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Vol. 1

Comprehensive Management and Use Plan

TRAIL OF TEARS NATIONAL HISTORIC TRAIL

Alabama • Arkansas • Georgia • Illinois • Kentucky • Missouri • North Carolina • Oklahoma • Tennessee

ON MICROFILM

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Comprehensive Management and Use Plan

September 1992

TRAIL OF TEARS NATIONAL HISTORIC TRAIL

Alabama • Arkansas • Georgia • Illinois • Kentucky

Missouri • North Carolina • Oklahoma • Tennessee

United States Department of the Interior • National Park Service • Denver Service Center

Cover painting: *Leaving the Smokies,* by Donald Vann, full-blood Cherokee, © 1992 and published by Native American Images, P.O. Box 746, Austin, Texas 78767.

SUMMARY

The Trail of Tears National Historic Trail commemorates the tragic experience of the Cherokee people, who were forcibly removed by the U.S. government in 1838–39 from their homelands in the southeastern United States to new homes hundreds of miles to the west. The journey was made under adverse conditions, and some 8,000 Cherokees died as a result of the removal.

The national historic trail, which was designated by Congress in 1987, encompasses approximately 2,200 miles along the main land and water routes that the Cherokees followed. Two additional routes traveled by large Cherokee detachments are also recognized in this plan as historically significant. Although the government forced several southeastern Indian tribes to move during the 1820s and 1830s, the designated national historic trail is specific to the Cherokee experience.

This *Comprehensive Management and Use Plan* presents the proposed plan for administering the Trail of Tears National Historic Trail, as required by the National Trails System Act. The trail will be administered by the National Park Service (NPS), in cooperation with local, state, and other federal agencies, jurisdictions, interested groups, and private landowners, and the plan will provide a framework for these entities to cooperatively manage and protect resources and to provide for appropriate visitor use of sites that are certified or federal components of the trail. The plan also outlines an interpretive program that will communicate to visitors the story of the Cherokee removal, will foster a sensitivity to that experience, and will convey the impact of the U.S. government's policy on other Indian tribes during the 19th century.

Some 46 historic sites and six route segments have been identified that have the potential to provide opportunities to interpret the trail's historical significance and to provide high-quality visitor experiences. Criteria for determining high-potential sites and segments include historical significance, the presence of visible historic remains, scenic quality, and relative freedom from intrusion. A certification process will determine which significant sites and route segments may be eligible for inclusion as official components of the national historic trail. This process, which will be administered by the National Park Service, will help maintain standards of significance for historic sites, trail segments, and interpretive programs. Property owners or appropriate sponsors who want to have certain sites designated as part of the Trail of Tears must document the history of the site, permit appropriate access for visitors, and protect the resources.

The protection of significant resources along the trail routes will be a shared responsibility between private landowners, local governments, and the National Park Service. To help protect significant resources on nonfederal land, the Park Service will offer technical assistance, as requested. This will include assistance under the national historic landmarks program and the NPS long-distance trails program, as well as grants through the Historic Preservation Fund. Preservation efforts by commercial operations will be encouraged through local tax incentives. Local and state governments will be encouraged to draw up protection plans to preserve the integrity of high-potential route segments from unplanned development. The Park Service will inventory historic sites and complete a historic resource study (including national register forms), and it will encourage other research efforts.

Programs to tell the public about the Trail of Tears will use brochures, interpretive programs, and exhibits. Cherokee culture before

and after the removal, in addition to the journey itself, will define the historical setting for the story. The context for the Cherokee removal in relation to the forced removal of other eastern Indian tribes will also be explained. While this story will only be a portion of the visitor experience, it will be significant in terms of conveying the impact of the policy to relocate American Indian tribes.

Another aspect of the visitor use program will be the designation of an automobile tour route on or near one of the routes followed by the Cherokees. Highway markers will be posted to identify the route.

Along all certified trail routes and at specific historic sites, the National Park Service will encourage state and local governments to erect and maintain signs displaying the official Trail of Tears logo. Signs will be placed on private property only with the consent of the landowners. The signs will be provided by the Park Service.

Locations have been identified for interpretive facilities that will orient visitors to the trail and will provide interpretive information about the historical event. State and local governments, in conjunction with local or trail-wide organizations, will be responsible for constructing and operating such facilities.

As discussed in the *Draft Comprehensive Management and Use Plan and Environmental Assessment,* the overall impacts of implementing the proposed plan will be relatively minor with regard to natural resources. Significant historic resources will receive long-term protection, and segments of the historic trail routes will be preserved by marking and certifying them. Public use over the long-term may result in the deterioration of historic sites and segments.

Providing interpretive exhibits and publications, marking the historic trail route, and designating an auto tour route will increase public sensitivity to the experiences of the Cherokees. Interpretive programs will also foster a better understanding of the development and implementation of the government's Indian policy and how that policy affected westward expansion and official relations with American Indian tribes up to the present day.

Impacts on private landowners will be minimal because lands can only be acquired with the consent of the owner. Increased land use controls may be enacted by local governments to protect significant resources. There will be minor benefits to local economies along the trail. Traffic volumes on auto tour routes and near historic sites and segments will probably increase slightly.

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Lewis Ross Home, Charleston, Tennessee. Residence during 1838–39 of Lewis Ross, brother of Principal Chief John Ross.

ACKNOWLEDGEMENT

The National Park Service thanks the many individuals who, in the interest of historical accuracy, generously shared their knowledge of trail history and resources during the course of planning for the Trail of Tears National Historic Trail. The participation of these people has improved the plan and will serve the Trail of Tears and future generations well.

TRAIL OF TEARS

INTRODUCTION

Rattlesnake Spring, Bradley County, Tennessee. Site of 1838 Cherokee internment camp in Dry Creek Valley.

Ross's Landing, Hamilton County, Tennessee. The departure point for three groups of Cherokees traveling on the water route in 1838.

PURPOSE OF AND NEED FOR THE PLAN

In 1838 the U.S. Army began to implement a federal government policy to remove American Indians from their homelands in the southern Appalachian Mountains in order to facilitate settlement by whites. The Cherokees were driven from their homes into stockades scattered throughout Alabama, Georgia, Tennessee, and North Carolina, and then moved to internment camps in southeastern Tennessee. From that point detachments of Cherokees were forcibly moved over water and land routes to Indian Territory (in what is now Oklahoma). Approximately 16,000 men, women, and children made the sorrowful journey — a journey made under adverse conditions and accompanied by a high rate of illness and death.

To commemorate that tragic event, Congress designated the Trail of Tears National Historic Trail in December 1987 (Public Law 100-192; see appendix A). The legislated trail encompasses approximately 2,200 miles of land and water routes (see the National Trails System map). Even though the government forced several southeastern tribes to move during the 1820s and 1830s, the congressionally designated trail is specific to the Cherokee experience.

As defined in the National Trails System Act, as amended, national historic trails are "extended trails which follow as closely as possible and practicable the original trails or routes of travel of national historical significance." Such trails have as their purpose "the identification and protection of the historic route and its historic remnants and artifacts for public use and enjoyment" (see appendix A). Each historic trail may accomplish this in different ways.

As a national historic trail, the Trail of Tears has been determined to meet the following criteria of the National Trails System Act:

1. It was established by historic use and is historically significant as a result of that use.

2. It is nationally significant with respect to American history.

3. It has significant potential for historical interest based on historic interpretation and appreciation.

The feasibility and desirability of adding the Trail of Tears to the national trails system was determined in the *Final National Trail Study,* which was published by the National Park Service in June 1986. That study formed the basis for congressional authorization and subsequent planning for the management and use of the trail.

PURPOSE OF THE PLAN

The National Trails System Act requires a comprehensive plan to be prepared for the management and use of each trail. The plan is to include the following items:

- specific objectives and practices to be observed in managing the trail
- identification of significant natural, historic, and cultural resources that are to be preserved
- a protection plan for any high-potential historic sites or route segments
- details of anticipated cooperative agreements with federal, state, and local organizations and private interests
- procedures for marking the trail with signs, and proposals to foster public knowledge of the trail and help visitors understand the importance of sites along the trail

- identification of at least one site in each of the nine states that will provide public information about the trail

- provisions for appropriate public use, including opportunities to retrace the trail routes

In accordance with the legislative direction, the goal of this plan is to provide a framework for federal, state, and local governments, as well as private interests, to cooperatively manage and protect resources and to provide for appropriate visitor use of sites that are certified or federal components of the Trail of Tears National Historic Trail. A second goal is to outline an interpretive program that will communicate to visitors the story of the Cherokee removal, foster a sensitivity to that experience, and convey the impact of the U.S. government's policy on other Indian tribes during the 19th century. Visitors will be given the opportunity to understand the significance of the Cherokee removal in its historic and geographic context, regardless of the type of interpretive program offered.

NEED FOR THE PLAN

The need for this plan is to help meet management objectives for the trail. Roles and responsibilities are also defined for the agencies, organizations, and local interests that will help to create the visitor experience through marking, interpreting, and preserving significant resources associated with the trail.

MANAGEMENT OBJECTIVES

The following management objectives describe the desired ends to be achieved to protect cultural and scenic resources along the Trail of Tears, to foster public appreciation and understanding of the Cherokee experience and the removal of other Indian tribes, to encourage the provision of facilities for resource protection and public information and use, and to promote cooperative management of trail resources and programs.

Resource Protection

- Protect significant trail segments and historic sites from overuse, inappropriate use, and vandalism.

- Encourage uses of adjacent lands that complement the protection and interpretation of trail resources.

- Establish guidelines for the protection of Indian burials and sacred objects.

- Promote and support ongoing research to increase knowledge, understanding, and appreciation of remaining trail segments and resources and their significance in history.

Visitor Use

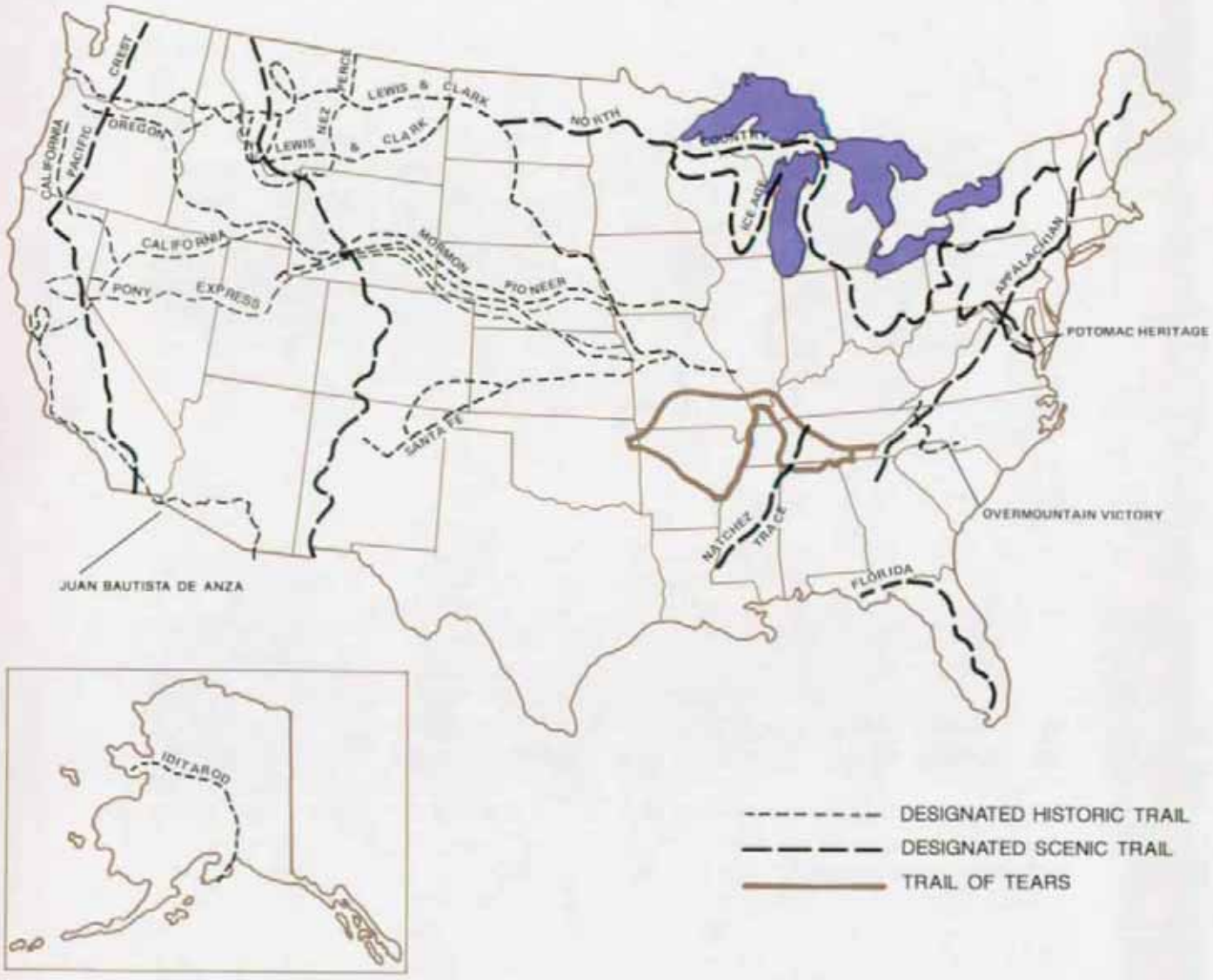
- Ensure safe and informative experiences for all visitors.

