, as well as with local residents, McCarty became an authority on land titles and descriptions on the Cumberland to a point that his signature on a land description was accepted without question in the Washington Office and by many Federal judges. He served as an expert witness in courts on hundreds of land boundary dispute cases. His testimony and evidence were never found to be incorrect or faulty.

Espie's loyalty to the Forest Service, and particularly to the Cumberland National Forest, was unsurpassed. His contributions to the Forest, not only in its early days, but throughout his career, were beyond measure and evaluation. The Forest Service and the Forest are better today because of the devoted work of Espie McCarty.

Bruce E. Mansberger

Bruce E. Mansberger came to the Cumberland National Forest in its early days. He had been a forester employed by the Ritter Lumber Company prior to joining the Forest Service. He served as the second District Ranger of the Berea District from 1935 to 1936, moving to the London District in 1937, as its first District Ranger. He was the District Ranger at London throughout the major part of the life of the Sublimity Resettlement Project, serving as the Forest Service representative. At the beginning of World War II, he became the Timber Management Staff Officer in the Forest Supervisor's Office in Winchester, where he directed the timber production program on the Cumberland National Forest throughout World War II. Early in 1956, he accepted a position in the Regional Office, Upper Darby, Pennsylvania, in the Division of State & Private Forestry, where he remained until his retirement. His contribution to the establishment of a sound forest management program on the Cumberland National Forest was outstanding.

A. T. Kendrick

A. T. Kendrick came to the Cumberland National Forest in the early 1930's as an engineer, and soon advanced to the position of Forest Engineer, which he held until his retirement in 1955. During the early acquisition period, he was in charge of the triangulation survey which established the

base for the surveys on the Forest. During the CCC days as Forest Engineer, he designed and supervised the construction of many of the larger bridges in the Forest, as well as supervised the construction of roads, lookout towers, buildings and other improvements. The quality and soundness of his work are attested to by the fact that many of his structures are still in serviceable condition. He was a fine individual, an excellent engineer, and a pioneer of the Cumberland National Forest.

Henry F. Sipe

Another pioneer of the Cumberland National Forest was Henry F. Sipe. Coming to the Cumberland as Assistant Forest Supervisor in the early 1940's, Henry Sipe immediately established himself by the organization of an aggressive forest fire control program. Applying his technical knowledge and administrative capability, he soon became recognized as a strong leader in the field of forest fire control in Region 7. A frequent contributor to Fire Control Notes and the Journal of Forester, his name and the Cumberland National Forest were known throughout forest fire control organizations of the country. His actions were a major contribution in gaining control of the forest fire situation on the Cumberland National Forest. Transferring to the Monongahela National Forest in West Virginia in 1953, he remained there as Deputy Forest Supervisor until his retirement in the 1960's.

John R. Ridnour

Another pioneer of the Cumberland National Forest was John Ridnour. John came to the Forest Service through the CCC program. He was a Construction Foreman and later was Camp Superintendent of CCC Camp F-14, located at Bell Farm in the Laurel Ranger District.

Following the close of the CCC program, John became a foreman of construction and maintenance on the Forest. While his job was primarily that of the road maintenance program, his help in many fields, from obtaining rights-of-way to lookout tower construction, was of great assistance to the entire Forest. John continued in this capacity, working under the Forest Engineer, until his retirement in 1970. The Daniel Boone is a better place to work today because of the many contributions of John Ridnour. He was typical of the devoted, nonprofessional, Forest Service members who have contributed so much to the development of the Forest from 1933 to the present day.

The Forestry Aids

With the close of World War II, District Rangers were assigned one or more assistants, who were given the title Forestry Aid. This title well described the work of these individuals. They served in every possible capacity on the Ranger District from fire dispatcher to foreman of trail crews to fire crew leaders. The individuals selected for these assignments were, for the most part, former CCC employees who had demonstrated special qualifications

required while in the CCC program. Their record of loyalty and service during the next 20 years certainly justifies their selection. While Rangers and professional Foresters have come and gone, these individuals remained on the Districts and provided the continuity, the local contact, and the know-how to keep the District functioning efficiently. Without their continued loyalty, their skill in guiding District programs, their council and assistance to Rangers, and the respect they commanded in the local community, the Forest would not be as well established or have the public image in the local community as it has today. Without these Forestry Aids, many a new Ranger would have had a most difficult experience in becoming familiar with the District, and in becoming established with the local community. These men were truly the anchormen of the District. All honor to them and the outstanding jobs they have performed over the years.

These Forestry Aids and the Districts on which they served are as follows:

The Red River Ranger District

Joe J. Mauk
Clarence E. Henson

The Rockcastle Ranger District

Paul Gilreath

The Sublimity Ranger District

Morris C. Johnson
A. W. Standau

The Laurel Ranger District

Ledford E. Perry
Espie C. McCarty
Andy E. Griffith

The Jellico Ranger District

Gotto Patierno

The Pulaski Ranger District

Elmer Sumner

CHAPTER XXXVI

CONTINUITY

The foregoing pages relate the principal events which have taken place, in the general country in which the Daniel Boone National Forest is located; during the 200 years since Daniel Boone and his companions came through Cumberland Gap in the spring of 1769 in search of the site of Eskippakithiki, and to explore the country as a possible site of a new colony for the Transylvania Company to establish.

This story ends with the end of fiscal year 1970 (30 June, 1970). It is anticipated that additional chapters will be added at the end of each 10-year period to maintain this as a continuing record of the historical events and major activities which involve the Daniel Boone National Forest.

The anticipation of this process should motivate the Forest to maintain more detailed records and to evaluate records, reports, correspondence and similar materials before permitting them to be discarded as a part of the "cleaning out the files" routine each year.

In writing this history I have made no attempt to cover large project-type activities in progress such as Job Corps, major recreation developments on Cave Run and Laurel River Reservoirs and activities of a similar nature. Only the perspective of time distance will permit a proper evaluation of their impacts and benefits to the Forest Service.

