EQUITY FOR THE ANCESTORS: AFRICAN AMERICAN CEMETERIES IN SOUTHERN URBAN SPACES AND THE NATIONAL REGISTER OF HISTORIC PLACES

By

Steph McDougal

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Dissertation Committee:
Dr. Carroll Van West, Chair
Dr. Stacey Graham
Dr. Louis Kyriakoudes
Dr. Molly Taylor-Poleskey
Kim McKnight, MSHP, AICP

For my husband, Alan, with love: this is the last one, I promise.

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ABSTRACT

For much of our nation's history, local governments in the United States strove to keep White and Black people separate from one another and, in many ways, to oppress African Americans in order to preserve the economically and politically dominant White culture. Officials in many cities historically treated Black cemeteries poorly or maliciously, or erased burial grounds by relocating individual graves into a mass grave elsewhere or simply removing grave markers and paving or developing over the site. Today, city officials may still give lower priority to African American cemeteries as local governments struggle to pay for the upkeep of all historic burial grounds that have long since stopped generating income.

Such lack of attention extends to scholarly literature in history, archaeology, material culture, and folklore studies, which have largely included only brief mentions of African American culture and burial customs within larger examinations in which White cemetery history and symbology are treated as the default. Studies of Black funereal traditions have been generally limited to the nineteenth century and, especially, the antebellum period, with an emphasis on the potential West African genesis of burial practices documented within the Southern United States.

This investigation—through both primary historical/archival research, a close reading of secondary sources, and contemporary data collection methods—seeks to address this gap. It first considers the various ways in which cities came to be in charge of African American cemeteries, and how typical conditions in city-owned African American cemeteries may affect whether those sites are perceived as historic. It next argues that listing in the National Register of Historic Places plays an important role in

either facilitating or hindering the recognition of historic cemeteries, which is directly related to funding for physical improvements. Moreover, I assert that the National Register is designed to limit the listing of Black cemeteries. Finally, the dissertation considers approaches to equitable treatment for city-owned African American cemeteries and provides a case study for one city that is attempting to repair past harms.

This investigation is particularly timely due to the enactment by the U.S. Congress in December 2022 of the African American Burial Ground Preservation Act and the subsequent implications for cemeteries that might receive grant funds through the National Park Service. Questions of integrity and eligibility for the National Register of Historic Places are immediately pertinent to the preservation and possible restoration of city-owned African American cemeteries, because current assessment guidelines may present institutional barriers that impede efforts to manage, maintain, and improve these cemeteries in an equitable way.

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CHAPTER ONE: HISTORIC PRESERVATION AND SOUTHERN BLACK CEMETERIES

Cemeteries are the common thread that links all American communities, regardless of geography, demographics, or age. The natural and built environment may vary from north to south and east to west; the racial, ethnic, and religious makeup of residents may be homogenous or diverse; and towns and cities may have been established as early as the seventeenth century or as recently as the twentieth. For hundreds of years, the settlement of formerly Indigenous and/or Mexican land in what has become the United States was nearly always concurrent with the establishment of a graveyard in which the incomers could bury their dead. Schools and churches were also established as early community institutions, and have been better documented; however, in cases where those buildings have been replaced, abandoned, or otherwise lost, a cemetery may be the singular historic site remaining in what was once a thriving community. In urban areas, cemeteries may mark earlier settlements or neighborhoods that were subsumed by the outward sprawl of nearby cities, destroyed by urban renewal, or gradually erased by gentrification.

Burial grounds were established in a variety of contexts, and some of these were intrinsically restricted to certain groups of people. Early families often buried their loved ones on their own property, creating small clusters of graves that today are scattered across rural (or formerly rural) landscapes. These graveyards may or may not be demarcated by fences or walls and, if their boundaries are not officially recorded by the

local county or city government, such cemeteries are at risk of being lost or destroyed. In the rural South, large farms and plantations additionally devoted land to the interment of enslaved people, with graves that may or may not be marked or inscribed. Cemeteries were also established adjacent to church buildings and may have been restricted to congregants. Of greater interest to this study, however, are the cemeteries that nominally served entire communities.

Local governments often established community burial grounds as one of their first public institutions. In some cases, community cemeteries were available to all people, regardless of origin, skin color, religion, or ability to pay. Many burial grounds, however, were restricted to only those decedents who were part of either the dominant or, less commonly, the subaltern population. Public cemeteries that did serve a diverse population often, but not always, were segregated to ensure that relatively affluent White people were not buried near the poor, people of color, or members of different religions.[1] Without equal access to public graveyards, it was not unusual for enterprising African American individuals and private cemetery associations to develop cemeteries for their own people.

People of all ethnic backgrounds express their grief, beliefs, and traditions through funereal customs, which may include the location and orientation of cemeteries, interment practices, and grave marking. These final tributes to families and loved ones provided African Americans, constrained by segregation, with opportunities for

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[1] Jewish congregations often purchased their own sections within public cemeteries, physically separated and enclosed, as required by their faith.

placemaking and remembrance. Today, some scholars and interested members of the public are working to identify and protect cemeteries that do not benefit from municipal oversight and management. Additionally, private family cemeteries, burial grounds of enslaved people, and church cemeteries are of interest to researchers and government agencies, some of whom are working to identify and document abandoned cemeteries. For example, in Texas, the state historic preservation office—the Texas Historical Commission—supports the cemetery inventory and conservation efforts undertaken by county historical commissions and interested individuals. Dr. Andrea Roberts' Texas Freedom Colonies Project, previously housed at Texas A&M University in the College of Architecture's Department of Landscape Architecture and Urban Planning and now at the University of Virginia, works with descendants to identify and document post-Emancipation African American settlements. Extant churches, schools, and cemeteries often identify the location of such freedom colonies, even if a recognizable residential neighborhood no longer surrounds those resources.

"Public" cemeteries may be assumed to be at less risk than these other burial grounds, simply because they are owned or managed by municipal governments. I argue, however, that city-owned African American cemeteries are indeed threatened: by many decades of disinvestment and deferred maintenance, by biases in the organizational framework that governs the National Register of Historic Places, and by the "silences" in burial records, as described by Michel-Rolph Trouillot.[2]

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[2] Michel-Rolph Trouillot, *Silencing the Past: Power and The Production of History* (Boston: Beacon Press, 1995), 26.

During my work with city governments to document and develop preservation plans for historic cemeteries, I observed—albeit with a limited dataset—that historically White cemeteries or sections within cemeteries reserved for White burials often seemed to be in better physical condition than cemeteries/sections that serve(d) African Americans. Several factors may cause such disparities in condition. First, racist attitudes that pervaded the dominant White society throughout our nation's history were almost certainly reflected in the historical distribution of municipal funding and maintenance efforts, both of which would have been disproportionately channeled to White cemeteries throughout much of the nineteenth and twentieth centuries. Second, cemetery upkeep was originally provided by families and later funded through the sales of grave plots; those funds have long since been exhausted for many historic cemeteries, leaving cities to struggle with decades of deferred maintenance and conservation needs. Third, some African American cemeteries that were established by associations and individuals in the late nineteenth or early twentieth centuries have been taken over by city governments, at the request of the community, and may have suffered from deteriorated conditions before or after the municipality became involved. Fourth, some African American families lacked the funds to mark graves or could only mark them with wood or metal markers that may not have lasted. Finally, well-intentioned cemetery "clean-up" efforts have used methods that removed, destroyed, or displaced grave markers. In any case, to meet the expectations of the larger community, city governments now are being challenged to fund maintenance and improvements for historic cemeteries at a higher level than in the past.

The governing framework for recognizing historic sites—the National Register of Historic Places—requires cemeteries to meet both standard criteria and additional

"criteria considerations" before they can be listed. Both the regular criteria and the special criteria considerations[3] of *significance,* as well as requirements for *integrity* (the presence of original appearance and materials) are heavily biased toward historic resources associated with the dominant White population, often with little to no allowance for the effects of segregation on sites associated with African Americans.[4]

When White historic preservation professionals use National Register criteria to define "historic cemeteries," they also often judge Native American, African American, and Mexican American cemeteries as less-than. The value of a historic cemetery traditionally has been thought to be most commonly expressed in artistic markers and monuments, orderly lots and plots, attractive vegetation in a designed landscape, easily maintained monoculture lawns, and symbology reflecting Judeo-Christian religious beliefs. My personal observations suggest that many White people expect sober and restrained grief and mourning behavior in cemeteries, and they may be easily offended by any behavior that they deem to be "unsuitable." I have personally heard White people describe grave goods, mounded dirt, and toys left on the graves of children as "trashy"; similar constituents describe effusive Mexican burial practices, such as handmade grave markers and bringing mariachis to the cemetery on Mother's Day, as "inappropriate."

City officials may not recognize African American cemeteries as worthy of preservation unless they are listed in the National Register. As Potter and Boland note,

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[3] Elizabeth Walton Potter and Beth M. Boland, *National Register Bulletin 41: Guidelines for Evaluating and Registering Cemeteries and Burial Places* (Washington, DC: U.S. Department of the Interior, National Park Service, Interagency Resources Division, 1992), 9–18.
[4] National Historic Designation Advisory Committee, *Recommendations for Improving the Recognition of Historic Properties of Importance to All Americans* (Washington, DC: National Conference of State Historic Preservation Officers, 2023), 3, 8, 19.

"National Register listing is an important step in preserving cemeteries because such recognition often sparks community interest in the importance of these sites in conveying the story of the past. Listing also gives credibility to State and local efforts to preserve those resources for their continuing contribution to the community's identity."[5] Such third-party recognition of a cemetery for its historic importance likely influences the appropriation of municipal funding for marker conservation, site preservation, and rehabilitation of cemetery structures. I have observed situations where National Register-listed White cemeteries received millions of dollars in funding for building improvements, while undesignated Black cemeteries languished without basic facilities.

Finally, when African Americans were unidentified or incompletely identified at the time of burial, as was common in segregated Southern cemeteries, the omission of the person's name reverberates through the production of history. Trouillot tells us that "Silences enter the process of historical production at four crucial moments: the moment of fact creation (the making of *sources*); the moment of fact assembly (the making of *archives*); the moment of fact retrieval (the making of *narrative*); and the moment of retrospective significance (the making of *history* in the final instance)."[6] Even in cases where burial records (the sources) were complete at some point in the past, the dislocation or loss of those records, as well as the deterioration or destruction of grave markers (the "archives" of a cemetery) can prevent the retrieval of information that is necessary for construction of the narrative. As a result, the identities and stories of

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[5] Potter and Boland, *National Register Bulletin 41*, 1.
[6] Trouillot, *Silencing the Past*, 26.

individuals interred there are lost, and with them an important part of a community's history.

This dissertation recognizes historical decisions and behaviors on the part of governmental agencies, but foregrounds the *results* of those decisions and behaviors, as evidenced by current conditions in historic African American cemeteries under the authority of city governments. The purpose of this study, therefore, is not just to document city-owned of African American cemeteries and consider how they should be approached going forward, but also to provide an implementable plan of action that public historians, historic preservation professionals, and the municipal entities responsible for these burial grounds can undertake. In doing so, I hope to facilitate the funding of both recognition and care and better position my colleagues in city governments around the United States to participate in this effort.

I have elected to focus this investigation within the state of Texas, where my work as a historic preservation consultant has included documenting cemeteries and their conditions for the Texas Historical Commission (our state historic preservation office), city governments, and nonprofit organizations. My residence near Houston enables relatively easy access (within a three- to four-hour drive) to cemeteries in the eastern coastal plains, where the majority of African Americans lived during slavery and after Emancipation, and where most city-owned African American cemeteries are located. While I have experience outside Texas as well, and I expect that these findings will translate across state lines, Texas' history as an "empire for slavery," as Randolph Campbell notably described it, and its experience as a Confederate state during the Civil

War were somewhat unique and, I felt, deserved a greater focus than I could achieve with a multi-state study.

Narrowing my scope even further, I examine the five historic cemeteries in Austin, Texas, which were the subject of the Historic Cemeteries Master Plan (now renamed the Cemetery Vision Plan), published in 2015 by a team that I assembled and led. That work, groundbreaking in its scope, was recognized with the American Planning Association's 2017 National Planning Achievement Award (Gold) in Urban Design; the 2016 Project Plan Award from Texas Chapter of the American Planning Association; the 2017 Virginia Chapter of the American Society of Landscape Architects Merit Award; and other state and local awards. The three African American cemeteries or sections in Austin represent the different ways that cities come to own Black burial grounds: a segregated section of the larger Oakwood (City) Cemetery, the segregated Evergreen Cemetery established by the City of Austin for African American burials in 1926, and the former privately owned Plummers Cemetery, purchased by the City in 1957. I satisfied the professional residency required by this doctoral program by completing a Historic Texas Cemetery designation application for Plummers Cemetery and drafting National Register nominations for Plummers and Evergreen Cemeteries, which contributed to this study.

Finally, segregation, oppression, and violence in Texas were levied against both African Americans and Mexican Texans; however, the 1848 Treaty of Guadalupe Hidalgo legally classified Mexican Americans as U.S. citizens and "White by law," making it impossible for White Anglos to enact the same legal restrictions against Mexican Texans that were imposed on African Americans. The *de facto* "Juan Crow"

policies that emerged instead—and how those affected Mexican burial practices in Texas—are certainly worthy of examination and study, but this paper focuses on the African American experience.

Notes on Terminology

In this text, the term *White* is used to describe Caucasian people of European descent in the United States. *Anglo* is often used in Texas and the American Southwest instead of *White* to describe English-speaking White people of European descent who are/were not Hispanic, since Mexican people may be descended from European/Spanish and/or Indigenous ancestors. Since this text is concerned only with White/Anglo and African American cemeteries, not those associated with people of Mexican and/or Indigenous descent, I have used the term *White* without the additional *Anglo* descriptor, for brevity's sake. Following the lead of organizations such as the MacArthur Foundation, the Center for Study of Social Policy, and the *Washington Post*, I capitalize White to indicate that it describes the socialized construct of race and the racialization of people who are not Black.

I have used both *African American* and *Black* to describe people of African descent, except in cases where it was more accurate to use *Afro Caribbean* specifically or *of African descent* generally. Outdated historical terms such as *Negro* or *Colored* may be included in quoted passages.

Finally, although this dissertation does not include a discussion of cemeteries associated with people of Mexican descent, please note that I have used the term *Mexican* (rather than *Hispanic, Latino/a/x,* or *Tejano*) to describe the heritage, nationality, or

country of birth of a person, their parents, or ancestors, either before their arrival in the United States or before the boundaries of the United States changed to encompass land that was previously part of Mexico. *Tejano*, while sometimes used to describe Mexican Texans, is more accurately and specifically a shortened version of *Coahuilatecano*, for the members of the Indigenous *Coahuilatecan* peoples living in northern Mexico and the Mexican state of *Coahuila y Tejas* (later, Texas) prior to Spanish colonization.

CHAPTER TWO:

CEMETERIES AND AFRICAN AMERICAN PLACEMAKING

Unlike churches, schools, and neighborhoods, cemeteries are not typically considered in studies of placemaking. As Anthony, Pattillo, Robinson and Taylor have explained, "Black placemaking refers to the ways that urban Black Americans create sites of endurance, belonging, and resistance through social interaction."[7] The professionalism of cemetery maintenance in the early 1900s, including at City-owned burial grounds, discouraged the participation of families who previously had gathered on a regular basis to keep their ancestors' graves swept clean or tidily manicured.[8] As a result, the days of social interaction at a cemetery have long passed.

Cemeteries, as community institutions, also have been largely overlooked in studies of segregation and the resilience of Black communities in placemaking. In addition, books that have been produced on the subject of cemeteries typically focus on White cemetery typologies and grave markers, with a brief mention of "African burial customs."

Segregation

Following the end of the Civil War and the emancipation of enslaved people throughout the Southern United States, the period known as Reconstruction (1865–1876) represented "the monumental effort to create a biracial democracy out of the wreckage of

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[7] Marcus Anthony Hunter, Mary Pattillo, Zandria F. Robinson, and Keeanga-Yamahtta Taylor, "Black Placemaking: Celebration, Play, and Poetry," *Theory, Culture & Society* 33 (December 2016): 31.
[8] Howard Evarts Weed, *Modern Park Cemeteries* (Chicago: R. J. Haight, 1912), 119–125.

the rebellion."[9] Henry Louis Gates, Jr. and Eric Foner eloquently chronicled the political, economic, and social responses of the White majority to this newly freed population; that is, the efforts of governmental entities and individuals to preserve power in the hands of White men. Immediately after the fall of the Confederacy, White Southern planters were convinced that plantations could not be run profitably without the ability to force workers to produce at the rates set by the planters. "With the collapse of their personal authority over Blacks, planters turned to the state to reestablish labor discipline"[10] and enact laws that would re-subordinate the African American population. President Andrew Johnson had "guaranteed the White South a virtual free hand in regulating the region's internal affairs,"[11] and state legislatures quickly turned their attention to laws, known as "Black Codes," designed to regulate the lives of Black people to varying degrees. Labor contract laws prevented African American people from changing jobs at will and dictated harsh working conditions, often akin to slavery or involuntary servitude. Vagrancy laws effectively restricted the remainder of Black public life outside the workplace. So-called "apprenticeships" additionally legalized the separation of Black children from their families in order to serve as unpaid labor, usually for their former owners.[12]

The political drive to limit Black Americans' economic and social prospects, while reinforcing White dominance, are well-documented in examinations of the *de jure* laws and *de facto* social mores of the "Jim Crow"-era American South. *The Negro*

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[9] Henry Louis Gates, Jr., *Stony the Road: Reconstruction, White Supremacy, and the Rise of Jim Crow* (New York: Penguin Press, 2019); Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863–1877* (New York: Harper & Row, 1988, first published 2014).
[10] Gates, 198.
[11] Gates, 199.
[12] Foner, 199–201.

Question, a civil rights monograph by the Southern novelist George Washington Cable in 1888, described at length the discrimination visited upon African Americans, regardless of class or achievement, in the Southern United States.[13] W. E. B. Du Bois' extensive research for *The Philadelphia Negro* (1899) documented White racism, segregation, and the subsequent dearth of professional and skilled work available to African Americans in that city.[14] Du Bois' subsequent series of essays, published during his tenure at Atlanta University and collected into the 1903 volume *The Souls of Black Folk*, discussed in broader strokes the physical and social divisions—including prejudice, poverty, lack of access to quality education, and laws designed to limit the economic choices of African Americans—as barriers to Black achievement and real freedom.[15] Despite these barriers, African Americans sought to exert agency, as described by Du Bois in his 1935 book, *Black Reconstruction in America: An Essay Toward a History of the Part which Black Folk Played in the Attempt to Reconstruct Democracy in America, 1860–1880,* a groundbreaking document of the history of that period from the perspective of formerly enslaved African Americans.[16]

The dangers inherent for African Americans navigating both the official and informal "rules" of the segregated Jim Crow South, along with strategies of Black resistance, were the focus of a later crop of historians, beginning with Joel Williamson

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[13] George Washington Cable, *The Negro Question* (New York, American Missionary Association, 1888), https://jstor.org/stable/community.35007711.

[14] Raymond Wolters, *Du Bois and His Rivals* (Columbia: University of Missouri Press, 2002), 28–33.

[15] W. E. B. Du Bois, *The Souls of Black Folk: Essays and Sketches*, 2nd ed. (Chicago: A.C. McClurg & Co., 1903; reprinted with an introduction by Shawn Leigh Alexander, Boston: University of Massachusetts Press, 2018), 11–38.

[16] W. E. B. Du Bois, *Black Reconstruction in America: An Essay Toward a History of the Part which Black Folk Played in the Attempt to Reconstruct Democracy in America, 1860–1880* (New York: Harcourt, Brace, & Howe, 1935).

and Leon Litwack, both of whom studied under Kenneth M. Stampp at the University of Berkeley during the last decade of the Civil Rights Movement. Litwack was one of the first White historians to center Black voices, beginning with his first book, *North of Slavery: The Negro in the Free States, 1790–1860* (1965), and continuing through *Been in the Storm So Long: The Aftermath of Slavery* (1979) and *Trouble in Mind: Black Souherners in the Age of Jim Crow* (1998).[17] Williamson's work explored race relations and Southern culture from the Reconstruction era through the end of segregation. His books in this vein included *After Slavery: The Negro in South Carolina During Reconstruction, 1861–1877* (1965) and *The Crucible of Race: Black-White Relations in the American South since Emancipation (1984).* A portion of the early manuscript for *Crucible* was printed as a separate book, *New People: Miscegenation and Mulattoes in the United States* (1980), and the nearly 600 remaining pages published in *The Crucible* were subsequently abridged into an undergraduate-friendly volume, *A Rage for Order: Black-White Relations in the American South since Emancipation* (1986).[18]

While many scholars focused on the South, residential segregation was prevalent in the Northern states as well. One of the earliest academics to take up the consequences of Black segregation was Robert C. Weaver, an economist who went on to become the

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[17] Leon F. Litwack, *North of Slavery: The Negro in the Free States, 1790–18*60 (Chicago: University of Chicago Press, 1965); Litwack, *Been in the Storm So Long: The Aftermath of Slavery* (New York: Vintage Books/Random House, 1979); Litwack, *Trouble in Mind: Black Southerners in the Age of Jim Crow*. New York: Alfred A. Knopf, 1998; Clay Risen, "Leon Litwack, 91, Dies; Changed How Scholars Portray Black History," *New York Times*, August 12, 2021.

[18] Joel Williamson, *After Slavery: The Negro in South Carolina During Reconstruction, 1861–1877* (Chapel Hill: University of North Carolina Press, 1965); Williamson, *New People: Miscegenation and Mulattos in the United States (New York: Free Press, 1980);* Williamson, *The Crucible of Race: Black-White Relations in the American South since Emancipation* (New York: Oxford University Press, 1984); Williamson, *A Rage For Order: Black-White Relations in the American South since Emancipation* (New York: Oxford University Press, 1986).

first Secretary of the U.S. Department of Housing and Urban Development (1966–1968) and the first African American to serve in a Presidential Cabinet.[19] In *The Negro Ghetto* (1948), Weaver described housing shortages in Northern U.S. cities that created crowding and exacerbated deteriorating conditions in redlined neighborhoods. He argued that—in contradiction to White attitudes of the time, and the policies of the FHA—the presence of Black residents did not have a negative effect on property values. [20]

Historian Arnold Hirsch expanded on that argument in his 1983 study, *Making the Second Ghetto: Race and Housing in Chicago, 1940–1960*, which showed how the City of Chicago, Illinois, dealt with the post-World War II influx of African Americans not by eliminating redlining but by simply increasing the number and size of redlined neighborhoods.[21] A similar study a decade later by Thomas Sugrue, based on conditions in another predominantly African American city (Detroit, Michigan, 75% Black in 1990), argued that the causes of lasting poverty and racial income inequality are more complex and nuanced than "conventional wisdom" would have us believe. Sugrue, a Detroit native, dismantled the idea that Black residents are solely to blame for high rates of unemployment, violence, and other economic and social issues.[22]

More recent scholars have documented the federal government's role in preserving residential segregation. In 2005, Charles Lamb explored segregation in

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[19] Wendell E. Pritchett, *Robert C. Weaver and the American City: The Life and Times of an Urban Reformer* (Chicago: University of Chicago Press, 2008).
[20] Robert C. Weaver, *The Negro Ghetto* (New York: Harcourt Brace, 1948).
[21] Arnold Hirsh, *Making the Second Ghetto: Race and Housing in Chicago, 1940–1960* (Cambridge, UK: Cambridge University Press), 1984.
[22] Thomas Sugrue, *The Origins of the Urban Crisis: Race and Inequality in Post-War Detroit* (Princeton, NJ: Princeton University Press, 1996).

suburban neighborhoods and, in particular, how the Nixon administration's Fair Housing Policy of 1971 continued to reverberate through later presidencies through the end of the twentieth century.[23]

Richard Rothstein and Jessica Trounstine added more longitudinal information about the longer-term, negative economic impacts of segregation on Black Americans. Rothstein focused primarily on the discriminatory policies of the Federal Housing Administration and Home Ownership Loan Corporation and their influence on commercial insurance providers. He also described how the FHA encouraged the purchase of single-family homes and how city governments used zoning to create segregated neighborhoods. All of these together served to prevent Black people from obtaining mortgages and buying houses in neighborhoods of single-family homes. [24] Trounstine further examined the role of municipal public services (whether provided or withheld) in preserving inequalities between segregated neighborhoods, which continues to promote higher property values for wealthy White neighborhoods and suppresses property values elsewhere. [25]

Decades of racial segregation in housing, governmental policies that prevented Black Americans from building wealth through homeownership, and other discriminatory practices continue to perpetuate poverty in African American communities. Nancy Denton and Douglas Massey made the point that the ubiquity of Black segregation in

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[23] Charles Lamb, *Housing Segregation in Suburban America since 1960: Presidential and Judicial Politics* (Cambridge, UK: Cambridge University Press, 2005).
[24] Richard Rothstein, *The Color of Law: A Forgotten History of How Our Government Segregated America* (New York: Liveright Publishing/W.W. Norton, 2017).
[25] Jessica Trounstine, *Segregation by Design: Local Politics and Inequality in American Cities* (Cambridge, UK: Cambridge University Press, 2018).