- Provide interpretive activities and services, including publications, that are based on historical and archeological examination and documentation.

- Interpret the historical events related to the Trail of Tears story in a manner that is historically accurate and that fosters a sensitivity in visitors to the events.

- Develop a thematic framework to allow for consistent and coordinated interpretation by various managing entities along the trail, and promote coordinated interpretive efforts along the trail.

- Provide visitors with opportunities to see and appreciate historic trail segments and related sites; improve access to trail sites where appropriate.



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NATIONAL TRAILS SYSTEM

TRAIL OF TEARS

NATIONAL HISTORIC TRAIL

UNITED STATES DEPARTMENT OF THE INTERIOR-NATIONAL PARK SERVICE
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- Provide programs and access to facilities for special populations (people with disabilities, non-English speaking visitors, and others).

- Ensure public understanding of the roles of the various managing entities, and foster respect for the rights of landowners.

Development

- Mark the trail routes with standardized and recognizable markers.

- Encourage a unified design theme for signs, exhibits, and public use facilities.

Management and Cooperation

- Coordinate efforts at all levels to fulfill the purposes of the trail, as defined in the National Trails System Act, as amended.

- Define roles and responsibilities and develop effective partnerships between federal, state, and local agencies, other managing entities, private landowners, and organizations and individuals supporting the trail; consult with the trail's advisory council on matters related to trail management.

- Certify trail segments and sites that meet the criteria for qualification, consistent with the purposes of the National Trails System Act, as amended.

- Use the official national historic trail symbol and logo in connection with authorized interpretive activities, programs, information materials, and fund-raising activities.

- Promote fund-raising and donation programs to further trail purposes.

- Encourage trail-related visitation along the entire trail.

- In conjunction with the Cherokees, promote the organization and development of a Trail of Tears association.

PLANNING REVIEW

During the course of developing the *Comprehensive Management and Use Plan,* the National Park Service has sought the views of the Cherokee Nation, the Eastern Band of Cherokees, organizations and individuals, as well as federal, state, and local agencies. Most of the meetings occurred in 1989. In November 1989 a planning newsletter was sent to interested parties requesting input on issues that should be addressed in the planning document. A followup newsletter in June 1990 reported responses and information about the plan.

A contractor and NPS staff mapped the trail routes and identified the significant historic sites in 1989–90. The secretary of the interior appointed members of an advisory council for the Trail of Tears National Historic Trail in December 1989.

Review copies of the *Draft Comprehensive Management and Use Plan and Environmental Assessment* and the *Map Supplement* were mailed out to Indian tribes, individuals, organizations, and governmental agencies in September 1991. The comment period lasted from September 9 to November 4, 1991.

The National Park Service held public meetings about the draft plan in September 1991 with Cherokees and other interested individuals in Cherokee, North Carolina, and Tahlequah, Oklahoma. The Trail Advisory Council also reviewed the draft plan and map supplement at its initial meeting on September 14–15, 1991, and at a subsequent meeting on April 9–10, 1992.

HISTORY AND SIGNIFICANCE OF THE TRAIL OF TEARS

The discovery of the New World by European explorers caused endless problems for American Indians, whose homelands were gradually taken from them and whose cultures were dramatically altered, and in some cases destroyed, by the invasion.

The first contact between southeastern American Indians and Europeans was the expedition of Hernando de Soto in 1540. De Soto took captives for use as slave labor, while others were abused because the Europeans deemed them savages. Epidemic diseases brought by the Europeans spread through the Indian villages, decimating native populations.

Over the next two centuries more and more white settlers arrived, and the native cultures responded to pressures to adopt the foreign ways, leading to the deterioration of their own culture. During the colonial period Indian tribes often became embroiled in European colonial wars. If they were on the losing side, they frequently had to give up parts of their homelands.

> *"We the great mass of the people think only of the love we have to our land for . . . we do love the land where we were brought up. We will never let our hold to this land go . . . to let it go it will be like throwing away . . . [our] mother that gave . . . [us] birth."*
>
> *–Letter from Aitooweyah, the Stud, and Knock Down to John Ross, principal chief of the Cherokees*

After the American Revolution the Indians faced another set of problems. Even though it took time for the new government to establish a policy for dealing with the Indians, the precedent had been set during the colonial period. The insatiable desire of white settlers for lands occupied by Indian people inevitably led to the formulation of a general policy of removing the unwanted inhabitants.

Political leaders including President Thomas Jefferson believed that the Indians should be civilized, which to him meant converting them to Christianity and turning them into farmers. Many other whites agreed, and missionaries were sent among the tribes. But when the transformation did not happen quickly enough, views changed about the Indian people's ability to be assimilated into white culture.

National policy to move Indians west of the Mississippi developed after the Louisiana Territory was purchased from the French in 1803. Whites moving onto these lands pressed the U.S. government to do something about the Indian presence. In 1825 the U.S. government formally adopted a removal policy, which was carried out extensively in the 1830s by Presidents Andrew Jackson and Martin Van Buren. The result was particularly overwhelming for the Indians of the southeastern United States — primarily the Cherokees, Chickasaws, Choctaws, Creeks, and Seminoles — who were finally removed hundreds of miles to a new home.

Perhaps the most culturally devastating episode of this era is that concerning the removal of the Cherokee Indians, who called themselves Ani'-Yun' wiya (the Principal People). Traditionally the Cherokees had lived in villages in the southern Appalachians — present-day Virginia, West Virginia, Kentucky, Tennessee, western North Carolina and South Carolina, northern Georgia, and northeastern Alabama. Here in a land of valleys, ridges, mountains, and streams they developed a culture based on farming, hunting, and fishing.

The Cherokees took on some of the ways of white society. They built European-style homes and farmsteads, laid out European-style fields and farms, developed a written language, established a newspaper, and wrote a constitution. But they found that they were not guaranteed equal protection under the law and that they could not prevent whites from seizing their lands. They were driven from their homes, herded into internment camps, and moved by force to a strange land.

CHEROKEE RELATIONS WITH THE U.S. GOVERNMENT

Beginning in 1791 a series of treaties between the United States and the Cherokees living in Georgia gave recognition to the Cherokees as a nation with their own laws and customs. Nevertheless, treaties and agreements gradually whittled away at this land base, and in the late 1700s some Cherokees sought refuge from white interference by moving to northwestern Arkansas between the White and Arkansas rivers. As more and more land cessions were forced on the Cherokees during the first two decades of the 1800s, the number moving to Arkansas increased. Then in 1819 the Cherokee National Council notified the federal government that it would no longer cede land, thus hardening their resolve to remain on their traditional homelands.

> *"It is evident that the Gov'mt is determined to move us at all hazzards and it only remains for us to do the best we can."*
>
> *–Lewis Ross to his brother John*
> *April 12, 1838*

States' Rights Issue

The Cherokee situation was further complicated by the issue of states' rights and a prolonged dispute between Georgia and the federal government. In 1802 Georgia was the last of the original colonies to cede its western lands to the federal government. In doing so, Georgia expected all titles to land held by Indians to be extinguished. However, that did not happen, and the Principal People continued to occupy their ancestral homelands, which had been guaranteed to them by treaty.

Georgia residents resented the Cherokees' success in holding onto their tribal lands and governing themselves. Settlers continued to encroach on Cherokee lands, as well as those belonging to the neighboring Creek Indians. In 1828 Georgia passed a law pronouncing all laws of the Cherokee Nation to be null and void after June 1, 1830, forcing the issue of states' rights with the federal government. Because the state no longer recognized the rights of the Cherokees, tribal meetings had to be held just across the state line at Red Clay, Tennessee.

When gold was discovered on Cherokee land in northern Georgia in 1829, efforts to dislodge the Principal People from their lands were intensified. At the same time President Andrew Jackson began to aggressively implement a broad policy of extinguishing Indian land titles in affected states and relocating the Indian population.

Supreme Court Cases

In 1830 Congress passed the Indian Removal Act, which directed the executive branch to negotiate for Indian lands. This act, in combination with the discovery of gold and an increasingly untenable position with the state of Georgia, prompted the Cherokee Nation to bring suit in the U.S. Supreme Court. In *Cherokee Nation* v. *Georgia* (1831) Chief Justice John Marshall, writing for the majority, held that the Cherokee nation was a "domestic dependent nation," and therefore Georgia state law applied to them.

That decision, however, was reversed the following year in *Worcester* v. *Georgia*. Under an 1830 law Georgia required all white residents in Cherokee country to secure a license from the governor and to take an oath of allegiance to the state. Missionaries Samuel A. Worcester and Elizur Butler refused and were convicted and imprisoned. Worcester appealed to the Supreme Court. This time the court found that Indian nations are capable of making treaties, that under the Constitution treaties are the supreme law of the land, that the federal government had exclusive jurisdiction within the boundaries of the Cherokee Nation, and that state law had no force within the Cherokee boundaries. Worcester was ordered released from jail.

President Jackson refused to enforce the court's decision, and along with legal technicalities, the fate of the Principal People seemed to be in the hands of the federal government. Even though the Cherokee people had adopted many practices of the white culture, and had used the court system in two major Supreme Court cases, they were unable to halt the removal process.

> *"[I] witnessed the execution of the most brutal order in the history of American warfare. I saw the helpless Cherokees arrested and dragged from their homes, and driven at the bayonet point into the stockades. And in the chill of a drizzling rain on an October morning I saw them loaded like cattle or sheep into six hundred and forty-five wagons and headed for the West."*
>
> *–Pvt. John G. Burnett*
> *1838*

Treaty of New Echota

The state of Georgia continued to press for Indian lands, and a group of Cherokees known as the Treaty Party began negotiating a treaty with the federal government. The group, led by Major Ridge and including his son John, Elias Boudinot, and his brother Stand Watie, signed a treaty at New Echota in 1835. Despite the majority opposition to this treaty — opposition that was led by Principal Chief John Ross — the eastern lands were sold for $5 million, and the Cherokees agreed to move beyond the Mississippi River to Indian Territory. The Senate ratified the treaty despite knowledge that only a minority of Cherokees had accepted it. Within two years the Principal People were to move from their ancestral homelands.

THE ROUNDUP

President Martin Van Buren ordered the implementation of the Treaty of New Echota in 1838, and U.S. Army troops under the command of Gen. Winfield Scott began rounding up the Cherokees and moving them into stockades in North Carolina, Georgia, Alabama, and Tennessee. Altogether 31 forts were constructed for this purpose — 13 in Georgia, five in North Carolina, eight in Tennessee, and five in Alabama. All of the posts were near Cherokee towns, and they served only as temporary housing for the Cherokees.

As soon as practical, the Indians were transferred from the removal forts to 11 internment camps that were more centrally located — 10 in Tennessee and one in Alabama. In North Carolina, for example, Cherokees at the removal forts were sent to Fort Butler, and by the second week in July on to the principal agency at Fort Cass. By late July 1838, with the exception of the Oconaluftee Citizen Indians, the fugitives hiding in the mountains, and some scattered families, virtually all other Cherokees remaining in the East were in the internment camps.

According to a military report for July 1838, the seven camps in and around Charleston, Tennessee, contained more than 4,800 Cherokees: 700 at the agency post, 600 at Rattlesnake Spring, 870 at the first encamp-

ment on Mouse Creek, 1,600 at the second encampment on Mouse Creek, 900 at Bedwell Springs, 1,300 on Chestooee, 700 on the ridge east of the agency, and 600 on the Upper Chatate. Some 2,000 Cherokees were camped at Gunstocker Spring 13 miles from Calhoun, Tennessee.

