

Ky Dept Archives - 7/24/24
12:30

Nov 1940 -

These are my flag
things, look at them
enjoy them as I have
done. But see that
they are all well
kept in this new
Blue Lick Battlefield
State Park Museum.

W. J. Curtis,
Guns Pistols Indian relics
Battle dishes & etc. W. J. C.

Exhibit A

Kentucky Historical Society

EXECUTIVE COMMITTEE

MRS. WM. B. ARDERY GEORGE L. FOWLER
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MRS. JOUETT T. CANNON DR. W. R. JILLSON
CASSIUS M. CLAY MRS. W. T. LAFFERTY
MISS ANNIE BELLE FOGG J. ADGER STEWART
MRS. ELEANOR H. OFFUTT



Old State House

FRANKFORT, KENTUCKY

OFFICERS

PRESIDENT EX OFFICIO—GOV. EARLE C. CLEMENTS
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SECOND VICE PRESIDENT—DR. W. R. JILLSON
THIRD VICE PRESIDENT—CASSIUS M. CLAY
HISTORICAL RESEARCH—MRS. JOUETT T. CANNON
MUSEUM CURATOR—MISS LOCKETT SMITH
LIBRARIAN—MISS IVA HARDIN

SEC'Y.-TREAS.—BAYLESS E. HARDIN

September 4, 1948

The attached sheet reveals the appraisal of the collection at the Blue Licks Museum, with the exception of the collection of Glass ware and the Hunter collection of bones. Other items not mentioned are of little value and would be absorbed in the total appraisal.

For a definite settlement, the collection should be separated into 3 parts - (1) the part the State might claim (2) the part Mr. Curtis might claim (3) the part that might be eliminated as of no value.

It would be well to talk to Mr. Curtis, for he has been faithful to Blue Licks and responsible for its establishment and development. He should be shown, however, that the State built the museum and his house, and paid him a salary to build up and take care of the collection. Much of the collection would not have come to him had he not had such a connection. Because such objects came to him indicates his worth and ability as a good curator.

Mr. Curtis wants the collection to carry him through until his death. Perhaps it might be "rented" by the State at a reasonable amount per month until his death, providing that an agreement be made that it would then become the property of the State.

Respectfully submitted

Bayless E. Hardin
Bayless E. Hardin

Exhibit B-1

B I L L O F S A L E

Know all men by these presents, that W. J. Curtis of Mt. Olivet, Robertson County, Kentucky, the grantor, for the consideration of Fifteen Thousand Dollars (\$15,000.00) paid by the Commonwealth of Kentucky, the Division of State Parks and for the use and benefit of the Division of State Parks, the grantee, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, transfer and deliver under the said grantor, the Commonwealth of Kentucky, for the use and benefit of the Division of State Parks, the following described goods and chattels, to wit:

All of a collection of relics, guns, artifacts and other items in a collection owned by W. J. Curtis and which are now located at Blue Licks Battlefield State Park, a complete inventory and itemized statement of which is made and attached hereto and made a part hereof and marked "Exhibit W.J.C." for identification.

To have and to hold the same unto the said grantor, its executors, administrators and assigns forever.

And the said grantor hereby covenants to and with said grantee that said grantee is the lawful owner of the above described goods, chattels, and relics; that the same are free from all incumbrances whatsoever; that said grantor has the good right to sell the same as aforesaid; and that said grantor will warrant and defend the same against all lawful claims and demands whatsoever.

Exhibit B-2

In witness whereof the said W. J. Curtis has hereunto set his hand the 31st day of January, 1949.

W. J. Curtis

WITNESSES

Chas. Beasley
J. J. Watson

STATE OF FLORIDA
COUNTY OF Oceola

I, W. H. Millson, a Notary Public within and for the county and state aforesaid, certified that the foregoing bill of sale from W. J. Curtis of Mt. Olivet, Robertson County, Kentucky to the Commonwealth of Kentucky for the use and benefit of the Division of State Parks was signed and acknowledged before me by W. J. Curtis to be his act and deed in due form of law.

Given under my hand and Notarial Seal this the 31st day of January, 1949.

My commission expires the day of February, 1950.
Notary Public, Robertson County

Approved as to legality of form

A. E. FUNK
ATTORNEY GENERAL

By Guy L. Dickinson
GUY L. DICKINSON
ASSISTANT ATTORNEY GENERAL

Exhibit B-3

From: Miranda Panther <mirapant@ebci-nsn.gov>
Sent: Tuesday, January 31, 2023 10:55 AM
To: Spence, Jennifer L (PARKS) <Jennifer.Spence@ky.gov>
Subject: Re: Blue Licks Pioneer Museum NAGPRA Draft Notice

Hi Jennifer,

I will ask our IT department to make sure your email address is white listed so you don't have any trouble with the emails. No worries on the typo, I'm certainly familiar with those! Lol. I was pretty confused when I used TDAT yesterday because the UKB should definitely be on there for Franklin County as well as the Shawnee tribes. I went to National NAGPRA's site, and checked out the different resources about treaties and land cessions and it was very difficult to navigate. I'm going to do some work on my end to figure out an easier way to search. Could you ask Tonya if she knows off hand what treaty or records she has for their occupation in Kentucky? I'll keep doing some digging. Thanks!

