

PROPOSAL OF  
TRYON COURTHOUSE SITE  
TO THE GASTON COUNTY HISTORIC PROPERTIES REGISTER  
JULY, 2004



GASTON COUNTY HISTORIC PRESERVATION COMMISSION

Mrs. Richard Penegar, Chairperson  
Mr. Robert C. Carpenter  
Mrs. W. N. Craig  
Mrs. Gerald Deal  
Mr. Mike Peters  
Mr. John Russell  
Mrs. H. O. Williams  
Mr. David Williams, Staff advisor

1. **Name and location of property.** The property known as the Tryon Courthouse site is located on N.C. 274 called the Tryon Courthouse Road, near the intersection with Tryon School Road, Cherryville Township, Gaston County.

2. **Name, address, and telephone of the present owner of the property.** The last deed to the property was recorded in 10/21/1919 to R.R. Mauney, W.S. Eaker, and David A. Rudisill trustees of the Mauney Memorial Association. All are deceased and the association is defunct. Property taxes have not been paid for several years.

3. **Maps depicting location of the property.** A tax map indicates the property to contain 2.3 acres of land lying on both sides of N.C. 274. The site is celebrated on the south side of the road.

4. **Current deed reference of the property.** A chain of title is included being prepared by historian Robert Carpenter, and attorney John Russell.

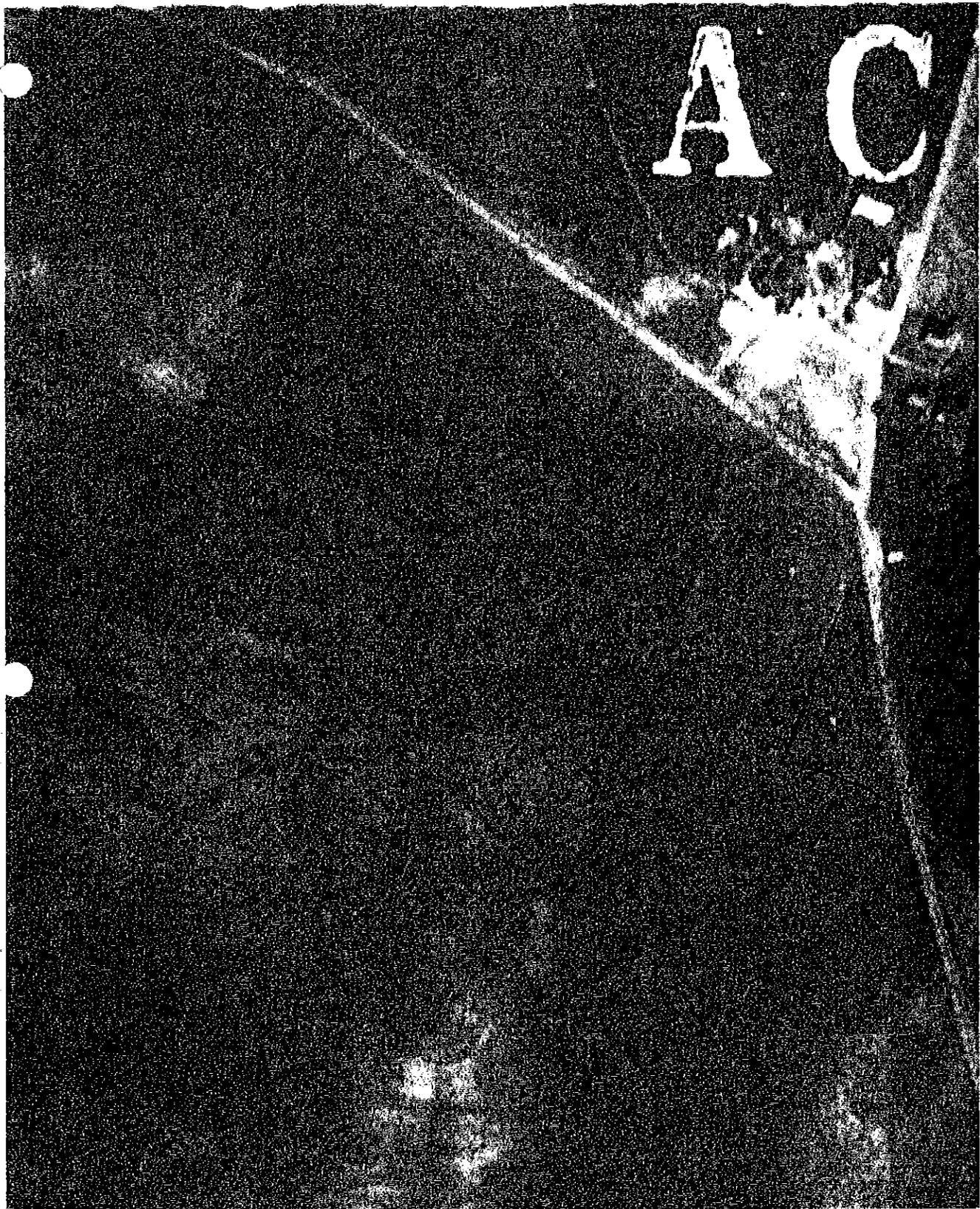
5. **Historical sketch of the property.** This report contains a brief historical sketch by historian and commission member Robert Carpenter.

6. **Archaeological Description.** A report of an archaeological renaissance prepared under the direction of Dr. Alan May, Schiele Museum, Gastonia, is included with the report.

7. Documentation of why and in what way the property meets the criteria set forth in N.C.G.S. 160-A - 399.4.

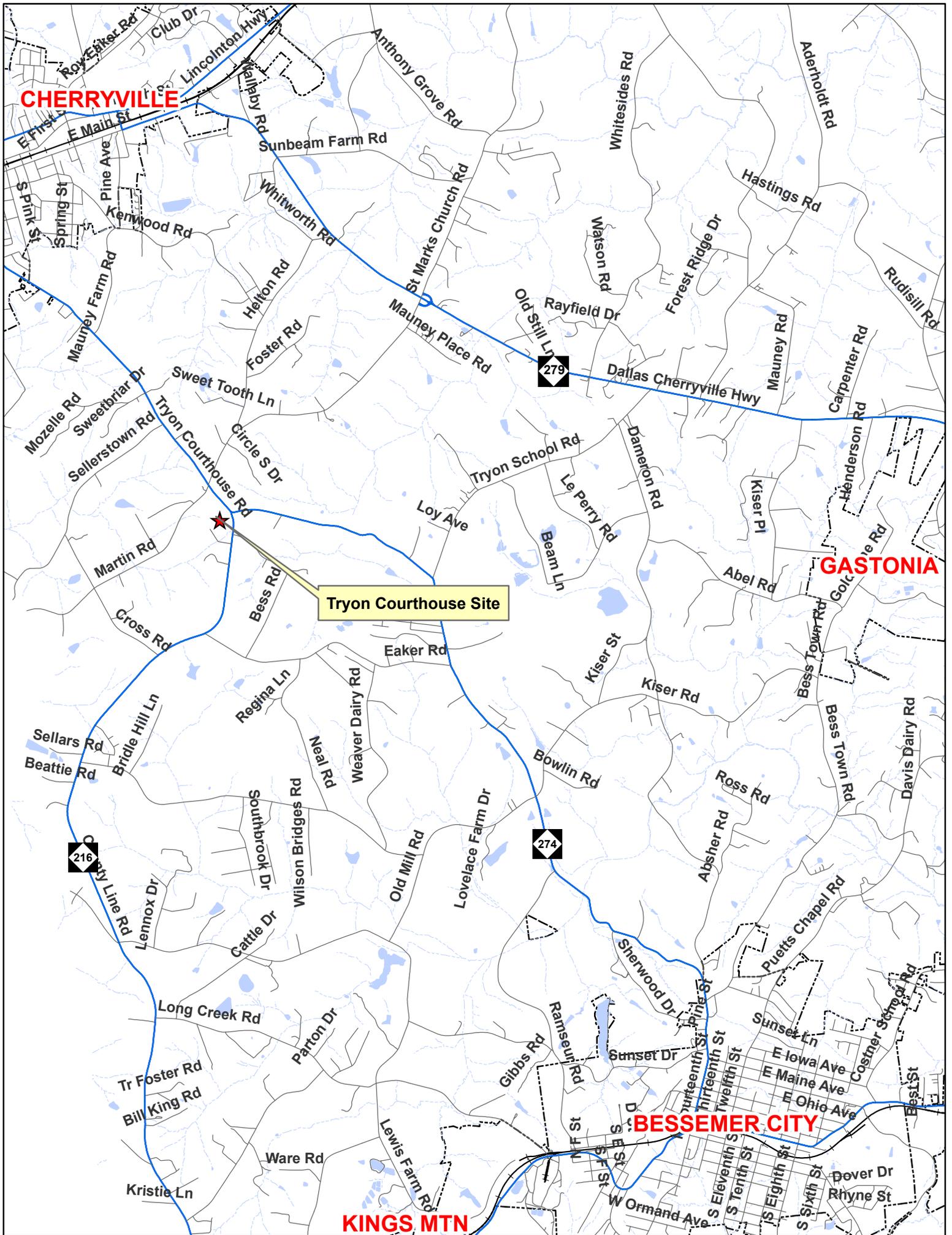
The Gaston County Historic Preservation Commission believes that the ceremonial Tryon Courthouse site holds major historical significance for our area because of the revolutionary Tryon Resolves drawn up by the local safety committee on August 14, 1775. The meeting was held at the home of Christian Mauney which was serving as the courthouse for what was then Tryon County. On September 20, 1919, a large stone monument with bronze markers on both sides was dedicated to the site. In addition, a state historical marker is located at this site.

Our Commission believes that this significant site should remain a memorial to the brave revolutionaries who helped create our great nation.



*Tregon  
School*

*1938 Aerial*



**CHERRYVILLE**

**GASTONIA**

**Tryon Courthouse Site**

**BESSEMER CITY**

**KINGS MTN**

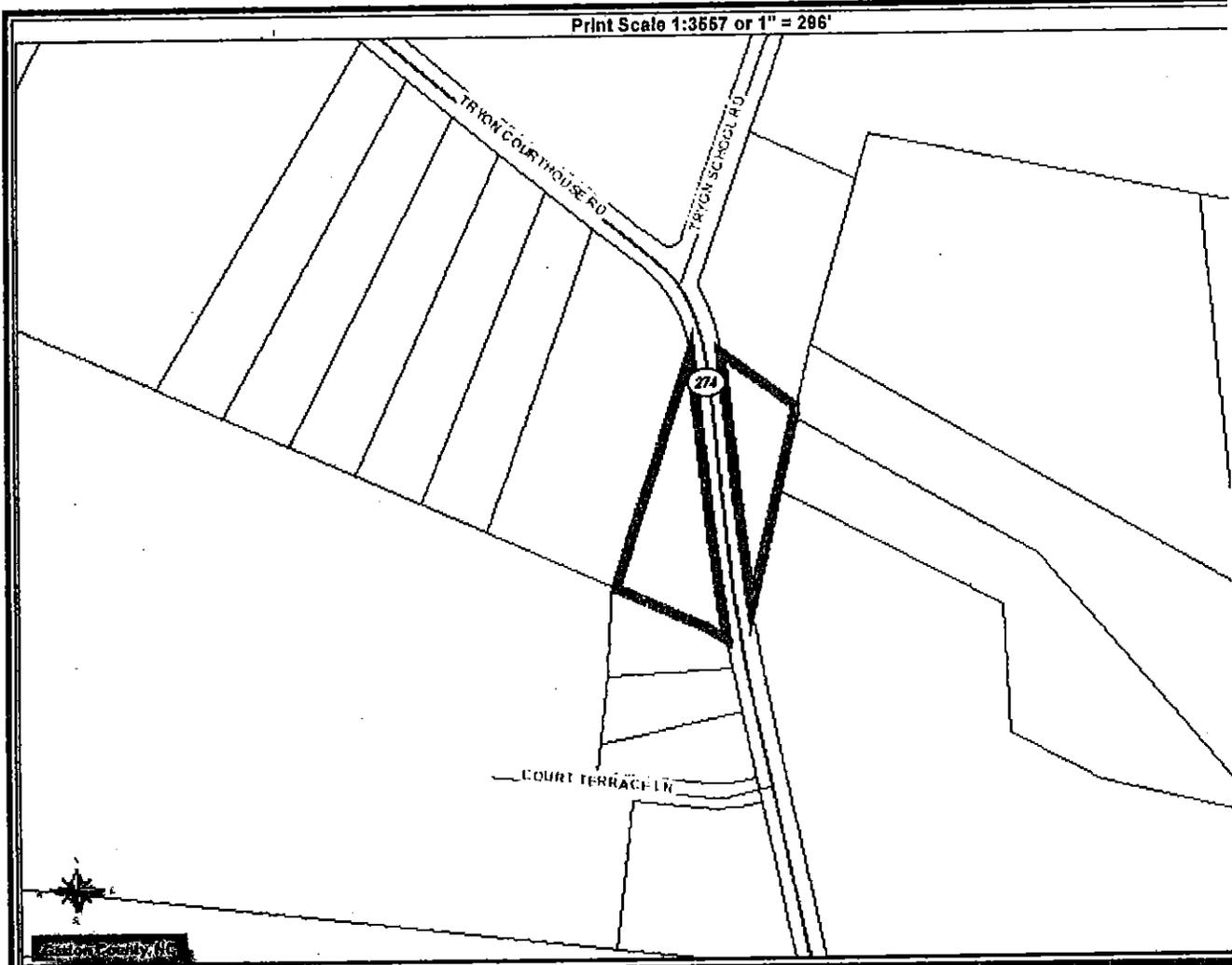




**Gaston County, NC**

**Office of the Director of Revenue, GIS Division**

Disclaimer: The Information provided is not to be considered as a Legal Document or Description. The Map and Parcel Data is believed to be accurate, but Gaston County does not guarantee it's accuracy.



Print Scale 1:3557 or 1" = 286'

**PARCEL INFORMATION**

<p>PID #: 162869          PIN #: 3508765149          BMP #: 12 083 007 00 000          NEIGH.HOOD #: 0429D          NEIGH.HOOD NAME: CHERRYVILLE SOUTH D          OWNER ID #: 1334845</p>	<p>PROPERTY LOCATION: 2572 TRYON          COURTHOUSE RD          DEED BOOK: 0140          DEED PAGE: 0264          DEED TYPE: WD          SALES AMOUNT: 0          SALE DATE: 11/12/1919          PLAT BOOK:          PLAT PAGE:          LEGAL DESC 1:          LEGAL DESC 2:</p>	<p>SQ FT: 6090          BASEMENT: N          # BEDROOMS: 0          # BATHS: 0.00000          MULSTR:          ACREAGE: 2.17</p>
<p>NAME1: MAUNEY MEMORIAL ASSOCIATION          NAME2:          MAILING ADDRESS 1: UNKNOWN          MAILING ADDRESS 2:          CITY: CHERRYVILLE          STATE: NC          ZIP CODE: 28021-0000</p>	<p>STRUCTURE CODE #: INDS1          STRUCTURE TYPE: INDUSTRIAL - LIGHT          YEAR BUILT: 1935</p>	<p>DISTRICT CODE: 440          TAX DISTRICT: TRYONOTA <b>FD</b>          TOWNSHIP CODE: 12          TOWNSHIP DESC: CHERRYVILLE          2003 LAND VALUE: 13890          2003 IMPV. VALUE: 10          2003 TOTAL VALUE: 13900</p>

### Tryon Courthouse Site Deed History

1. Francis Beaty to Christian Mooney of Tryon County, 350 acres for L50 on December 8, 1770. Land was on the waters of Beaverdam Creek. Reference: Tryon County Deed Book 1, page 478-479, Lincoln County Courthouse, Lincolnton, NC.
2. Christian Mauney Sr. to Christian Mauney Jr. of Lincoln County, 86 acres on both sides of Beaverdam Creek and a 64 acre tract for \$50 on February 20, 1809. Reference: Lincoln County Deed Book 26, page 306-307, Lincoln County Courthouse, Lincolnton, NC.
3. Christian Mauney Sr. to Christian Mauney Jr. of Lincoln County, 100 acres on waters of Beaverdam for \$20 on July 1, 1814. Reference: Lincoln County Deed Book 26, page 304-305, Lincoln County Courthouse, Lincolnton, NC.
4. On July 7, 1814, Christian Mauney Sr. wrote his last will and testament. He willed "the plantation" to wife Caty. He gave her "all my House and Beds and kitchen furniture". Will was probated January Court Sessions 1815. Reference: Lincoln County Collection, Wills, Christian Mauney 1815, Department of Archives and History, Raleigh, NC.
5. Catharine Mauney Widow to Christian Mauney of Lincoln County, 53 ½ acres on waters of Beaverdam Creek for \$100 on November 1, 1823. Reference: Lincoln County Deed Book 32, pages 9-10, Lincoln County Courthouse, Lincolnton, NC.
6. On May 20, 1841, Christian Mauney Sr. wrote his last will and testament. He willed "50 acres of Land Including all the buildings where I now live to be laid off her share during her natural Life. . . . He also willed "all the Balance of My land to be Equally Divided amongst [sic] all my Children during there natural Life and then to fall to their heirs the 50 Acres of land heretofore willed to my wife after her death to be Equally Diyided amongst all my children". ] Remember that Christian Mauney Sr. who died in 1815 was called Sr. and son was called Jr. Afterward the son became known as Sr. The will was probated December Sessions 1843. Reference: Lincoln County Collection, Wills, Christian Mauney 1843, Department of Archives and History, Raleigh, NC.
7. **June 3, 1844.** By judicial partition, Lot No. 3 in the estate of Christy Mauney, containing 82 acres "on both sides of Beaverdam Creek, being part of the Homestead tract and covered by the widow's dower" and adjoining Lot No. 2 described below, to Sarah Mauney, the youngest daughter. The

description and conveyance are contained in the Christian Mauney, Jr., estate papers, but it is believed that this part of the partition was never recorded.