One group of Cherokees did not leave the mountains of North Carolina. This group traced their origin to an 1819 treaty that gave them an allotment of land and American citizenship on lands not belonging to the Cherokee Nation. When the forced removal came in 1838, this group — now called the Oconaluftee Cherokees — claimed the 1835 treaty did not apply to them as they no longer lived on Cherokee lands. Tsali and his sons were involved in raids on the U.S. soldiers who were sent to drive the Cherokees to the stockades. The responsible Indians were punished by the army, but the rest of the group gained permission to stay, and North Carolina ultimately recognized their rights. Fugitive Cherokees from the nation also joined the Oconaluftee Cherokees, and in time this group became the Eastern Band of Cherokees, who still reside in North Carolina.

> *"At noon all was in readiness for moving, the teams were stretched out in a line along the road through a heavy forest, groups of persons formed about each wagon. . . . Going Snake, an aged and respected chief whose head eighty summers had whitened, mounted on his favorite pony, passed before me in silence, followed by a number of younger men on horseback."*
>
> *–William Shorey Coodey, a contractor, in a letter to a friend August 13, 1840*

NUNAHI-DUNA-DLO-HILU-I: TRAIL WHERE THEY CRIED

During the roundup intimidation and acts of cruelty at the hands of the troops, along with the theft and destruction of property by local residents, further alienated the Cherokees. Finally, Chief Ross appealed to President Van Buren to permit the Cherokees to oversee their own removal. Van Buren consented, and Ross and his brother Lewis administered the effort. The Cherokees were divided into 16 detachments of about 1,000 each.

Water Route

Three detachments of Cherokees, totaling about 2,800 persons, traveled by river to Indian Territory. The first of these groups left on June 6 by steamboat and barge from Ross's Landing on the Tennessee River (present-day Chattanooga). They followed the Tennessee as it wound across northern Alabama, including a short railroad detour around the shoals between Decatur and Tuscumbia Landing. The route then headed north through central Tennessee and Kentucky to the Ohio River. The Ohio took them to the Mississippi River, which they followed to the mouth of the Arkansas River. The Arkansas led northwest to Indian Territory, and they arrived aboard a steamboat at the mouth of Sallisaw Creek near Fort Coffee on June 19, 1838. The other two groups suffered more because of a severe drought and disease (especially among the children), and they did not arrive in Indian Territory until the end of the summer.

Land Routes

The rest of the Principal People traveled to Indian Territory overland on existing roads. They were organized into detachments ranging in size from 700 to 1,600, with each detachment headed by a conductor and an assistant conductor appointed by John Ross. The Cherokees who had signed the treaty of

New Echota were moved in a separate detachment conducted by John Bell and administered by U.S. Army Lt. Edward Deas. A physician, and perhaps a clergyman, usually accompanied each detachment. Supplies of flour and corn, and occasionally salt pork, coffee, and sugar, were obtained in advance, but were generally of poor quality. Drought and the number of people being moved reduced forage for draft animals, which often were used to haul possessions, while the people routinely walked.

The most commonly used overland route followed a northern alignment, while other detachments (notably those led by John Benge and John Bell) followed more southern routes, and some followed slight variations. The northern route started at Calhoun, Tennessee, and crossed central Tennessee, southwestern Kentucky, and southern Illinois. After crossing the Mississippi River north of Cape Girardeau, Missouri, these detachments trekked across southern Missouri and the northwest corner of Arkansas.

> *Dec. 13, "During the night a Cherokee woman died in the camps. Though she had given birth to a child but a few days before, yet last evening she was up and no danger was apprehended, but in the morning she was found dead, with the infant in her arms."*
>
> *–The Reverend Daniel S. Buttrick, diary entry, 1838*

Road conditions, illness, and the distress of winter, particularly in southern Illinois while detachments waited to cross the ice-choked Mississippi, made death a daily occurrence. Mortality rates for the entire removal and its aftermath were substantial, totaling approximately 8,000.

Most of the land route detachments entered present-day Oklahoma near Westville and were often met by a detachment of U.S. troops from Fort Gibson on the Arkansas River. The army officially received the Cherokees, who generally went to live with those who had already arrived, or awaited land assignments while camped along the Illinois River and its tributaries east of present-day Tahlequah.

AFTERMATH

In the Indian Territory problems quickly developed among the new arrivals and Cherokees who had already settled, especially as reprisals were taken against the contingent who had signed the Treaty of New Echota. As these problems were resolved, the Cherokees proceeded to adapt to their new homeland, and they reestablished their own system of government, which was modeled on that of the United States.

Tribal government was headquartered in Tahlequah and adhered to a constitution that divided responsibilities among an elected principal chief, an elected legislature known as the National Council, and a supreme court with lesser courts. Local districts with elected officials, similar to counties, formed the basis of the nation. The Cherokees maintained a bilingual school system, and missionaries from the American Board of Commissioners for Foreign Missions were active in the nation.

This autonomy remained reasonably strong until the Civil War, when a faction of the Cherokees sided with the Confederacy. During Reconstruction they suffered a loss of self-government and, more importantly, their land base. Government annuities were reduced, and lands were sold to newly arrived tribes. Cessions of land continued during the later 19th century, and the federal government emerged as the major force for land cession under the Dawes Act of 1887, which divided up tribal lands. The establishment of the state of Oklahoma in 1907 increased

pressure for land cessions. Many people of questionable Cherokee ancestry managed to get on the tribal rolls and participate in the allotment of these lands to individuals. By the early 1970s the western Cherokees had lost title to over 19 million acres of land.

Difficult times continued because of the effects of the 1930s depression and the government policy to relocate Indians from tribal areas to urban America. Many Cherokees found themselves in urban slums with a lack of basic needs. Differences also emerged between traditionalists and those who adapted to mainstream society. During the 1970s and after, however, the Cherokees' situation improved because of self rule and economic programs.

Throughout the years, the Cherokees have sought to maintain much of their cultural identity. To increase public awareness of their heritage, many of them have advocated the designation of the Trail of Tears as a national historic trail.

TRAIL OF TEARS

COMPREHENSIVE MANAGEMENT AND USE PLAN

Trail of Tears land route, Washington County, Missouri. A portion of the northern route followed by detachments of Cherokees in 1838–39 (northwest of Caledonia, Missouri).

Trail of Tears land route, Webster County, Missouri. A portion of the northern route followed by detachments of Cherokees in 1838–39 (northeast of Springfield, Missouri).

The Arkansas River is perhaps the most dramatically changed of the rivers because of the McClellan-Kerr navigation system, which stretches from the mouth of the river all the way to Catoosa (Tulsa), Oklahoma. A series of dams, locks, and impoundments make the river navigational far into the interior of Oklahoma. As with the other rivers, there is a considerable amount of development along the banks of the Arkansas

Vistas along a few less developed and populated areas of the water route give an indication of how the river corridors looked at the time of the removal.

Land Route

Groups began traveling on the northern route in September 1838, following existing roads and moving south of the Hiwassee River to Blythe's Ferry on the Tennessee River, then northwest across the Sequatchie Valley onto the Cumberland Plateau past McMinnville. From there detachments moved past Murfreesboro to Nashville, Port Royal, and into Kentucky at Gray's Inn. Hopkinsville was the next point before proceeding to Mantle Rock, and across the Ohio River at Berry's Ferry to Golconda, Illinois. Crossing Illinois took the groups past Vienna and to the area west of Jonesboro, where they had to endure an extremely severe winter awaiting the passage of ice in the Mississippi River before crossing at Green's Ferry.

Beyond the Mississippi the route swung through Jackson, Missouri, then through Farmington, Caledonia, and Rolla. Continuing west by south, the groups moved toward Marshfield, Springfield, and to the Delaware villages on the James River before striking westerly to Flat Creek through Cassville and across the Arkansas state line along Sugar Creek. From there the road went south past Rogers to Fayetteville and then west-southwest to Westville and Indian Territory.

Two detachments followed short alternate routes along the northern route. A detachment of 1,029 Cherokees led by Richard Taylor left Ross's Landing, headed north, and joined the northern route in the Sequatchie Valley in Bledsoe County, Tennessee. Peter Hildebrand's detachment of 1,766 Cherokees separated from the main route in Crawford County, Missouri, and traveled across Dent, Texas, Wright, and Webster counties before rejoining the main trail at Marshfield. The Reverend Daniel Buttrick reported in March 1839 that Hildebrand was trying to pass the other detachments.

Another minor variation on the northern route was used by the Reverend Evan Jones, who accompanied a detachment led by Situwakee. He sought to avoid several tollgates southeast of Nashville by going through Readyville and Old Jefferson. Detachments conducted by Old Fields, Moses Daniel, and Jesse Bushyhead did the same.

Like those who traveled by water, those making the journey overland passed through a changing landscape. The northern land route crossed Tennessee and entered Kentucky in an area of gently sloping terrain punctuated by steeper bluffs that had been cut by the Mississippi River. After crossing the Ohio River between Kentucky and Illinois the terrain flattened into bottomland, rising to a hilly, rolling landscape in the southern part of the state. West of the Mississippi most detachments passed around the northeastern edge of the Ozark Mountains, while some skirted the southeastern edge to follow the White River into the mountains. Most then traveled southwesterly over the Springfield Plateau before entering the wooded western section of the Ozarks in northwestern Arkansas and eastern Oklahoma.

The 19th century road system that was used during the removal is overlain by present-day roads. A complex network of county, state, and federal roads stretches from the mouth of the Hiwassee River all the way to West-

ville, Oklahoma. These roads wind through large areas of countryside and a few major urban areas (notably Nashville, Tennessee, and Springfield, Missouri). Scattered along the roads are numerous communities, agricultural areas, and rural landscapes that have grown up since the removal.

A few route segments remain basically undeveloped and provide a feeling of the countryside through which the detachments passed.

OTHER MAJOR ROUTES

Two historic routes used by large detachments of Cherokees were not congressionally designated as part of the Trail of Tears — the route taken by the Benge detachment, which traveled some 734 miles across Tennessee, Kentucky, Ohio, Missouri, and Arkansas, and the route traveled by the Bell detachment (Treaty Party), which covered 765 miles across Tennessee and Arkansas. Because these routes were not evaluated under the National Trails System Act criteria in the 1986 *Final National Trail Study* for the Trail of Tears, the National Park Service proposes to study them to determine their feasibility and desirability for inclusion in the national trails system. Until that determination is made, the Park Service proposes to interpret the Benge and Bell routes along the existing designated national historic trail.

Benge's Route

A detachment of 1,090 Cherokees conducted by John Benge departed Fort Payne, Alabama, in late September 1838 and followed a central route. They crossed the Tennessee River at Gunter's Landing, went through Huntsville, and on into Tennessee. At Reynoldsburg they once again crossed the Tennessee River and then the Mississippi River at Iron Banks south of Cape Girardeau, Missouri. The group moved westnorthwest to the Natchitoches Trace, which they followed southwest to Hix's Ferry on the Current River, but used the Indian Ford instead to save costs. Continuing southward, the group entered Arkansas, camped at Fouche Dumas, and turned west near Batesville to follow the White River drainage toward Melbourne, Cotter, Yellville, and Alpena. From there the route turned southwest to Huntsville and Fayetteville, where it joined the northern route.