In a like manner I cannot help wondering as to what the next ten years will see develop. Will the Red River Dam be built; and if so, where? What will be the eventual policy of management of the 100,000 acres of forest land surrounding the reservoir — wilderness or multiple use? Will the Redbird Purchase Unit be expanded to cover all of the three forks of the Kentucky watershed with funds to restore the strip-mined lands and heal the watershed? How much of the Daniel Boone National Forest land along the Big South Fork will the National Park Service demand as a part of the Big South Fork National Recreation Area?

All of these questions, and many more, come to mind as I write these closing lines of a story which I have researched and written over the past four years. It is a story which I have believed should be written for a long time; and I am glad to have had a part in it. You may believe that I will be eagerly awaiting to read the next installment in 1980.

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Daniel Boone National Forest
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Winchester, Kentucky 40391

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Kentucky Forests of the Future

Todays Forester

**The Importance of Public Relations in
Forest Management**

Environmental Management to Benefit People

APPENDIX A

THE NAME "KENTUCKY"

The origin of the name "Kentucky" is credited to many locations, people, and circumstances.

A study of available information establishes with reasonable certainty that the name is of Indian origin. The earliest white visitors to the area, west of what we know today as the Cumberland Mountains, recorded in their journals and reported their interpretations of the sounds of the words used by various Indian tribes to denote the area and river we now know as Kentucky. These names were further confused in their recording by the phonetic spelling employed by these early explorers whose skill in spelling simple English words left much to be desired.

It is significant that each of the Indian tribes, having a knowledge of the area, were sufficiently impressed with the land to give it a special name in their own language.

The Wyandots, who frequently came south of the Ohio River to hunt or to travel the Warriors Path enroute to collect scalps from the southern tribes, named this country Kah-ten-tah-teh, meaning "Fair Land of Tomorrow" or "Land Where We Will Live Tomorrow."

The Shawnee name for this country, where they hunted frequently and where many of them lived for awhile in the famous Indian town of Es-kip-pa-kith-iki, was Kain-tuck-ee. Johnson, in his book Indian Tribes of Ohio, tells us that Kain-tuck-ee means "At The Head Of The River" in Shawanese. Since members of this tribe hunted throughout what is today eastern Kentucky where the Big Sandy, the Licking, the Kentucky and the Cumberland rivers have their origins, their name for the area was most appropriate.

Darlington, in Archives of Americana, tells us the Mohawk word, Kentucke, pronounced as we do today, had a meaning in their language of "Among the Meadows."

The Delawares also designated both the river and the area as Kentucke, which had a meaning in their language of "Place of the Meadows."

Colonel Ruben Durrett, an early traveler of the area, has written that the word Kentucke in the Catawba language had a meaning of "The Prairie, or Barrens."

Since the principal contact of these tribes with the river and area was by their travel through this country on the Warriors Path, which traversed the levels around Es-kip-pa-kith-iki, it is understandable that their designation of the area would reflect the conditions found there.

John Selling, a prisoner among the Cherokees for several years, prior to

1736, recorded on paper the name used by that tribe. Selling said that they took him "to the salt licks of Kentucky." Another prisoner of the Indians, Alexander Maginty, writes that he was captured by Indians in 1753, on the south bank of the Cantucky.

A British agent with the Six Nations for many years, Colonel George Croghan, recorded in one of his reports, made in 1765, a reference to the "River Kentucky." Another Indian agent, Major William Trent, Virginia's agent to the Allegheny tribe, records in a report of about the same date an incident which he describes as happening at a place called Kentucky. His report used the spelling of the word Kentucky that is used today. His long service with the Indians had made him familiar with their language to the extent that we may assume his spelling correct. It appears that he had received his information from the Conewagos who were part of the Iroquois Nation. He had identified the place by its Iroquois name of Kentucky. Kenta is an Iroquois root-word meaning level. Since Major Trent was referring to the 3,500-acre prairie area which we know as Indian Old Fields, and to which Daniel Boone referred to as "the levels of Kentucky," the relevancy of the Iroquois name is easily understood.

In 1751 Christopher Gist, who had just returned from exploring a part of northern Kentucky for the Ohio Company, wrote his understanding of the Indian word for that area as Cuttaway. In a similar manner Lewis Evans, who prepared a map of the area in 1775, shows the river which we know as the Kentucky as being named the Cuttawa, which was his spelling of the name frequently used by Indian traders.

Many of the early hunters and Indian traders referred to the area west of Cumberland Gap as Kaintucke or Kaintuck. At least one writer has ventured that the name was a contraction of the words Cane and Turkey because of the abundance of both species which occurred there. Another writer of that period referred to the area as the land of Cane and Turkeys.

Kentucky's first historian, John Filson, writing in 1784, is probably responsible for the widespread belief that the English meaning for the Indian word Kentucke is "Dark and Bloody Ground," a term known to every school-boy of past generations. In his book, *The Discovery, Settlement and Present State of Kentucke*, he writes, ". . . now called Kentucke, but known to the Indians by the name of the Dark and Bloody Ground, and sometimes as the Middle Ground." A few paragraphs later he states, ". . . Hence this fertile spot became an object of contention, a theater of war, from which it was properly denominated the Bloody Ground."

In his book *Daniel Boone*, John Bakeless makes the statement, "Back-woods and settlements never loved each other. Friction between them had helped to send Daniel Boone westward into the Dark and Bloody Ground." It appears most likely that Bakeless borrowed the term from Filson, as have so

many other writers of the early days of Kentucky.

It is generally believed that the term, Dark and Bloody Ground was applied to Kentucky by the Cherokee Chief Dragging Canoe, speaking in the Great Council at Sycamore Shoals in March, 1775, which resulted in the Treaty of Watauga. The Chief, who was strongly opposed to the treaty, told the whites that there was a dark cloud over the land they were seeking to acquire from the Cherokees. This is a possible source of Filson's wording. A search of the records of this historic meeting fails to substantiate the wording used by Filson or any of the participants. Chief Dragging Canoe later explained that his statement referred to the opposition of the northern tribes to settlement of the land south of the Ohio and west of Cumberland Gap by whites.

