The life, death and family of James Holland Rose



By: Don Casada, for Friends of the Bryson City Cemetery © 2019

Photo source is Rena Joy Dixon ancestry.com tree; it is possible that this is a "selfie" by Hol Rose, who was a photographer by profession.

Hol Rose and Babe Burnett

The predicate, the shooting and the trials

Perspectives as we consider the life – and tragic death – of Hol Rose, of Babe Burnett, and us all

There is none righteous, no, not one.

(Romans 3:10)

For all have sinned, and come short of the glory of God. (Romans 3:23)

There, but for the grace of God, goes Sherlock Holmes. (Sir Arthur Conan Doyle)

January 16, 1919: The date when North Carolina ratified the 18th Amendment to the Constitution; it was also the day when the requisite ¾ of the States had ratified

Section 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all the territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Section 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

Swain County's elected representative to the House in 1919: John T. Burnett, possibly a first cousin of John Enoch "Babe" Burnett.

Observations of Representative Edward William Pou of North Carolina (in Congressional Record)

"When you put this law on the statute books your troubles will begin because at this minute, while I am standing here, there are – in a dozen states which have already adopted prohibition – more illicit stills in operation than there ever were saloons at any time in the history of those states."

Forty six of the forty eight states ratified the 18th Amendment

Definitions and Penalties under the Volstead Act (act which implemented the 18th Amendment)

- Intoxicating: Any beverage with more than 0.5% alcohol (Woodrow Wilson vetoed the Act because he felt it too strict, but the veto was overridden by 175 to 55 in the House and 65 to 20 in the Senate
- Fines up to \$1000; that equates to over \$13,000 today, but was also more than the annual income of even folks working in cash-paying (e.g., timber) jobs at the time*
- Imprisonment for up to six months
- Forfeiture of vehicles used in commission of the crime
- In 1929, Congress upped the penalty for first time offenses to five years in prison, a \$10,000 fine, or both.

^{*}Nationwide average starting salary in the lumber business was 33.6 cents an hour in 1926; Department of Labor Bulletin 616, Handbook of Labor Statistics, 1936 Edition.

Summary of the events on October 25, 1920

- Initially, Prohibition Agent Hol Rose, Charlie Beck and Swain County Deputy Sheriff J.M. Welch went to the Burnett home in the morning. County sheriff Rollins Thomasson was not along.
- Babe Burnett said he showed the officers barrels of pomace, then drove his cattle from the cornfield to the foot of the mountain, had lunch and loaded a sled of roughage
- Meanwhile the officers had left; Welch returned to town.
 Rose and Beck later returned to the Burnett place.
- Two versions of the sequence of events
 - Rose fired first (defense)
 - Burnett fired first (prosecution)
- At the trial, Charlie Beck admitted he did not see who shot Rose, but Babe confessed that he did the shooting – albeit in self-defense.

Summary of events, continued

- Defense attorneys focused on two principal issues:
 - No warrant was served; they read the fourth and fifth amendments as related to unlawful search and seizure and due process, arguing that the officers attempting the arrest were themselves trespassing
 - Burnett had reason to believe they intended to assault him, was shot in the leg as he fled, and then shot Rose in self-defense
- Prosecution claimed Burnett did not ask to see a warrant and that he had hidden the shotgun behind the hay stack from which he fired with the intent of assaulting the officers

Some tangential notes

- The shotgun was loaded with "squirrel shot" about ¾ the size of a BB pellet the sort of load one might pick for shooting crows, which is why Burnett said the gun was there
- Defense attorneys were G.Lyle Jones of Asheville (but native of Franklin),
 Felix Alley of Waynesville (native of Jackson County) and Thurman
 Leatherwood of Bryson City
- It was discovered that Babe Burnett had been wanted since 1914 for assaulting Jacob DeHart, mail carrier, at the Parrish post office, and left the country after a warrant was sworn out.*
- Babe admitted to some earlier problems with the law
- Ray Hensley, son of Charlie Beck, recalled that in much later dinner table conversation, Charlie – a former POW in the Spanish-American War (in the Philippines) said he rested his pistol on a fence post and targeted a tab connecting the back of Babe's suspenders, and claimed that if he'd had a rifle he would've hit him.

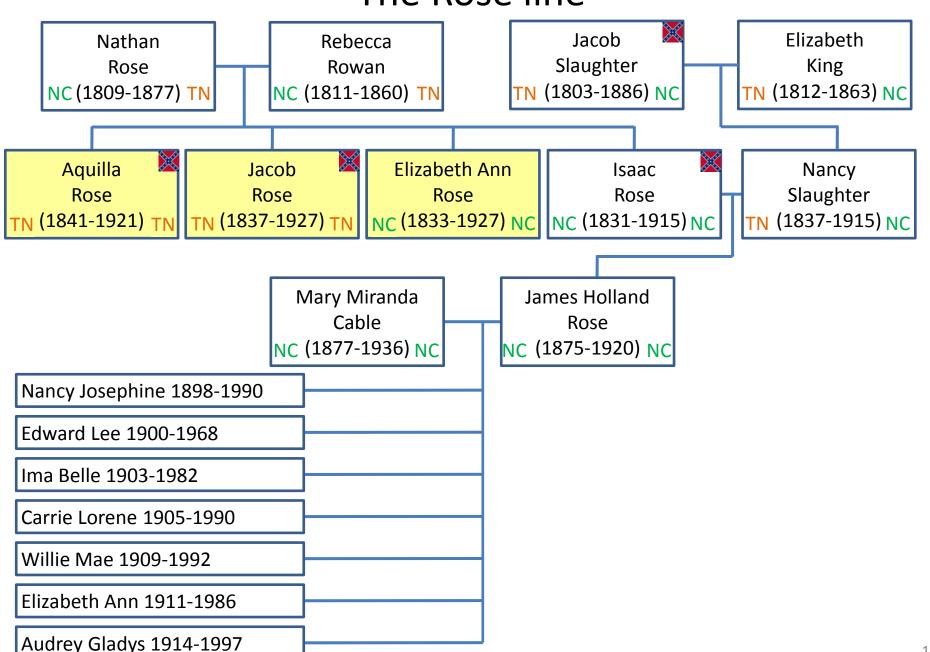
^{*} Asheville Citizen, 27 Oct 1920; also mentioned by Horace Kephart in letter to Bob Barnett. The Parrish post office was so-named for the community and its first postmaster, William P. Parrish, whose home stood on the south side of Brush Creek just above the junction of Marr and Brush Creeks; the W.P. Parrish home was, by 1920, that of his daughter, Pallie and her husband, Charlie Burnett, grandparents of FBCC member James Burnett and his cousins Lester Burnett, Bennett, Carl and Jimmy Arvey.

Judicial results

- Trial 1: Guilty of 2nd degree murder (July 31, 1921). Judge in the case was T.D. Bryson (II)
- Sent back for retrial by NC Supreme Court (February, 1922)
- Trial 2: Not guilty (3 hours deliberation, March 11, 1922)
- Burnett was immediately charged with prohibition violations; he was subsequently convicted and sentenced to two years in federal prison on May 6, 1922 for liquor manufacture (other charges received prayer for judgment continued)

The Hol Rose – Miranda Cable family

The Rose line



Notes on preceding slide

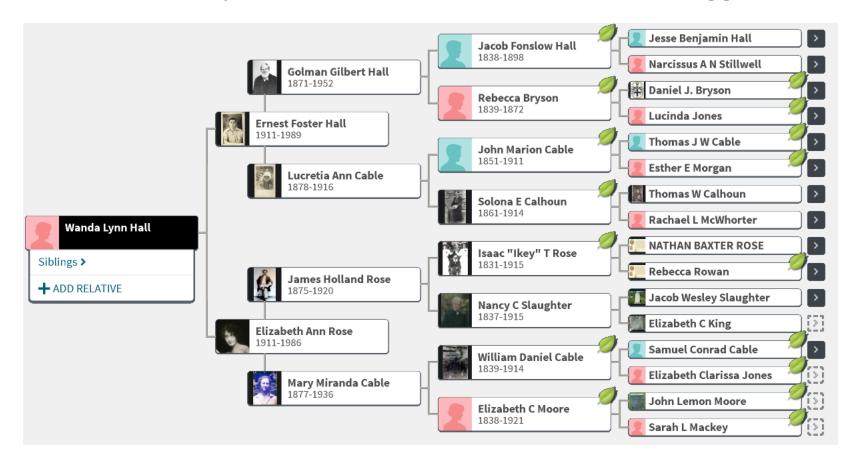
All individuals on the preceding slide were born in either North Carolina or Tennessee. The place of birth is to the left; place of death to the right.

Nathan and Rebecca Rowan Rose were born in northwestern NC, married in Burke County in 1829, were in Blount County, TN by 1840, stayed there most of that decade before moving to what is now Graham County, NC between 1847 and 1850. Rebecca died in 1860; Nathan remained here until sometime after 1870 when he returned to Blount County, where he is buried.

Quill and brother Jacob were born in TN, and moved to NC with their parents. Both also traveled through several states during the Civil War, spent much of the rest of their lives in NC before returning to TN, where both are buried in Blount County. Siblings Isaac and Elizabeth Ann were born in Yancey County, NC, moved to Cades Cove with their parents, then to what is now Graham County, NC (then Cherokee) – again with their parents. Both remained in the state for the balance of their lives and are buried in Graham County.

A principal thesis of *Our Southern Highlanders* (Horace Kephart) is that the area folks had 18th century lives of self-conscious isolation. The Rose family is one of many families living in these mountains when *OSH* was published which thoroughly debunk that thesis.

Family tree of FBCC member Wanda Hall Liggett



Wanda and her family have extensive connections in the BC Cemetery; here are a few examples:

- Her g-grandmother Rebecca Bryson is 2nd cousin to Judge T.D. Bryson (II), Dr. Dan Bryson and Ed Bryson
- Her g-grandmother Solona Calhoun is 1st cousin to John Dorsey, Tom, Josh and Orville Calhoun
- Her grandfather Golman Gilbert Hall is the 1st cousin of Lillie Hall Calhoun, nephew of Maude Hall and her husband Lucius Harvey Stallcup, and cousin to their several children
- Her grandmother Lucretia Ann Cable is 2nd cousin to William O Cable

Taking off on a Tangent

Family tree of Wanda Hall Liggett's Uncle Riley Burchfield – who married her father's older sister Nellie Florence

Three consecutive generations of men met violent ends



Winston-Salem Journal, 30 Sep 1919

Asheville, Sept. 28—Riley Birchfield, a young mountaineer who lived near Fontana in Swain county, died at the Mission hospital Friday night, from a bullet wound in the abdomen, received in a piched battle with deputy sheriffs who were endeavoring to arrest him at his home the previous evening. Birchfield opened fire on the officers and was mortally wounded by one of the deputies.

Will Orr, a deputy sheriff, had a caplas for Birchfield's arrest on the charge of blockading. In company with Deputy Sheriff Robert Adams of Graham county and some other men, the officer went to the Birchfield home in the mountains. A part of the posse went around the house to approach from the mountain, while Orr came up toward the front of the cabin. Birchfield first the party coming from the mountain and opened fire on them with his Winchester. He fired two or three shots when the men dropped the ground and the bullets through the bushes above their heads.

