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Suggested Citation:

McDonald, Michael J. and John Muldowny. "Reburying the Dead: Disinterment and Reinterment at TVA's Norris Dam." *The East Tennessee Historical Society's Publications* 47 (1975): 118-138.

REBURYING THE DEAD:  
DISINTERMENT AND REINTERMENT AT TVA'S  
NORRIS DAM

By MICHAEL J. McDONALD  
AND JOHN MULDOWNY

Although the disinterment and reinterment project carried out by TVA at Norris Dam between 1933 and 1936 does not constitute a major historical event in the totality of the Authority's history, the very fabric of that history is composed of innumerable such projects. From one point of view, the evaluation of the agency must rest upon the success or failure of thousands of similar projects undertaken by TVA, for it was in the interstices where federal power confronts a local community that the most immediate effects were to be found: where the agency is scrupulously tested in its ability to meet the public, and where, in many respects, the first and most deeply rooted attitudes are formed by the persons and groups affected. In the particular case under examination, the Tennessee Valley Authority became deeply involved at the grass roots with five East Tennessee counties affected by the creation of Norris Dam and reservoir.

It is evident that the Tennessee Valley Authority, like any institutional component of the New Deal, can be historically analyzed in various ways: evaluated in terms of broad goals and achievements; examined for its institutional coherence in terms of administrative functioning; and interpreted through its external and internal quarrels. With TVA all these analyses have been made, in most cases cogently and concisely.<sup>1</sup> There remain, however, other viable points from which

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<sup>1</sup> Among the works to be consulted on many of these topics, see: Clarence L. Hodge, *The Tennessee Valley Authority: A National Experiment in Regionalism* (Washington, 1938); Thomas K. McCraw, *Morgan Versus Lilienthal: The Fend within the TVA* (Chicago, 1970); Charles H. Pritchett, *The Tennessee Valley Authority: A Study in Public Administration* (Chapel Hill, 1943); Philip Selznick, *TVA and the Grass Roots: A Study in the Sociology of Formal Organization* (Berkeley, 1949); Norman I. Wengert, *Valley of Tomorrow: The TVA and Agriculture* (Knoxville, 1952); David E. Lilienthal, *TVA: Democracy on the March* (New York, 1944); A. E. Morgan, *The Making of the TVA* (Buffalo, 1974); Roscoe C. Martin, ed., *TVA the First Twenty Years: A Staff Report* (University, Alabama, 1956); John R. Moore, ed., *The Economic Impact of TVA* (Knoxville, 1967); and Preston J. Hubbard, *Origins of the TVA: The Muscle Shoals Controversy, 1920-1932* (Nashville, 1961).

to launch historical investigations and the purpose of this essay is to explore one of these.

The immediate effect of the building of Norris Dam was the displacement and relocation of nearly three thousand families whose homes and farms lay within the area to be inundated by the rising waters of Norris Lake. The relocation of the living entailed the relocation of the dead buried in local communities—over five thousand graves in scattered burial plots, in numerous churchyards and family burial grounds, many of them unmarked and dating back to the eighteenth century.

The coming of TVA meant to many of these families a disastrous wrenching away from familiar surroundings and a disruption of a sense of community established through generations. This sense of community was conservative—it embraced the dead as well as the living—and it was symbolized by the local church and its burying ground, as well as by the numerous kinship ties that bound family to family.

The many small rural communities of the Norris Basin possessed a deep sensitivity to and an awareness of their existence as long-established social entities. This sensitivity was enhanced by deeply abiding religious sentiments and was nowhere more apparent than in the concern evidenced by the communities over the final disposition of the graves of their families. To the displaced and uprooted living, these graves were mute evidence of the continuity of their own existence, proof of the permanency of the past, and an irrefragible link to their collectively shared communal and familial memories.

The reverential attitude toward the dead, expressed so strongly by the concern of these families in the matter of the removal of graves, constituted one of the more delicate matters which the Tennessee Valley Authority had to face. Its resolution of the problem can qualify as a very real test of its ability to function at the grass roots in a potentially explosive situation, and as a tangible test of sensitivity and restraint in the use of federal power.

While the agency was, in time, to develop a structured bureaucracy to handle the problems of grave removal, much of the initial work was delegated to Willis R. Woolrich, a mechanical engineer from the Uni-

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versity of Tennessee and an assistant to one of the Directors of TVA, Harcourt Morgan.<sup>2</sup>

There is no available evidence to indicate that public opinion surveys were taken among the populations of the five affected counties as to the disposition of removed graves. A memorandum from Woolrich to Morgan, however, did refer to a meeting in Union County near Maynardville as "an independent meeting of residents of the valley" to be held on August 19th, 1933. Woolrich's comments to Morgan would indicate that the Authority had somewhat made up its mind as to what type of cemetery would be suitable for the reburied dead:

Will meet with these people. Have asked Draper [Land Planning and Housing Division] to supply information available on design and will take some pastors to accompany me to keep the spiritual leadership in the foreground.