Bell's Route

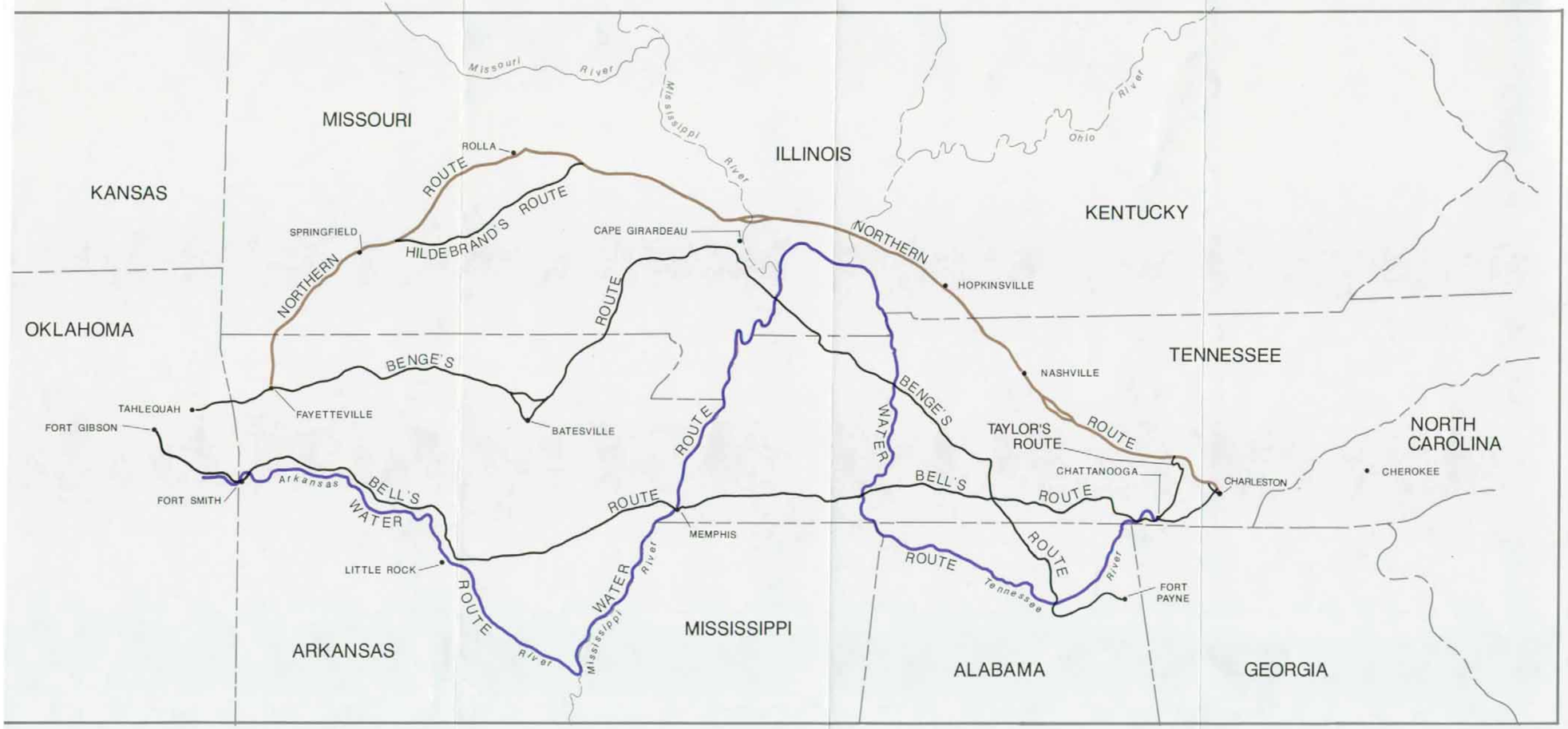
A detachment of 600–700 Treaty Party Cherokees, led by John A. Bell, followed a southern route across Tennessee and central Arkansas. Accompanied by Lt. Edward Deas, this group sought to interfere with and disrupt the other 12 detachments by means of emissaries sent to those camps to spread discord.

Their route took them from Calhoun in October 1838 toward Cleveland, Winchester, Pulaski, Savannah, and Bolivar. They crossed the Mississippi River at Memphis. From there the route extended west toward Little Rock, then up the north side of the Arkansas River past Conway, Russellville, and Fort Smith to Indian Territory.

TRAIL ROUTE IDENTIFICATION

The maps in the *Map Supplement* constitute the official route map required by the National Trails System Act, and its description will be published in the *Federal Register.* If new research identifies additional routes or more accurate trail locations, then an official notice of correction will be published in the *Federal Register.*

Mileages for the trail routes are shown in table 1. Table 2 illustrates the miles of the trail in each state.



LEGISLATIVELY DESIGNATED ROUTES
NORTHERN – LAND
(including Taylor's and Hildebrand's routes)
WATER

OTHER MAJOR ROUTES
BENGE
BELL

NORTH

0 10 20 30 40 50 MILES–APPROXIMATE

HISTORIC ROUTES
TRAIL OF TEARS
NATIONAL HISTORIC TRAIL

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

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TABLE 1: TRAIL ROUTE MILEAGES

	MILES
Water Route	1,226
Land Route	
Northern Route	826
• Taylor's Detachment	45
• Hildebrand's Detachment	122
Total – Designated National Historic Trail	**2,219**
Other Major Routes	
Benge's Detachment	734
Bell's Detachment	765
Total – Other Major Routes	**1,499**

TABLE 2: TRAIL ROUTE MILEAGES BY STATE

	WATER ROUTE	NORTHERN ROUTE	OTHER ROUTES
Tennessee	198	285	545
Alabama	190		107
Kentucky	88	93	30
Illinois		66	
Missouri		461	167
Arkansas	337	59	584
Oklahoma		29	66
State Lines*	413	—	—
Total	**1,226**	**993**	**1,499**

*The 413 miles along state lines include Kentucky–Illinois, Kentucky–Missouri, Tennessee–Missouri, Tennessee–Arkansas, and Mississippi–Arkansas.

HIGH-POTENTIAL HISTORIC SITES AND ROUTE SEGMENTS

High-potential sites and segments along the Trail of Tears will be identified in accordance with the National Trails System Act. Each site or segment must have the potential to interpret the trail's historical significance, as determined by the official certification process, and to provide opportunities for high-quality recreation. Criteria include historical significance, the presence of visible historic remains, scenic quality, and few intrusions.

In conjunction with trail route mapping in 1989 and 1990, high-potential historic sites and route segments were also inventoried. This helped determine the historical significance of sites and segments, existing conditions, and the existence of critical archival information. A total of 46 historic sites and six route segments were identified (see table 3 and the Historic Sites map); additional sites and segments may be identified in the future. (The historic sites are described in appendix B, and the route segments are listed in table B-1.)

TABLE 3: HIGH-POTENTIAL HISTORIC SITES AND ROUTE SEGMENTS

	SITES	SEGMENTS
Georgia	7	
Alabama	5	
North Carolina	4	
Tennessee	12	1
Kentucky	3	
Illinois	2	
Missouri	7	4
Arkansas	1	1
Oklahoma	5	—
Total	**46**	**6**

Selected high-potential sites are directly associated with the historic event, they have few intrusions, the setting retains its historical integrity, and the potential for interpretation is high. The sites include fords, ferries, structures, natural landmarks, marked gravesites, campsites, and rural landscapes. Route segments exhibit the same qualities.

Among the historic sites and route segments selected are trail-related resources that are within present national park system units, that are designated as national historic landmarks, or that are listed on the National Register of Historic Places. Those resources within national park system units are fully protected and interpreted according to NPS management policies and guidelines. In accordance with the National Trails System Act, resources on federal lands are designated as federal protection components.

Sites designated as national historic landmarks by the secretary of the interior are, by definition, nationally significant. Landmarks are eligible for NPS technical assistance programs. They are also subject to periodic monitoring for threats to their integrity.

Trail resources on the National Register of Historic Places are listed as being of local, state, or national significance. They are afforded recognition and some protection when directly or indirectly affected by federal projects through compliance with provisions of the National Historic Preservation Act of 1966, as amended.

Federal Protection Components

National Park System Area. Parts of the Trail of Tears are included within Pea Ridge National Military Park. The trail's northern route followed the main road between Fayetteville and St. Louis, which became known as Telegraph Road once a telegraph line was strung along it in 1860. Pea Ridge was the site of a Union victory on March 7–8, 1862, which allowed the Union to control Missouri. This was one of the major engagements of the Civil War west of the Mississippi River, and 1,000 Cherokee soldiers from Indian Territory and under the command of Stand Watie participated as Confederates in this battle. The park is in Benton County, Arkansas, northeast of Rogers.

National Forest System Areas. A few trail portions pass through areas administered by the U.S. Forest Service.

Shawnee National Forest — Approximately 17 miles of the Trail of Tears route passes through sections of Shawnee National Forest between Golconda and Ware in southern Illinois.

Mark Twain National Forest — Some 60 miles of the Trail of Tears cross portions of Mark Twain National Forest between Jackson and Farmington and between Caledonia and Steelville, Missouri.

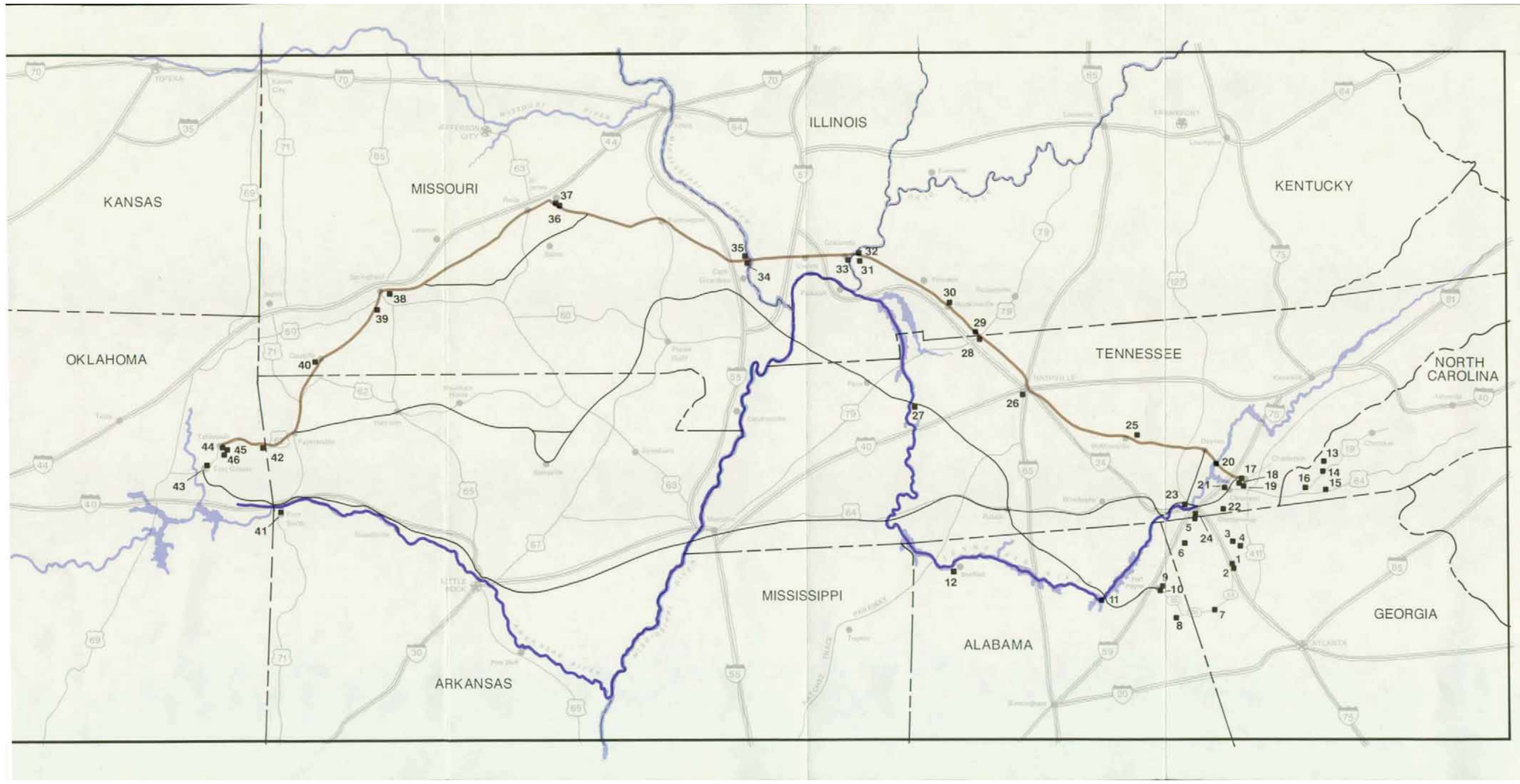
Other Federal Government Areas. The Tennessee Valley Authority and the U.S. Army Corps of Engineers both manage rivers that were used by the Cherokees who made the journey to Indian Territory by water.

Tennessee Valley Authority — The Tennessee Valley Authority manages approximately 422 miles of the water route along the Tennessee River from Chattanooga, Tennessee, to Paducah, Kentucky.

U.S. Army Corps of Engineers — The Corps of Engineers administers 804 miles of the Ohio, Mississippi, and Arkansas rivers from Paducah, Kentucky, to Fort Gibson, Oklahoma.

Nonfederal Sites and Segments

Historic sites and segments that are not federally owned may be suitable for inclusion in the trail. These sites and segments will have to be certified as to their historical significance and potential for use before they can be designated as official components of the national historic trail. Appropriate means of protection and opportunities for public appreciation will be provided for certified trail components. To retain certification, managers will have to show that the interpretation, preservation, and recreation objectives of the National Trails System Act and the plan are being met. The criteria and procedures for certification are described in the "Management and Cooperation" section (see page 45).