American society—essentially a "hypersegregation" that persists even today—has led to the creation of an increasingly marginalized underclass.[26] White officials decried the poverty and overcrowding in segregated Black neighborhoods as "blight," ignoring their own role in creating those conditions. Exacerbating earlier harmful policies, the Federal government between 1949 and 1974 subsidized more than 1,200 "urban renewal" (or, as the writer James Baldwin called it, "Negro removal")[27] programs in 400 cities, systematically seizing hundreds of thousands of properties in Black neighborhoods, razing them, and selling the land to private developers in order to generate higher property taxes for municipal governments.[28]

Segregated spaces were formalized by state statute and city ordinances. As early as 1906, scholars such as Gilbert T. Stephenson began to document the laws adopted by state and territorial governments to codify segregation in employment, housing, education, voting, and public spaces and conveyances (but not burial grounds).[29] Pauli Murray expanded upon that work in her 1951 encyclopedic exploration of state laws related to segregation, of which only two mentioned cemeteries: in North Carolina, where burial grounds already segregated were allowed to remain so, and in New Jersey, which permitted segregated cemeteries if a city, township, borough, or town already had the

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[26] Nancy Denton and Douglas Massey, *American Apartheid: Segregation and the Making of the Underclass* (Cambridge, Mass.: Harvard University Press, 1993).
[27] WGBH, "A Conversation With James Baldwin" (audio recording), American Archive of Public Broadcasting (WGBH and the Library of Congress), Boston, MA and Washington, DC, June 24, 1963, http://americanarchive.org/catalog/cpb-aacip-15-0v89g5gf5r.
[28] Brent Cebul, "Tearing Down Black America," *Boston Review*, July 22, 2020.
[29] Gilbert T. Stephenson, "Racial Distinctions in Southern Law." *The American Political Science Review* 1, no. 1 (1906): 44–61; Stephenson, *Race Distinctions in American Law* (New York: D. Appleton & Co, 1910).

maximum five cemeteries allowed.[30] When the U.S. Attorney's office conducted a survey of Southern cities in 1964 to document any remaining discriminatory local ordinances, that effort determined that cemeteries were the fourth-most segregated public spaces at that point in time, behind public transportation vehicles, housing, and taxicabs but ahead of public transportation facilities, dining establishments, and schools.[31]

From the 1970s forward, *gentrification*—"the process by which central urban neighborhoods that have undergone disinvestments and economic decline experience a reversal, reinvestment, and the in-migration of a relatively well-off middle and upper middle-class population"[32]—has disproportionately affected Black communities,[33] and serves to continue the erasure of historic African American neighborhoods in cities and towns of all sizes. Scholars of this ongoing process, which is well-documented, have neglected to consider gentrification's impacts on cemeteries. Like the literature on segregation, work on the effects of gentrification has understandably focused on living people. However, when descendants move away from the towns or neighborhoods where their ancestors were interred, particularly those who are several generations removed from those decedents, they may no longer feel a personal connection to the cemetery. In

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[30] Pauli Murray, *States' Laws on Race and Color* (Cincinnati: Woman's Division of Christian Service, 1951; reprint edition with introduction by Davison Douglas, Athens: University of Georgia Press, 2016), 269, 329.

[31] State and city laws and ordinances regarding racial segregation, from the files of assistant attorney general Burke Marshall, 1963–1964. NAACP Papers, Civil Rights Movement and the Federal Government: Records of the Department of Justice's Civil Rights Division, 1958–1973, Folders 102683-005-0130, 102683-005-0293, and 102683-005-0488 (Jan. 01, 1963–Dec. 31, 1964). Accessed via ProQuest History Vault, proquest.com.

[32] Neil Smith, "Gentrification" (1998), in *The Encyclopedia of Housing Vol. 1*., Andrew T., Carswell, ed. (Thousand Oaks, Calif.: Sage, 2012), 198–199.

[33] Elizabeth Kirkland, "What's Race Got To Do With It? Looking for the Racial Dimensions of Gentrification," *Western Journal of Black Studies* 32, no. 2 (2008): 18–30.

areas where urban renewal and/or gentrification has displaced Black residents, a cemetery may simultaneously remain as one of the only markers of the earlier community, while becoming increasingly disconnected from the descendant diaspora.

Despite its generally thorough coverage of the subject, the scholarship on segregation has largely ignored *segregation in cemeteries*. Of the aforementioned scholars, only Litwack acknowledges, briefly, the separation of the races in death (in *North of Slavery*, pages 97 and 279, and in *Trouble in Mind*, page 236).

African American Placemaking and Agency

Histories of institutional placemaking by African Americans in the Southern United States inform our understanding of Black agency during segregation by examining the African American response to restrictions to and opportunities for expression of the individual and collective self in urban spaces. Partners for Public Spaces defines *placemaking* as "a collaborative process by which we can shape the public realm in order to maximize shared value."[34] African Americans, before and after the Civil War and during the Jim Crow era, created their own public spaces—including cemeteries—in response to violence, harassment, discrimination, and segregation. However, other kinds public spaces captured scholars' interest earlier than did burial grounds.

As Kevin Kruse noted in his essay for *We Shall Independent Be: African American Place Making and the Struggle to Claim Space in the United States (*2008)*,*

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[34] Partners for Public Spaces, *Placemaking: What If We Built Our Cities Around Places?: A Placemaking Primer* (booklet), 2022, https://bit.ly/3UR1qxg.

Black people were not simply passive victims of segregated housing policies; they struggled against and resisted the limits placed on them by local and state governments "as early as the mid- to late 1940s."[35] That volume, edited by Angel David Nieves and Leslie M. Alexander, explored community building, intellectual and political space, segregated spaces, schools and educational spaces, urban space and leisure, and churches and sacred spaces. Carroll Van West's essay, "Sacred Spaces of Faith, Community, and Resistance: Rural African American Churches in Jim Crow Tennessee," noted that "cemeteries, burial grounds, and church teachings were all linked to the common space held in highest regard among African Americans as a symbol of their struggle for freedom: the rural church" and that churches, schools, and cemeteries were inextricably linked as the primary spaces in Black communities.[36]

Books and essays on African American history often examined the experiences of Black Southerners broadly or focused more narrowly on a topic or region, as exemplified by Daniel Thorp (2017), who noted that "Litwack and Ayers produced sweeping studies of Black Southerners' experiences during the eras of Reconstruction, the New South, and Jim Crow, while scholars such as Herbert Gutman, Jacqueline Jones, William Cohen, and

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[35] Kevin M. Kruse, "'Going Colored': The Struggle over Race and Residence in the Urban South", in *We Shall Independent Be: African American Place Making and the Struggle to Claim Space in the United States,* Angel David Nieves and Leslie M. Alexander, eds. (Boulder: University Press of Colorado, 2008), Chapters 8, 10.

[36] Carroll Van West, "Sacred Spaces of Faith, Community, and Resistance: Rural African American Churches in Jim Crow Tennessee," in *We Shall Independent Be: African American Place Making and the Struggle to Claim Space in the United States,* Angel David Nieves and Leslie M. Alexander, eds. (Boulder: University Press of Colorado, 2008), Chapter 18, 445–455.

Steven Hahn have also explored broad regions and eras but have concentrated on particular aspects such as family, labor relations, or politics."[37]

One of those topics—education— has been particularly thoroughly documented in histories of African Americans establishing their own educational institutions; fighting to integrate schools, colleges, and universities; and challenging through legal action the long history of racial discrimination in education. W.E.B. Du Bois, in his seminal 1903 work, *The Souls of Black Folk,* detailed the efforts of the Freedman's Bureau, the "greatest success" of which "lay in the planting of the free school among Negroes, and the idea of free public education among all classes in the South."[38] Having witnessed firsthand the striving for learning, Du Bois traced the development of educational institutions during the four decades following Emancipation. Despite having been prohibited from learning to read or write during slavery, African Americans of all ages enthusiastically pursued education. The U.S. Army opened the earliest Black schools, soon followed with efforts from white mission organizations (such as the Quakers) and the African Methodist Episcopal Church. The federal Freedman's Bureau both coordinated these sponsorships and oversaw construction.

Du Bois described the focus of educational reformers, following the collapse of Reconstruction, as the "building of complete school systems in the South" including normal schools or colleges to train teachers for the public schools. Those schools "in a single generation put thirty thousand Black teachers in the South; they wiped out the

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[37] Daniel Thorp, *Facing Freedom: An African American Community in Virginia from Reconstruction to Jim Crow* (Charlottesville: University of Virginia Press, 2017), 4.
[38] Du Bois, *The Souls of Black Folk*, Chapter 2.

illiteracy of the majority of the Black people of the land, and made Tuskegee possible."[39] The Tuskegee Institute, founded by Booker T. Washington, espoused vocational training in response to "the industrial revolution of the South,"[40] a position with which Du Bois vociferously disagreed, calling it a "programme (which) practically accept(s) the alleged inferiority of the Negro races (and) withdraws many of the high demands of Negroes as men and American citizens."[41]

Washington was dismissive of Southern Black families who, for instance, prioritized the purchase of a piano over basic household goods or who lived in primitive conditions but were studying French. "To take the children of such people … and each day give them a few hours of mere book learning, I felt would be almost a waste of time." Instead, he believed that a Black person's "success in the world of work … would eventually win the respect of his neighbor" because those skills were useful to the larger community.[42] While Du Bois and Washington disagreed on the type of education that would result in racial uplift—a topic that has been investigated at length by hundreds of historians since the 1950s—they agreed that education was the means by which such uplift could be achieved.

Scholars have also written extensively about the well-organized school-building program known as the Rosenwald Fund, developed by Booker T. Washington and paid for in part by Sears & Roebuck Co. founder Julius Rosenwald. (While the program was named for Rosenwald, African American communities provided an equivalent amount of

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[39] Du Bois, *The Souls of Black Folk*, Chapter 6.
[40] Du Bois, *The Souls of Black Folk*, Chapter 6.
[41] Du Bois, *The Souls of Black Folk*, Chapter 2.
[42] Wolters, *Du Bois and His Rivals*, 48–50.

support, while state and local governments provided most of the funding.) Mary Hoffschwelle chronicled the process of securing funding for, and then building, a schoolhouse through the Rosenwald Fund program before describing the ways in which the particular architectural designs published as *Rosenwald Community School Plans* simultaneously promoted public health and learning in the most efficient package possible, while clearly and visibly proclaiming the role of the building as a public school. By positioning Rosenwald Schools as a high-quality marker of self-determination in the landscape, and—importantly—one for which African Americans were largely responsible, Hoffschwelle elaborated on the effect that these buildings had on the Black community's initiative and influence, both within itself and with White local school officials.[43]

Schools later became the locations of important work toward civil rights, promoting, as Michael Dennis observed, the "conviction that Blacks had to create an intellectual space for imagining equality as well as a public space in which they could act on a sense of citizenship… In the years before the Montgomery bus boycott, African American colleges, schools, voting groups, and professional associations provided the spatial coordinates for mobilizing Black political involvement. Before the church meetings that spawned the sit-ins and the freedom marches, professional teachers'

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[43] Mary S. Hoffschwelle, "Rosenwald Schools in the Southern Landscape," in *We Shall Independent Be: African American Place Making and the Struggle to Claim Space in the United States,* Angel David Nieves and Leslie M. Alexander, eds. (Boulder: University Press of Colorado, 2008), 283, 288; Hoffschwelle, *The Rosenwald Schools of the American South* (Gainesville: University Press of Florida, 2006).

association and classrooms offered the most important sites of Black political engagement."[44]

African Americans in Texas

Texas, the Lone Star State, is proud of its strong associations with cowboys and the American West. In a place where some of the West's iconic cattle brands were born, where the many tributaries of the Chisholm Trail led north through Oklahoma to the stockyards of Kansas, the brand of Texas as a Western state is sold, and sold hard. Yet Texas is just as much a Southern state as a Western one. In its early formative years as an Anglo-American settlement, Southern planters and the enslaved people they brought with them from the Deep South moved to Texas to create a new slaveholding empire, where in fewer than fifty years the proportion of enslaved people to White slaveowners equaled that of Virginia, the original "slave state."[45]

The popular history of Texas often valorizes the Anglo-American colonizers who migrated into a territory already containing Indigenous people and Mexicans. It mourns the loss of now-famous White men at the Alamo and celebrates the final triumph of the Texian[46] forces over General Antonio López de Santa Anna at the Battle of San Jacinto. The monuments to Confederate leaders and soldiers erected in the early 1900s, as in other

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[44] Michael Dennis, "A Recess from Jim Crow: Luther P. Jackson, the Teachers, and the Movement for Racial Justice," in *We Shall Independent Be: African American Place Making and the Struggle to Claim Space in the United States,* Angel David Nieves and Leslie M. Alexander, eds. (Boulder: University Press of Colorado, 2008), 104–106.
[45] Randolph B. Campbell. *An Empire for Slavery: The Peculiar Institution in Texas, 1821–1865* (Baton Rouge: Louisiana State University Press, 1989), 2.
[46] Residents of Texas prior to its independence from Mexico were often referred to as Texians.

Southern states, were a testament to the persistence of the "Lost Cause" mythology and a performative public reminder of who the state or locality truly wanted to honor. While many early histories promoted that approach, for the last thirty years historians have chipped away at the "nothing but cowboys here" pretense of Texas to illuminate its history of slavery and later oppression of non-White people, particularly (but certainly not only) African Americans. During the preparation of this dissertation, the fight over whose history to prioritize has continued in the state legislature and the courtroom.[47] As a result, the work of the following scholars has been especially important to telling the full story of Texas' history.

Randolph B. Campbell, a native Virginian, became one of the foremost scholars on the subject of slavery and Reconstruction in Texas. Andrew J. Torget, writing Campbell's 2022 obituary in the *Southwestern Historical Quarterly*, noted that "Campbell's prominence centered on his pathbreaking work on the Southern heritage of Texas and his focus on exploring the lives of everyday people living through momentous times, which transformed how modern historians understand the Texas past."[48] Campbell's books that informed this dissertation included *An Empire for Slavery: The Peculiar Institution in Texas, 1821–1865;* and *Grass-Roots Reconstruction in Texas, 1865–1880*; he also edited *The Laws of Slavery in Texa*s. Campbell served as the Chief

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[47] Sneha Day, "A Battle Over Who Gets to Tell Texas History Is Brewing into a War Over the State Historical Association's Future," *The Texas Tribune*, June 22, 2023, https://www.texastribune.org/2023/06/22/texas-state-historical-association-lawsuit/.
[48] Andrew J. Torget, "Remembering Randolph B. 'Mike' Campbell," *Southwestern Historical Quarterly* (December 2022): 290.

Historian of the Texas State Historical Association from 2008–2017, during which time he oversaw a number of projects, including *The Handbook of African American Texas*.

Texas Tech University History professors Lawrence L. Graves and Alwyn Barr led what has come to be known as the "Texas Tech School of Black History," where numerous (mostly White) scholars studied the Black experience in Texas, beginning in the late 1960s. Included in that group are Bruce A. Glasrud and James M. Smallwood, who co-edited *The American Experience in Texas: An Anthology*. Glasrud would go on to edit or co-edit numerous volumes about the general history of African Americans in Texas. Regionally, those books include *Buffalo Soldiers in the West: A Black Soldiers Anthology* and *Black Cowboys in the American West: On the Range, On the State, Behind the Badge*, both with Michael Searles; *The Harlem Renaissance in the American West: The New Negro's Western Experience*; *Black Americans and the Civil Rights Movement in the West*; and *African Americans on the Great Plains: An Anthology* with Charles A. Braithwaite. At a state level, he edited *Anti-Black Violence in Twentieth-Century Texa*s; and *Free Blacks in Antebellum Texas,* both with Malcolm S. Jordan. Glasrud also edited intrastate histories, including *African Americans in Central Texas History*, with Deborah M. Liles; *African Americans in South Texas History; Blacks in East Texas History: Selections from the East Texas Historical Journal,* with Archie P. McDonald; and *West Texas: A History of the Giant Side of the State* and *Slavery to Integration: Black Americans in West Texas*, both with Paul H. Carlson.

Merline Pitre, professor of history and dean of the College of Liberal Arts and Behavioral Sciences at Texas Southern University, wrote *In Struggle against Jim Crow: Lulu B. White and the NAACP, 1900-1957,* which informed this dissertation, and

Through Many Dangers, Toils and Snares: The Black Leadership of Texas, 1868 to 1898. She also co-edited two books with Bruce Glasrud: *Black Women in Texas History* and *Southern Black Women in the Modern Civil Rights Movement.* Pitre was the first African American president of the Texas State Historical Association and served as the editor of *The Handbook of African American Texas.*

Other Texas historians whose work focuses on the history of African Americans in Texas, and their major areas of research, include Cary D. Wintz (the Harlem Renaissance in the American West) and Michael N. Searles (Black cowboys and Buffalo Soldiers).

Campbell's focus on the period known as Reconstruction was well-deserved. Perhaps one of the most critical choices for formerly enslaved people was whether or not to leave the plantation. Many newly emancipated people did not stay with their former owners but instead created independent rural communities for themselves. As of September 2023, the Texas Freedom Colonies Project had identified 557 such "freedom colonies"—described by Thad Sitton and James H. Conrad as post-Emancipation Black settlements, each centered on a church—across East and Central Texas.[49] Joel Williamson described the economies of freedom colonies as almost entirely agricultural at first; self-sufficiency and mutual assistance enabled members of the community to insulate themselves from White society and its discriminatory practices.[50] African American established farms and homesteads by purchasing their own land or renting

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[49] Thad Sitton and James H. Conrad, *Texas Freedom Colonies: Independent Black Texans in the Time of Jim Crow* (Austin: University of Texas Press, 2005), 38–39.
[50] Sitton and Conrad, *Texas Freedom Colonies,* 60–62.

small farms, sometimes out of the plantations on which they had previously lived and labored.[51] Organized by family unit or into squads of mostly adult men, workers were able to negotiate with planters to establish some of the terms of their work and their payment, either in shares of the season's crop or in cash, although the work opportunities available to them were still limited.[52] The role of women changed as well, once they were no longer forced to pick cotton. While entire Black families often worked the fields together under tenancy arrangements, Black freedwomen also had the newfound ability to choose to keep house while raising their children (thus pursuing Victorian ideals of womanhood previously available only to White women) or seek domestic work.[53]

Many White Southerners considered Reconstruction to be an effort to destroy White identity and White institutions.[54] Campbell diligently chronicled the attempts in Texas to restore the antebellum social order, with Black people entirely subordinate to and submissive to Whites. The federal government initially exerted its authority over the state by appointing a provisional governor and a military commissioner to lead the Texas Freedman's Bureau and sending troops to occupy eastern Texas. Secessionists and Conservative Unionists, who controlled the constitutional convention of 1866, prioritized restoration of the Union over the rights of freed people, unlike the Radical Unionists, who argued for Black suffrage. The Conservative Unionists, who established a coalition with secessionists, secured the governorship and both U.S. Senate seats. The newly seated

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[51] Williamson, *A Rage for Order*, 46.
[52] Foner, *Reconstruction*, 104, 172–174.
[53] Foner, *Reconstruction,* 84–85; Williamson, *A Rage for Order*, 46–47; Rebecca Sharpless, *Fertile Ground, Narrow Choices: Women on Texas Cotton Farms, 1900–1940* (Chapel Hill: University of North Carolina Press, 1999).
[54] Williamson, *A Rage for Order*, 37–39.

state legislature immediately passed Texas' own Black Codes, and "the first reports from Freedmen's Bureau agents in Texas indicated that many Blacks were still held in near slavery or suffered violence that made a mockery of freedom."[55]

Having dodged the federal government's unsuccessful efforts at Reconstruction, Southern Whites quickly embarked on a campaign to restrict the rights of Black people to the greatest extent possible. Proponents of the systematic erasure of gains achieved by African Americans following the Civil War, as well as the rise of White supremacy and nationalism, called the process, tellingly, "Redemption."

Despite the hostility they faced, by 1900 nearly one-third of African American Texans were landowners. In some cases, they lived close enough to White farms to enable sharecropping or wage labor.[56] Eventually, the division of land among members of large families, and agricultural disasters such as the boll weevil, drove rural African Americans to work in "public" (non-freedom-colony) jobs,[57] and people gradually began moving to urban areas to pursue work.[58] Bernadette Pruitt, in *The Other Great Migration: The Movement of Rural African Americans to Houston, 1900-1941,* documented the often cyclical movement of Black people between rural to urban areas to follow economic opportunities. Families moving between neighborhoods within the city complemented chain migration from the country to the city.[59]

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[55] Campbell, *An Empire for Slavery,* 12; Cynthia Skove Nevels, *Lynching to Belong: Claiming Whiteness Through Racial Violence* (College Station: Texas A&M University Press, 2007).
[56] Chris Tomlinson, *Tomlinson Hill: The Remarkable Story of Two Families with the Tomlinson Name – One White, One Black* (New York: Thomas Dunne Books, 2014), 131–135.
[57] Sitton and Conrad, 140.
[58] Sitton and Conrad, 263–264.
[59] Bernadette Pruitt, *The Other Great Migration: The Movement of Rural African Americans to Houston, 1900-1941* (College Station: Texas A&M University Press, 2013), 71.

Once in Houston, African Americans settled into one of the city's segregated *wards*, as the four geopolitical divisions of the municipality were known. Limited by its proximity to Buffalo Bayou, Houston's major waterway, the African American population of Fourth Ward was quickly eclipsed by that of the larger Third Ward, to the south, and later, Fifth Ward.[60] Within Houston, during segregation the wards functioned as independent communities, with their own commercial districts, social and religious organizations, and mutual aid societies.[61]

In spite of the discrimination imposed by segregation, African American communities developed social and economic strength and self-sufficiency. Kenneth Wilson's *ethnic enclave theory* described the flow of capital and labor within ethnic communities where minority-owned businesses are strongly dependent upon a captive market that generates both supply and demand.[62] This interdependency creates a self-sufficient hyperlocal economy in which wages are spent within the enclave, supporting both job creation and the expansion of business opportunities.[63]

In Austin, founded in 1836 as the Texas state capitol, Black neighborhoods and communities developed throughout the city. The City Plan of 1928 formally established the segregation of African Americans to the East side of the city, where an existing

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[60] Pruitt, *The Other Great Migration* 71.
[61] David Theis, "Behind the New Look of Houston's Oldest Park, A Complex Racial History," *The Texas Observer*, 2017, https://www.texasobserver.org/behind-the-new-look-of-houstons-oldest-park-a-complex-racial-history/.
[62] Kenneth L. Wilson and Alejandro Portes, "Immigrant Enclaves: An Analysis of the Labor Market Experiences of Cubans in Miami," *American Journal of Sociology* 86 (1980): 295–-319; Kenneth L. Wilson and W. Allen Martin, "Ethnic Enclaves: A comparison of the Cuban and Black economies," *American Journal of Sociology* 88 (1982), 135–160; John Sibley Butler and Kenneth Wilson, *Entrepreneurial Enclaves in the African American Experience* (Washington, DC: Neighborhood Policy Institute, 1990), 26–27.
[63] Butler and Wilson, *Entrepreneurial Enclaves*, 1.

concentration of Black people already lived. The City Plan noted that "the race segregation problem … cannot be resolved legally under any zoning law known to us at present,"[64] previous attempts having been declared unconstitutional. Instead, the City government—following the 1928 Plan—simply refused to provide services to any African American people living outside East Austin.[65] Eventually, many Black people were forced to abandon their homes in freedom settlements on the West side of the city, and move to the "negro district," where the City provided "amenities like schools, parks, swimming pools, and sewer systems." Redlining further segregated the city. In East Austin, despite segregation, a lack of zoning enabled businesses to proliferate within and next to residences. Churches, two colleges, professional offices, and social and fraternal organizations completed the culturally vibrant neighborhood.[66]

Dallas, Texas, was founded in 1841 in a region with very few plantations. As a result, local political power was not vested in planters or large landowners, but rather in civic leaders: specifically, members of the Masonic Lodge.[67] Even though few African. American people lived in the area at the end of the Civil War, the city council in Fall 1865 had passed a "vagrants ordinance" designed to prevent freed people from living within the city limits. As a result, small freedmen's settlements grew up just outside the city, which became a "mecca for Blacks in north central Texas" during Reconstruction.[68]

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[64] Koch & Fowler, Consulting Engineers, *A City Plan for Austin, Texas, 1928* (Austin: City of Austin, reprinted February 1957), 57.
[65] Koch & Fowler, *A City Plan for Austin, Texas.*
[66] Sharon Hill, "The Empty Stairs: The Lost History of East Austin," *Intersections: New Perspectives on Texas Public History* 1, no. 1 (Spring 2012): 13–16.
[67] James M. Davidson, *Mediating Race and Class through the Death Experience: Power Relations and Resistance Strategies of an African-American Community, Dallas, Texas, 1869–1907*, PhD diss., University of Texas at Austin, 2004, 55.
[68] Davidson, *Mediating Race and Class,* 20.

More recent studies of African American history in Texas have included the aforementioned *Handbook of African American Texas*, first published by the Texas State Historical Association in 2013, which now contains more than 850 entries and 300 articles created for that project. (A search for "cemetery" or "cemeteries" returned 0 results.) Professional reports by cultural resource management firms, such as *African American Settlement Survey: Travis County, Texas,*[69] helpfully include a thorough historiography, compiling numerous available histories and historical reports about African American in that county, written throughout the twentieth century. These usually identify cemeteries as historic resources, with little additional information.

Other efforts are too new to be documented here. The City of San Antonio in 2022 launched an African American Heritage Preservation Initiative to develop a cultural context statement and document both intangible heritage and historic resources, funded by an Underrepresented Communities Grant from the National Park Service and in partnership with the nonprofit San Antonio Conservation Society, which received a grant toward this work from the National Trust for Historic Preservation.[70] Whether those efforts include cemeteries, along with other historic resources, has yet to be seen.

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[69] Hicks & Company and Elizabeth Porterfield, *African-American Settlement Survey: Travis County, Texas* (Austin: Travis County Historical Commission, October 2016).

[70] Ximena Copa-Wiggins, "Office of Historic Preservation Launches African American Heritage Preservation Initiative" (press release), City of San Antonio, June 23, 2022.

Cemeteries

If cemeteries are rarely mentioned in the literature about segregation, African American placemaking, and the history of African Americans in Texas—as this study has shown—what do scholarly works about cemeteries have to say about those topics?

Prior to 1970, books about cemeteries were generally limited to compiled records of burials printed by cemetery associations, local historical organizations, and the federal Works Progress Administration, which employed people during the Great Depression by sending them out to survey cemetery grave markers. Even today, many books about cemeteries located in the United States utilize one of two approaches. The first type of book focuses on a single burial ground and explores its history, biographies of people buried there, and interesting or unique grave markers and symbology. The second type of cemetery book catalogues multiple cemeteries within a county or other geographic area with similar content.

A review of journal articles and book chapters identified through a search of the JSTOR database for "African American cemeteries" and "The South" revealed that this topic has been of interest since the early 1990s, primarily for archaeologists and other students of material culture. Antebellum cemeteries and African traditions were particularly of interest, although the social history of segregated cemeteries is included in a (smaller) number of studies.