About this time Birchfield saw Orr approaching from the other direction and called on him to go back over the hill or he would kill him. Orr still pressed forward and Birchfield threw his gun to his shoulder. But the deputy beat him to the trigger and sent a bullet, through & Birchfield's body.

The mountaineer dropped. He was carried into the house and it was seen that his wound was serious. He was given best treatment possible and next morning was brought to the local hospital where an examination of the wound revealed that he could not recover. The body was taken back to his home for burial. It has not been learned whether any action has been taken against the officers.

Young Riley Burchfield was killed one year and one month before Hol Rose. Years later, Riley's brother-in-law Ernest Hall would marry Hol's daughter Elizabeth.

Maryville Times 4 Oct 1893

Killed Their Man.

Sept. 26th, John Harvey Burchfield was killed at his home in the mountains near Geo. Powell's. Theodore Rose and Will Burchfield, son of Sam, of the flats, went to Harvey B's home and raised a quarrell over some old grudge when Rose pulled a revolver and shot once. Harvey than took R's pistol away from him, but Will B. who was standing near gave Rose his revolver with which he finished the job. Drs. Blankenship and Martin of this place reached there the next evening and found Burchfield shot in three places, once through the upper part of the lungs, a little below the heart and in the right arm with a thirty eight caliber revolver. He died the next morning about one o'clock. A wife and three small children are left in destitute circumstances without any means of support. Both Rose and Will Burchfield had been drinking and were quarlesome when they arrived at the home of Harvey Burchfield.

Riley's father, John Harvey Burchfield, was killed by Theodore "Thee" Rose, son of Jake and cousin of Hol, in 1893.

The Charlotte Democrat 28 Aug 1876

HOMICIDE IN SWAIN COUNTY .- Bob Burchfield was shot dead on last Saturday night, by D. K. Collins, while the former was attempting to enter the corn crib of the latter; rather, when Burchfield found he was caught, he drew his navy and advanced on Collins, when Collins shot him. Burchfield was notoriously the worst character in all this mountain section. He had been once convicted of murder, but finally got out of it on some legal technicality, and had also just served out a term in the Albany Penitentiary for counterfeiting. Mr Collins is recognized by all his acquaintances as a gentleman. - Asheville Expositor.

Riley's grandfather, Robert LD Burchfield, was shot by DK Collins in 1876.

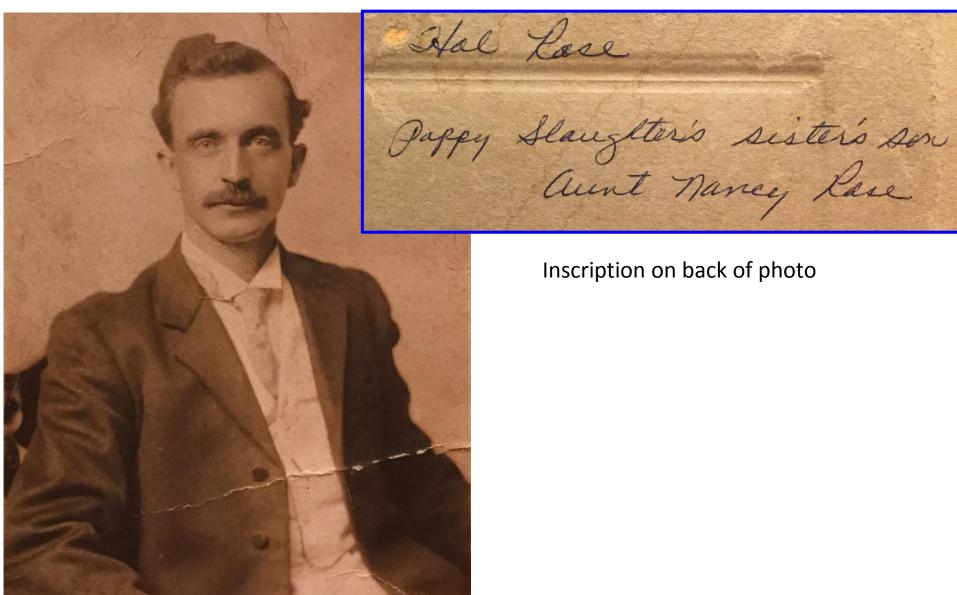


Photo courtesy of FBCC member and Rose g-granddaughter Brenda Henry Gordon

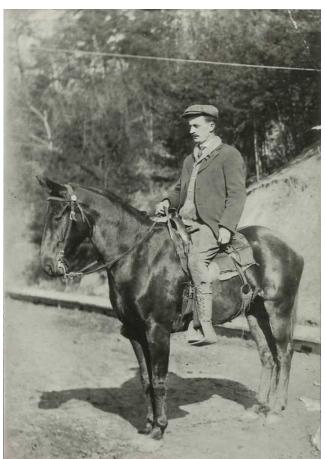
Hol Rose, professional photographer



Photo courtesy of FBCC member and Rose g-granddaughter Brenda Henry Gordon

James Holland Rose, parents Isaac and Nancy Catherine Slaughter Rose

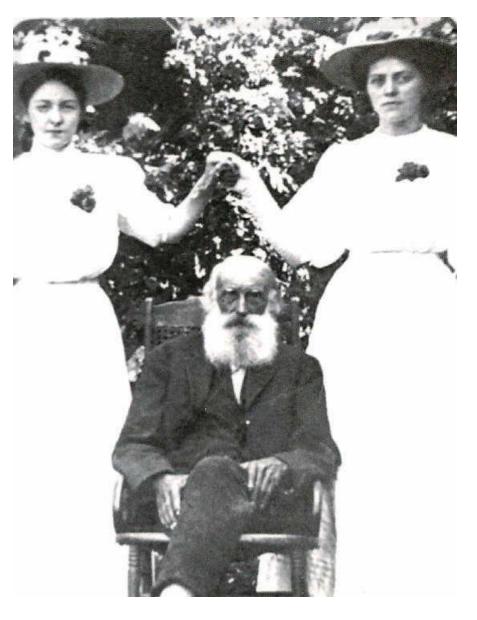






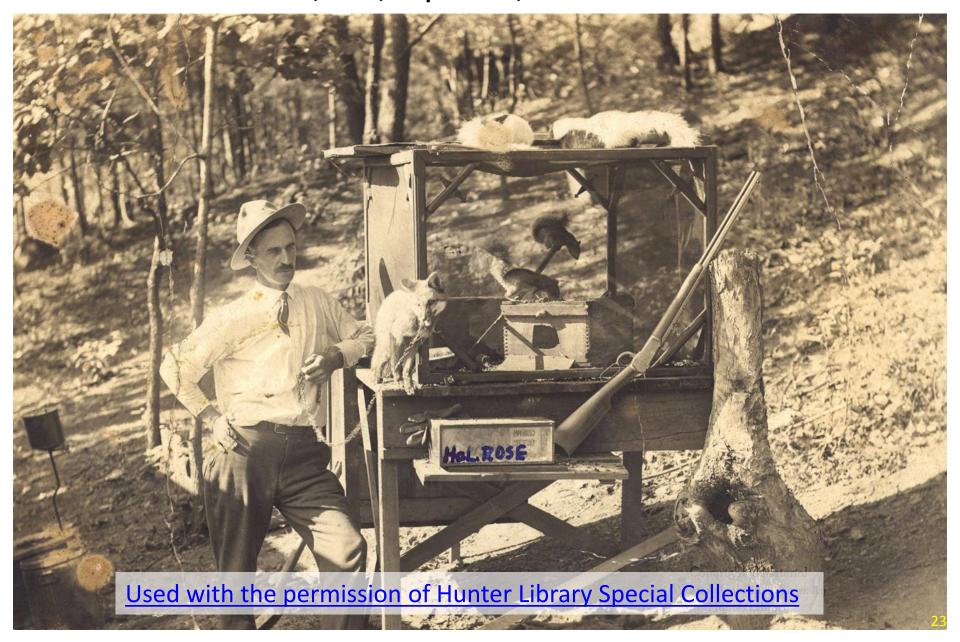
Sources, L-R:
Rena Joy Dixon ancestry.com tree
Wanda Liggett ancestry.com tree (granddaughter)
Mace Brown ancestry.com tree

Hol's father Isaac Rose with Hol's sisters Lou and Martha

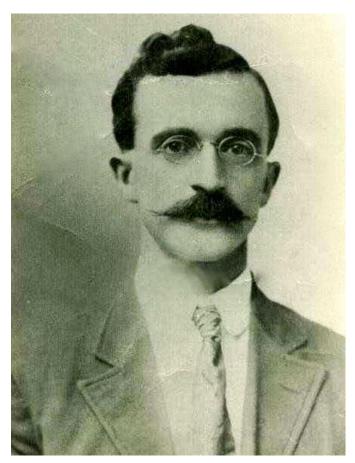


Source: Frances Rogers - ancestry.com

Hol Rose: rifle, fox, squirrel, skunk and? collector



James Holland Rose and Mary Miranda Cable Rose



Source: Mace Brown ancestry.com tree



Source: Wanda Liggett ancestry.com tree (granddaughter)

Daughters of Hol Rose & Mary Miranda Cable

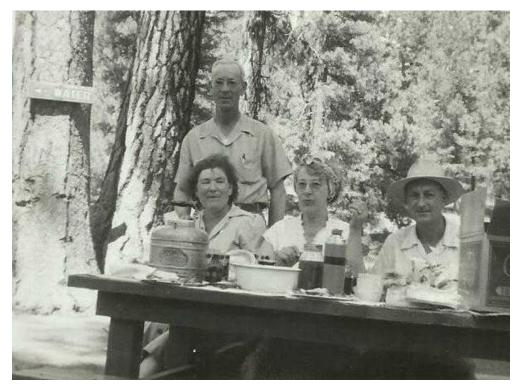


The Rose ladies, L-R: Nancy Josephine, Ima Belle, Carrie Lorene, Willie Mae, Elizabeth Ann, Audrey Gladys

Photo courtesy of Wanda Hall Liggett, daughter of Elizabeth Ann, from her ancestry.com family tree

The Rose - Cable children (1)

- "Jo" married "John" Wright (second cousin of Ray Wright, Hildred Wright Casada and Gwin Dargan Franks); they are buried at Red Marble Cemetery in East Rhodo; no children.
- Edward Lee married Minnie Shytle; they lived in NC, TN, WV, ID and finally at Mountain Home, Arkansas where they are buried; two daughters.



Lee Rose (standing), seated L-R: his wife Minnie, Josephine "Jo" Rose Wright and her husband, Clinton Alexander "John" Wright. The back of the photo indicated it was taken on a picnic at Anderson Dam, which is about 50 miles southeast of Boise.