8. **June 3, 1846.** By judicial partition, "lot No. 2, lying in said County of Lincoln on Beaverdam Creek, including the mansion house where the deceased usually dwelt being part of that portion of land laid off as the Widows' dower" in the "Christie Mauney" estate, was conveyed to Wiley Mauney, "the youngest son of the deceased." "Containing 96 acres valued at \$255.36 (with encumbrances)" The full description and the conveyance is also contained in the Christian Mauney Jr. estate papers and is recorded in the Gaston County Registry, Book 70 / page 256.

This conveyance appears to contain the land eventually acquired by the Mauney Memorial Association. The judicial partition, however, raises an interesting issue. By German tradition, the Homestead would go to the youngest daughter, and was in fact conveyed to Sarah as described in Paragraph 7. **The conveyance of lot No. 2 and "the mansion house where the deceased usually dwelt" to Wiley Mauney suggests either that family abandoned the tradition in this case, or there were two homesites, one built by Christian Mauney Sr. and one by Christian Mauney Jr.**

9. **January 16, 1873.** Wiley and Elizabeth Mauney to Caleb Mauney, "35 acres and 55 poles." This is believed to be "Lot no. 1" conveyed to J.L. Mauney by the Judicial Partition in paragraph 12, below. The meets and bounds description is nearly identical on 3 sides, with the differences on the fourth side explaining the slightly larger tract conveyed here. **The problem is that this lot does not appear from the physical description to be part of "Lot #2" described above in paragraph 2.** Book 15 / page 245.
10. **Unknown conveyance.** From Sarah Mauney to Caleb Mauney consisting of the 4 acres (and possibly more later willed by Caleb Mauney to the Farris heirs.

The other question / problem concerning the 4 acre tract is whether this property, later willed to the Farris heirs by Caleb Mauney and eventually part of the Mauney Memorial Association grant, is included in the tracts described in Paragraph 7 or Paragraph 8. **Unfortunately, there is no direct evidence suggesting that those 4 acres are connected to either property, and, in fact, a review of the metes and bounds description does not provide any matching information.**

11. On June 19, 1882, Caleb Mauney wrote his last will and testament. He willed as follows:  
"Item Second I give and devise to my daughter Mary C. Farris four acres of

land to include the house she now lives in to be laid off in an oblong square. I give this land to her and her heirs and to run with Hallman and Fite's lines. Item 3<sup>rd</sup> I give and devise and bequeath to my Six Sons namely W. S. Mauny, M. L. Mauny, E. A. Mauny, James L. Mauny, Caleb B. Mauny, and Robert R. Mauny all my real estate in lands not already devised to be equally divided among them." The will was probated August 14, 1882 in Gaston County. Reference: Gaston County Collection, Wills, Caleb Mauney 1882, Department of Archives and History, Raleigh, NC.

12. **April 14, 1917.** Judicial partition of the land in the Caleb Mauney estate, with "Lot No. 1" as drawn in a survey by A.P. Falls containing 32 and 1/4 acres to J.L. Mauney. Book 122/ pages 376-381.
13. **October 18, 1917.** Farris heirs to W.A. Mauney, 4 acres in Cherryville Township, Gaston County, "adjoining the lands of James Mauney and others and being apart of the Caleb Mauney tract of land." **I have been unable to figure out how the Farris heirs came into possession of these 4 acres.** Presumably, Mary Farris died intestate or her will was never recorded. Book 129/ page 488.
14. **October 21, 1919.** W.A. Mauney and Candace Mauney to James L. Mauney, 4 acres "being the parcel of land willed to Mrs. A.W. Farris by Caleb Mauney." This land adjoins "Lot No. 1" described in paragraph 12 immediately to the east. Part it was conveyed on this same date to the Mauney Memorial Association.
15. **October 21, 1919.** J. L. Mauney and Laura F. Mauney to R.R. Mauney, W.S. Eaker. David A. ~~R~~udisill of Gaston County and R.L. Mauney of Cleveland County, Trustees of the Mauney Memorial Association: 2.3 acres. This is the southeastern most corner of "lot No. 1 as described in paragraph 12 above. Book 140/ page 264.

prepared by Robert Carpenter and John Russell  
2001

## TRYON COURTHOUSE/CHRISTIAN MAUNEY HOME

A motorist travelling on NC Highway 274 through Gaston County from Bessemer City to Cherryville will discover what appears to be an historical park on the side of the highway. Marked with a state marker and a stone marker, the visitor has stumbled upon the location of the old Tryon County Courthouse. Tryon County, which only existed for twelve years, played a significant role in the colonial unrest, which erupted into the American Revolution. The Tryon Courthouse site was home to an early German settler named Christian Mauney. Commissioners, appointed by the Colonial Assembly, chose this location for the courthouse and jail.

The commissioners chose the home of Christian (also Christopher in the records) Mauney (also Mooney, Mauny, etc. in the records) as the Tryon County Courthouse because of its central location. Mauney had acquired this land in a deed transaction on December 8, 1770. On that date Francis Beaty, a land speculator from Mecklenburg County, deeded 350 acres to "Christian Mooney of Tryon County". Mauney paid L50 proclamation money for the land on the waters of Beaverdam Creek. The land was on the "wagon road about 3 miles above Peter Ackers".<sup>1</sup> Christian Mauney was a member of a pioneering Swiss-German family, which had been early settlers in what is now northwestern Gaston County, North Carolina. Christian's father, Jacob, brought the family to the area in the late 1750's or early 1760's. The Mauneys were part of an early German settlement in the area. They had come from the Muddy Creek Church area of northeastern Lancaster County, Pennsylvania. Other neighbors who also came from Pennsylvania to North Carolina included the Zimmermans (Carpenters), Eakers, Whisnants, Blancks (Plonks), and Webers (Weavers).<sup>2</sup>

Jacob Mauney and his wife Catharina Ecker (Eaker) arrived in Philadelphia on September 29, 1741 on the ship *Lydia*. The Mauney family, which had German spelling variations of Manni, Mani, Many, came to America from Alsace, in present France. The family was originally Swiss from the village of Dotzigen, Canton Berne, Switzerland.<sup>3</sup> The Mauney family was most probably of the German Reformed faith but also had children baptized at Lutheran Churches. They also were exposed to various faiths in Lancaster County such as Mennonite, Amish, Brethren, Moravian, and other sectarian groups. Their migration to North Carolina was part of a general migration from Lancaster County, Pennsylvania into western North Carolina.<sup>4</sup>

The Mauneys and their neighbors came to frontier North Carolina, which was then known as Anson County. As the frontier filled with settlers the need for new counties became a necessity. A new county was created in 1762 and the area was known

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<sup>1</sup> Book 1, page 478-479, Tryon County Deeds, Lincoln County Courthouse, Lincolnton, NC. See also Brent Holcombe, *Deed Abstracts of Tryon, Lincoln & Rutherford Counties North Carolina 1769-1786 Tryon County Wills & Estates*, Southern Historical Press, 1977, p.35.

<sup>2</sup> See Robert C. Carpenter, *Carpenters A Plenty*, Genealogical Publishing, Baltimore, Md., 1982, pp. 1-20.

<sup>3</sup> Lorena Eaker, *German Speaking People West of the Catawba River in North Carolina 1750-1800 and Some Emigres Participation in the Early Settlement of Southeast Missouri*, Genealogy Publishing Service, Franklin, NC, 1994, pp. 293-298.

<sup>4</sup> *Ibid.* See also Robert C. Carpenter, *The History of Bethel Evangelical Lutheran Church*, Gastonia: American Graphics and Printing Inc., 1990, pp. 3-11.

as Mecklenburg County until 1768. Then on December 5, 1768, the North Carolina Colonial Assembly created another new county. It was called Tryon County, named after the North Carolina royal governor, William Tryon. The official Court of Pleas and Quarter Sessions began functioning in April 1769.<sup>5</sup>

During its early years Tryon County Court was rotated among a number of locations. Its first court was held on the plantation of Charles McLean. After the boundary line between North and South Carolina was validated, Tryon Court was held at Christian Carpenter's home (Zimmerman in German). The running of the boundary line by Governor Tryon meant that North Carolina lost much land to South Carolina. Two attempts by commissioners during these early years to establish a permanent courthouse and jail for Tryon County had been unsuccessful.<sup>6</sup>

On July 26, 1774, commissioners appointed to determine the site of the courthouse and jail for Tryon County reported to the local court that "the place called the Cross roads on Christopher Maunys Land between the heads of Long Creek[,] Muddy Creek[,] and Beaverdam Creek in the county aforesaid is most central and convenient . . ." for the new Tryon Courthouse and Jail.<sup>7</sup> This declaration began the brief and historically significant existence of the Tryon County Courthouse.

Events occurring locally and in far away places were to postpone indefinitely the building of the courthouse and jail. Instead the Tryon County Court used the home of Christian Mauney as their courthouse, which was to be a temporary arrangement. The first Tryon Court held at Christian Mauney's house was the October Term of 1774. At that session the Court ordered that Christian Mauney could have a license to operate an ordinary.<sup>8</sup> This allowed Mauney to sell liquor, food, and to rent rooms. This would not only enrich him but would facilitate court proceedings.

Events in Massachusetts caused frontier North Carolinians to consider the cost of losing their liberties and freedoms. The issues of taxes and taxation without representation combined with the pioneering spirit of independence caused the Tryon leaders to participate in the Revolutionary movement.

These Tryon County leaders created a Committee of Safety. As the County Court met in July of 1775, a second group also met. On July 26 this first meeting of the Tryon County Safety Committee met at Christian Mauney's home, the Tryon Courthouse. County freeholders elected the safety committee and elected delegates to the next North Carolina Provincial Congress to be held in Hillsboro. They elected John Walker, Joseph Harden, William Graham, Robert Alexander, and Frederick Hambright as their Provincial representatives. They also agreed to meet again on August 14, 1775 at the Courthouse.<sup>9</sup>

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<sup>5</sup> Brent H. Holcomb, *Tryon County North Carolina Minutes of The Court of Pleas and Quarter Sessions 1769-1779*, Columbia: SCMAR, 1994, p.1. The original Tryon County Court Minutes are filed at the State Archives in Raleigh under Tryon County, Court Minutes of Pleas and Quarter Sessions, CR094.300.1.

<sup>6</sup> *Ibid.* William L. Sherrill, *Annals of Lincoln County, North Carolina*, Charlotte: 1937, repr. Baltimore: Regional Pub. Co., 1972, pp. 13-17.

<sup>7</sup> Tryon County Court Minutes, CR094.300.01, Department of Archives and History, Raleigh, NC. See also Holcomb, *Tryon Court Minutes*, p. 130 and Sherrill, *Annals of Lincoln County*, p. 17.

<sup>8</sup> Holcomb, *Tryon Court Minutes*, pp. 133, 135.

<sup>9</sup> Tryon County Safety Committee Minutes, Secretary of State's Papers, S.S.305, North Carolina Archives and History, Raleigh, NC. See also Sherrill, *Annals of Lincoln County*, pp. 19-20. County leaders who served in positions of authority in the County Court also led the Safety Committee. See also Kathy Gunter Sullivan, *Tryon County Documents 1769-1779 A North Carolina County*, Forest City, NC: Genealogical

On August 14 they met by agreement. The freeholders elected John Walker, as their Chairman, Andrew Neel as Clerk, and Charles McLean as Deputy Chairman. They provided for the democratic election of representatives from each militia company to facilitate the Safety Committee. The Revolutionary group then passed what has become known in history as the Tryon Resolves. This Revolutionary document began: "Resolved that his association be signed by the Inhabitants of Tryon County."<sup>10</sup> The purpose of the document was to create a Revolutionary government through the creation of an association among the inhabitants of the county.

The Tryon Resolves was historically significant because of its mere existence. The brazen words of frontier pioneers and their Revolutionary actions signified the potential if not inevitable break with Great Britain. In North Carolina only a few of these resolutions were ever written or have survived. The inflammatory language of the Resolves helped to shape public opinion toward the Revolutionary cause. Because of their historical significance, the Tryon Resolves are printed in its entirety:

#### "An Association

The unprecedented, barbarous & bloody actions Committed by the British Troops on our American Brethern [sic] near Boston on the 19<sup>th</sup> of April & 20<sup>th</sup> of May last, together with the Hostile operations & Traiterous [sic] Designs now Carrying on by the Tools of Ministerial Vengeance & Despotism for the Subjugating all British America, Sugest [sic] to us the painful necessity of having recourse to Arms, for the preservation of those Rights & Liberties which the principles of our Constitution and the Laws of God, Nature & nations have made it our Duty to Defend.

We therefore the Subscribers, freeholders, & Inhabitants of Tryon County do hereby faithfully unite Ourselves under the most Sacred ties of Religion, Honor & Love to our Country firmly to Resist force by force in defense of our Natural Freedom & Constitutional rights against all Invasions & at the same time do Solemnly Engage to take up Arms and Risque [sic] our lives and fortunes in Maintaining the Freedom of our Country whenever the Wisdom & Council of the Continental Congress or our provincial Convention shall Declare it necessary & this Engagemet we will Continue in & hold Sacred till a Reconciliation shall take place between Great Britain & America on Constitutional principles, which we most ardently Desire. And we do firmly agree to hold all such persons Inimical to the liberties of America, who shall refuse to Subscribe this Association."<sup>11</sup>

The Revolutionary nature of the document is obvious and the clarity of expression is striking. The Tryon County leaders intended to send a clear message to the British.

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Society of Old Tryon County, 2000, for a transcription of the entire minutes of the Safety Committee, pp. 183-184. The freeholders elected 36 members to the Committee of Safety.

<sup>10</sup> Tryon County Safety Committee Minutes. Sullivan, *Tryon County Documents*, pp. 184-186. Sullivan noted that 49 men signed the document of which 24 belonged to the Committee of Safety.

<sup>11</sup> Tryon County Safety Committee Minutes. See also Sherrill, *Annals of Lincoln County*, pp. 20-22 and Robert F. Cope and Manly Wade Wellman, *The County of Gaston*, Gaston County Historical Society, 1961, pp. 24-25 for a copy of the Tryon Resolves. Sullivan, *Tryon County Documents*, pp. 184-186.