From: Spence, Jennifer L (PARKS) <Jennifer.Spence@ky.gov>
Sent: Tuesday, January 31, 2023 9:32 AM
To: Miranda Panther <mirapant@ebci-nsn.gov>; Miranda Panther <mirapant@nc-cherokee.com>
Subject: Blue Licks Pioneer Museum NAGPRA Draft Notice

Hi Miranda,

For some reasons, my emails to you keep getting blocked, so I am going to try to send this to you again!

Thank you for your edits on the draft notice, and I apologize for misspelling EBCI. That was certainly a typo.

Can you direct me to sources that show which tribes had original aboriginal land in various parts of Kentucky? I aim to be tribally inclusive. There is still a lot I need to learn, so I apologize for leaving anyone out. The TDAT is what National NAGPRA directed me to, and I was confused why the TDAT did not list the Shawnee. Celise Chilcot-Fricker, NAGPRA Coordinator for the Webb Museum, provided me with her list of tribal contacts for Franklin County, whom I mentioned in my email. I reached out to everyone on Celise's list to start a consultation.

I will get to work on the second notice. For that one, I will summarize the number of objects and types and show which ones are from a Fort Ancient site.

Jennifer

Jennifer Spence, MMSt
Parks Museum Curator
KY Department of Parks
Mayo-Underwood Building, 5th Floor
500 Mero Street
Frankfort, KY 40601
(502) 892-3339
jennifer.spence@ky.gov
www.parks.ky.gov

Exhibit C-1



Also, there is a reference in our 1942 museum records to "many of the pipes were in the graves." I do not know which ones specifically. There are six on my list. Should I include all in the notice as *unassociated funerary objects*?

I aim to be very thorough in my notice and appreciate your guidance on my questions.

Thank you.

Jennifer

From: Tonya Tipton <tonya@shawnee-tribe.com>
Sent: Tuesday, January 31, 2023 11:38 AM
To: Spence, Jennifer L (PARKS) <Jennifer.Spence@ky.gov>
Subject: RE: Blue Licks Pioneer Museum NAGPRA Draft Notice

Jennifer,

I don't believe there are any treaties for the area due to the time period. However, there are a number of sites in Franklin county that is in the Fort Ancient area, which is a known Shawnee area of occupation.

In particular, Eskippakithiki, which was a known Shawnee village.



Tonya Tipton
TRIBAL HISTORIC PRESERVATION OFFICER

Phone (918)542-2441 ext 103
Email: tonya@shawnee-tribe.com

29 S Hwy 69A
Miami, OK 74354

Shawnee-tribe.com

From: Spence, Jennifer L (PARKS) <Jennifer.Spence@ky.gov>
Sent: Tuesday, January 31, 2023 10:15 AM
To: Tonya Tipton <tonya@shawnee-tribe.com>
Subject: FW: Blue Licks Pioneer Museum NAGPRA Draft Notice

CAUTION: External email. Do not click links or open attachments unless you are confident the content is safe.

Hi Tonya,

Would you know off hand what treaty or records your office has for Shawnee occupation in Kentucky? Please see the message from Miranda below. Thank you.

Jennifer

Exhibit C-2

Also, there is a reference in our 1942 museum records to "many of the pipes were in the graves." I do not know which ones specifically. There are six on my list. Should I include all in the notice as *unassociated funerary objects*?

I aim to be very thorough in my notice and appreciate your guidance on my questions.

Thank you.

Jennifer

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To: Spence, Jennifer L (PARKS) <Jennifer.Spence@ky.gov>
Subject: RE: Blue Licks Pioneer Museum NAGPRA Draft Notice

Jennifer,

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In particular, Eskippakithiki, which was a known Shawnee village.



Tonya Tipton
TRIBAL HISTORIC PRESERVATION OFFICER

Phone: (918)542-2441 ext 103
Email: tonya@shawnee-tribe.com

29 S Hwy 69A
Miami, OK 74354

Shawnee-tribe.com

From: Spence, Jennifer L (PARKS) <Jennifer.Spence@ky.gov>
Sent: Tuesday, January 31, 2023 10:15 AM
To: Tonya Tipton <tonya@shawnee-tribe.com>
Subject: FW: Blue Licks Pioneer Museum NAGPRA Draft Notice

CAUTION: External email. Do not click links or open attachments unless you are confident the content is safe.

Hi Tonya,

Would you know off hand what treaty or records your office has for Shawnee occupation in Kentucky? Please see the message from Miranda below. Thank you.

Jennifer

Exhibit C-3

Spence, Jennifer L (PARKS)

From: Tonya Tipton <tonya@shawnee-tribe.com>
Sent: Thursday, February 2, 2023 2:02 PM
To: Spence, Jennifer L (PARKS)
Subject: RE: Blue Licks Pioneer Museum NAGPRA Draft Notice

This Message Originated from Outside the Organization

This Message Is From an External Sender.

Report Suspicious

Jennifer,

That will be great It will be nice to meet you in person too. I spoke with Erin Paden, my coworker to get her expert advice and she said they should all be included.

Let me know if there is anything else.