The Rose - Cable children (2)

- Ima Belle married three times: Verlin Burnett, Melvin Clark, and Paul Ashbrook; she is buried in Crossville, TN; one child.
- Carrie Lorene married Drew Wright, uncle of Ray Wright, Hildred Wright Casada and Gwin Franks); they had two children and five grandchildren when she died. Both are buried in Valleytown Cemetery, along with a whole squadron of Wright kin.
- Willie Mae married Jack Bradley of Andrews. He died in Colorado, she died in Maryville; three children

The Rose - Cable children (3)

Elizabeth Ann first married James McCoy and had two sons by him, then married Ernest Foster Hall, grandson of Fonzie Hall, who discovered copper on Sugar Fork; they had two sons and two daughters, including Wanda Hall Liggett, whose ancestry.com family tree was very helpful.

Photo courtesy of granddaughter Wanda Hall Liggett's ancestry.com family tree



Ernest and Elizabeth Rose Hall and children Sandra, Golman, Mack and Wanda

The Rose - Cable children (4)

Audrey Gladys first married Clint Cole, who at age 17 worked as a blacksmith and later as a driller at the Fontana copper mine; their only child died at birth. Clint died of leukemia and she married James Barton. They had three sons (one died at birth) and a daughter. She was the last child born and the last to die (1997). Her husband James died just two years ago.



Photo courtesy of rgsmith5 ancestry.com family tree

Hol Rose enlisted in the army in Jacksonville, Florida on November 14, 1905, seven months after the birth of his fourth child by Miranda Cable, Carrie Lorene

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Rose, James H
Born in Robbinsville, NC
Occupation: Photographer

Blue eyes, black hair, 5 ft $10^{-1}/_{4}$ inches

Transcription of partial letter from Hol to Miranda sometime between 11 Nov 1905 and 13 Nov 1908

"..interfere with any picture work. I can make enough taking pictures and not have to work so hard. I am going to put in all the time I can studying while I stay here. I have such a good chance. I have all chances here besides our co library. We have a post library where they have all kinds of history and everything else that anyone needs. I am going to start in school next Monday will be in school from ? To 4 o'clock in the evening. There is 10 or 12 from each co that goes all winter until Mch. God being my helper I mean to live the rest of my life different from what I have done. As soon as I get out of the Army and get you all away." (next page)

"from up there to some place where I can do some good. I am going to preaching. If I had of went ahead when I started things would have been quite different. But who know but what all this is for the best. I feel that way. I know that this will be a good experance and good lesson to and mabe it will also help you. Though it may seam different now we must submit to gods will what ever that may be. I go to church 2 or three times per week. They have services here in the post but I don't (word missing) them much. There is to much style to suit me. I go to my United Brethren Church. They have been talking about licening me to preach I guess. They will soon but don't say any thing about it. Well I will close. I will be glad to get the girls picture. I will send you a lot of pictures when I send you things. I have some that cose one dollar apiece."

(Next written across the top of the first page):

"of our camp a Friday Kiss the children for me. With all my love and fondest regards I remain as ever your

own. Hol Write soon xxxx xxxx X

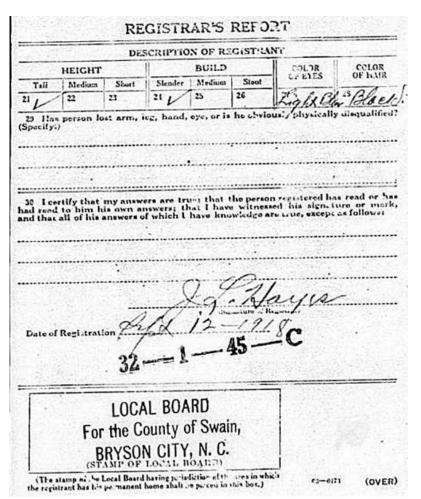
Transcription by Brenda Henry Gordon; original letter supplied by Wanda Hall Liggett Words shown in blue are my stabs at translating the handwriting.

Hol Rose discharge papers

AGINT OF THE UNITED STATES	MILITARY RECORD. Continuous Service at date of discharge & years months days. Previous Service:
To all whom it may concern:	V Markon
a Briwalk 15 Place of A 200 into of the Conos Regiment of W.S. Army, who was enlisted at Jacksonville, Fla, on the Wall day of November, one thousand nine hundred and Five , to serve & years, is hereby Honorably	Noncommissioned officer: WWW. Marksmanship: Shows hooler 196 Karsemanship: Fwv Swiffing with Ballles, engagements, skirmishes, expeditions: NOW.
Discharged from the Army of the United States by reason fix (ix Mison of Mrm of Strict) Said	Wounds received in service: Thysical condition when discharged: Single: Remarks: Service: 3 Const & Faithful!
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GHARAGTER.	May Med Corps NSa.
No objection to his reenlistment is known to exist.	J. (1) No. (1)
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THOUSE WE Army. Front	Back Note: Single ~ Child born in April 1905

Hol Rose WW1 Draft Registration card: Tall, slender, light blue eyes, black hair; a photographer and barber

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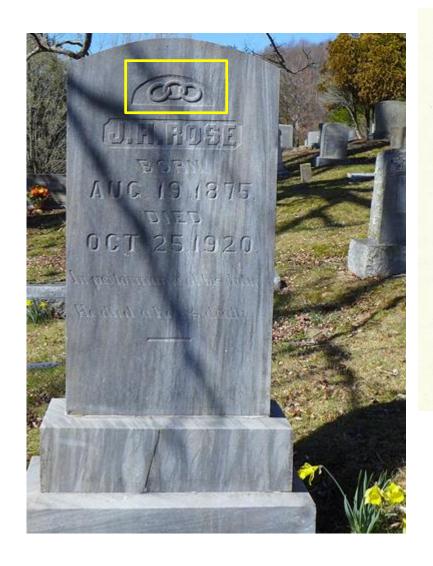
Charlie Beck (L) and Hol Rose with still captured shortly before Rose's death

Note: Charlie Beck is buried directly across the gravel driveway from Hol Rose in the **Bryson City Cemetery**

In the year that Prohibition was enacted, Hol Rose had been serving as a Swain County Deputy Sheriff and accidentally shot a man named Charlie Dowdle

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In the Superior Court.
 North Carolina .
                                              July Term 1919.
 Swain County.
                            ORDER.
   Holland Rose.
                      It appearing to the court that Charlie Dowdle was acci-
dentally shot by Holland Rose, while attempting to arrest the said Doudle:
and it appearing that physicians advised that an opperation was necessary in
order to save the life of said Dowdle; and it appearing that R. M. Thomasson,
sheriff of Swain County has paid in connection with the said opperation and
treatment, the sum of $326.45, which expense should have been borne by the county.
of Swain , for that the said Dowdle was and is unable to pay the same:
      It is therefore ordered by the Court that the County of Swain pay to
 R.M. Thomasson, the said sum of $326.45 the amount so expended by him.
                                            J.Bis Ray, Judge Presiding.
     Approved:
    A. W. Horn
        Acting Solicitor.
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Hol was a member of the Independent Order of Odd Fellows



The Three Links

ODD FELLOWS

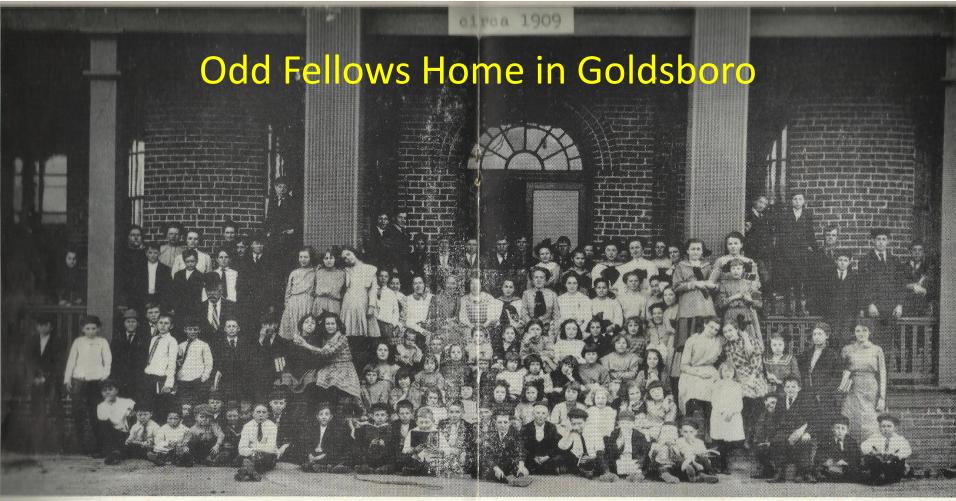
Friendship

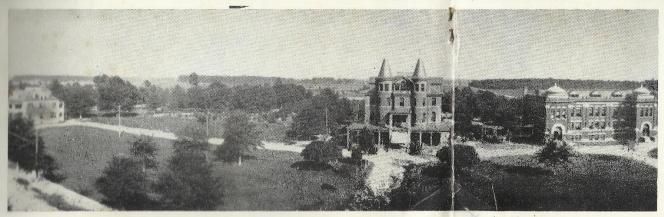
Love —— Truth



THE THREE LINKS, representing a worldwide chain that binds men together in fraternal devotion to God and fellow man. The three links, representing friendship, love and truth are the corner stone upon which the Odd Fellows of the world have built their Order.

After his death, the three youngest girls – Willie Mae (11), Elizabeth (9) and Audrey (6) went into the Odd Fellows Home in Goldsboro.





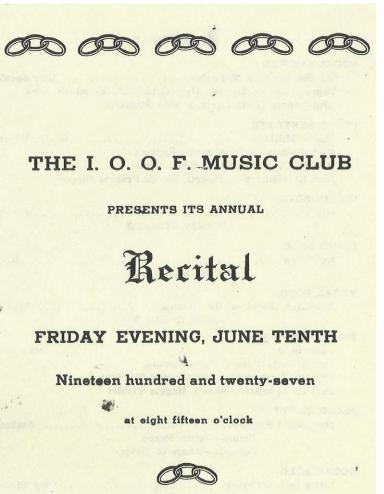
CIRCA 1909 READY FOR SCHOOL 1909 How many can you identify?

1892 to 1958 view. Left, Old Folks Home and Infirmary. Center, Main Building, offices and boys dormitory. Right, Jacobi Memorial Building, kitchen, dining room, auditorium and girls dormitory.

Postcard of the IOOF Orphan Home in Goldsboro



The Rose girls were apparently musically talented





PIANO QUARTETTE

Primo—Ethel Moore, Mathelda Keel Secondo—Elizabeth Rose, Alma Grindstaff

Audrey would've been thirteen and Elizabeth almost sixteen on the recital date

The Roses appreciated good music



Quill Rose, younger brother of Isaac Rose, the father of Hol, with his fiddle on Sugar Fork. The photo, taken by either F.B. Laney or Horace Kephart, appeared in the October 20, 1906 issue of *Forest and Stream* magazine, accompanying Part III of "The Mountain Moonshiner" by Horace Kephart.

The Rose property was deeded to Miranda by her parents

NORTH CAROLINA SWAIN COUNTY.

