

February 14, 2020

Tennessee Historical Commission  
State Historic Preservation Office  
2941 Lebanon Pike  
Nashville, Tennessee 37214

To Whom it may Concern:

The following Complaint filed by Elizabeth Coker, Pro Se, addresses alleges violations of the Tennessee Heritage Protection Act, as amended through 2018.

Please see the attachment for details.



Elizabeth Coker, Pro Se

Complainant

Address: 9610 Versailles Road

Rockvale, Tennessee 37153

615-417-6363

thevale@att.net

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FEB 18 2020

TN. HISTORICAL  
COMMISSION

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COMMISSION~~



TENNESSEE HISTORICAL COMMISSION  
 STATE HISTORIC PRESERVATION OFFICE  
 2941 LEBANON PIKE  
 NASHVILLE, TENNESSEE 37214  
 OFFICE: (615) 532-1550

Tennessee Historical Commission  
 Tennessee Heritage Protection Act, as amended through 2018  
 Allegation of Violation Uniform Complaint Form

I.

This complaint addresses the following memorial or public property containing a memorial (include the memorial contained by the public property): The Old Williamson County Courthouse and The Confederate Monument on the courthouse grounds in the Town Square  
AKA "Historic County Courthouse"

Public entity exercising control over the memorials (if an alleged violation impacts a memorial): Williamson County Government (and by limited agreement for maintenance, the City of Franklin)

Public entity exercising control over public property containing a memorial (if an unauthorized sale of public property is alleged):  
 \_\_\_\_\_  $35^{\circ} 55' 31" N$  } Confederate Monument  
 $86^{\circ} 52' 08" W$  }

Physical Address/Location/GPS of memorial or property: Franklin, Tennessee Town Square at Coordinates:  $35^{\circ} 55' 26" N$  } Courthouse  
 $86^{\circ} 52' 09" W$  }

City: Franklin, Tennessee County: Williamson

II. Date/s of alleged violation: Oct. 17, 2019

Provide a detailed description of the alleged violation (provide attachments and photos if needed):

See Addendum, attached  
All Exhibits to be provided, marked

The alleged actions described above violated:

- Tennessee Code Annotated § 4-1-412(b)(1)
- Tennessee Code Annotated § 4-1-412(b)(2)
- Tennessee Code Annotated § 4-1-412(b)(3)(B)

III.

Name of entity, group, or individual filing complaint:

Elizabeth Coker

Name and title of responsible official or representative of the entity or group (if applicable):

Elizabeth Coker, Pro Se

Signature of individual or of responsible official or representative of the entity or group:

Elizabeth Coker

Address: 9610 Versailles Road Rockvale, Tn. 37153

Email: the.vale@att.net

## Addendum

The alleged violation is twofold, relative to five recently installed contextual markers around the town square in Franklin, Tennessee:

- 1) The City of Franklin of Franklin, Tennessee claimed the right to install two contextual markers next to the Confederate Monument on the Franklin Town Square, declaring the City owned peripheral land around the monument, then brought suit in the fall of 2019 against the owners of the monument, the Ladies of Chapter # 14, Daughters of the Confederacy, Tennessee Division; asking the Court to decide contested issues of ownership. The City of Franklin did not wait until such time as the contested issues of ownership were resolved by the Court, and so despite that fact, and that by October 17, 2019, it became apparent that no settlement was reached and no court decision had been rendered by the judge in the case -

The City of Franklin (the City) blatantly held no regard for the private property rights of the rightful owners, Chapter #14, United Daughters of the Confederacy, (UDC), who have for over one hundred and twenty-five years exercised and maintained the monument and the land surrounding the monument, and therefore went forward with the placement of contextual markers next to the monument, one on the East side and one on the South side of the grounds.

As Court records filed in the case will show, the UDC made their claim upon the ownership of the monument clear with documents proving they were indeed the owners of the property since 1899.

The intent of the City was widely publicized through newspaper articles, media posts, public discussions and other events, as the complainant will show that these contextual markers violate state law by attempting to "alter" and "otherwise disturb" the statue on the town square through the modern concept of "contextualization".

\*See Exhibit A, a collection of Media posts, news articles, blogs, comments and to follow.