Thank you,



Tonya Tipton
TRIBAL HISTORIC PRESERVATION OFFICER

Office: (918) 542-2441, x103
Email: tonya@shawnee-tribe.com

29 S Hwy 69A
Miami, OK 74354

shawnee-tribe.com

From: Spence, Jennifer L (PARKS) <Jennifer.Spence@ky.gov>
Sent: Thursday, February 2, 2023 10:55 AM
To: Tonya Tipton <tonya@shawnee-tribe.com>
Subject: RE: Blue Licks Pioneer Museum NAGPRA Draft Notice

CAUTION: External email. Do not click links or open attachments unless you are confident the content is safe.

Thank you, Tonya. I would love for you to come to the Pioneer Museum. You are welcome to stay at Blue Licks Battlefield State Resort Park (the park where the museum is located) when you come to visit. The park has very nice lodging and a restaurant.

I will include all sherds, pipes, and pots as UFOs on the notice. In the 1942 records, I found a reference to one flint knife and one game ball as being removed from a grave. I do not know which ones. Again, should I include all flint knives and game balls as UFOs? There are references to projectile points thought to have been uncovered at Fox Field, but there is no mention of them being removed from a grave. Should I include or exclude those items from the notice?

1
Exhibit D-1

We did not appoint a lead tribe on the Franklin County ancestral remains. Should we setup another consultation to discuss this case? The notice is posted, but I am not sure of our next steps.

I believe you mentioned in our January consultation meeting that the Eastern Band of Cherokee Indians will defer to the Shawnee on the Fort Ancient cultural objects. Tonya and I talked through email about planning a visit for her to the Pioneer Museum to see the collection.

Tonya, should I just include the Shawnee tribes on the cultural affiliation for the Fort Ancients UFOs?

Jennifer

From: Miranda Panther <mirapant@ebci-nsn.gov>
Sent: Thursday, October 5, 2023 10:23 AM
To: Spence, Jennifer L (PARKS) <Jennifer.Spence@ky.gov>; tonya@shawnee-tribe.com
Subject: RE: Pioneer Museum, Blue Licks Battlefield State Resort Park, Carlisle, KY

Hi Jennifer,

I'm so sorry that this fell through the cracks and I'm so late to respond. Could you please refresh my memory with any consultation notes you may have from this and for the ancestral remains from Franklin County, KY? I went back through my emails about these projects, and I'm not clear on what we discussed in terms of a lead tribe. Under the Determinations for the NIR on the Fort Ancient UFOs, I don't believe that the EBCI is culturally affiliated due to the time period for the site. I can't speak for any of the other tribes, but I'm comfortable with you removing us. Did the Osage respond at all? Otherwise, I would say to just include the Shawnee tribes for the cultural affiliation.

Thank you.

Miranda

From: Spence, Jennifer L (PARKS) <Jennifer.Spence@ky.gov>
Sent: Thursday, September 21, 2023 1:13 PM
To: tonya@shawnee-tribe.com; Miranda Panther <mirapant@ebci-nsn.gov>; Miranda Panther <mirapant@nc-chokeee.com>
Subject: Pioneer Museum, Blue Licks Battlefield State Resort Park, Carlisle, KY

Hi Tonya and Miranda,

I completed a final inventory of unassociated funerary objects in the Pioneer Museum, Blue Licks Battlefield State Resort Park, Carlisle, KY. These objects are documented as coming from or possibly coming from a Fort Ancient site in Mason County, KY. The Fort Ancient site is commonly referred to as the Fox Farm site. The objects were excavated in the 1920s and 1930s, and possibly into the 1940s by the Pioneer Museum's founder, William Curtis, based on the museum's records. There is indication that these objects were taken from a burial context. We do not have the ancestral remains associated with these objects.

I drafted the NAGPRA Notice of Intent to Repatriate for your review. It is attached. I have questions about completing the form. Under the **Determinations**, should I list only the Shawnee Tribe and the Eastern Band of Cherokee Indians, as your tribes were the only ones to respond to my request to consult in summer 2022? Or should I list everyone as listed in my draft Notice? These are all the tribes I wrote to in 2022 to consult on this case. Or only the Shawnee Tribe because it is a Fort Ancient site? Please advise. Thank you.

I apologize for just now getting back to this case on the cultural objects.

Exhibit D-2

LEGAL STATUS

This site displays a prototype of a "Web 2.0" version of the daily Federal Register. It is not an official legal edition of the Federal Register, and does not replace the official print version or the official electronic version on GPO's govinfo.gov.

The documents posted on this site are XML renditions of published Federal Register documents. Each document posted on the site includes a link to the corresponding official PDF file on govinfo.gov. This prototype edition of the daily Federal Register on FederalRegister.gov will remain an unofficial informational resource until the Administrative Committee of the Federal Register (ACFR) issues a regulation granting it official legal status. For complete information about, and access to, our official publications and services, go to About the Federal Register on NARA's archives.gov.