What is also remarkable is that forty-eight freeholders signed the document. They did so at the risk of committing treason. The signatures included British, Scottish-Irish, and German inhabitants of the county. While Christian Mauney did not sign the document, his brothers Valentine and Jacob Mauney Jr. did. Their German neighbors, Christian and Samuel Carpenter, also signed.<sup>12</sup> The hodge-podge of various nationalities suggests an unusual unity among these frontier settlers. Signers lived in all parts of Tryon County. They signed representing their friends, relatives, and neighbors.

While the document was certainly of a radical nature, the Tryon leaders left the door open for "reconciliation". Interestingly, at the conclusion of the Tryon Resolves the delegates also unanimously approved another resolution:

"Resolved That we will Continue to profess all Loyalty and attachment to our Sovereign Lord King George the third, His Crown, & Dignity so long as he secures to us those Rights and Liberties which the principles of our Constitution require."<sup>13</sup>

These revolutionaries not only hoped for reconciliation but also implored the King to choose their side in the controversy.

The Revolutionaries followed with yet another resolution. They ordered each militia company to secure all the lead and gunpowder in their area. They instructed the militia commanders to prevent the removal of any of these items from the county. They took this action until their leaders returned from the North Carolina Provincial Congress with further instructions. They also made provision for securing more lead and gunpowder from Charleston by authorizing its purchase.<sup>14</sup> While the leaders hoped that a conflict could be averted, they in fact were preparing for war.

The Safety Committee next met on Thursday September 14, 1775 when they approved the purchase of gunpowder, flints, and lead from Charleston by Captain Andrew Hampton. On October 25 the committee met again. Present at this meeting were members of the "old committee" and members of the "new committee". The group elected William Graham as its leader. On the following day, the committee wrote a "Test". It is printed here:

"We the subscribers professing our allegiance [sic] to the King & acknowledging the Constitutional executive power of government do solemnly profess[,] testify & declare that we do absolutely believe that neither [neither] the Parliament of Great Britain nor any member or constituent branch thereof hath a right to impose taxes upon these Colonies to regulate the internal policies thereof and that all attempts by fraud or force to establish & exercise such claim & power are violations of the peace [sic] & security of the people and ought to be resisted to the utmost & that the people of this province singly & collectively are bound by the Acts and Resolutions of the Continental and Provincial Congresses because in both they are freely represented by persons chosen by themselves and we do

<sup>12</sup> Tryon County Safety Committee Minutes. The signatures were: Vallentine Mauny, Jacob Moony Junr., Christin Carpinter, and Samuel Karbender. Sullivan, *Tryon County Documents*, pp. 184-186.

<sup>13</sup> Tryon County Safety Committee Minutes. Sullivan, *Tryon County Documents*, p. 187.

<sup>14</sup> *Ibid.*, p. 187. Tryon County Safety Committee Minutes.

Stroupe, a Cherryville resident historian, says he once owned a picture of the original house so one may exist somewhere (Howell Stroup personal communication). In 1938 aerial photographs were taken of this region to check erosion, Plate 1. This photograph was extremely useful in determining previous land use and farm access roads in the area.

Another important source of information were newspaper articles that covered the original 1916 Mauney Family Reunion. The August 22<sup>nd</sup> 1916 issue of the Gaston Gazette, found on microfilm at the Gaston County Library, contained a front-page article on the first Mauney Family Reunion, held on August 16, 1916, complete with a copy of the keynote address made by Alfred Nixon on the occasion. For additional information we perused copies of the King's Mountain Herald, and searched for copies of the Cherryville Eagle from that same time period. The King's Mountain Herald issues on microfilm were found at the Mauney Memorial Library in King's Mountain NC, however no reference to the reunion was found. Copies of the Cherryville Eagle of the same time period were not available in the Gaston County Library, the Cherryville Library or the Cherryville Eagle Office. No official archive of this publication was found to exist.

One of the major goals of this investigation is to identify, if possible, the exact location of the original Christian Mauney home, a good deal of research and speculation has gone into attempting to locate the home site. In the August 22<sup>nd</sup> 1916 issue of the Gaston Gazette, an article was written on the occasion of the first annual Mauney family reunion that was held on the property now owned by the Mauney Family Association. In it the author writes:

"The site of the reunion was especially appropriate, being on the lands where Christian Mauney lived and reared a large family. The exact spot on which his dwelling stood was marked by a flag. A spacious speaker's stand had been erected in the *adjoining grove*, as well as ample tables for the picnic dinner" (Gastonia Gazette August 22, 1916, emphasis added).

From this statement it is highly unlikely that the house site was on the spot of the picnic shelter. This must be the case unless one assumes the picnic shelter identified in the 1938 aerial photo was not placed in the same "grove" that the 1916 picnic took place in. Indeed, if this statement were taken into account, the most likely location of the original home site would probably be north of the picnic shelter, near the old crossroads (see Plate 1)

#### History of Christian Mauney and Tryon Courthouse

(From the Robert Carpenter report Tryon Courthouse/Christian Mauney Home)

Christian Mauney, an early German settler of Tryon County, acquired 350 acres of land on December 8, 1770 from Francis Beaty. It was on this land that he built his home, which would become the future courthouse of the county. He had come to the area with his father Jacob Mauney in the late 1750's or early 1760's from Lancaster County Pennsylvania. When Christian settled here with his family the county was still known as Anson. It was known as Anson County until 1762 at which time it was re-named Mecklenburg County. That name held until 1768 when it became part of Tryon County. The new Tryon County was named for the Royal Governor William Tryon, 1765-1771.

The new County needed a courthouse and for a period of several years the duty was rotated among several locations such as the plantation house of Charles McLean and Christian Carpenter's home. It was later decided in 1774 that until a permanent structure

could be built Christian Mauney's home would suffice as the county Courthouse. "We the Commissioners appointed by act of Assembly for laying out constituting and appointing the place whereon to Erect and Build the Courthouse, Prison and Stocks of Tryon County...place called the crossroads on Christopher Mauney's land between the heads of Long Creek Muddy Creek and Beaverdam Creek".<sup>1</sup> The Mauney home was a good location because it sat at a crossroads, which led to the Tuckaseegee Ford and Beatey's Ford of the Catawba River. Guardians and administrators of the roads were assigned to perform maintenance on it when necessary. It is known that Christian Mauney was assigned to help with this task. "Ordered by the Court Christy Mauney be appointed Overseer of the Road leading from Tuccaseegee Ford to Tryon Courthouse".<sup>2</sup>

The home of Christian Mauney was a busy place for much of the 1770's and early 1780's. In 1774 he was granted a license to sell liquor, food, and to rent rooms. It is also believed that his house functioned as a jail as well as the courthouse.

Historically, one of the most important results of Tryon County was the Tryon Resolves. Like neighboring Mecklenburg County's Mecklenburg Declaration, this significant document was meant to establish a separate government for the people of Tryon County from the tyranny of English rule. Risking treason, forty-eight men signed the Tryon Resolves including Christian Mauney's brothers Valentine and Jacob Jr. Christian did not sign although it is thought that he was a supporter of the cause. In the State Historical Archives in Raleigh are vouchers issued to Christian Mauney for furnishing supplies to troops.<sup>3</sup> The Tryon Resolves were important in firmly establishing the cause for rebellion in people in the surrounding area and must not be overlooked historically.

In 1778 there was a bill to abolish Tryon County and create Lincoln and Rutherford counties. The name of Tryon had never been a favorite among the inhabitants of North Carolina because of the governor's lavish lifestyle and high taxes. Even though the name changed to Lincoln County, Christian's house was still used as a county courthouse. This continued until 1784 when the county, having acquired new lands, decided that Christian Mauney's home was a great deal out of the way for newer parts of the county and the land was laid out for the new town of Lincolnton and a new log courthouse was built there in 1785.

Throughout the Revolutionary period it was business as usual at the Courthouse even though conflict was all around. According to Alfred Nixon, who delivered the address at the First Annual Mauney reunion in 1916, Lord Cornwallis encamped at the home of Christian Mauney and site of the Tryon Courthouse on January 23, 1781. But Cornwallis' stay had little effect since Christian's home continued to be used as a courthouse afterwards.

Christian Mauney and his wife Caty continued to live in the house after the courthouse's move to Lincolnton. It was there that they raised six children. Among his children it was his son Christian Jr. who inherited the land on which the original home place stood. "The plantation" house itself was left to his wife Caty after he died. Throughout the years the location of the original home site seemed to diminish. Deeds with mentioning of "dower

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<sup>1</sup> Virginia Greene DePriest and Lucille Hendrick Gardner, *Minutes of the Court of Pleas and Quarter Sessions Tryon County, NC 1768-1779 Volume 1 & 2*, 1985, pg 28

<sup>2</sup> *Ibid* pg 63

<sup>3</sup> Summers, Bonnie Mauney, *Three Mauney Families*, 1967

tracts" or descriptions of inhabitants living in the original home site have narrowed down two possible locations. It is known that Christian Sr. had a "mansion house" and left it to his wife. It is not known if Christian Jr. had his own "mansion house" which sat on his widows "dower tract." Despite the incomplete nature of the records, due to age and other factors, deeds were an important source of information throughout the investigation.

### Deed Work

It was within the deed work research and analysis that the most helpful clues were found in locating the old Christian Mauney home. All of the deeds found relating the property owned by the Mauney Family Association were found in the Gaston County Library. At the behest of the Gaston County Historic Preservation commission deed research was also done at Cleveland County deed office, though nothing of relevance to the property in question was discovered. With the help of the Deed Analysis System computer program we were able to take the metes and bounds from deeds we had and print out the resulting plat. The plats were printed on transparencies to the same 7.5' scale as our USGS Bessemer City Quadrangle map, which allowed us to place and move them about according to geographic landmarks such as creeks and roads, Figure 1.

The home site tract of 53 ½ acres, known in this report as the dower tract, was willed to Caty from Christian Mauney Sr. The 1814 will of Christian Mauney Sr. quotes the following: "to my wife Caty the plantation I now live.... with all my House and Bed and Kitchen furniture..."<sup>4</sup> This tract joined Peter Mauney's land on its west side. Caty Mauney sold the land to her son Christy Mauney Jr. for \$100 on November 1, 1823.<sup>5</sup> Christy continued to acquire lands and by 1832 he was taxed for 750 acres valued at \$945.00.<sup>6</sup>

This dower tract matches what is listed as Lot 1 in the 1844 Judicial Partition of Christy Mauney Sr.'s land. In the description of the metes and bounds of Lot 1 it describes the improvement known as Hickory Tavern.<sup>7</sup> It cannot be determined if this tavern is the same one that his father Christian Sr. was known to operate out of his home. More information would need to be done on the context and use of the word "improvement" in the deed. Also it would be helpful to know how long a tavern would have existed in those days since there is an approximately 60 year time difference. In any case, during this 1844 partition it was Eli Mauney who received the land.

The next transaction of that particular piece of land was that of Wylie Mauney to Caleb Mauney in 1873.<sup>8</sup> The land had now been cut down to 35 acres. In the will of Caleb Mauney he left to his daughter Mary C. Farris a tract of land 4 acres on the southeastern side of Lot 1. "...to my daughter Mary C. Farris four acres of land to include the house she now lives on to be laid off in an oblong square".<sup>9</sup> There is no deed available for this transaction, only a written account in his will. A Judicial Partition in 1917 appropriated Lot 1 to James L. Mauney. He was deeded 32 ½ acres. The 4 acres left to Mary C. Farris were now in the

<sup>4</sup> Summers, Bonnie Mauney, *Three Mauney Families*, 1967 pg 4

<sup>5</sup> Lincoln County Deed Book 32 pg 9-10

<sup>6</sup> Carpenter, Robert, *Tryon Courthouse/Christian Mauney Home*

<sup>7</sup> 1844 Judicial Partition of Christian Mauney lands. Division of Archives and History, Raleigh, NC

<sup>8</sup> Gaston County Deed Book 15 pg 245

<sup>9</sup> Carpenter, Robert, *Tryon Courthouse/Christian Mauney Home*

hands of her heirs who passed the land to W.A. Mauney.<sup>10</sup> No information was found on how the deed passed from Mary to her heirs. On October 21, 1919 the 4 acre "Farris" tract was deeded over to James L. Mauney who on the same day deeded out 2.3 acres of it to the Trustees of the Mauney Memorial Association.<sup>11</sup>

There are also non-primary historical sources, which may be of use in locating the original home site. According to the address given by Mr. Alfred Nixon at the 1916 Mauney Reunion he noted that the site was on the lands of Esquire R.R. Mauney and lying close to the home of Mr. Alex Farris.<sup>12</sup> No deed was found that could support this so it is unknown if Farris' home stood on the Farris heirs lot or elsewhere. Also in his speech Mr. Nixon goes on to say that the picnic area is sitting about 100 yards from the original site. How accurate this source is cannot be fully known but 100 yards North of the picnic shelter puts one in the middle of the Tryonota VFD. Much of the woods to the west were searched along the surface because of that statement. "The only marks of the old seat are an aged mulberry tree in the midst of a small stubble field which is said to be on the spot where Christian Mauney's oak log house stood which was also used as court house and jail".<sup>13</sup>

Lot 2 was also said to contain a mansion house. This was the house in which Christy and his wife Susannah lived. "...lying in said county of Lincoln on Beaver Dam Creek, including the mansion house where said deceased usually dwelt, (being part of that portion laid off as the widows dower)".<sup>14</sup> This land eventually went to Wylie Mauney. Another source, once again not a primary source, is the book Our Kin, by Laban Miles Hoffman. In this account it states that Christy and his wife Susannah "lived in the place that for a time was the county seat of Tryon County on the upper waters of Big Long Creek in the Snapp neighborhood."<sup>15</sup> In 1915 when this book was written R.R. Mauney still owned and occupied that site. With this information one can further narrow down the area by placing the actual plat from 1914 of R.R. Mauney's land with the previous Wylie Mauney tract.<sup>16</sup> This would put the site of the mansion house further away to the west of the Mauney Association Tract, bordering Little Beaver Dam Creek and present day NC Highway 274. Please see accompanying plat map. A setback to this is that of the Snapp neighborhood. When looking at the 1909 15' USGS topographic map of the site, Snapp is a great deal further south than would be expected, occupying what is currently known as Sunnyside near Bessemer City.

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<sup>10</sup> Gaston County Deed Book 129 pg 488

<sup>11</sup> Gaston County Deed Book 140 pg 405 and 264. It was discovered in the course of this research that the metes and bounds for the "Farris" tract on pg 405, when platted, were reversed with the Eaker line being on the wrong side. This could have been a problem in the translation of the metes and bounds.