Another Cherokee Chief, speaking at the same council, told the whites that the land they desired from the Cherokee was a Bloody Country, referring to the age-old conflicts between the tribes claiming hunting grounds in the game-rick Bluegrass area.

It is significant that in none of these cases did the speaker imply that the terms used were a translation of the meaning of the name, Kentucky.

APPENDIX B

PROCLAMATION OF GOVERNOR MARTIN OF NORTH CAROLINA (FEBRUARY 10, 1775) AGAINST "RICHARD HENDERSON AND HIS CONFEDERATES."

(From Volume IX, Colonial Records of North Carolina.)

Whereas his Majesty by his Royal Proclamation bearing Date at St. Jame's the seventh day of October 1763, did among other Regulations thereby made, declare his Royal Will and Pleasure with respect to his Territory claimed by the Indian Nations in North America in the following words: "And Whereas great Frauds and Abuses have been committed in the purchasing of Lands of the Indians to the great Prejudice of our Interests and to the great Dissatisfaction of the said Indians. In order to prevent such Irregularities for the future and to the end that the Indians may be convinced of our justice and determined Resolution to remove all reasonable cause of Discontent, we do with the advice of our Privy Council strictly enjoin and require that no private person do presume to make any purchase from the said Indians of any Lands reserved to the said Indians within those parts of our Colonies where we have thought proper to allow Settlement; but that it at any time any of the said Indians should be inclined to dispose of the said Lands the same shall be purchased only for us in our name at some public Meeting Assembly of the said Indians, to be held for that purpose by the Governor or Commander in Chief of our Colony respectively within which they shall be: And in case they shall be within the limits of any Proprietary Government they shall be purchased only for the Use and in the Name of such Proprietaries conformable to such Directions or Instructions as we or they shall think proper to give for that Purpose."

And Whereas in and by an Act of the General Assembly of this Province entitled "An Act for restraining the Indians from molesting or injuring the Inhabitants of this Government and for securing to the Indians the Right and Property of their own Lands;" it is, among other things, "Enacted, That no white Man shall, for any consideration whatsoever, purchase or buy any Tract or Parcel of Land claimed or actually in possession of any Indian without Liberty for so doing from the Governor and Council first had and obtained under the Penalty of Twenty pounds for every hundred Acres of Land so bargained for an purchased; one half to the Informer, and the other Half to him or them that shall sur for the same."

And Whereas I have information that a certain Richard Henderson, late of

the County of Granville in this Province, confederating with divers other Persons, hath, in open violation of his Majesty's said Royal Proclamation and of the said act of the General Assembly of this Province, entered into Treaty with certain Indians of the Cherokee Nation for the Purchase and Cession of a very large Tract of Country, by some reported to be Two Hundred Miles Square, by others Three Hundred Miles Square, and said to be part of the hunting Grounds of the Cherokee Nation, and actually comprized within the limits of the Colony of Virginia and the Royal Grant to the Right Honorable the Earl Granville.

And whereas, this daring, unjust and unwarrantable Proceeding is of a most alarming and dangerous Tendency to the Peace and Welfare of this and the neighboring Colony inasmuch as it is represented to me that the said Richard Henderson and his Confederates have conditioned to pay the Indians for the Cession of Land before mentioned a considerable quantity of Gunpowder, whereby they will be furnished with the means of annoying his Majesty's subjects in this and the neighboring Colonies; and that he hath also invited many Debtors, and other persons in desperate circumstances, to desert this Province and become Settlers on the said Lands, to the great injury of Creditors.

And whereas, it is to be apprehended that if the said Richard Henderson is suffered to proceed in this his unwarrantable and lawless undertaking, a settlement may be formed that will become an Asylum to the most abandoned Fugitives from the several Colonies, to the great Molestation and Injury of his Majesty's subjects in this Province in particular and to the manifest Detriment of the Interest of Earl Granville, within whose proprietary District the Lands treated for as aforesaid by the said Richard Henderson with the Cherokee Indians are deemed and reported to be in part comprehended: I have thought proper to issue this Proclamation hereby in his Majesty's Name and also in Behalf of the Earl Granville, as his Agent and Attorney strictly to forbid the said Richard Henderson and his Confederates, on pain of his Majesty's highest displeasure, and of suffering the most rigorous Penalties of the Law, to prosecute so unlawful an Undertaking, as also to enjoin all his Majesty's liege subjects to use all lawful means in their Power to obstruct, hinder and prevent the Execution of his Design of settlement, so contrary to Law and Justice and so pregnant with ill consequences. And I do hereby forewarn all, and all manner of persons against taking any part or having any concern or dealings with the said Richard Henderson, touching the Lands for which he is said to have entered into Treaty with the Indians as aforesaid or with any other Person or Persons who have engaged or may engage in Projects of the like Nature, contrary to the Tenor of his Majesty's Royal Proclamation aforesaid, as every Treaty, Bargain and Agreement with the Indians repugnant thereto is illegal, null and void, to all Intents and

Purposes, and that all partakers therein will expose themselves to the severest Penalties. And as it is necessary for the more effectual Prevention of such illicit and fraudulent dealings with the Indians, to advertise them of the Rules and Regulations established by his Majesty's Proclamation; it is hereby required of his Majesty's subjects having intercourse with the Indians and particularly of the Officers appointed to superintend Indian Affairs, that they do fully explain to them the beneficial Nature and Design of the said Royal Proclamation to themselves and that they do make the Indians sensible of the High Offence they commit against his Majesty in doing any thing contrary to the directions thereof.