THIS DEED, Made this the fifth day of June, 1914, by W. D. Cable and wife Elizabeth Cable of Swain County and State of North Carolina, of the first part, to (their daughter) H. H. Rose of Swain County and State of North Carolina, of the secondpart:

WITNESSETH:

That said W. D. Cable and Elizabeth Cable in consideration of parental love and affection and Five Dollars, to them paid by M. M. Rose, the receipt of which is hereby acknowledged, have bargained and sold, and by these presents does grant, bargain, sell and convey to said M. M. Rose and her heirs and assigns, a certain tract or parcel of land in Swain County, State of North Carolina, adjoining the lands of W. D. Cable, Snyder Cable, and others, and bounded as follows, viz:

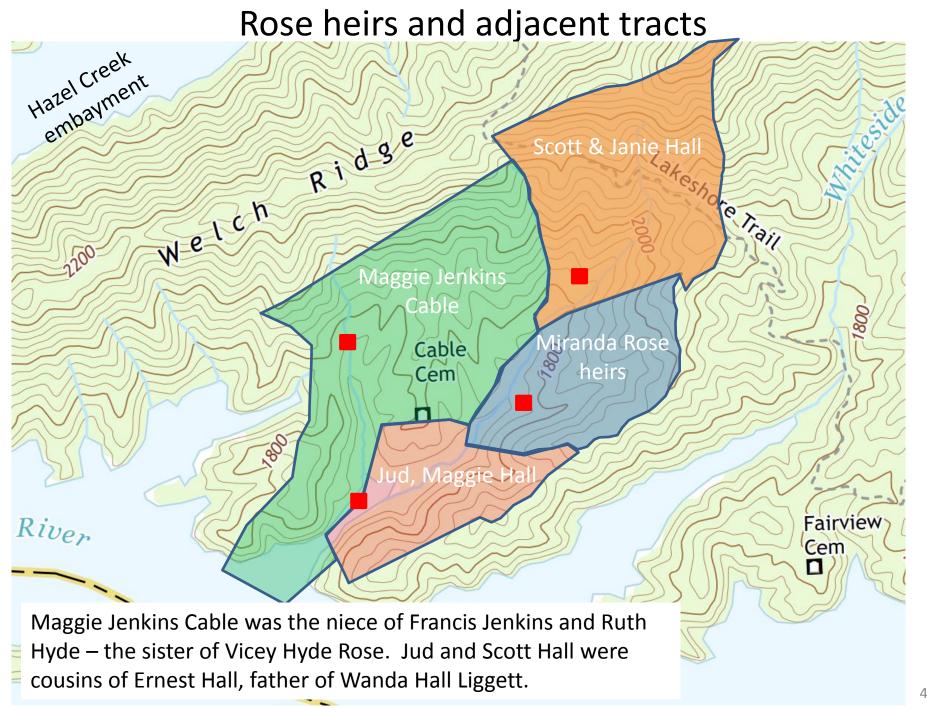
Situate on Cable's Branch waters of Tenn. River and is a part of Tract No 34, Grant No 20 and a part of a tract of land known as the Calhoun tract and Begins on a double beech standing on the bank of the said Cable's Branch and runs N 10 E 16 poles to a white oak, Snyder Cable's corner; then with Cable's line N 31 E 19 poles to a stake on the bank of the rbad; then N 16 E 8 poles to a walnut Cables corner; then N 37 E 11 poles to a white oak; then N 52 E 6 poles to a stake; then N 47 E 10 poles to a white oak at a spring; then S 73 E 66 poles to a Spanish Oak on top of the ridge a former corner; then down said ridge as it meanders S 18 E 15 poles to a pine; then S 2 E 10 poles to an oak; then S 7 W 4 poles to a pine corner; then S 40 W 98 poles with former lines to a black oak in a hollow; then to the Beginning.

Containing 45 acres more or less.

Photos of Mary Elizabeth Moore and William Daniel Cable above, courtesy of Wanda Hall Liggett, their g-granddaughter.







Final decree – Miranda Rose heirs

FR-1172 IN THE DISTRICT COURT OF THE UNITED STATES Wou. Nos 44-103879 FOR THE WESTERN DISTRICT OF NORTH CAROLINA 45-43958 UNITED STATES OF AMERICA upen the relation and for the use of the TENNESSEE VALLEY AUTHORITY Petitioner ₹. JOSEPHINE WRIGHT No. 508 CLINTON WRIGHT, her husband LEE ROSE FILED MINNIE ROSE, his wife IMA ROSE BURNETTE DEC 11 1944 VERLIN BURNETTE, her husband CHARIE ROSE WRIGHT CLERK, U.S.DISTCOURT D. D. WRIGHT, her husband WILLIE ROSE BRADLEY JACK BRADLEY, her husband ELIZABETH ROSE HALL ERNEST HALL, her husband AUDREY ROSE COLE CLINTON COLE, her husband. Respondents FINAL DECREE

The Miranda Rose heirs contested TVA's proposed offer in the declaration of taking and received 69% more for the property than they would have

The petitioner, upon the filing of the declaration of taking in this cause, deposited the sum of One Thousand Two Hundred Fifty Dolaars (\$1,250) as its estimate of the value of the property herein condemned. Subsequently thereto an agreement was reached between the parties under the terms of which Two Thousand One Hundred Thirteen Dollars and Fifty-five Cents (\$2,113.55), interest being expressly waived, would be paid by petitioner and accepted by respondents as the true value of and as just compensation for the said property. The respondents, by their consent to the entry of this decree, waive a hearing before commissioners or other trivunal for the purpose of assessing the compensation to be paid. Pursuant to the said agreement, the additional sum of Eight Hundred Sixty-Three Dollars and Fifty-Five Cents (\$863.55) has been deposited in the registry of this Court by petitioner, making a total deposit of Two Ehnusand One Hundred Thirteen Dollars and Fifty-Five Cents (\$2,113.55), all of which funds are hereinafter ordered disbursed in paragraphs 3 and 4 hereof.

Larger perspective of the Rose homes on Eagle Creek and Miranda Cable Rose home above the mouth of Hazel Creek



Audio snippets recorded in the field by the author when studying the Rose home place

"The Rose home site is one of those that just really grabs ahold of you – how pretty it is; an almost complete standing chimney, made of very large rocks – like the Scott Hall place up above, but this one is much more intact. Really pretty place. Lot of walnuts in here, scattered all over, so it's still clear* where the home stood."

"There's a rock structure off to the southeast (of the home); looks like it was probably a can house....This is just a really attractive home....attractive location. Looks like it must have been well cared-for. "

"The Rose site has multiple terraced levels....this is one of the prettiest sites that you'll run into."

Those words of praise were not carelessly spoken; I have marked over 600 home sites in the Swain County portion of the Great Smoky Mountains National Park. My heart aches for the family having their unflooded land taken by TVA.

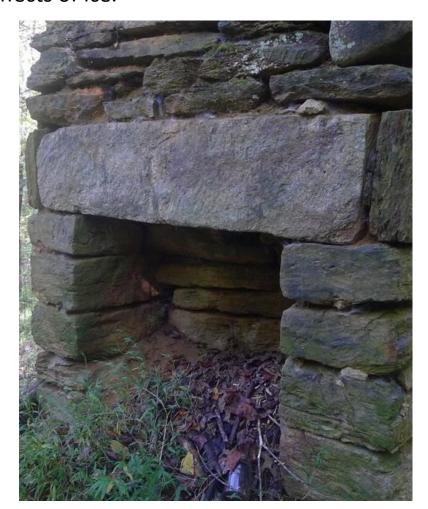
* Walnuts secrete juglone, a chemical which prevents many plants from growing in the vicinity of the trees. This includes a number of garden plants such as tomatoes and potatoes as well as native shrubs such as rhododendron. In the Smokies, walnut "meadows" are frequently found in the vicinity of old home sites —even though it has been close to a century since the homes were taken and "melted" (burned) by the Park Service. Some non-native decorative plants cultivated by mountain folks, such as daffodils and iris tolerate the effects, offering silent testimony to an appreciation of beauty by folks who once called the place home.



Left behind



Miranda Rose chimney; the lintel appears to be soapstone, a stone whose high specific heat and temperature tolerance makes it ideal to surround wood stoves. It is also used to make whiskey or wine stones – keeping the liquor cool without the diluting effects of ice.





Any ideas?

One possibility: this has the appearance of the cage which surrounds a work light bulb (cage turned upside down)



Batteries from an old radio* found at the Miranda Rose home



^{*} The author did not know what these were, but they were identified as old radio batteries by Swain native Bill Burnett, who grew up in the Needmore area without the benefit of electric power.

An aside: electric power in the area

- Electric power became available in Bryson City in 1912; a dam on Deep Creek, located 0.6 miles above the parking area above the campground, was built by the town after acquiring property from Billy Morris, whose home stood at the upper end of that parking area, on October 2, 1911. That dam supplied power to the town until the dam at Ela came on line in 1925.
- Electric power was available in the Proctor area of Hazel Creek by around the same time as in Bryson City, courtesy of Ritter Lumber.
- Power was still unavailable to many areas outside of town well into the 1940s.
- Per this June 8, 1947 clipping from the Asheville Citizen, electric power arrived in the Alarka community in around 1947. *Alarka Residents Hear*

Alarka Residents Hear Electrification Talks

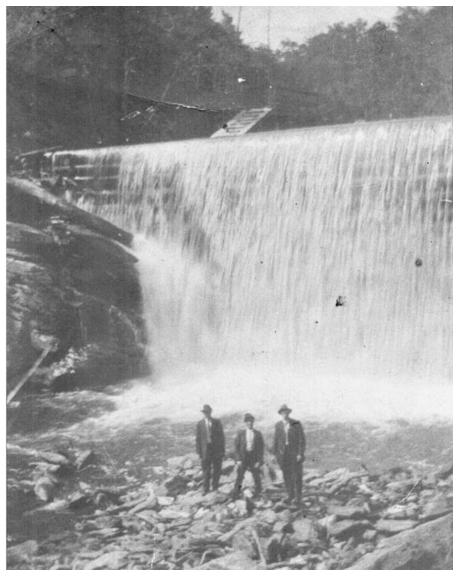
BRYSON CITY—Residents of the Alarka community of Swain county, which recently was added to the rural areas in Swain county having electric service, attended a meeting Friday night to hear discussions on house and barn wiring and use of electricity on the farm.

Speakers at the meeting included John Conyngton and William H. Flake, farm agents, Miss Pansy Deal, home demonstration agent, and B. L. McGlamery, specialist in rural electrification. Mr. McGlamery showed the film, "Dawn of Better Living."