Some more thought should be given so that all answers can be made without late reversal.<sup>3</sup>

One of the "pastors" asked to attend was John D. Freeman, Executive Secretary and Treasurer of the Executive Board of the Tennessee Baptist Convention in Nashville, Tennessee. As he could not come he asked the Reverend Thomas C. Wyatt of Knoxville to attend in his place. Freeman wrote to Woolrich that "It is our purpose to try to aid the churches of that area . . . in combining them into larger and more efficient units."<sup>4</sup>

The meeting was chaired by a prominent resident of Union County, Dixie Miller, and purported to offer its support to a national memorial cemetery. There is no record that residents of the other four affected

<sup>2</sup> Primary responsibility for the Grave Removal Program in the Norris Reservoir area rested in the Tennessee Valley Authority's Engineering Service Division. The chief of that division was Ned H. Sayford, who was assisted in the matter of grave removal by assigning the direct supervisory work to his assistant, Harry Wiersema. Jervey Kelly was also active in this work for the Engineering Services Division. The TVA's field engineer at LaFollette, Tennessee, John F. Barksdale, supervised the surveying, mapping, removal agreements, and the preparation and filing of grave removal records. The Authority also created a cemetery committee composed of representatives of the Authority's Board of Directors: Ned Sayford, Carl Bock (Director of Engineering and Geology), and W. R. Woolrich (Mechanical Engineer) of Agricultural Industry Division. This committee delegated much of the actual work to a sub-committee, chaired by the Assistant Director of the Engineering Service Division, Harry Wiersema, and representing many branches of the TVA: Land Planning, Land Purchases, Population Removal, Agriculture, Industry, and Engineering. Counselor Thaddeus Adams of the Authority's Legal Division was instrumental in the work of the grave removal program, and affected the decisions made in committee, sub-committee and divisions concerned with the reinterment and disinterment phase of the Authority's work at Norris.

<sup>3</sup> W. R. Woolrich to H. A. Morgan, August 17, 1933, Tennessee Valley Authority, Maps and Surveys Branch files (hereafter referred to as TVAMS).

<sup>4</sup> John D. Freeman to Woolrich, August 19, 1933, TVAMS.

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counties were consulted. More strange is the fact that at this Union County meeting a resolution was presented and passed "recommending full cooperation thru churches, with the TVA plans." Woolrich's reported response was that the TVA "deeply appreciated your assent to these plans. We plan to make all arrangements through your respective churches." The Knoxville ministers who were present—Walter B. Morgan of the First Methodist Church, and T. C. Wyatt, pastor of McCalla Avenue Baptist Church—said they would "advise or assist their Union County representatives."<sup>5</sup>

Two days after the meeting with Union countians, the TVA Board of Directors voted ". . . that a national cemetery be established, to be maintained by the Authority, to receive the remains of those now buried within the limits of the reservoirs."

The Authority agreed to accept full responsibility for disinterment and reinterment to the proposed cemetery and for those not desirous of placing their dead in a national cemetery, space would be provided elsewhere with compensation equal to the cost of removal to the national cemetery.<sup>6</sup> At this early point in the agency's thinking, it is clear that the vague concept of a national cemetery bulked large. In fact the agency proposed a TVA National Memorial Council to carry out the establishment of such a cemetery. Following the Board of Directors meeting a TVA press release floridly stated:

The Tennessee Valley Authority is arranging to transfer the remains of early patriots from pioneer burying grounds within the area to be flooded by the great Norris Dam at Cove Creek, near Knoxville. Some of these old cemeteries date from the days our hardy forefathers first pushed westward across the Alleghenies. Buried here are many soldiers of the Revolution, including some heroes who fought in the notable engagement at King's Mountain, also relatives of Daniel Boone, Davy Crockett, John Sevier, Sam Houston, Andrew Johnson and others whose names figure on history's pages.<sup>7</sup>

To facilitate liaison between TVA and the various religious denominations, three Knoxville clergymen, two of whom had been present at the Union County meeting, urged the formation of a Tennessee Valley Church Advisory Committee, and were asked by the Authority to

<sup>5</sup> Knoxville *News-Sentinel*, August 20, 1933.

<sup>6</sup> Minutes, TVA Board of Director's meeting, August 21, 1933; Office Memorandum, C. A. Bock to N. Sayford and Woolrich, September 5, 1933; Undated Memorandum for the Establishment of a National Cemetery, TVAMS.

<sup>7</sup> TVA Press Release, Washington, August 22, 1933, TVAMS.

become the executive committee of a group consisting of 15 members. According to reports, the TVA averred that these men "have taken a leading part in the problem of removing graves." While not representing the Authority, Dr. Wyatt said, "we will assist it and we will represent the people of the section thru the various denominations." Besides Wyatt and Morgan from Knoxville, representatives also included Harry Cooke of the First Christian Church, Knoxville (the third executive committee member), and Sam White of the Deaderick Avenue Baptist Church, Knoxville. Two Methodist members were to be named by Bishop Wallace Brown, and Cooke himself was to appoint two others for the Christian Church.<sup>8</sup>

It is well at this point to consider the fact that, at best, the decision for a National Memorial Cemetery had been hurriedly undertaken, and without due consideration of the Norris Basin residents. The Advisory Committee was largely self-created from the nucleus of Knoxville ministers present at the Union County meeting of August 19th and had actively solicited the Authority's support. The National Memorial Cemetery concept had been officially promulgated by the Authority and given nationwide publicity before the 25th of August.

The Advisory Committee itself, which had gained the approval of TVA, can hardly be called representative of the Norris Basin area. The numerous small rural churches, heavily concentrated in the Primitive and Missionary Baptist sects, could hardly identify with the congregations of urban Knoxville—a city whose shared characteristics were more in line with great valley towns like Roanoke, Virginia, than with the rural communities below the highland rim.

The Authority then, with its hurriedly concocted and promoted scheme of a national cemetery and its "official" Church Advisory Council which represented Knoxville, not the Norris Basin, had taken at the outset, a rather unilateral and high-handed position on grave removal. A prize-winning feature story in the Chattanooga *Sunday Times* clearly delineated how unrepresentative the TVA's position in this case could be:

Funerals in rural communities are far more solemn and impressive than in the busy rush and bustle of the metropolis. The stroke of death makes a far wider circle than the city throng. The fixed and unchanging

<sup>8</sup> Knoxville *News-Sentinel*, August 25, 1933; W. B. Morgan to Woolrich, August 25, 1933, TVAMS.