Jeffrey Smith, in *Till Death Do Us Part: American Ethnic Cemeteries as Borders Uncrossed*, similarly concludes that:

> While the literature on race and burials acknowledges segregation, it has generally focused on cemeteries for African Americans that were either slave graveyards or those founded by African American churches or societies, generally after the Civil

> War. More broadly, the history of nineteenth-century cemeteries falls into three general categories. The first, which has received the most scholarly attention, focuses on individual cemeteries as landscapes. … The second broad category of cemetery histories looks at cemeteries as collections of gravestones. … The third category of cemetery histories focuses on specific cemeteries. Amateur historians … often wrote these books and concentrate exclusively on the institution. … (In addition, some studies in the fields of archaeology, anthropology, and history) suggest that the material culture of African American burial patterns demonstrate a lineage between African traditions that were transplanted to the United States.[71]

Scholarly books sometimes follow these popular trends as well, although notable exceptions include Jeffrey E. Smith's aforementioned chapter, "Till Death Keeps Us Apart: Segregated Cemeteries and Social Values in St. Louis, Missouri"; Lynn Rainville's *Hidden History: African American Cemeteries in Central Virginia*; Andrea E. Frohne's chapter, "Reclaiming Space: The African Burial Ground in New York City" in *"We Shall Independent Be": African American Place-Making and the Struggle to Claim Space in the United States*; Alison Bell's *The Vital Dead: Making Meaning, Identity, and Community through Cemeteries;* and *To Care for the Sick and Bury the Dead*: *African American Lodges and Cemeteries in Tennessee* by Leigh Ann Gardner.[72] In his 2004 dissertation, James Michael Davidson used a cemetery as a lens through which to explore race, class, power, and resistance in Dallas, Texas.[73]

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[71] Jeffrey E. Smith, "Till Death Keeps Us Apart: Segregated Cemeteries and Social Values in St. Louis, Missouri," in *Till Death Do Us Part: American Ethnic Cemeteries as Borders Uncrossed,* Allan Amanik and Kami Fletcher, eds. (Jackson: University Press of Mississippi, 2020), 161–162.

[72] Lynn Rainville, *Hidden History: African American Cemeteries in Central Virginia* (Charlottesville: University of Virginia Press, 2014); Andrea E. Frohne, *The African Burial Ground in New York City: Memory, Spirituality, and Space* (Syracuse, NY: Syracuse University Press, 2015); Leigh Ann Gardner, *To Care for the Sick and Bury the Dead*: *African American Lodges and Cemeteries in Tennessee* (Nashville: Vanderbilt University Press, 2022); Alison Bell, *The Vital Dead: Making Meaning, Identity, and Community through Cemeteries*. (Knoxville: University of Tennessee Press, 2022).

[73] Davidson, *Mediating Race and Class*.

Seminal works about African American cemeteries and burial traditions written in the 1970s through 1990s include geographer Terry G. Jordan's *Texas Graveyards: A Cultural Legacy* (1982) and his related journal articles;[74] John Michael Vlach's *Afro-American Traditions in Decorative Arts* (1990) and the article "Graveyards and Afro American Art" in *The Long Journey Home: Folklife in the American South* (1977); *The Last Great Necessity: Cemeteries in American History*, by David Charles Sloane (1991); and essays by D. Gregory Jeane and Ann and Dickran Tashjian in *Cemeteries & Gravemarkers: Voices of American Culture*, edited by Richard E. Meyer (1992). Many of these, with the exception of Tashjian, simply mention African American burial traditions in a larger context of cemetery and grave marker typologies.

More recently, historians and geographers have begun to examine African American cemeteries more closely. The identification and documentation of cemeteries is the subject of Lynn Rainville's 2016 book, *Hidden History: African American Cemeteries in Central Virginia*. The author's work, over more than 20 years, conducting research into hundreds of 150 historic Black cemeteries in central Virginia, seeks to answer the question, "Why are historic cemeteries important, and why should we care about them?" While acknowledging that, in the 20th century, segregated sections of public cemeteries became available for Black people,[75] most of her book—like other sources—focuses on private church or family cemeteries. Separately, William Blair

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[74] Terry G. Jordan, *Texas Graveyards: A Cultural Legacy* (Austin: University of Texas Press), 1982; "'The Roses So Red and Lilies So Fair': Southern Folk Cemeteries in Texas," *Southwestern Historical Quarterly* 83, no. 3 (January 1980): 227-258; "Forest Folk, Prairie Folk: Rural Religious Cultures in North Texas," *Southwestern Historical Quarterly* 80, no. 2 (October 1976): 135-162.
[75] Rainville, *Hidden History,* xv, 16.

examines the Black opposition to memorializing the Confederacy, and their use of public spaces for Emancipation Day parades and other events between 1865 and 1914. Those celebrations were intended to reinforce Black manhood and the respectability of Black women, for both "a form of political agency through which they intended to earn greater rights."[76]

Duke University professor Karla FC Holloway and Marie Theresa Hernández take a more personal approach, placing their families' grief within the context of their ethnic heritage, funeralizing traditions, and connections to graveyards. Holloway, in *Passed On: African American Mourning Stories: A Memorial*, recounts the death and funeralization of her son. [77] In *Cemeteries of Ambivalent Desire: Unearthing Deep South Narratives from a Texas Graveyard*, Hernández writes of the burial ground where her ancestors rest, once part of the Gran Centro colónia (Mexican settlement) and now surrounded by subdivision homes and a tall privacy fence erected by the subdivision developer with a wrought iron gate that limits access. Hernández weaves historical narrative and memory to tell the story of Gran Centro and its erasure, following the sale of the land by its owner, the Imperial Sugar Company. The cemetery is now the last vestige of the colónia.[78]

Cemeteries are part of the death care industry, and the organization of the business of death has been extensively studied, in no small part through doctoral dissertations that examine individual businesses or businesspeople. Research and writing

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[76] William A. Blair, *Cities of the Dead: Contesting the Memory of the Civil War in the South, 1865–1914* (Chapel Hill: University of North Carolina Press, 2004).
[77] Karla FC Holloway, *Passed On: African American Mourning Stories*: *A Memorial* (Durham, North Carolina: Duke University Press, 2002).
[78] Marie Theresa Hernández, *Cemeteries of Ambivalent Desire: Unearthing Deep South Narratives from a Texas Graveyard* (College Station: Texas A&M University Press), 2008.

on the African American death care industry is concerned almost exclusively with the business of funeral homes, as evidenced by the work of Michael Plater,[79] Beverly Bunch-Lyons,[80] Brad E. Miller,[81] Christopher L. Johnson,[82] and Suzanne Smith.[83] No one seems to have investigated the extent to which entrepreneurs expanded their business activities into the provision of burial spaces, as well as the burial process. (During my graduate studies, I conducted research about one of the more prominent funeral directors, George W. Franklin Jr., in Chattanooga, Tennessee, who served for many years as the president of the National Colored Funeral Directors Association and was active in the National Negro Business League, headed by Booker T. Washington.[84] Franklin purchased Pleasant Garden Cemetery, just outside Chattanooga, in 1904 to better serve his clientele.)

Probably the most written-about African American cemetery is the African Burial Ground in New York City. Andrea E. Frohne, in *We Shall Independent Be* and her book *The African Burial Ground in New York City: Memory, Spirituality, and Space,* discusses how archaeologists uncovered this Black cemetery during a survey that preceded site development for a federal office building. The cemetery originally covered five or six acres and may have contained as many as 15,000 graves, which were buried under 16–25 feet of dirt added to fill in a nearby pond and level the hilly ground, which also

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[79] Michael A. Plater, 1997. "African American Insurance Enterprises: An Early Vehicle for Economic and Social Development," *Journal of Management History*, Bradford Vol. 1, Iss. 1, 42.
[80] Beverly Bunch-Lyons, "'Ours is a Business of Loyalty': African American Funeral Home Owners in Southern Cities," *Southern Quarterly* 53, no. 1 (Fall 2015).
[81] Brad E. Miller, "Built for the Living: African American Funeral Homes on the Tennessee Landscape," PhD diss., Middle Tennessee State University, 2015.
[82] Christopher L. Johnson, "Undertakings: The Politics of African American Funeral Directing," PhD diss., University of South Carolina, 2004.
[83] Suzanne E. Smith, *To Serve the Living: Funeral Directors and the African American Way of Death* (Cambridge, Massachusetts: Belknap Press/Harvard University Press, 2010).
[84] J. Bliss White, *Biography and Achievements of the Colored Citizens of Chattanooga, 1904*, 10.

functioned to protect the burials from the development that took place above them.[85] Once discovered, excavated, and properly reinterred and acknowledged, the 419 graves discovered in a small portion of the burial ground are now recognized as a national monument. Frohne captures the significance of African Americans making a personal connection to the Burial Ground. The ongoing spiritual expressions of visitors to the site demonstrate that "the burial ground has been reclaimed in terms of its physical space as a place of memory making, self-definition, and renewed political activism among Black New Yorkers."[86]

Two scholars whose work does focus on segregation in cemeteries, Kami Fletcher and Jeffrey E. Smith, contributed chapters to *Till Death Do Us Part: American Ethnic Cemeteries as Borders Uncrossed;* cemetery scholars welcomed the book as a much-needed addition to the literature when it was published in 2020. Fletcher established the ways in which securing burial rights led to freedom and autonomy in Baltimore, Maryland.[87] Smith explored the attitudes surrounding the integration of a previously all-White "Baptist Ministers" burial ground following the death and burial of a prominent African American clergyman. He noted that:

> Unlike any other physical manifestation of segregated society, burials represent a snapshot of views at a moment in time that does not change; while segregation among the living is more fluid—housing patterns, churches, workplaces, schools, and so on change over generations—the places where the dead are buried

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[85] Andrea E. Frohne, "Reclaiming Space: The African Burial Ground in New York City," in *We Shall Independent Be: African American Place Making and the Struggle to Claim Space in the United States,* Angel David Nieves and Leslie M. Alexander, eds. (Boulder: University Press of Colorado, 2008), 496.
[86] Angel David Nieves, "Cultural Landscapes of Resistance and Self-Definition for the Race," in *We Shall Independent Be: African American Place Making and the Struggle to Claim Space in the United States,* Angel David Nieves and Leslie M. Alexander, eds. (Boulder: University Press of Colorado, 2008), 18.
[87] Kami Fletcher, "Baltimore's Mount Auburn Cemetery and African American Burial Rights" in *Till Death Do Us Part: American Ethnic Cemeteries as Borders Uncrossed,* Allan Amanik and Kami Fletcher, eds. (Jackson: University Press of Mississippi, 2020).

> generally do not. These cemeteries are, then, the history of race indelibly written on the landscape of cities like St. Louis.[88]

While, as Smith notes, segregation in cemeteries may indeed be fixed in time, positive changes to segregated cemeteries can blur or erase the original harm caused by discrimination. The 2015 removal of the fence dividing the White and Black sides of Greenwood Cemetery in Waco, Texas, for example, represented a healing step forward for that community.[89]

This dissertation also investigates the National Register of Historic Places and how cemeteries have been recognized by listing since the National Register was organized in the 1960s. While plenty of literature addresses or mentions the National Register—JSTOR identifies more than 10,000 scholarly works, of which 418 also mention cemeteries—few are actually focused on burial grounds as a topic. A scan of 227 journal article titles, 141 book chapters, and five research reports shows that these are primarily concerned with the eligibility of particular resource types; the issues surrounding historical and architectural *integrity* (the preservation of original features) in the evaluation of significance; and descriptions of documentation and/or restoration efforts for specific resources.

As this literature review demonstrates, the scholarship about segregated spaces and African American placemaking rarely acknowledges cemeteries; writing about

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[88] Jeffrey E. Smith, "Till Death Keeps Us Apart: Segregated Cemeteries and Social Values in St. Louis, Missouri," Amanik, Allan, et al. *Till Death Do Us Part: American Ethnic Cemeteries as Borders Uncrossed* (Jackson: University Press of Mississippi), 2020, 158–159.
[89] Stephen Adams, "Waco Ends Cemetery Segregation," *NBC News*, June 7, 2016, https://www.nbcnews.com/news/us-news/waco-ends-cemetery-segregation-n587741.

cemeteries typically relegates African American burial practices to a brief mention; the work of other scholars that *is* about African American cemeteries almost always focuses on eighteenth- and nineteenth-century sites; and the research on African Americans in the death industry generally ignores the cemetery business. An examination of urban African American cemeteries in the twentieth, therefore, is warranted. I have elected to further narrow the scope of this study to city-owned African American cemeteries, as they are even less likely to have been studied previously, are easily identified, and provide relatively easy access to historical data.

CHAPTER THREE:

CITY-OWNED AFRICAN AMERICAN CEMETERIES IN TEXAS

The image of an abandoned or neglected graveyard, overgrown with tall grass and vines and brambles, is certain to engender greater concern than that of a city-owned cemetery which is being mowed and trimmed and where grave depressions (the subsidence of soil into grave shafts that have collapsed due to the deterioration of the burials within them) are routinely filled in to maintain level ground. After all, one expects that a city government is taking appropriate care to maintain all of the property under its management. It is no wonder, then, that scholars and members of the public may be more interested in burial grounds that have no clear owner or oversight. Yet the cemeteries owned by municipalities also may experience deteriorating conditions, and additionally may have suffered unintentional or malicious damage in the past or present, at the hands of uncaring, inattentive, or even hostile public officials and employees.

As the data presented in the next chapter indicates, few city governments in Texas own or manage cemeteries of any kind, and far fewer African American cemeteries are represented in that already small number. In the nineteenth and early twentieth centuries, cities grew to encompass cemeteries that had previously been outside the city limits; as that acreage became more valuable, cemeteries were routinely redeveloped. Sometimes, but not always, most (but not necessarily all) of the dead were disinterred and reburied elsewhere. Chicago relocated all burials within the city limits to its first public cemetery by 1850 but closed that 72-acre site by the late 1860s to make way for private

development.[90] San Francisco's city-run Yerba Buena Cemetery, established in 1850 in what is now the middle of downtown, only lasted until 1868 before its burials began to be relocated to a new site in the "Outside Lands" to make way for a civic center and commercial buildings. By 1898, the city's expanding residential areas led that second City Cemetery to be repurposed as Lincoln Park. Rather than moving the bodies again, the City of San Francisco simply left them in place, and today an 18-hole golf course, museum, and playgrounds rest above thousands of graves (including more than 4,000 Chinese decedents and other ethnic minorities). Grave markers were used as building materials or fill.[91]

Municipalities, forced by public health emergencies to establish cemeteries, seemingly had no qualms about abandoning those burial grounds later. In the Southern United States during the last half of the nineteenth century, community cemeteries were quickly opened, filled, and closed by epidemics such as yellow fever, which struck Texas repeatedly from 1839 to 1905. In 1844, one-third of the population in Galveston died from that disease; by the 1870s, the expansion of railroads inland resulted in yellow fever being spread from the Texas Gulf Coast across the state. In Houston, the original 1836 City Cemetery was filled to capacity by 1840; the center of that burial ground, now known as Founders Memorial Park, is unmarked and thought to be the site of a mass grave for yellow fever victims. Houston's 1840 City Cemetery #2, deactivated in 1879,

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[90] William D. Pattison, "The Cemeteries of Chicago: A Phase of Land Utilization," *Annals of the Association of American Geographers* 45, no. 3 (September 1955): 245-257.
[91] Tamara Venit Shelton, "Unmaking Historic Spaces: Urban Progress and the San Francisco Cemetery Debate, 1895–1937," *California History* 85, no. 3 (2008): 26-47, 69-70; "Lincoln Park" (website), San Francisco City Recreation & Parks Department, https://sfrecpark.org/facilities/facility/details/Lincoln-Park-186.

contains trenches used for mass burials following the nearly annual yellow fever epidemics that occurred between 1836–1867. City and county officials constructed the Jefferson Davis (public charity) Hospital and a Houston Fire Department facility were constructed over the burials in 1924 and 1958, respectively.[92]

It was unusual for a city to provide a burial ground for Black urban residents, who generally had to establish their own cemeteries outside the city limits. Even then, city governments destroyed or paved over Black cemeteries in order to build roads or develop the land for White commercial or residential interests. Journalist Char Adams, quoting historian Kami Fletcher, wrote that "the movement to preserve Black cemeteries is inherently tied to the predatory land practices of the Jim Crow era, (when) Black towns and cemeteries were disturbed or destroyed for industrial and infrastructure developments. 'When you look at land ownership in this country, it is absolutely at the intersection of patriarchy, whiteness, racism and Jim Crow — really nefarious ways in which those developers ended up getting land,' said Fletcher. 'Jim Crow allowed Black cemeteries to go unkempt, and city dollars flowed to white cemeteries. There's a lot more to be said about how whites were just allowed to dislocate Black folks and trample all over Black cemeteries.'"[93]

For example, in Florida, the Tampa Housing Authority built Robles Park Village, a public housing project, partially over Tampa's oldest African American burial ground,

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[92] Penny Clark, "Yellow Fever," *Handbook of Texas Online* (Austin: Texas State Historical Association), tshaonline.org; Texas Historical Commission, "1840 Houston City Cemetery" (Historic Texas Cemetery marker text), 2008.
[93] Char Adams, "The Growing Movement to Save Black Cemeteries," NBC News, February 10, 2022, https://www.nbcnews.com/news/nbcblk/growing-movement-black-cemeteries-rcna15566.

Zion Cemetery, in the 1950s. Construction continued in 1951, even after contractors discovered three coffins during excavation. Archaeologists using ground-penetrating radar in 2019 located about 130 graves on the Robles Park Village site and two neighboring commercial properties, although hundreds more burials at Zion were recorded in county death certificates.[94] Since then, more Black cemeteries have been discovered in Florida: beneath a downtown office building and on the site of a public school and under a shopping center, all in Clearwater, and under the parking lot of Tropicana Field, also in Tampa. In every case, Black residents had been assured that the burials on these sites were relocated prior to construction; it is now clear that those relocations either never happened or at least were incomplete.[95] The *Tampa Bay Times* has continued to investigate and identify even more African American cemeteries now located beneath commercial businesses and parking lots, public facilities, and roadways. This example of a single U.S. city would likely be replicated throughout the nation if similar investigative work was to take place.

As these Florida examples show, both city-owned and privately owned Black cemeteries were routinely destroyed or paved over during the twentieth century, a practice which has greatly contributed to the small number of African American burial grounds owned or managed by municipalities today.

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[94] Paul Guzzo, "Radar Finds More Than 120 Coffins Buried Beneath Tampa Apartment Complex," *Tampa Bay Times*, August 30, 2019, updated January 13, 2020, https://www.tampabay.com/news/tampa/2019/08/30/more-than-120-coffins-found-buried-at-forgotten-zion-cemetery-now-an-apartment-complex/.

[95] Greg Allen, "'Thank God You Found Me': Florida Officials Unearth a Fourth Forgotten Black Cemetery," *All Things Considered*, National Public Radio, December 20, 2021, https://www.npr.org/2021/12/20/1065178753/florida-fourth-black-cemetery-discovered.

Today, municipal governments have come to own African American cemeteries in one of three ways: the City either set aside a segregated portion of its larger city cemetery; created an entirely separate cemetery for African Americans; or took over ownership and/or management of an existing African American cemetery that had been established by a private individual or organization.

This dissertation examines cemeteries in Austin, Texas, which illustrate these scenarios. The City of Austin, Texas, owns and manages five historic cemeteries. The oldest of these, Oakwood, was the original segregated city cemetery and dates to 1839, only three years after the Republic of Texas and its capitol city, Austin, were founded. Oakwood was expanded through the acquisition of adjacent land, which became the White-only Oakwood Cemetery Annex, in 1914. Two years before Austin formally adopted residential segregation as a municipal policy through its 1928 City Plan, the City government established Evergreen Cemetery for African American residents in East Austin. Another Black burial ground, Plummers Cemetery, was privately owned before the City purchased it as part of a parkland acquisition in 1957. In 1941, the City acquired Austin Memorial Park, founded in 1927 by a private company as a White cemetery, to serve as the new municipal cemetery. Austin's Public Works Department managed the cemeteries until 2012, when control passed to the Parks and Recreation Department (PARD).

Oakwood: Segregation within a City Cemetery

Oakwood Cemetery is nearly as old as the City of Austin and the State of Texas itself. For several years after the Republic of Texas won its independence from Mexico in 1836, Houston (on the eastern side of the state, along the Gulf Coast) served as its capitol. President of the Republic Mirabeau B. Lamar in 1839 began to implement an expansionist agenda, which included establishing a trading route between Houston and the well-established economy of Santa Fe, New Mexico. Lamar further cemented his westward push by creating a new capital city in what was then considered "frontier" by the White Anglo Americans immigrating to Texas. The Texas Congress named the capital in honor of Stephen F. Austin, the American promoter and colonizer of the former Mexican state, *Coahuila y Tejas*, which had become Texas.[96]

After the Texas Congress selected the new townsite, near an existing community along the banks of the Colorado River, surveyor Edwin Waller laid out a grid of lots over an area of 640 acres. By the time the City of Austin incorporated in December 1839, the city and the new Capitol building were both open for business, and people had begun to purchase residential property.[97] The city grew first to the north and then to the east, and by 1875 its population numbered 10,000. A birds-eye view of the city created in 1873 by Augustus Koch shows the city cemetery (now known as Oakwood) on a hill east of the city.

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[96] Sam A. Suhler, "Stephen F. Austin and the City of Austin: An Anomaly," *Southwestern Historical Quarterly* 69, no. 3 (January 1966): 275–286.
[97] David C. Humphrey, "Austin, TX (Travis County)," *Handbook of Texas Online* (Austin: Texas State Historical Association), tshaonline.org.

The City Cemetery served an immediately diverse community. Most of the 9,000 colonists who settled in Texas came from the American South.[98] They were divided almost equally between slave-owning immigrants from the Lower South (the Gulf and Atlantic coastal plains) who established large cotton and sugar plantations on the Texas coastal plains, and small-scale farmers from the Upper South (Tennessee, Kentucky, Missouri, and Arkansas) who tended to settle farther inland. Geological features, including a dramatic upthrust of limestone known as the Balcones Escarpment, which creates what today we know as the Texas Hill Country, further served to divide the two groups of Southerners. Austin lays on that approximate dividing line.[99]

In 1850, perhaps reflecting its central position, approximately 50% of Austin households owned enslaved people. However, Austin from the very beginning was home to both free and enslaved Black people, who together made up approximately one-third of the city's population. Free African Americans in Austin, and African Americans from across the South who moved to Austin after Emancipation, established six communities[100] throughout the city:

- *Wheatville.* In 1867, James Wheat, a freedman who came with his family from Arkansas, established the first Black neighborhood, soon known as Wheatville. The neighborhood was located on what was then the western edge of Austin and is now residential subdivisions northwest of the University of Texas campus.

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[98] Steph McDougal, "Natural, Historical, and Cultural Contexts," *City of Austin Historic Cemeteries Master Plan* (Austin: City of Austin, 2015), 22.
[99] Joy Adams, "Persistence and Change in the Ethnic Regionalization of Texas," *Southwestern Geographer* 11 (2007), 3–21.
[100] Humphrey, "Austin, TX (Travis County)."

- *Clarksville.* In 1871, freedman Charles Clark purchased a two-acre tract of land out of Governor Elisha Pease's former plantation. After building his own house, Clark subdivided the remainder of the land as Clarksville and sold lots to other Black people. They built homes, a community store, Sweet Home Baptist Church, and by 1917, a community school. Clarksville is located on the west side of Austin, northeast of West Tenth Street near the current Missouri Pacific rail lines.
- *Pleasant Hill.* This small rural community on the south side of Austin was home to both White and Black people in the early 1900s. While still separate from Austin in the mid-20th century, the city's southward expansion had engulfed it by the 1980s.[101]
- *Masontown*. In 1867, brothers Sam and Raiford Mason, along with other freedpeople, founded this community on Austin's east side. Like Pleasant Hill, it has been absorbed into the fabric of East Austin.[102]
- *Gregorytown* was another small Black community that became an indistinguishable part of East Austin in the early 1900s.
- *Robertson Hill* was an originally White neighborhood in East Austin that gradually transitioned to mostly Black residents during the twentieth century.

Over time, the proportion of Black people in Austin declined, and by 1928 when the City officially imposed the creation of a "Negro district" on the east side of town,

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[101] Vivian Elizabeth Smyrl, "Pleasant Hill, TX (Travis County)," *Handbook of Texas Online* (Austin: Texas State Historical Association), tshaonline.org.
[102] Vivian Elizabeth Smyrl, "Masontown, TX," *Handbook of Texas Online* (Austin: Texas State Historical Association), tshaonline.org.

they made up less than 20% of the population. Newly segregated East Austin included existing neighborhoods that either had been Black historically or had transitioned from White to Black over time. The City utilized various methods to first encourage, and then coerce, African Americans to live within that designated area, a goal largely accomplished by 1940.[103]

The City Cemetery was similarly segregated. Established in 1839 by the State of Texas, state officials transferred its management to the City of Austin in 1856.[104] Three years later, City Council formally designated the property as "Austin City Cemetery" and divided it into three parts: one "for the use of the inhabitants of the City of Austin," one for the interment of "strangers," and a third for "people of color."[105]

The original boundaries of the cemetery enclosed 10 acres of land (officially designated as Section 1), with early randomly placed graves that now mark this section as embodying the "pioneer" phase of the Upland South Folk tradition.[106] The pioneer period was only a brief phase at this cemetery, however, and quickly the remainder of Section 1 was laid out in an orderly grid of family plots separated by walkways and a few internal unpaved "streets." By 1892, the cemetery had expanded to include three additional sections; together, the four sections cover 40 acres. The portions of Section 4 immediately north of the original cemetery were known as the "Colored Grounds," but it

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[103] Jeremiah Spence, Joseph Straubhaar, Zeynep Tufekci, Alexander Cho, and Dean Graber, "Structuring Race in the Cultural Geography of Austin," in *Inequity in the Technopolis: Race, Class, Gender, and the Digital Divide in Austin,* Jeremiah Spence, Joseph Straubhaar, Zeynep Tufekci, and Roberta G. Lentz, eds. (Austin: University of Texas Press, 2012), 42–46.
[104] Texas Historical Commission, Oakwood Cemetery archives.
[105] *State Gazette (Austin, Texas)*, "Cemetery," Vol. 11, No. 5, Ed.1, Saturday, September 10, 1859, 2.
[106] D. Gregory Jeane, "The Upland South Folk Cemetery Complex: Some Suggestions of Origin," in *Cemeteries and Grave Markers: Voices of American Culture*, Richard E. Meyer, ed. (Ann Arbor: UMI Research Press, 1989), 111–119.

appears that—rather than separating “strangers” from African American burials—both portions were used as a “potter’s field,” perhaps reflecting the European tradition of burying poor people on the northern or “dark” side of the cemetery.[107]

The *silences* described by Trouillot have made research difficult for descendants. Oakwood Cemetery burial journals at the Austin History Center list 1,211 people whose burials in the “colored” section of Oakwood Cemetery were recorded between 1858–1880.[108] According to Oakwood Cemetery Chapel exhibit assistant Gregory Farrar, who completed an audit of records in the Oakwood Cemetery database, today the City has identified 2,731 people buried in the historic “Colored Grounds” and hundreds more who are identified as being African American but whose burial location was not recorded. Farrar’s own family had purchased a family plot in that section of Oakwood Cemetery in 1910 and buried their first relative there that year. But when Farrar’s great-great-grandfather, James Lovinggood, was buried on December 19, 1916, the remains of an infant were discovered in the plot and relocated. As Farrar notes, “The name of the infant and the lot they moved the remains to are not in the database.” [109]

When grave markers are not present in a historic African American cemetery, the *silences* become more pronounced. The number of extant grave markers in Oakwood Cemetery’s historic “Colored Grounds” is far fewer than the 2,731 people recorded as buried there. Only about 300 graves in that portion of the cemetery are marked, according

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[107] Mike Parker Pearson, *The Archaeology of Death and Burial* (College Station: Texas A&M University Press, 1999), 14.
[108] Karen Riles (Austin History Center librarian/neighborhood liaison), letter to Austin City Council in support of Oakwood Cemetery landmark designation, August 29, 2001.
[109] Gregory Farrar, “Oakwood Cemetery Records of Burials for Persons of Color” (video), City of Austin Parks & Recreation Department, October 9, 2020, https://www.youtube.com/watch?v=YdHO8Uio53E.

to a survey of grave markers conducted in 2019.[110] The absence of grave markers removes one of the opportunities for members of the public to engage with the cemetery. As a result, it is incumbent on the City of Austin to provide alternative methods for identifying both the people buried there and, to the extent possible, where their remains are located.