An aside: electric power in the area (2)

- In the area which is now the Great Smoky Mountains National Park, several homes had private hydropower generated electricity, including:
 - Fred Lollis just below the current road on Canebrake Branch,
 - Evion Hall, near the mouth of Goldmine Branch, had a wheel rigged up to drive either a grist mill or a generator,
 - Phillip Rust, who owned 4360 acres on Noland Creek, had a 3-phase power generator a short ways below the mouth of Mill Creek, and
 - William Cole had a powerhouse just above Forney Creek Baptist Church;
 according to Lawrence Hyatt, if the preacher got long-winded, William would quietly step outside and turn off the generator.
- D.G. Fischer and Elizabeth Welch homes in the Bushnell area had kerosenedriven Delco systems.
- In 1932, Nantahala Power and Light, a subsidiary of Alcoa Aluminum, ran a 66 kilovolt dedicated distribution service line from the Santeetlah power house to the North Carolina Exploration Company copper mine on Eagle Creek. The mine had a stepdown transformer which provided lower voltage (e.g., 480-V, three phase)power to operate mine equipment and likely also provide low (120-V, single phase) power to homes and offices at the mine.

Dam and powerhouse on Deep Creek





Photos courtesy of Jim Estes



Delco-Light system



Images from: http://doctordelco.com



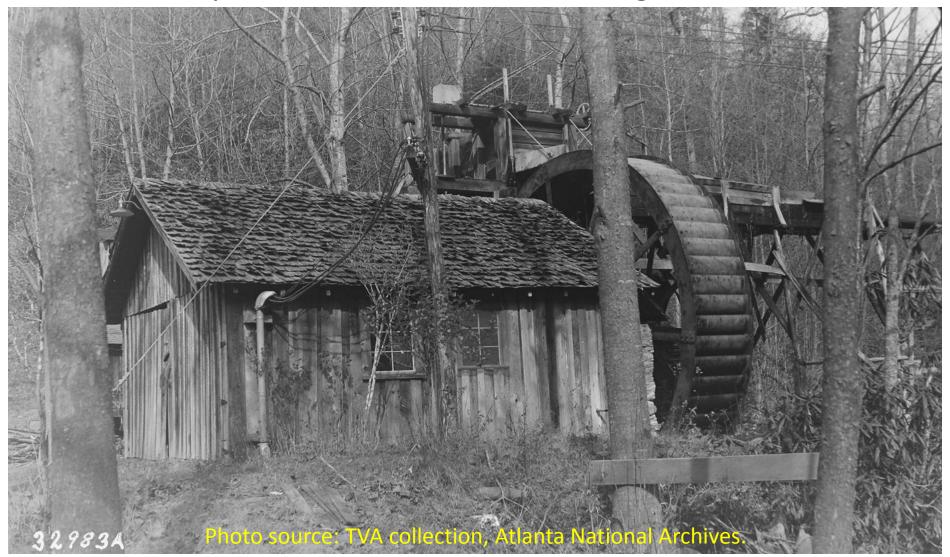
Rust powerhouse gear increaser, flywheel, generator and exciter



Photo source: TVA collection, Atlanta National Archives.

Author comment: based on the size of the generator, and taking into account the period (1940s), I'd estimate that the generator was in the range of 20 to 40 kW size.

Rust powerhouse with overshot wheel, penstock and flume in the background



Note: the three phase lines at the upper right went upstream about a quarter of a mile to the Rust home and compound. The pair of lines going to the left went to a home for one of Rust's wardens.

At the time of the shooting, Hol Rose had been lodging in Bryson City with Dr. A.M. and Mary Charlotte Hyatt Bennett on east Main Street



Photo courtesy of Jim Casada and Bennett family

The home stood just west of where the Catholic Church now stands. It was taken down in the early 1950s and Bennett's Court was erected in its place. Bennett's Court was sold and continued service as tourist lodging as Gracey Manor before being torn down in 2019 to be replaced by a newer hotel.

Mary Charlotte made an apron for Miranda Rose from Hol's shirt – a wonderful way of conveying her sympathy



Apron photo courtesy of Wanda Hall Liggett, granddaughter of Hol and Miranda Cable Rose



Mary Charlotte Hyatt Bennett, Photo courtesy of Jessie Greyer

The Hol Rose – Lucy Morgan family

James Holland Rose and Lucy N Morgan



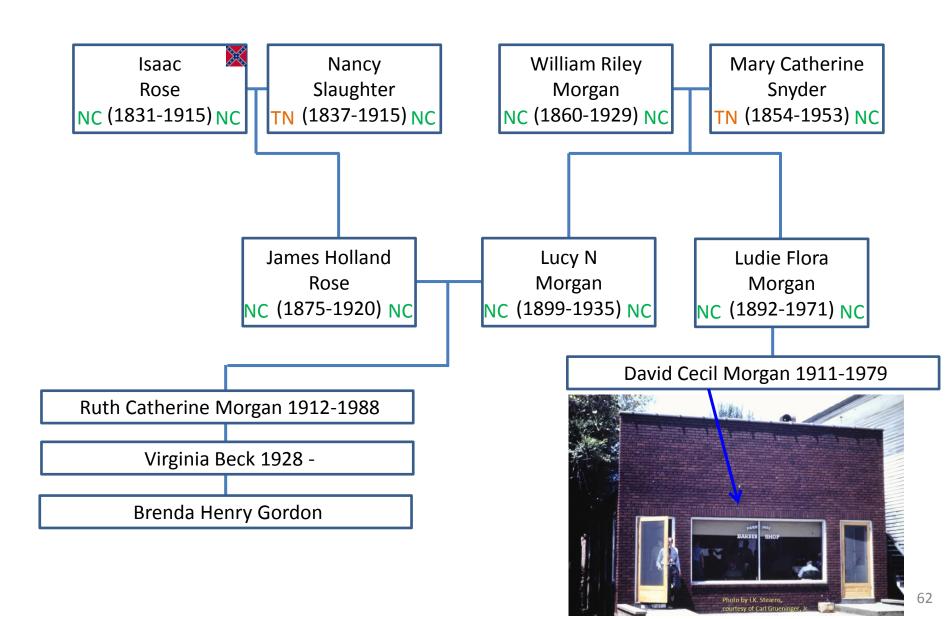
Source: Brenda Henry Gordon

This has all the appearances of a wedding photo. A marriage record has not yet been found; it seems likely that Hol and Lucy – like many others of that and later periods – went south across the state line into either Georgia or South Carolina, where there was no required waiting period, as was the case in North Carolina.

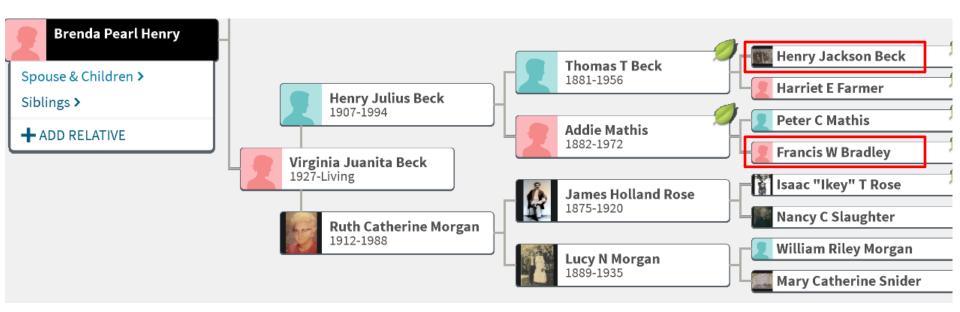
Also, no marriage record has been found for Hol and Miranda Cable.

Hol was 5 ft $10^{-1}/_4$ inches; Lucy looks to be every bit as tall – or taller.

Lineage of FBCC member Brenda Henry Gordon



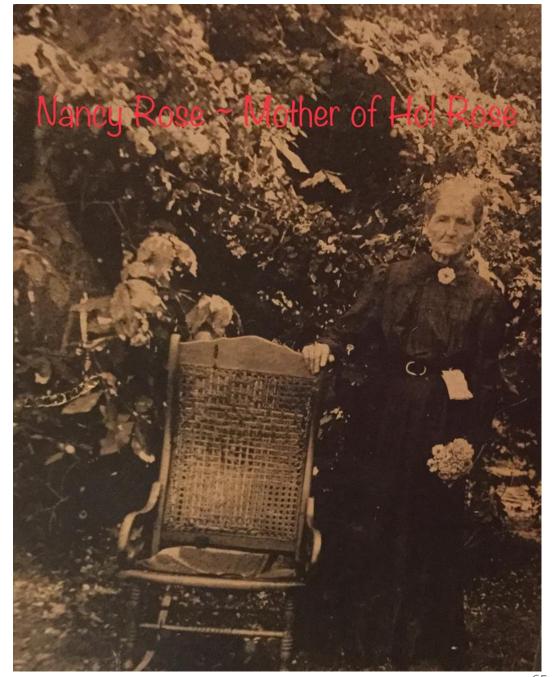
Brenda Henry Gordon's Morgan lineage



Two of Brenda's g-g grandparents are Henry Jackson Beck and Francis Bradley. Henry Jackson Beck is Charlie Beck's great-granduncle. We'll see the Bradley connection later on.