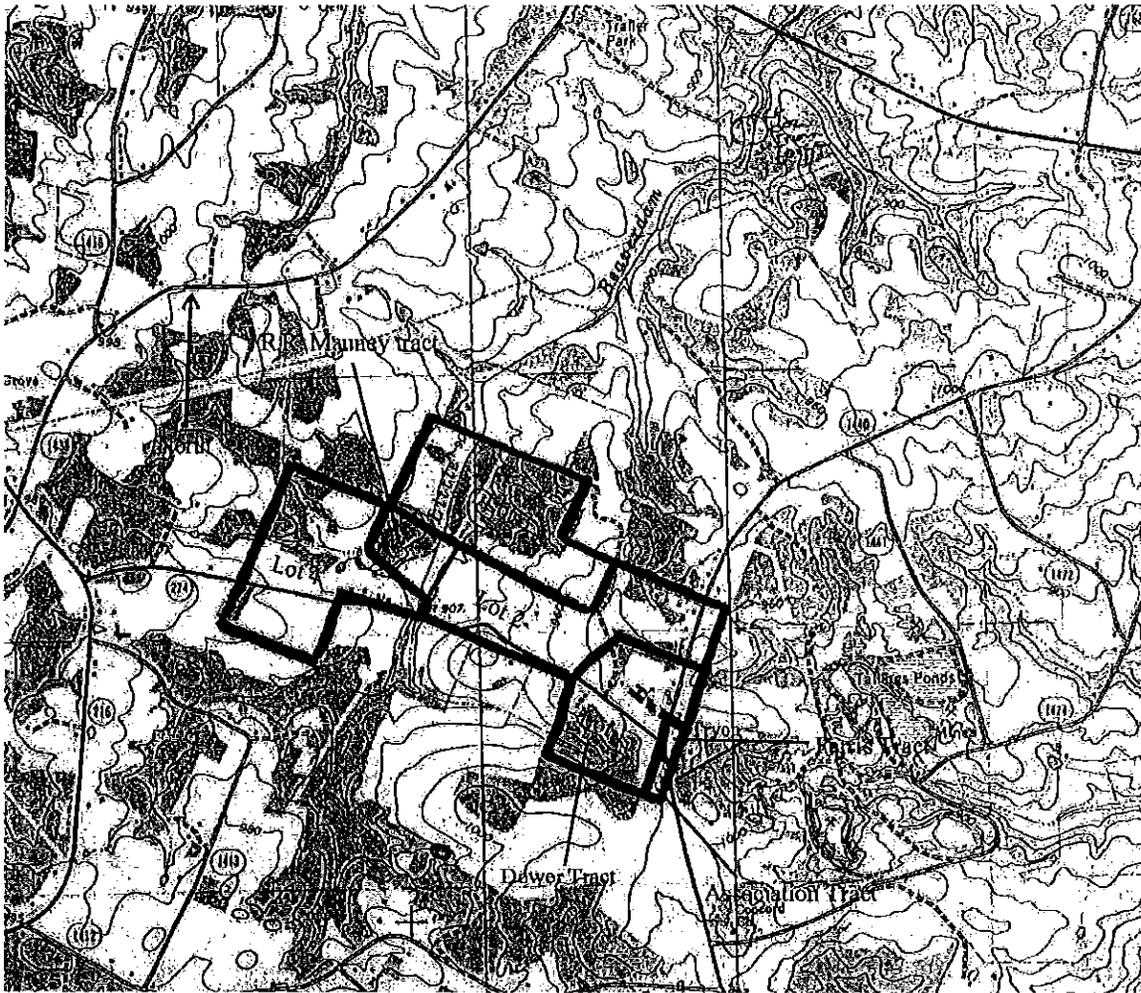
<sup>12</sup> Carpenter, Robert, *Tryon Courthouse/Christian Mauney Home*, taken from the Alfred Nixon speech at the first annual Mauney reunion

<sup>13</sup> Ibid

<sup>14</sup> Lincoln County Deed Book 70 pg 256

<sup>15</sup> Hoffman, Laban Miles, *Our Kin*, Gaston County Historical Society, Gateway Press, Inc, Baltimore, MD 1915 and reprinted 1989, pg 214

<sup>16</sup> Gaston County Deed Book 110 pg 147



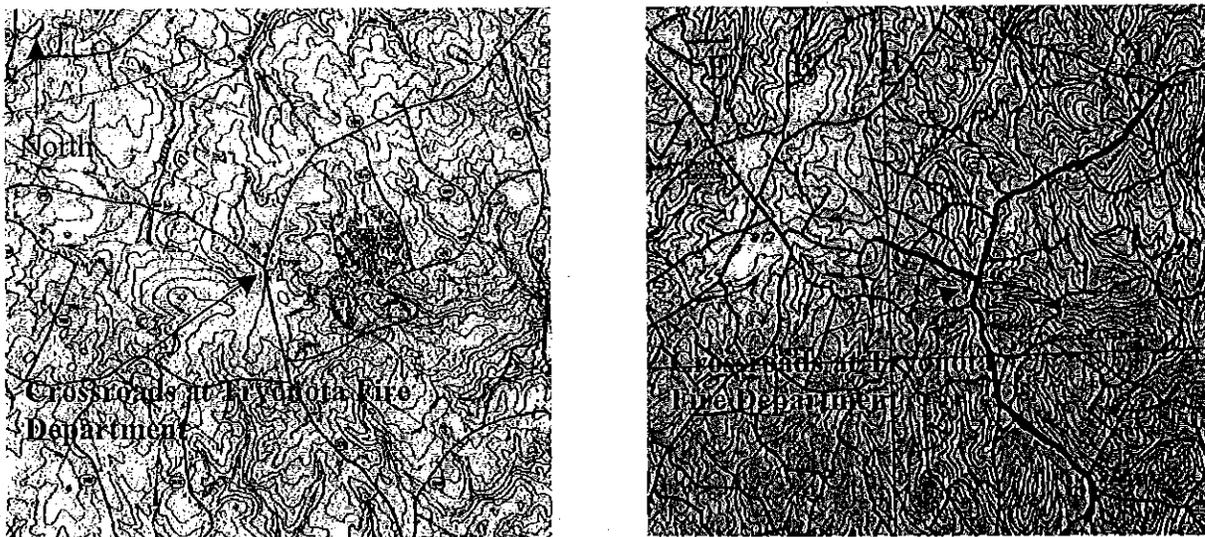
*Figure 1. Topographic map of Tryon area showing Lots 1, 2, 3, and 4 from the Christy Mauney land division of 1844. On the eastern side of Lot 1 is the Farris tract from Caleb Mauney to his daughter Mary Farris. Out of this lot was carved the 2.3-acre Mauney Association tract on the bottom right. Lot 1 contains the Hickory Tavern improvement, which may be a reference to the Christian Mauney Sr. tavern. Lot 1 was also the original 'dower tract' that was passed down from Christian Mauney Sr. to his wife Caty in 1814. The R.R. Mauney lot was deeded from Wylie Mauney in 1914 and is the site of the original Christian Mauney house according to the Hoffman book Our Kin.*

#### Historical Research Summary

This information demonstrates that it is highly unlikely that the original Christian Mauney home was on the 2.3 acres now owned by the Mauney Family Association. Taking the statement of Alfred Nixon into account, the most likely location would probably be the crossroads north of the picnic shelter.

Christian Mauney's house was located at a crossroads as described by Carpenter above. The Gazette article stated (Gastonia Gazette August 22, 1916) that the picnic area was in the "adjoining grove" to the Mauney home site. In order to explore this possibility, the topographic maps from 1911 and 1973 were examined in order to see if the modern road

layout is similar to that of the roads at the time of the first Mauney Family Reunion (see Figure 2, below). The figure below shows that the roads indicate very little change over the past 100 years.



*Figure 2. Comparison of Topographic Maps of the Tryon community. The topographic map on the left is a section of the Bessemer City, NC USGS 7.5 Minute Quadrangle (1973) topographic map). The map on the right is a section of the Lincolnton Quadrangle, 1911. Arrows are placed to show the location of the crossroads at the modern-day Tryonota Fire Department on the map on the left, and the same location on the right. Roads on the 1911 map are bolded to show analogous layout.*

In addition, it has been shown that the house was very likely located on the four-acre "Farris" lot. However, when that tract was turned over to the Mauney Family Association it only consisted of 2.3 acres. All our historic research leads to the unfortunate conclusion that the Christian Mauney home was most likely located on the missing 1.7 acres. If that is the case, and if it is also the case that the house was located at the crossroads that (both now and then) lie next to the picnic area, the only conclusion is that the Christian Mauney home is located on the site that the Tryonota Fire Department now occupies.

### ARCHAEOLOGICAL DEFINITION AND METHODS

Archaeology is the study of the human past based on analysis of material remains. It is a science by which cultural remains can be methodically and systematically studied to obtain as complete picture as possible of a past culture and to reconstruct its previous ways of life.<sup>17</sup> Archaeology can be categorized into two fields, prehistoric and historic. The historic method is assisted with the use of written records. This can be maps, deeds, photographs, and literature pertaining to the site being worked or the people studied.

After an initial survey, if cultural material is found, then excavations of smaller areas are undertaken. Many objects are buried under years of alluvial deposits such as material left from flooded creeks, erosion, or drainage. If the proposed area was once cultivated then one has to dig below the depth of the plow in order to reach undisturbed artifacts. Objects below

<sup>17</sup> Joukowsky, Martha, *A Complete Manual of Field Archaeology*, Prentice Hall, Inc., 1980, pg 2.

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## MANAGEMENT SUMMARY

This study was designed to record and describe the archaeological and historical resources present within the Mauney Family Association Tract, Gaston County, North Carolina, for the Gaston County Historic Preservation Commission. The Mauney Association Tract covers an area of 2.3 acres on either side of NC Highway 274 in Gaston County. The other objective of this project was to narrow areas of the landscape where it is thought that the house may have stood through deed research and archaeological investigation. This 2.3-acre tract was thought to contain the remnants of settler Christian Mauney's home that from 1774 to 1783 served as the Tryon County Courthouse, tavern, and a jail. This was also the site of the signing of the Tryon Resolves. A search for literature and a reconnaissance survey were conducted between June 26 and August 2 of 2002.

Gaston County Historic Preservation consultants Tracy Martin, Travis Wiltse, J.D. Bolick, Jerod Shuford, and Darlene Philyaw along with the help of volunteers Rob Miller, Candance Carpenter, Daniel Hampton, and Marcus Carpenter conducted the fieldwork. Dr. Alan May of the Schiele Museum was also present on some days.

Will abstracts, Tryon Court Minutes, microfilm copies of the Gaston Gazette, and family histories were researched at the Gaston County Library Archives and History for an indication of where the Tryon County Courthouse and Christian Mauney's house may have stood. They were also used in gaining information concerning the use of roads since it was known where court was held in the house of Christian Mauney stood at a crossroads.

Other research was conducted at the Gaston County Courthouse and Lincoln County Courthouse, Mauney Memorial Library in King's Mountain, and the Cleveland County Deed Office for deeds and newspaper articles associated with the Mauney family lands. As more research was conducted more leads were uncovered that helped pinpoint the location of the Christian Mauney Sr. house. Wilma R. Craig, John Russell, and Robert Carpenter had already accomplished a large amount of deed research. We traced as much of the Mauney property as we could and platted out the deeds as we received them. During the last week of the field season in 2002 we were also able to record the metes and bounds of the Christy Mauney, Jr. land divisions from 1844, available in Raleigh, from Robert Carpenter. This information helped to narrow down a tract that Christian Sr.'s house may have stood on because it mentioned an improvement known as the hickory Tavern in the metes and bounds. There is no conclusive evidence that this tavern is the same that was run from the home of Christian Mauney Sr. but it does match the same piece of land known as the dower tract that Caty Mauney sold to her son Christian Jr.

At this time there is no archaeological evidence to support the claim that the home of Christian Mauney was located on the 2.3-acre property currently owned by the Mauney Family Association. However, despite this, the deed research and numerous modern historical accounts all support the idea that the house was on or in the near vicinity of the land in question. Though we cannot, through archaeological evidence, state the exact location of the Christian Mauney home, we can say, with certainty, that there is a high probability it was somewhere on or near the tract currently owned by the Mauney Family Association. Based on the available information we conclude that it is likely that the Christian Mauney house was located on the site where the modern Tryonota Fire Department now stands, as there is strong evidence to support this idea.

## INTRODUCTION

The Mauney Family Association Tract is a small 2.3-acre tract of land located in the western part of Gaston County in the Cherryville Township. It lies on both the east and west side of NC Highway 274 in Gaston County, North Carolina, Figure 1. Trustees of the Mauney Family Association own the property, but because of non-payment of taxes the land was about to be sold by the county. Knowing that it was about to be sold and realizing that it had tremendous historical value for the county, the Gaston County Historic Preservation Commission intervened and requested a moratorium on the sale of the property in order that an archaeological survey could be conducted to determine if any remains of the Christian Mauney house or artifacts associated with it could be found. It is their intention to designate the site as historic property.

On the eastern corner of the Mauney tract lie the concrete barrels used to support the Mauney family picnic shelter that was built in the first quarter of the twentieth century. Looking at the 1938 aerial photograph you can see the roof of this structure, Plate 1. The shelter was oriented almost exactly on a north and south line. Stones are set in a rectangular pattern in the line of the concrete pillars that indicate a foundation. Approximately 35 feet to the southwest of the picnic shelter is what is thought to be a roadbed. This roadbed connected to a crossroad approximately 75 feet to the west of the picnic shelter adjacent to the property. These roads are drawn on the survey of the property done July 16, 2001 by Bradley Freeman of Freeman Surveying. The roadbed to the southwest and the picnic shelter with the foundation are the places we concentrated our shovel testing.

The western property boundary goes on to encompass part of the Tryonota Volunteer Fire Department's lawn and a portion of their driveway. It stops and begins running east in the right of way of NC Highway 274. This eastern side of the Mauney tract contains a collapsed structure and a dilapidated building. The building, it is thought, was built sometime prior to 1941 and served as a store. In the 1950s the building became home to the Tryonota Volunteer Fire Department. It wasn't until 1967 that the Fire station that stands today on the west side of the road was built, Plate 2.

Following NC Highway 274 in Tryon westward all the way up NC Highway 216 you can see the original domain of the Mauney families. The Mauney descendants occupied most all of the land between there throughout the eighteenth and nineteenth centuries. Even though the land has fallen into the hands of different families over the years it still very much remains a rural landscape of rolling hill and pastures. One can be reminded of the landscape as you drive past Caleb's house, which still stands on the north side of NC Highway 274 on the waters of Beaverdam Creek.

## HISTORICAL OVERVIEW

### Historical Sources

Sources relating to the Mauney family history and lands and the Tryon Courthouse are easily enough found in North Carolina. Records of births, deaths, marriages, census data and wills are found in the Gaston County library, and Gaston and Lincoln County Courthouses. In Raleigh, NC can be found very useful land division plats and older wills. Family histories can be found in the genealogical collection in the North Carolina room at the Gaston County library. There are no known photographs that exist of either of the Mauney homes. Howell

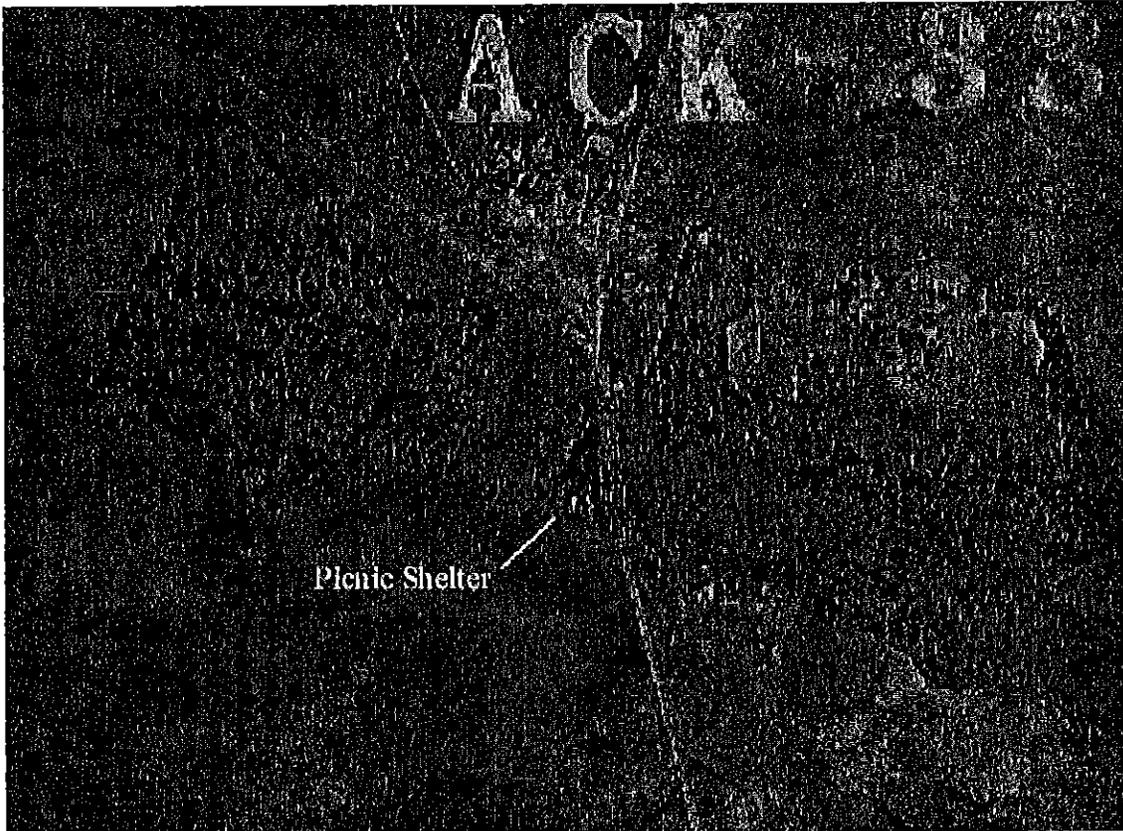


Plate 1. 1938 Aerial view of Mauney Tract.