The OFR/GPO partnership is committed to presenting accurate and reliable regulatory information on FederalRegister.gov with the objective of establishing the XML-based Federal Register as an ACFR-sanctioned publication in the future. While every effort has been made to ensure that the material on FederalRegister.gov is accurately displayed, consistent with the official SGML-based PDF version on govinfo.gov, those relying on it for legal research should verify their results against an official edition of the Federal Register. Until the ACFR grants it official status, the XML rendition of the daily Federal Register on FederalRegister.gov does not provide legal notice to the public or judicial notice to the courts.

LEGAL STATUS

Notice of Intent To Repatriate Cultural Items: Pioneer Museum, Blue Licks Battlefield State Resort, Kentucky Department of Parks, Carlisle, KY

A Notice by the National Park Service on 01/18/2024

PUBLISHED CONTENT - DOCUMENT DETAILS

Agencies: Department of the Interior National Park Service

Agency/Docket Numbers: NPS-WASO-NAGPRA-NPS0037264PPWOCRADN0-PCU00RP14.R50000

Document Citation: 89 FR 3419

Document Number: 2024-00832

Document Type: Notice

Pages: 3419-3420 (2 pages)

Publication Date: 01/18/2024

PUBLISHED DOCUMENT: 2024-00832 (89 FR 3419)

DOCUMENT HEADINGS

Department of the Interior
National Park Service

[NPS-WASO-NAGPRA-NPS0037264; PPWOCRADN0-PCU00RP14.R50000]

AGENCY:

National Park Service, Interior.

ACTION:

Exhibit E-1

Notice.

SUMMARY:

In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Pioneer Museum, Blue Licks Battlefield State Resort Park, Kentucky Department of Parks intends to repatriate certain cultural items that meet the definition of unassociated funerary objects and that

have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice. The cultural items were removed from Mason, KY.

DATES:

Repatriation of the cultural items in this notice may occur on or after February 20, 2024.

ADDRESSES:

Jennifer Spence, Parks Museum Curator, Kentucky Department of Parks, 500 Mero Street, 5th Floor, Frankfort, KY 40601, telephone (502) 892-3339, email Jennifer.spence@ky.gov (<mailto:Jennifer.spence@ky.gov>).

SUPPLEMENTARY INFORMATION:

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Kentucky (□ print page 3420) Department of Parks. The National Park Service is not responsible for the determinations in this notice. Additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records held by the Kentucky Department of Parks.

Description

The 274 cultural items were removed from Mason County, KY. These cultural items were collected in the 1920s thru the 1940s. The Pioneer Museum's founder, William Curtis, was a collector of these objects and took part in excavations at Fox Field (Fox Farm Fort Ancient culture archeological site), Mason County, Kentucky, and possibly at other sites in Kentucky. Curtis worked with other collectors in the field to acquire objects for the museum from surrounding counties in the state, but most items with a known provenience trace back to Fox Field. Most of these items are displayed and stored in the museum.

Exhibit E-2

The 274 unassociated funerary objects are two adzes, six awls, eight game balls, five deer knuckle beads, two copper bracelets, two celts, one chisel, 12 discoidals, four drills, eight effigies, one effigy

bead, five pottery figurines, one fishhook, 11 shell gorgets, one limestone gorget, one slate gorget, one grooved bone hairpin, one knapping hammer, three hoes, one grooved bone body ornament, nine flint knives, three necklaces of shell and bone beads, one necklace of animal bones, two bone sewing needles, 15 stone pendants, two shell pendants, four conch shell wheel pendants, four cannel coal pendants, three bear tooth pendants, two animal bone pendants, two ceramic disk pendants, two stone pestles, 10 pipes, 27 projectile points, one hide scraper, 61 pottery sherds, two bone whistles, one whetstone, one atlatl weight, 19 pottery vessels, four uniface knives, two mussel shell spoons, one strand of nine bone, clay, and shell beads, one strand of bear and canine teeth and a hawk's claw, seven bear teeth fragments, one strand of 10 canine teeth, one strand of 13 marine shells, one strand of 12 beads, one string of seven beads, one string of 12 shell beads, one string of 18 shell beads, one strand of nine shell beads, one strand of seven conical shaped shell beads, one strand of 12 animal teeth, one strand of small shell beads, one strand of nine stone beads, and one animal tooth bead.

Cultural Affiliation

The cultural items in this notice are connected to one or more identifiable earlier groups, tribes, peoples, or cultures. There is a relationship of shared group identity between the identifiable earlier groups, tribes, peoples, or cultures and one or more Indian Tribes or Native Hawaiian organizations. The following types of information were used to reasonably trace the relationship: archeological information, geographical information, historical information, other relevant information, or expert opinion.

Determinations

Pursuant to NAGPRA and its implementing regulations, and after consultation with the appropriate Indian Tribes and Native Hawaiian organizations, the Kentucky Department of Parks has determined that:

- The 274 cultural items described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual.
- There is a relationship of shared group identity that can be reasonably traced between the cultural items and the Absentee-Shawnee Tribe of Indians of Oklahoma; Eastern Shawnee Tribe of Oklahoma; and the Shawnee Tribe.

Exhibit E-3

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the Responsible Official identified in ADDRESSES. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally

affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after February 20, 2024. If competing requests for repatriation are received, the Kentucky Department of Parks must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The Kentucky Department of Parks is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003 (<https://www.govinfo.gov/link/uscode/25/3003>), and the implementing regulations, 43 CFR 10.8 (<https://www.ecfr.gov/current/title-43/section-10.8>), 10.10 (<https://www.ecfr.gov/current/title-43/section-10.10>), and 10.14 (<https://www.ecfr.gov/current/title-43/section-10.14>).