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features of the rural community also perpetuate the memory of a friend or neighbor. . . . His grave is a constant reminder to the survivors . . . . Such was the typical situation [*sic*] in the Norris Reservoir area; each mound held some perpetuating and enduring memory for the individual community circle.<sup>9</sup>

Despite the agency's efforts to promote denominational support for a national cemetery, a religious group much closer to the immediate interests of a large portion of the affected population and one which represented the single largest religious sect in the Norris Basin, called a meeting to present their own plans and resolutions to TVA. This group, the Campbell County Missionary Baptist Association, held a strongly divergent attitude from TVA in the matter of a national cemetery.

In the political organization of Baptist churches, ultimate decision-making rests in the hands of totally autonomous congregations. The constituency of the Missionary Baptist Association of Campbell County alone was composed of nearly 50 such congregations scattered through four of the five affected counties. Although there were also large congregations of Primitive Baptists, they could be generally expected to share similar attitudes toward the buried dead of the area.

Instead of being canvassed by TVA on the relocation question, the Campbell County Missionary Baptist Association preferred to conduct its own opinion surveys. Convening on August 25, 1933, for a general business session, the Association resolved, in light of the impending construction of Norris Dam, that a survey be made among its constituency "for purpose of presenting to the Tennessee Valley Authority a definite plan for the relocation and organization of the churches to be removed and of other Baptist churches to be organized in the Norris Dam area." To this end three trustees of the Association, Dr. George L. Ridenour, James P. Meredith, and W. N. Woodward, were instructed to meet with the Baptist congregations in the Norris Basin.

The Association was much concerned over the disruption of its churches by the creation of Norris Reservoir and fearful that once the church lands were sold to TVA the congregations would disband. Thirteen churches within its constituency were scheduled for physical removal, and thirty-four churches altogether would be effectively dis-

<sup>9</sup> Mrs. E. Barksdale, "Immortal Pioneers," *Chattanooga Sunday Times*, September 13, 1936. For this article Mrs. Barksdale won the Libbie Luttrell Morrow prize for best feature, awarded by the Tennessee Woman's Press and Author's Club.

organized by the displacement of part or all of their congregations. The Association estimated that in Campbell County alone, four thousand persons, the majority of whom were Missionary Baptists, would be affected by the Norris project.

Despite the fact that their organization did not lend itself well to a unified social effort, the Missionary Baptist Association was well aware of the fact that the building of Norris Dam would necessitate mission work among the removed population. In expressing this need, the Association showed a penetrating social awareness of the area's problems concerning the tenants, the sick and aged, and the general dislocation which would follow in the wake of TVA:

The most grave problem in the area is the demoralization of the churches in the communities to be abandoned. Unrest, discontent, breaking with social ties, the loss of religious responsibility make it imperative that the missionary agencies of the denomination serve the population with workers during this time of emergency.

The report also examined the particular problem of the cemeteries to be removed as a result of the anticipated flooding, and stressed the character of the rural cemetery, with its "spiritual and sentimental value that does tie the people to their religious institutions."<sup>10</sup>

Specifically appointed to aid the churches in their work of relocation, the three trustees were instructed "to prevent the dissipation of any properties in the communities to be abandoned." The Association requested the Tennessee Valley Authority to encourage the consolidation of churches in the new communities where families were to be moved, and also urged, apropos of this request, that the Authority experiment in community planning with a view to easing the situation of tenants—a problem rendered particularly acute because tenants, without ownership rights in the land, could expect no reimbursement upon resettlement. The TVA was encouraged to allow the Baptists to own church property and land for cemeteries and other religious purposes in any experimental or model communities. Undoubtedly, these comments were precipitated by the wave of publicity which, preceding the coming of the agency, had often made reference to the possibility of experiments in living to be conducted on federally owned property.

<sup>10</sup> Copy of the original report of the meeting of the Campbell County Missionary Baptist Association, August 25, 1933, TVAMS. The requests made of the Authority by this body, and contained in this document, were marginally annotated by someone in the Authority, but neither dated nor initialed.

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In its closing remarks, the Association reiterated its stand on the cemetery issue. Any contemplation of a centrally located cemetery for the buried dead of the area which did not provide for the future interments of families that now lived in the Norris area, "would deny them the property rights which they now possess—that of free burial." Speaking "as Baptists" the Association protested the establishment of a proposed memorial cemetery as

an invasion of our rights as members of a religious organization. The members of our early churches were buried within this section they helped to develop. To deny these [descendants of] pioneers the right of Christian burial near the church or in the communities of their faith is to outrage the sentiment of families in this section and will violate the spiritual background of the people of this county.<sup>11</sup>

Despite these objections, plans for the national cemetery proceeded. On October 11, 1933, TVA released to the press a statement which reaffirmed its intention to "relocate a majority of these graves in a National Memorial Cemetery which will be a fitting and lasting tribute to those resting therein." Citing the work of the Tennessee Valley Church Advisory Committee in Knoxville for aiding in the relocation of churches and graves, the report also pointed out that several sculptors, including Gutzon Borglum, had "volunteered to make appropriate memorial statuary, all without cost."<sup>12</sup>

The work of the Advisory Committee continued to find substantial support for the memorial cemetery particularly among Union County residents.<sup>13</sup> Encouraged by these sentiments, the Regional Planning Section of the Division of Land Planning and Housing looked favorably on a site in Knox County near the proposed Norris Freeway (Hall's Crossroads) as a location for such a cemetery. While this site would be more convenient to residents on the south side of the Norris Basin (mainly Union countians), a large number of Campbell County residents would have benefited from a more accessible location near LaFollette. Furthermore, Land Planning pointed out that no matter

<sup>11</sup> *Ibid.* Four days following this meeting, the Executive Secretary of the Tennessee Baptist Convention wrote to TVA authorities that he had made a visitation in the region, and "was delighted with the plans already being worked by the trustees of the Campbell County Association, of which the Rev. George Ridenour is a member. Being a native son and knowing the heart of these people, he is better able to serve them and the Authority than any one person." Freeman to Woolrich, September 5, 1933, from the file of H. A. Morgan, Director, TVA, TVAMS.