The first "dead house" was built within the City Cemetery sometime in the late 1800s. Its exact location in the cemetery is unknown. In those days before embalming, the bodies of the deceased were stored in the dead house until they could be buried. In 1890, the City Sexton (cemetery manager) reported that the dead house needed repairs and that the cemetery had run out of space for "colored people and paupers."[111] The City Cemetery's name was officially changed to "Oakwood" in 1908,[112] the same year that the City of Austin began making plans for expansion of the cemetery through the acquisition and development of adjacent property, which would become known as Oakwood Cemetery Annex. In 1912, the City issued $50,000 in bonds to fund the purchase of additional land, which took three years to complete. When the cemetery finally expanded in 1915, the Annex was only available for the burial of White people.

The chapel extant in Oakwood Cemetery today was constructed in 1914. As I wrote in the *Austin Historic Cemeteries Vision Plan*,

> Designed by Austin architect Charles Page, it included space for funeral services as well as several vaults for temporary interments while the deceased awaited burial.[113] The exterior was constructed of rusticated limestone, with the steep

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[110] Farrar, "Oakwood Cemetery Records of Burials for Persons of Color," 2020.
[111] Minutes, regular meeting of Austin City Council, February 3, 1890, 580.
[112] City of Austin, Texas, *Revised Ordinances of the City of Austin* (book), 1908, 30–37, http://texashistory.unt.edu/ark:/67531/metapth38103/.
[113] "Mortuary Chapel is Opened at Oakwood," *Austin American*, Monday, November 9, 1914, 8.

> gables, pointed arched windows, and crenellated tower typical of the Late Gothic Revival, made popular by the Boston architect Ralph Adams Cram, whose small churches in this style were widely copied throughout the United States between 1900–1920.[114]

Architect J. Roy White planned the 1944 renovation of the chapel, which included constructing a ladies' restroom and storeroom within the existing footprint and removing interment vaults in the tower room, which was then repurposed as an office.[115]

The chapel was built on the north side of Oakwood Cemetery's central roadway, in the area that had been designated for "strangers" and "Colored" people. Its placement in an area full of unmarked graves may or may not have been deliberate. In any case, as I will describe in Chapter Six, the location of the chapel would come to not only strain the City's relationship with the East Austin African American community, but also require measures to address matters of equity at Oakwood.

Oakwood Cemetery was listed in the National Register as "City Cemetery" in 1985 under Criterion C for Architecture/Design, notably its "impressive funerary art" and the Cemetery Chapel. The period of significance was 1825–1949. Texas Historical Commission designated it as a Historic Texas Cemetery in 2010. Oakwood Cemetery Annex was listed in the National Register of Historic Places in 2003 as part of the "Historic Resources of East Austin" Multiple Property Submission under Criterion C for Art, Architecture, and Landscape Architecture.

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[114] Kim Lovejoy, "American Religious Buildings," *Common Bond* 12, no. 1, New York Landmarks Conservancy (1998).
[115] *Austin American-Statesman*, "City Crews Hard at Work on Cemetery Beautification," August 27, 1970, as reported in Oakwood Cultural Landscape Report, 10.

Evergreen: A Separate Black Cemetery

Sometimes city governments chose to create entirely separate cemeteries for African American people. Municipalities often established such burial grounds in undesirable locations, sometimes next to waterways (and therefore subject to flooding) or near the city gallows. The dead buried in African American cemeteries under city control were not guaranteed a peaceful resting place. In the late nineteenth century, medical schools and other grave robbers dug up bodies for their own purposes, and news reports in recent years document that hundreds of government agencies throughout the United States allowed buildings and roadways to be constructed over graves throughout the twentieth century.

Evergreen Cemetery (1926) in Austin, Texas, is a fairly late example of a Black cemetery created by a city government well after Jim Crow segregation was prevalent nationwide. The city continued to grow through the late 1800s, developing municipal water and electrical systems, improving roadways, and building bridges and a streetcar system. Public schools, two private colleges, and the University of Texas also came into being during this time.[116] After 1900, city leaders made several attempts to organize and reorganize the municipal governing structure before finally settling on the council-manager form of government in 1924.[117]

Once its governance issues were resolved, the city developed its first-ever city planning document. The resulting 1928 City Plan sought to outfit Austin with the

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[116] Humphrey, "Austin, TX, Travis County."
[117] Koch & Fowler, *City Plan for Austin*, 57.

amenities one would expect from with a state capitol and educational/cultural center. In addition to improving the existing city water system and adding a sanitary sewer system, Austin would have a public library, a city hospital, and city parks, ballfields, and other recreational spaces. To make possible the redevelopment of the increasingly attractive west side of town, the plan also created a "Negro district" on the east side of Austin where Black communities including Masontown, Gregorytown, and Robertson Hill already existed. The City Plan noted that "the race segregation problem … cannot be resolved legally under any zoning law known to us at present,"[118] previous attempts having been declared unconstitutional.

In part, the City sought to avoid having to build segregated schools, libraries, and other facilities throughout Austin, figuring that if all the Black people lived in one area, all of the Black resources could be located there as well. City officials "encouraged" African Americans to move into that segregated area by concentrating city services and resources there and refusing to provide city utilities to Black residents anywhere else. The City closed schools and libraries in places like Clarksville, forcing residents to shuttle their children across town to school. The City also imposed new building standards and, as reported in a 1913 social survey of Austin, "city garbage wagons" frequently dumped garbage on the streets in Wheatville on their way to the actual municipal dump.

While many residents of Clarksville and Wheatville gave in to these pressures and relocated to East Austin, others remained in their homes for many years. In 1968, the Texas Department of Transportation, over the opposition of residents, built a highway

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[118] Koch & Fowler, *City Plan for Austin,* 57.

along the existing Missouri Pacific Railroad through Clarksville, displacing 26 families and causing 23 more to move. The City of Austin refused to pave streets in Clarksville until 1976, when it also finally addressed the drainage issues that caused a nearby "creek carrying sewage" to regularly flood nearby houses. Despite 50 years of neglect and harassment, Clarksville residents resisted the City's attempts to destroy their neighborhood. A two-block-wide section of Clarksville was listed in the National Register of Historic Places in 1976, and since 1978 the Clarksville Development Corporation has worked to provide community services and support Black residents who want to stay in the neighborhood, as well as those that wish to move back there.[119]

Separated first by East Avenue, and later Interstate Highway 35 (built along the East Avenue right-of-way), East Austin became the center of a resilient Black community. A lack of zoning enabled businesses to proliferate within and next to residences; churches, two colleges, professional offices, and social and fraternal organizations completed the culturally vibrant neighborhood.[120] Longtime resident Wilhelmina Delco describes the East Austin that she and her husband moved to in 1957 as a nearly completely self-contained community with everything that Black people needed, one where people of all socioeconomic classes lived side-by-side with no conflict.[121]

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[119] Nolan Thompson, "Clarksville, TX (Travis County)," and "Wheatville, TX (Travis County)," *Handbook of Texas Online* (Austin: Texas State Historical Association), www.tshaonline.org; Spence, et al., "Structuring Race," 37–46.
[120] Hill, "The Empty Stairs," 13–16.
[121] Wilhelmina Delco, "I've Lived in East Austin for 60 Years, and I Don't Recognize It Anymore," *Fault Lines: Portraits of East Austin* (San Antonio, TX: Trinity University Press, 2019), reprinted in the *Texas Observer*, November 20, 2019, https://www.texasobserver.org.

In 1926, Evergreen Cemetery was established either on or near the site of an older, privately owned and then-defunct burial ground called Highland Park. Only a few grave markers from the earlier cemetery are extant and—despite investigations by cultural resources management firms and the City of Austin—few records have been located, beyond a few newspaper articles about its incorporation, deeds for the sale of the overall parcel, and a plat map.

Evergreen quickly became the burial ground of choice for prominent East Austin African Americans. The cemetery's "Main Street," which enters the property from East 12th Street and separates Sections A and D, was originally lined with an allée of trees, visible in historic aerial photographs. Section A was the first section of Evergreen Cemetery to be surveyed and platted, with 420 plots.[122] The most prestigious locations in the cemetery, Lots 420 and 419, next to the entrance, are occupied by members of the William Tears family, co-owners of the King-Tears Funeral Home. Members of Black Austin's many other leading families are buried along Main Street.

All of the burial plots in Section A and most of the plots in Section C (also located along Main Street, on the same side) had been sold by the end of August 1959.[123] The last section of the original cemetery to be opened was Section E, in 1972. [124] Additional adjacent land was purchased in 1955 and began to be platted in 1977.[125] In recent years, more Hispanic people have been buried in those added sections (in particular, Section J), leading some community members to become concerned about the

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[122] Minutes, regular meeting of Austin City Council, October 14, 1926.
[123] Minutes, regular meeting of Austin City Council, August 27, 1959.
[124] Minutes, regular meeting of Austin City Council, May 18, 1972.
[125] Minutes, regular meeting of Austin City Council, December 8, 1977.

potential loss of Evergreen's identity as an African American cemetery. The has increased interest in nominating the original boundaries of Evergreen Cemetery (Sections A, B, C and D) to the National Register of Historic Places as a way to preserve its history. It was designated a Historic Texas Cemetery by the Texas Historical Commission in 2019.

Plummers Cemetery: A Private Cemetery Taken Over by the City

In the late 1800s, private individuals or associations established African American burial grounds in the Southern United States in an effort to guarantee the respectful treatment of the dead. Ownership of burial property was crucial to the formation of the African American identity, and the ability of benevolent societies to provide a dignified resting place made them socially and politically powerful.[126] Funeral directors sometimes also expanded their enterprises to include cemeteries, a natural outgrowth of the death care business.

As with many historic cemeteries, however, the members of associations established to care for Black cemeteries grew older and were less and less able to maintain those sites. In some cases, historic cemeteries go through cycles of caretaking and neglect; for example, the 1845 Old Bayview Cemetery in Corpus Christi, the oldest federal military cemetery in Texas (which has been racially integrated throughout its

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[126] LaTrese E. Adkins, "'And Who Has the Body?': The Historical Significance of African American Funerary Display," PhD diss., Michigan State University, 2003, 68.

history), has been cared for by at least three cemetery associations and is now under the stewardship of the City of Corpus Christi.[127]

In Austin, enterprising African American farmers named Plum and Alice Plummer purchased land just outside of the city, in an area where large tracts had been platted as "divisions" and separated into "outlots." In 1870, the Plummers purchased land consisting of all of Outlots 48 and 49 in Division A and Outlot 18 in Division B, from a White couple, John and Nancy Mathews and the estate of John's late wife Sarah, for the total sum of $3,000; they made a downpayment of $1,200 with promissory notes due for the balance.[128] Outlot 18 was approximately 112 acres; a 37.5-acre portion on the east side of the parcel was sold for taxes in 1881.[129] At some point after that, but before 1895, the Plummer family established Mount Calvary Cemetery on Webberville Road within Outlot 18. Plum Plummer died sometime between 1893–1897, leaving a 30-acre parcel east of the creek to son Thomas and a portion west of the creek to son Charles; the cemetery was located on the parcel inherited by Thomas.[130]

Mount Calvary Cemetery was one of several private cemeteries for African Americans established concurrently. In 1893, the Bethany Cemetery Company founded Bethany Cemetery just north on Webberville Road.[131] Also, because an earlier (1880)

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[127] Steph McDougal, "Old Bayview Cemetery," nomination to the National Register of Historic Places, Texas Historical Commission, 2020, https://atlas.thc.texas.gov/NR/pdfs/100005689/100005689.pdf.
[128] Travis County deed records, Book S, pages 570–571.
[129] *Weekly Democratic Statesman*, "Tax Sale," June 2, 1881, 4.
[130] The last property transaction by Plum Plummer recorded in Travis County deed records (Book 117, page 40) took place on March 31, 1893, but was recorded later. Reference to "the Lot in the City of Austin, Travis County, Texas, willed to me [Thomas Plummer] by my father, Plum Plumber" [sic] appears in Travis County deed records, Book 149, page 46, dated January 30, 1897.
[131] Texas Historical Commission, "Bethany Cemetery" (historic marker text), 1997.

Catholic Cemetery in Austin was also named "Mount Calvary,"[132] the Plummers' cemetery was sometimes referred to as "Colored Mount Calvary" or "Plummers Cemetery." Both names appear on death certificates throughout the twentieth century.

Thomas Plummer gradually sold the land around the burial ground before transferring the cemetery to his son Sylvester Plummer (also known as Tom Plummer Jr. or Tom Sylvester Plummer) in 1923.[133] Sylvester Plummer, who became the first African American deputy sheriff in Travis County in 1949, served as the cemetery sexton until he sold the property to the City of Austin in 1957.[134] The City has maintained the cemetery since that time, with infrequent but ongoing burials in already-purchased plots. However, the location of curbing around family plots close to the street may indicate that some burials could be located beneath the adjacent sidewalk, street, and/or bus stop, particularly since Airport Road has been significantly widened. The City has also installed limestone quarry blocks along Airport Road to prevent vehicles from entering the cemetery accidentally. During the COVID-19 pandemic in 2020, a City staff member completed a survey of the cemetery and created an updated map of burials.

As these examples illustrate, cemeteries can come under municipal ownership or management through a variety of means. Regardless, once a city government takes responsibility for one of these burial grounds, it is faced with the challenges inherent in the administration of any historic cemetery: a lack of funding, potential deferred

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[132] Mount Calvary (Catholic) Cemetery was established in 1880: see *Austin American-Statesman,* "Local and Other Matters," December 2, 1880, page 4.
[133] Travis County deed records, Book 354, page 228, November 20, 1923.
[134] Travis County deed records, Book 1867, pages 534–536*,* October 22, 1957; *Austin American-Statesman*, "First Black in Deputy Job Dead at 83," January 17, 1986, 26.

maintenance issues, and the temporal and/or geographical distance between the people buried there and their living descendants.

Whether a City government established sections or entire cemeteries for African Americans or took over Black cemeteries at some point in their history may impact what the municipal government is willing or able to do, in terms of maintenance or improvements. In particular, the legal implications of repairing damaged graves, markers, crypts, etc. may serve as a deterrent when plot ownership is unrecorded or so diluted by heirship over time that the current owners cannot be identified or located. How cities respond to those challenges and whether their responses are equitable between White and Black cemeteries may deepen or help to repair past harms experienced by African American communities.

CHAPTER FOUR:

CEMETERY CONDITIONS AND PERCEPTIONS OF HISTORIC SIGNIFICANCE

I worked with the City of Austin from 2014–2018 to develop its Historic Cemeteries Master Plan (now Vision Plan) and observed the subsequent improvements made to the buildings at Oakwood Cemetery, Oakwood Cemetery Annex, and Austin Memorial Park—while Evergreen and Plummers Cemeteries remained largely unimproved. In 2018, the City of West Palm Beach, Florida, engaged me to develop a Cemeteries Maintenance and Management Plan for the Parks and Recreation Department and I made similar observations about the disparities between White and Black cemeteries in that city. As a result, I wondered if it was common for municipal governments to invest more heavily in White cemeteries than in those occupied by African Americans. I later refined my line of inquiry to more generally consider the typical conditions found in city-owned African American cemeteries and how physical conditions might affect city staff's and community members' perceptions of the *historic significance* of those cemeteries and, therefore, whether they were worth preserving.

I began my investigation by developing a dataset of historic Black cemeteries, established between 1865–1965 in Texas, which were at some point either segregated in their entirety or comprised a segregated section within a larger cemetery, and which are now owned by municipal governments. I then determined whether each cemetery was established by the city government or taken over; for the latter, I documented whether

that comprised a transfer of ownership or if the city government merely took over the management and maintenance of the cemetery.

Having developed this dataset, I visited city-owned African American cemeteries or cemetery sections for which a matched-pair comparison to a White/Anglo cemetery (or cemeteries) in the same city was possible. Using the Texas Historical Commission's Cemetery Endangerment Checklist, I gathered condition data for each cemetery; I also recorded my observations. I then compiled and analyzed this data.

During this process, I considered whether conditions, current treatments, and funding for the cemeteries within this dataset are equitable, and if not, in what ways. Doing so required me to consider what *equitable* means for city-owned cemeteries, a definition that I developed in collaboration with staff in the Texas Historical Commission Cemetery Preservation Program.

I gathered information about cemetery funding and improvements, where available, through public information requests to each city. I limited these requests to the years 2010–2022, which I expected would correspond with visible physical conditions. Some cities were more forthcoming and provided valuable data, while others either provided no information or sent a response that was so lacking in detail as to be almost useless.

Construction of the Dataset

Geographically, the African American population before and after the Civil War was concentrated in the eastern portion of the state, with Mexicans making up a large portion of the population in borderland areas of the Rio Grande Valley, as well as South

Texas and West Texas. These African American settlement patterns reflected the preferences of American colonists between 1820, when Mexico first authorized incomers from the United States, and 1860. Early colonists from the Lowland South settled in the coastal plains along the Texas Gulf Coast, where they could develop large plantations and easily ship their agricultural products over water to ports along the rest of the Southern coast of the Gulf of Mexico and the Atlantic seaboard. A later mid-nineteenth-century wave of Anglo-American settlers from the Upland South settled farther inland, past the geological upthrust of the Balcones Escarpment and into the North Texas plains and the Central Texas Hill Country, following the construction of railroads that made it possible to more easily ship and receive goods well away from the Texas coast.[135] As a result, most of the Texas population, including enslaved and free African Americans, largely lived in the eastern portion of the state (see Figure 2 on page 65).

In order to limit the scope of this dataset to a number manageable for my research, I first identified county-seat cities in those counties that had an enslaved population of at least 25% in 1860. I also included county seats in new counties formed after 1860, which were subdivided from counties with a minimum 25% enslaved population. Prior to Emancipation, 56 of Texas' then 152 counties—nearly 37% of counties in the state—had a population made up of at least 25% enslaved persons. Today, due to the creation of additional counties since 1860, the dataset includes 62 counties, or 24.4% of the 254 counties in Texas. County-seat cities were not identified in counties with less than a 25%

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[135] Adams, "Persistence and Change in the Ethnic Regionalization of Texas," 3–21.

enslaved population in 1860. (See Appendix A for a full list of counties with any enslaved population in 1860.)

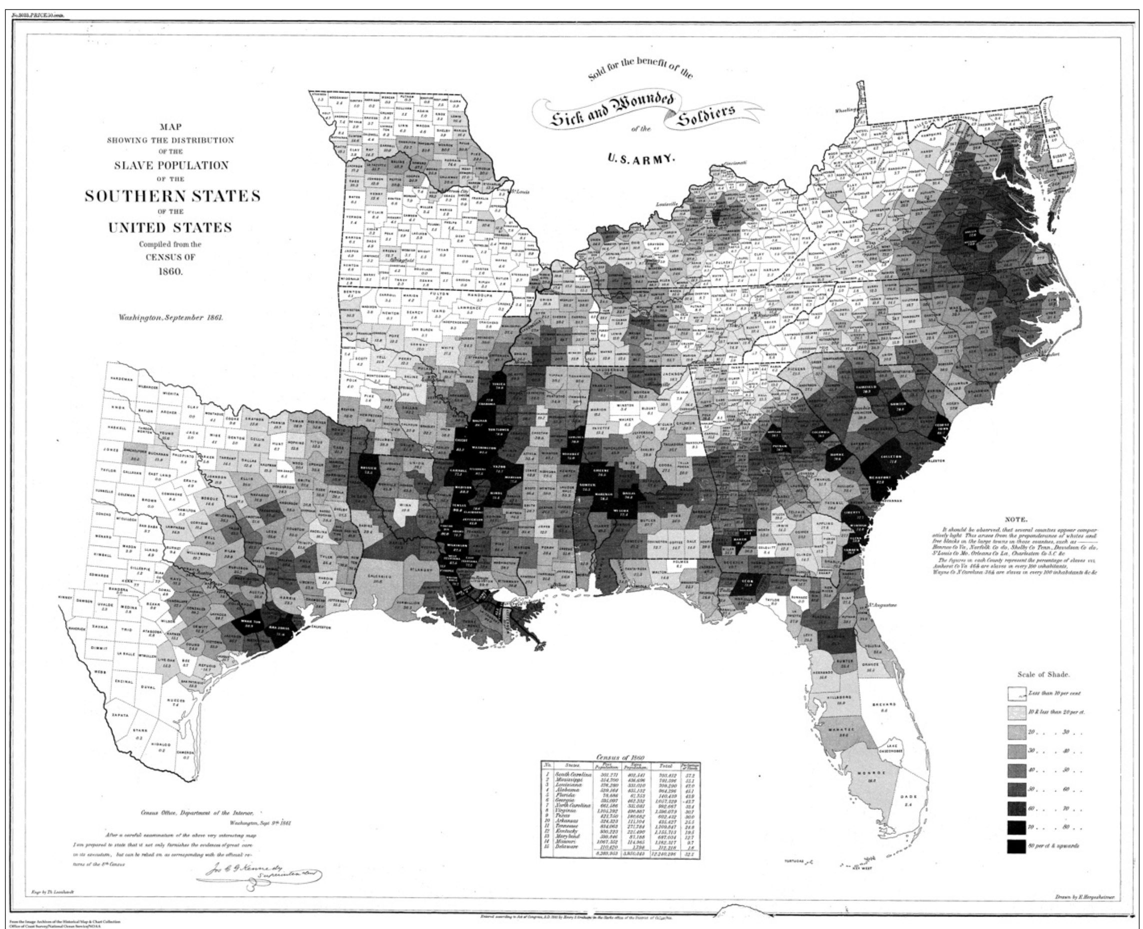
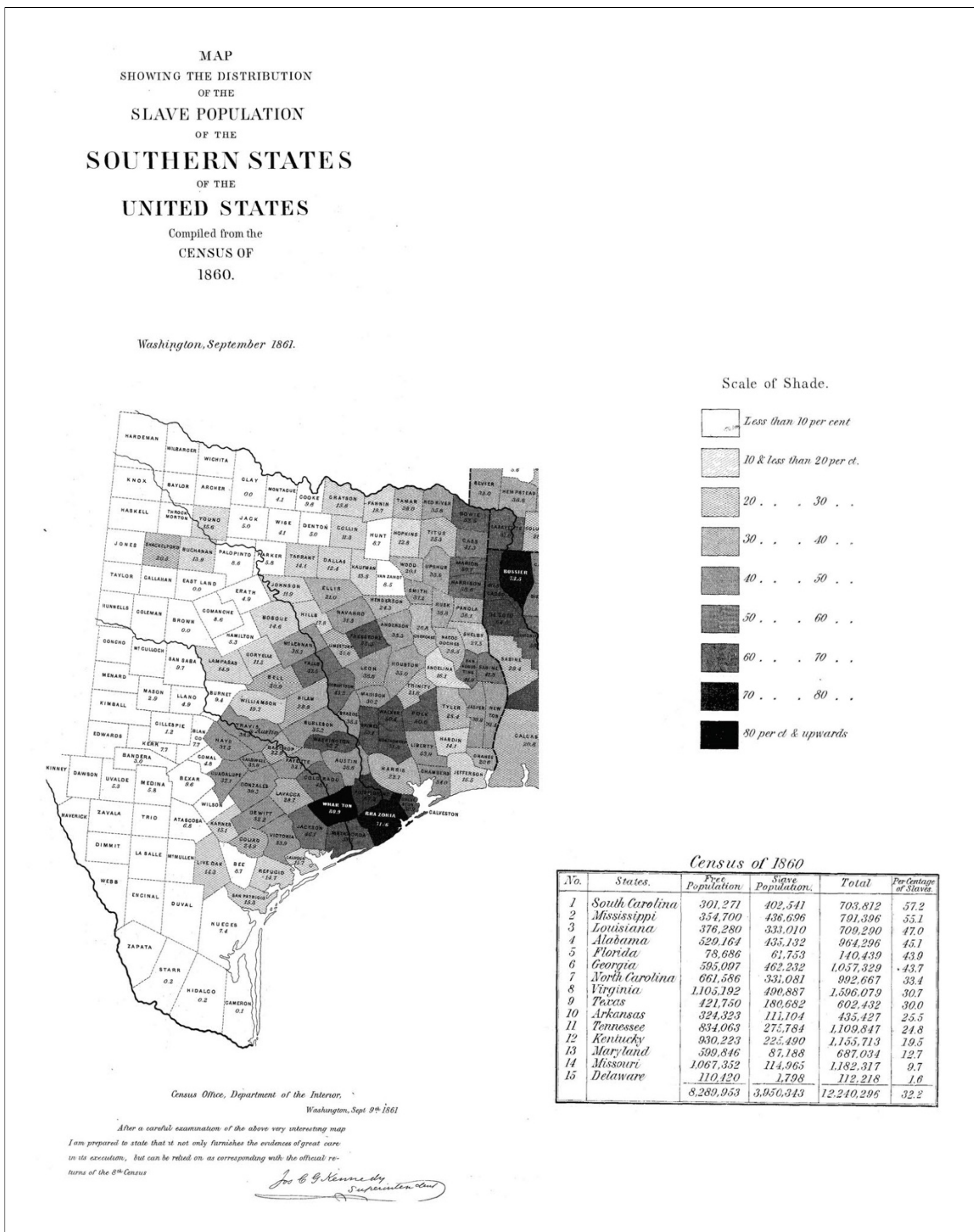


Figure 1. 1860 map of enslaved population, published by the United States Army as a fundraiser to benefit "sick and wounded soldiers" (Library of Congress)



Census of 1860

No.	States.	Free Population	Slave Population.	Total	Per Centage of Slaves.
1	South Carolina	301,271	402,541	703,812	57.2
2	Mississippi	354,700	436,696	791,396	55.1
3	Louisiana	376,280	333,010	709,290	47.0
4	Alabama	529,164	435,132	964,296	45.1
5	Florida	78,686	61,753	140,439	43.9
6	Georgia	595,097	462,232	1,057,329	43.7
7	North Carolina	661,586	331,081	992,667	33.4
8	Virginia	1,105,192	490,887	1,596,079	30.7
9	Texas	421,750	180,682	602,432	30.0
10	Arkansas	324,323	111,104	435,427	25.5
11	Tennessee	834,063	275,784	1,109,847	24.8
12	Kentucky	930,223	225,490	1,155,713	19.5
13	Maryland	599,846	87,188	687,034	12.7
14	Missouri	1,067,352	114,965	1,182,317	9.7
15	Delaware	110,420	1,798	112,218	1.6
		8,289,953	3,950,343	12,240,296	32.2

Figure 2. Excerpted portions of the 1860 enslaved population map, showing the map title, Texas counties, legend, and Census data (Library of Congress; excerpt created by Steph McDougal, 2020)

Table 1. Texas counties with at least 25% enslaved population in 1860.