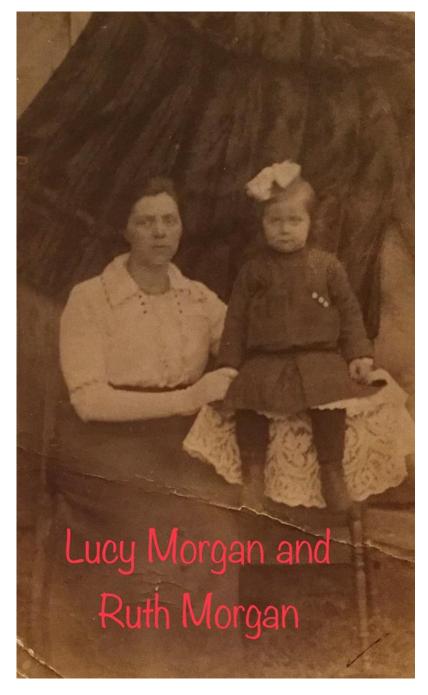


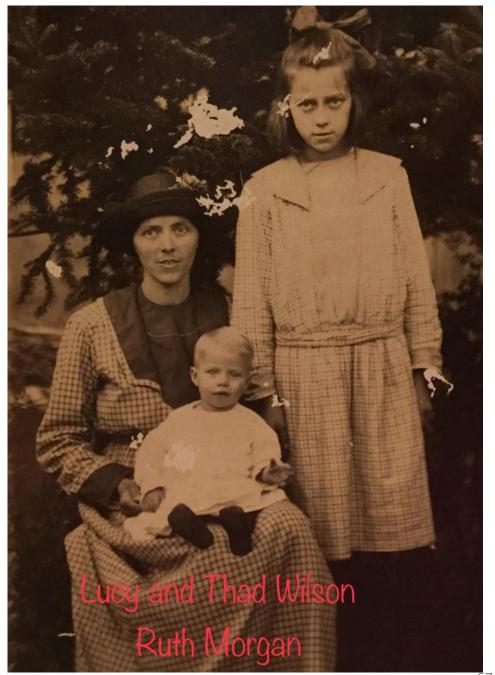


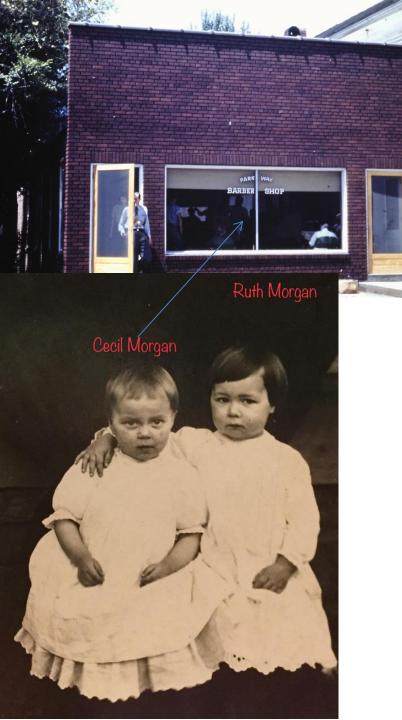






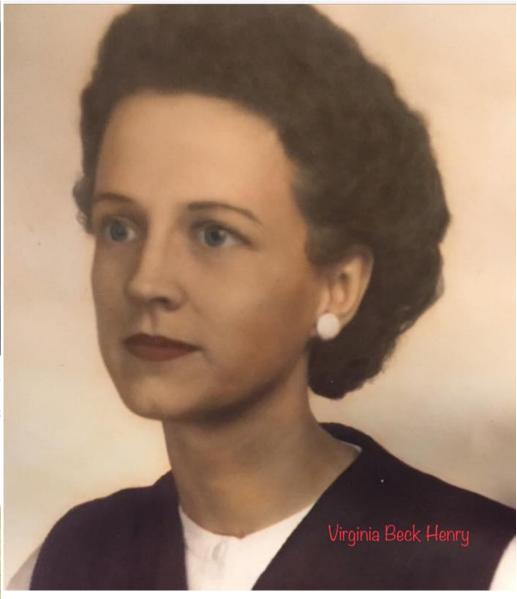










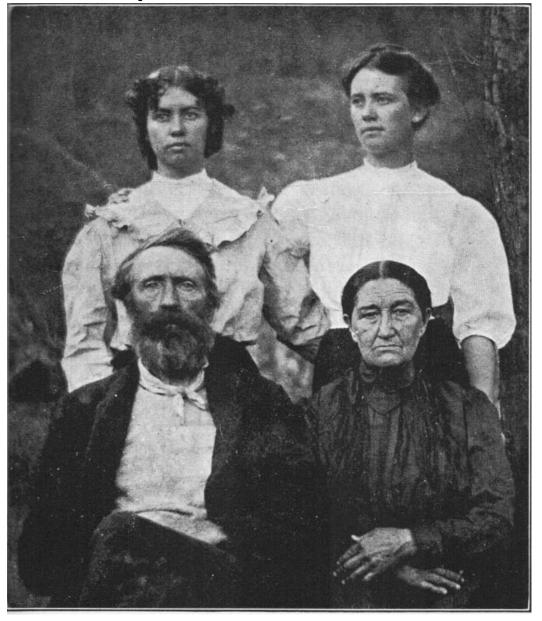


Home of Ruth Morgan and Kenneth Cooper at Ela



Quill and Jake Rose

Quill and Vicey Rose and two of Hol's sisters

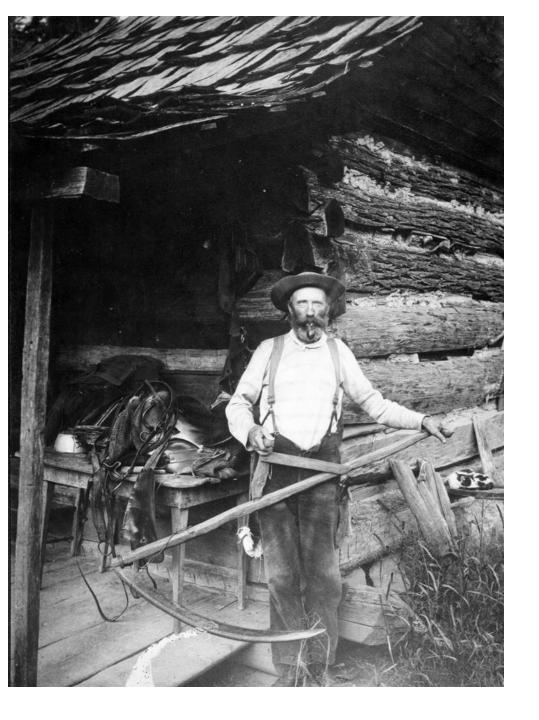


<u>Used with the permission of Hunter Library Special Collections</u>

Quill and Vicey Rose cabin on Eagle Creek



Photo source: Open Parks Network



Quill Rose with his mowing scythe

Note: this is clearly a different structure than (or a later version of) the cabin in the previous slide – e.g., sawn timber for the porch support vs a pole in the other photo.

Photo source: Open Parks Network

Quill Rose and the quiet town life...or not

Capt. Terrill, writing from Webster, N. C., on the 6th instant, states that a fatal affray occured on last Saturday at Deep Creek, Jackson county, between Harry Burns and Quill Rose, in which the former was almost instantly killed and the lattle dangerously if not mortally wounded. Cause—Brandy.—Asheville Citizen.

Wilmington Journal, Jan 27, 1871

An act to protect sheep and other domestic animals from the ravages of wolves in Madison county.

The General Assembly of North Carolina do enact:

Section 1. That the board of county commissioners of Madison, Haywood, Transylvania, Swain and Jackson counties are hereby authorized and empowered to offer and pay a reward not exceeding five dollars for any wolf that may be killed in said counties, on due proof being made of the fact of the killing of the same.

SEC. 2. That this act shall be in force from and after its ratification.

In the general assembly read three times, and ratified this the 17th day of February, A. D. 1883.

County Commissioner minutes, 4 Feb 1889
Ordered by the board that Q.L. Rose be
allowed five dollars for a wolf scalp killed in
Swain County. The board hereby agrees to
pay the sum of \$8 for grown wolf scalps and
\$4 for pups killed in Swain County from and
after this date.

Quill Rose overview

- Born in Blount County in 1841, moved with his parents to Cherokee (now Graham) County NC between 1847 and 1850
- Joined, along with Jake, Company K of the 1st NC Cavalry Regiment; however he was "Rejected by Colonel Baker."
- So he enlisted in Company F, NC 29th Infantry, from which he apparently deserted to enlist in Levi's Battery Light Artillery, then transferred to John Barr's Battery of the Virginia Light Artillery – and may have also served in Company K, 9th NC Regiment

Source: North Carolina Troops 1861-1865 – A Roster, NC Office of Archives and History

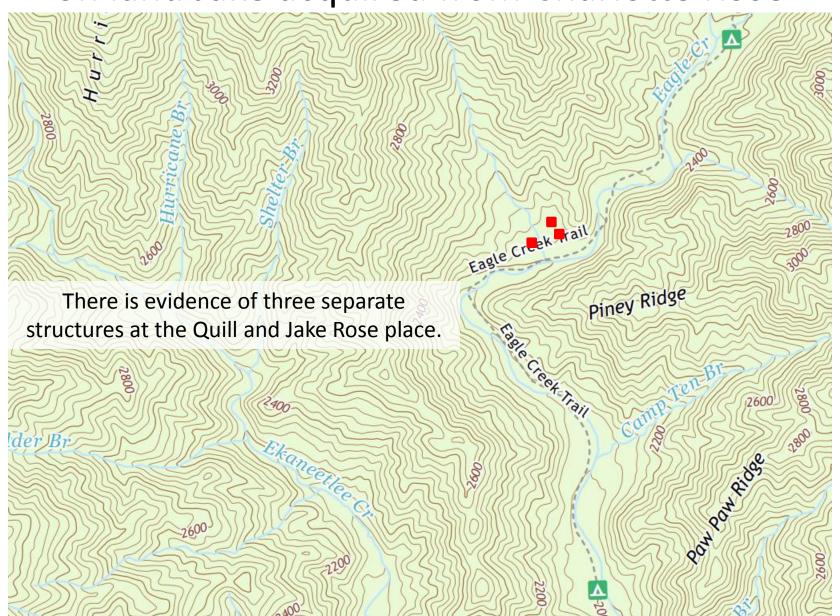
Quill Rose overview (2)

- In 1870, he was living in the Deep Creek district of Jackson County with his new bride, Lavisa Hyde
- In 1871, he killed Harry Burns with a knife after Burns had shot him. He apparently left the area for a time.
- In 1880, he and Vicey were in the Forneys Creek district (which included Eagle Creek), living alongside brother Jake.
- In 1904, Jake sold 400 acres of land to CH Rexford, who would sell almost 17,125 acres of Eagle Creek land to the Montvale Lumber Company in 1906.
- We don't know when the logging operation reached them, but sometime between 1910 and 1920, he and Vicey went back to Blount County.
- He died in 1921 and she followed the next year; they're buried at Tuckaleechee Methodist Church Cemetery.

Jake Rose owned the property on Eagle Creek, and unlike Quill, had offspring

- Married Mary Talitha Jenkins, granddaughter of Jonas Tolliver Jenkins, namesake of Jenkins Trail Ridge and Jonas Creek, and progenitor of a mess of folks, sometime around 1870
- In 1880, they were living alongside brother Quill with sons Theodore "Thee", Quiller Eagleton "Eagle" and George Washington "Pitt" and daughter Willa.
- They added five daughters Elizabeth, Iva Lee, Hattie, Becky and Lillie Mae between 1881 and 1898 (when Mary was 45)
- Acquired two 100-acre tracts from Charlotte Rose Delozier; one was on Eagle Creek, the other on the Tennessee River.
 Also acquired two other 100 acre tracts on Eagle Creek.
- Lived for an unknown time on Eagle Creek; by 1900, he and family were in Blount County and well enough off to have a housekeeper and hired farm laborer.