<sup>12</sup> TVA Press Release, Washington, D. C., October 11, 1933, TVAMS.

<sup>13</sup> Rev. T. C. Wyatt, Tennessee Valley Church Advisory Committee, to Woolrich, September 12, 1933, TVAMS.

what site or sites were chosen, it would take more than a year to develop a national cemetery and would necessitate reinterment of bodies in temporary locations.<sup>14</sup>

The TVA had already begun, in the fall of 1933, the work of making plane table surveys, photographing, indexing, and mapping grave locations prior to disinterment, when vocal opposition appeared from two local groups. In November, TVA received communications from both the Campbell County Missionary Baptist Association and the Executive Board of the Tennessee Baptist Convention. The Association adamantly opposed the plan of a national memorial cemetery and claimed the right to have their dead taken to church cemeteries of their choice at a cost not to exceed that of removal to a proposed memorial cemetery.<sup>15</sup> The Tennessee Baptist Convention wholeheartedly supported the work of the Reverend George Ridenour, Moderator of the Campbell County Association, and furthermore requested the Authority "not to provide at federal or state expense any houses of worship in the proposed model villages and not to maintain thereby any form of religion by supporting ministers of worship."<sup>16</sup> In petitioning for the right to organize churches in the model villages and to own in fee simple any land for churches, parsonages, and cemeteries, the Executive Secretary of the Convention asserted:

Baptists would not wish to enter into any contract with the government or its agents whereby they would lease ground on which to build their meeting houses. They own property in the area in fee simple. Every church house they have ever owned has been on their own ground or on ground donated for the purpose by some private corporation. Age-long has been their opposition to any kind of contract with a state involving their rights or interests.<sup>17</sup>

The Authority's response to these new pressures was two-fold. In the case of Baptist purchase of the fee simple title in model villages, it replied that it had no legal right to convey federally owned land, that it would be detrimental to other denominations to offer the Baptists a long-term lease on such property, and that it would stimulate religious competition. The agency thought that with the exception of a

<sup>14</sup> Office Memorandum, Earle S. Draper, Land Planning Division, to Ned H. Sayford, November 3, 1933, TVAMS.

<sup>15</sup> G. L. Ridenour to Woolrich, November 13, 1933, TVAMS.

<sup>16</sup> Freeman to Woolrich, November 28, 1933, TVAMS.

<sup>17</sup> Copy, resolutions adopted by the Tennessee Baptist Convention, Murfreesboro, Tennessee, November 16, 1933, TVAMS; Freeman to Woolrich, November 28, 1933, TVAMS.

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non-denominational unified church, the only solution for the Baptists would be to build outside federal properties.<sup>18</sup> In response to the Campbell County Missionary Baptist Association's position regarding disinterment and reinterment, the Authority arranged a conference for December 15, 1933, between the Reverend Mr. Ridenour, speaking for the Trustees of the Campbell County Baptist Association, and TVA officials involved.

Ridenour declared that the Association trustees wanted to appoint their own contact man for the removal and relocation of graves to cemeteries of their own selection. "What we should like to do," stated Ridenour, "would be to have a policy of removal in the County Association, allow the trustees to employ someone who knows the folks and locally to do the removal and relocation also." Not only did the Association desire to move the graves to the relocated sites of removed Baptist churches, but it desired to do the work of identifying and enumerating graves, a process already begun by the Authority. Owing to their sensitivity to local feelings, argued Ridenour, the trustees of the Association could better carry out the entire process of grave removal than the agency. It became clear in the course of the conversation that Ridenour had moved so far in this direction as to sign up families on his own initiative for the removal of their buried dead.<sup>19</sup> In point of fact, even before this meeting took place, he had solicited tentative bids for removal from an undertaker in Clarksville.<sup>20</sup>

On January 26, 1934, a second meeting, attended by Woolrich, Ridenour, and General James Cooper, Chief of Land Acquisition for TVA, took place in the Authority's offices in Knoxville. Under discussion was General Cooper's suggestion that Ridenour be employed as liaison for grave removal. Speaking for the cemetery board, Woolrich offered no objection to the trustees of the Association's removing graves under their care but opposed the selection of a denominational contact man for the work. As to Cooper's argument that Ridenour was the popular choice of Norris area Baptists, Woolrich replied, "he is denominational—folks in that area do not want him—and I know from

<sup>18</sup> Draper to Woolrich, November 28, 1933, TVAMS.

<sup>19</sup> Typescript of cemetery conference, Knoxville, Tennessee, December 15, 1933, TVAMS. Participants were the Reverend G. L. Ridenour; Mr. J. C. Carden, an undertaker of LaFollette; and Messrs. Bock, Sayford, and Woolrich, TVA.

<sup>20</sup> T. C. Shannon, undertaker, to J. W. Cooper, Land Acquisition head, Tennessee Valley Authority, November 25, 1933; copy to Woolrich, November 6, 1933, TVAMS.