Dated: January 11, 2024.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2024-00832 (/d/2024-00832) Filed 1-17-24; 8:45 am]

BILLING CODE 4312-52-P

PUBLISHED DOCUMENT: 2024-00832 (89 FR 3419)

Exhibit E-4

From: [Tonya Tipton](#)
To: [Spence, Jennifer L \(PARKS\)](#)
Subject: RE: Phone call - Blue Licks NAGPRA Cases
Date: Friday, July 19, 2024 12:32:13 PM
Attachments: [image002.png](#)
[image003.png](#)

This Message Originated from Outside the Organization
You have not previously corresponded with this sender.

[Report Suspicious](#)

Jennifer,

Sure. I am working remote, so call me anytime today. My cell number is [REDACTED].



Tonya Tipton
Tribal Historic Preservation Officer
Phone: (918)542-2441
Email: tonya@shawnee-tribe.com
29 S Highway 69A
Miami, OK 74354
www.Shawnee-Tribe.org

From: Spence, Jennifer L (PARKS) <Jennifer.Spence@ky.gov>
Sent: Friday, July 19, 2024 11:24 AM
To: Tonya Tipton <tonya@shawnee-tribe.com>
Subject: Phone call - Blue Licks NAGPRA Cases

CAUTION: External email. Do not click links or open attachments unless you are confident the content is safe.

Hi Tonya,

Would you have time for a quick chat this afternoon or some day next week concerning the Blue Licks Pioneer Museum (Kentucky) NAGPRA cases?

My availability is quite open.

Jennifer

Exhibit F



ANDY BESHEAR
GOVERNOR

**TOURISM, ARTS AND HERITAGE CABINET
DEPARTMENT OF PARKS**

Mayo-Underwood Building, 5th Floor
500 Mero Street
Frankfort, Kentucky 40601
Phone 502-564-2172

MICHAEL E. BERRY
SECRETARY

JACQUELINE COLEMAN
LT. GOVERNOR

RUSS MEYER
COMMISSIONER

**Summary of cultural items in the possession of the Pioneer Museum, Blue Licks
Battlefield State Resort Park**

Osage Nation

The Pioneer Museum records identify the following cultural items: 10 gorgets (stone and shell) including a weeping eye gorget, about 27 pendants (stone, shell, and bone), assorted shell and bone beads, about 45 pottery sherds, about 17 complete vessels, 2 copper bracelets, 8 effigies, and 6 pipes. The estimated number of cultural items is 134.

These cultural items were collected in the 1920s thru the 1940s. The Pioneer Museum's founder, William Curtis, was a collector of these objects and took part in excavations at Fox Field (Fox Farm Fort Ancient culture archaeological site), Mason County, Kentucky, and possibly at other sites in Kentucky. Curtis worked with other collectors in the field to acquire objects for the museum from surrounding counties in the state, but most items with a known provenience trace back to Fox Field. Most of these items are displayed in the museum.

The museum records, such as inventories from the 1940s, show provenience information to Fox Field, Mason County, which is a site that is or is likely to be associated with the Osage Nation, and one item with provenience to Nicolas County. Others do not have noted provenience.

Exhibit G

From: Spence, Jennifer L (PARKS)
Sent: Friday, October 7, 2022 9:57 AM
To: Tonya Tipton <tonya@shawnee-tribe.com>
Cc: Combs, Christy (PARKS) <Christy.Combs@ky.gov>; Brown, Doug D (PARKS) <doug.brown@ky.gov>
Subject: RE: Invitation to Consult NAGPRA-Blue Licks Battlefield State Resort Park

Dear Ms. Tipton,

Thank you again for the Shawnee Tribe's interest in taking part in the consultation for NAGPRA collections at the Pioneer Museum in Carlisle, KY. We are still awaiting responses from the invitations mailed and emailed in July. I plan to follow-up on our invitations this coming week and hope to schedule a consultation soon. I apologize for the delay. Please reach out with questions you may have for me.

Thank you.

Sincerely,

Jennifer

Jennifer Spence

Parks Museum Curator
KY Department of Parks
Mayo-Underwood Building, 5th Floor
500 Mero Street
Frankfort, KY 40604-4311
(502) 892-3339
jennifer.spence@ky.gov
www.parks.ky.gov



From: Tonya Tipton <tonya@shawnee-tribe.com>
Sent: Wednesday, August 31, 2022 2:56 PM
To: Spence, Jennifer L (PARKS) <Jennifer.Spence@ky.gov>
Subject: RE: Invitation to Consult NAGPRA-Blue Licks Battlefield State Resort Park

Jennifer,

Thank you for reaching out. I have to apologize for the delay in getting back to you. Your email was moved to another account and I just found it.

Yes, we do wish to consult with you regarding the two NAGPRA cases.