1 – New Echota
2 – Fort Wool
3 – Vann House
4 – Fort Gilmer
5 – John Ross House
6 – Fort Cumming
7 – Major Ridge Home
8 – Fort Lovell
9 – Fort Payne
10 – Andrew Ross Home
11 – Gunter's Landing
12 – Tuscumbia Landing
13 – Fort Montgomery
14 – Fort Delaney
15 – Fort Hembree
16 – Fort Butler
17 – Fort Cass
18 – Lewis Ross Home
19 – Rattlesnake Spring
20 – Blythe Ferry Site
21 – Hair Conrad Cabin
22 – Red Clay
23 – Ross's Landing
24 – Spring Frog Cabin
25 – Shellsford Baptist Church Site
26 – Nashville Toll Bridge Site
27 – Reynoldsburg Ferry Site
28 – Halfway House
29 – Gray's Inn
30 – Whitepath and Fly Smith Graves
31 – Mantle Rock
32 – Berry Ferry Site
33 – Buel House
34 – Green's Ferry Site
35 – Otahki Bushyhead Hildebrand Grave
36 – Brinker House
37 – Massey Ironworks
38 – Danforth Farm
39 – Bell Tavern Site
40 – McMurtry Spring
41 – Fort Smith
42 – Woodhall Homeplace
43 – Fort Gibson
44 – Tahlequah
45 – Park Hill
46 – Ross Cemetery

NORTHERN (LAND) ROUTE
WATER ROUTE
OTHER ROUTES

NORTH

0 10 20 30 40 50 MILES APPROXIMATE

HISTORIC SITES
TRAIL OF TEARS
NATIONAL HISTORIC TRAIL

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
610-20005A-DSC-FEB 92

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RESOURCE PROTECTION

The intent of resource protection is to ensure that sites related to the trail (such as landscapes, landmarks, ruts, gravesites and sacred objects, and structures) will be preserved in an unimpaired condition and that sections of the trail will be maintained as cultural landscapes. The historic routes will be managed so as to preserve scenic values and qualities, thereby ensuring high-quality interpretive experiences. Efforts will be made to protect the remaining historical settings where the landscape is reminiscent of what the Cherokees saw over 150 years ago (see the Potential Resource Protection Areas map and table B-1 in appendix B). Cooperative agreements between the National Park Service and state, federal, and local interests will emphasize resource protection.

All related cultural and natural resources along the trail route will be inventoried by the National Park Service and analyzed to determine appropriate preservation techniques and the potential to accommodate visitor use or interpretation. Priorities will be established to preserve sites and segments according to their significance, potential for visitor use, and interpretive value. In addition, a research program will be undertaken to ensure that resources are correctly identified and properly managed, as well as to improve overall knowledge and appreciation of trail remnants and related resources.

The National Park Service will encourage local, state, and federal agencies, and others (including private landowners) to enter into cooperative agreements to protect significant sites. If this means of protection is inadequate, then local, state, or federal agencies and others, including conservation organizations, will be encouraged to protect the sites by using fee or less-than-fee means. If landowners desire, the Park Service may consider acquiring interests in property through easements or fee acquisition. Such interests may be acquired by donation, exchange, or purchase, depending on the significance and other values of the site. The Park Service will seek local managers for the acquired sites to help protect the resources and to provide for appropriate visitor use.

NPS Assistance Programs

The National Park Service can also foster trail-related preservation efforts by establishing assistance programs. A technical assistance program for planning and design could be established to stabilize, and where appropriate, restore significant resources for protection and interpretive purposes. Through technical assistance programs, private landowners can request information and help with preservation activities, including sound stewardship practices and new resource protection concepts. Through its national historic landmark program, the Park Service assesses the significance of sites important in American history, and through the Historic American Buildings Survey and the Historic American Engineering Record it documents historic structures. The Park Service also reports annually to Congress about endangered national historic landmarks along the trail.

Funding can also be provided for the preservation of historic resources. The Land and Water Conservation Fund can be used to assist in preservation efforts on publicly owned lands. Grants from the NPS Historic Preservation Fund will be used as fully as possible to help protect, in cooperation with the states, qualifying historic sites along the trail. Where applicable, the Park Service will encourage the preservation of historic properties by owners who might be able to benefit through local tax incentives.

To make the most efficient use of NPS resource preservation funds, the highest priority will be the funding of cooperative preservation efforts for certified sites and segments. Funds will be used for three purposes: (1) to supplement existing data about the site, (2) to stabilize or otherwise conduct physical activities to conserve resources, and (3) to acquire interests in properties to ensure long-term protective management.

The National Park Service may provide direct financial assistance if all other private, local, and state funding sources are exhausted. Projects that combine funding from several sources will be encouraged, in accordance with the intent of the National Trails System Act to limit federal financial assistance and to provide incentives for cooperative partnerships.

Resource Protection Techniques

Because the Trail of Tears follows a long, narrow route and crosses numerous political jurisdictions in both rural and urban areas, techniques that can be used to protect trail-related resources will likely vary from area to area and from state to state. Among the specific resource protection issues for the Trail of Tears are the following:

- providing public access to historic sites
- protecting sites from changes that would diminish the trail's historical integrity
- protecting landscapes along the trail routes from development and uses that would detract from the experiences of visitors

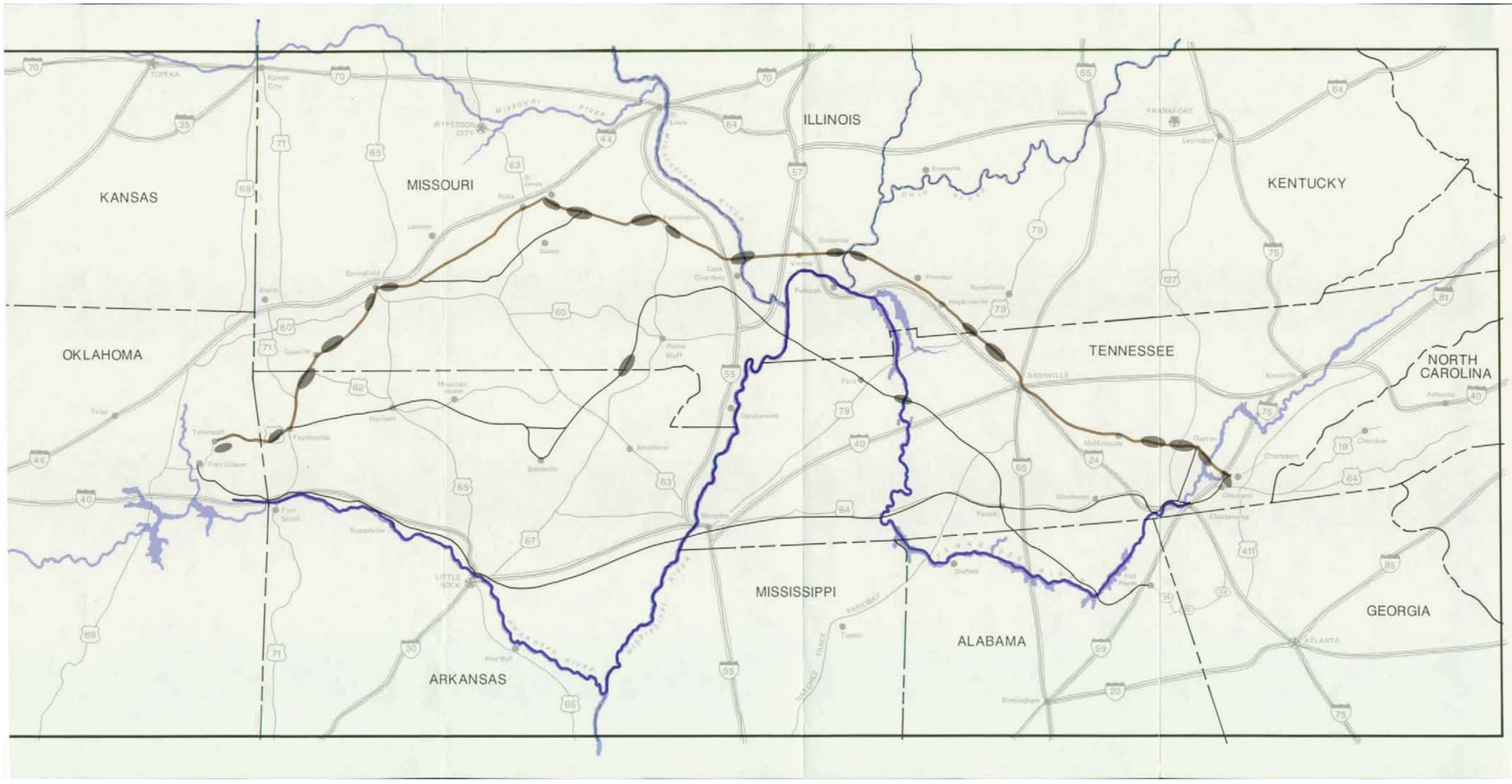
Several resource protection techniques may be effective for preserving trail resources, including cooperative agreements, easements, local regulations, and fee-simple purchases (as a last resort). The act establishing the trail specifically states that no lands outside federally administered areas may be acquired for the Trail of Tears except with the consent of the owner.

Cooperative Agreements. Cooperative agreements may be the most useful means for protecting trail-related resources and providing for visitor use. They can help foster landowner trust and support for trail programs while protecting the landowner's basic property rights, providing them with pride and satisfaction in sharing their resources for public benefit, and helping the public appreciate private contributions in commemorating the Trail of Tears.

A cooperative agreement is a clearly defined, written arrangement between two or more parties that allows some specific action to be taken — for example, to allow access for resource protection and management, interpretation, or recreation; to allow the posting of markers or signs; or to allow others to manage activities or developments, while at the same time protecting landowner interests. Cooperative agreements allow lands to be kept on local tax rolls and the land title and rights to be retained by the owner. A cooperative agreement is not binding and can be terminated by either party at any time with proper notification.

Used in concert with state recreational liability statutes and/or the provisions of the Volunteers in the Parks Act of 1969, cooperative agreements can protect landowners from liability claims arising from trail-related uses of their lands. Property damage arising from such use cannot be compensated by the National Park Service.

Easements. An easement conveys a specific right in a property — for example, the right to limit access, or to construct or not to construct buildings — from one party to another; the owner, however, retains underlying title to the property. An easement can either be purchased or donated.



POTENTIAL RESOURCE PROTECTION AREAS

TRAIL OF TEARS NATIONAL HISTORIC TRAIL

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
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Generally, easements along the Trail of Tears may be used to ensure that private landowners do not damage or destroy specific resources. An easement may also be used to guarantee public and agency access to trail sites, as well as to allow the exploration of historic and archeological resources under NPS or another agency's supervision.

Local Land Protection and Regulatory Processes. Federal, state, and local governments may have a variety of legal or statutory provisions that can be used to protect trail-related resources by regulating or guiding development. These processes include zoning regulations and subdivision ordinances in cities, utility licensing, surface and subsurface mineral extraction permits in rural areas, cultural resource preservation laws and ordinances, and natural resource protection laws. All these processes can be used as tools to protect trail resources.

The present landscape character along the routes followed by the Cherokees in the late 1830s varies greatly with locale. To preserve areas where the landscape probably resembles its appearance 150 years ago, this plan proposes a cooperative effort by concerned citizens, county and state planning and zoning offices, and local parks. Such involvement by local governments and private interests will be vital to maintaining such areas because, in accordance with the National Trails System Act, the National Park Service will limit its acquisition of land for this trail.

Many portions of the trail pass through urban or recreation areas where there is little or no semblance of how the landscape looked during the Cherokee removal, but other areas still closely resemble the historical setting. Between these extremes are many miles of riverside and roadside where rural scenery prevails. Concern for these rural stretches is where local interest and action will be critical.

The preservation of undeveloped lands will rely heavily on local initiatives. Individual citizens or organized groups could encourage local planning and zoning boards to create and enforce rural/agricultural zones in order to prevent inappropriate development. Land preservation tools available to local land use preservation groups include restricting the buildable density per acre, requiring development setbacks from the street or river frontage, and limiting height and/or the color of buildings to blend with the existing surroundings. These techniques can be incorporated into local development guidelines and enforced through local planning and zoning boards. Citizens can monitor development proposals to ensure that the guidelines are followed and that no variances are granted. Zoning ordinances can also help keep large contiguous areas open by requiring large lots (for example, 10-20 acre plots) in residential or agricultural areas.

Farmland and forested areas along the Trail of Tears may meet the requirements for agricultural preservation zones established under state or county regulations to keep prime farmland in active agricultural production.

The transfer of development rights is another method for maintaining open land areas. This technique has generally been used more in urban areas, but it has also been employed in rural Virginia and Massachusetts as a way to aggregate new development around existing villages, thus leaving the surrounding countryside open to continued farming.

Land preservation groups can also help conserve open agricultural areas and expansive scenic landscapes. In pursuing such goals, local land trusts or conservation organizations can seek guidance from national organizations such as the Land Trust Exchange and the Trust for Public Land. These national organizations can provide insight on the use, development, and maintenance of

easements, as well as information about organizing local land preservation groups.