material that I have in my records that he is not acceptable and I have to take that in mind." The major purpose of the meeting, however, was an attempt by Cooper and Ridenour to persuade the TVA to develop alternatives to a national cemetery. Both claimed that the agency's plans constituted an undue interference with the local populations, Cooper going so far as to state to Woolrich: "You are making the people do something that they do not want to do." Woolrich angrily retorted that Cooper and his land purchase policies were to blame for much of the opposition against the TVA's plans, and he told J. C. Carden, a local undertaker, and Ridenour that "they had run away with the apple cart" as far as the plans for a national cemetery were concerned. Ridenour and Cooper continued to voice complaints against a planned national cemetery on the grounds of religious and geographical diversity in the region. Ridenour averred that residents of one county in the Norris Basin would not "cross the river" to another county to a centrally located graveyard, and he hinted that TVA had rigged favorable responses for a national cemetery from the area Methodists without consulting the Baptists, who were the dominant group in the Norris Basin. In response to these allegations, Woolrich claimed that although the Authority had not "definitely" decided upon a national cemetery it nevertheless felt that the Reverend Mr. Ridenour had so "stirred up the population" that there would be difficulty in implementing the original plan for such a cemetery, should TVA desire it. Given the objections to a national cemetery, added Woolrich, an alternative course might be for the agency to pay the churches for the land within the taking line, and leave to them the responsibility of purchasing land for cemeteries and for burying their own dead, thus removing TVA from any responsibility relating to the establishment of denominational cemeteries. Woolrich's statement coincided perfectly with TVA's announced intention of purchasing no grave sites other than for a national cemetery and totally rejected Ridenour's objective of denominational graveyards underwritten by TVA.

In truth, the Campbell County Missionary Baptist Association's protests had, at the very least, forced TVA into a reassessment of its situation. An undated and unsigned memorandum which internal criticism indicates was written during this time, setting up costs estimates and general procedural outlines regarding the feasibility of a national

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cemetery, was submitted to the engineering office for examination. The memorandum stressed the necessity of close cooperation between TVA's agents and the local churches, fraternal orders, social organizations, and ministers, as well as the urgency of finding some person of "mature judgment, persuasive and forceful personality, religious, and dignified bearing" to handle personal relations with the next of kin. After graves had been identified and permission granted to move them, the TVA would undertake all costs of reinterment; unidentified graves which had not been requested to be removed would be left untouched in their original location. While the TVA was willing to compensate those families who preferred private removal, it argued that the work would be done more efficiently by the agency and with less disruption of normal work on the Norris Dam. It was also felt that if individuals and churches undertook the work of disinterment and reinterment, there was a stronger chance of the mislocation and improper identification of remains.

In this highly significant report, TVA examined critically the concept of a national cemetery and made an attempt to develop viable alternatives. From the standpoint of aesthetics, regional planning, and easy identification of graves, a national cemetery would be ideal; yet its estimated cost would be very high, future interments of kin would not be allowed, and temporary reinterment would double the outlay. Therefore, the report maintained:

It appears that the easiest and most economical method for the TVA would be to reinterr the bodies in the nearest or most convenient existing or new public church or private cemetery or to a higher elevation in the same cemetery.<sup>21</sup>

This "easiest and most economical" arrangement would be eminently satisfactory, since "the natives should appreciate this idea, for the bodies will be finally located nearest their original location of interment and available space allowed for future interment of the kin."

The remainder of the report, largely devoted to the technical aspects of grave removal and interment, stressed that regardless of who

<sup>21</sup> Typescript of cemetery conference, Knoxville, Tennessee, January 26, 1934, TVAMS. Participants: General J. W. Cooper, Land Acquisition head, TVA; W. R. Woolrich, George Ridenour, and J. C. Carden. As an indication of the hostile opinion allegedly raised against the scheme of a National Memorial Cemetery, Woolrich received a memorandum from a TVA employee who allegedly heard a local Baptist minister address his Sunday School with the statement that "It was high time that the Baptist[s] organize to combat the horde of atheists invading the community." P. Horton to Woolrich, February 5, 1934, TVAMS.

accomplished the actual removal, control and inspection would be handled by the Engineering Services Division of TVA itself. The cost projection of grave removals including provisions for a national cemetery and temporary reinterment on the basis of a cost plus ten percent estimate came to \$422,000; or \$209,000 without temporary reinterment.<sup>22</sup>

Taken as a whole, this memorandum was indicative of TVA's willingness critically to re-examine its goals and plans in the face of local opposition. The national cemetery was no longer to be regarded as an immutable necessity, though the concept of a national cemetery, once seized upon by TVA, continued to be defended in something of a rearguard action.

TVA, according to a letter from Woolrich in response to inquiries made by U. S. Senator Kenneth McKellar, had been somewhat taken aback by the Reverend Ridenour's "repeated objections" to its policy, for Woolrich claimed that a survey, made in 1933 under joint TVA-Civil Works Administration auspices, revealed that the "majority of the inhabitants" were "... in favor of having their dead removed to a national cemetery with permanent care." Ridenour's repeated objections and apparent inability to understand the Authority's non-denominational policy had made it necessary to record and stenotype all the subsequent conversations between Ridenour and TVA representatives.<sup>23</sup> The proposal to hire Ridenour (supported by General Cooper) was opposed by the Authority because of Ridenour's strong denominational bias, but the public opinion against a national cemetery which he had apparently encouraged had to be reckoned with. Accordingly, a new policy on grave removal based upon Woolrich's suggestions of January 26 and upon the unsigned draft memorandum, was adopted and approved by the Board of Directors of the Tennessee Valley Authority on February 15, 1934.<sup>24</sup>

Basically the new policy urged TVA's purchase of land presently being used as cemeteries so that the establishment of new burial grounds

<sup>22</sup> "Proposed Procedure for Grave Removals in the Norris Reservoir Area," and "Cost Estimate B" (Grave Removal costs with National Cemetery calculated), undated, unsigned, handwritten estimate and proposal, TVAMS.

<sup>23</sup> Woolrich to Senator Kenneth McKellar, undated, TVAMS.

<sup>24</sup> "Recommended Procedure for Cooperation with those desiring to move graves from the submerged areas of Norris Dam." Entered in the Board of Directors Meeting, February 15, 1934, as Exhibit L-15-34a and approved, Notice of approval sent to Ned H. Sayford, February 19, 1934, TVAMS.

