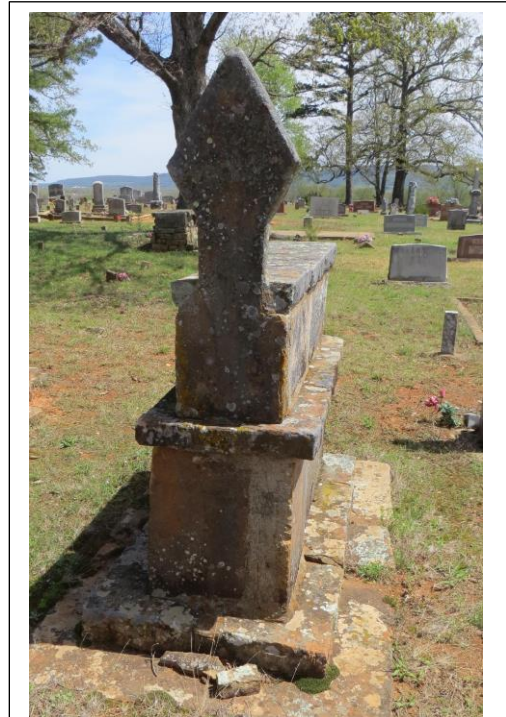


# **Indian Spirit Houses or Grave Shelters, A Custom Disappearing from the Native American Way of Life**

**Don & Diane Wells**

## **INTRODUCTION**

On our visit to Arkansas several weeks ago, we stopped to have lunch with Peggy Thompson at her Ferguson's Country Story in St. Joe, AR. In our conversation, we mentioned that our next Indian historical newspaper series we were currently writing is on Indian Rock Structures. Peggy mentioned she had recently visited a nearby cemetery which had unique rock grave structures that may be related to the Indians who had occupied that area. The existence of these grave structures intrigued us so off we went for a visit to the Canaan Cemetery in Searcy County, AR and to an old town, Snowball, which existed in the early 1800's near the graveyard. The grave structure in the Canaan Cemetery shown on the right piqued our interest as we had never seen one like this before. In the cemetery, there are approximately ten of these graves structures mostly in a row with a few nearby. The names on the graves for the most part can no longer be read but one grave structure had an additional grave stone indicating the person buried there was also a Civil War Soldier, Gibson Parks.



**Canaan Cemetery Grave**

Nothing can be found in the cemetery indicating that the structural grave is that of an Indian. When Peggy toured the cemetery previously, the person giving the tour said that this could not be an Indian grave because the Indians had all left before the cemetery existed. However, standing next to Peggy was a lady who commended to Peggy that this was indeed an Indian grave that belonged to her people and that they all did not leave Searcy County during the removal. Further, when we posted a picture of the Canaan Cemetery graves on our Mysterytrees Facebook page, we got a comment from a lady that said this was an Indian grave. With little documentation or resources to ascertain the grave was Indian, we decided it was time to do more research to satisfy our curiosity and determine for our own self whether or not this was an Indian grave.

A question that needed to be answered first was whether these type graves only existed in the Canaan Cemetery or were there more in other old cemeteries in Searcy and surrounding counties. Peggy Thompson started driving the back roads and visiting the cemeteries. Her findings showed that similar rock structure graves did exist in other cemeteries but not exactly like those found in

Canaan. However, these graves were of such similar construction, they no doubt were possibly following a similar burial custom which is uncommon to the majority of graves in these cemeteries.



**Bear Creek Cemetery**



**Rock Structure Grave**



**McClaroy Cemetery**



**Roland Cemetery**

Since this grave structure custom was widespread in this part of AR and very different from the normal graves, our next task was to determine if these were Indian graves as mentioned by several people and secondly, was this custom practiced by the Indians in the past but no longer practiced in this area since no recent graves were being found in our research. Learning which Indians had lived in this area was our next task.



**Witts Springs Cemetery**

## **WHICH INDIANS LIVED IN SEARCY COUNTY?**

Before the US Government bought the Louisiana Purchase, the area was originally claimed by the Spanish who later sold it to the French before it was purchased by the US in 1803. The area which became Arkansas was originally under the control of the Osage Indians who used this area as hunting grounds. Their villages were located in the area which is now southern Missouri. After the Revolutionary War, some Cherokees saw that their way of life was about to change for the worst and in 1790 they received permission from the Spanish governor to move to what is now Arkansas. They lived along the St. Francis River in eastern Arkansas. As conditions continued to further deteriorate for the Indians in the SE, in 1807 and 1808, more Cherokees moved to Arkansas. These Cherokees lived along the Arkansas River. In 1808, the US Government convinced the Osage to cede their claims to the Arkansas territory so that land could be used to move more Indians west of the Mississippi River. Although the Osage ceded these lands, they believed they still had some rights to hunt on them for specific game. Nine years later in 1817, the government signed the Turkeytown Treaty with the Cherokees in which the Cherokees ceded some of their lands in the SE for land in Arkansas. That land was north of the Arkansas River and south of Missouri bounded on the east mostly by the White River and the west by a line drawn in the NE direction from Fort Smith to Missouri. The Osage were very unhappy that their lands were being given to the Cherokees and they became enemies.