These recently placed markers after the interpretation of the monument. The contextual markers, which stated purpose is "to add context to" and alters or changes the perception of the monument, is in the name of a project called, "The Fuller Story".

By attempting to change the meaning of the monument by adding information nearby on a marker to influence negatively the opinion of those who view it, instead of accepting the stated purpose of the monument, set in stone on the sides of the memorial itself, the true meaning is lost for the citizens who erected the monument, some one hundred and twenty one years ago.

Many of those citizens were actual Veterans who survived the Battle of Franklin, most aging in their late sixties and seventies and their families, and citizens from Franklin and Williamson county, who with great support for this memorial, came together for its dedication in November of 1899 from all throughout the South at that time – an estimated crowd of some 10,000 attending the 35<sup>th</sup> Anniversary Reunion in the small Middle Tennessee town, playing host to both Federal and Confederate returning soldiers.

\*See photographs of monument at the time of Dedication, to follow as Exhibits

The contextual markers were placed immediately in view of the Monument, in reaction to unfortunate incidents which occurred in other states, irrelevant to the statue in the Franklin Town Square, which has become the iconic symbol of the City since no other event in the City's history has had a greater impact or defined the community's resiliency and good character more distinctly.

\*See photos of different versions of the statue, around as art, in the Mayor's office; Exhibits B to follow

- a) The contextual marker on the East side, entitled "Battle of Franklin: Bloody Turning Point", inaccurately lists exaggerated numbers in casualties and numbers in strength

-Present false claims that the Federal troops were "victorious", when in reality they retreated to Nashville during the night; previous to this new interpretation of history, the narrative was not disputed in military terms but another devastating blow to the strength and capacity of the Confederate troops but by no means was Franklin considered a defeat, since the Confederate forces ( Army of Tennessee) rose the next dawn, left burial details to bury both sides of Dead, before moving on to the next battle, marching on to Nashville, where they were delayed only by a horrifically bitter cold ice storm

- b) The contextual marker on the South side, entitled "Franklin Town Square: Courthouse and market house" Features a lithographic image of slave market on the east Atlantic coast at some other location, certainly not Franklin, Tennessee; and does not accurately portray the estate dispersals held at the two early courthouses as similar in nature to those which took place in both the northern states as well as southern states during this time period, and courthouses all across the country at that time, singling out the town of Franklin as if these sales were unique or out of the ordinary;

While it is a fact that these sales occurred, the location of the marker insinuates some connection with the Confederate Monument, when the institution of slavery was promulgated in its greatest numbers first in the New England states by northern ship owners and considered a national sin, not just a Southern problem.

The marker's placement is a written attack on the monument positioned to vilify unfairly all Confederate soldiers, when in reality only a small portion of the very wealthy elite were large slaveholders in Tennessee, including all three former Presidents- Jackson, Polk and Johnson. The majority of southern soldiers fought to defend their families and homesteads, not perpetuate slavery, as politically correct organizations like the Battle of Franklin Trust, are attempting to push as a new "Truth";

- 2) The City of Franklin, through the aid of the Battle of Franklin Trust (BOFT) and the Heritage Foundation of Williamson County, installed three (3) markers in front of the Historic Williamson County Courthouse, property of the Williamson County government, apparently without the vote of approval of the full Williamson County Commission.

These three contextual markers are entitled:

- a) The Franklin Riot of 1867 – Carnival of Blood
- b) US Colored Troops: Doing Justice to Their Share
- c) Reconstruction: From Slavery to Freedom

The text and images of these contextual markers were created by Eric Jacobson, CEO of the Battle of Franklin Trust with some images contributed by the Heritage Foundation of Williamson County and stock images from the Library of Congress.

In a meeting before the Franklin City Council on February 26, 2019, the Council voted on the matter, without holding any Public Comment, as is the usual custom for issues of this sort.

I was present and not allowed to sign up to speak, when I asked where the list was for speakers before the Council, as I have witnessed many times throughout the years.

\*Testimony by the Complainant and Minutes from the transcribed Feb. 26, 2019 Council meeting, Exhibits C to follow;

Franklin Councilwoman Margarite Martin asked Franklin City Manager Eric Stuckey if the proposed contextual markers the council was reviewing that night had been "signed off by our historians", to which he replied in the affirmative.

Testimony will show that Mr. Jacobson was primarily responsible for the Text, and no other historians contributed.