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for those desiring them could be facilitated, with the location and mode of acquisition to be left entirely to the discretion of the churches involved. The only land the agency intended to purchase for specific burial grounds would be that for the Tennessee Valley National Memorial Cemetery. Any other removal would be undertaken under TVA auspices and would be subsidized at \$20 per grave, thus relieving the agency of all further legal responsibility for removal. Best estimates were that TVA would be moving some 4,500 graves to the national cemetery, leaving about 1,500 to be moved by others.<sup>25</sup>

Although still committed to the concept of a national cemetery, TVA moved to conform more to the sentiments of the local population by calling meetings and informing relatives of those buried within the reservoir area to identify graves and to sign the necessary removal permits. Relatives were also to be told that removal was not mandatory, and graves would be left undisturbed if so desired. Although the TVA insisted upon exercising close supervision and absolute control over every phase of disinterment and interment, attempts were made to appease the public. A close relative or another person designated by the family could witness the disinterment, removal and reinterment, except in cases of danger of infection from contagious diseases. A promise was also made that only personnel who were deemed sensitive and respectful of the rights of the dead would be chosen for removal work and that "anyone manifesting disrespect for the dead or behaving in such a way as to result in harmful comment by the natives should be discharged for cause."<sup>26</sup>

In early June, 1934, the Authority finally accomplished with some thoroughness what should have been done a year earlier. Public meetings and interviews with concerned citizens were carried out to determine the method of removal and the place of reinterment most in conformance with their desires.<sup>27</sup> The results indicated that there was no desire for a national cemetery and that individuals or church groups

<sup>25</sup> Sayford to John I. Snyder, Assistant Solicitor, Legal Division TVA, May 11, 1934, TVAMS.

<sup>26</sup> Office Memorandum, John F. Barksdale to Luther C. Harris, May 17, 1934, TVAMS.

<sup>27</sup> "Cemeteries in the Norris Dam Area," an undated, unsigned memorandum, TVAMS. Marginal annotations on this document suggest that its date is roughly mid-June, 1934. It was contained in a folder of materials forwarded by N. Sayford and H. Wiersema to C. C. Haun of TVA, who was active in the public relations work of the grave removal operation.

should have a choice of burial grounds. These expressed attitudes of the populace resulted in a final and dramatic reversal of the agency's original position. Instead of formulating policy and creating sentiment to support it, the agency now determined to ascertain and follow public opinion.

The TVA saved face by conceding that there was "no rank and file opposition" to their grave removal policy, but rather that there had been "agitation" against that policy by "influential leaders" who had accused the agency of "autocracy, disrespect, autocratic activity, and disregard for personal feeling." TVA must show itself to be more humane so that the people of the Norris area would not feel that they needed the protection and intercession of the various groups to protect them; rather, the agency should develop a policy which allowed for the tradition of letting the next of kin establish within the broadest possible limits the place and manner of reburial. If TVA showed itself more humane in this regard, "people would prefer to deal directly with us rather than allow those who have already or may be clothed with the authority of a trustee and who may prove to be more contentious than the relatives would be."<sup>28</sup> Through this reorientation TVA could move closer to the grass roots and at the same time lessen local opposition to its policy.

The first concept to fall victim to this re-evaluation of popular sentiment was the grand plan for a national memorial cemetery, which had increasingly become the focal point of criticism from local individuals and church groups. Their arguments had centered around the idea that removing the dead to a central location would destroy the unity and identity of the communities within the Norris Basin, that denominational rivalries might well intrude upon the sanctity of the burial ground itself, and that the strong desires of the living to be buried beside their dead relatives might so crowd facilities that restrictions would have to be placed upon burial sites. Thus the grand design for a national cemetery shrank to a proposed small, central burial ground within the Norris Basin.<sup>29</sup> In view of the fact that so much publicity had been given to a national cemetery, this latest decision represented an attempt to maintain some semblance of commitment to a central

<sup>28</sup> "Public sentiment as a basis for the grave removal program." A memorandum, Harris to Barksdale, June 18, 1934, TVAMS.

<sup>29</sup> *Ibid.*

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burial ground. Why did the TVA find itself at the core of contentious debate on the issue of a national cemetery? One reason would appear to be that the agency was guilty of thinking too much in national and regional terms and too little in local terms. While Norris area residents were not unaware of the national "pioneer heritage" of their forebears, their tendency was not to think in terms of vague historical entities but rather in terms of concrete lines of genealogical heritage of families whose least common denominator was the kinship tie and whose broadest was the local church affiliation. The two points of view were in the last analysis antithetical.

Moreover, the debate over the national cemetery had been of a conceptual rather than a pragmatic nature. The agency had been floundering about in its attempts to bring policy into conformity with opinion in the absence of hard guidelines in the matter of practical procedure. But on the eve of the commencement of grave removals, it was precisely these pragmatic decisions which were needed. At this point it was the TVA's legal division which appeared to give concise procedural shape to the whole removal process.

The second victim of TVA's policy shift in the matter of grave removals was, ironically enough, the Missionary Baptist Association—the group which had opposed the national cemetery in the first place. While TVA was re-evaluating its cemetery policies, the Baptist Association was circulating petitions seeking to add its own trustees to the boards of existing churches and to act as negotiator and recipient of the sale of church property to the TVA. Generally speaking, the Association spoke in terms of three trustees, but in reality the only active member was the Reverend George Ridenour. From the outset the legal branch of TVA opposed the Association's plan, for it appeared to infringe upon each church's right to negotiate the transfer of the fee title of church properties and cemeteries to TVA. Not only did TVA argue that this would mean dealing with six trustees rather than the usual three, but that negotiations would be made difficult by the presence of Ridenour, who despite his apparent popularity, was not universally liked. Opinion surveys of various individual churches had indicated that resolutions made supporting the Association were not understood to do more than approve sympathetically the Association's aim of seeing that graves were properly removed—an attitude much in line with the

political organization of Baptist Churches. Support of the Association did not mean that it would be legally empowered to act in the sale of church lands or in the receipt of monies. It was TVA's conjecture that Ridenour hoped to gain legal control over the purchase money in negotiations with TVA while making it appear that the agency rather than he was responsible for the purchases.<sup>30</sup> Therefore TVA's legal division suggested that the acquisition of fee title be pursued as *regular* purchases under normal land acquisition routines rather than through regular boards of trustees to which Ridenour had been added as a representative of the Missionary Baptist Association.<sup>31</sup>