Given under my Hand, and the Great Seal of the said Province, at Newbern, the 10th day of February, Anno Dom 1775, and in the 15th year of his Majesty's Reign.

God save the King.

Jo Martin.

By His Excellency's command.

James Parratt, D. Sec.

APPENDIX C

PROCLAMATION OF LORD DUNMORE (MARCH 21, 1775) AGAINST "RICHARD HENDERSON AND HIS ABETTERS."

(From the Virginia Gazette in the Library of Congress.)

By his Excellency the Right Hon. John, Earl of Dunmore, his Majesty's Lieutenant and Governor General of the Colony and dominion of Virginia, and Vice Admiral of the same:

A PROCLAMATION.

Virginia, to wit.

Whereas his Majesty did, at the request of the Assembly of this colony, permit the Western boundary thereof to be extended, as the same has been run and ascertained by Col. Donelson, and other surveyors deputed for the purpose; and whereas his Majesty, both for the greater convenience of, & the prevention of litigation and disputes, among such persons as shall be inclined to settle upon any of his vacant lands, ordered that all that tract of land, included within the aforesaid boundary, and all other vacant lands within this colony, be surveyed in districts, and laid out in lots of from one hundred to one thousand acres, and as far as the said surveys shall be completed, by the surveyors duly authorized, and the surveys thereof returned, that the lands so surveyed and allotted be put up to public sale, at such time and place as shall be appointed by public notice; and that the highest bidder for such lots and parcels of land, at such sales be the purchaser thereof, and be entitled to a grant in fee simple of the land so purchased as aforesaid, by letters patent under the great seal of the Colony, subject to no conditions or reservations whatever, other than the payment of the annual quitrent of one half penny sterling per acre, and also of all mines of gold, silver, & precious stones; and whereas advice has been received that one Richard Henderson, and other disorderly persons, his associates, under pretense of a purchase made from the Indians, contrary to the aforesaid orders and regulations of his Majesty, do set up a claim to the lands of the Crown within the limits of this Colony; I have thought fit, therefore, to issue this my proclamation, strictly charging all justices of peace, sheriffs, and other officers, civil and military, to use their utmost endeavors to prevent the unwarrantable and illegal designs of the said Henderson and his abettors: and if the said Henderson, or others concerned with him, shall take possession of, or occupy any lands within the limits of his Majesty's government of Va. merely under any purchase, or pretended

purchase, made from Indians, without any other title, that he or they be required, in his Majesty's name forthwith to depart, and relinquish the possession so unjustly obtained; and in case of refusal, and of violent detaining such possession, that he or they be immediately fined & imprisoned in the manner the laws in such cases direct.

Given under my hand, and the seal of the Colony, this 21st day of March, in the 15th year of his Majesty's reign. (1775)

God save the King.

Dunmore.

APPENDIX D

TREATY OF WATAUGA.

Copy of the Deed from the Cherokees to Henderson & Co.
March 17, 1775.

(Furnished by James Alves for Butler's History of Kentucky, 2nd Edition.)

This indenture made this seventeenth day of March in the year of our Lord Christ one thousand seven hundred and seventy-five between Oconistoto chief warrior and first representative of the Cherokee Nation or tribe of Indians and Attacullacullah and Savanooko otherwise Coronoh for themselves and in behalf of the whole nation. Being the aborigines and sole owners by occupancy from the beginning of time of the lands on the waters of Ohio River from the mouth of the Tennessee River up the said Ohio to the mouth or emptying of the Great Canaway or New River and so across by a Southward line to the Virginia line by a direction that shall strike or hit the Holston River six English miles above or Eastward of the Long Island therein and other lands and territories thereunto adjoining, of the one part and Richard Henderson, Thomas Hart, Nathaniel Hart, John Williams, John Luttrell, William Johnston, James Hogg, David Hart and Leonard Hendley Bullock of the province of North Carolina of the other part; witnesseth that the said Oconistoto for himself and the rest of the said nation of Indians, for and in consideration of the sum of two thousand pounds of lawful money of Great Britain, to them in hand paid by the said Richard Henderson, Thomas Hart, Nathaniel Hart, John Williams, John Luttrell, William Johnston, James Hogg, David Hart and Leonard Hendley Bullock, the receipt whereof the said Oconistoto and his said whole nation, do and for themselves and their whole tribe of people have granted, bargained and sold, aliened, enfeoffed released and confirmed, by these presents do grant, bargain sell, alien, enfeoff, release and confirm unto them the said Richard Henderson, Thomas Hart, Nathaniel Hart, John Williams, John Luttrell, William Johnston, David Hart, James Hogg, and Leonard Hendley Bullock their heirs and assigns forever all that tract, territory or parcel of land, situate lying and being in North America on the Ohio River, one of the eastern branches of the Mississippi beginning on the said Ohio River at the mouth of Kentucky, Chenoca, or what by the English is called Louisa River, from thence running up the said River and the most northwardly branch of the same to the head spring thereof, thence a southeast course to the top ridge of Powel's Mountain, thence westwardly along the ridge of said mountain unto a point from which a northwest course

will hit or strike the head spring of the most southwardly branch of Cumberland River thence down the said River including all its waters to the Ohio River, thence up the said River as it menaders to the beginning, &c.