In addition, the markers have no logos, and no other indications of who is the sponsor or general citations for the Text as is the custom for most historical markers, leaving an uncited work before an impressionable public.

See photos of all five markers in front to the Old Courthouse, as Exhibits D to follow;

The Historic Williamson County Courthouse, also known as the "Old Courthouse" was the third such building built in 1858 and is a war memorial to World War I veterans from Williamson County, with their names on a long-engraved plaque on each side of the front doors to the main front entrance. \*See photos of Old Courthouse front entrance, to be provided as Exhibits E;

The Old Courthouse is a US District Contributing property and on the National Register of Historic Places as is the Confederate Monument, although listed separately as privately owned by Chapter #14, UDC Franklin since 1899 by resolution of the County Court.

\*See citation provided as Exhibit F;

The three contextual markers listed above are inflammatory summary versions of events which took place without citation for clear and accurate documentation of what occurred in the three narratives. There is a biased and unbalanced account of the facts in Marker #B, excluding the service of well-known Black Confederates from Williamson County, such as Bill King of the Nolensville community, Henry Church and Free man of Color Robert Bruce Patton, of Bradford Hills south of Nashville on the Davidson county border.

\*See photos of all three listed in front of Confederate Monument at 1911/?1914 Reunion, as Exhibits G to be provided;

The US CT marker does not tell the "Fuller Story" of the service of these soldiers, as those in the 9<sup>th</sup> Cavalry such as George Jordan, went on out west at the end of the War between the States and some like him, made a career of thirty plus years, in pursuit and brutal annihilation of entire Native American tribes and contributed to the near extinction of the American Bison. \*See photos of large mound of Buffalo bones, Exhibit H

The 9<sup>th</sup> Cavalry was responsible for the slaughter and genocide of the Warm Springs tribe, led by Chief Victorio, the death of all of his last sixty warriors and sixty-eight women and children, who ironically ended up enslaved by Mexican troops after the Battle of Tres Castillos as they were chased for more than a year back and forth across the border. \*See photo of Victorio, Exhibit I

In Contextual Marker c), the marker fails to acknowledge Samuel Keeble one of the first elected Black Tennessee Legislators, served in the Confederate Army. \*See citation as provided as Exhibit J to follow;

Other examples of achievements by individuals from Mississippi are irrelevant to Franklin, Tennessee. Yet there is no mention of the withdrawal of occupying troops in the five designated Military Districts across the South, thus ending the dark period in our nation's history called Reconstruction, where over a million Southerners, Black and White, died of starvation as noted by Brother David Lipscomb in his biography, "Crying in the Wilderness."

\*See book citation as Exhibit K to be provided;

In Marker a), notice the lack of the commonly used word "carpetbagger" as a description for the individual who was credited with starting a fight and/or provoking the newly freed slaves to

violence. The storefront of John House where the initial argument broke out was located across the street on the South West side of the town square, not in front of the Old Courthouse, where the marker stands now.

The term “carpetbagger” is an essential and often used term during that period to describe “unscrupulous opportunists” as they came south to exploit southerners at their most vulnerable, punished in dire poverty after the war and the key to understanding the root of bitter feelings among white southerners for that type of person after war spoils.

In Marker b) not information is given on the first General Order by Federal General Don Carlos Buell in February, 1862, demanding quotas of slaves from local middle Tennessee farms be sent to Nashville for the purpose of building fortifications and blockhouses such as Ft. Negley and later Ft. Grainger in Franklin.

\*See statistics indicating over 600 of these slaves died of exposure and want of food, a version of the narrative which does not appear anywhere in these markers because it does not fit the narrative of the Northern troops coming South to free the slaves. Citation to follow Exhibit L, to be provided.

\*Also, see list of Teamsters who later became “enlisted” as USCTs, Exhibit M to follow.

\*Media post of graves at Greer stadium baseball field, Nashville. Exhibit N to follow.

#### CASE LAW

The Monument Fund, Inc. vs. the City of Charlottesville, CL-17, May 1, 2019

Judge Richard Moore,

This is one of the few cases which have been heard on this topic and the ruling supports that cited statues that depict men in military uniforms are war memorials, and because Virginia law makes it illegal for local municipalities to remove war memorials without permission from the state of Virginia, they are protected from removal under state law.