Jake&Mary and Quill&Vicey lived on Eagle Creek on land Jake acquired from Charlotte Rose



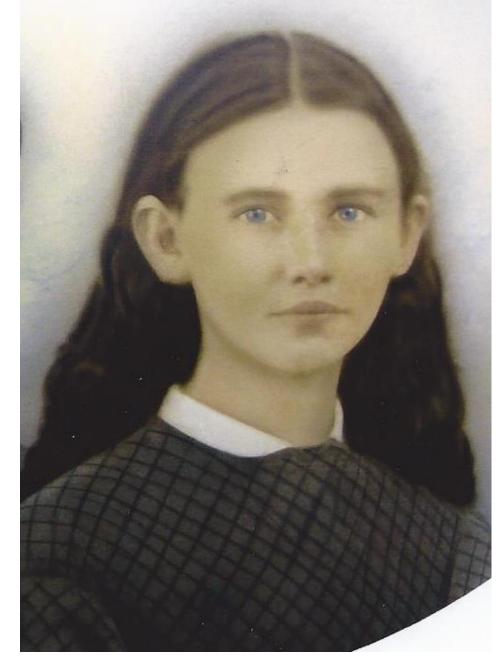
Chimney remains at Quill/Jake Rose place



Rock wall at the Quill-Jake Rose place



Young Mary Talitha
Jenkins – future bride
of Jake Rose



Source: Findagrave.com, added by Lily Slate

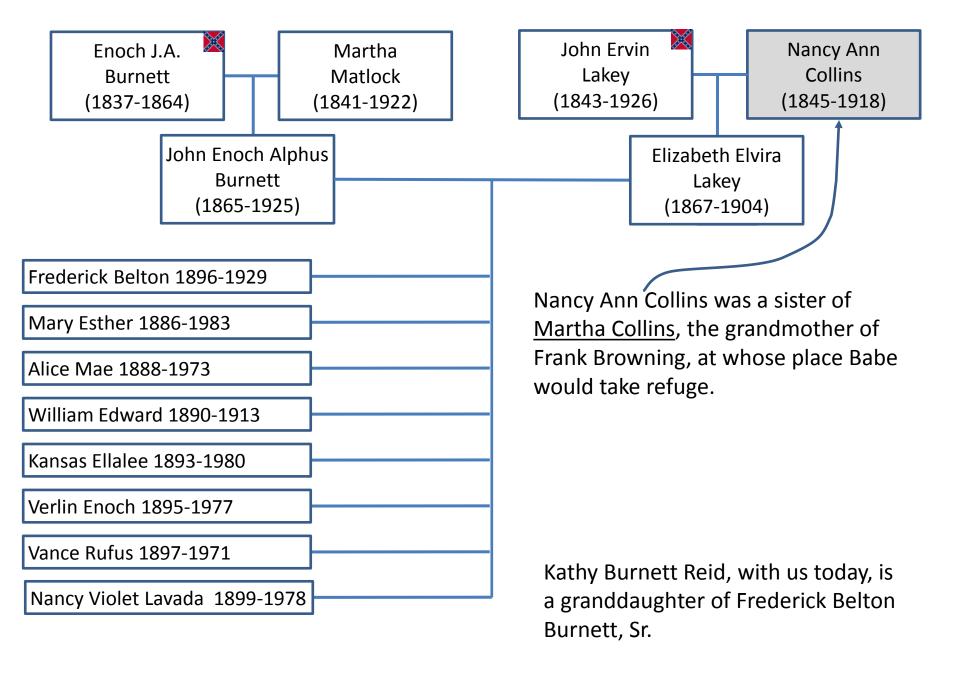


Eagle, Pitt, and Thee Rose

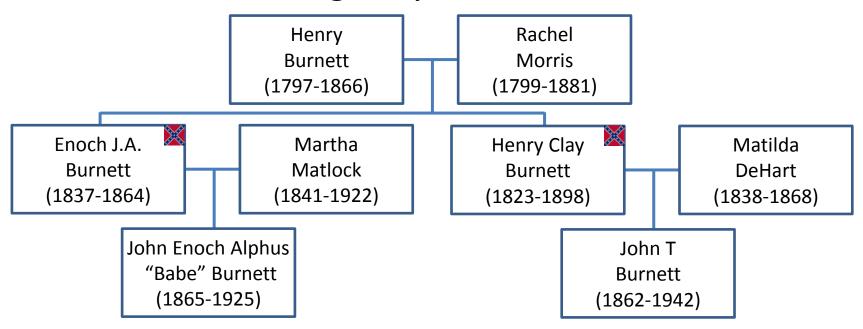
Source: Frances Rogers, findagrave.com

- Aquilla Eagleton "Eagle" Rose
 - Eagle was shot in the back and decapitated; Dan Gladden confessed on his deathbed
- George Washington "Pitt" Rose
 - Pitt was shot by an unnamed acquaintance; see the Carson Brewer article handout, courtesy of Bud and Alatha Cantrell, great-niece of Pitt's wife Hattie Hampton
- Jacob Theodore "Thee" Rose
 - While gambling with Dick Thomas, the two got into a shooting argument; both were shot multiple times.

Babe Burnett and family



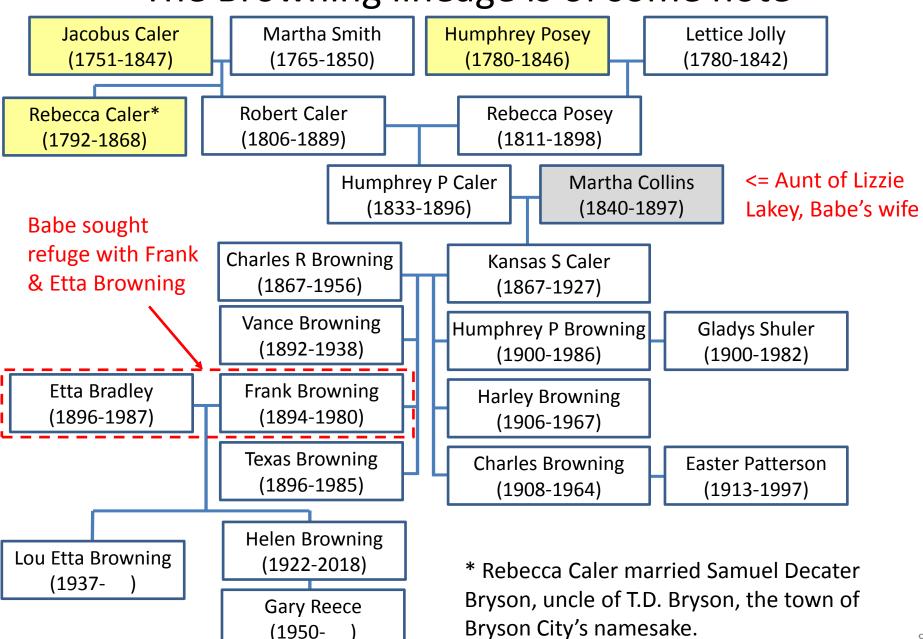
John T Burnett, serving in the NC Legislature at the time of the killing, may have been Babe's relative

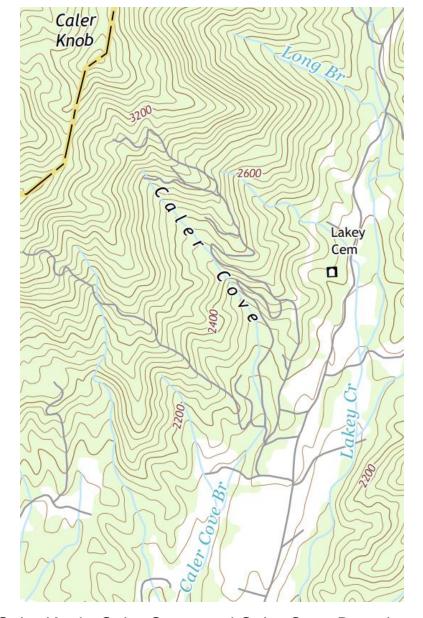


Author's note: There is serious doubt about whether Henry Clay Burnett was, in fact, the son of Henry Burnett and Rachel Morris (and uncle of Babe Burnett), although a number of family trees so show him. In the 1850 census, Henry Clay Burnett was listed in the household of Solomon Truitt, who was bondsman when Henry C. Burnett married Matilda DeHart in October 1856. Previous census records (1830, 1840) suggest a son of Henry and Rachel which could have been Henry Clay, but other family lines indicate a George Burnett who could've also fit that bill. In the Findagrave entry for Henry Clay Burnett lists him as a son of Frederick Thomas Burnett (who is his grandfather, per other trees). Conflicting and uncertain data leave much to be desired in terms of verifying the possible relationship between Henry Clay and Babe Burnett.

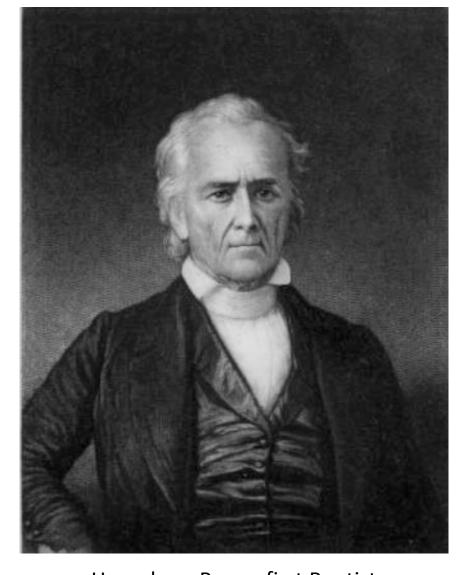
Henry C Burnett, age 34, enlisted at Franklin in Co. C of the NC 7th Cavalry Battalion, Captained by Joseph W. Dobson, in July, 1862. This company was reorganized as 2nd Co. G of the NC 6th Cavalry Regiment in 1863. Enoch J.A. Burnett enlisted in Co. A of the NC 7th Cavalry in July 1862, Captained by Julius T. Siler. He transferred to Co. E of the NC 6th Cavalry Regiment. Both Burnett men had been listed as AWOL. Neither owned slaves, but both of their captains (Dobson and Siler) did.

The Browning lineage is of some note





Caler Knob, Caler Cove, and Caler Cove Branch are named for the Caler family, including Jacobus, son Robert and grandson Humphrey Posey Caler, all of whom had state land grants in the area.



Humphrey Posey, first Baptist Missionary to the Cherokees, founder of Valley Town School

Source: Sketch of the Life of Elder Humphrey Posey, by Robert Fleming Published by The Western Baptist Association of Georgia, 1852.

Babe Burnett with second wife, America Parker, and some of his children, courtesy of Karen Robertson (g-granddaughter of Babe)