And also the reversion and reversions, remainder and remainders, rents and services thereof, and all the estate, right, title, interest, claim and demand whatsoever of them the said Oconistoto and the aforesaid whole band or tribe of people of, in and to the same premises and of, in and to, every part thereof. To have and to hold the said messuage and territory, and all and singular the premises above mentioned, with the appurtenances unto the said Richard Henderson, Thomas Hart, Nathaniel Hart, John Williams, John Luttrell, William Johnston, James Hogg, David Hart, and Leonard Hendley Bullock their heirs and assigns, in several and tenants in common, and not as joint tenants; that is to say, one eighth part to Richard Henderson his heirs and assigns forever; one eighth part to Thomas Hart his heirs and assigns forever; one eighth part to Nathaniel Hart his heirs and assigns forever; one eighth part to John Williams his heirs and assigns forever; one eighth part to John Luttrell his heirs and assigns forever; one eighth part to William Johnston his heirs and assigns forever; one eighth part to James Hogg his heirs and assigns forever; one sixteenth part to David Hart his heirs and assigns forever; and one sixteenth part to Leonard Hendley Bullock his heirs and assigns forever; to the only proper use and behoof of them the said Richard Henderson, Thomas Hart, Nathaniel Hart, John Williams, John Luttrell, William Johnston, James Hogg, David Hart, and Leonard Hendley Bullock their heirs and assigns that, under the yearly rent of four pence or to be holden of the chief, lord or lords of the fee of the premises by the rent and services therefore due and of right accustomed; and the said Oconistoto and the said nation for themselves do covenant and grant to and with the said Richard Henderson, Thomas Hart, Nathaniel Hart, John Williams, John Luttrell, William Johnston, James Hogg, David Hart and Leonard Hendley Bullock their heirs and assigns that they the said Oconistoto and the rest of the said nation of people now are lawfully and rightfully seized in their own right of a good, sure, perfect, absolute and indefeasible estate of inheritance in fee simple of and in all and singular the said messuage, territory and premises above mentioned and of all and every part and parcel thereof with the appurtenances, without any manner or condition mortgage, limitation, of use or uses, or other matter, cause or thing to alter, change, charge or determine the same and also that the said Oconistoto and the aforesaid nation now have good right, full power, and lawful authority in their own right to grant bargain or sell and convey the said messuage territory and premises above-mentioned with the appurtenances to the said Richard Henderson, Thomas Hart, Nathaniel Hart, John Williams, John Luttrell, William Johnston, James Hogg, David Hart, and Leonard Hendley Bullock their heirs and assigns to the

only proper use and behoof of the said Richard Henderson, Thomas Hart, Nathaniel Hart, John Williams, John Luttrell, William Johnston, James Hogg, David Hart and Leonard Hendley Bullock their heirs and assigns according to the true intent and meaning of these presents and also that they the said Richard Henderson, Thomas Hart, Nathaniel Hart, John Williams, John Luttrell, William Johnston, James Hogg, David Hart and Leonard Hendley Bullock their heirs and assigns shall and may from time to time and at all times hereafter peaceably and quietly have, hold, occupy possess and enjoy all and singular the said premises above mentioned to be hereby granted with the appurtenances without the let, trouble hindrance, molestation interruption and denial of them the said Oconistoto and the rest or any of the said nation their heirs or assigns and of all and every other person and persons whatsoever, claiming or to claim by, from or under them or any of them and further that they the said Oconistoto, Attacullacullah, and Savanooko, otherwise Coronoh for themselves and in behalf of their whole nation and their heirs and all and every other person and persons and his and their heirs anything having and claiming in the said messuage territory and premises above mentioned or any part thereof by, from or under them shall and will at all times hereafter at the request and costs of the said Richard Henderson, Thomas Hart, Nathaniel Hart, John Williams, John Luttrell, William Johnston, James Hogg, David Hart, and Leonard Hendley Bullock their heirs and assigns, make, do and execute or cause or procure to be made, done and executed all and every further and other lawful and reasonable grants, acts and assurances in the law whatsoever for the further, better and more perfect granting, conveying and assuring of the said premises hereby granted with the appurtenances unto the said Richard Henderson, Thomas Hart, Nathaniel Hart, John Williams, John Luttrell, William Johnston, James Hogg, David Hart, and Leonard Hendley Bullock their heirs and assigns to the only proper use and behoof of the said Richard Henderson, Thomas Hart, Nathaniel Hart, John Williams, John Luttrell, William Johnston, James Hogg, David Hart and Leonard Hendley Bullock their heirs and assigns according to the true intent and meaning of these presents and to and for none other use, intent or purpose whatsoever, and lastly the said Oconistoto, Attacullacullah and Savanooko otherwise Coronoh for themselves and in behalf of their whole nation have made, ordained, constituted and appointed and by these presents do make, ordain, constitute and appoint Joseph Martin and John Farrow their true and lawful attornies jointly and either of them severally, for them and in their names into the said messuage, territory and premises with the appurtenances hereby granted and conveyed or mentioned to be granted and conveyed or into some part thereof in the name of the whole, to enter and full and peaceable possession and seizure thereof for them and in their names to take and to have and after such possession and seizure so thereof taken and

had the like full and peaceable possession and seizure thereof or of some part thereof in the name of the whole, unto the said Richard Henderson, Thomas Hart, Nathaniel Hart, John Williams, John Luttrell, William Johnston, James Hogg, David Hart and Leonard Hendley Bullock as their certain attorney or attornies in their behalf to give and deliver, to hold to them the said Richard Henderson, Thomas Hart, Nathaniel Hart, John Williams, John Luttrell, William Johnston, James Hogg, David Hart and Leonard Hendley Bullock their heirs and assigns forever according to the purpose and intent and meaning of these presents, ratifying, confirming, and allowing all and whatsoever their attornies or either of them shall do in the premises. In witness whereof the said Oconistoto, Attacullacullah and Savanooko otherwise Coronoh, the three chiefs appointed by the warriors and other head men to sign for and in behalf of the whole nation hath hereunto set their hands and seals this the day and year first above written.

Oconistoto,
X his mark.

Attacullacullah,
X his mark.

Savanooko, otherwise Coronoh,
X his mark.

Signed, sealed and delivered in presence of

William Bailey Smith,
Thomas Houghton,
J. P. Bacon,
Valentine Turey,

George Lumkin,
Castleton Brooks,
Tilman Dixon,
Thomas Price, *Linguist*.

APPENDIX E

THE TRANSYLVANIA PURCHASE DECLARED VOID BY VIRGINIA IN 1778.

(From Journal Virginia House of Delegates.)