Also cites that these war memorials cannot be “disturbed” or “interfered(with) or encroached upon”; Va. Code 15.2-1812

This southern state has born the burnt of attacks of her war memorials and like Tennessee has state laws that prevent violations of preservation acts aimed to save history for future generations and protect efforts to help all her citizens with the awareness of one’s past without its cultural genocide and misinformation according to the politically correct mob of the day.

In this case, the City of Franklin was ill advised by certain biased individuals, and the City has not looked at the whole story of the Battle of Franklin and told it well, but decided to do it in piecemeal, leading with this, an anti-Southern agenda, which is generally offensive to most people, her residents, her tax payers, especially if this history is presented with bias and prejudice.

The City of Franklin has clearly:

-violated the Tennessee Heritage Protection Act of 2018 and its amendments by attempting to “alter”, “change” or “otherwise disturb” a war memorial, the Confederate Monument in the town square and attempted to tell half-truths in contextual markers around the “Old Courthouse”.

- acted outside the authority delegated to the City as a municipality by the Tennessee General Assembly

-violated a simple maintenance agreement with the Ladies of Chapter #14 in acting within the conforms of the agreement only; \*See copy of agreement, Exhibit O, to be provided

### SUMMARY

A small-town square is not the place to attempt to explain an entire epoch in history, with topics as complex as slavery; that is what classrooms are used for in schools.

Not everyone views the symbolism of monuments, statues and other artifacts with the same point of view and therefore different perspectives are allowed, even encouraged, but to each who has a hero, the originator or sponsor of the artifact, monument, statue, sculpture, etc. that entity should have the guarantee of the freedom to relay the message they wish to convey, not have someone reinterpret their intentions one hundred and twenty-five years later.

The world was a different place in 1899.

The Franklin Confederate Monument, according to what is set in stone on the four panels of its sides, was dedicated to all those who fought for the South in the Battle of Franklin, and not just because it was a bloody scene of a unique and indescribably horrific night battle, but because of the specific heroism shown on this Battlefield by so many soldiers and officers.

It's a war memorial to an army composed of many cultures and mores represented: Irish, African, Native American, Catholic, Protestant Jew, Buddhist, Scots, Scots-Irish, English, French, Spanish, German, Mediterranean, Caribbean, Canadian and South and Central American...

Soldiers from all thirteen Confederate states fought at Franklin, with the exception of units from Virginia. Soldiers who went into battle with the bravery of facing an entrenched well armored enemy, knew well, like many times before, this battle might have been their last day on this Earth.

Those who survived knew that their lives were miraculously spared so the remembrance of this battle was special, personal to each and viewed with reverence and respect by awed descendants and later citizens who knew those who were in it, when understood in its proper context.

If one travels to the larger, more densely populated northern cities today, particularly, for example, Indianapolis, Indiana... you will find five (5) city blocks of historical parks, a 30,000 square foot museum complete with military equipment and a massive collection of artifacts of the period; four fountains, twenty five (25) acres of monuments, statues and sculptures commemorating their war heroes.

Beginning in concept, the Indiana Historic Park started in 1921 and took 12 years to complete with a cost over \$2 million dollars at that time. \*See Indiana Historical complex aerial view, Exhibit P to be provided;

By comparison, our simple soldier atop the Franklin Confederate Monument is white marble and granite shaft base; it may be humble at first sight, but it is no less loved by many generations of Williamson County residents.

It is their monument.

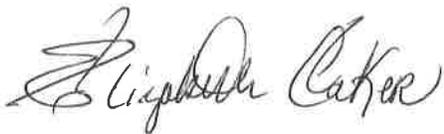
Its message honors those who fought, bled and died and to those who survived, and that's all.

It is not for newcomers who might not yet appreciate our southern history if they haven't lived here long, but it is for those who can acknowledge bravery in an individual level at unimaginable odds.

It needs nothing else as an explanation than the inscription carved into it for posterity and to be left alone.

\*See copy of Inscription, transcribed; Last Exhibit Z to be provided;

Elizabeth Coker, Pro Se

A handwritten signature in cursive script that reads "Elizabeth Coker". The ink is dark and the signature is fluid and legible.

Native Tennessean, Six generations

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