National and local conservation groups frequently work closely with state and federal agencies to preserve undeveloped areas while maintaining such areas in private ownership. Both owners and communities can benefit from potential tax advantages available through collaborative efforts to preserve open space. The land remains on the local tax rolls, but it is taxed at the lower, undeveloped parcel rate. Thus, the owner is not forced by rising taxable property values to sell to developers or to subdivide and develop land suitable for farming.

In the case of mineral activity, the states can help protect trail resources through the regulation of subsurface activities or through other compliance procedures. Fee-simple acquisition of a property does not necessarily include subsurface interests (such as mineral rights), which can be retained by the previous owner. How the retention of subsurface interests might affect the character of trail resources must be carefully considered.

Directional drilling and other techniques could be used to reach subsurface mineral resources inside the trail boundary without disturbing surface resources of historical significance; however, some resources could still be affected by extraction activities. The possible impacts of mining or drilling operations include intrusions on scenic and historic vistas as a result of access road or pipeline construction across trail segments, increases in ambient noise levels, and degradation of air quality. Vibrations from extraction processes might affect the physical integrity of historic structures.

Fee-Simple Ownership. When all interests in a given tract of land are acquired, the property is owned in fee simple. Even though this type of ownership is the most expensive, it also provides the greatest guarantee that resources will be continuously preserved and opportunities for visitor use allowed.

The fee-simple purchase of properties along the Trail of Tears will be limited to those sites that are determined to be especially important for public interpretation and that must be carefully managed to preserve resource integrity. Fee-simple purchase will also be considered for historically significant sites or segments where the landowner does not want to participate in a cooperative agreement and the resources are deteriorating. In such cases other state and local agencies will be encouraged to acquire an appropriate interest.

Any acquisition by the National Park Service will have to be based on the willing consent of the landowner. Acquisition will not necessarily mean that the Park Service will directly manage the property. Where beneficial to the cooperative spirit of the National Trails System Act, the Park Service will seek local sponsors, including governmental agencies or private groups, to manage the resources.

In addition to acquisition from a willing seller by purchase, the National Park Service has two other methods to acquire interests in land from consenting owners — a donation or bargain sale of land, or an exchange.

Donation / Bargain Sale — With a donation or bargain sale, a full or partial interest (that is, an easement) in a tract of land is transferred at less than full-market value. Such a transfer can result in beneficial publicity for a project, as well as some tax benefits for the donor or seller (owners should consult a qualified tax advisor for details). Because donations cost the recipient little or nothing, this technique is an economical means to acquire appropriate interests in trail resources.

Exchange — A mutually beneficial land exchange between two or more parties

can be used to protect trail resources. The National Park Service has the authority to acquire not only a trail corridor, but the rest of the tract outside the area of proposed acquisition. The interests in the corridor, as well as the rest of the tract, can be acquired by exchanging suitable and available property that the Park Service administers within the same state. Excess lands acquired by the Park Service can be banked for future exchange purposes or disposed of through sale. Other federal agencies (such as the U.S. Forest Service) can also employ such a technique for lands they administer.

INDIAN BURIALS AND SACRED OBJECTS

The National Park Service will establish guidelines to protect and care for Indian burial sites and sacred objects associated with the Trail of Tears. A system will be established to promptly notify the Cherokees and other concerned groups regarding the discovery of human remains, as well as procedures for ensuring that cultural items are properly cared for and respected. Memorandums of agreement with the Cherokees, federal agencies, and state and local governments and cooperative agreements with landowners will specifically address matters pertaining to burials and objects.

Principles concerning burial sites and objects, as noted in federal guidelines (NPS-28, Technical Supplement 7; the 1988 NPS *Management Policies* 5:13; and PL 101-601, the Native American Grave Protection and Repatriation Act of 1990) will be adhered to in managing the trail. Applicable state guidelines will also apply in managing the trail. Any discovery of such resources will be followed by protective measures and a concerted effort to identify the cultural affiliation of the human remains.

RESEARCH

A primary resource management objective is to encourage further research to improve knowledge and appreciation of trail remnants and related resources and to better commemorate the trail's national significance.

In keeping with this objective, a historic resource study will be undertaken (1) to develop a comprehensive listing and evaluation of all significant resources along the trail, including the preparation of forms for the National Register of Historic Places, as required by the NPS *Cultural Resources Management Guideline* (NPS-28); (2) to present historically accurate information to visitors; and (3) to ensure that resources are correctly identified and properly managed.

The historic resource study will include ethnographic and archeological sections, and it will identify additional historic sites and cross-country segments eligible for national historic landmark status or for listing on the national register. It will also summarize archeological and historic sites listed on the national register or determined eligible or potentially eligible for listing.

The National Park Service will strongly encourage state and local governments, universities, and other qualified institutions and individuals to initiate studies to gather data using NPS resources and technical assistance. The Park Service will provide limited funds for these endeavors and will aid in obtaining outside funding support.

Research topics will include the following:

Trail routes — Routes that need to be further studied include those followed by the Benge, Bell, and Hildebrand detachments. Also a few segments of the northern route have not been precisely located, and areas where the route became braided need to be more thoroughly documented. Besides traditional

archival sources, a valuable and virtually untapped source of information is oral tradition, both from Cherokee stories about the removal and from residents along the trail routes that may have family stories about the event.

Trail experiences — The perspective of the Cherokees during events leading to the forced removal is extremely sketchy, beginning with their relocation first to military stockades and then to internment camps. Oral tradition is the best source for this information, especially among the native speakers in and around Tahlequah, Oklahoma. Documents may exist among the Cherokees that would provide more information about the removal. Also archives should be thoroughly searched for any diaries or journals kept during the journey.

Historic sites — A systematic archeological survey of historic sites will be conducted to locate removal stockades and internment camps. Sites in the Park Hill area of Oklahoma that pertain to key historic individuals also need to be located, as do campsites, especially along the Mississippi River in southern Illinois.

Historic trails perspective — A historical context will be developed for the forced removal of the Cherokees, including relationships to the other groups that were forcibly removed. The focus of this perspective could be expanded to include tribes besides those in the Southeast (for example, the "long walk" of the Navajo). A comparison with other historic trails used during the 19th century could further complement this research.

Copies of archival documents examined in the course of data gathering should be placed in the libraries of the Museum of the Cherokee Indian in Cherokee, North Carolina, and at the Cherokee National Museum in Tahlequah, Oklahoma.

INTERPRETATION

The goal of interpretation for the Trail of Tears National Historic Trail is to instill an understanding and sensitivity for the trail's history and its resources, to develop public support for preserving the resources, and to provide the information necessary for appropriate, safe, and minimum impact use of the trail resources.

In developing the interpretive program, the National Park Service will cooperate with federal, state, and local entities, especially the Cherokee Nation, to interpret the trail and its resources. The extent to which the Park Service provides assistance will be determined in future interpretive planning.

As part of the overall interpretive program, states will be encouraged to interpret events that are related to the Trail of Tears but that are not recognized as part of the designated routes. This includes the stockades used during the removal in North Carolina, Georgia, Alabama, and Tennessee. The National Park Service will also recognize and discuss the routes taken by the Benge and Bell detachments as well as interrelated trails along the main route. It will also coordinate with local officials in matters relating to interpretation and public information for these routes and trails. In addition, some technical planning assistance may be provided.

Interpretive Theme and Subthemes

The interpretive theme for the Trail of Tears will relate broadly to the evolution and implementation of the U.S. government's Indian removal policy, and specifically to the effect that this policy had on the Cherokee Nation. Even though the Trail of Tears commemorates the tragic experience of the Cherokees, it is also intended to commemorate similar experiences of the other four of the Five Civilized Tribes (the Chickasaw, Choctaw, Creek, and Seminole tribes), as well as other eastern tribes.

The Trail of Tears story consists of a number of interrelated events. The interpretive theme and subthemes identified below provide a framework for explaining how these events fit into the country's overall treatment of its native population, the evolution of U.S. Indian policy, and the nation's westward expansion. These themes will be applicable regardless of which organization, agency, group, or individual manages or interprets a particular site or segment. A separate interpretive prospectus (media plan) will be prepared once the comprehensive management and use plan has been approved.

Trailwide Theme. The proposed interpretive theme is the story of the Cherokee relocation and the context of this tragic event in relation to the removal of other American Indians from their ancestral homelands during the first half of the 19th century.

Subthemes and Interpretive Regions. The main trail theme will be supplemented by various subthemes (see table 4). These themes could be presented anywhere along the trail or at nearby trail-related facilities.

Subthemes 1 and 2 deal generally with the Five Civilized Tribes and the Indians' regard for the land. These themes will provide the foundation for telling the Trail of Tears story and how that story relates to the experiences of other Indian people.

The other subthemes correspond with geographical aspects of the story, such as the ancestral homeland, the forced removal, and resettlement in Indian Territory (see the Interpretive Themes map). Appropriate subthemes for each region are identified below.

TABLE 4: INTERPRETIVE SUBTHEMES FOR THE TRAIL OF TEARS NATIONAL HISTORIC TRAIL

1. The Five Civilized Tribes
- Choctaw
  - Treaty of Dancing Rabbit, 1830
  - Emigration, 1831–32
- Creek
  - Treaty of Washington, 1832
  - Creek War, 1836
  - Forced removal, 1836
- Chickasaw
  - Treaty of Pontotoc, 1832; Treaty of Doakville, 1837
  - Peaceful migration, 1837–38
- Seminole
  - Seminole War, 1835–42
  - Forced removal to Creek territory, 1836–43
- Cherokee
  - Treaty of New Echota, 1835
  - Removal, 1838–39

2. The Indians' regard for homelands vs. the Euro-Americans' regard for land as property
- The native American viewpoint – land belongs to the tribe and not to any individual; individuals have the right to use the land, but they could not sell or give it to another.
- The Euro-American viewpoint – land as a commodity to be owned by an individual, who could use or sell it as desired.

3. Cherokee history
- An overview of Cherokee history and traditions. (This subject is well covered at both the Museum of the Cherokees in North Carolina and the Cherokee National Museum in Tahlequah, Oklahoma.)

4. Treaties with whites
- The oldest Cherokee treaty on record was with the government of South Carolina, signed in picture writing in 1684.
- By 1835 the Cherokees had signed more treaties than any other tribe.
- Nearly every treaty stated that it was to be the last.

5. Events leading to removal
- Frontier conflict between Indians and whites
- Pressure for westward expansion
- Discovery of gold in Georgia
- States' rights issue with Georgia

6. Removal policy
- Evolution of the policy, from Jefferson through Jackson
- Constitutional issues

7. Cherokee response to the removal policy
- Adopted white practices (agriculture, education, Christianity, owning slaves)
- Spoke English, intermarried with whites, invented a written language, published a newspaper.
- Adopted a written constitution based on the U.S. Constitution.
- Fought the removal policy through Congress and the Supreme Court.

8. People associated with removal
- Cherokees: Chief John Ross, Lewis Ross, Major Ridge, John Ridge, Stan Watie, Elias Boudinot
- Whites: Presidents Andrew Jackson and Martin Van Buren, Chief Justice John Marshall, Maj. Gen. Winfield Scott

9. The federal invasion
- 31 stockade forts were built as collection points and detention areas.
- In May 1838, 7,000 U.S. troops invaded the Cherokee nation and made captives of the people.

10. Water route and events
- The route began at Ross's and Gunter's Landings on the Tennessee River, down the Tennessee, Ohio, and Mississippi rivers to the Arkansas River, up the Arkansas.
- A railroad detour was taken around shoals of the Tennessee River in northern Alabama.
- Three detachments (about 2,800 Cherokees total) were moved during the summer of 1838.
- Because of a soaring death rate and extreme suffering, the Cherokees sought permission to direct their own removal.

11. Overland routes and events
- Approximately 13,000 Cherokees, divided into 13 detachments, moved overland during the fall and winter of 1838-39.
- The most used land route took a northern alignment from Charleston, Tennessee, to Nashville, into western Kentucky, across southern Illinois, southern Missouri, and northwestern Arkansas.
- Two routes took slight variations:
  - Taylor headed north from Ross's Landing and joined the northern route in the Sequatchie Valley.
  - Hildebrand left the route in Crawford County, Missouri, and rejoined it near Marshfield.
- Two other detachments followed completely different routes:
  - Benge went from Fort Payne, Alabama, northwest across Tennessee and into western Kentucky, then followed the Natchitoches Trace to northeastern Arkansas and up the White River drainage.
  - Bell went from Calhoun across southern Tennessee and central Arkansas to Little Rock and along the Arkansas River to Fort Gibson.
- Approximately 8,000 Cherokees died as a result of the removal.