County	% Enslaved People 1860	County Seat
Wharton	80.9	Wharton
Brazoria	71.6	Angleton
Harrison	58.6	Marshall
Galveston	56.9	Galveston
Matagorda	53.7	Bay City
Bowie	53.5	Texarkana
Grimes	53.1	Anderson
Freestone	52.3	Fairfield
Washington	52.2	Brenham
Lee (previously part of Washington Co.)		Giddings
Montgomery	51.3	Conroe
Waller (previously part of Austin Co.)		Hempstead
Marion	50.7	Jefferson
Polk	50.6	Livingston
San Jacinto (previously part of Polk Co.)		Coldspring
Walker	50.5	Huntsville
Falls	47.5	Marlin
Fort Bend	47.3	Richmond
Jackson	46.1	Edna
Colorado	45.1	Columbus
San Augustine	41.9	San Augustine
Sabine	41.8	Hemphill
Cass (aka Davis Co., 1860–1871)	41.3	Linden
Gonzales	39.3	Gonzales
Travis	38.9	Austin

County	**% Enslaved People 1860**	**County Seat**
Rusk	38.8	Henderson
Gregg (previously part of Rusk Co.)		Longview
McLennan	38.7	Waco
Austin	38.6	Bellville
Hays	37.5	San Marcos
Smith	37.2	Tyler
Leon	36.5	Centerville
Brazos (aka Navasota Co., 1841–1842)	36.3	Bryan
Panola	36.1	Carthage
Caldwell	35.9	Lockhart
Red River	35.6	Clarksville
Upshur	35.6	Gilmer
Anderson	35.3	Palestine
Burleson	35.2	Caldwell
Houston	35.0	Crockett
Chambers	34.0	Anahuac
Liberty	33.9	Liberty
Victoria	33.9	Victoria
Fayette	32.7	La Grange
Newton	32.4	Newton
Dewitt	32.2	Cuero
Guadalupe	32.1	Seguin
Navarro	31.5	Corsicana
Jasper	30.9	Jasper
Madison	30.2	Madisonville
Milam	29.8	Cameron
Lavaca	28.7	Hallettsville

County	**% Enslaved People 1860**	**County Seat**
Nacogdoches	28.5	Nacogdoches
Lamar	28.0	Paris
Shelby	27.5	Center
Cherokee	26.8	Rusk
Tyler	25.4	Woodville
Titus	25.3	Mount Pleasant

For each county seat, I identified city-owned cemeteries by searching city websites as well as other online sources, including the Texas Historical Commission "Atlas of Historic Sites," county genealogical websites, and FindAGrave.com. County historical commissions and interested volunteers have surveyed many cemeteries in Texas.[136] While I did not rely exclusively on online sources to develop the history of a cemetery, for the purposes of initial identification I felt that those sources were sufficient. In addition, the University of Houston-Victoria maintains an online African American Cemeteries Database compiled by a retired volunteer, James A. Lucas, for Goliad, Gonzales, Dewitt, Jackson, Lavaca, Refugio, and Victoria Counties. I also consulted the Red River Sankofa Historical Society in northwest Louisiana, which maintains a list of Black cemeteries in central Texas, where many African American settlers relocated following Emancipation.

In many cases, I was able to identify that a city contained a cemetery with a name such as "City Cemetery," but I could not immediately or easily determine whether the

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[136] A cemetery survey generally consists of collecting names and birth/death dates from each grave marker and, in some cases, mapping the markers using existing plot maps or spatial data systems such as GIS.

City government owned or was responsible for managing it. (For example, the Wharton City Cemetery has been managed by the nonprofit Wharton Cemetery Association since at least 1958.) As needed, I contacted city staff (usually the Parks and Recreation Director in larger cities, or the City Secretary in smaller ones) to confirm city ownership of cemeteries.

Table 2. Texas counties with 25% or more enslaved population in 1860, where county-seat cities owned or managed cemeteries in 2023.

County	% Enslaved People 1860	County Seat	Names of Cemeteries
Harrison	58.6	Marshall	Marshall City Cemetery (White) Wiley Cemetery (Black)
Galveston	56.9	Galveston	Old City Cemetery Oleander Cemetery (aka Old Potter's Field) Evergreen Cemetery (aka Cahill Cemetery) New City Cemetery (aka Yellow Fever Yard) Municipal Cemetery (aka New Potter's Field) Memorial Cemetery (Southern section)
Matagorda	53.7	Bay City	Cedarvale Bay City Cemetery (White) Eastview (Black)
Bowie	53.5	Texarkana	Rose Hill Cemetery
Grimes	53.1	Anderson	City Cemetery
Washington	52.2	Brenham	Prairie Lea aka Brenham Cemetery (segregated White only until about 1975)
Lee (prev. part of Washington)		Giddings	Giddings City Cemetery
Montgomery	51.3	Conroe	Conroe Community Cemetery (Black)
Waller (prev. part of Austin Co)		Hempstead	Hempstead Cemetery Hempstead Houston Cemetery Hempstead Jewish Cemetery Hempstead Oakwood Cemetery

County	% Enslaved People 1860	County Seat	Names of Cemeteries
Marion	50.7	Jefferson	Oakwood Cemetery Oakwood Memorial Park
Polk	50.6	Livingston	Old City Cemetery
San Jacinto (prev. part of Polk)		Coldspring	Oakwood Cemetery
Walker	50.5	Huntsville	Oakwood Cemetery
Fort Bend	47.3	Richmond	Morton Cemetery (city) Oak Hill Cemetery (Afr. Am.) is not city owned
Colorado	45.1	Columbus	Columbus City Cemetery (segregated sections)
San Augustine	41.9	San Augustine	City Cemetery
Sabine	41.8	Hemphill	Hemphill City Cemetery, taken over by City 2007
Gonzales	39.3	Gonzales	Gonzales City Cemetery Gonzales Memorial Park Cemetery Church St. Cemetery was previously for Black people – not city owned
Travis	38.9	Austin	Oakwood Cemetery (“colored” section) Austin Memorial Park Cemetery Evergreen Cemetery (Black) Plummers Cemetery (Black)
Rusk	38.8	Henderson	Old City Cemetery Flanagan Cemetery Graham-Hall Cemetery Lakewood Memorial Park
Gregg (prev. part of Rusk)		Longview	Grace Hill Cemetery White Cemetery Greenwood Cemetery (former Longwood Cemetery) - owned by assn; city maintains
McLennan	38.7	Waco	Greenwood Cemetery (Black side taken over 2007, White taken over March 2020); segregated when est. in 1875; fence removed 2016; “city inherited it”. PARD planner is in charge
Hays	37.5	San Marcos	San Marcos City Cemetery

County	% Enslaved People 1860	County Seat	Names of Cemeteries
Smith	37.2	Tyler	Oakwood Cemetery Rose Hill Cemetery Westview Cemetery (Black)
Brazos (formerly Navasota)	36.3	Bryan	Bryan City Cemetery/Annex Oakwood Cemetery Yellow Fever Cemetery Grandview Cemetery (Black) is privately owned
Panola	36.1	Carthage	Carthage City Cemetery
Caldwell	35.9	Lockhart	Lockhart Municipal Burial Park.
Upshur	35.6	Gilmer	City cemetery (Greenwood) was donated to the City by an individual. They also mow three other cemeteries including a black orphanage cemetery.
Anderson	35.3	Palestine	City Cemetery Memorial Cemetery East Hill Cemetery
Burleson	35.2	Caldwell	Old City Cemetery. Main St. Manager is in charge.
Victoria	33.9	Victoria	Evergreen Cemetery
Fayette	32.7	La Grange	La Grange City Cemetery Old City Cemetery
Dewitt	32.2	Cuero	Hillside Cemetery Evergreen Cemetery (Black)
Guadalupe	32.1	Seguin	Riverside Cemetery
Navarro	31.5	Corsicana	Oakwood Cemetery Woodland Cemetery Modrell (Modrall) Cemetery
Milam	29.8	Cameron	Oak Hill Cemetery
Nacogdoches	28.5	Nacogdoches	Sunset Cemetery Oak Grove Cemetery Pine Grove Cemetery Cleavers Cemetery Zion Hill Cemetery
Shelby	27.5	Rusk Center	Fairview Cemetery, Mull Cemetery

County	% Enslaved People 1860	County Seat	Names of Cemeteries
Cherokee	26.8	Rusk	Cedar Hill Cemetery, per Deborah Burkett, CHC chair
Titus	25.3	Mount Pleasant	Edwards Cemetery (aka Colonial Hill Cemetery) is integrated

I then disqualified any cities where the municipal government did not own both White and Black cemeteries; for example, in many counties, the City owns the City Cemetery where only White people could historically be buried, and the Black cemetery was and remains privately owned. Cities falling into this category include:

- Brenham, Washington County
- Bryan, Brazos County
- Caldwell, Burleson County
- Cameron, Milam County
- Carthage, Panola County
- Center, Shelby County
- Conroe, Montgomery County
- Galveston, Galveston County
- Giddings, Lee County
- Henderson, Rusk County
- Jefferson, Marion County
- La Grange, Fayette County
- Livingston, Polk County

- Longview, Gregg County
- Marshall, Harrison County
- Marlin, Falls County
- Palestine, Anderson County
- Richmond, Fort Bend County
- Rusk, Cherokee County
- San Augustine, San Augustine County
- San Marcos, Hays County
- Texarkana, Bowie County
- Victoria, Victoria County

Finally, I eliminated cities in which the cemeteries are now integrated but I could not find out when that happened. I also eliminated cemeteries that cities took over after 2000, such as the Hemphill City Cemetery, the Huntsville City Cemetery, and McLennan Cemetery in Waco. The Black section of the city cemetery in Tyler, Texas, was filled in and leveled in the 1930s, and therefore was removed from this dataset. I also did not include Edwards Cemetery in Mount Pleasant, which has always been integrated.

Due to travel restrictions imposed by the novel coronavirus/COVID-19 pandemic in 2020, I initially conducted online and telephone/email research to learn the date of their establishment, whether they were segregated upon establishment, and whether they are effectively still segregated, or when they were integrated.

The following eight cities and their 19 cemeteries met the above criteria and, therefore, enabled me to compare conditions between city-owned cemeteries that were segregated at their establishment.

Austin, Travis County

As previously discussed, the City of Austin owns five historic cemeteries:

- The original City Cemetery, established in 1836 and now known as Oakwood Cemetery, contains a large “colored” section on the northwest side of the site.
- The Oakwood Cemetery Annex was White-only.
- Evergreen Cemetery was established in 1926 in East Austin, just two years prior to the City Plan of 1928 which formally established residential segregation and redlined Black citizens into that part of the city. The newer sections of Evergreen are now predominantly filled by Hispanic burials.
- The City also owns Austin Memorial Park Cemetery, established for White residents in 1927 by a private corporation and taken over by the City in 1941.
- In 1957, the City acquired a former privately owned Black cemetery called Plummers as part of a park land deal.

Cuero, Dewitt County

Hillside Cemetery was established in 1875. A separate but nearby burial ground, called Evergreen Cemetery, was established for Black people; the earliest burial date on a marker is 1902. Over time, Hillside Cemetery expanded to include Evergreen.

Columbus, Colorado County

The Columbus City Cemetery has had segregated sections since the City acquired it in 1870. It fell out of use by White people after a flood in 1913 and became the burial

ground mostly for “indigent Blacks.” In 1939, two cemetery associations (one White, one Black) were formed to maintain the cemetery.[137]

Corsicana, Navarro County

Oakwood Cemetery is historically White; Woodland Cemetery is historically Black. I did not include Modrell Cemetery because, although the one-city-block plot was donated by a Dr. Modrell in 1863, most of the 144 burials are contemporary and outside the period of significance; it is now a memorial park and only used for the interment of cremated remains.

Gilmer, Upshur County

The “city cemetery” was donated to the City of Gilmer by an individual. That site may or may not include the Gilmer Black Cemetery, aka Neal Cemetery. City employees also mow three other cemeteries, including the cemetery for the Dickenson Orphanage, allegedly the state’s only home for Black children from 1901 to 1943. It is not clear who owns the other cemeteries.

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[137] “Columbus City Cemetery” (website), (Columbus: Colorado County Historical Society), www.coloradocountyhistory.org/cemeteries/columbus_city.htm.

Gonzales, Gonzales County

The Gonzales City Cemetery was originally segregated but was integrated at some unknown point in time. The Church Street Cemetery, also known as the Gonzales City Cemetery Church Street Section, was for Black citizens.

Hempstead, Waller County (previously part of Austin County)

The City of Hempstead owns four cemeteries: Hempstead Cemetery and Hempstead Jewish Cemetery (both for White people), and Hempstead Houston Cemetery and Hempstead Oakwood Cemetery, both Black. For many years, the City denied owning the Black cemeteries and refused to maintain them, until forced to do so by a Federal lawsuit in 2003.

Nacogdoches, Nacogdoches County

City-owned Oak Grove and Pine Grove Cemeteries were historically White and are very large; Cleavers Cemetery and Zion Hill Cemetery are Black burial grounds that the City now maintains. Sunset Memorial Park is the new city cemetery.

Analysis of Conditions

Prior to visiting each of these cemeteries, I developed an "Equity Checklist" in collaboration with the Cemetery Preservation Program staff at the Texas Historical Commission, based on their existing "endangerment checklist," which I previously had used to assess the conditions of five historic cemeteries in East Texas in 2022. The Equity Checklist asked for responses to the following 25 statements:

- The cemetery is maintained.
- Most graves are marked.
- Most grave markers are visible and upright.
- Most grave markers are free from mower/trimmer damage.
- There are visible signs of recent visitation, such as floral decorations.
- The cemetery is free of beer or soda cans or other trash that would indicate loitering.
- The cemetery is not used as a dumping site.
- The cemetery is fully fenced.
- All visible graves are contained within the fenced perimeter.
- There is a lockable gate.
- The cemetery has a sign on site that provides contact information.
- There is a sign stating the visitation hours and other rules.
- An informational sign shows a map, history of cemetery, etc.
- Some graves are covered with mounded dirt, grave goods.
- Graves are backfilled neatly; few or no visible grave depressions.
- Cultural plantings are visible.
- The cemetery is relatively safe from development pressures.
- The boundary between the cemetery and the adjacent landowner(s) is clearly defined and respected.
- The cemetery appears on Google maps.
- The cemetery contains a chapel, pavilion, etc. for services.

- The cemetery contains a public restroom facility.
- There is an Official Texas Historical Marker at the cemetery.
- You feel comfortable and safe visiting the cemetery.

I visited all 22 cemeteries over a four-day period in early 2023 to complete the Equity Checklist for each cemetery, then entered my findings in an Excel spreadsheet to complete the following analysis. Ten cemeteries were historically White, nine were historically Black, and three were historically combined but with segregated sections.

Generally, none of the cemeteries contained safety hazards. In 100% of the cemeteries, most grave markers were visible and upright; graves were backfilled neatly with few or no grave depressions; the cemetery was not used as a dumping site; the boundary between the cemetery and adjacent properties was clearly delineated; it was relatively safe from development pressure; and I felt safe visiting the cemetery (alone, during the day).

Basic maintenance also was not a problem. In at least 90% of all cemeteries, the cemetery was maintained; grave markers were free from mower and trimmer damage; signs of recent visitors were visible; no trash or other signs of loitering were present; all visible graves were contained within the perimeter; and the cemetery appeared on Google maps. Eight cemeteries did not meet at least one of these standards: three were historically White and five were historically Black.

Low numbers across the board in several areas were driven to some degree by the cemeteries that included both Black and White sections. None of those three cemeteries were fully fenced with a lockable gate; none of them displayed any signs that provided

contact information, a map of the cemetery, or its history; and only one had a sign with visitation hours and/or rules. Overall, only 50–64% of the cemeteries in the total dataset checked these boxes.

Only one cemetery provided a public restroom facility, which did not appear to be safe or well-maintained, and three included open-air pavilions where a small memorial service could be held.

The Texas Historical Commission's Cemetery Preservation Program recognizes about one-third of these sites as Historic Texas Cemeteries (HTC), and 12 cemeteries feature either an HTC marker or a general state historical subject marker.

Generally, I concluded that all of these cemeteries are being maintained at a basic level but—with the exception of Austin and Nacogdoches—it does not appear that most of these cities are making any noticeable improvements. Although White cemeteries generally scored slightly higher, in some cases Black cemeteries received the highest scores. All three types of cemeteries (historically Black, historically White, and historically combined but segregated) were receiving similar treatment, which is to say, mostly mowing and trimming by City Parks departments.

Commitment to Historic Preservation

I continued my investigation by considering whether each city (Austin, Cuero, Columbus, Corsicana, Gilmer, Gonzales, Hempstead, and Nacogdoches) prioritizes historic preservation in general, as well as the extent to which each city's commitment to historic preservation might impact its ability to manage cemeteries as historic resources.

It does not appear that the size of the city population has any effect, since Austin (a major city) and Nacogdoches (a small city) are both effectively managing their multiple historic city-owned cemeteries. The most notable difference between Austin and Nacogdoches and the rest of the dataset cities is that the cemeteries in Austin and Nacogdoches are or were under the management of qualified historic preservation professionals, each of whom has at least 20 years of experience in similar roles. These staff members clearly are aware of the many tools available and how to employ those tools to their best advantage.

With that in mind, I sought to answer the following questions: Have these cities adopted historic preservation ordinances and designated historic landmarks and/or districts? Do they participate in preservation programs focused on municipal governments? Does (and, if so, how does) each city fund historic preservation generally and cemetery preservation in particular?

Historic Preservation Ordinances and Designations

I conducted a search of each city's website and its code of ordinances (through municode.com) to determine, first, whether that city has adopted an ordinance enabling it to designate historic landmarks and/or historic districts, and second, whether it has actually done so. Only Austin, Corsicana, and Nacogdoches meet these criteria.

- **Austin** adopted its first historic preservation ordinance in 1974, followed by a historic preservation plan in 1981. The first comprehensive historic resources survey was completed in 1984, building on a previous effort in 1965. The City enabled the local designation of historic districts for the first time in 2004.

Cemetery regulations (Ordinances 031023-11 and 031211-11), adopted in 1992, primarily direct the management of active cemeteries, including the sales of lots, execution of deeds, and management of the perpetual care fund.

- **Cuero** has no historic preservation ordinance or historic commission, although the Buildings and Standards Commission is required to consider whether a vacant or substandard structure is historic before taking action to secure, repair, remove or demolish the building. The City's 1966 and 1994 Codes of Ordinances (with later updates) includes a section on Hillside Cemetery, outlining the management of that burial ground and City of Cuero Cemetery Trust Fund. If, at some point, DeWitt County has more than 20,000 but less than 21,000 residents, the City is allowed to abolish the trust fund and use it to make permanent improvements to the cemetery. (It may also create a new trust fund.)
- **Columbus** does not have a historic preservation ordinance or historic commission. Historic structures are exempt from requirements to prevent flood damage.
- **Corsicana** has a landmark commission; its historic preservation officer is, as in many other small cities, also the Main Street Manager. The historic preservation ordinance was adopted in 2008 and updated most recently in 2019. The City adopted historic district design guidelines for its downtown historic district in 2013. Its Code of Ordinances includes regulations for the operations of the two historic city cemeteries (Oakwood and Woodlawn) as well as Modrell Cemetery, all of which are maintained by the Public Works department. The Community

Support department manages the sales of plots, interments, and marker installation.

- **Gilmer** does not have a historic commission, although it does have a Cemetery Advisory Board. Ordinance 1983-0018, adopted in July 1983, establishes the City's authority over all cemeteries within the city limits at that time and defines the Cemetery Advisory Board's responsibilities, which include advising "City Council and City Manager on all matters pertaining to cemeteries in the city" and making recommendations for "planning, designing, and upkeep of the cemeteries in the city." The ordinance further requires all graves to be level with the ground, with the exception of above-ground vaults or mausoleums; prohibits grave goods or other offerings to be left on graves; prohibits any new slabs to be placed over graves after July 14, 1983; and prohibits the planting of any trees, shrubs, or flowers by any person other than City workers.
- **Gonzales'** city government does not include a historic ordinance or commission; it also does not have a Planning Department. Its Zoning Department, which handles new development, does not identify any local historic districts.
- **Hempstead** also does not have a Planning Department; it has only a Building Department to handle inspections and Code Enforcement to address infractions. Hempstead has no historic preservation ordinance or historic commission.
- **Nacogdoches** adopted its first historic preservation ordinance in 1978; its current version (Ordinance 1130) was adopted in 1998 and has been modified on several occasions since then. Today, the Historic Landmark Preservation Committee and planners within the Historic Sites office within the Community Services

Department oversees those regulations and other historic preservation work. In 2000, the City adopted its current cemeteries ordinance, which regulates the management, maintenance, and use of city cemeteries. A Cemetery Board advises staff on the operation and administration of the burial grounds.

Participation in Preservation Programs

Of the eight cities in this dataset, only three—Columbus, Gilmer, and Hempstead—*do not* take part in any of the major state and federal historic preservation programs that typically characterize preservation-focused municipalities.

Austin, Cuero, Gonzales, and Nacogdoches are designated participants in the Advisory Council on Historic Preservation's **Preserve America** program.

> Preserve America is a federal initiative that encourages and supports community efforts to preserve and enjoy our priceless cultural and natural heritage. The goals of the program include a greater shared knowledge about the nation's past, strengthened regional identities and local pride, increased local participation in preserving the country's cultural and natural heritage assets, and support for the economic vitality of our communities. [138]

By executive order, President George H.W. Bush established the Preserve America program in 2003; Congress permanently authorized the program in 2009. It has distributed more than $21.7 million in grant funding,[139] although the U.S. Congress has not authorized funding since FY2010.[140]

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[138] "Preserve America" (website), Advisory Council on Historic Preservation, https://www.achp.gov/preserve-america.
[139] Ibid.
[140] "Preserve America Grants: Summary and Project Descriptions" (report), Advisory Council on Historic Preservation, 2016.

- From 2009–2013, Nacogdoches used a $250,000 Preserve America grant to fund, in part, the development of a pilot project to showcase interpretive, educational and digital products for Oak Grove and Zion Hill Cemeteries. The City also planned to assist participating communities within Nacogdoches and the Crossroads Region of El Camino Real de los Tejas National Historic Trail with their cemetery interpretation efforts through workshops, technical assistance, and web-based services.
- In 2012, the Austin Heritage Society (now Preservation Austin) received a Preserve America grant for $82,278 to develop a website to present historic resource survey information on historic properties in the city as GIS overlays.

Corsicana, Cuero, Gonzales, and Nacogdoches also participate in the **Texas Main Street Program**, which focuses on revitalizing historic downtowns and creating a positive economic impact through historic preservation.

Austin, Corsicana, and Nacogdoches participate in the **Certified Local Government** (CLG) program of National Park Service (NPS).[141] Austin has been a CLG city since 2001, Corsicana since 2004, and Nacogdoches since 1986. The CLG program requires applicants to meet and maintain the following criteria:

- Adopt and enforce a local preservation ordinance that meets the Texas Historical Commission (THC)'s requirements for the CLG Program.

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[141] Gonzales County is also a Certified Local Government, so the City of Gonzales would be allowed to apply for a CLG grant if the County signed off on the application.

- Establish a preservation commission with design review authority.
- Review alterations to (and demolitions of) designated properties following the Secretary of the Interior's Standards for the Treatment of Historic Properties.
- Establish criteria for local designation of historic properties.
- Enforce a minimum 60-day stay of demolition for landmarks or contributing properties located within a historic district.
- Appoint a Historic Preservation Officer (HPO).
- Adopt and maintain a local preservation plan, or statement of goals and objectives for the local preservation program.

Once admitted to the program, CLG communities in Texas must also agree to the following annual requirements:

- Preservation Commission must meet at least six times a year.
- Monitor and report actions affecting county courthouses, Recorded Texas Historic Landmarks, State Antiquities Landmarks, and NRHP properties to the THC.
- Preservation Commissioners and HPO must attend at least one preservation-related training a year.
- Conduct all meetings in accordance with the Texas Open Meetings Act.
- Complete the CLG Annual Report.
- Submit copies of all Commission meeting minutes to the THC.
- Submit resumes of current Commission members and the HPO to the THC.
- Provide input during Section 106 reviews [related to compliance with Section 106 of the National Historic Preservation Act, which requires federally funded or

permitted undertakings to conduct a public process and attempt to avoid harming historic properties], when appropriate.