Plate 2. 2002 Aerial view of Mauney Tract.

trustees of the Mauney Memorial Association. The cost was \$100 "& other valuable consideration".<sup>31</sup> It is unclear why the second deed was for only 2 and 3/10 acres instead of the entire 4 acres. It is also unclear whether the 2 and 3/10 acres were part of the Farris tract or a combination of the Farris tract and the James L. Mauney lands.

On September 20, 1919, two bronze markers were dedicated at the site. The speaker was the Honorable O. Max Gardner, the Lieutenant Governor of North Carolina. Gardner was a native of nearby Shelby and would later become governor. After Lieutenant Governor Gardner's speech, Mr. Alfred Nixon again gave an historical address.<sup>32</sup> A monument of stone with two in-laid bronze markers was erected and dedicated at the site. One plaque was contributed by the Col. Frederick Hambright Chapter, Daughters of the American Revolution. Its inscription is as follows:

"Here, August, 1775, was formulated and signed the Tryon Declaration of Rights and Independence from British tyranny. The following were signers. [only 48 of the 49 signers are listed plus the name of James McEntire.]<sup>33</sup>

The other plaque was contributed by the "Descendants of Christian Mauney and their friends". Its inscription is as follows:

"Site of Tryon Court House 1774-1783. Camp of Lord Cornwallis and British Army, Jan. 23, 1781"

The "Mauney Memorial Association purchase[d] four acres of land on which the monument stands, also including the site of the old Christian Mauney residence". In addition a state historical marker marks this historic location.<sup>34</sup>

The Mauney Reunion continued to meet on the Tryon Courthouse site. In 1929 William Andrew Mauney died. Without his leadership the reunions suffered. In 1934 the last Mauney Reunion was held.<sup>35</sup> Nearby Tryon High School, which had been built in the 1920's, provided the community a source of unity. In 1940 an elementary school was added. The area remained dominated by farmers, many living on ancestral lands passed down through their families.

<sup>31</sup> Summers, *Three Mauney Families*, pp. 1-2. This source stated that there were four acres which was the amount of land Caleb Mauney deeded to Mary C. Farris. The deed to the Mauney Association describes the property as having two and 3/10 acres. Gaston County Deed Book 122, page 376-381, Book 129, page 488, Book 140, page 264, Gaston County Courthouse, Gastonia, NC. It is not clear why the deeded property decreased from 4 to 2.3 acres. It appears that the 2.3 acres may have included other lands of James L. Mauney in addition to the Farris tract and that some land swapping was involved among the Farris heirs, W. A. Mauney and James L. Mauney.

<sup>32</sup> Summers, *Three Mauney Families*, pp. 1-2. *Gaston Gazette*, Saturday, September 4 [should be October 4], 1919 quoted an article from the *Cherryville Eagle*. A search for the *Cherryville Eagle* article has so far failed to produce an extant copy. So far no copy of this historical speech by Mr. Nixon has been located.

<sup>33</sup> Sullivan, *Tryon County Documents*, p. 195 has the transcription of the marker. The original still exists on Highway 274 about four miles north of Bessemer City. *Gaston Gazette*, Saturday, September 4 [should be October 4], 1919.

<sup>34</sup> *Gaston Gazette*, Saturday, September 4 [should be October 4], 1919. The deed was for only 2 and 3/10 acres not 4 acres as reported in the newspaper.

<sup>35</sup> Summers, *Three Mauney Families*, pp. 1-2.

Sometime prior to 1941 a store was constructed across the highway from the Courthouse site on the property owned by the Mauney Memorial trustees. The store offered sodas and candy to Tryon School students, farmers, and occasional visitors.<sup>36</sup> It is unclear whether a lease or rental agreement for the store existed at that time but there was a need for a legal arrangement. On September 8, 1952, the trustees of the Mauney Memorial property leased this ½ acre tract to G. Anderson Hager. The trustees as listed in the deed were R. L. Mauney, W. S. Eaker, Olin Mauney, Lawrence Hovis, and Dr. W. L. Mauney. They were listed as "Trustees of the Tryon-Mauney Reunion Lands". The lease was for 55 years and the payment was \$2 per month or \$24 per year.<sup>37</sup>

The community continued to benefit from the unity the Tryon School had brought. In the middle 1950's a volunteer fire department was organized. The fire department needed a home. The store building leased by Mr. Hager became the home of the Tryonota Volunteer Fire Department. A large garage housed the first fire engine, and the store served as meeting place and offices for the firemen. The Fire Department financed its operation from various fund raisers. The most popular fund raiser was the annual Labor Day Celebration. The Labor Day Celebration included a barbeque, which was originally held at the old store building and on the grounds of the Tryon Courthouse site. The fire department became very successful and needed a larger and more permanent home. On August 7, 1967, Roy L. and Virginia Mauney deeded four acres of land next to the "Mauney picnic property" to the "Tryonota Volunteer Fire Department, Inc." The consideration was \$10.<sup>38</sup> The old Christian Mauney homeplace had a neighbor.

The 1970's brought excitement to the courthouse site. County Commissioners and county leaders had appointed a local Bicentennial Committee to commemorate the 200<sup>th</sup> anniversary of the Declaration of Independence. The Committee functioned for some time and embarked on a special project, a re-enactment of the Tryon Resolves. On August 14, 1975, the Bicentennial Committee sponsored a celebration at the Courthouse site, which included singing and patriotic speeches. About 500 Gaston County citizens attended a ceremony, which featured an address by State Representative J. Carl Stewart, who later became the North Carolina Speaker of the House of Representatives. A special treat included a play, *Treason at Tryon?*, which was written by Committee member Robert Carpenter and performed by members of the Cherryville Little Theatre.<sup>39</sup> But the excitement of 1975 lasted only temporarily and the countryside returned to its more gentle nature.

In 2001 the Gaston County Historic Preservation Commission was informed that the Tryon Courthouse site was to be sold. Upon investigation Commission members and other interested citizens discovered that plans had been made to sell the site for non-payment of debt. The Mauney Family Association trustees had failed for some time to continue paying taxes on the property. Interested citizens intervened and the County Commissioners agreed to postpone the sale in order to investigate the historical significance of the site. At its June meeting, the Gaston County Historic Preservation

<sup>36</sup> Interview with Margaret and Martel Farnsworth by the author, August 25, 2001,

<sup>37</sup> Gaston County Deed Book 690, Page 134, Gaston County Courthouse, Gastonia, NC.

<sup>38</sup> Interview with Margaret and Martel Farnsworth by the author, August 25, 2001. Gaston County Deed Book 954, Page 611, Gaston County Courthouse, Gastonia, NC.

<sup>39</sup> "Tryon Resolves 200<sup>th</sup> Anniversary", *The Gaston County Historical Bulletin*, Vol. 22, No. 1, pp. 1, 3-4.

Commission recommended the designation of the site as an historic property and at its July meeting authorized a land survey, site survey, and historical sketch.<sup>40</sup>

In early 2002 the Gaston County Preservation Commission applied for a grant to fund an archaeological survey of the Tryon site. Upon receiving the grant the Commission contracted with J. Alan May, Schiele Museum archeologist, to conduct a reconnaissance, survey, and examination of the site. An initial report was received on September 17, 2002.<sup>41</sup>

The deed work and deed platting in this report pinpointed the Christian Mauney homeplace tract within 53 ½ acres. This tract was known as the "dower tract" in Christian Mauney's will, and was the property deeded from widow Caty Mauney to son Christy Mauney Jr., and also matched the Lot #1 in the 1844 land partition of Christy Mauney. This tract included the 2.3 acres being examined. Interestingly the 1844 tract mentioned that it included the "Hickory Tavern", which is most likely the old home of Christian Mauney which continued to be used as a tavern. The deed work also proved that Christy Mauney Jr. had a home further to the west of this site, which he gave to his widow. Initial archaeological survey turned up no indication of a house site. The Board recommended a suspension of site work until further notice.<sup>42</sup>

J. Alan May resumed site work at the Tryon site during the summer of 2003. The Board received a report of his current findings at its July meeting. The report indicated that no artifacts had been uncovered and that Dr. May believed that further excavation should not be pursued. The report summarized their findings:

"At this time there is no archaeological evidence to support the claim that the home of Christian Mauney was located on the 2.3-acre property currently owned by the Mauney Family Association. However, despite this, the deed research and numerous modern historical accounts all support the idea that the house was on or in the near vicinity of the land in question."

The report suggests that the house could very easily have been located further to the west, very possibly on land now owned by the Tryonota Fire Department. Various land disturbances in association with the building of the fire department building may inhibit future discoveries.<sup>43</sup>

It is clear to the members of the Commission that the site holds major historical significance and should be preserved. The site includes the steel concrete posts used by the Mauney family to mount a canopy during their reunions and is marked by two historic markers and a state roadside historic marker. Oral tradition and newspaper reports of 1916 and 1919 indicate that the property is the actual site of Christian

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<sup>40</sup> June Minutes, July Minutes, 2001, Gaston County Historic Preservation Commission, Gaston County Courthouse, Office of the County Manager, Gastonia, NC.

<sup>41</sup> January Minutes, March Minutes, September Minutes, 2002, *ibid.* "An Archaeological Reconnaissance of the Tryon County Courthouse Site", Tracy Martin Project Director and J. Alan May Principal Investigator, copy attached to September 2002 Minutes.

<sup>42</sup> *Ibid.*

<sup>43</sup> "An Archaeological Reconnaissance of the Mauney Family Association Tract, Gaston County, North Carolina", submitted by Tracy Martin and J. Alan May, prepared for Gaston County Historic Preservation Commission, Gastonia, NC, July 2003, pp. 17-18; July Minutes, 2003, Gaston County Historic Preservation Commission.

Mauney's home. The existence of two possible road beds, the "Cross Roads" which made the site so appealing as a Courthouse, suggests this is the site of the Courthouse. At least one mulberry tree, recalled by Alfred Nixon in his 1916 address as marking the house site, is located among the concrete picnic pillars. This location, which was once a rural spot in a current urbanizing Gaston County, should remain a memorial to the brave revolutionaries who helped create our great nation.

AN ARCHAEOLOGICAL RECONNAISSANCE OF THE  
MAUNEY FAMILY ASSOCIATION TRACT, GASTON  
COUNTY, NORTH CAROLINA



Submitted by:

Tracy Martin

With contributions from

John D. Bolick, Darlene Philyaw, and Jerod Shuford

and

J. Alan May, Ph.D.

Principal Investigator

Curator of Anthropology

Schiele Museum of Natural History

Gastonia, North Carolina

Prepared For

Gaston County Historic Preservation Commission

Gastonia, North Carolina

July 2003

solemnly & sincerely promise [and] engage under the sanction of virtue[,] honor & the sacred love of Liberty and of our Country [to] maintain and support all & every the Acts[,] Resolutions & Regulations of the said Continental & Provincial Congresses to the utmost of our power & abilities in Testimony we have hereunto set our hands the 25 day of October AD 1775"<sup>15</sup>

While this second document is not known as well as the Tryon Resolves, it has great historical significance. The Committee continued to express allegiance to the King, but the document indicts Parliament and states that taxes imposed by Parliament are not lawful. Such laws would be resisted by force. Even more importantly Tryon County citizens aligned themselves with the Continental Congress and the North Carolina Provincial Congress, which had replaced the government of the royal colony. Since both Congresses were considered revolutionary in nature and illegal, the Tryon Safety Committee clearly stated that it would adhere to their laws and directions. This second document completed the break with the British government, which the Tryon Resolves had initiated. Twenty-Seven Tryon citizens signed this document. Some appeared to be Safety Committee members and some were not.<sup>16</sup>

During the remainder of the meeting the Committee adopted resolutions providing for the collection of debts from debtors who left the county and for the confiscation of these debtor's property. The Committee also gave the first indication that the county was not united in its Revolutionary stance. It "recommended to all the good people of this County not to construe the Association to break off all dealings or commerce with such persons who refuse to subscribe" to their agreement. It even suggested that Patriots should grind grain and provide "the necessities of life" to Tories and Neutrals.<sup>17</sup>

The Committee of Safety next met on Tuesday, January 23, 1776. A new Committee was appointed until the next general election. The next day the Committee regulated the purchase of salt, iron, and steel and set the price of rum and required sellers to have a license. The final recorded meeting of the Safety Committee was held on February 9, 1776. The Committee ordered that militia captains should raise troops because of the British threat. It determined "that each man that refuses if allotted to go on this immergency [sic] shall be deemed enemies to their Country, & shall be dealt with according to the Resolves of the Congresses or otherwise". It appointed William Moore the county's commissary for the Tryon County regiment.<sup>18</sup>

During the period that the Tryon Safety Committee functioned as the extra-legal government of the county, the Tryon County Court continued to meet at Christian Mauney's home, the Tryon Courthouse. Because of the anarchic conditions the Court did not meet during April Term 1776. Yet, the Safety Committee and the County Court soon became one and the same. As independence came to America and to frontier Tryon County only the Revolutionary government functioned. During October Court 1777 William Graham delivered the Safety Committee Minutes to the County Court, which formalized the Revolutionary government.<sup>19</sup> Now they were one and the same.

<sup>15</sup> *Ibid.* Sullivan, *Tryon County Documents*, p. 188.

<sup>16</sup> *Ibid.*, pp. 188-189. Tryon County Safety Committee Minutes.

<sup>17</sup> *Ibid.* Sullivan, *Tryon County Documents*, p. 190.

<sup>18</sup> *Ibid.*, p. 190-192. Tryon County Safety Committee Minutes.

<sup>19</sup> Sullivan, *Tryon County Documents*, pp. 191, 195.

The County Court continued to conduct business during the next few years. One major advantage to the Courthouse location was that it was located at the crossroads of two major roads. During these years overseers were ordered to maintain these roads. One road ran from the Courthouse to Tuckasegee Ford on the Catawba River, near present day Mt. Holly. The other ran from the Courthouse to Beatey's Ford also on the Catawba River but further to the north.<sup>20</sup> The Court continued with routine matters such as the proving of deeds, appointing of guardians and administrators, building roads, and collecting taxes.

The difficult times also created changes for Tryon County. As settlers had streamed into western North Carolina, counties had been created slowly. The need for a more permanent Tryon Courthouse continued. In 1778 a bill was introduced into the North Carolina General Assembly to build a town on the lands of Christian Mauney. It passed the Senate but failed in the House. The following year a bill was introduced which would create a town on the property of Valentine Mauney, Christian's brother. This bill also failed in the House.<sup>21</sup>

Another issue consumed the North Carolina rebel General Assembly. It recognized the need for new counties, which would better represent North Carolinians, especially in the more densely populated Piedmont. The name Tryon County had never been a popular one. Many North Carolinians disliked Governor William Tryon because of his high taxes, the building of his Tryon Palace in New Bern, and his conflict with the Regulators, who were mostly from the Piedmont. In 1778 a bill to abolish Tryon County and create Lincoln and Rutherford County was introduced in the General Assembly. It was approved and Tryon County Court held its last meeting during the January Term of 1779. But the creation of Lincoln County and its first Court term in April 1779 was not much of a change. The Lincoln County Court continued to be held at the Tryon Courthouse, the home of Christian Mauney.<sup>22</sup>

The conflict between the British and the American Patriots also led to turmoil in Tryon County. The signers of the Tryon Resolves displayed a unique unity among the various people living west of the Catawba River. Signers included people of English, Scotch Irish, and German heritage. Of the 49 signers 13 have been identified as Germans. The unity of 1775 eroded as conflict grew closer. When Tryon freeholders signed the second resolution of October 26, 1775, only 2 of the 26 signers were Germans. By 1780 many of the German neighbors of Christian Mauney had become neutral in the conflict while others had aligned themselves with the British. The Carpenters, Whisnants, Eakers, and even Jacob Mauney Jr., Christian's brother, have been implicated as Tories. Apparently Christian Mauney continued his support of the Revolutionary cause, as did his brother Valentine. Christian Mauney's descendants have entered the Daughters of the American Revolution because of his supplying provisions to the Patriots during the war.<sup>23</sup> The Revolutionary conflict caused brothers to fight brothers and neighbors to confront neighbors.