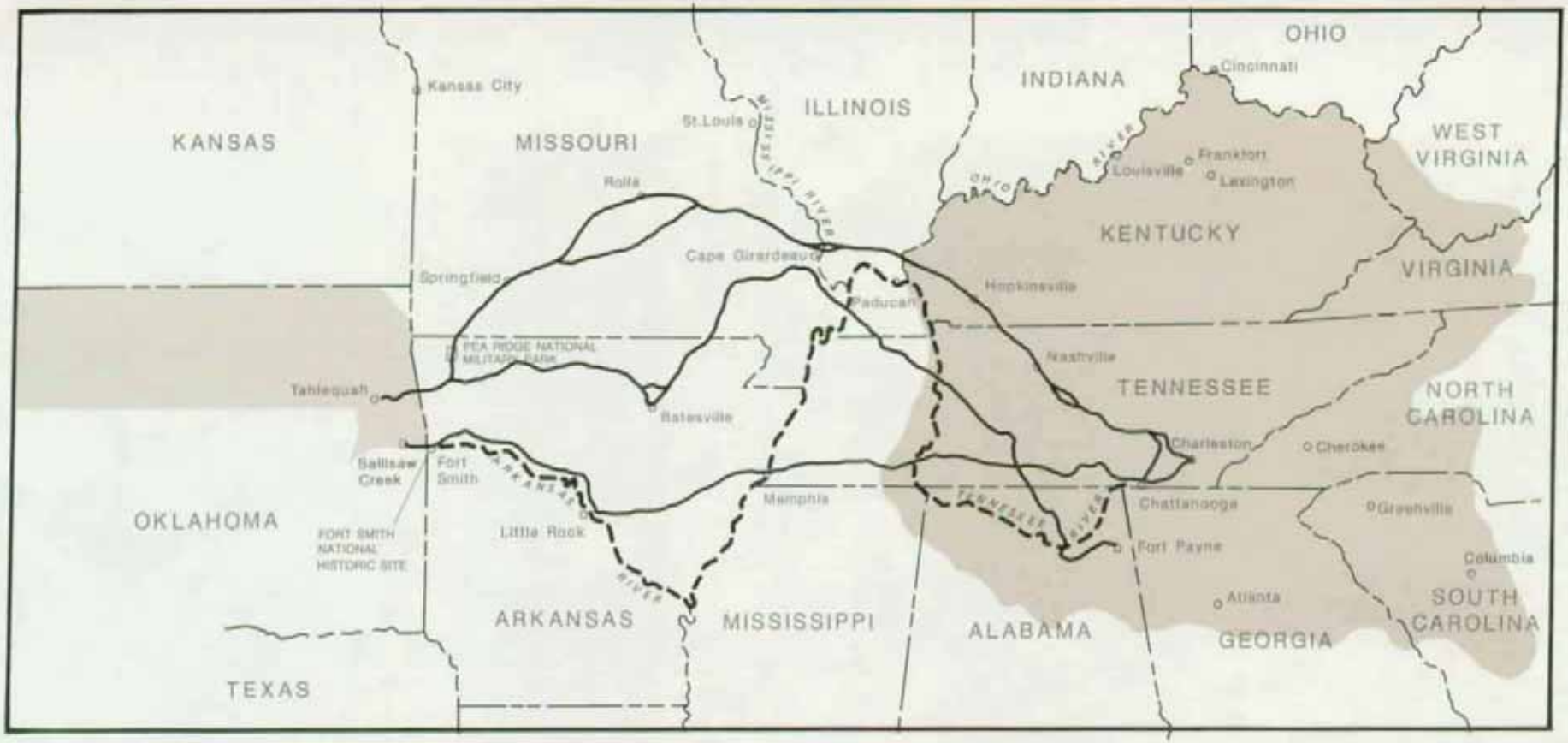
12. Eastern Band
- Many Cherokees in North Carolina resisted the roundup and stayed in their homeland. Other Cherokees legally entitled to lands by earlier treaties also remained.
- Today 56,572 acres in five western North Carolina counties are held in trust by the U.S. government for the Eastern Band of the Cherokees.

13. Life in Indian Territory
- Military protection, food, materials for shelter and schools, and medicine were not always provided.
- Interactions with "old settlers" and factional disputes.
- Interactions and reactions of the Plains tribes to the west.

14. The Civil War and its aftermath
- Treaty Party (Ridge-Watie faction) favored secession, slavery, and the Confederate government.
- National Party (Ross faction) was pro-Union.
- Statehood and citizenship
- Dawes Act

15. The Cherokee Nation today
- Cherokee Nation – Oklahoma
- Eastern Band of the Cherokees – North Carolina

16. Natural history (similarities and differences)
- Environment of the ancestral homelands
- Environment along the Trail of Tears
- Environment in the new Indian Territory



ANCESTRAL HOMELANDS

THE TRAIL OF TEARS

Land Route

Water Route

THE JOURNEY'S END

INTERPRETIVE THEMES

TRAIL OF TEARS

NATIONAL HISTORIC TRAIL

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NATIONAL PARK SERVICE
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ON MICROFILM

Region 1, Ancestral homelands — This region includes Georgia, North Carolina, northeastern Alabama, and eastern Tennessee, which were part of the Cherokee people's original homelands. The Cherokee homeland also included portions of Kentucky, Virginia, West Virginia, and South Carolina. Interpretation for this region will concentrate on subthemes 3–9, along with subtheme 16.

Region 2, Nunahi-duna-dlo-hilu-i, the Trail of Tears: — Region 2 includes Tennessee, Alabama, Kentucky, Illinois, Missouri, and Arkansas, the states traversed during the removal (both land and water routes). The interpretive story for this region will concentrate on subthemes 9–12, plus subtheme 16.

Region 3, The journey's end: Indian Territory (Oklahoma) — The interpretive emphasis for this region will concentrate on subthemes 3 and 13–16.

Interpretive Programs

Various agencies and groups may provide trail interpretive programs at facilities they operate. The National Park Service has an opportunity to help coordinate the overall interpretive program to encourage more firsthand resource experiences and to help maximize educational efforts.

Programs at National Park System Units. Fort Smith National Historic Site and Pea Ridge National Military Park in Arkansas are the two national park system areas most closely associated with the trail. These areas are subject to the laws, policies, and regulations governing the national park system. However, because of their relationship to the trail, the Southwest Regional Office will closely coordinate interpretive programs with these parks.

Fort Smith National Historic Site — Fort Smith, established in 1817, served as a U.S. Army base to maintain peace between the Osage and the incoming Cherokees. Abandoned in 1824, it reopened in 1838 as a supply depot and helped protect settlers in the region. When the army left in 1871, it became the center of the Federal Court for the Western District of Arkansas. Because of its location on the water and land routes of the Trail of Tears and its historical role in Indian affairs, Fort Smith would be a complementary location for interpreting the story of federal Indian policy.

Pea Ridge National Military Park — The Cherokee association with this area is twofold: (1) The major overland route during the removal followed the road between St. Louis and Fayetteville, which in time became the Butterfield Overland Stage Road, and later Telegraph Road; this road was subsequently included in the park. (2) Cherokee troops raised from Indian Territory and under the command of Stand Watie fought in a major Civil War battle on March 7–8, 1862, (this was the only major battle that involved Cherokee troops). The route of the trail and the Cherokee involvement in the war should continue to be part of the interpretation at this park area.

Other national park system units near the trail but not directly associated with the removal (such as Great Smoky Mountains National Park, Wilson's Creek National Battlefield, Arkansas Post National Memorial, Chickamauga and Chattanooga National Military Park, Shiloh National Military Park, and Natchez Trace Parkway) may be willing to distribute information about the Trail of Tears.

Certified Interpretive Facility Programs. The Trail of Tears legislation calls for the

establishment of appropriate interpretive sites or facilities in the vicinity of Hopkinsville, Kentucky; Fort Smith, Arkansas; Trail of Tears State Park, Missouri; and Tahlequah, Oklahoma. The 1986 *Final National Trail Study* recommends the establishment of at least one interpretive facility in each of the nine states through which the trail passes.

Site/Facility Identification — The primary purpose of trail interpretive facilities will be to orient visitors to the trail routes and sites. Each will have a variety of displays and exhibits focusing on the special and unique qualities of that particular site or area. The two criteria used to determine appropriate locations for these facilities are

- a direct and historically significant association with the Cherokees' forced removal in 1838–39
- a location near one of the trail routes

The development and management of interpretive facilities will be the responsibility of various federal, state, local, and tribal entities. The Park Service will not construct or operate such facilities, but it will provide technical assistance and limited financial assistance for resource protection and visitor programs. Interpretation will also be the responsibility of the managing entities. The Park Service may develop interpretive programs in its existing units along the trail, and it will help coordinate the overall interpretive program to avoid repetition and to enhance the visitor experience of trail resources.

The nine states through which the trail passes, along with various groups, can help identify the sites and provide the facilities for interpretive programs. The National Park Service will work with the states through memoranda of understanding (cooperative agreements) to help identify appropriate sites. Based on the two criteria listed above, the following are examples of sites where interpretive programs may be appropriate. Sites designated with an asterisk are described as high-potential sites in appendix B.

Georgia
New Echota Historic Site*

North Carolina
Museum of the Cherokee Indian, Cherokee
Murphy (Fort Butler*)

Alabama
Fort Payne*

Tennessee
Red Clay State Historical Area*
Ross's Landing, Chattanooga*
Charleston
Port Royal State Historical Area
Nathan Bedford Forrest State Historical Area

Kentucky
Trail of Tears Park, Hopkinsville

Illinois
Buel House, Golconda*
Jonesboro

Missouri
Trail of Tears State Park (Green's Ferry*)
Caledonia
Maramec Ironworks*
Springfield

Arkansas
Russellville
Fayetteville
Fort Smith National Historic Site*

Oklahoma
Sequoyah's Home Site
Fort Gibson Military Park*
Cherokee National Museum, Tahlequah

Well-developed interpretive facilities already exist near both the eastern and western ends of the Trail of Tears. Both centers are operated by the Cherokees. The eastern

center is on the Cherokee Indian reservation in North Carolina. It consists of the Museum of the Cherokee Indian, the Oconaluftee Indian Village, and an amphitheater presenting an outdoor drama entitled *Unto These Hills.* The western facility is the Cherokee Heritage Center in Tahlequah, Oklahoma. It consists of the Cherokee National Museum, the Tsa-La-Gi Ancient Cherokee Village, the Adams Corner Rural Cherokee Village (the final period of the old Cherokee nation), and an amphitheater presenting the outdoor drama *Trail of Tears.*

Program Certification — Criteria have been developed for the certification of facility programs to interpret the Trail of Tears. Based on those criteria, the Park Service will provide various levels of interpretive assistance, including technical support and interpretive media. Programs that meet the criteria will be certified as official interpretive components of the trail, and the use of the trail logo will be permitted on their signs and approved materials. The Park Service will work with potential applicants to ensure that they understand the interpretive certification criteria early in their program development. Applicants for NPS assistance and certification will need to show that they can provide the following:

- accurate interpretive information for visitors
- appropriate exhibits, brochures, and other interpretive materials
- appropriate curation of artifacts
- programs and facilities that are fully accessible to and usable by disabled people and that meet or exceed federal standards and NPS compliance requirements
- programs that are open daily according to a regular schedule for at least a season
- clean, well-maintained, and orderly facilities
- facilities that do not impair the integrity of the resources
- new facilities (if proposed) with a harmonious design theme
- programs and facilities that meet local, state, and federal regulations for health and safety, equal employment opportunity, and environmental compliance
- a defined system of financial accountability if special publications or other materials sponsored or provided by the Park Service are to be sold
- operating staff that are familiar with trail history and, as appropriate, personal interpretation techniques

Once the certification criteria for complementary interpretive programs have been met, the National Park Service can provide interpretive assistance according to the categories described below.

(1) Federal (non-NPS), state, or Cherokee interpretive and educational facilities — Such facilities may include those constructed, operated, or substantially supported by state or federal agencies other than the Park Service or by the Cherokees. The Park Service can provide technical assistance for interpretive planning, design, or curation; allow its publications to be sold; or provide exhibits or other media appropriate for the site.

The extent to which media can be provided will depend on future NPS interpretive planning and consideration of the following factors: the site's historical significance to the trail; its outdoor interpretive/recreational values; its resource integrity; its location relative to similar

state or federal facilities and programs; its ability to convey trail themes and to educate and reach the public; its proximity to actual trail resources; and its ability to contribute to interpretive program balance between different sites.