The Association was also involved in the matter of moving graves, a connection which the legal division asserted was "entirely independent" of the fee title acquisition of cemetery and church lands. Ridenour's position was that once an individual church had signed a resolution with the Association, he was, with the general consent of TVA, free to remove all graves without further permission from any of the families involved. TVA's response was that while fee title to a cemetery was generally held by the boards of trustees of individual churches, the individual descendants of the buried dead possessed a burial easement which, according to Tennessee law, could be terminated only by giving notice to the family to remove the remains. It followed from this position that since TVA purchased cemetery lands and thus acquired the fee, the agency alone must give notice to the family of the deceased and allow them an opportunity to remove the grave. Because Ridenour had only obtained the permission of the church congregation at large rather than that of each individual family, cemetery removal would fall completely under the jurisdiction of the TVA. Still open was

<sup>30</sup> Office Memorandum, Edward Kane, Legal Division TVA, to John I. Snyder, Director of Land Acquisition, July 13, 1934, TVAMS. The Legal Division stated that not only were the resolutions "so vague as to not show a clear intent to give the Association representatives any power to act in the sale of properties or to receive purchase monies," but that proof by affidavit could be obtained showing that local churches never intended that the Association be so empowered.

<sup>31</sup> "Normal," routine purchase of church lands and cemeteries was somewhat complicated by the fact that some churches possessed deeds with reverter clauses to the effect that when land ceased to be used for religious purposes, it would revert to the original grantor. Where, in such a case, TVA bought the land from trustees, it would become land not used for religious purposes, and hence revert to the original grantors thus causing a second purchase theoretically to be made by TVA from the deed reversion to the grantors. The Authority looked upon this as a problem that could only be resolved by negotiation, and no doubt furthered their antipathy toward dealing with an enlarged board of trustees for each church which would have so deeply involved the Authority with the Campbell County Baptist Association.

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the possibility that some kind of agreement could be worked out with the Association whereby it would move each family's grave after obtaining permission and would be subject to the same regulations and procedures as the TVA. Legally, it was established that TVA did not have to deal with the Association. The report concluded, "it is doubtful whether as a matter of policy the TVA will gain anything by permitting the Association to remove these graves."<sup>32</sup>

After more than a year of hearing various proposals and counter-proposals, TVA by mid-summer, 1934, had done much to clarify procedures. Various divisions were charged with specific responsibilities—Engineering Service with photographing, mapping, and recording graves; Land Acquisition with rechecking appraisals and purchasing property; and Industry with maintaining public relations contacts through church and community leadership. Despite progress in all these areas, final removal plans were still stalled and hampered by the failure to have chosen permanent sites for grave relocation.<sup>33</sup>

On the eve of actual grave removals, legal precedents and implications were still being examined and formulated by the TVA. Precedent for the disinterment and removal of graves was to be found neither in Tennessee statute law nor in the decisions of the state supreme court; rather, the laws appeared to "import perpetuity of burial."<sup>34</sup> There was, however, in the statutes of the Code of Tennessee, some precedent recognizing "by implication" the natural rights of relatives to remove the bodies of deceased persons.<sup>35</sup>

Legal counsel felt that most decisions rendered on the subject had occurred prior to the establishment of the State Health Department and that the statutes concerning the Health Department "are very broad and vast, and vest in said commissioner plenary powers to make rules and

<sup>32</sup> Office Memorandum, Kane to Snyder, July 13, 1934, TVAMS.

<sup>33</sup> Woolrich to A. E. Morgan, Chairman, Board of Directors, TVA, July 13, 1934, TVAMS.

<sup>34</sup> Thaddeus Adams to David S. Porter, Legal Division, TVA, March 9, 1936, TVAMS. Adams who in 1934-35 had been legal counsel to the TVA cemetery committee, here reviewed concisely the legal background of the problem of grave removal in the Norris area.

<sup>35</sup> Tennessee Code of 1932, Section 5825: "Dead Bodies of Persons Dying of Yellow Fever. It shall not be lawful to disinter or remove the body of any person dying with Yellow Fever within fifteen months after the death of such person, or when the thermometer indicates a temperature of more than thirty-two degrees fahrenheit (1879, Ch. 43)." The right of removal was by implication contained in this statute. Cited in Adams to Porter, March 9, 1936, TVAMS.

regulations for the best interests of the public health."<sup>86</sup> The conclusion reached by the cemetery board's legal counsel was that grave removal at Norris fell under the powers of the Commissioner of Public Health. The Authority sought the cooperation, therefore, of the State Commissioner of Public Health, in the matter of approving TVA's grave removal plan and contacting the relevant county health offices for cooperation in letting the disinterment and removal commence. Legal counsel also laid down the fundamentals of grave removal policy that should guide the work of the agency. Essentially, these were that since the agency had invoked the necessity of removal, it must pay the "reasonable cost" of removal according to the "reasonable" wishes of living relatives, and removal must be to the "same general or a similar environment as much as possible." When such was done, the rights and easements of the living relatives shifted automatically from the old location to the new, with care and upkeep in the hands of the living relatives, not TVA. Hence the duties of TVA toward the resting place of the deceased ended with each reinterment.<sup>87</sup>