In the House of Delegates, Wednesday, the 4th of November, 1778.

Resolved, That all purchases of lands, made or to be made, of the Indians, within the chartered bounds of this commonwealth, as described by the constitution or form of government, by any private persons not authorized by public authority, are void.

Resolved, That the purchase heretofore made by Richard Henderson and Company, of that tract of land called Transylvania, within this commonwealth, of the Cherokee Indians, is void; but as the said Richard Henderson and Company have been at very great expense in making the said purchase, and in settling the said lands, by which this commonwealth is likely to receive great advantage, by increasing its inhabitants, and establishing a barrier against the Indians, it is just and reasonable to allow the said Richard Henderson and Company a compensation for their trouble and expense.

Tuesday, November 17th, 1778: Agreed to by the Senate.

APPENDIX F

CUMBERLAND NATIONAL FOREST – KENTUCKY

By the President of the United States of America

A PROCLAMATION

WHEREAS certain forest lands within the State of Kentucky have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 136, 36 Stat. 961, as amended (U.S.C., title 16, sections 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate such lands as the Cumberland National Forest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U.S.C., title 16, section 471), and by section 11 of the said act of March 1, 1911 (U.S.C., title 16, section 521), do proclaim that there are hereby reserved and set apart as the Cumberland National Forest all lands of the United States within the following-described area, and that all lands therein which may hereafter be acquired by the United States under authority of said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Cumberland National Forest:

Beginning at a point where the Southern Railroad crosses the Kentucky-Tennessee State line at Jellico, Tennessee; thence with the Kentucky-Tennessee State line in a westerly direction to where the Little South Fork of the Cumberland River crosses said line; thence down Little South Fork to the South Fork; thence down South Fork to the mouth of Cain Branch on the north side of the Martin Bend; thence up said Branch to a point in road about one-fourth of a mile southeast of Grace Hill Church; thence along road passing Grace Hill Church to United States Highway No. 27; thence easterly along said highway to Sugar Tree Road; thence along said road to Sugar Tree Hollow; thence down said Hollow to Cumberland River; thence up said River to the mouth of Baker Spring Creek; thence up said Creek to point in Dixie-Haynes Road near Dixie School; thence along said road to Ford across Cumberland River at a point between Dixie and Haynes Bends; thence up said River to the mouth of Buck Creek; thence up said Creek to the mouth of Whetstone Creek; thence up Whetstone Creek to a point in Whetstone road near head of said Creek and about one-half of a mile south of Acorn, Kentucky; thence

along said road to Mount Victory-Acron road; thence along last named road passing Acron, Kentucky, to State Highway No. 80; thence along said highway in a northeasterly direction about two and one-half miles to Conrard-Squibb road; thence along said road to Conrard, Kentucky; thence along a road lending northerly, crossing Line Creek, to and up Buffalo Creek, and crossing West Fork of Skagg Creek to the East Fork of Skagg Creek at a point in road about one-half mile above its junction with the West Fork thereof; thence along road up said East Fork about three and three-fourth miles to junction of roads at forks of said Creek; thence along road northeasterly to U.S. Highway No. 25 at Pine Hill, Kentucky; thence along said Highway to the Brush Creek road which leads to Orlando, Kentucky; thence along said road to the Louisville & Nashville Railroad at the Junction of Brush and Roundstone Creeks; thence along said railroad to Langford road a point about one-fourth of a mile north of Langford, Kentucky; thence along said road to Clear Creek road; thence along said road to Lowman Hill road a point about one-fourth of a mile north of Disputanta, Kentucky; thence along Lowman Hill road to Climax-Three Links Road; thence along said road to Old Jackson Road; thence along said road to Pine Grove road; thence along said road to Clover Bottom road; thence along said road to State Highway No. 21; thence along said State Highway to Dry Fork road; thence along said road to Brazil-Kerby Knob road; thence along said road to Kerby Knob, Kentucky; thence with a road leading northwesterly to the headwaters of Rock Lick Creek, and northeasterly to the headwaters of Shirley Branch to the road paralleling Red Lick Creek; thence along said road, to the second crossing of Nellie Henderson Branch near its mouth; thence along the foot of the hill on the southeast side of Red Lick Creek to bend in a road about one-fourth mile south of the mouth of Red Lick Creek; thence along said road, crossing Middle Fork of Station Camp Creek, to a point in curve of road about one-eighth of a mile southwest of where said road crosses Station Camp Creek; thence along the foot of the hill on the west side of Station Camp Creek to a point opposite and about one-half mile west of the mouth of Searcy Creek; thence a straight line to a point where Station Camp Creek road crosses Searcy Creek near its mouth; thence along said road, crossing Jones Branch to River Road a point near South Irvine School; thence along said road, crossing Little and Big Doe Creeks, to the Kentucky River; thence northeasterly along a road crossing Kentucky River near the mouth of Buck Creek, to Pryce, Kentucky; thence along Pryce Road crossing Miller Creek to State Highway No. 52; thence along said highway about three-fourths of a mile to a road leading southwesterly; thence along said road, passing Millers Creek, Kentucky, to Cow Creek near its mouth; thence up Cow Creek to State Highway No. 52;