(2) Local and regional nonprofit interpretive and educational facilities — This category includes nonprofit facilities run by cities, counties, or regional entities. The Park Service may provide technical assistance or, on a cost-share basis, a modular exhibit with a trail overview and local site information. If the site qualifies, NPS-sponsored publications or materials could be sold.

The official certification of an interpretive facility program means that particular program will be publicized through trail information programs. Certification will be subject to renewal on a three- to five-year basis, dependent on the satisfactory performance of the terms of the agreement. A program that is not recertified will no longer be listed in trail information programs, and trail markers for the area will be removed.

Interpretive Media and Outreach Activities

The interpretive program will use a variety of media to cover the essential elements for the Trail of Tears National Historic Trail.

Wayside Exhibits. The National Park Service will help develop an interpretive wayside exhibit system at appropriate points along the trail. A standardized exhibit design will be used to reflect the essence of the Trail of Tears and to help reinforce the public perception of all sites being related to the removal story.

Publications. A vital part of the interpretive program will be to provide visitors with useful and accurate publications about the Trail of Tears and this episode of American history. Many fine publications already exist about the Trail of Tears, the Cherokees, the Five Civilized Tribes, and the overall history of Indian removal; however, two publications specific to the Trail of Tears will be developed.

The first publication is a trail brochure with a map of the designated trail route, including significant sites along it. The brochure will give an overview of the trail story and will provide some basic visitor use information.

The second publication is a trail handbook that briefly describes Cherokee history and events leading up to the removal. It will show the trail route and will give detailed information about historic sites, historical events associated with the trail, and finally a user's guide to points of interest, activities, and resources.

These publications may be developed by the National Park Service or by cooperating associations. They should be available at all interpretive facilities along the trail, as well as directly from the various managing agencies.

The National Park Service will encourage the development of commercial publications and provide assistance where possible. Such publications will include an auto tour travel guide and a history of the removal. Supplementary publications, as well as audiocassette tapes, compact discs, and videotapes, will also be encouraged as the need arises.

Audiovisual Media. A major video production will be undertaken and will orient visitors to the trail. It will probably be shown at all designated interpretive facilities and museums, as well as at schools and meetings of civic organizations. More site-specific audiovisual programs may be produced for major sites along the trail (several already exist), and these could also be used for outreach activities.

Traveling Exhibits. The National Park Service will develop small, portable exhibits to tell the story of the Trail of Tears. They will be available for display at appropriate locations along the trail, as well as for special events connected with trail history.

Outreach Activities. Outreach activities will consist of programs given by qualified personnel at local schools and civic organizations, along with publications. These activities will supplement programs at interpretive facilities and trail sites. Offsite educational programs will be aimed at people living along the trail corridor, especially those whose heritage has somehow been influenced by the historic events, as well as those who can help to further the purposes of the national historic trail. The National Park Service will encourage others to develop and sponsor special interpretive/educational programs for presentation along the trail.

VISITOR USES ALONG THE TRAIL

The Trail of Tears was established not only to commemorate the historical significance of this tragic story, but also to give people an opportunity to learn what happened and to visit important sites. Visitors should have opportunities to hike, bicycle, ride horseback, or tour by wagon or vehicle.

To make it easier for visitors to follow the trail route, an auto tour route will be established, and appropriate visitor use facilities — perhaps including interpretive facilities, wayside exhibits, signs or markers, highway pulloffs, comfort stations, and parking areas — will be encouraged.

Walking/Hiking and Horseback-Riding Trails

Unlike a number of trans-Mississippi trails, which went overland, the Trail of Tears followed existing roads and river routes. To experience the conditions of the Cherokee removal, modern-day visitors should approximate 19th century forms of travel (walking, horseback riding, wagons). However, this is somewhat difficult to achieve because of the hazards of walking or riding along public roads. In addition, although the use of a recreation trail paralleling the roads is a possibility, approximately 98% of the land corridor on either side of the national historic trail is privately owned, and agreements would be needed with landowners to allow this use.

A few scattered areas along the land route pass through national forest areas or state parks and could provide a sense of the 19th century passage of the Cherokee people. One such example is Trail of Tears State Park, Missouri.

In cooperation with private landowners and state and local governments, the National Park Service will identify segments paralleling the historic route where opportunities to retrace the Cherokees' journey can be offered. Once the segments are identified, arrangements will be discussed with private landowners to allow for use by walkers, hikers, wagons, and horseback riders. Techniques could range from cooperative agreements for public access to the purchase of rights for visitor use in fee or less-than-fee.

Several segments along the northern route are reminiscent of what the Cherokees would have seen in 1838–39 (see table B-1 in appendix B). All of the segments are public roads, but they are unimproved. Through cooperative agreements with local authorities, opportunities for visitors to walk, hike, ride horseback, or take wagons could be offered.

Along the Trail of Tears water route there are many publicly owned lands — Tennessee Valley Authority, U.S. Army Corps of Engineers, and some state recreation areas — that resemble the 19th century landscape.

Again through cooperative agreements with land-managing agencies, the National Park Service could arrange for public access so that visitors would have opportunities to experience the setting along the water route by walking, hiking, horseback riding, or taking wagons. Some areas, such as Nathan Bedford Forrest State Historical Area in Tennessee, Melton's Bluff in Lawrence County Park, Alabama, and the Cadron public use area managed by the Corps of Engineers near Conway, Arkansas, may also lend themselves to wayside exhibits or facilities noting the trail.

There is also the possibility of establishing commemorative trails in areas near the historic trail routes.

In cooperation with the Tennessee Valley Authority and the U.S. Army Corps of Engineers, the Park Service will also identify stretches of river that resemble the river corridors of the 19th century. These stretches will be marked for recreational boaters so they have the opportunity to experience a part of the Cherokees' journey.

Where appropriate, accessible trails for visitors with disabilities will be developed on both the land and water routes.

Rules and other information will be provided on posted signs, at wayside exhibits, or in handouts along walking and riding trails. (General trail use guidelines are included in appendix C.) Landowners who are willing to share their resources with the public will be given recognition for their generous contributions.

Auto Tour Route

The auto tour route, which will be designated along existing all-weather roads, will parallel as closely as possible the northern route of the Trail of Tears. Signs displaying the trail logo will be placed at appropriate locations along the route (see "Trail Marking Procedures," page 47). Occasionally the auto tour route will cross the historic route, but generally users will need to rely on more detailed maps to show the actual route.

Each state tourism department will be encouraged to publicize and show the historic trail and the auto tour route on official state highway maps. The National Park Service will help define an effective relationship between its interpretive and public information responsibilities and the public relations activities that are beyond its authorities, but that are within the purview of state and local governments, as well as business interests.

The National Park Service will facilitate bringing together representatives of each of the nine trail states for the purpose of coordinating cooperative efforts to commemorate the Trail of Tears. The Park Service could assist activities of this group by

- coordinating NPS interpretive efforts with trail-marking programs
- providing assistance so that states have accurate information about trail routes and related sites
- providing trail brochures or other materials
- informing states how to obtain NPS permission to use the official trail marker symbol for appropriate purposes

Actions undertaken by the states to assist the National Park Service could include

- helping the Park Service and through it other site-managing entities to encourage appropriate visitor use of trail resources, especially those on private property
- helping control public information about the trail and related sites so as to pro-

tect less developed or fragile resources from overuse and adverse impacts

- helping protect and enhance visual quality along the trail

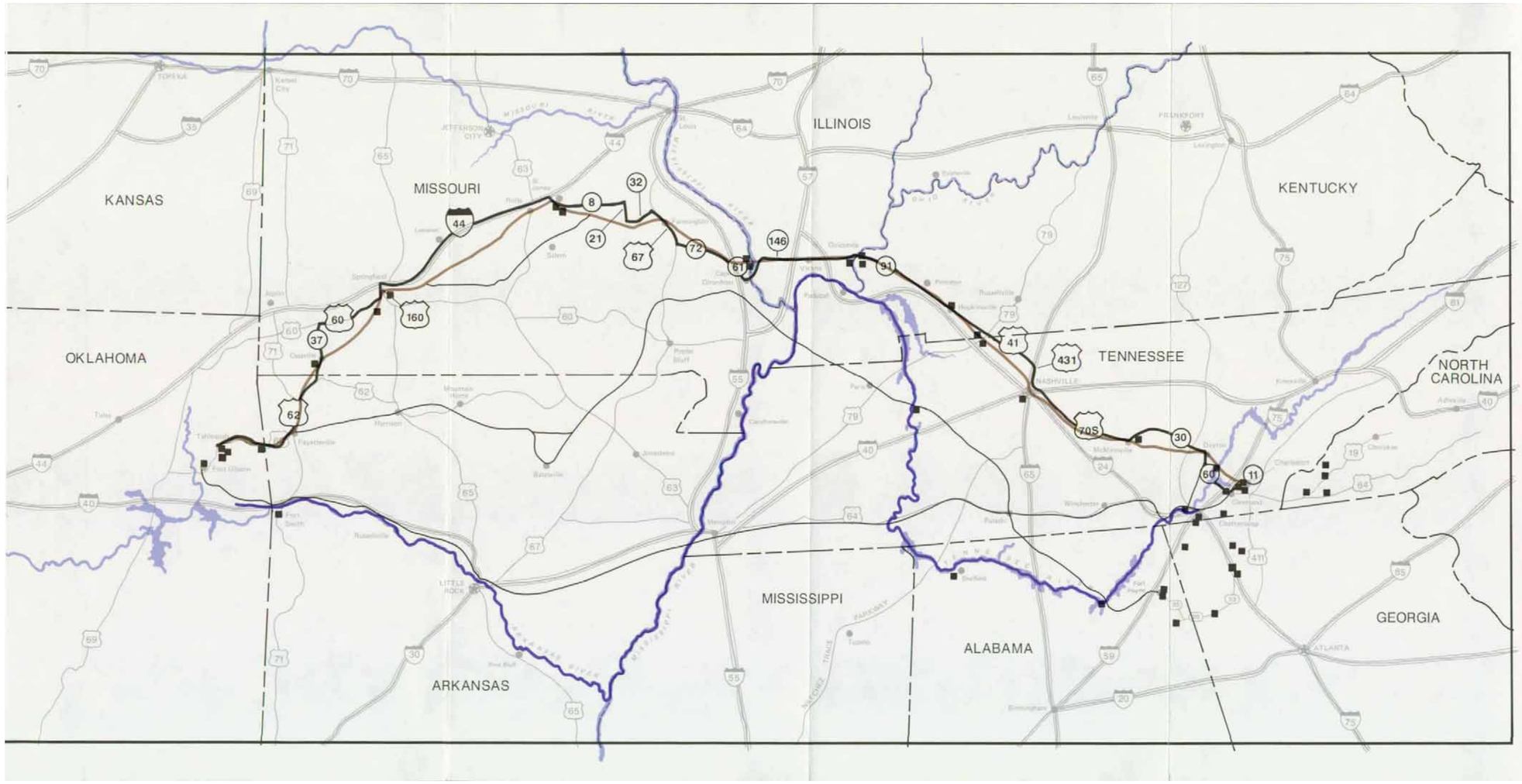
The states could also provide for a coordinated series of regionally oriented auto tour route brochures that give visitors more detailed information about the route, as well as nearby tourist support services. Other activities could include walking or driving tours of state and local areas of interest.

The National Park Service will also assist states in identifying sites that are related to events leading up to the removal but that are not actually on the route of the national historic trail or the auto tour route. To recognize the significance of these sites, the Park Service will encourage states to designate historic byways that connect with the auto tour route. For example, New Echota in Georgia and Fort Murphy in North Carolina are associated with events leading up to the removal. If highways near these sites, such as I-75 and U.S. 411 in Georgia and U.S. 74 in North Carolina, were designated as Trail of Tears historic byways, then such designations could be publicized with the auto tour route information.

LIABILITY

Recreational liability on private lands is addressed in state legislation to protect landowners from liability due to the use of their holdings by the public for camping, hiking, sight-seeing, or any other recreational activity. These provisions usually apply only when the public uses private lands without charge or other consideration.

Also the Volunteers in the Parks Act of 1969 provides a means for the federal government to protect cooperating landowners and others who volunteer to help with trail management, use, and resource protection from liability claims. Any private property damage that is caused by trail users cannot be compensated by the federal government.



AUTO TOUR ROUTE

NORTHERN (LAND) ROUTE

WATER ROUTE

OTHER ROUTES

HISTORIC SITE

NORTH

0 10 20 30 40 50 MILES APPROXIMATE

AUTO TOUR ROUTE

TRAIL OF TEARS
NATIONAL HISTORIC TRAIL

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