- Maintain a system for the survey and inventory of local historic properties that is coordinated with the statewide cultural resource survey process.
- Review and comment upon nominations to the National Register of Historic Places for properties within its jurisdiction within 60 days of receiving the nominations from the National Register Program office of the Texas Historical Commission.[142]

Funding for Historic City Cemeteries

Most Federal grants for historic preservation come from the Historic Preservation Fund (HPF), established in 1977 and administered by the National Park Service's State, Tribal, Local, Plans and Grants Division (STLPG). Congress appropriates monies to the HPF each year from Outer Continental Shelf oil and gas lease revenues (not tax dollars). Originally these funds were only available to state governments, but today, state governments, Tribes, Territories, local governments, and non-profits may apply. HPF funding goes to State Historic Preservation Offices through an apportionment process, including a certain amount to be awarded by the state for CLG grants.[143]

Certified Local Government grants require a Determination of Eligibility for the National Register for applications concerning properties that are not already listed, as

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[142] Texas Historical Commission, "Requirements for CLGs" (website). https://www.thc.texas.gov/preserve/projects-and-programs/certified-local-government/requirements-clgs.
[143] National Park Service, "Historic Preservation Fund" (website), https://www.nps.gov/subjects/historicpreservation/historic-preservation-fund.htm.

well as all historic resources survey/inventory projects. The types of projects that may be funded by CLG grants vary by state. NPS includes "rehabilitation work" in its list of eligible activities that can be funded by CLG grants, but the Texas Historical Commission prioritizes historic resources surveys; preparing National Register nominations; developing preservation plans, preservation ordinance, design guidelines, or incentive programs; or hosting a preservation workshop.

Of the three CLG cities in this dataset, only Austin has received any CLG grants in the past 10 years: $30,000 for a citywide historic preservation plan in Fiscal Year (FY) 2022; $12,000 for a historic resource survey of East Austin in FY 2019; $30,000 for construction documents related to a bridge restoration in FY 2016; and $22,605 for the restoration of a park monument in FY 2014.[144]

However, CLG grants *can* be used in Texas to pay for Determinations of Eligibility and/or to nominate cemeteries to the National Register, which would then make them eligible for HPF-funded direct grants to applicants through NPS's own programs. These NPS "Competitive Grants" all require that the properties for which the grants will be utilized must be at least eligible for listing on the National Register of Historic Places and, if not already listed, that the project will include listing. Some of these grant programs require that the properties must already be listed on the National Register, listed individually (rather than contributing to a historic district), or listed with a national level of significance or as a National Historic Landmark. Even disaster recovery

[144] Texas Historical Commission, "Certified Local Government Grants Recap" (website), https://www.thc.texas.gov/preserve/projects-and-programs/certified-local-government/grant-information/clg-grant-funded-projects. While THC does not prioritize restoration work in its CLG grant program, it does fund such work on occasion.

grants are tied to eligibility and eventual listing on the National Register of Historic Places. Having an existing Determination of Eligibility or listing makes it easier for resources (including cemeteries) to compete for those funds.

In addition, Federal grants and those administered by State Historic Preservation Offices are not the only grants which require National Register listing for eligibility; private grant-making foundations may have similar eligibility criteria.

If cities which participate in the Certified Local Government program want to access these funds for historic city-owned cemeteries, those cemeteries must be eligible for or listed in the National Register of Historic Places. However, the National Register criteria for the evaluation of significance and assessments of integrity potentially create barriers to accessing federal Historic Preservation Fund grants and other funding, as I will discuss in the next chapter.

Some cities even require listing in the National Register of Historic Places as a requirement for considering historic resources as tourist attractions, which—in Texas—enables city governments to use Hotel Occupancy Tax (HOT) funds for improvements and other programs. Essentially, city councils may prefer confirmation that outside organizations (not just city staff) consider those resources to be historic and, therefore, worthy of investment. Some grantmaking foundations also prioritize or give exclusively for the preservation of National Register-listed properties, for the same reason.

Having determined that the conditions found in both White, African American, and combined-but-segregated cemeteries are roughly equitable, I then wondered if funding was the factor that determined whether municipal burial grounds were improved. I sought data from each of the cities in my dataset, as well as—for comparison

purposes—Texas CLG cities and a nationwide Facebook group for historic preservation professionals.

Dataset Cities

I sent public information requests to the dataset cities, including an Excel spreadsheet template asking for information about city-owned cemetery improvements from 2010–2022. I chose that time period for several reasons:

- 2010 was the first year that the National Park Service accepted digital photography (instead of photos captured on film and printed on archival photographic paper) for historic resource surveys and nominations to the National Register of Historic Places, significantly reducing the costs of historic preservation documentation. I suspected that this advance might have spurred additional cemetery surveys, planning efforts, and (subsequently) physical improvements.
- Even very small cities should have started archiving digital records by 2010.
- Physical improvements made 20 or 30 years ago likely would have begun to deteriorate by now, and so investments made within those much longer time horizons would not be relevant to the conditions found in cemeteries today.

The information that I asked dataset cities to share included a description of each improvement, as well as the name of the cemetery where it was undertaken, cost of the improvement, and source of funding. I defined "improvements" as the installation, construction, repair, or rehabilitation of a physical feature or landscape element within the cemetery, such as (but not limited to):

- Buildings, including chapels, mausoleums, restroom facilities, sheds, offices
- Structures, such as pavilions, gazebos, gates, fences, walls, drainage infrastructure, screening
- Objects, such as signs, wayfinding aids such as block/lot/row markers, flagpoles, historic markers, decorative objects, trash receptacles, seating
- Circulation features, such as driveways, walkways, curbs, sidewalks, unpaved or gravel lanes, parking areas
- Landscape elements, such as retaining walls, trees, ornamental shrubs, flower beds
- Grave-marking elements, such as grave markers, monuments, plot curbing, plot fencing, permanent grave coverings, hardscape within a plot

Only the City of Austin and City of Nacogdoches, both cities with long traditions of historic preservation, provided the requested data.

- The City of Corsicana referred me to their Fiscal Year 2023 budget and did not provide any historical data, saying, “There are no documents responsive to your request.”
- The City of Gilmer provided a list of monthly checks to “Stan Surface Solutions LLC” with handwritten notes that apparently refer to the account to which the amount was charged. These include “City Cem,” “City,” “2100 City,” “2000 City,” “960 City,” “300 Cemeteries,” “150 Dixon,” and “450 Ford Dixon Mings.” When asked for clarification, the City Secretary refused to provide any. I expect

that these expenditures were for monthly mowing and trimming, except for the $810 spent, as noted, to level headstones.

- The City of Gonzales reported that it had improved (milled, stabilized, and seal-coated) a roadway in the Church Street section of the cemetery, but because the work was done in-house and was relatively minor, they were unable to provide an estimated cost.
- Columbus and Marlin reported spending no money on physical improvements to their city-owned cemeteries, beyond mowing and trimming.
- Cuero and Hempstead did not respond at all.

Austin’s data covered the period 2013–2022 and included improvements to all five cemeteries. Capital Improvement Funds (CIP) from bond issues and/or Hotel Occupancy Tax funds from the City’s Historic Preservation Fund were used to pay for all of the improvements for which a funding source was identified. In some cases, the cost of an improvement and funding source were not provided, but they are included here for reference.

Table 3. City of Austin Expenditures for Cemetery Improvements, 2013–2022.

Description of Improvement	**Cemetery**	**Cost**	**Funding Source**
Renovate caretaker house	Austin Memorial Park	$289,658	CIP
Restore Spanish tile roof on caretaker's house	Austin Memorial Park	??	??
Repave roads	Austin Memorial Park	$882,736	CIP
Install irrigation in Section 14A	Austin Memorial Park	$90,000	CIP
Renovate public restroom for accessibility	Austin Memorial Park	$344,296	CIP
Renovate cemetery business office	Austin Memorial Park	$34,333	CIP
Plat new section	Evergreen Cemetery	$80,000	CIP
Repair roads	Evergreen Cemetery	$500,000	CIP
Place stone bollards along internal roadways	Evergreen Cemetery	??	
Install nightwatchman lights for security	Evergreen Cemetery	$45,000	??
Install information kiosk	Evergreen Cemetery	$22,000	HOT funds
Remove spoils pile	Evergreen Cemetery	$6,142	CIP
Restore Oakwood Chapel	Oakwood Cemetery	$2,143,587	CIP/HOT funds
Create plan to stabilize canal	Oakwood Cemetery	$491,280	CIP
Install irrigation risers	Oakwood Cemetery	??	??
Purchase and install kiosk	Oakwood Cemetery	$9,035	HOT funds
Renovate Oakwood Annex gatehouse	Oakwood Annex	$94,792	CIP
Install information kiosk	Oakwood Annex	$9,035	HOT funds
Restore historic gate and improve fencing	Oakwood Cemetery and Annex	$421,857	HOT funds
Place limestone quarry blocks along Airport Blvd.	Plummers Cemetery	??	??

The bulk of the City of Nacogdoches's investments were in Sunset Memorial Park, still an active cemetery, and were paid for by the Perpetual Care Fund. Relatively modest improvements in Pine Grove Cemetery (African American) were paid for by the General Fund. Grants from the Friends of Historic Nacogdoches (FHN) nonprofit organization and other donations, as well as some contributions from the General Fund, paid for improvements to Oak Grove Cemetery (White). As with the Austin information above, some items did not include cost data but are provided here anyway.

Table 4. City of Nacogdoches Expenditures for Cemetery Improvements, 2010–2022.

Description of Improvement	Cemetery	Cost	Funding Source
Overhaul existing roadway and create new road around Section S	Sunset Memorial Park	$205,262.21	Perpetual Care Fund
Install fence around Section P	Sunset Memorial Park	$16,925.00	Perpetual Care Fund
Install new security lights	Sunset Memorial Park	$19,500.00	Perpetual Care Fund
Repair existing light	Sunset Memorial Park	$2,500.00	Perpetual Care Fund
Repair mausoleum roof	Sunset Memorial Park	$55,073.00	General Fund
Install acoustical ceiling in mausoleum	Sunset Memorial Park	$9,160.00	General Fund
Create Section S	Sunset Memorial Park	$59,441.25	Perpetual Care Fund
Create Section P	Sunset Memorial Park	$22,000.00	Perpetual Care Fund
Create new road for Block 4	Pine Grove Cemetery	??	General Fund
Install 2 security lights	Pine Grove Cemetery	$5,977.00	General Fund
Install marquee sign	Pine Grove Cemetery	$5,000.00	General Fund
Repair roads	Pine Grove Cemetery	$10,522.22	General Fund

Description of Improvement	**Cemetery**	**Cost**	**Funding Source**
Design and construct interpretive building and parking lot	Oak Grove Cemetery	$220,000.00	FHN and General Fund
Create and install interpretive signs	Oak Grove Cemetery	$14,500.00	FHN and General Fund
Restore wrought iron fence	Oak Grove Cemetery	$85,000.00	FHN
Install new light for flagpole	Oak Grove Cemetery	$3,600.00	General Fund
Create new Section	Oak Grove Cemetery	??	Donation
Install fence for new Section	Oak Grove Cemetery	??	Donation

Overall, in both Austin and Nacogdoches, the most active cemeteries (Austin Memorial Park and Sunset Memorial Park, respectively) received significant funding ($1.641 million and $387,861). Evergreen Cemetery is primarily active in the newer sections, which are largely Hispanic.

Table 5. Comparison of total expenditures by cemetery in Austin and Nacogdoches.

Most-Active Cemeteries	Austin Memorial Park	$1,641,023
	Sunset Memorial Park	$389,847
White Cemeteries	Oakwood Cemetery/Annex	$3,169,586
	Oak Grove Cemetery	$323,100
	Pine Grove Cemetery	$21,500
African American Cemeteries	Evergreen Cemetery	$653,142
	Cleavers Cemetery	$0
	Zion Hill Cemetery	$0

Austin spent a total of $5,463,751 for the improvements listed above; 58% went to Oakwood Cemetery and its Annex; 30% to Austin Memorial Park, and 11% to

Evergreen Cemetery. In part, this disparity is due to the investments made in the White cemeteries in the past and the lack of investment in Evergreen. Austin Memorial Park, Oakwood Cemetery, and Oakwood Annex all contain buildings that underwent restoration or renovation in the past 10 years. Evergreen Cemetery has no buildings, and its tiny restroom enclosure has been out of service for many years.

Nacogdoches spent a total of $734,461 for the cemetery improvements listed above; 53% of that went to Sunset Memorial Park, 44% to Oak Grove Cemetery, and 3% to Pine Grove Cemetery. The largest expense for Oak Grove was the construction of a new interpretive building, interpretive signs, and associated parking lot, which constituted 36% of the funds spent at that cemetery. No pavilion or building is present at Pine Grove. The City funded no improvements at Cleavers Cemetery or Zion Hill Cemetery, although students and faculty from Stephen F. Austin University in 2013 conducted a ground-penetrating radar investigation to identify 24 unmarked graves at Zion Hill Cemetery. A chain-link fence at Zion Hill Cemetery was replaced by a wrought-iron fence around that same time, paid for through private funds rather than by the City.[145]

Other Cities

Armed with this information from just two Texas cities, I decided to investigate how funding for cemeteries was handled by other cities across the United States and to

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[145] Erin McKeon, "SFA, community join forces to recognize unmarked graves at Zion Hill Cemetery," *The Daily Sentinel,* Nacogdoches, Texas, October 8, 2011, updated June 4, 2013, https://www.dailysentinel.com/news/sfasu/sfa-community-join-forces-to-recognize-unmarked-graves-at-zion-hill-cemetery/article_f401affe-f21d-11e0-96fd-001cc4c03286.html.

understand whether historic cemeteries were being treated the same way as other historic resources by city governments. Did my historic preservation colleagues consider the needs of cemeteries when they were seeking grant funding? Did they even think of cemeteries as one of the historic resource types under their stewardship? To learn more about these topics, I designed an online survey using the SurveyMonkey platform and shared links to it with 76 Texas CLG cities via email and the 7,000-member Historic Preservation Professionals group (limited to those who have worked, are currently working, or aim to work in the field) on Facebook. The survey asked the following questions:

1. "Since 2010, has your city spent any public or private funds on cemeteries within its boundaries?"
2. "If so, who owned those cemeteries?" Options included:
    - The City
    - A cemetery association
    - Another nonprofit organization
    - A family or individual
    - A for-profit corporation
    - Other (please specify)
3. "Do volunteers or nonprofit organizations spend their own money to document or improve cemeteries owned by your City government?"
4. "When your City considers funding for historic preservation, what criteria could qualify a building, structure, object, site, or neighborhood as "historic" in the

minds of your City's staff or officials—either per ordinance or unofficially? Please choose all that apply." Options included:

- Listing on the National Register of Historic Places, either individually or part of a district or MPS
- State designation
- Local landmark designation
- Age of the cemetery (as defined by ordinance, state statute, etc.)
- Age of the cemetery (as informally agreed upon by City officials/staff)
- Presence of a state or local historical marker
- Recognition by the local historical society, such as inclusion on a walking tour or in a brochure
- Other (please specify)

5. "Does the same criteria for being considered 'historic' apply to cemeteries in your city?"
6. "Since 2010, what types of funding has your city government used to pay for historic preservation projects, programs, or activities, *excluding cemeteries*?" Options included:
   - Federal grant funds from the National Park Service [directly or through the State Historic Preservation Office (SHPO), such as CLG grants]
   - Grant funds from any other federal agency, such as the National Endowment for the Humanities, Federal Emergency Management Agency, Community Development Block Grants from the U.S. Department of Housing and Urban Development, the American Rescue Plan Act, etc.

- Grant funds from the SHPO (not pass-through federal funds)
- Grant funds from any other state agency
- Grant funds from a nonprofit organization
- City Historic Preservation Fund created from the sale of surplus city property
- Municipal bond financing (debt securities issued by states, cities, counties and other governmental entities to fund day-to-day obligations and to finance capital projects such as building schools, highways, or sewer systems)
- Capital Outlay funds (expenditures for the acquisition cost of capital assets, such as equipment, or expenditures to make improvements to capital assets that materially increase their value or useful life)
- Development Impact Fees (intended to recover some of the costs incurred by the local government for the expansion of the infrastructure network necessary to serve that new development, such as roadways, water lines, and sanitary sewer systems)
- Donations by developers
- Donations by individuals, organizations, businesses, or private philanthropic foundations
- Enterprise funds (used to account for activities or operations that provide goods or services in exchange for fees paid by the public, in order to make those operations financially self-sustaining; for example, a parking garage or recreational facilities)

  - City General Fund (the main operating fund for the City government, containing monies that can be used at the City's discretion to pay for basic services and general governmental operations)
  - Special revenue funds (monies collected by the City government that can only be used for specific projects or purposes)
  - Funds dedicated to promoting tourism, such as Hotel Occupancy Tax funds
  - Tax funds earmarked exclusively for historic preservation
  - Other (please specify)
  - None of the above

7. "Since 2010, what types of funding has your city government used to pay for historic preservation of city-owned cemeteries?" Options included the same list as in Question 6.
8. "Please tell me more about the historic preservation projects, programs, or activities that your city has undertaken and/or plans to undertake in city-owned cemeteries. (If this question does not apply to you, please skip it.)" This was an open-ended question.
9. "Approximately how much money has your city spent for general historic preservation activities (*excluding cemeteries*) since 2010?" This was an open-ended question.
10. "Approximately how much money has your city spent on preservation activities in its city-owned cemeteries, since 2010? (If this question does not apply to you, please skip it.)" Again, this was an open-ended question.

11. “What else do you want me to know?”
12. “In what state is the City government for which you work located?”

Six Texas CLGs responded, as did 39 colleagues from 11 different states: Alabama, Florida, Georgia, Indiana, Maine, North Carolina, Oregon, Tennessee, Texas, Virginia, and Wisconsin. Several people identified the cities where they worked, which included a state capitol, another major city, and both mid-sized and smaller cities. Their combined responses showed that:

- Eighty percent (80%) of respondents reported that their cities have spent money on cemeteries since 2010; 14% were not sure.
- Respondents reported that the local government owned 78% of the 40 cemeteries that received city funding. Cities also invested in three cemeteries owned by cemetery associations; three owned by other nonprofit organizations, and one owned by a family or individual. The ownership of the other two cemeteries was reported as unclear.
- Slightly more than half (52%) of respondents reported that volunteers or nonprofit organizations invest their time and money in cemeteries owned by the city government. Most of those volunteer efforts include conducting genealogical research and providing assistance with minor maintenance and repairs, such as resetting or cleaning grave markers.
- In order to consider funding for historic resources (including cemeteries), most respondents said that their city government requires that the resource be listed on the National Register of Historic Places (83%) or have a state designation (57%)

or local landmark designation (79%). (The state designation number is probably lower because not all states have their own state-level historic register or designation process.)

- Slightly less than half of respondents said that the age of the resource (48%) or the presence of a historic marker for that resource (43%) would formally result in eligibility for municipal funding. About one-third said that informal recognition of age or historicity would suffice.
- About three-quarters (73%) of respondents indicated that the same criteria for being considered "historic" also applies to cemeteries.
- The vast majority of funding for historic preservation at the City level (versus funding for city-owned cemeteries) comes from more different sources and, in particular, from Federal grants. Thirty-two (32) respondents reported using Federal money for general historic preservation activities versus only one for cemeteries. This disparity may be linked to the National Park Service Historic Preservation Fund grant criteria, which require National Register of Historic Places eligibility or listing.

Table 6. Funding Sources for Historic Preservation and Cemetery Preservation, as reported by a survey of historic preservation professionals in April 2023.

Funding Source	**For Historic Preservation (excluding cemeteries)**	**For City-owned Cemeteries**
City General Fund	28	24
Federal grants	24	1
Donations by individuals, organizations, businesses, or private philanthropic foundations	13	7
Grant funds from a nonprofit organization	11	3
Grant funds from the SHPO (not pass-through federal funds)	9	8
Funds dedicated to promoting tourism, such as Hotel Occupancy Tax funds	9	0
Grant funds from any other federal agency	8	0
Grant funds from any other state agency	7	0
Capital Outlay Fund	6	3
City Historic Preservation Fund created from the sale of surplus city property	4	0
Bond financing	3	1
Special revenue fund	3	0
Tax funds earmarked exclusively for historic preservation	2	0
Donations by developers	2	0
Development Impact Fees	1	0

- Spending for historic preservation activities generally, from 2010–2022, was reported from $0 to approximately $15 million, with five cities reporting more than $1 million in preservation expenses. Fifteen respondents did not know; several others reported that they could access only incomplete data for some of the 2010–2022 time period.
- Spending for cemetery preservation during the same time period ranged from $0 to "a few hundred thousand dollars." Most respondents described very small projects or general maintenance activities, and only sometimes were able to quantify the costs of those. Specific numbers reported included $2,000; $20,000; and $68,211. None of the Texas CLG cities were able to answer this question.

Based on this data, it seems clear that many city governments are likely not using Federal funding to advance preservation of (including survey/inventory or improvements to) historic cemeteries in the same way that they do for other types of historic resources. City-owned cemeteries also appear to receive far fewer dollars than other historic properties and often are only funded for general maintenance, not preservation or improvements. City governments seem to rely more heavily on volunteers and nonprofit organizations to do much of the work in historic city-owned cemeteries.

However, so many survey respondents had indicated that funding for historic preservation (including cemetery projects) required a listing on the National Register of Historic Places or a state or local historic designation, that I wanted to investigate that further. I subsequently asked colleagues on the National Alliance for Preservation

Commissions list serv (whether their city owned cemeteries or not) the following questions, and received the answers shown below.

- "My research shows that few city governments are using Federal grants for historic preservation, such as CLG grants, to fund physical improvements to city-owned cemeteries. Why do you think that might be?"
  - We didn't know there were Federal funds available.
  - My state currently does not allow CLG grants to be spent on construction.
  - For our state, CLG grants were not available for bricks-and-mortar projects until this last grant cycle.
  - With resources so scarce for other projects, I would be hesitant to apply for a CLG grant for our cemetery; we just have other needs.
  - In my state, the SHPO typically does not award HPF grant monies for cemetery preservation because buildings/properties with high visibility and public use take priority.
  - Too many competing demands on limited resources.
  - Other projects complete for funding, and cemeteries receive less vocal support from preservationists, who traditionally look at structures first.
  - Matching-fund requirements: My office only applies for small-matching grants, because as a CLG the match is waived. Physical preservation/rehabilitation projects require a different category grant, which does require the funding match.
  - Federal grants require enormous resources to develop and administer. Not just on the actual grant side, but our city has numerous requirements and

processes that have to be met prior to even applying. With historic levels of staffing challenges, there is simply a lack of human resources on a departmental level. Someone on our staff has written and received support for federal grants, but that is the exception and not the rule. When we worked with a nonprofit organization on a CLG grant about 10 years ago, it was improperly scoped and failed to take into account incredible amounts of additional work that was discovered. We got it done, but it was a difficult project.

- "If you were seeking funding for improvements to historic cemeteries that are owned or managed by your city, where would you look for funding?"
    - We have been able to use money from City funds and local foundations.
    - State funding: their grants are smaller than CLG, but don't require a match, and have a longer period of time for completion.
    - Various organizations like the Daughters of the American Revolution, Colonial Dames, Veterans Administration for military markers, local nonprofit groups, and descendants. Once funding becomes available, we hope to have support from the African American Burial Grounds Preservation Program.
    - City, state and private donors. I am a big believer in public buy-in. When we sent out an appeal to families with relatives buried in the cemetery and people who lived in the neighborhood, 85% of them donated — small amounts, but it impressed the state legislature by demonstrating broad public support.

  - Funding sources might include city historic preservation commissions, foundations that make grants to historic preservation and allied priorities, and any descendants of families buried in the cemeteries, particularly if they have a foundation. Also, perhaps local preservation ordinances that have a provision for developer proffers.
  - SHPO and NPS, and potentially cemetery-specific national grants.
  - The applicable district commissioner.
  - I have no idea!
  - I am more apt to work with a nonprofit or friends group to apply for grants for projects that benefit the city. I have developed and continually update a list of historic preservation-related funding opportunities.
  - CLG grants, other state grants, or our city's General Fund or Infrastructure Fund.
- "What sort of case would you have to make in order to convince city council/management to spend money on cemeteries?"
  - The cemetery is one-of-a-kind, an outdoor museum that holds and preserves the city's history, and it appeals to people other than cemetery preservationists.
  - Cemeteries contribute to the significance of a National Register-listed or -eligible historic property or district, or that a cemetery is associated with to a significant person(s) or has artistic value.
  - Having an adopted preservation plan helps. Community advocacy during our budget and bond development processes is also helpful.

  - Only if the cemetery is degraded, to a point that it is a major eyesore.
  - Cemeteries often provide much-needed green space in under-served neighborhoods.
  - If the cemetery needs maintenance or significant investment, based on the purview of the historic preservation commission to support historic properties.
- "How important is an existing historic designation when it comes to securing city funding for the historic preservation of city-owned properties?"
  - Extremely important (3)
  - Very important (1)
  - Somewhat important (3)
  - Not important (2)
- "If you said that an existing historic designation is important, does it matter whether it's the National Register, state recognition, or a local landmark designation?"
  - Yes (3)
  - No (6)
- "If so, which type of designation is most likely to be funded?"
  - National Register of Historic Places (2); "carries more clout", "more people have heard of it"
  - Local designation (1)

Although few city governments surveyed use Federal grants for cemetery projects, several Texas cities have proven that CLG grants can be successfully obtained for cemetery preservation. Out of 67 CLG grants made in the State of Texas in the past 10 years, three have funded cemetery projects. While none of those grants were for physical improvements, they all addressed fundamental preservation needs—for historic resources surveys and documentation—in cemeteries that historically served African Americans.

- In 2021, the City of Bryan, Texas, received a $10,807 grant to survey two cemeteries: Grandview Cemetery and the Freedman's Burying Grounds, a 3.8-acre section of the larger Bryan City Cemetery where approximately 1,300 African Americans are interred. According to the City of Bryan website:

> Although the Bryan City Cemetery was established in 1868, the Bryan City Sexton only recorded burials of white residents for the first few years. The first documented burial in the Freedman's Burying Ground was not recorded until 1876. … Grandview Cemetery is one of the largest African American burial grounds in Brazos County, with more than 1,000 graves. It currently covers approximately 10 acres of land out of the original 20 acres. … After the Bryan City Commission prohibited future burials of African Americans in the Freedman's Burying Ground in the Bryan City Cemetery, Grandview Cemetery was established in 1921 by a group of African American residents.[146]

- In 2019, the Nueces County Historical Commission (a CLG in Corpus Christi, Texas) received a CLG grant for $6,504 to partially fund a National Register of Historic Places nomination for Old Bayview Cemetery (NRHP 2020), aka the Old

[146] "City of Bryan receives grant to survey two historical cemeteries" (website), City of Bryan, Texas, https://www.bryantx.gov/city-of-bryan-receives-grant-to-survey-two-historical-cemeteries/.