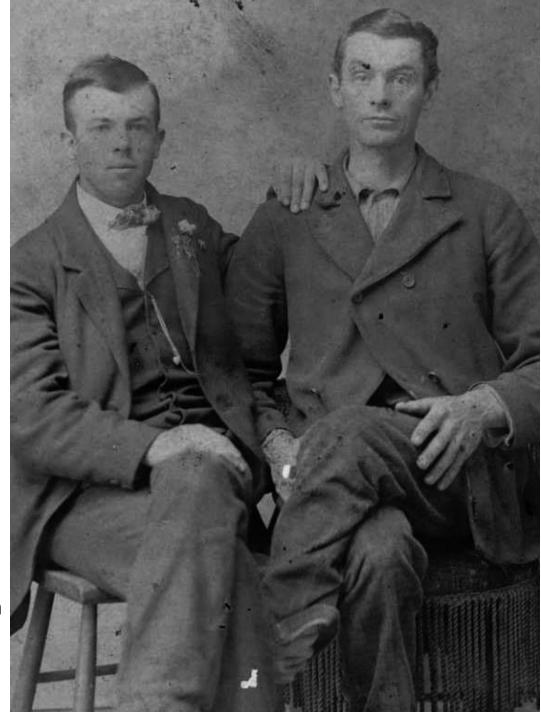


~ 1920



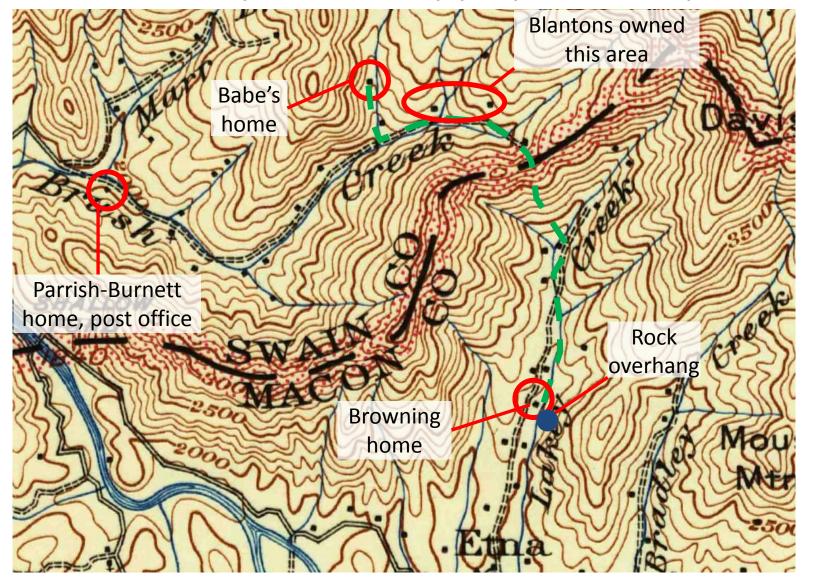
~ 1905-1910

Harley West, nephew of Babe and Babe Burnett circa 1900

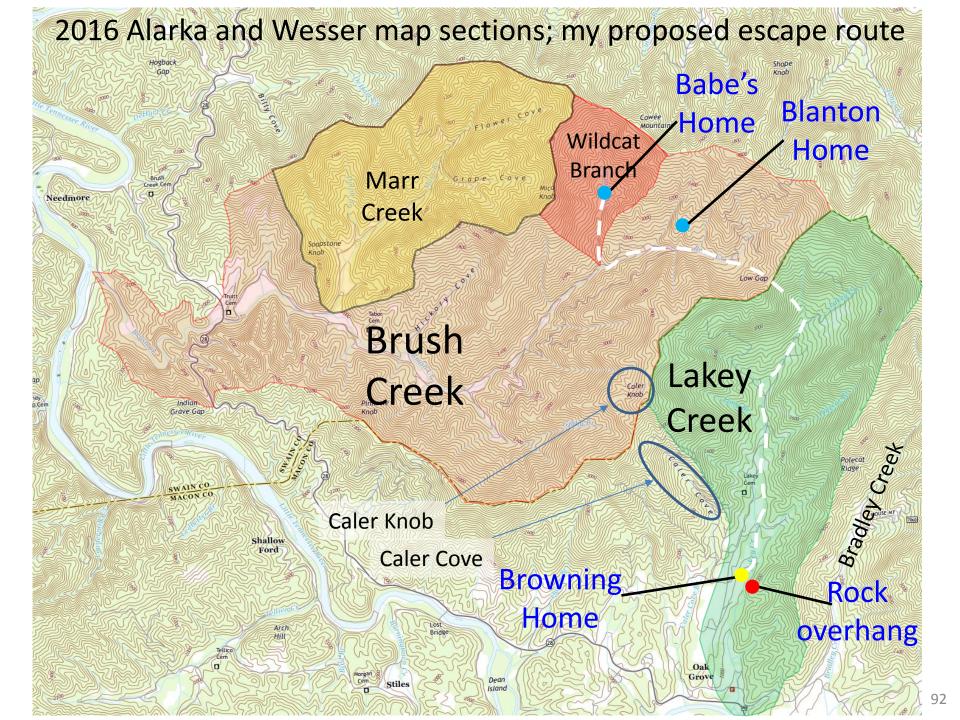


Source: Jdeanbrock on ancestry.com

1907 Cowee map section; my proposed escape route



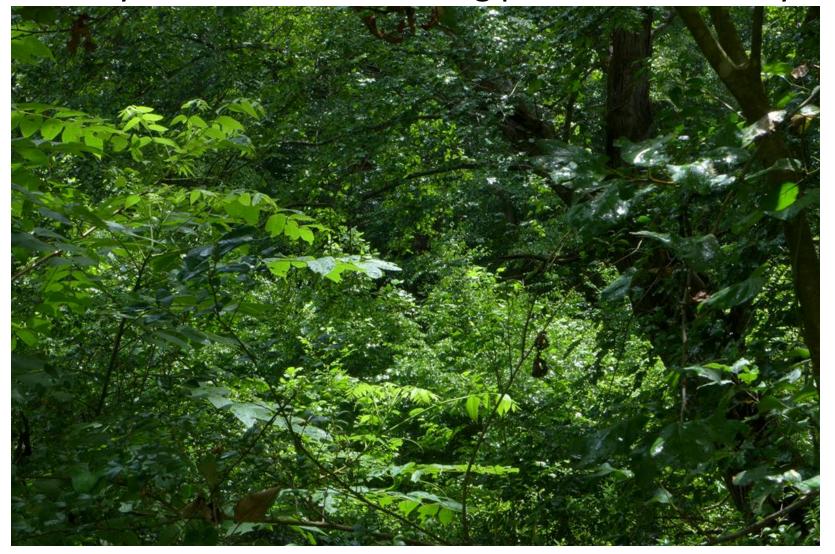
Babe was treated by a Blanton woman according to news accounts. John and Mary Blanton and family lived in the upper section of Brush Creek – where the proposed escape route went.



Babe waded down Lakey Creek to throw off the dogs; when Frank Browning came out at dusk to see to the livestock, Babe came to the barn



Babe hid out under a rock overhang on the south side of Lakey Creek at the Browning place for three days



This is a look through the bushes and trees to the overhang in July (which obviously can't be seen though it's only about 30 yards away). Babe hid out in late October, but there should've still been plenty of cover. $_{q_A}$

Rock overhang location, viewed from between the barn and the house



Photo taken in January, 2020 of the Rock overhang



Babe finally turned himself in the next May

MAN WANTED IN CONNECTION WITH DEATH OF PROHIBITION OFFICER SURRENDERS SUNDAY

J. E. "Babe" Burnett, wanted for of buckshot causing the almost inthe alleged killing of Prohibition Officer J. Holland Rose, which occurred following a prohibtion raid near the Burnett home in Swain county, November 25, 1920, early yesterday morning surrendered to the sheriff of Swain county and was placed in jail at Bryson City to await trial on the charge of murder at the July term ing and obtained some medicine to of Superior court there.

Burnett's only statement concerning the case was made to the sheriff and T. J. Woodard, of Asheville: "I have come to trust myself in the

hands of my countrymen."

The shooting of Officer Rose occurred when the officer in company with Charles J. Beck, posseman, went to the Burnett home, 15 miles from Bryson City and found near the home evidences o fan illicit distillery. The officers decided then to return to the house where they had previously ernment. talked with Burnett and place him Officer Beck now holds the pounder arrest for alleged implication sition formerly held by Rose. in operation of the still.

cording to Officer Beck, Burnett was seen near a straw stack, and the of- Parker and Jones, of Asheville. No ficers called to him they would have indications as to what the defense to arrest him. Burnett is said to have will set up at the trial could be obthen ofened fire on the officers, a load tained last night.

stant death of Rose.

According to statements by Mr. Beck, who will be the principal witness for the state, he then emptied his automatic at Burnett as he disappeared into a gulley and then into the woods. It was later reported to the officers that the accused stopped at the home of a woman about onehalf mile from the scene of the shootplace on a wound in his leg, made, it is presumed, by a bullet from Beck's automatic.

A posse was formed for the purpose of apprehending Burnett, who fled the country and successfully eluded officers from that time.

A reward of \$600 had been offered for the arrest and convition of Burnett. This amount was partly made up by friends of Rose who had raided with him, partly by friends not officers and the remainder by the gov-

The accused will be represented by Upon approaching the home, ac- Felix Alley and Thurman Leatherwood, of Bryson City, and Bourne,

Asheville Citizen, May 16, 1921

Less than two weeks after Babe turned himself in, Ima Rose (daughter of Hol) married Verlin Burnett (son of Babe)

MARRIES BABE BURNETT'S SON

Daughter of Man Babe is Alleged to Have Killed, Marries Son of the Slayer.

Asheville May 29. — Miss Ina Rose, daughter of Jim Rose, who was killed in a prohibition raid, was last week married to Verlin Burnett, son of "Babe" Burnett, alleged slayer of the prohibition agent, according to reports reaching Asheville from Franklin.

Jim Rose, father of Verlin Burnett's bride, was shot to death last November when in company with Charles J. Beck, a raid was made on Burnett's place. "Babe" Burnett eluded the officers until about two weeks ago when he came to Bryson City and surrendered. He is awaiting trial for his life.

Mitchell Printing Com	SURNAME OF	GIVEN NAMES OF	SURNAME OF	-				-
DATE	INTENDED HUSBAND	HUSBAND AND WIFE	INTENDED WIFE	AGE	COLOR	PLACE OF MARRIAGE	NAME AND TITLE OF PERSON CELEBRATING MARRIAGE	NAMES OF WITNESSES
(A)	Burnett	E. V.		26	White	Franklin.	Geo. Carpenter	Sam E. Grant
(8)		Ima B.	Rose		E. C.			N. H. Stiles
5-25-1921				18 White	N. Carolina	J. P.	Geo. Reid	

But Verlin had already been married for two years....

Philadelphia, Pennsylvania, Marriage Index, 1885-1951 Name Enoch V Burnette						
Gender	Male					
Gender	Mate					
Spouse	Martha H Winn					
Spouse Gender	Female					
Marriage Place	Philadelphia, Pennsylvania, United States					
Marriage Year	1919					
Marriage License Number	404798					
Digital GSU Number	4141604					
Household Members	Name					
	Enoch V Burnette					
	Martha H Winn					

In the 1920 census, Verlin and his wife Martha Winn Burnett were living in Pocatello, Idaho with his sister, Esther Burnett Johnson and her husband Niels. A sister of Verlin and Esther, Violet, was also living there

Name:	Verlin Burnett				
Age:	25				
Birth Year:	abt 1895 North Carolina Pocatello Ward 1, Bannock, Idaho				
Birthplace:					
Home in 1920:					
Street:	South Fourth Avenue				
Residence Date:	1920				
Race:	White				
Gender:	Male				
Relation to Head of House:	Brother-in-law				
Marital status:	Single				
Father's Birthplace:	Ohio				
Mother's Birthplace:	Ohio				
Able to Speak English:	Yes Brakeman				
Occupation:					
Industry:	Steam Rail Road				
Employment Field:	Wage or Salary				
Able to Read:	Yes				
Able to Write:	Yes				
Neighbors:	View others on page				
Household Members:	Name	Age			
	Niels O Johnson	35			
	Esther Johnson	33			
	Ronald Johnson	9			
	Thairel Johnson	7			
	Norman Johnson	4			
	Douglass Johnson	1			
	Violet Burnett	20			
\longrightarrow	Verlin Burnett	25			

Yes, truth can be stranger than fiction; wouldn't this story make a great movie?