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<sup>20</sup> Holcomb, *Tryon Court Minutes*, p. 173, 180.

<sup>21</sup> Alfred Nixon, "The Mauney Family Reunion, August 19<sup>th</sup>, 1916", pamphlet privately published by Joe R. Nixon with no page numbers given.

<sup>22</sup> Sherrill, *Annals of Lincoln County*, pp. 33-34, 29. Holcomb, *Tryon Court Minutes*, p. 211.

<sup>23</sup> Sullivan, *Tryon County Documents*, pp. 185-186, 188-189. Minnie Stowe Puett, *History of Gaston County*, Charlotte: The Observer Printing Co., 1939, p. 171. Cope and Wellman, *County of Gaston*, p. 42. Bonnie Mauney Summers, *Three Mauney Families*, Kings Mountain: 1967, p. 3. See Lorena Eaker, *The*

The events of 1780 and 1781 brought the conflict to the newly formed Lincoln County. Local Tories and Whigs engaged each other at the Battles of Ramsour's Mill, Kings Mountain, and Cowpens. Following the defeat of Banastre Tarleton at Cowpens, Lord Cornwallis sought to capture General Daniel Morgan's army. Cornwallis marched his seasoned British army of 4,000 soldiers from South Carolina into North Carolina. On January 23, 1781, he encamped at Christian Mauney's home, the site of the Tryon Courthouse. He continued his march, known as the "march to the Dan" in pursuit of Morgan and General Nathaniel Greene.<sup>24</sup> Apparently the Revolutionary conflict did not affect the use of Christian Mauney's home since it continued being used as the Lincoln County Courthouse after Cornwallis's army left.

The convenience of the Tryon Courthouse location diminished with the creation of Lincoln County. Christian Mauney's home was no longer the geographic center of the county. Then on May 4, 1782, more land was added to Lincoln County from Burke County. This area, which is now known as Catawba County, placed the Courthouse a great distance from its northern citizens. In 1782 the following commissioners were appointed to find a new location for the Lincoln County Courthouse: Daniel McKissick, Henry Thompson, James Lyttle, John Dickson, John Wilson, John Caruth, Frederick Hambright, and Nicholas Friday. The Lincoln County Court continued to be held at Christian Mauney's home until 1784. In that year Court was moved first to the home of Nicholas Friday, one of the original commissioners, and then to Henry Dellinger's house. During that same year the commissioners received a land grant of 300 acres of vacant land for the creation of a county seat. By 1785 a log courthouse was built and a new town, named Lincolnton, was laid out.<sup>25</sup> North Carolina Patriots no longer endured the Tryon name. It had been replaced by the name of General Benjamin Lincoln, colonial general who accepted Lord Cornwallis's surrender sword at Yorktown.

So far researchers have not located a picture or likeness of what the Tryon County Courthouse may have looked like. With the departure of the Tryon Courthouse the family of Christian Mauney maintained a farming existence on the land. Christian and wife Caty raised a family of six sons and six daughters. Christian Mauney had accumulated considerable land holdings. In 1805 he was listed with 705 acres and was taxed for one white poll, which was most likely a son. On July 7, 1814, Christian Mauney wrote his last will and testament. Sometime prior to January Court Sessions 1815 he died since his will was proven in open court at that time. He was buried in the Beaverdam Lutheran Church Cemetery. Beaverdam was originally a union church of Lutheran and German Reformed. He left his homeplace to his wife Caty.<sup>26</sup>

The land containing the old homeplace of Christian Mauney eventually descended to his son Christopher, also known as Christy, Mauney. Christian Mauney had willed the

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*Shoe Cobbler's Kin*, Baltimore: Gateway Press, 1976, Vol. I, pp. 23-30 for a discussion of Tory Confiscation Lists. For a transcription of Tory Confiscation Lists from Lincoln County see Dr. A. B. Pruitt, *Abstracts of Sales of Confiscated Loyalists Land and Property in North Carolina*, 1989, pp. 71-75.

<sup>24</sup> Nixon, "The Mauney Family Reunion, August 19<sup>th</sup>, 1916".

<sup>25</sup> Sherrill, *Annals of Lincoln County*, pp. 29-30, 52-55. Cope and Wellman, *County of Gaston*, pp. 45-46.

<sup>26</sup> Summers, *Three Mauney Families*, pp. 2-6. "Lists of taxable Property of the Distrect of Capt. Carpenters Company for the year 1805 to taken by John Crouse", Tax Lists, Lincoln County Collection, Department of Arcives and History, Raleigh, NC. Christian Mauney 1815, Lincoln County Collection, Wills, Department of Archives and History, Raleigh, NC. Christy, Christopher, and Christian Mauney Jr. refer to the same person.

homeplace to his wife Caty but had also written deeds to dispose of his lands to his sons. On February 20, 1809, Christian Mauney Sr. deeded an 86 acre tract on Beaverdam Creek and a 64 acre tract to Christian Mauney Jr. for \$50. Likewise on July 1, 1814, Christian Mauney Sr. deeded 100 acres to Christian Mauney Jr. on the "waters of Beaverdam Creek" for \$20. He also deeded nearby land to son, Peter Mauney. On November 1, 1823, Catharine Mauney "Widow" deeded the homeplace tract of 53 ½ acres to her son Christian Mauney for \$100. The land was on the "waters of Beaverdam Creek", joined Christian's own property, brother Peter Mauney's land, and included the "peach orchard fence". In 1818 Christian Mauney (this is Christian Jr.) was taxed for 383 acres valued at \$550 and for one white poll, and his mother, "Catherina Mauney widow", was taxed for 53 acres valued at \$100. Christian Mauney Jr. accumulated additional property. In 1832 "Christy Mauney" was taxed for 750 acres which was valued at \$945. Christy and his wife Susannah Rhyne Mauney "lived on the place that for a time was the county seat of Tryon County". On this property they raised three sons and five daughters. Christy wrote his will in Lincoln County on April 10, 1841. He died in 1843 and was buried with his father in the Beaverdam Lutheran Church Cemetery. His wife lived to be 84 years old and died on April 12, 1872. She was buried at St. Marks Lutheran Church Cemetery.<sup>27</sup> St. Marks was the successor church of Beaverdam when the congregation decided to move to a new location.

In his will Christy Mauney devised that his wife would continue to live in the homeplace and that his lands would be divided among his children. The subsequent land division was held on June 3, 1844. Lot number three included the widow's dower and included a part of the homeplace tract, the home of Christy Mauney Jr. This 83 acre tract went to "Sarah Mauney the Youngest daughter of Said decd." Sarah married Jefferson Carpenter. This information proves that Christy/Christian Mauney Jr had built a separate home from his father, which was located further to the west. Lot # 1 went to "Eli Mauney the oldest Son of the Said deceased." This tract contained 62 acres which included the widow dower given to Christy's mother Caty Mauney in the will of Christian Mauney and later deeded by Caty to her son, Christy Mauney. It was on this second tract that the home of Christian Mauney, the Tryon Courthouse, was located. This tract was the southeastern corner of the property. In the description of the land the "hickory Tavern" was listed as being on this property. This was certainly the old home of Christian Mauney, the Tryon Courthouse, which was being used at this time as a tavern exclusively. The old Christian Mauney homeplace tract came into the ownership of Caleb Mauney, son of Christy Mauney. Caleb married Jane Stroup on April 1, 1852. They had eight children, six sons and two daughters. Caleb died on June 27, 1882 and Jane died on June 17, 1916.<sup>28</sup>

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<sup>27</sup> Summers, *Three Mauney Families*, pp. 6, 24. Lincoln County Deed Book 26, pp. 306-307, pp. 304-305, Book 32, pp. 9-10, Lincoln County Courthouse, Lincolnton, NC. "A list of taxable property In Capt Abraham Mauney's Company for the year 1818 taken in by Peter Mauney J. P.", "Duplicate of Taxable in Capt. Aderholt's District for year 1832", Tax Lists, Lincoln County Collection, Department of Archives and History, Raleigh, NC. L. M. Hoffman, *Our Kin*, 1915, repr. Baltimore: Genealogical Pub., 1968, p. 214. Christy Mauney 1843, Lincoln County Collection, Wills, Department of Archives and History, Raleigh, NC. Christy Mauney 1843, Lincoln County Collection, Estates, Department of Archives and History, Raleigh, NC.

<sup>28</sup> *Ibid.*, 29-33. Private Research of Sue F. Carpenter, 319 Long Shoals Road, Bessemer City, NC. Christy Mauney 1843, Lincoln County Collection, Estates, Department of Archives and History.

On June 19, 1882, Caleb Mauney wrote his last will and testament. In the second item of the will Caleb gave "to my daughter Mary C. Farris four acres of land to include the house she now lives in to be laid off in an oblong square." He further ordered that the remainder of his land be divided among his six sons: W. S. Mauney, M. L. Mauney, E. A. Mauney, James L. Mauney, Caleb B. Mauney, and Robert R. Mauney. His will was probated on August 14, 1882.<sup>29</sup>

It is unclear when the old Christian Mauney home disappeared and how it disappeared. It is assumed that it was standing in 1844 when the "Hickory tavern" was mentioned as being on the land of Christy Mauney Jr. It was no longer standing when descendants of Christian Mauney decided to hold regular family reunions and to build a memorial to honor Christian Mauney and the historical significance of the site in 1916. It is assumed that the Mary C. Farris house mentioned above may have been a later house and not the original Christian Mauney/Tryon Courthouse structure.

In 1916 William Andrew Mauney, a resident of Kings Mountain, invited numerous descendants of Christian Mauney to a family reunion at the site of his homeplace, the site of the Tryon Courthouse. On August 19, 1916 the first Mauney Reunion was held. Hundreds attended this first reunion and subsequent reunions. The speakers included Mr. W. A. Mauney, Honorable Oscar F. Mason, the Honorable Clyde R. Hoey (Assistant U. S. District Attorney and future governor of North Carolina), and Alfred Nixon. Other activities at this first reunion included a large dinner with entertainment by an orchestra from Kings Mountain. The Honorable Alfred Nixon, noted local historian from Lincolnton, provided the historical address and the family agreed to make the reunion an annual affair. In addition the group approved a resolution to commemorate the site with "an appropriate monument". Mr. Nixon's address noted that the site was on the lands of Esquire R. R. Mauney near the home of Mr. Alex Farris. "The only marks of the old seat are an aged scrubby mulberry tree in the midst of a small stubble field which is said to be on the spot where Christian Mauney's oak log house stood which was also used as court house and jail." Nixon described "the old race path and wagon road of history", which were located nearby. He noted that the picnic was held among pine trees about a hundred yards from the site. Members of the nearby Concord Methodist Church created a stand and seats, which served as Nixon's address podium and audience.<sup>30</sup>

In 1917 William Andrew Mauney began the process by which family members could contribute to a memorial. He created an association of relatives who agreed to purchase the homeplace/courthouse site. On April 14, 1917, a judicial partition of the Caleb Mauney lands occurred with Lot # 1 going to J. L. Mauney. It contained 32 and 1/4 acres. On October 18, 1917, the Farris heirs deeded the four acres willed to their mother, Mary C. Farris, to W. A. Mauney. Then, on October 21, 1919, W. A. Mauney and Candace his wife deeded the same 4 acres to James L. Mauney. The official purchase of the site occurred on the same day. James L. and his wife Laura F. Mauney deeded two and 3/10 acres to R. R. Mauney, W. S. Eaker, David A. Rudisill, and W. A. Mauney,

<sup>29</sup> Caleb Mauney, 1882, Gaston County Collection, Wills, Department of Archives and History, Raleigh, NC.

<sup>30</sup> Nixon, "The Mauney Family Reunion, August 19<sup>th</sup>, 1916", no page numbers given. The entire address by Alfred Nixon was printed in the *Cherryville Eagle*, Thursday, Aug. 31, 1916, copy located in vertical files at Cherryville History Museum, Cherryville, NC.

these levels are not only more likely to be found in their cultural context but will be more protected from processes that may damage them. After an analysis of the survey results and a careful review of local archaeological and historical literature a determination can be made of the significance of the site. "Archaeological significance is determined after consulting with the State Historic Preservation Officer (SHPO) and 36CFR800 and applying the National Register criteria to properties that may be affected by the undertaking and have not been previously evaluated for National Register eligibility".<sup>18</sup>

The goal of this study is to, through shovel tests, archaeological excavation units, and researching of historical literature, is to provide a detailed account of any archaeological material relating to the Christian Mauney Sr. house on the current property owned by the Mauney Family Association. This study will assist in inventorying, evaluating, and protecting, historic and prehistoric cultural materials located within the Mauney Family Association tract of land.

## ARCHAEOLOGICAL FIELDWORK

### Field Site Definition

An archaeological site is any area on the landscape where humans to meet their needs have modified the physical environment or it's resources. Because of heavy agriculture many sites have been destroyed or damaged making them hard to identify. Where ground visibility is not limited due to vegetation though one can easily spot lithic scatters, potsherds, and occasionally faunal remains. In this survey there were no artifacts found on the ground that helped in locating a late 18<sup>th</sup> century site. All the debris found lying on the ground were all materials left over from the reunion shelter.

### Field Survey Techniques

For this field project pedestrian surveys and shovel testing were employed to sample areas that were estimated to contain artifacts relevant to the Tryon Courthouse. Shovel tests were performed in and around what were believed to be roadbeds according to surveyors and also in and around the picnic shelter remains. Also 1x1 meter excavation units were opened and excavations were continued until sub-soil was reached. All dirt from the shovel test pits and the excavation units were screened using ¼ inch mesh. Excavation in the excavation units was accomplished with both shovel and trowel, Plate

### Field Survey Intensity

Surveys were conducted using pedestrian transects oriented North, South, East, and West which were laid out with the Transit and a compass. The most intense area of shovel testing was done in the South and Southwest portion of the tract where the supposed roadbeds are and in and around the old Mauney picnic shelter remains, Figure 3. Other shovel tests were done on the East side of NC Highway 274 just to the south of the dilapidated building which now stands there. Deed research, plat maps and topographic maps of the area were used in narrowing down possibilities of possible locations for the Mauney house. The shovel tests were laid out every five meters. Proportions were 50 x 50 cm and 30 cm deep.

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<sup>18</sup> May, Alan PhD, An Archaeological Reconnaissance Survey of the Proposed Rural Hill Farm Barn Construction Project, Mecklenburg County, NC, June 2002

## SURVEY RESULTS

Fieldwork was started at the site by doing a preliminary walkover of the entire 2.3-acre lot on both sides of NC Highway 274 and off the property to the west. This was done to search for any foundations, chimney falls, wells, or old roads that may date to the 18<sup>th</sup> century. Additionally, coring was accomplished over selected portions of the tract in search of architectural features: chimney brick, corner stones, etc., Plate 3. The reunion picnic shelter so prominent in the 1938 aerial photograph was completely gone except for the large concrete barrels that were used to support the canopy. After several days of clearing away vegetation, a datum was established at 200N/200E inside the shelter's remains over one of the concrete slabs using the surveyors transit, Figure 3.