The Cherokee living along the Arkansas River in southern Arkansas invited the Shawnee and Delaware tribes to move into their northern territory to serve as a buffer between them and the Osage. The Shawnee and possibly some Delaware's moved to the present day location of Yellville, AR near the White River. The original name for the town was Shawneetown. Historical accounts also mention that some Shawnees and possibly Delaware moved south of Shawneetown and occupied the areas of Richland, Café, and Bear Creeks which are in current day Searcy County near the Canaan Cemetery. These creeks all flow NE into the Buffalo River which in the early 1800's was known as the Buffalo Fork of the White River.

Approximately 8.5 miles SE from the Canaan Cemetery is the historic town of Leslie, AR. Cherokee Indians lived in this area. The original name for Leslie was Wiley's Cove and it is said to have been named after Chief Wiley who occupied this area in the early 1800's. Also, Peggy knows some of the residents of Witts Springs and Tilly along the Bear Creek area in SW Searcy and adjacent Pope County, AR who told her their ancestry was Cherokee. If we interviewed some of the residents in this part of AR, we think we would find more families with Indian heritage.

The Cherokee and other Indians lived in the area of the Arkansas territory peacefully until the government once again wanted them to move in order to make room for settlers who started moving into the Indian Territory long before they had permission. In 1828-9, the government forced the Indians to cede their right to Arkansas and moved them into OK. Some did not want to go to OK and went to Texas. Although the government began to survey the land in the early

1830's it was not offered for sale until the 1840's. Arkansas became a state in 1836. As soon as possible those remaining on the land after the Indians had departed began purchasing the land which is recorded in the Government Land Office records for AR by Township-Range sections of land. Township 14N – Range 16 W in Searcy County includes the area of the Canaan Cemetery and along Bear Creek. Gibson Parks purchased a lot of land in the area beginning in 1844. He is listed in the land records as Gibson Parks and as HA KA TE MAH which is an Indian name. Shown to the right is his gravestone marking his stone structure grave to indicate he served and died in the Civil War.



In the Government Land Office records for the area within fifteen miles radius around Canaan Cemetery, a number of land owners are listed by their Christian name as well as an Indian name. A check of some genealogical records indicates these people were listed as white, but, they are also listed on the early land records with an Indian name. So why was the Indian name included on the land deed? While it is likely that some Indians of the Cherokee, Shawnee and possible Delaware tribes remained in the area of Searcy County area and are in fact buried there in these unique stone grave structures, the answer to why the Indian names were on the deed turns out to be yet another example of the fraudulent and unscrupulous land deals that occurred to the Indians as a part of removal Treaties. In researching the Indian names on the land deeds in Searcy County we determined they are not related to the Cherokee, Shawnee, or Delaware living in that area. They are Choctaw.

### **TREATY OF DANCING RABBIT CREEK**

The Choctaw's signed the first treaty for removal of the Indians in the southeast in 1830 soon after the 1830 Removal Legislation was signed into law. The Choctaws ceded their rights to all of their lands in Mississippi and Alabama and agreed to be moved to Oklahoma. As a part of this treaty, Article 14 and 19 of that treaty however allowed any Choctaw who wished not be removed and who would declare their agreement to become a U.S. citizen would be granted a section of land. Article 14 stated, "Each Choctaw head of a family, being desirous to remain, and become a citizen of the States, shall be permitted to do so, by signifying his intention to the agent within six months from the ratification of this treaty, and he or she shall thereupon been

titled to a reservation of one section of six hundred and forty acres of land, to be bounded by sectional lines of survey; in like manner, shall be entitled to one half that quantity, for each unmarried child which is living with him, over ten years of age, and a quarter section to such child as may be under ten years of age to adjoin the location of the parent. If they reside upon said lands intending to become citizens of the States, for five years after the ratification of this treaty, in that case, a grant of land in fee simple shall be issued; said reservation shall include the present improvement of the head of the family, or a portion of it. Persons who claim under this article shall not lose the privileges of a Choctaw citizen, but if they ever remove are not to be entitled to any portion of the Choctaw annuity.” Those Choctaw’s who agreed to become U.S. citizens were given what became known as a Choctaw Certificate or Choctaw Scrip. As with other treaties that included this provision, there were delays in providing this land to the Indians because it had not yet been surveyed by the Government Land Office. In fact a lot of the land was not surveyed until the mid-1830’s and in many cases was not even ready for sale until the mid-1840’s. Thus, it was as long as 15 years in some cases before this treaty provision could become a reality. During that time, many of these Choctaws had died and could no longer acquire the property themselves.