thence along said highway in a northeasterly direction about one-half mile to Old Cow Creek Road; thence along said road, crossing Cow Creek, Cottage Fork and Campbell Fork to the corporate limits of Irvine, Kentucky; thence with the corporate limits thereof to brow of mountain; thence along brow of mountain overlooking Irvine, Kentucky, and around head of Sweet Lick Branch to a point opposite and northeast of the junction of Sweet Lick Branch and White Oak Creek; thence along divide between said streams to a point on State Highway No. 89; thence along said highway to road up White Oak Creek; thence along road, up White Oak Creek, down Little Hardwick Creek, and up Hardwick Creek to Estill Furnace, Kentucky; thence northerly along road down Cat Creek to State Highway No. 15 near mouth of Cat Creek; thence along said highway to Middle Fork Road about one-fourth of a mile east of Cow Creek; thence along said road, crossing South Fork of Red River, to a road rear the Louisville and Nashville Railroad; thence along said road and up Red River to a point opposite the mouth of Dunwoody Branch; thence along the foot of the hill on the south side of Red River to a point opposite the mouth of Spaas Creek; thence a straight line to a point where road crosses Spaas Creek near its mouth; thence along said road down Red River, crossing Short Creek, Dunwoody Branch and Cane Creek to forks of road on west side of Cane Creek; thence along Cane Creek road to forks of road; thence along Right Fork of Cane Creek road to Hawkins Branch; thence easterly along a road up Hawkins Branch to Fagan, Kentucky; thence along a road down Leatherwood Fork to Leatherwood School; thence along Indian Creek road passing Tabor, Kentucky, to State Highway No. 40, about one and one-fourth miles west of Frenchburg, Kentucky; thence along said highway about two and one-half miles to Old State road leading westerly; thence along said road to Slate Fork; thence along a road up Slate Fork, crossing East Fork, to head of and down Mill Creek and up hill of forks of road on divide between Mill Creek and Blue Bank Creek; thence along road to Blue Bank Creek; thence down Blue Bank Creek passing the mouth of Pond Lick Branch, to a branch coming into said creek from the southeast about one mile south of the Chesapeake and Ohio Railroad; thence along the height of land, crossing the Chesapeake and Ohio Railroad about one and one-eighth miles west of Olympia, Kentucky, and crossing State Highway No. 36 about one mile northwest of Olympia, Kentucky to the forks of Rose Run; thence down said run about one-half mile to a bend in same; thence along the height of land of Flood Mountain to U. S. Highway No. 60 about one and one-fourth miles northwest of Salt Lick, Kentucky; thence along said highway to Salt Lick Creek; thence up Salt Lick Creek to the Chesapeake and Ohio Railroad; thence along said railroad to Midland, Kentucky; thence along Midland-

Yale road up Licking River to a point about one-fourth of a mile west of Hog Hollow; thence a straight line north, crossing Licking River, to a point in road at Carey School; thence northerly along said road to U. S. Highway No. 60 at Farmers, Kentucky; thence along said highway, crossing East Fork of Triplett Creek to Bluestone, Kentucky; thence along the North Fork Triplett road to State Highway No. 32; thence crossing said highway northeasterly along the old North Fork Triplett road to Kiser Branch; thence crossing said branch and along the Martins Branch road to the North Fork Triplett road; thence along said road to Old Johnson road; thence along said road to Johnson Branch; thence along the lower slope east of Big Brushy Creek to Humphrey Branch about one-fourth of a mile above its mouth; thence a straight line to Big Brushy road at the mouth of Colt Branch; thence along said road to Brushy-Cane Creek road; thence with said road to the Fleming-Rowan County line a point near U.S.G.S. Triangulation Station Sand; thence along the Rowan-Fleming, Rowan-Lewis and Rowan-Carter County lines to a point on Rowan-Carter County line between the heads of Holly Fork and Hays Branch; thence along the divide between Holly Fork and Hays Branch, and Little Perry Branch and Hays Branch, to East Fork of Triplett Creek about one-half mile west of Hayes, Kentucky; thence up East Fork of Triplett Creek to the mouth of Buffalo Branch; thence along road, up Buffalo Branch and down Patties Lick Branch to State Highway No. 32; thence along said highway to Vale, Kentucky; thence along road up Walker Branch to ridge and along ridge to Crix Ridge road; thence along said road to Wagoner road; thence along said road to Minor-Poplar Grove road; thence along said road crossing Minor Creek to State Highway No. 173; thence southerly with said highway to Blairs Mills Road a point on the Rowan-Elliott County line at the head of Devils Creek; thence along said road to Blairs Mills Station (leisure P.O.) Kentucky; thence along a road crossing North Fork of Licking River to Yocum Creek road at Balize, Kentucky; thence along said road to Caudill Ridge road at Zag, Kentucky; thence along said road to Licking River; thence along a road crossing Licking River at Blackwater Ford to Dan Ridge Road at Dan, Kentucky; thence along said road to State Highway No. 40 at Wellington, Kentucky; thence along said highway to a road leading southerly along Lothan Branch; thence along road down and east of Lothan Branch to Mill Fork Branch; thence down Mill Fork Branch to the cliffs; thence along cliffs east of Mill Fork Branch, around Goss Fork and east of Hiram Brown Branch to a road near the head of Hiram Brown Branch; thence along said road on divide to forks of road near head of Osborne Branch; thence along road to cliffs near the head of Osborne Branch; thence along cliffs east of Osborne Branch and north of Clifty Creek to a point about one-fourth of a mile southwest of Piney Branch;