Thank you,

Exhibit H

Spence, Jennifer L (PARKS)

From: Tonya Tipton <tonya@shawnee-tribe.com>
Sent: Tuesday, January 10, 2023 1:31 PM
To: Spence, Jennifer L (PARKS)
Subject: RE: Invitation to Consult NAGPRA-Blue Licks Battlefield State Resort Park

This Message Originated from Outside the Organization

Report Suspicious

You have not previously corresponded with this sender.

Jennifer,

Thank you so much for meeting today. It was a pleasure (virtually) meeting you both. I do want to apologize again for getting on the meeting late and for being under the weather, but I wanted to get our conversations started.

I am so thankful for Miranda and her knowledge. She has been so helpful for all involved with NAGPRA.

It is also a learning curve for me as well, which we will all work together to get around.

I hope you have a great afternoon and I look forward to talking with you again.

Thank you,



Tonya Tipton
TRIBAL HISTORIC PRESERVATION OFFICER

Phone: (918)542-2441 ext 103
Email: tonya@shawnee-tribe.com

29 S Hwy 69A
Miami, OK 74354

Shawnee-tribe.com

From: Spence, Jennifer L (PARKS) <Jennifer.Spence@ky.gov>
Sent: Monday, December 12, 2022 6:30 AM
To: Tonya Tipton <tonya@shawnee-tribe.com>
Cc: Erin Paden <epaden@shawnee-tribe.com>
Subject: RE: Invitation to Consult NAGPRA-Blue Licks Battlefield State Resort Park

CAUTION: External email. Do not click links or open attachments unless you are confident the content is safe.

Hi Tonya,

Exhibit I

My Uncle Paul W. Sapp allowed the Museum to borrow a lot of Indian Arrow heads, Spears, Hatchets, pottery, beads, bones and other various items to show at the Museum. The idea was that if the Museum closed or otherwise didn't need them they would be returned. There was so many of it that they only gave him a slip saying he left them but it wasn't itemized (they were to do that later). He held onto it for years (this was in the late 1960's). I don't think he thought they would be there past his death in the 1990's. My brother (he has passed) myself and Machelle Sapp Elam helped him collect 905 of it. Most everything was taken at ground level after plowing fields and after rains. Some came from others who knew he collected these types of artifacts. His collection was huge.

I'm now hearing that Kentucky Parks may be giving away some of our collection. The Museum, I'd suppose has to know what belongs to the Sapp family. I'm not interested in collecting them back UNLESS the intention is to give some of our items! Uncle Paul considerably more than doubled what the Museum had at this time. If the intent is to, in fact, give your items away, please ask the Museum to return our items that my Great Uncle loaned to the museum.

Machelle and I can be reached at ...

Pau Sapp 239-470-6876

Machel Elam 859-707-8063

PS Kentucky is now my summer home.

My Florida address is

Paul and Marie Sapp
12206 Honeysuckle Rd
Fort Myers, FL 33966

Exhibit J

From: Tonya Tipton <tonya@shawnee-tribe.com>
Sent: Wednesday, February 1, 2023 4:36 PM
To: Spence, Jennifer L (PARKS) <Jennifer.Spence@ky.gov>
Subject: RE: Blue Licks Pioneer Museum NAGPRA Draft Notice

Jennifer,

You should include them all as UFO's. Sometime in the near future, I would like to come for a visit. We will be going to North Carolina in a few weeks, but I don't think we will have time on that trip to visit.

Maybe we can plan another trip to Kentucky and make our rounds to everyone then.

Have a great afternoon.

Thank you,



Tonya Tipton
TRIBAL HISTORIC PRESERVATION OFFICER

Phone: (918)542-2441 ext 103
Email: tonya@shawnee-tribe.com

29 S Hwy 69A
Miami, OK 74354

Shawnee-tribe.com

From: Spence, Jennifer L (PARKS) <Jennifer.Spence@ky.gov>
Sent: Wednesday, February 1, 2023 3:23 PM
To: Tonya Tipton <tonya@shawnee-tribe.com>
Subject: RE: Blue Licks Pioneer Museum NAGPRA Draft Notice

CAUTION: External email. Do not click links or open attachments unless you are confident the content is safe.

Hi Tonya,

I am reviewing old Pioneer Museum records to determine which items are known to be *unassociated funerary objects*. Some items are well documented as being removed from a grave in the Fox Field Fort Ancient Site (Mason County, KY), such as shell gorgets and shell and bone beads. Others are not so clear, and this is where I need your help.

There are approximately 60 pottery sherds and pots on our list. Many of these are noted as coming from Mason County, KY, but none are identified as having been removed from a grave site. Many sherds are quite decorative. Would you like me to include these in the notice as unassociated funerary objects?

Exhibit K

William S. Webb Museum of Anthropology,
University of Kentucky



NAGPRA Request Form

Please complete and email with any necessary attachments to the NAGPRA Coordinator:

celise.fricker@uky.edu

OR, mail to:

NAGPRA Coordinator

William S. Webb Museum of Anthropology
1020 Export St, Lexington, KY 40504

1.) On what basis are you making the request? (Please select one)

- Potential Lineal Descent
- Potential Cultural Affiliation

2.) What item(s) is/are information being requested about? (Please select all that apply)

- Human Remains and Associated Funerary Objects, if any
- Unassociated funerary Objects
- Sacred Objects
- Objects of Cultural Patrimony

3.) Who is making the request?