Carolyn Yancey Kent of Jacksonville, Arkansas wrote an excellent report on what occurred with a lot of the Choctaw Scrip. In her report she wrote, “The scrip certificates for the half issued to the removing Choctaw was not for specific parcels of land and could be redeemed only in the public land states of Alabama, Arkansas, Louisiana, and Mississippi. The findings of the various commissions dealing with this problem were that 1,150 heads of families and their 2,683 children were eligible to receive scrip. If the original Choctaw eligible for scrip had died by 1845, their heirs became eligible to receive those Choctaw Scrip certificates. The changes to Article 14 and the findings from various commissions from 1842 to around 1859 presented a very confusing picture to the average Choctaw. Adding to the confusion, individuals presented themselves as agents for the Choctaw in Mississippi (many under fraudulent circumstances), alleging that they were entitled to claim the scrip of some Choctaw. The Choctaw were often paid values far less than the true value of their scrip and land speculators frequently rode the steamboats transporting the Choctaw west, or waited at the landings, ready to have the Choctaw assign their Choctaw Scrip over to them.”

Ms. Kent went on to say, “Almost every county in Arkansas had some land purchased with Choctaw Scrip. Land speculation was big business. John M. Ross, the largest Arkansas speculator, cashed in scrip for 16,910 acres of land. The second-largest speculator, Joseph Holcomb of Searcy County, cashed in scrip for 7,680 acres.” An inspection of many of the land deeds (patents) in Searcy County which also included an Indian name, were in fact acquired using a Choctaw Land Certificate. How each was obtained is not known, but from what Carolyn Kent’s research showed, many may have been obtained fraudulently or at a far less cost than the property was worth at the time of the sale. As was mentioned early in this report, the grave of Gibson Parks has the Indian name of HA KA TE MAH as part of his deed certificate. An

inspection of his land deed shows he used Choctaw Certificate 362 to obtain his land on 1 April 1857.

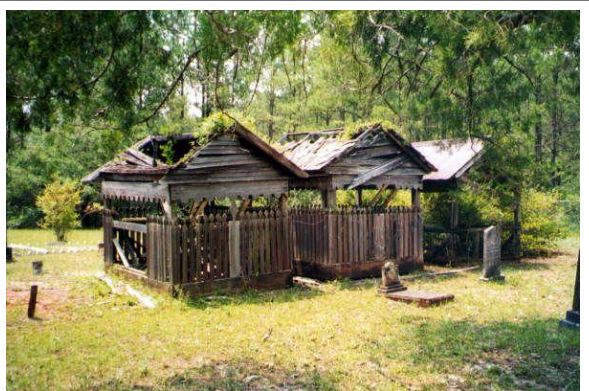
The practice of fraudulently obtaining land certificates given to the Indians as part of treaty negotiations did not occur only with the Choctaws. In 1832, the Creek Indians negotiated the Treaty of Cusseta in a desperate attempt to save what was left of their Nation in Alabama from being overrun by white squatters. Creek heads of family received a 320-acre reserve of land while 90 headmen received a tract of 640 acres. Whites continued to be a problem after 1832, however, because land speculators based primarily in Alabama and Georgia cheated many of the Creek out of their reserves by various means of fraud.

Having determined that the Indian names on the land deeds (patents) are not related to the individual land owners, the question that remained is who is buried in these stone structure graves. The only name we have on a grave is Gibson Parks whose land patent was obtained from a Choctaw certificate. Yet, he is buried with in a stone structure grave like many others in that area of AR. So what are these graves and what do they represent? A search of the internet for information about these type graves was obviously our next task.

## **INDIAN SPIRIT HOUSES OR GRAVES**

We believe we are correct about these unique stone structures being of Indian heritage but we needed to prove our assumption. Having never seen a grave structure like this before, we were left with some questions as to where to start looking for information. Since many of the structures had the appearance of being a house-like, the term “Indian grave houses” was where we initially started. That led us to “gravehouse, graveshelter and spirit house” and with those terms, the understanding of these structures became a reality.

Many Indian cultures believed it was important to provide a protective shelter over the grave of their deceased relative and that this structure should have certain characteristics. Mrs. Erwin A. Watson in the Oklahoma Chronicles in a history of *Creek Indian Burial Customs Today*, wrote, “Many modern Indians still build a covering, which they call a grave house, over the grave. The small house is a little larger than the grave and about two feet high, having a gabled roof. Some of the structures are wood and are covered with shingles, while some are of concrete and are flat on the top. Some families put tomb stones at the head and foot of the little house. Often the picture of the deceased is placed on the headstone.”