Once the instrument station was set up at 200N/200E, a grid was established on North, South, East, and West lines covering the southern and southwestern portions of the property. This was the area covering what was likely to contain the house according to some oral histories and according to the surveyors plat containing the old roadbed. On July 2, 3, 9, and 11, 2002 stakes were put down at five-meter intervals and shovel testing was started. Each shovel test was five meters apart and between 30 – 50 centimeters deep. Subsequent lines were laid out with compass and range pins in order to test more ground.

Because of a multiyear drought, the ground was extremely dry and very hard. Other than round tipped shovels, lightweight picks were used to break up the clay and facilitate screening. Nothing was recovered in any of the first shovel tests that could date back to the late eighteenth century and the time of the Tryon Courthouse. Only modern material was recovered. This included wire nails and broken beverage glass. Several visual surveys were taken into the woods off the property to the west of the Mauney Association Tract and behind the Tryonta Fire Station. There was nothing off the property on the surface indicating where a house had stood or a roadbed from that time period. The only road that was found was an old 'tractor' road probably dating to the early twentieth century. Judging from the 1938 aerial photograph this road ran east to west mostly along the southern edge of the woods to the west of the reunion shelter, Plate 1. It crossed NC Highway 274 and continued, running partially with the Eaker family driveway across the street, towards the east on what is now the old Lithium mine.

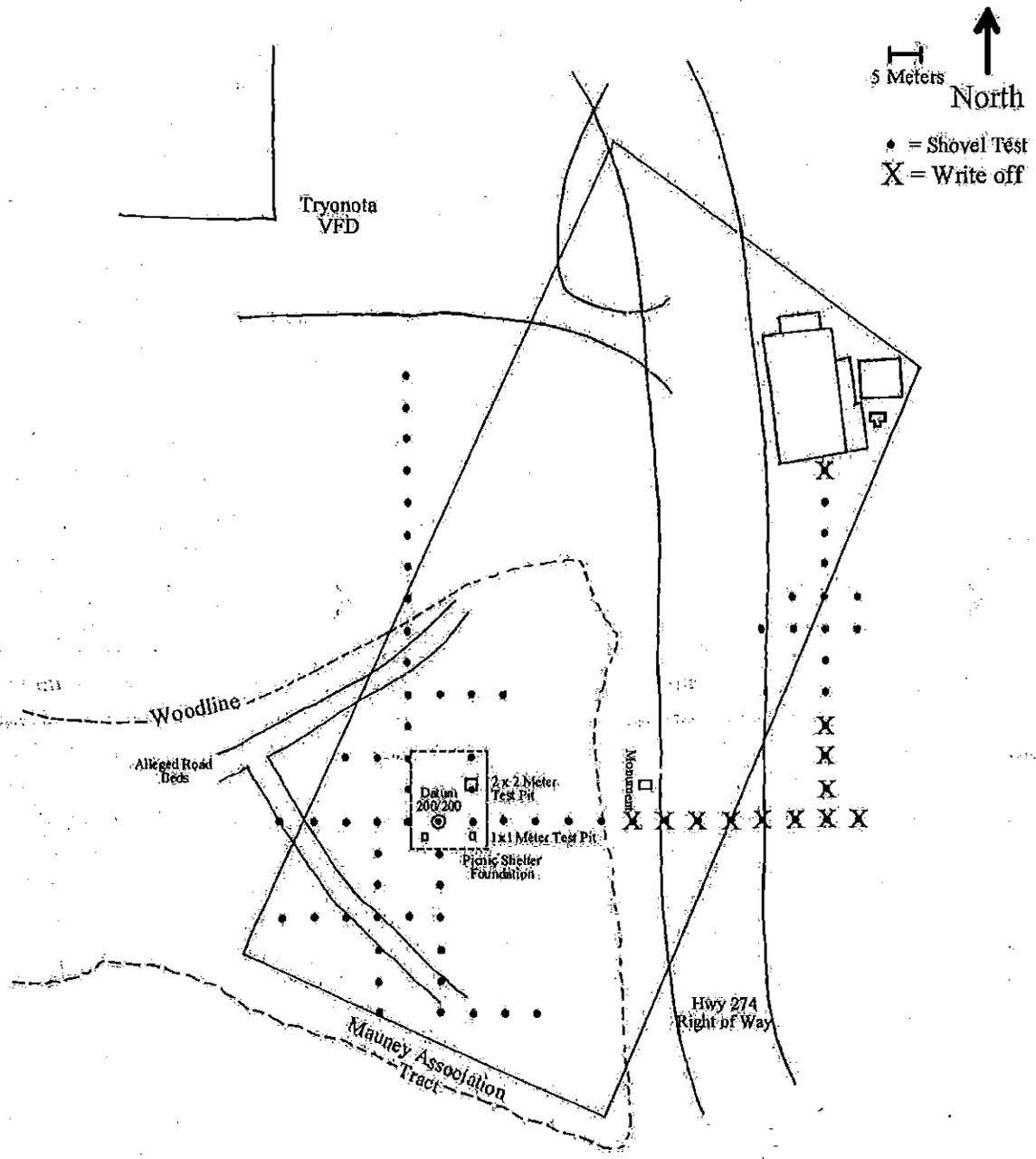


Figure 3. Mauney Association Tract showing shovel tests and excavated squares.



Plate 3. Coring at the Mauney Tract.



Plate 4. Excavating Square 197N/198E, level 1 with shovel and trowel.

On July 16, 2002 two more shovel tests, 205N/205E and 210N/205E were opened inside the picnic shelter remains. It had been suggested that the reunion shelter had been built on the remains of Christian Mauney's home. Because the reunion shelter was sitting on a slight westward slope it contained fill dirt to level it out. These two shovel tests were dug past the fill dirt and into the subsoil at a depth deeper than 50 centimeters in the hopes of finding deeper material. In the topsoil of 205N/205E was found 3 wire nails and two cut nails. 210N/205E contained 2 wire nails within the topsoil. A profile of 205N/205E was sketched which indicated two different layers of fill dirt, Figure 4. The top layer of fill dirt was sandy brown with a Munsel reading of 7.5 YR 4/6 and the second layer of fill dirt was rocky with a Munsel reading of 7.5 YR 5/6. Though cut nails would typically be a good sign at indicating the time period they were used it was determined that these were probably floor nails used in the construction of the picnic shelter. Of the artifacts found 32 were found in the first eight centimeters, while only two were recovered below this level, from eight to ten centimeters. Nothing of relevance to the time period was found within it.

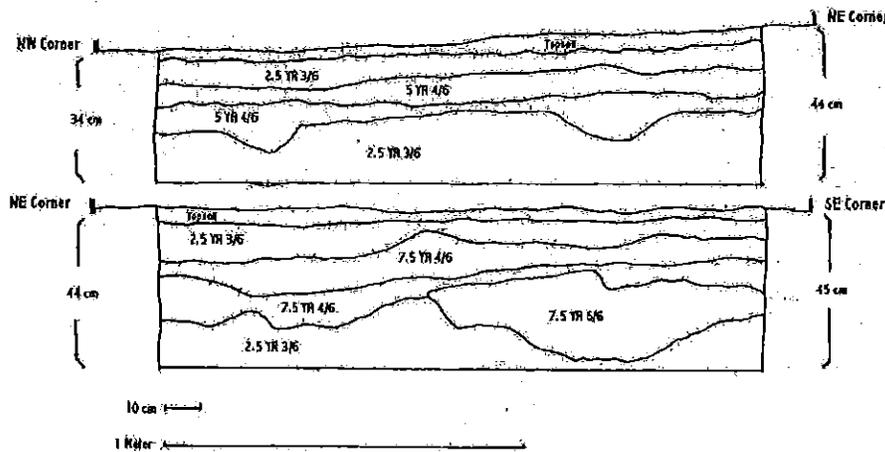


Figure 4. Profiles of the North and East walls of the 2 x 2 meter test pit 205N/206E

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## CHAIN OF TITLE: TRYON COURTHOUSE

The information below is result of research done by John Russell and Wilma Craig both of the Gaston County Historic Preservation Commission. All numbering and emphasis are present in the original.

**November 1, 1823.** Record of a sale from Catherine Mauney to her son Christian Mauney for a 53-acre lot referred to as the "dower tract." Full text can be found in the Gaston County Registry, Book 32/page 9.

1. **June 3, 1844.** By judicial partition, Lot No. 3 in the estate of Christy Mauney, containing 82 acres "on both sides of Beverdam Creek, Being part of the Homestead tract and covered by the widow's dower" and adjoining Lot No. 2 described below, to Sarah Mauney, the youngest daughter. The description and conveyance are contained in the Christian Mauney, Jr., estate papers; however, it is not clear, and in fact it is believed that this part of the partition was never recorded.

The other question concerning this property is whether the 4 acres later willed to the Farris heirs by Caleb Mauney is included in this tract. **There is no direct evidence suggesting that those four acres are connected to this property, and, in fact, a review of the metes and bounds description does not provide any matching information.**

2. **June 3, 1846.** By judicial partition, "lot No.2, lying in said County of Lincoln on Beverdam Creek, including the mansion house where the deceased usually dwelt being part of that portion of land laid off as the Widow' dower" in the "Christie Mauney" estate, was conveyed to Wiley Mauney, "the youngest son of the deceased." "Containing 96 acres valued at \$255.36 (with encumbrances)." The full description and the conveyance is also contained in the Christian Mauney Jr. estate papers and is recorded in the Gaston County Registry, Book 70/page 256.

3. **January 16, 1873.** Willey and Elizabeth Mauney to Caleb Mauney, "35 acres and 55 poles." This is believed to be "Lot no. 1" conveyed to J.L. Mauney by the Judicial Partition in paragraph 6, below. The metes and bounds description is nearly identical on three sides, with the differences on the fourth side explaining the slightly larger tract conveyed here. **The problem is that this lot does not appear from the physical description to be part of "Lot #2" described above in paragraph 2.** Book 15 / page 245.

4. **Unknown conveyance.** From Sarah Mauney consisting of the four acres (and possibly more) later willed by Caleb Mauney to the Farris heirs.

6. **Will of Caleb Mauney.** 4 acres to the heirs of Mrs. A.W. Parris (Caleb's daughter). Interestingly, it appears that what became known as the "Farris Homestead" was possibly never owned by A.W. Farris and his wife.

7. **April 14, 1917.** Judicial partition of the land in the Caleb Mauney estate with "Lot No. 1" as drawn in a survey by A.P. Falls containing 32 and ¼ acres to J.L. Mauney. Book 122/pages 376 – 381.

8. **October 18 1917.** Farris heirs to W.A. Mauney, 4 acres in Cherryville Township, Gaston County, "adjoining the lands of James Mauney and others and being a part of the Caleb Mauney tract of land." **I have been unable to figure out how the Farris heirs came into possession of these 4 acres.** Book 129/page 488.

9. **October 21, 1919.** W.A. Mauney and Candace Mauney to James L. Mauney, 4 acres "being the parcel of land willed to Mrs. A.W. Farris by Caleb Mauney." This land adjoins "Lot No. 1" described in paragraph 4 immediately to the east. Part of it was conveyed on this same date to the Mauney Memorial Association.

10. **October 21, 1919.** J.L. Mauney and Laura F. Mauney to R.R. Mauney, W.S. Eaker, David A. Rudisill of Gaston County and R.L. Mauney of Cleveland County, Trustees of the Mauney Memorial Association: 2.3 acres. This is the southeastern most corner of "lot No. 1. as described in paragraph 3 above. Book 140/page 264.

Tryon Courthouse Road Property - sequence of possession

Date	County	By	To	Book	Notes
8-2-2000	Gaston	Rebekah Eaker Lynch  [Tract 1: BEING THE FULL CONTENTS of Lots Nos. 2, 3, 4, 5, and 6 of Courthouse Acres, Phase One, as shown upon a plat and survey made thereof by W Bradley Freeman, Registered Surveyor, dated March 30, 1998, as recorded in Plat Book 58 @ Page 97 of the Gaston Co Registry (GCR).  This property is subject to residential restrictions as recorded in Book 2915 @ Page 823 of the GCR]	BAE Group - 3883 Redman Rd, Shelby, 28150  [Tract 2: ~42.95 acres ...the same being Tract No. 3 as shown on the plat of the RL Eaker Estate lands registered in...Reg of Deeds, LESS any portion of subject property which has previously been conveyed, including Lots 2 - 6 of Courthouse Acres, Phase One.  For title reference see Deed Book 678 @ Page 650 of the GCR.  The drafter of this document has not performed a title examination nor has he assisted with closing, if any in reference to this transaction.]	3118-434 & 435	Notarized by Pamela E Williams  Prepared By: Eugene D Grigg Atty @ Law 503 E Main St Cherryville, NC 28201
2-17-2000	Gaston	Rebekah Eaker Lynch, widow; Eric Lingerfelt & wife Allison Lingerfelt, d.b.a. BAE Enterprises, Inc.  [“TITLE REFERENCES: See Deed recorded in Deed Book 71 @ page 93; Book 248 @ Page 364 & Book 678 @ Page 650 of the Gaston Co Public Registry”]  Tax Map No: 12-088-018	Charles W Wray, Jr, 1 <sup>st</sup> National Bank of Shelby	3054-548: 549, 550, 551	Future Advance Deed of Trust  42.95 acres  “There is excepted from the above described 42.95 acre tract those conveyances by Deed from the above 42.95 acres as will be shown on Pub Record @ Reg of Deeds, GNC”
7-31-1967 ???	Gaston	Patrick K Kelly & wife Elizabeth F Kelly	Abner C Harrington Jr & wife Anna R Harrington 1321 Laurel Lane, GNC	954-612	\$100.00
8-7-1967	Gaston	Roy Mauney & wife Virginia R Mauney  [“...tract is cared from a piece of property covered by a deed from JB Mauney & wife Alice Iona Mauney to Roy Mauney recorded in Book of Deeds 850 @ page 5, filed Dec 3, 1963...Gaston Co.”]	Tryonota Volunteer Fire Department, Inc.  [“Mail to: Fred Lovelace, Route 2, Bessemer City, NC” - George B Thompson, Attorney, Kings Mtn, NC]	954-611	4.0 acres \$10.00  Surveyed 7-19&20-67 by LD Falls
11-27-1963 12-3-1963	Gaston Gaston	Thurman M Hoffman & wife Winnie Elizabeth Hoffman	Thurman Fred Hoffman & wife Joyce Ann Hoffman	850-3	\$10.00
11-19-1963	Gaston	JB Mauney & wife Alica Iona Mauney  [“CONTAINING 31%, EXCEPTING, HOWEVER, ALL THAT LAND, TOGETHER WITH	Roy Mauney	850-5, 6	31% acres \$3000.00

Date	County	By	To	Book	Notes
		THE TENANT HOUSE WHICH LIES ON THE NORTH SIDE OF THE TRYON SCHOOL ROAD. REFERENCE...DEED FROM JR DAVIS...TO JB MAUNEY DATED 4 <sup>TH</sup> OF NOV, 1938... BOOK 358 @ PAGE 98."]			
3-17-1953	Gaston	Paulina Hallman ["RESERVATION: But this conveyance is made subject to the life estate by Paulina Hallman which is hereby specifically reserved to said grantor during her lifetime."]	Faye Hallman	592-544	4.68 acres \$1.00 "Same being a part of the Andrew Hallman estate lands." LB Falls, surveyor 9-20-52
10-10-1952	Gaston	Paulina Hallman Johnson (unmarried) ["RESERVATION: The grantor, Paulina Hallman, hereby specifically reserves unto herself a life estate in the above described lands, that is for and during her natural lifetime. The above described lands were conveyed to grantors by Robert Hallman et al. heirs at law Andrew Hallman. For deed to Andrew Hallman see book 83, page 184."]	Leah Hallman Johnson & hub Hazel Lee Johnson	590-494 12-83-13	~4.68 acres \$1.00 parcel in Cherryville Township, Gaston Co Adjoining Lands: John Mauney, Paulina Hallman, Robert Hallman, Everett Eaker [also mentioned: Emma Hallman, Albert Hallman] LB Falls, Surveyor, 9-20-52
9-8-1952	Gaston	RL Mauney, WS Eaker, Olan Mauney, Lawrence Hovis, & Dr WL Mauney Lessors Trustees of the Tryon-Mauney Reunion Lands	G Anderson Hager & Mamie Hager Lessees		~1/2 acre 55 year leasehold @ \$2.00/mo or \$24.00/yr payable annually @ the end of the yr
7-23-1952	Gaston	Robert Hallman & wife Constance Hallman of Lawrence Co, PA; Albert Hallman & wife Margaret Hallman of Davie Co, NC; & Paulina Hallman (not married) Gaston Co, NC; heirs at law of Andrew Hallman deceased	Emma Hallman, Gaston Co	83-184	~9.37 \$1.00 surveyed by LB Falls, 6-16-52
12-26-1946	Gaston	Herbert T Beam & wife Annie Beam ["Reference is hereby made to Deed from Vernie Payseur...to HT Beam...Book 490, p 393 for full description of original tract from which lot #2 above described is carved."]	OD Carpenter & wife Edythe Carpenter	494-326	~42.59 acres \$10.00 ["...being lot #2 of sub-division of a tract...containing 85.18 acres"] surveyed 12-20-46 by LE Rudisill
9-7-1940	Gaston	HR Eaker & wife Ola Eaker [Ola signed but HR made his "mark"]	Mardecia Eaker & May Eaker	422-297 12-88-19	~34 acres \$3400.00 Adj Land: Hallman, Picnic Ground, and Claude Beam

3-18-1939	Gaston	Samuel W Dellinger & wife Emma Dellinger	WS Eaker & RL Eaker	354-617	51.20 acres \$2000.00
				12-88-18	["This boundary covering the following four smaller tracts of land: TS Royster 21.20 acres, Mrs SW Dellinger 12 acres, Mrs Alice Clemmer 10 acres and Mrs Joanna Barbee 8 acres."]