thence crossing Clifty Creek and along the cliffs to the south thereof to a point in road near the head of Solomon Branch; thence along road to the Tut Ford (across Red River); thence crossing Red River and along Calaboose road, passing Calaboose school to Swift Camp Creek about one and one-half miles north of Campton, Kentucky; thence southerly along a road crossing Page Branch about one-half mile to Duff Ridge Road; thence with said road to a point on State Highway No. 15 about two and one-half miles northwest of Campton, Kentucky; thence along said highway to its intersection with State Highway No. 11 near Pine Ridge, Kentucky; thence along Highway No. 11 to a point over the tunnel of the Louisville and Nashville Railroad at Torrent, Kentucky; thence along the Louisville and Nashville Railroad to Fincastle, Kentucky; thence along Fincastle road, passing Shumaker School and crossing Hell Creek to State Highway No. 11; thence along said highway to its junction with State Highway No. 52 at Beattyville, Kentucky; thence along Highway No. 52 about one mile to road down a hollow; thence along said road to Kentucky River; thence up said River to Kentucky State Highway No. 11 at forks of River; thence along said highway to Heidelberg road leading to Idamay, Kentucky; thence along said road, passing Idamay, and down Duck Fork to Sturgeon Creek; thence up Sturgeon Creek to a point about one-fourth of a mile above the mouth of Travis Creek; thence along the divide between Travis Creek on the north and Grassy Creek on the south to a point in Brushy Mountain road along north and south divide; thence along said road to point in intersection of Old Jack Branch road about three-fourths of a mile south of Nantz Triangulation Station; thence along said road crossing Warfork Creek and passing Smith School to State Highway No. 21 near Bradshaw, Kentucky; thence along said highway, passing Gray Hawk, Kentucky, to Old Gray Hawk-Annvile road; thence along said road to Gray Hawk-Vicker's road; thence southwesterly along said road to McKee-Annvile road; thence along said road to Letter Box road a point near Dabolt, Kentucky; thence along said road to crossroads at Parrott, Kentucky; thence westerly along road down Black Lick to South Fork of Rockcastle River; thence down said South Fork to its junction with the Middle Fork of Rockcastle River; thence down Rockcastle River to old State road a point on the Old Crewe's Ferry Crossing; thence along said road to Mershons, Kentucky, a point on U.S. Highway No. 25; thence southerly along said highway to Old Livingston road; thence westerly about one and one-half miles along said road to a road leading south; thence southerly with said road to Arthur Ridge road a point near Hazelpatch Creek; thence along said road crossing Hazelpatch Creek to Johnson Ridge road; thence along said road to Crab Orchard road; thence along said road to Gillis Branch road; thence along said road to Camper road; thence

along said road to State Highway No. 80 at Bernstadt, Kentucky; thence easterly along said highway to Highmore road a point near Dees Store; thence along said road to Sinking Creek road; thence along said road to Abutment road a point near Pine Top School; thence along said road to Sublimity road a point near Benges Store; thence along said road to a point where the center of said road crosses the Castle Craig Coal Company Tract 1520-II on the line between corners 4 and 5 at 0.45 chains S 40° 30' E of corner 4 of said tract; thence with the eastern boundary of tract 1520-II and meanders thereof S 40° 30' E 3.32 chains to corner 5; thence S 31° 00' W 14.18 chains to corner 6; thence S 22° 00' W 6.52 chains to corner 1 which is also corner 1 of the Castle Craig Coal Company tract 1520-I; thence with part of the boundary of said tract and meanders thereof S 57° 30' E 1.15 chains to corner 2; thence S 27° 15' W 4.67 chains to corner 3; thence S 51° 00' W 3.96 chains to corner 4; thence N 40° 45' W 0.54 chains to center of Sublimity road; thence along said road to Corbin-Somerset road; thence along said road to Old Sinking-Woodbine (old Burton road) road; thence with said road passing Bartons Mill to Scuffletown road; thence with said road to State Highway No. 90; thence along said highway to Old Cumberland Falls road; thence along said road to Devils Creek road; thence along said road to Henry Young road; thence along said road to State Highway No. 90; thence easterly along said highway about one-eighth of a mile to Redbird Lane; thence along Redbird Lane to Redbird Bridge across Cumberland River; thence along Redbird Road to a point in forks of road about one-half mile northwest of Williamsburg, Kentucky; thence along road to State Highway No. 92; thence along said highway to spur railroad leading to Bon Jellico, Kentucky; thence along said railroad to the Louisville and Nashville railroad about one and one-fourth miles south of Williamsburg, Kentucky; thence along the Louisville and Nashville railroad to the Southern railroad; thence along the Southern railroad to the beginning.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington, this 23d day of February in the year of our Lord nineteen hundred and thirty-seven and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

Secretary of State

(No. 2227)

(F.R. Doc. 37-564; Filed, February 24, 1937; 1.11 p.m.)

APPENDIX G
PRESIDENTIAL DOCUMENTS
Title 3 – THE PRESIDENT

Proclamation 3715

**DESIGNATING THE CUMBERLAND NATIONAL FOREST,
KENTUCKY, AS THE DANIEL BOONE NATIONAL FOREST**

By the President of the United States of America

A Proclamation

One hundred ninety-one years ago, the frontiersman Daniel Boone opened the American West for an expanding nation. In the year 1775 he cut the 200 mile Wilderness Road through the Cumberland Gap to the Kentucky River. There he established the settlement of Boonesborough, one of the first great outposts on America's march toward the Pacific Coast.

Daniel Boone is a renowned early American pioneer whose name is particularly associated with the State of Kentucky and with the Cumberland Gap. Most of the wilderness, as he knew it, has long since vanished from the face of America. Yet, farsighted conservationists of past generations and to-day have preserved much of the forests and valleys in which he spent his life.

Among the 186 million acres of natural forest and grasslands, none is more beautiful nor more strongly associated with the spirit and the symbol of Daniel Boone than the Cumberland National Forest in the State of Kentucky.

It is fitting and appropriate that being so associated with his spirit, it should also carry his name.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States, under and by virtue of the authority vested in me by Section 24 of the Act of March 3, 1891, 26 Stat. 1103, as amended (16 U.S.C. 471), the Act of June 4, 1897, 30 Stat. 34, 36 (16 U.S.C. 473), and by Section 11 of the Act of March 1, 1911, 36 Stat. 963 (16 U.S.C. 521), do hereby proclaim that the Cumberland National Forest in the State of Kentucky, as defined by Proclamation 2227 of February 23, 1937 (50 Stat. 1818), is hereby designated and hereafter shall be known as the Daniel Boone National Forest.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this eleventh day of April in the year of our Lord nineteen hundred and sixty-six, and of the Independence of the United States of America the one hundred and ninetieth.

Lyndon B. Johnson

By the President:

Dean Rusk,

Secretary of State.

(F.R. Doc. 66-4152; Filed, Apr. 13, 1966; 2:23 p.m.)

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U. S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE—SOUTHERN REGION