Name _____

Address _____

Contact Information _____

***Please be sure to attach current paperwork from the tribe's governing authority
confirming you have the authority to participate in NAGPRA on the tribe's behalf.***

Exhibit L-1


Signature of NAGPRA designee _____

Printed Name _____

Name of Tribe _____

Date _____

Please remember to attach current paperwork from the tribe's governing authority confirming you have the authority to participate in NAGPRA on the tribe's behalf and additional documents required (eg. spreadsheets, etc.)

Exhibit L-2

8-3

4.) What collection(s) or object(s) are you requesting information on? Please be as specific as possible (site name(s), State and County(ies) of origin, Site ID Number, Accession Number, Catalogue Number, etc). Please feel free to attach a spreadsheet or other document if you have one or there is not enough space provided below.

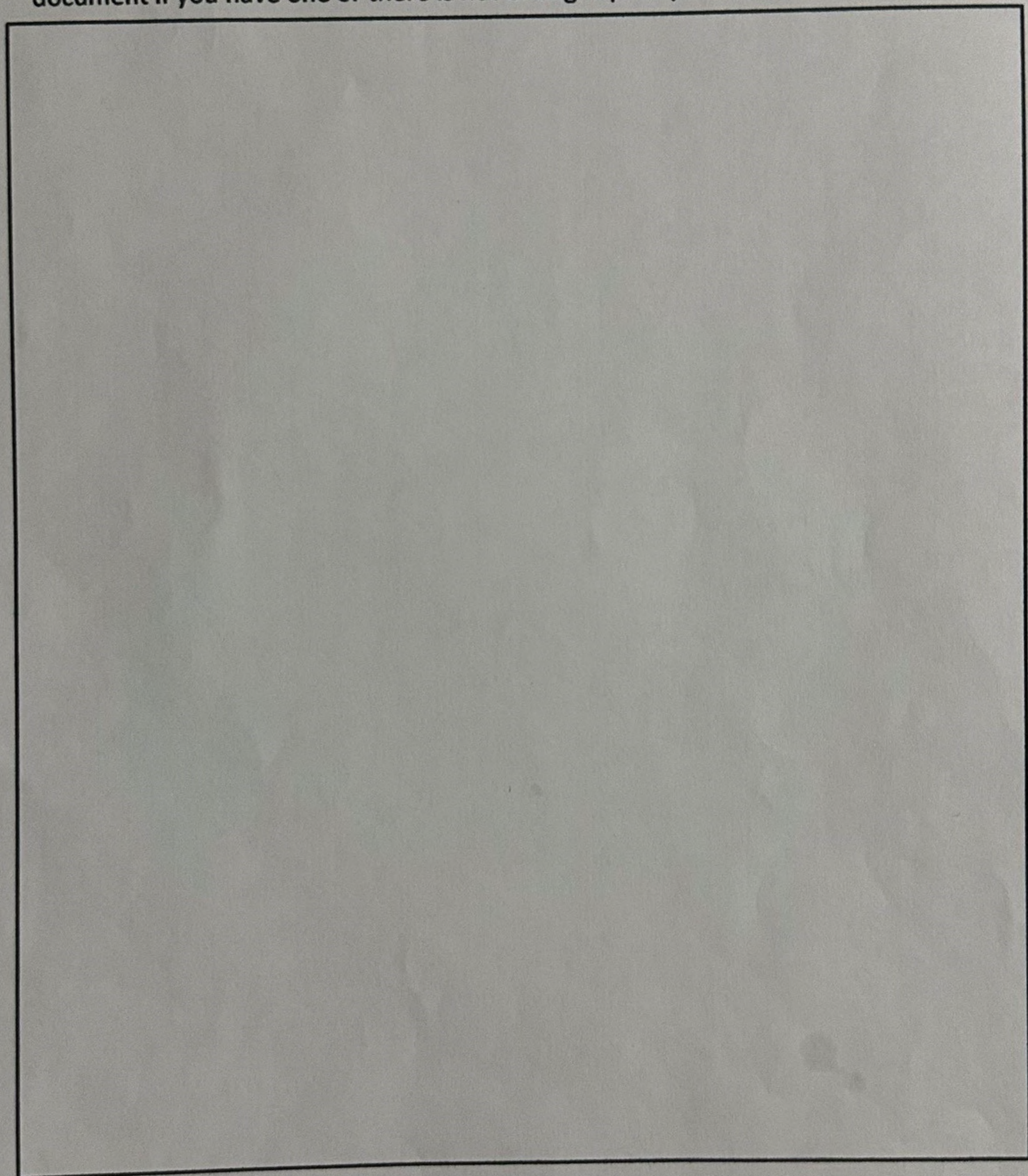


Exhibit L-3



August 5, 2024

Jennifer Spense, MMSt
Parks Museum Curator
Ky Department of Parks
Mayo-Underwood Bldg, 5th Floor
500 Mero Street
Frankfort, KY 40601

Dear Ms. Spence,

Pursuant to the Native American Graves Protection and Repatriation Act 25 U.S.C. 3001 et Seq., the Shawnee Tribe, a federally recognized Indian tribe, requests repatriation of ancestors and their belongings, that were published in the Federal Register as the following:

- Vol. 88 No. 73, Monday, April 17, 2023
- Vol. 89 No. 12, Thursday, January 18, 2024.