Date	County	By	To	Book	Notes
11-4-1938	Cleveland	JL Mauney Estate JR Davis Administrator	JB Mauney (bought @ courthouse door)		** something was deleted here apparently - will add back in tomorrow
10-21-1919	Cleveland [Gaston Co struck through]	JL Mauney & wife Laura F Mauney	RR Mauney; WS Eaker; David A Rudisill of Gaston Co and Mauney of Cleveland Co Trustees of the Mauney Memorial Association.	140-264	~2.3 acres \$100.00 Adjoining Lands: JL Mauney, CC Stroup, Richard Eaker
1-2-1908	Gaston	Wiley Mauney	PS Beam	110-544	~84 acres \$1680.00 Adjoining Lands: HR Eaker, Peter Neal, PH Vandiler, Wiley Mauney

On August 1 and 2, 2002 more shovel testing was continued onto the Tryon Volunteer Fire Department property, with their permission, and on the east side of NC Highway 274. These tests were done as final proof that no significant material was to be found on the Mauney Association Tract. The vacated and collapsed buildings that were built in the mid twentieth century are occupying much of the land across the street and a great deal of the tract is taken up as right of way for NC Highway 274. All of the shovel tests on the east side of the highway turned up nothing except for test 235N/255E. In it was found a small sherd of alkaline glazed pottery, which may date to the late nineteenth century at the earliest.

A total of 74 shovel tests were laid out on or around the 2.3 acres. Of those 12 were unexcavated because of lying off of the property, being in the right of way, or being in a disturbed area. Of the others 40 were empty. In the remaining 22 a variety of modern glass, metal and charcoal artifacts were recovered.

During June of 2003 a second excavation took place on the family reunion location in a further attempt to determine the location of the original Mauney home. The concern was that the original units from the previous season had not been excavated deep enough to pass the level of the fill dirt mentioned above that was used to level off the area for construction of the picnic shelter. On 6/23/03 one 1x1 meter excavation unit was opened at 197N/198E, Plate 4. On 6/25/03 a second unit of the same dimensions was opened at 197N/206E. These units were excavated in 10-centimeter arbitrary levels; the majority of the work was accomplished using a shovel, with some work with a trowel. All dirt was screened through a ¼ inch mesh. Both units exhibited virtually identical zonation. Surface litter generally amounted to approximately two centimeters of depth under which was dark red clay loam, Munsel 2.5 YR 3/6. It is logical to suppose that this red clay loam layer, present in both excavation units, is the fill dirt layer. The natural layer below the clay loam supports this idea. Below the clay loam was found a thin layer of yellowish red topsoil, Munsell 5 YR 5/6, named Level 2 in the profile drawings, Figure 5. This yellowish layer seems to represent the original topsoil layer before the fill was added. In unit 197N/198E it is found roughly 25 centimeters from the surface. In unit 197N/206E it is found roughly 22 centimeters from the surface. Under this layer was a layer of "sticky" red clay loam, Munsel 2.5 YR 3/6. The second level of clay loam began directly under the layer of yellowish topsoil in both units, and continued to a depth of at least 60 centimeters in 197N/198E, and to at least 30 centimeters in 197N/206E. This layer almost certainly represents the natural sub-soil.

The artifact concentration in both units also showed a relatively identical distribution. All artifacts were found in the first 30 centimeters of the excavation, with only one, a single wire nail recovered below 10 centimeters and this was associated with the soil disturbance labeled soil unit #4 in 197N/198E, Figures 5 and 6 and Plate 4. The disturbance began in level three and did not continue into level four. In unit 197N/206E a level of very dense rock concentration and hard-packed clay was found at approximately 12 centimeters below the surface. It was associated with the yellowish topsoil level, Level 2 on the profile drawings, and was excavated with trowel instead of shovel. No artifacts were found to be associated with the concentration. Directly below this rock layer the topsoil level gave way to "sticky" clay loam, as in unit 197N/206E and excavation was halted at the bottom of level three (30 centimeters). Excavation in unit 197N/198E was halted at the bottom of level six (60 centimeters).

In 235N/255E a piece of alkaline glazed pottery was recovered. It may date to the late nineteenth or early twentieth century. The metal fragment found in 200N/195E was a fragment of tin from the roof of the picnic shelter.

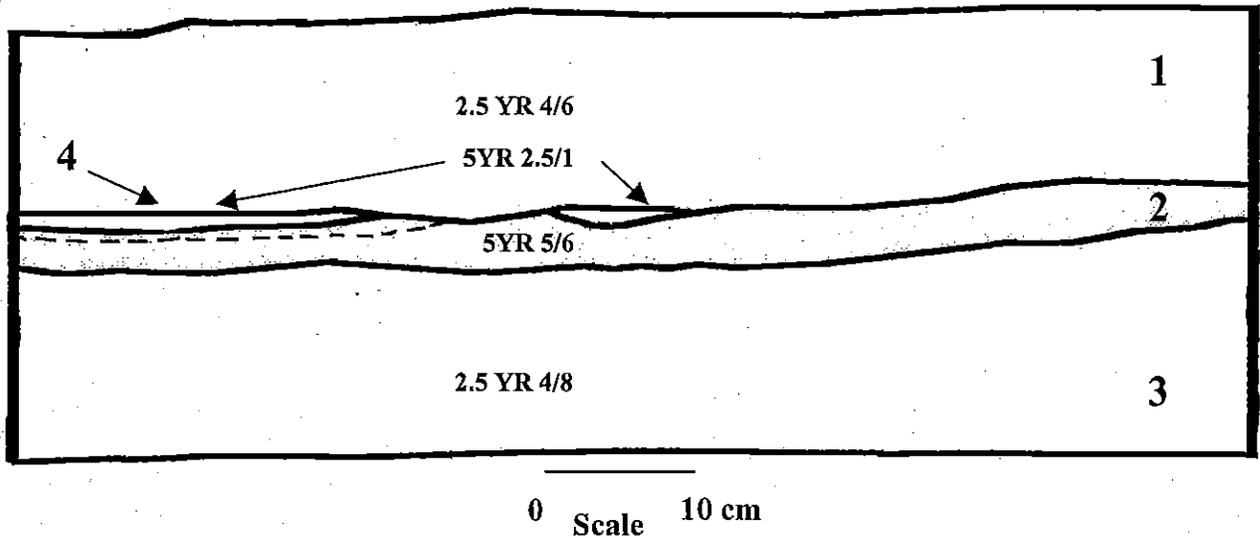


Figure 5. East Profile of unit 197N/198E

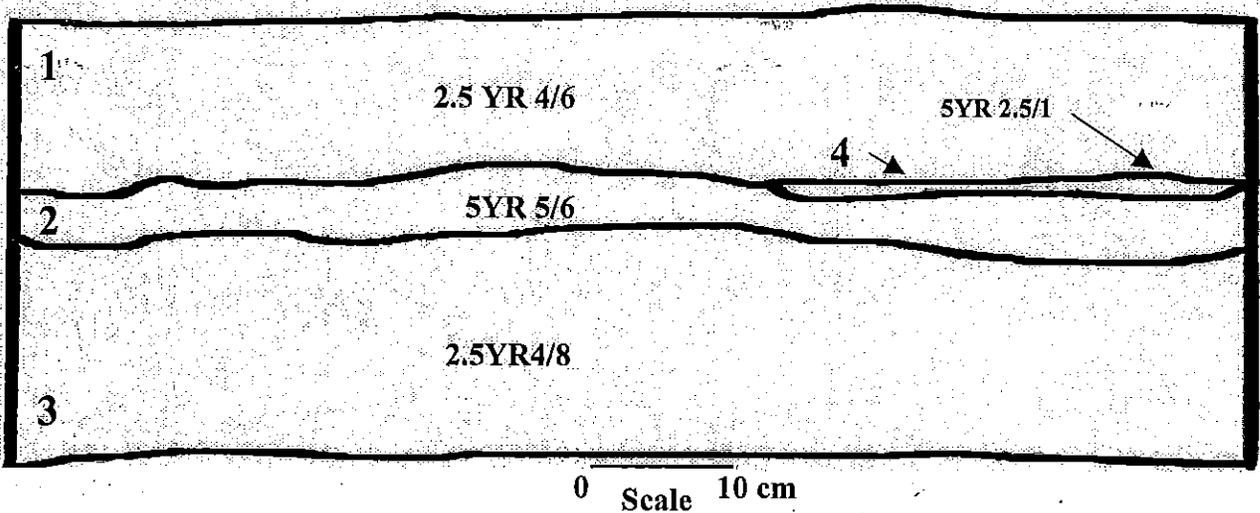


Figure 6. North Profile of unit 197N/198E

The range of artifacts recovered from the shovel tests and excavations were limited to glass, metal, a glass marble, and a few fragments of crockery. The expectation of finds based upon the historic documentation include, wine bottle fragments, a limited amount of window glass, a greater frequency of alkaline glaze pottery, and flatware dating to the end of the 18<sup>th</sup> century. A careful analysis of the recovered remains point out the absence of expected construction debris as well. For example, at the Zimmerman site, a large quantity of handmade brick, hearthstones, and corner stones were unearthed. There was no brick or

large stone fragments identified during the pedestrian reconnaissance or from shovel testing. Additionally no brick was recovered from any of the excavation squares.

Table 1 is a summary of all recovered artifacts from the work in the Mauney Tract. The evidence is almost exclusively of material from the 20<sup>th</sup> century rather than the 19<sup>th</sup>.

Table 1

Shovel Tests	Bev. Glass	Wire Nails	Cut Nails	Metal	Charcoal
170/215	1				
174.5/200	3				21
180/190				1	
185/190				1	
185/195	3				
190/200.5				1	
195/200.5	9	2			
200/175					2
200/190.5					1
200/190.5					1
200/195	1	1		1	5
200/220	25				
200/225	4				
205/195		2		1	
205/205		8	2	2	1
210/205		2			
219.5/195.5					2
225/195.5				1	12
230/195				2	
235/255		12			
<b>Excavation Units</b>					
197/198	11	1			
197/206		6			
205/206	6	18	4	6	
<b>Sum</b>	<b>63</b>	<b>52</b>	<b>6</b>	<b>16</b>	<b>45</b>

\*19 pieces of charcoal was found in 185N/200E and 1 piece was found in 210N/195E

\*A glass marble dating to the time of the family reunions was found in 170N/210E

### SUMMARY AND RECOMENDATIONS

This study was designed to record and describe the archaeological and historical resources present within the Mauney Family Association Tract of land in Gaston County, North Carolina and conduct deed research in an attempt to narrow down areas of the landscape where the Christian Mauney home may have stood. The home of Christian Mauney also served as the Tryon County Courthouse, jail, and a tavern. Historically, it is important in that it was also the site of the signing of the Tryon Resolves.

The original home was said to sit at a crossroads. One road led to the Beatey's Ford over the Catawba River and the other led to the Tuckaseege Ford. In the Tryon County court notes it has Christian Mauney being a caretaker of the section of the road that ran on his

property. Unfortunately though, what was thought to be a roadbed on the July 16, 2001 survey of the Mauney Family tract turned out to be nothing more than a drainage area. The only road found in the area was an old farm access road running east to west in the adjacent lands. The road can be seen as it was in 1938 by looking at the aerial photograph taken at that time of the Tryon area. Compare with the earlier system of roads from the 1911 topographic map, Figure 2.

The deeds that were acquired during our research were platted using the software Deed Analysis System version 1.6. This program converted the metes and bounds from the deed into an outline or boundary that we could print onto transparency paper to the appropriate 7.5' scale to match the USGS topographic map of the Bessemer City Quadrangle. This was extremely helpful in assigning the Mauney tracts to the map and was extremely beneficial in pinning down final tracts of land on which Christian Mauney Sr.'s house stood.

There is no doubt that this tract of land once contained a picnic shelter for use during family reunions through the early half of the twentieth century and picnics were held there. Artifacts were recovered such as nails, and glass fragments which would seem to support that. Also in support of that is a 1938 aerial photograph of the property showing the structure still intact. An archeological investigation conducted on the Mauney Family Association tract turned up no evidence to support the claim that this was the location of the actual Mauney home though. Since the tract sits on a slight westward slop it seems unlikely that Christian Mauney Sr. would have chosen this location to build his mansion house, especially considering that he owned 350 acres of land at the time.

There are only a few areas that could possibly be the original site of the Christian Mauney home. The most likely one is sitting near the Mauney Association Tract. This is the land that was said to contain the mansion house throughout several deeds and also contain a possible tavern. This is also the area that contains a significant crossroads that has remained largely intact for at least 100 years, which is consistent with the historic accounts of the location of the Christian Mauney home. The dower tract (Lot 1), Figure 1, encompasses almost all the 1938 aerial photograph east of NC Highway 274, Plate 1. However, considering that the 4 acre "Farris" lot; the last lot that can be traced directly back to the dower tract; lost 1.7 acres during the transition from James L. Mauney to the Mauney Family Association, serious consideration must be given to the idea that the home site was, in fact, located on this 1.7 acres, especially since this investigation has turned up *no* evidence of the home site on the existing 2.3 acres. If the house was located on the "lost" 1.7 acres, all the evidence points to the area currently occupied by the Tryonota Volunteer Fire Department.

It is not productive to continue doing shovel testing on the remains of this tract, because so much of the ground has been disturbed and developed over with the construction of the Tryon Elementary School, the Fire Department and the construction of houses in the area.

The other spot, though less likely, is the R.R. Mauney land from 1914 since it was mentioned in the 1915 book Our Kin. This land sits today almost across the street from the Tryon soccer field along the northern edge of NC Highway 274 and Little Beaver Dam Creek. It is on this site that Caleb Mauney's house still stands.

At this time there is no archaeological evidence to support the claim that the home of Christian Mauney was located on the 2.3-acre property currently owned by the Mauney Family Association. However, despite this, the deed research and numerous modern

historical accounts all support the idea that the house was on or in the near vicinity of the land in question. Though we cannot, through archaeological evidence, state the exact location of the Christian Mauney home, we can say, with certainty, that it is very likely somewhere near the tract currently owned by the Mauney Family Association, i.e. in the adjacent tract under the fire department building.

No archaeological survey techniques are capable of completely ruling out the missing of archaeological resources within and without of the Mauney Association tract. Therefore, any historic or prehistoric materials or structural remains uncovered during future development or study should be reported to the Principal Investigator to determine any possible impacts on the area.