**Creek Indian Spirit House**

When all else fails, the best source of information is the elders. I called Sam Proctor, elder of the Muskogee-Creek Nation who told me they indeed did use grave shelters on some of their graves but mostly in the past. He said his mother's and father's graves are covered with a grave shelter.

In researching this custom, it was determined that Indians from Alaska to Florida have used grave shelters or spirit houses over their deceased for hundreds of years.

The St. Nicholas Orthodox Church in Eklutna, Alaska, is filled with more than 100 colorful burial sites. These fantastic spirit houses, each about the size of a large dollhouse, are created by the decedents of the deceased. Eklutna is located at the head of the Knik Arm of Cook Inlet at the mouth of the Eklutna River, about 25 miles outside of Anchorage, Alaska. The site of many Athabascan Indian villages about 800 years ago, Eklutna is, today, filled with people who are descendants of the Danaina tribe. Russian Orthodox missionaries arrived in the area around 1830 and the two communities slowly became one.

In Florida, the Creek Indian Spirit Houses have a different appearance than those in Alaska. Seen in the picture to the right, these houses are more like a fenced in area with a gabled roof overhead. To the right, see the grave house located in Fort Walton FL. with the distinctive center fence post which looks remarkably like the markers on the Canaan Cemetery graves.

From Alaska to Florida, the Indian Spirit Houses have a variety of configurations but



**Grave Houses in OK**



**Alaska Indian Spirit Houses**



**Ft. Walton, FL Grave House**

most are a gabled roof structure surrounding the grave. Some of these structures are flat rock or concrete formations. Cindy, of Seminole heritage wrote about the ones she found in OK seen on this page.



**Wooden Grave Houses, OK**

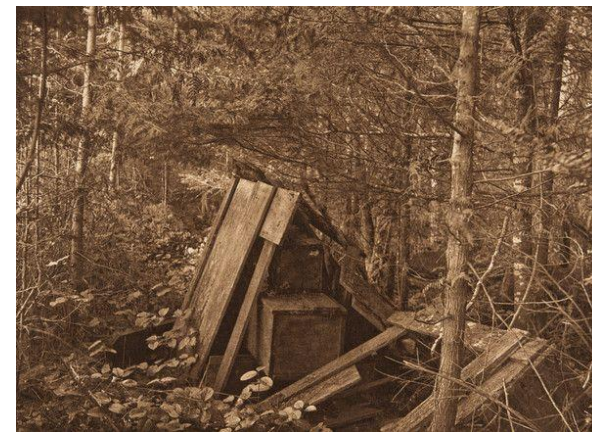


**Wood and Slab Grave Houses, OK**

Other grave houses have been found in Minnesota, Michigan, Central US and some related to the Ojibwa, Pinery, Snohomish and other Indian Tribes.



**Ojibwa Grave Houses**



**Snohomish Grave House**

A recent discussion of this topic with Stan Cartwright of Merriwether County, GA, we learned that grave house have been used on some of the graves in that county. These grave houses are larger than those previously seen and are of better construction.

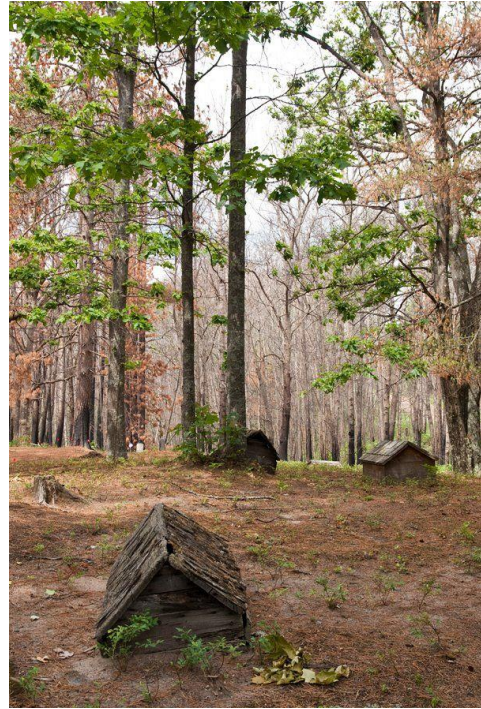


**Central US**





**GA Grave Houses**



**Michigan Grave Houses**

## **CONCLUSIONS**

Based on the overwhelming evidence that many Indian tribes customarily built grave houses or spirit houses over the graves of their deceased, it is probable that the unique stone structures in the Canaan and other cemeteries in Searcy and surrounding counties in Arkansas are Indian graves that are unique to the Indians that remained in that area after the removal.

A YouTube video covering Spirit Houses around the world can be viewed here:

[www.youtube.com/watch?v=UguCPKQQ6Q0](http://www.youtube.com/watch?v=UguCPKQQ6Q0).