City Cemetery and the oldest federal burial ground in Texas, which has been integrated since its founding in 1845.

- The City of Georgetown, Texas, received $7,000 toward a survey of Citizens Memorial Garden Cemetery, established in 1906 for the burial of mostly African Americans. Some plots on one side of the cemetery contain Hispanic decedents.

Having established that Federal grants and other sources represent a largely untapped source of potential funding for the preservation of historic cemeteries, and that eligibility for that funding relies on the National Register of Historic Places, I sought to determine how African American cemeteries have successfully been listed to the National Register.

CHAPTER FIVE:
BLACK CEMETERIES AND THE NATIONAL REGISTER OF HISTORIC PLACES

In 1966, the National Park Service (NPS) convened a Historic Preservation Task Force to develop criteria (and criteria "limitations") for the National Register of Historic Places, envisioned as a list of "first rank landmarks and districts" and other properties worthy of preservation that was established by the newly adopted National Historic Preservation Act. The Task Force developed four Criteria for the Evaluation of Significance, as well as six Criteria Considerations designed to limit the listing of specific classes of historic resources: (a) religious properties, (b) relocated resources, (c) birthplace or grave of a historical figure, (d) cemeteries, (e) reconstructed buildings, and (f) commemorative properties, and (g) properties that have achieved significance within the past 50 years. In addition, the Task Force recommended that properties must have retained a level of physical integrity, or the "ability of the property to convey its significance." (In other words, does the historic resource retain the physical features that make it historically and/or architecturally significant? Integrity is assessed on the basis of seven aspects: location, design, setting, materials, workmanship, feeling, and association.)[147]

Among the feedback on the draft Criteria and Criteria Considerations, solicited from more than 100 preservation professionals around the country, was a note from

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[147] John H. Sprinkle, Jr., *Crafting Preservation Criteria: The National Register of Historic Places and American Historic Preservation*, (New York: Taylor & Francis, 2014), 20.

American Association for State and Local History president William Alderson. Writing to NPS director George Herzog on April 13, 1967, Alderson advocated for "a more rigid statement of exclusion," particularly for churches and cemeteries, which, he wrote, were "real nuisances" without any real "educational purpose."[148]

The resulting Criteria and Criteria Considerations can create a high bar for African American cemeteries to clear. Cemeteries must be associated with important events that shaped the community (Criterion A), people of "*outstanding* importance to the community" (Criterion B, emphasis theirs), or funerary monuments that are either "good representatives of their stylistic type or period" or "represent the work of master artists, designers or craftsmen" or "the highest artistic values of the period"[149] (Criterion C). All of these criteria are measured against a standard established by relatively affluent White people. When these regulations were being drafted in the late 1960s, a "historic cemetery" was at least 50 years old; in other words, a Victorian-era or early burial ground. In White cemeteries, these were likely to contain highly decorative grave markers and large monuments.

The post-Emancipation rush of freedpeople to establish their own institutions—schools, churches, and cemeteries—is vitally significant to any community where that took place. As a result, an African American cemetery is likely to meet the requirements for Criterion A under the Area of Significance "Ethnic Heritage: Black."

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[148] Sprinkle, *Crafting Preservation Criteria*, 20, citing correspondence from William Alderson to George Hartzog, April 13, 1967, National Archives and Records Administration Record Group 421, NTHP Box 4.
[149] Potter and Boland, *National Register Bulletin 41*, 12.

It is also possible for a nomination to consider "quality craftsmanship or distinctive folk art" under Criterion C, and the presence of African-descended customs, such as the use of grave goods. However, twentieth-century city cemeteries are unlikely to have retained folk art or grave goods, either of which would have been devalued by and almost certainly cleared away by city maintenance workers. Finally, the former presence of grave goods may qualify a cemetery under Criterion D, the potential to yield information important in history or pre-history, and 16 Black cemeteries have been listed in the National Register under Criterion D in the Area of Significance "Historic–Non-Aboriginal."[150] However, I suspect that African American communities would be insulted by the idea that their historic cemeteries might only be considered historic on the basis of potential archaeological findings.

Beyond the regular criteria described above, cemeteries must meet at least one of the seven special Criteria Considerations. The most applicable of these, Criteria Consideration D, states that "(a) cemetery is eligible if it derives its primary significance from graves of persons of *transcendent* importance, from age, from distinctive design features, or from association with historic events."[151] This could limit the ability of African American cemeteries to be listed in the National Register. For example, in the case of "significant people," the guidance in *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation* states that the individuals must be "truly extraordinary" in the community's history, and no other historic site associated with their

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[150] National Register Information Services database, downloaded January 2022. https://www.nps.gov/subjects/nationalregister/database-research.htm
[151] Potter and Boland, *National Register Bulletin 41*, 15–16.

productive life can be extant. (In other words, if the person was a minister or a professor, and the church or college is still standing, she or he would not be considered toward this requirement.) In order to qualify by age, the cemetery must "date from an early period within its geographical and cultural context," which generally limits consideration to cemeteries that were among the earliest established in the community. For most African American cemeteries, including those within a larger urban area, an "earliest established" time period would likely be post-1865, after Black people gained the power to create their own communities. "Distinctive design features" refer to the regular Criterion C, and "association with historic events" refers to the regular Criterion A's "historic events that shaped the community" which, again, have typically been viewed through a White/Anglo-centric lens but should include the extremely significant settlement pattern associated with segregation.

These limitations have been of great importance to the historic preservation community during the past decade, as it reckons with issues of diversity, inclusion, and equity. In April 2023, the National Historic Designation Advisory Committee (NHDAC) of the National Conference of State Historic Preservation Officers (NCSHPO) released the report *Recommendations for Improving the Recognition of Historic Properties of Importance to All Americans*. The report examined "how and whether the listings in the NRHP tell our nation's full story and, if not, what impediments exist that prevent it from doing so." Some of the report's key findings include:[152]

- "The NRHP does not optimally address places of cultural memory, non-traditional physical integrity, or places where there is little physical footprint. To

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[152] National Historic Designation Advisory Committee, *Recommendations*, 3–4.

address this shortcoming, many states have developed alternative and additional designation programs that address among others, cemeteries, heritage traditions, and other aspects of culture that don't fit neatly in the rubric of the NRHP. SHPO partnerships with statewide non-profits are used to broaden the reach."

- "The notion of historic integrity, or physicality, can be subjective and hard for the public to understand. It also can be seen as a barrier to communities and individuals where marginalization, lack of investment or erasure have made integrity, in a physical sense, a serious challenge."
- "Public demand and SHPO emphasis are leading to an increase in the numbers of nominations from diverse communities, but money and staffing are barriers to encouraging this activity. Current NPS guidance further hampers the effort, as relevant bulletins are outdated and insufficient to address a broader perspective in the designation process."
- "SHPOs note several problems specifically related to the administration of their primary funding source, the Historic Preservation Fund (HPF). Surveys that do not result in a NRHP nomination as the end product are not eligible for reimbursement by HPF. This reality handicaps local governments from taking the first step in identifying their historic resources. In addition, the Certified Local Government grant, and other federal grants, are difficult and time-consuming to administer, siphoning resources away from staff-led initiatives and outreach programs at the SHPO to address these needs."

The report's recommendations include the following which are especially pertinent to historic cemeteries in general and African American cemeteries specifically:[153]

- "Consider adding new [National Register] criterion for recognition of places of cultural significance that may not retain integrity as traditionally understood, but that may hold deep importance and meaning to groups and communities."
- "Expand and update guidance for evaluation of the aspects of integrity."
- "Promote and provide guidance for existing tools to address places where little or no integrity exists but the significance is unquestionable."

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[153] National Historic Designation Advisory Committee, *Recommendations*, 4–5.

- "End or clarify NPS requirement that HPF-funded surveys must lead to National Register nominations."
- "Collaborate, assist, and encourage partnership directly with diverse and grassroots communities in the preparation of National Register nominations."
- "Highlight funding opportunities for diverse communities."

Importantly, the authors note that "we must figure out how to represent places that we know are historically significant—not in spite of their lack of integrity, but perhaps because of it."[154] Consider an African American cemetery where the grave markers were removed during the Jim Crow era, whether to enable development, to "clean up" the site, or simply out of malice. Without grave markers, that cemetery would be considered to have lost integrity and, under current National Register guidelines, would be ineligible for listing. In recent years, however, we have seen some properties start to be listed, in part, because they represent the purposeful removal of physical features as a means of erasing Black history, achievements, and placemaking. For example, the Anderson Stadium in Austin, Texas, (NRHP 2022) was listed because of (not despite) impacts to its integrity caused by systemic racism. The Texas Historical Commission, summarizing the nomination, writes:

> Anderson Stadium tells the story of discrimination and systemic racism faced by the Black community in struggling to obtain "separate but equal" facilities. Anderson Stadium never received the funding lavished upon its whites-only counterpart, Austin's House Park Stadium, and therefore was built with cheaper materials, such as wooden bleachers compared to the substantial concrete grandstands at House Park. This inequality of segregated school facilities was a

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[154] National Historic Designation Advisory Committee, *Recommendations*, 6.

> direct factor in Anderson's loss of integrity after integration of schools diminished the utility of the school and its stadium, whose wooden structures could be easily removed. Instead of investing in Anderson Stadium after integration, the school district opted to build a larger and costlier second stadium for district-wide use (Nelson Field, c.1963), an indication that the ISD recognized the inherent inequality of the Anderson facilities. The district discontinued use of Anderson Stadium in 1971 as part of its ongoing school integration plan, and afterward no longer maintained it. While some of the stadium's built components (most notably its playing field and track) have been rebuilt, the overall historic look and feeling of the facility are intact within its unmistakable bowl-like setting, which allowed for large numbers of attendees far beyond the capacity of its bleachers. Despite the removal of the original bleachers, the stadium continues to convey its prestige within the African American community, for which quality of construction was secondary to the stadium's role as a venue for student achievement.[155]

The NCSHPO report acknowledges the particular difficulty faced by those attempting to nominate a cemetery to the National Register, stating that "Listing cemeteries is problematic, even if possible. The requirement to justify listing through a criterion consideration is cumbersome, especially since a graveyard may be all that remains of a place associated with people of color."

With that in mind, I turned my attention to the strategies that have been successful for those making such an attempt.

I began by determining how many cemeteries had been nominated to the National Register of Historic Places and under which Criteria and Areas of Significance, I began in January 2022 with the NPGallery Digital Asset Search function on the National Park Service website. Because those results were not exportable, I then downloaded the complete list of 99,964 listings to the National Register of Historic Places from the

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[155] Texas Historical Commission, "Recent Listing: Anderson Stadium" (website), https://www.thc.texas.gov/recent-listing-anderson-stadium-0.

National Register Information Services (NRIS) database. Applying the provided filter for the word "cemetery" in Property Name column yielded 214 results in total, which was obviously incorrect. I subsequently used word searches for *cemetery, burial, grave,* and *tomb* to locate individual records, which I then manually copied into a separate worksheet in the same Excel file for further analysis.

The 1,525 resources identified as being cemeteries or associated with cemeteries included:

- **137 African American cemeteries or sections within larger cemeteries.** In some places, this included a single African American burial. This represents 8.9% of all cemeteries listed on the National Register. A discussion of the Criteria and Areas of Significance used for these nominations is presented on the following pages.
- **57 cemeteries within historic districts.** In total, 74 historic districts were noted as being bounded by a cemetery; a check of each district's nomination in the National Archives,[156] to determine whether the cemetery was inside the district or just adjacent to it, reduced that number. Most of these were original city or town cemeteries. Only four of these historic districts were nominated with "Ethnic Heritage: Black" as an area of significance and only two included African American cemeteries.

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[156] National Archives Catalog, Record Group 79: Records of the National Park Service, Series: National Register of Historic Places and National Historic Landmark Program Records, https://catalog.archives.gov.

- The Zion Hill NRHD in Nacogdoches, Texas, includes the historic African American burial ground Zion Hill Cemetery (called Park Street Cemetery in the nomination and discussed in the previous chapter). The surrounding, historically segregated Black neighborhood represents "what may be Nacogdoches' most cohesive grouping of residential architecture." The district is nominated under Criterion A for Ethnic Heritage: Black and Criterion C for Architecture.
- Mound Bayou, Mississippi, was established as an independent Black community. The Mound Bayou NRHD includes Mound Bayou Commons Cemetery, the first town burial ground. The district is nominated under Criterion A for Commerce, Community Planning and Development, Ethnic Heritage: Black, and Social History.
- Stone Mountain NRHD (Georgia) includes ca. 1850 Stone Mountain Cemetery, which contains some African American burials on the eastern side of the site. Photos of the original city cemetery, which is barely mentioned in the nomination, show a fair number of large monuments and memorials. The district includes an African American neighborhood, Shermantown, which is the basis for its nomination on the basis of Criterion A for Ethnic Heritage: Black.
- The Clifton Forge NRHD in Virginia includes Crown Hill Cemetery, which was the original 1897 city cemetery and appears to have been historically limited to White burials; the nomination does not mention an African American section.

- **86 National Cemeteries,** representing slightly more than half of the National Cemeteries operated by the Veterans Administration. These cemeteries were excluded from this analysis.
- **46 Family Cemeteries,** including listings for an individual's house and related cemetery. Only three of these are African American. All but nine of the White listings were nominated under Criterion C for Architecture; the rest were nominated under Criterion A for Exploration/Settlement. One Black family cemetery was nominated under Exploration/Settlement; one for Art; and the third simply for "Black" (history). These cemeteries were excluded from this analysis.
- **18 Confederate cemeteries or cemetery sections.**
- **47 cemeteries with the current or historical name "City Cemetery"** or something similar (e.g., "Old Town Burying Ground).
- **182 resources within cemeteries, rather than the cemeteries themselves.** These included gates, fences, walls, and entryways; sexton's houses, gatehouses, chapels, offices, and other buildings within a cemetery; a crematorium; mausoleums; tombs; monuments and memorials; grave markers significant for their designs or ethnic associations; and gravesites. Only one of these (Harriet Tubman's gravesite) is associated with African Americans.

Burial Traditions in Black and White America

While African Americans' relationships with death were surely affected by the cultural and religious practices imposed upon them during slavery, their expressions of grief often reflected West African traditions and the burial grounds that they created for themselves served their needs, within the practical limitations of site, financial, and material availability. Their evolving funeralizing traditions diverged from White society in some ways, while embracing other aspects of the dominant culture.

White Americans' relationship with death in the nineteenth century had evolved over several centuries, along with their relationships with the dominant Christian religion and with science. An early Puritan emphasis on the deathbed ritual gave way during the 1700s to the Enlightenment view of a peaceful death and the attainment of posterity through good works.[157] Communications, transportation, and economic networks developed during the American Revolution also spread these ideas about religion, morality, and death. In particular, Unitarians espoused a belief in death as an opportunity for learning, dovetailing with then-ongoing efforts at educational reform, and considered Mount Auburn Cemetery (1831), one of the most influential "rural" cemeteries, to be a means to that end.[158]

The Rural Cemetery Movement in America represented a major shift from the English custom of locating graveyards among the living (in churchyards or town commons) to creating beautifully designed cemeteries that encouraged visitors to stroll or

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[157] James F. Deetz and Edwin Dethlefsen, "Death's Heads, Cherubs, and Willow Trees: Experimental Archaeology in Colonial Cemeteries," *American Antiquity* 31, no. 4 (April 1966): 508.
[158] James J. Farrell, *Inventing the American Way of Death, 1830–1920* (Philadelphia: Temple University Press, 1980), 22–42, 46.

drive through bucolic vistas. Rural cemeteries located sculptural grave markers and monuments within peaceful settings, combining nature and art. In addition, while private graveyards had been common in wealthy Southern plantation society, Northern burial grounds were typically communal; burial at Mount Auburn seemed exclusive but was possible for White people of many social classes.[159]

The later Sentimentalists viewed death as an adversary and developed social expectations for dramatic and emotional responses of grief, including mourning rituals, elaborate coffins, monumental grave markers, and burial in a beautifully landscaped rural cemetery. Between 1830–1850, the focus of Evangelical revivalists on the scripture-led conversion experience coincided with the rise of Baptist and Methodist denominations that adapted death rituals to focus on the promise of resurrection, with little reference to the deceased person or their loved ones.[160]

Such death rituals — "actions wrapped in a web of symbolism"[161] — created and perpetuated "a common belief system through collective action." Funerals bring together people within a community; their "collective grief lifts the burden off the immediate family."[162]

Before Emancipation, communal assistance during illnesses and other difficult situations provided the care that enslaved people generally did not receive from White

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[159] Stanley French, "The Cemetery as Cultural Institution: The Establishment of Mount Auburn and the 'Rural Cemetery' Movement," *American Quarterly* 26, no. 1 (March 1974): 37–59.
[160] Farrell, *Inventing the American Way of Death,* 22–42, 46.
[161] Vernetta Marie Johnson, "Funeral Rituals in the Young African American Culture," Master's thesis, Tulane University, 1988, 6.
[162] Michael A. Plater, "R. C. Scott: A History of African American Entrepreneurship in Richmond, 1890–1940," Ph.D. diss., College of William and Mary, 1993, 104–107.

owners. Just as importantly, particularly during slavery, the death of any Black person—free or enslaved, known to the funeral attendee or not—drew African Americans within the community to pay their respects, honor the deceased person, and validate their life as worthy.[163]

During enslavement, the African American funeral preacher held "the only true and organic elite status within their community, a status that did not depend on White subjugation, dehumanizing servility, or involuntary subjugation."[164] Funerals also established the preacher's role, an oratory style of preaching, and a call-and-response participation by those there assembled. Having a well-known African American speaker signaled the elevated status of both the deceased person and the slave owner. Pageantry, drama, and spectacle accompanied many pre-Emancipation African American funerals. Often held at night after the workday was complete, torch-lit processions to the graveyard were accompanied by songs, prayers, and exhortations to the spirits. The funeral sermon, by the early 1800s based in Christianity and the African American church, was designed to heighten emotions and allow participants to achieve a cathartic release. Black women were especially likely to exhibit intense emotions, crying, shouting or singing. After Emancipation, the ability of freed people to display the deceased's body at a funeral held more closely in time to the death enhanced the emotional response.[165] Karla FC Holloway described the African American church, as an institution, having a "consistently close

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[163] Adkins, "And Who Has the Body?", 49.
[164] Adkins, "And Who Has the Body?", 53.
[165] Adkins "And Who Has the Body?", 37, 53; Plater, "R. C. Scott," 136–143; David R. Roediger, "And Die in Dixie: Funerals, Death, and Heaven in the Slave Community, 1700–1865," *Massachusetts Review* 22, no. 1 (Spring 1981): 171–172.

association with the business of Black folk" which, along with the hypersegregation of religion in the United States, "assured the church a critical position in … articulating the contours of Black culture. It was to this matrix that the church brought its exquisite refinement of the rituals of death and dying."[166]

These funerary displays, while bringing Black people together in community, also served to establish hierarchies of social status and class, a "politics of respectability"; however, the relationship between lower-income African American families and undertakers (later funeral directors) was just as important as that of clients who had more wealth to expend on funerals. The importance of the funeral process extended to the African American sexton, whose job it was to bury the dead; that responsibility conferred upon the sexton a measure of community respect.[167]

Funerals provided a way to establish a cultural identity in the one realm where, during slavery, African Americans had agency; the opportunity to come together and engage in rituals of their own with a group of their peers from a larger area was an uncommon event.[168] White slave owners understood the power that these gatherings had, and as early as 1680 had taken measures to restrict or prevent Black people from coming together for any purpose, including funerals, but "nothing kept the slave community from celebrating death as a journey; a return to freedom; a promotion to power; and an occasion to rejoice." Funerals for enslaved people still happened, with or without White

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[166] Holloway, *Passed On*, 151.
[167] Adkins, "And Who Has the Body?", 13, 58.
[168] Plater, "R. C. Scott," 136; Roediger, "And Die in Dixie," 170.

permission and oversight, and often some time after the burial.[169] Death was thought of as a release from slavery and, in some cases, the transmigration of the soul back to Africa.[170]

The process and rituals associated with burial "allowed for members of the collective Black community to demonstrate the social worth of every member."[171] African Americans have historically used "elaborate and well-orchestrated funerals" to imbue individuals with dignity and transform them into "sacred symbols." Some evidence supports the idea that these rituals have their basis in West Central African traditions.[172] William Montgomery, describing the development of the African American church in the United States, characterized "slave religion" as "superficially Protestant Christian but substantively African in many aspects."[173] African American funeral customs resulting from these beliefs included the placing of household articles on graves, often broken to release the spirits of the objects to join the deceased.[174] The last object someone had touched before their death, or particularly important or symbolic items, were placed on the grave to ensure that the spirit would not return to reclaim those objects. In West Central Africa, touching the last object touched by the deceased person provided a way to talk to them through dreams. Other objects had different meanings or purposes:

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[169] Adkins, "And Who Has the Body?", 30–32, 44, 53.
[170] Erik R. Seeman, *Death in the New World: Cross-Cultural Encounters, 1492–1800* (Philadelphia: University of Pennsylvania Press, 2010), 188.
[171] Fletcher, "Baltimore's Mount Auburn Cemetery," 129–130.
[172] Plater, "R. C. Scott," 111–121; Seeman, *Death in the New World*.
[173] William Montgomery, *Under their Own Vine and Fig Tree: The African American Church in the South, 1865–1900* (Baton Rouge: Louisiana State University Press, 1994), 22; John Michael Vlach, *The Afro-American Tradition in Decorative Arts* (reprint edition, Athens: University of Georgia Press, 1990), 139.
[174] Roediger, "And Die in Dixie," 171–172.

- The flash of sunlight on water, thought to allow one to see ancestral spirits, is replicated in the cemetery through the use of glassware and shiny objects.
- Seashells are highly symbolic of the water containing the land of the dead, as well as the spiral cycle of life and death.
- Trees were planted on graves to symbolize the spirit traveling to the world below and to help the spirit find its way along the roots.
- Funeral rituals often included a circle dance or "ring shout," passing children above the coffin to protect them from spirits, and symbolic precautions to ward off evil spirits.[175]

A comparison of historic White and historic African American cemeteries reflect the economic disparities experienced by many Americans in those communities, particularly in the late 1800s and early 1900s. White burials were often marked with relatively large, artistically carved stone grave markers, connoting the status of the person buried there. Even in communities where few residents were wealthy, a White cemetery is likely to contain at least a few monumental memorials among smaller tombstones and unmarked graves. Large obelisks, angel statues, and other carved marble monuments are commonplace in many White cemeteries. In contrast, African American burials were less likely to be marked immediately with permanent tombstones, and those grave markers were generally smaller and more modestly detailed. Black cemeteries in Texas also are more likely to contain handmade concrete grave markers, particularly those installed after 1900; the first Portland cement manufacturing plant in the United States opened in

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[175] Plater, "R. C. Scott," 127–130.

Coplay, Pennsylvania, in 1876, but a lack of innovation in manufacturing processes limited output until 1900.[176]

Texas Cemeteries on the National Register

The Texas Historical Commission's National Register office was only able to search its in-house database for cemeteries listed through 2013, when that tool ceased to be updated; that generated a list of 141 cemeteries contained within National Register Historic Districts, whether they are classified as Contributing to the district or not, and an additional 12 that are individually listed. The THC Atlas of Historic Sites, an online database that is currently maintained, returned only 18 results for an advanced search using "cemetery" in the property name (and zero results for "burial"). However, many cemeteries were listed separately in the in-house database but combined into a single entry in the Atlas (representing a district nomination). In addition, a "cemetery historic district" may be a single cemetery treated as a district, due to the presence of buildings or structures (such as offices or mausoleums), or multiple cemeteries combined to make a district nomination. National Register cemetery historic districts in Texas that contain multiple cemeteries include:

- Broadway Cemeteries Historic District, Galveston (10 cemeteries, none are associated with African Americans)

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[176] Cris Dobbins, "The Cement Industry: In Search of Its Future … An Old Industry Takes On A New Look," *Financial Analysts Journal* 18, no. 2 (March–April 1962): 21–26.

- Old San Antonio City Cemeteries Historic District, San Antonio (31 cemeteries)
  The City cemeteries included African American burials, although the extent to which those burials were segregated or not is not known.
  These cemeteries are solely or largely African American:
  - Grand United Order of Odd Fellows (Alamo Lodge #2142 and San Antonio Lodge #2522)
  - San Antonio Lodge AF & AM #1 (with St. Elmo's Lodge/Knights of Pythias)
  - United Brothers of Friendship (Garrison Lodge #8, Sunset Lodge #27, Alpha Lodge # 92, Charity Temple #10, Golden Rule Lodge # 31 , and Alamo Lodge #84)
  - St. Peter Claver Catholic Church
  - Beacon Light Lodge #50
  - "Colored Peoples Cemetery" (U.S. Government-owned)

The National Register lists other cemeteries in Texas that were fully limited to Black people, included segregated Black sections, or contained African American burials without being segregated. Such cemeteries known to be currently listed on the National Register, either individually or as part of a regular historic district or cemetery historic district, include:

- Durazno Plantation (cemetery for enslaved persons), Jones Creek
- "Colored" section, City (Oakwood) Cemetery, Austin
- Matagorda Cemetery, Matagorda
- Old Bayview Cemetery, Corpus Christi (integrated since 1845)

- Rosewood Cemetery, Galveston (nomination pending in 2023)
- Zion Hill Cemetery, Nacogdoches (see previous discussion)

Successful Strategies for Nominating Black Cemeteries to the National Register

My research included reviewing nominations for the African American cemeteries listed on the National Register; however, only 71 of the 136 nominations have been digitized and added to the National Archives. This review revealed typical conditions found in some historic African American cemeteries around the United States at the time of the nomination, including:

- Most headstones are simple and/or modest, with few large monuments
- Families were expected to maintain burial plots, but over time these fell into disrepair and/or no one was charged with maintaining the entire cemetery; sporadic efforts by volunteers to clear brush and other overgrown vegetation
- Tilted, fallen, and/or deteriorated grave markers
- Grave depressions
- Portions of the cemetery redeveloped or converted to park land

A review of the bases for National Register listings reveals that the vast majority of non-Black cemeteries are nominated under Criterion C for Art, Architecture, and/or Landscape Architecture. Other major Areas of Significance under Criterion A include Exploration/Settlement and Social History. These findings support my argument that the standard for what a "historic cemetery" looks like is based on the pre-1900 Victorian-era burial grounds that were more than 50 years old when the National Register of Historic

Places criteria for the evaluation of significance were being developed, and a designed landscape containing well-organized graves marked by artistic markers and large monuments, memorials, and mausoleums.