The approval of TVA's methods by the Department of Public Health, and the establishment of a set of fundamental legal principles finally allowed the tremendous task of disinterment, removal, and reinterment, to get underway. The legal fundamentals which ended the Authority's obligation at the point of reinterment led to countermanding the order to purchase land for burial purposes, and even the vestigial remnants of the scheme for a national cemetery were dropped forever.<sup>88</sup>

The essential character of the new plan was to persuade each congregation to go ahead and contract for new church grounds and cemeteries so that TVA could remove the buried dead while appraisals were still being made and titles still being acquired to the various church properties to be flooded.<sup>89</sup> Specific guidelines were set forth placing in

<sup>86</sup> Memorandum, "Special rules governing the disinterment, the removal, and the reinterment of deceased persons . . . in order to comply with the Tennessee Valley Authority requirement," Sayford to Snyder, May 11, 1934, TVAMS. The power to make rules in this case was vested in the Tennessee Department of Public Health under authority granted in the Tennessee Code of 1932, Sections 325 and 5756.

<sup>87</sup> Adams to Porter, March 9, 1936, TVAMS. The precedents establishing the fundamentals were cited as: Kincaid's Appeal, 66 Pa. 411, 5 Am.R. 377 (1870); Little v. Presbyterian Church, 68 S.C. 489, 47 S.E. 974 (1904); and Grinnan v. Fredericksburg Lodge No. 4, 118 Va. 588, 88 S.E. 79 (1916). Adams concluded his letter to Porter by praising the efficiency of the grave removal program and the residents.

<sup>88</sup> Adams to Snyder, August 11, 1934, TVAMS.

<sup>89</sup> Adams to James Lawrence Fly, General Solicitor, Tennessee Valley Authority, August 21, 1934, TVAMS.

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the hands of the Authority primary responsibility for removing graves below the 1030 contour. All specific removals, whether done by TVA or private firms, would be duly recorded and supervised by TVA.<sup>40</sup> By September 29th, 848 contracts had been obtained, the great majority of which provided for removal by the agency; only a small minority (33 persons) chose to have private undertakers remove the dead, and an even smaller number (13 persons), desired to leave the graves undisturbed. Later records were to show that this ratio was largely maintained throughout the remainder of the program.

The relative smoothness with which this program worked pleased all members of the cemetery committee.<sup>41</sup> But the Authority, taking nothing for granted, continued to oversee closely the work of its field personnel, particularly cautioning their contact men to refrain from any "high pressure salesmanship" which would make it appear that private undertakers were being discouraged from participation in grave removals. As a further sign of cooperation, TVA arranged for an inspection tour of its removal work by representatives of the Campbell County Missionary Baptist Association.<sup>42</sup> Underlying all considerations was the fact that grave removal had not been taken for the financial benefit of the government, undertakers, or any specific group of individuals, but for the purpose of discharging a regrettable but necessary public duty.<sup>43</sup>

The Authority was confident, in the last analysis, that its removal procedures were compatible with the desires of the local population. In the face of open and vehement criticisms from local undertakers who regarded TVA as an unfair competitor, the cemetery committee's legal counsel declared that their criticisms would, in the long run, redound to the credit of TVA. His contention would appear to have been borne out, for by the fall of 1934, removals by local under-

<sup>40</sup> Harry Wiersema to the Committee on Cemeteries, Tennessee Valley Authority, August 17, 1934, TVAMS. There were three types of contracts: TVA-297; TVA-298; and TVA-299. One designated that the individual arranged for the removal and received monetary compensation from the TVA. In the second, the individual designated TVA to remove the body; and in the third contract the individual designated that the grave was to be left untouched. All graves still unidentified as of August 1, 1935, would remain untouched. Tennessee Valley Authority regulations for the removal of graves, undated, TVAMS.

<sup>41</sup> Adams to Fly, September 29, 1934, TVAMS.

<sup>42</sup> Minutes of Grave Removal Conference, LaFollette, Tennessee, October 13, 20, 27, 1934, TVAMS.

<sup>43</sup> Adams to Barksdale, November 5, 1934, TVAMS.

takers represented a miniscule proportion of the total number of graves removed.<sup>44</sup>

In surveying TVA's grave removal program, it would appear that the agency ultimately formulated a plan which proved workable and successful. Lacking initially guidelines or precedents, the TVA tried always to work in close conjunction with local residents and churches. The idea of a national cemetery was explored thoroughly and had more than a fair hearing among resident church groups and the local population before being rejected as too impersonal and too fraught with legal complications. Throughout hearings, discussions, and meetings on grave removal problems, TVA seemed always painfully aware of the necessity of having grass roots support for its program.

Considering the magnitude of the grave removal problem—the sheer number of disinterments, the lack of adequate grave markers and proper identification, and particularly the need to avoid alienating the local population's religious sentiments, the TVA performed rather admirably in an area where the potential for local antagonism and hostility against the agency was always a reality. Thaddeus Adams, one of TVA's leading counsels in setting guidelines for the grave removal procedure, would later write: "The people in the basin among whom we worked, and whose buried dead we were removing were usually always reasonable, kind, and cooperative."<sup>45</sup> Firm legal guidelines and a willingness to modify policy to conform to local sentiment had much reduced the kind of feeling that had caused a local Baptist preacher to remark to his Sunday School at the beginning of 1934: "It was high time that the Baptist[s] organize to combat the horde of atheists invading the community."<sup>46</sup> That the agency was able to deal with the manifold problems of grave removal successfully in Norris was in one particular case an exercise in the sensitivity and restraint of federal power at a local level, but in the last analysis, a restraint which grass roots agitation had induced.

<sup>44</sup> *Ibid.*

<sup>45</sup> Adams to Porter, March 9, 1936, TVAMS.

<sup>46</sup> P. Horton to Woolrich, February 5, 1934, TVAMS.