Physical custody will take place at an undisclosed date, time and location.

Should you have any questions, please do not hesitate to contact me by email at tonya@shawnee-tribe.com or by phone at (918)542-2441 ext. 103.

Sincerely,

A handwritten signature in black ink, appearing to read "Tonya Pipton".

Tonya Pipton

THPO/NAGPRA Representative

Exhibit M

Andy Beshear
Governor

KENTUCKY DEPARTMENT OF PARKS

500 Mero Street, Fifth Floor
Frankfort, KY 40601
(502) 564-4270

Lindy Casebier
Secretary

Russ Meyer
Commissioner

June 24, 2024

The Shawnee Tribe
c/o Tonya Tipton
Tribal Historic Preservation Officer
29 S. Hwy 69A
Miami, OK 74354

Dear Ms. Tipton:

In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA; 25 U.S.C. 3001 et seq) and implementing regulations (43 CFR part 10), this statement certifies the following:

The Pioneer Museum, Blue Licks Battlefield State Resort Park, Kentucky Department of Parks, relinquishes possession or control of the human remains and unassociated funerary objects listed in the attached *Federal Register* notices to the Shawnee Tribe.

The Kentucky Department of Parks has no information about the human remains or cultural items being treated with pesticides, preservatives, or other substances that represent a potential hazard to the object(s) or to person(s) handling the object(s). Any information about these treatments was previously shared with the recipients.

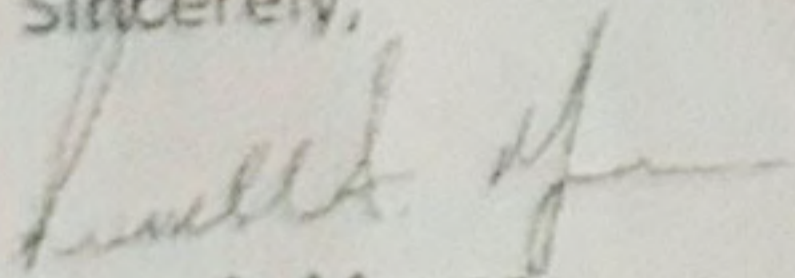
After sending this repatriation statement, the Kentucky Department of Parks will:

1. Consult with the parties above on custody and physical transfer,
2. Document any physical transfer, and
3. Protect sensitive information from disclosure to the general public to the extent consistent with applicable law.

Nothing in the Act or this part limits the authority of the Kentucky Department of Parks to enter into any agreement with the requestor concerning the human remains or unassociated funerary objects.

The Kentucky Department of Parks will send a copy of this repatriation statement to all parties identified above.

Sincerely,



Russ A. Meyer
Commissioner
Kentucky Department of Parks

Exhibit N-1

Enclosures: Federal Register notices Vol. 88, No. 73, Monday, April 17, 2023; Federal Register notices Vol. 89, No. 1, Thursday, January 18, 2024

CC: Melanie O'Brien, Manager, National NAGPRA Program, 1849 C Street NW, Room 7360, Washington, DC 20540



From: Spence, Jennifer L (PARKS)
To: tonya@shawnee-tribe.com
Cc: O'Brien, Melanie A; Meyer, Russ A (PARKS); Vanover, Ron B (PARKS)
Subject: Blue Licks, Pioneer Museum, KY Department of Parks Repatriation Statement
Date: Monday, June 24, 2024 10:07:00 AM
Attachments: [KDP_Repatriation Statement Shawnee Tribe Blue Licks APPROVED signed by Commissioner R. Meyer.pdf](#)
[image001.png](#)
[Federal Register Notices Blue Licks.pdf](#)

Dear Ms. Tipton,

The Pioneer Museum, Blue Licks Battlefield State Resort Park (Carlisle, KY), Kentucky Department of Parks, repatriates to the Shawnee Tribe the ancestral remains and unassociated funerary objects described in the enclosed *Federal Register* notices. I have included with this email the Kentucky Department of Parks' official Repatriation Statement signed by Parks Commissioner, Russ A. Meyer on June 24, 2024. Please confirm receipt of this email. I will be mailing you the Repatriation Statement via certified mail this week.

Our next step is to create a Care in Trust document that describes how the Shawnee Tribe would like for us to care for the repatriated items and ancestral remains while they are in the physical custody of the Kentucky Department of Parks. I look forward to working with you on this repatriation project and care of the Shawnee's cultural objects at the Pioneer Museum. Thank you.

I have copied on this email Melanie O'Brien, National NAGPRA Manager; Russ A. Meyer, Commissioner, Kentucky Department of Parks; and Ron Vanover, Deputy Commissioner, Kentucky Department of Parks.

Jennifer

Jennifer Spence, MMSt

Parks Museum Curator

KY Department of Parks

Mayo-Underwood Building, 5th Floor

500 Mero Street

Frankfort, KY 40601

(502) 892-3339

jennifer.spence@ky.gov

www.parks.ky.gov

Exhibit N-2