In contrast, African American cemeteries have been listed in the National Register using Criteria for the Evaluation of Significance and Areas of Significance such as:

Criterion A:

- Black: for the presence of at least one African American burial
- Ethnic Heritage: for African American burial customs
- Social History: for a cemetery of enslaved persons, adjacent to the enslavers' family cemetery
- Social History: for a cemetery that contains graves extending from the antebellum era to the latter half of the 20th century
- Social History: for a private cemetery established after the city cemetery was closed to African American burials
- Social History: for an African American cemetery developed within a larger complex of multiple cemeteries
- Social History: for containing the largest number of free Black burials of any cemetery in the state

Criterion C:

- Art: for the presence of an unusually high diversity of handmade concrete grave markers

Criterion D:

- Archaeology: typically for a cemetery where individual graves were paved over or relocated into a mass grave to make way for White development, and later located through ground-penetrating radar

Criteria Consideration D:

- “The cemetery gains its significance from historical importance and not solely as a cemetery.”
- “One of the few remaining physical reminders of the contributions of Black people to the development of this city.”
- “(The cemetery) is a significant record … (that) documents various aspects of Black social history in the nineteenth century that have not been extensively reported in the more traditional historical media.”

As these examples show, it is possible to list an African American cemetery to the National Register of Historic Places *without* its having high-style monuments, large angel statues, or fancy memorials—the traditional signifiers of a “historic” cemetery for White Americans.

During the development of this dissertation, the U.S. Congress passed the African American Burial Ground Preservation Act, which directs the National Park Service to establish a United States African American Burial Ground Preservation Program and allows NPS to make grants to other federal agencies; state, local, and tribal governments;

other public entities; educational institutions; historic preservation groups; and nonprofit organizations for:

- The identification of historic African American burial grounds;
- The preservation and restoration of African American burial grounds;
- The interpretation of African American burial grounds; and
- Related research and documentation for historic African American burial grounds.

Eligibility for NPS funding is generally tied to a historic resource's eligibility for listing on the National Register of Historic Places. How rigidly NPS and State Historic Preservation Offices apply Criteria Consideration D, and the extent to which nominators are familiar enough with supporting literature and NPS precedents to make a successful case, may determine whether or not African American cemeteries can be listed.

CHAPTER SIX:

ALTERNATE APPROACHES IN PURSUIT OF EQUITY

Many definitions of equity include the difference between *equity* and *equality*. While equal treatment—for the purposes of this study—means that every cemetery would receive the same resources, equitable treatment would strive to bring all cemeteries to the same condition, understanding that each site has different issues and needs at the start. For example, a program based in *equal treatment* might allocate the same amount of yearly funding to a White cemetery as it does to a Black cemetery, even though the Black cemetery has suffered from decades of disinvestment in the past. An *equitable approach* might instead identify the current state of each cemetery and determine the amount of yearly funding needed for each cemetery to bring them into a similar condition.

Importantly, when identifying a common goal for the condition of city-owned cemeteries, communities that have been historically underrepresented and/or excluded from participating in historic preservation activities should define what *equity* means to them. In some cities or towns where cemetery records have historically omitted information about African American burials, the equitable treatment of cemeteries might mean using ground-penetrating radar to identify the locations of unmarked graves and installing markers that either identify the person buried in each grave (if known) or note that the occupant is simply "At Rest." Another community might prioritize the development and installation of interpretive signage that tells the story of the Black community and, in the absence of a full set of grave markers, lists the people whose death

certificates indicate they are interred there. A different community might instead seek to clearly mark the boundaries of a historic African American city cemetery that has been expanded and now includes non-Black burials in the new sections. Facilitated, robust community engagement would be essential to this process; it should always be community-driven, prioritizing Black voices, and seek primarily to reach consensus before moving forward.

This chapter examines current studies and activities from across the United States related to equity in historic preservation; discusses typical issues related to Black cemeteries and suggests ideas for equity work that might serve as a starting point for discussion with local communities; and, finally, presents a case study from Austin, Texas.

Equity in Historic Preservation

Historic preservation professionals have been examining issues of equity in recent years. The National Trust for Historic Preservation in 2020 released the report, *Preserving African American Places: Growing Preservation's Potential as a Path for Equity*, as part of its African American Cultural Heritage Action Fund (AACHF). Established in 2017, AACHF's goal is to "build a true national identify that reflects America's diversity." As AACHF executive director Brent Leggs wrote, "Done right, historic assets can foster validation of the Black experience."[177] The report acknowledges that "place-based structural inequities continue to impact communities today."[178] While

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[177] African American Cultural Heritage Fund, *Preserving African American Places: Growing Preservation's Potential as a Path for Equity* (Washington, DC: National Trust for Historic Preservation, 2020).
[178] Ibid.

this study focused on preserving African American neighborhoods, some of the takeaways are relevant to cemetery work, including centering Black voices in planning efforts, collaborating with the community to address broader social needs, and striving to ensure equitable access to preservation projects and resources.[179]

In January 2022, the Advisory Council on Historic Preservation released an Equity Action Plan in compliance with the Biden Administration's Executive Order 13985, "Advancing Racial Equity and Support for Underserved Communities through the Federal Government." The Plan includes further developing ACHP's "Building a More Inclusive Preservation Program," its work with Native American communities, and educational programs that help people more effectively participate in activities related to Section 106 of the National Historic Preservation Act.[180]

Larger cities have begun to quantify the disparities in their local historic landmark/historic district programs, based on the recognition that earlier preservation work prioritized the historic resources associated primarily with wealthy White men and their activities. Municipalities such as New York City, Chicago, Seattle, Portland (Oregon), and Washington DC have subsequently launched efforts to quantify the distribution of National Register nominations and local landmark/district designations and determine what steps would enable their preservation programs to more accurately reflect the city's socioeconomic and racial diversity.

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[179] African American Cultural Heritage Fund, *Preserving African American Places: Growing Preservation's Potential as a Path for Equity* (Washington, DC: National Trust for Historic Preservation, 2020).
[180] Advisory Council on Historic Preservation, "Equity Action Plan" (report), January 20, 2022, https://www.achp.gov/sites/default/files/2022-04/ACHPEquityActionPlan.PDF.

Madison, Wisconsin, embarked on a 2019 survey of historic resources associated with underrepresented communities that has become a model for similar efforts elsewhere. Austin, Texas, has commissioned an Equity-Based Historic Preservation Plan. *ReflectDSM: Honoring All Des Moines Histories* is the updated historic preservation plan—now prominently featuring equity and inclusion goals—for that Iowa city. Many cities are considering equity and inclusion in not just their historic preservation plans but also their city comprehensive plans.

Smaller cities are also taking part in this work. My firm, McDoux Preservation, has developed historic contexts for African American history in Conway, Arkansas (population 65,000) and for the Civil Rights movement in Fort Collins, Colorado (population 169,000), part of its Full Story Fort Collins program. MTSU's Center for Historic Preservation also has carried out historic preservation plans and assessments for the Black cemeteries in several towns.

It is critical that such initiatives consider historic African American cemeteries along with neighborhoods, individual buildings, and cultural landscapes. As this dissertation showed, most city cemeteries are treated like parks to be mowed and trimmed, rather than as historic resources to be stewarded and interpreted. For example, in Cleburne, Texas, the City subsidizes the cost of grave markers in the two African American cemeteries, Greenlawn and Chambers, for which it is now responsible. The City also is currently working with a local college professor and students to survey grave markers and map marked and unmarked graves. Both programs are designed to help families locate and mark the final resting places of their ancestors and more recently

deceased loved ones, as visitors to the historically White cemeteries can more easily do.[181]

Potential Equity Approaches for African American Cemeteries

The research completed during this study illuminated many opportunities for pursuing equity in historic city-owned African American cemeteries. Equity work may consist of addressing disparities or repairing past damage, harm, or injustice. As previously noted, any such programs should be collaborative and in service to the community associated with each cemetery, rather than imposing the ideas or wishes of city staff or other non-Black community members, no matter how well-intentioned. With that said, this list of potential equity approaches is intended to serve as a starting point for discussion, not a complete list of all possible options.

Is the Site Clearly Identified?

While a limited number or complete lack of extant grave markers may result in a cemetery being mistaken for a vacant lot, even those cemeteries with marked graves may be at risk due to the lack of clearly defined boundaries and/or identification. Equitable treatment might include:

- **A sign with the cemetery's name on it**, particularly if the African American cemetery is immediately adjacent to or across a small roadway from a White cemetery. It would be helpful if the sign also included visitation hours and contact

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[181] Steph McDougal, interview with City of Cleburne cemetery staff member Maria Herrada, March 12, 2019; "Cleburne Cemeteries" webpage, City of Cleburne website, https://www.cleburne.net/96/Cemeteries.

information. The name on the sign should be the one used by the Black community.

Figure 3. Sign at the entrance to Plummers Cemetery, Austin, Texas (Steph McDougal, 2021)

- **An enclosure around the African American cemetery**, of the same quality as a fence or wall around the White cemetery. While previously segregated cemeteries are still, to this day, taking down fences that separated White burials from those of African Americans, if the White cemetery is enclosed and an adjacent African American burial ground is not, the Black community should have the opportunity to decide whether the existing fence should be modified to include both cemeteries or if a separate enclosure should be installed around the African American site. Material options should enable cultural expression; for example, laser-cutting and powder-coating technologies now allow metal fences to be works of art.

Figure 4. Example of a laser-cut sign affixed to a powder-coated metal gate (SignPerformance.net)

- **A prominent entry,** of the same quality as the entry for the White cemetery. This might take the form of a stone or brick gateway and/or a lychgate (an arched structure over the entryway). If so, a small plaque could identify the year of construction, or the structure might incorporate a contemporary design executed in traditional materials.

Figure 5. Entry with stone walls and lychgate, Covington Cemetery, Covington, Texas (Steph McDougal, 2023)

- **Historical markers.** Both the Texas Historical Commission and the Alabama Historical Commission maintain special programs to identify historic cemeteries with state historical markers.

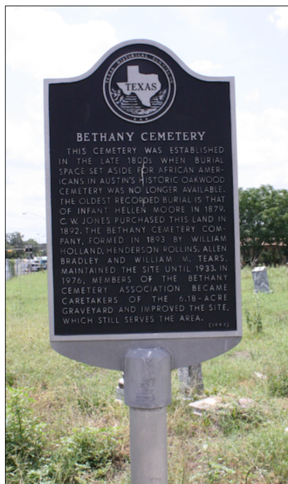

Figure 6. Texas historical marker at Bethany Cemetery, Austin, Texas (Anne Vance, 2012)

Are Grave Markers Extant and Visible?

Grave markers may serve as part or all of the *archive* of records in a cemetery; they also, obviously, mark graves. Where grave markers in an African American cemetery are incompletely or no longer extant, equitable treatment might include:

- **Locating original markers and returning them to the cemetery**. Numerous examples unfortunately exist of grave markers being removed and used for fill on construction sites, used as paving or building materials, or tossed in waterways, ditches, or ravines.
- **Installing new surface (flat) markers or tablet (upright) markers** that are appropriately inscribed (based on the wishes of the community) either with the

identifying information for the deceased, where known; a phrase such as “At Rest” or "Unknown”; or left blank.

Figure 7. Example of a grave marker for an unidentified decedent (McDaniel Street Cemetery Vision Plan, 2022)

- **Creating a memory wall or interpretive panel** with the names of every person known to be buried in the cemetery, based on death certificate records, oral histories, and other information shared by the community.

Figure 8. Memorial wall detail, Contrabands and Freedmen Cemetery, Alexandria, Virginia (City of Alexandria)

Addressing Past Damage

Grass trimmers with metal blades or plastic string, large riding mowers, passenger vehicles, and maintenance trucks and equipment can easily damage grave markers. In situations where historic cemeteries are treated like parks, and mowing crews are incentivized to complete their work as quickly as possible, damage to grave markers, trees, and other cemetery features is common. Equitable treatment might include:

- **Repairing damaged grave markers**. This activity should be done by qualified professionals.
- **Resetting markers** that have been displaced on their bases or knocked off entirely. Again, this job should only be attempted by professionals or persons with appropriate training and equipment; grave markers are heavy but also relatively fragile and can be easily damaged.
- **Installing bollards, boulders, or quarry blocks along roadways or grassy lanes to prevent vehicles from driving into markers.** The planning process for this sort of activity should include identifying and avoiding any graves adjacent to a roadway. If desired, the installation of such barriers could be part of a larger landscaping design along roadways
- **Replacing trees, shrubs, or other cultural plantings that historically were present**, such as an allée of cedar trees along a main roadway or grassy lane. This process may also include allowing families to plant bulbs or other vegetation on graves or inside family plots.

- **Allowing families to reestablish bare ground, mounded dirt, stones or shells, grave goods, or other culturally significant materials on graves.** In an effort to make cemeteries easier to mow, many city parks departments banned anything but a level grass lawn over graves.

As these examples illustrate, equity may take the form of de-prioritizing fast mowing in favor of re-centering the cultural practices of the African American community whose ancestors are laid to rest in that city cemetery. Also, decisions that are right for the descendants at one cemetery may not be preferred for descendants at another cemetery.

Case Study: The Colored Section of Oakwood (City) Cemetery, Austin, Texas

The chapel extant in Austin's original City Cemetery (known as Oakwood Cemetery today) was constructed in 1914. As I wrote in the *Austin Historic Cemeteries Master Plan*, "Designed by Austin architect Charles Page, it included space for funeral services as well as several vaults for temporary interments while the deceased awaited burial.[182] The exterior was constructed of rusticated limestone, with the steep gables, pointed arched windows, and crenellated tower typical of the Late Gothic Revival, made popular by the Boston architect Ralph Adams Cram, whose small churches in this style were widely copied throughout the United States between 1900–1920."[183] Architect J.

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[182] *Austin American (Austin, Texas),* "Mortuary Chapel Is Opened at Oakwood," Monday, November 9, 1914, 8.
[183] Lovejoy, "American Religious Buildings."

Roy White planned the 1944 renovation of the chapel, which included constructing a ladies' restroom and storeroom within the existing footprint and removing interment vaults in the tower room, which was then repurposed as an office.[184]

In 2004, the non-profit organization Save Austin's Cemeteries (SAC) formed to advocate for and support the preservation of Oakwood Cemetery and other municipal cemeteries. SAC contributed funds and volunteer time to make possible the rehabilitation of the Oakwood Chapel building: in 2006, SAC volunteers developed architectural drawings; Austin's Parks and Recreation Department (PARD) replaced the chapel roof in 2007. In 2008, SAC secured a grant and matching funds to complete a structural assessment of the building, as well as testing for lead paint and asbestos. SAC then funded a geotechnical survey of the soil around the chapel in 2009 and secured a grant for engineering drawings for the stabilization of the chapel's foundation. Heimsath Architects completed a feasibility study for the chapel's complete restoration in 2011.

For many years, family members, community groups, cemetery associations, and professional caretakers were responsible for maintaining these cemeteries. In 1990, the City of Austin outsourced its cemetery management duties to a private contractor; this changed in Spring 2013, when the Parks and Recreation Department (PARD) declined to renew that contract and instead brought the sale of cemetery lots, recordkeeping, grounds maintenance, and interment work in-house. PARD's cultural resource specialist (now that department's program manager for historic preservation and heritage tourism), Kim

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[184] *Austin American-Statesman (Austin, Texas),* "City Crews Hard at Work on Cemetery Beautification," August 27, 1970, as reported in Oakwood Cultural Landscape Report, 10.

McKnight, led a community outreach and engagement effort to identify concerns and opportunities. The resulting scope of work was included in a request for proposals (RFP) for a Cemetery Master Plan, to be based on a 2010 master plan for city-owned cemeteries in New Braunfels, Texas, completed by Virginia-based John Milner Associates, Inc. (JMA) and Texas historians Dan Utley and Cynthia Beeman.

In my role as a historic preservation consultant (doing business as McDoux Preservation LLC), I assembled the project team that successfully responded to Austin PARD's RFP for a master plan, including JMA (historical landscape architect Laura Knott and landscape specialist Christina Osborn) and AmaTerra Environmental Consulting (archaeologist Mason Miller and AmaTerra GIS staff). Anne Shelton Vance, previously with McDoux and formerly the Texas Historical Commission Cemetery Preservation Services Program coordinator, assisted with the grave marker condition assessment. The City additionally contracted with Davey Tree Services to provide an inventory and health assessment of cemetery trees, many of which had been damaged or lost during a decade of severe drought conditions in the 2000s.

Between 2014–2015, the team conducted fieldwork, archival and historical research, and a robust community engagement process before publishing the City of Austin Historic Cemeteries Master Plan in Spring 2015. A project website documented activities and events on a regular basis, advertised opportunities to get involved, provided notice for upcoming community meetings, and published links to summary reports for each community meeting, a monthly newsletter, and drafts of the plan as they became available. Members of the public who became aware of the project at any point could review this information and become prepared to participate in a meaningful way.

I planned content for the monthly newsletters in advance, so that community members could learn about concepts before we asked them to provide their input or feedback. For example, articles in the very first newsletter included “What is a Master Plan?” and a list of the planned content for the Plan; “Help for Cemetery Trees” and “Fast Facts about Tree Surveys”; “Recognizing and Protecting Historic Cemeteries,” which explained differences between the city landmark program, Texas Historic Cemetery and State Historical Marker programs, and the National Register of Historic Places. Every newsletter contained contact information for Austin city officials and a call to action for community members to become involved, with a updated list of those opportunities. PARD posted the newsletters on the project website, emailed links to people who had signed up to receive the newsletter, and printed some paper copies of all previous newsletters for attendees at community meetings. I designed the newsletter so that PARD could fold and mail hard copies to people who requested them. Although PARD provided full reports of opinion survey results and other findings and recommendation reports as the project continued, we were able to share quick summaries through the newsletter.

At the beginning of the project, I conducted confidential stakeholder interviews to identify issues of concern. I recruited 25 stakeholders from a list of 67 pre-identified high-priority individuals and people who had volunteered, asked to be included or were recommended by other interviewees. Stakeholders were identified or recruited from the following general categories:

- People whose loved ones are buried at Austin Memorial Park Cemetery or Evergreen Cemetery

- Descendants of people buried at Oakwood Cemetery
- Members of the Save Austin's Cemeteries nonprofit organization
- Community leaders and activists
- Funeral home directors
- Religious leaders
- Members or officers of neighborhood associations located near Austin's five historic cemeteries
- People who attended Cemetery Master Plan meetings and who volunteered to be interviewed
- Preservation specialists, archaeologists, cemetery conservators
- Members of local and county historical or landmark commissions
- Genealogists
- Representatives of the Funeral Consumers Alliance of Central Texas

I asked each participant if they would be willing to share their ZIP Code and race or ethnicity, in an effort to ensure that the project outreach efforts represented the diversity of the Austin community. Of the 25 people interviewed, 19 provided their ZIP Code and 20 identified their race or ethnicity.

Table 7. Diversity of stakeholders interviewed for the Austin Historic Cemeteries Vision Plan

Racial/Ethnic Identification (per interviewee)	% of Austin Population (2010 Census)	Identified as Potential Stakeholders	Invited to Participate (% of invitees)	Accepted Invitation (% of those accepting)	Did Not Respond	Declined Invitation
African American	8%	10	10 (17%)	2 (8%)	8	0
Asian American	6%	5	5 (8.5%)	0 (0%)	5	0
Mexican American/ Latino/Latina/Hispanic	35%	9	9 (15.5%)	3 (12%)	6	0
White/Anglo/Caucasian ("not Hispanic")	48%	43	35 (59%)	20 (80%)	15	1
TOTAL	97% (3% two or more races)	67	59	25	34	1

Our team held five community meetings during the project, near each of the five historic cemeteries owned by the City of Austin. Meeting locations included the Carver Branch of the Austin Public Library in East Austin (twice), Northland Recreation Center in northwest Austin, Ruiz Branch of the Austin Public Library in southeast Austin, and Zilker Botanical Gardens in west Austin. In addition to informational presentations, each meeting included an interactive activity during which participants could provide input or feedback. For example, at the second meeting, the presentation portion of the meeting included a review of project goals and project status, a summary of the stakeholder interview process and results, and an introduction to the kinds of signage and interpretive markers often found in cemeteries. The meeting then included an opportunity for participants to ask questions, and a breakout session where people were encouraged to share their opinions on signage needs.

During the community engagement process, we identified topics of particular interest to stakeholders and the community at large, then developed surveys to gather more information about, and determine the extent of support for, those topics. In Fall 2014, our team worked with the City Public Information Office to launch two separate surveys using the City's *Speak Up Austin* community engagement web portal, provided by Granicus, Inc. Each survey began with a general statement describing the events leading up to the development of the Cemetery Master Plan, with additional information as needed to prepare the respondent for the survey. A series of multiple-choice questions followed; in some cases, when applicable, respondents could provide comments or were asked for open-ended feedback. Both surveys were available for two months. Participation was encouraged and promoted on the City Cemeteries website and on the Master Plan website; in Master Plan newsletters; through email blasts to the PARD cemeteries stakeholder list as well as all 3,400+ registered *Speak Up Austin* users; and during community meeting presentations. The document contains natural, historical, and cultural context narratives; general management guidelines; historical information, condition assessments, and treatment recommendations for each cemetery; and a section on policy and funding recommendations.

The final Cemetery Vision Plan was recognized with awards from local, state, and national organizations, including the American Planning Association's 2017 National Planning Achievement Award (Gold).

During the development of the plan, a team of architects from the firm Hatch + Ulland Owen Architect began to plan the restoration of the chapel, with the understanding that graves could be near its foundations.

The Oakwood Cemetery Chapel, like many buildings in Central Texas, is subject to foundation movement during alternating periods of severe drought and heavy rainfall, as a result of the high shrink-swell capacity of the clay soil found throughout the region. Uneven foundation movement and settlement impacted the chapel, which also suffered from deferred maintenance. Austin PARD utilized 2012 General Obligation (GO) Bond funding for cemeteries, and the City's Historic Preservation Fund to rehabilitate the building.

> "The scope of the rehabilitation included structural stabilization of the foundation; surface drainage improvements; Americans with Disabilities Act (ADA) access improvements; rehabilitation of the single-occupant restroom; mechanical, electrical, and lighting overhaul; and restoration of interior and exterior finishes, including doors, windows, masonry, roof, and plaster."[185]

Texas state law governs the procedures to be followed when excavating on public land and when unmarked human remains are discovered; however, county and local law enforcement agencies, not the state, enforce those laws.. The following statutes are codified in the Texas Register:[186]

The *Texas Antiquities Code* (Title 9, Chapter 191 of the Texas Natural Resource Code) governs many different types of historical and archaeological sites and resources. It applies to historic cemeteries which are owned by a state agency or political subdivision, which is defined as a county, municipality, school district, or special purpose

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[185] Josh Haefner, Brittany McClain, Debra Desarmeaux, and Gregg Cestaro, *Archeological Monitoring and Exhumations for the City of Austin's Oakwood Cemetery Chapel Restoration Project, Travis County, Texas*, *Volume I* (Austin: Hicks & Company, April 2020), 1.
[186] Texas Secretary of State, *Texas Register* 42, no. 33, 4031-4186, August 18, 2017 (Austin, Texas), University of North Texas Libraries, The Portal to Texas History, https://texashistory.unt.edu; crediting UNT Libraries Government Documents Department.

district.[187] The Antiquities Code protects both burials and grave markers. Any activities in a historic cemetery beyond routine maintenance and regular cemetery activities require a contract with and/or permit from the Texas Historical Commission (THC) before breaking ground.[188]

In 2018, the Code was amended to clarify THC's role in dealing with abandoned or unverified cemeteries. The policies and procedures having to do with abandoned and unverified cemeteries, as well as the discovery of unmarked human remains and exhumations, are codified in the *Texas Administrative Code*, Title 13, Chapter 22. Important definitions in the Code include:

- Abandoned cemetery: a non-perpetual care cemetery containing one or more graves and possessing cemetery elements for which no cemetery organization exists and which is not otherwise maintained by any caretakers. It may or may not be recorded in deed records of the county in which it lies.
- Identified grave: a grave that is marked with name of the individual interred in the grave or for which there is other evidence of the name of the individual interred in the grave.
- Unidentified grave: a grave that is not marked in a manner that provides the identity of the interment.
- Unknown cemetery: an abandoned cemetery evidenced by the presence of marked or unmarked graves that does not appear on a map or in deed records.

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[187] Texas Secretary of State, *Texas Local Government Code*, Title 5, Subtitle C, Sec. 172.003, "Definitions," statutes.capitol.texas.gov.
[188] Texas Secretary of State, *Texas Natural Resources Code*, Title 9, Chapter 191, "Antiquities Code," statutes.capitol.texas.gov.

- Unverified cemetery: a location having some evidence of human burial interments, but in which the presence of one or more unmarked graves has not been verified by a person described by §711.0105(a) of the Health and Safety Code of Texas or by the commission.
- Verified cemetery: the location of a human burial interment or interments as verified by the commission.[189]

A cemetery is considered to officially exist if it contains any of the following: interment(s) that are confirmed through assessments or investigations allowed by the property owner ad performed by a professional archaeologist; human caskets or other typical burial containers; articulated human remains that were intentionally interred; or a burial pit or burial pit features.[190]

The *Texas Health and Safety Code*, Chapters 711–715, deals with the discovery of unmarked graves and human remains. "Unmarked graves" are interments that may be without the boundaries of a recognized and maintained cemetery, or on land not owned or operated by a cemetery association, or on land that is designated for "agricultural, timber, recreational, park, or scenic land under Chapter 23 of the *Texas Tax Code*." These interments also may be in a cemetery but not marked with any type of memorial object.[191] Chapter 711, Sec. 711.004 establishes procedures for the removal of remains.

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[189] Texas Secretary of State, *Texas Administrative Code*, Title 13, Part 2, Chapter 22, Rule §22.1, "Definitions." Adopted to be effective May 20, 2010, 35 *Texas Register* 3809; amended to be effective January 2, 2018, 42 *Texas Register* 7684.
[190] Texas Secretary of State, *Texas Administrative Code*, Title 13, Part 2, Chapter 22, Rule §22.04, "Unknown, Abandoned, and Unverified Cemeteries." Adopted to be effective May 20, 2010, 35 *Texas Register* 3809; amended to be effective January 2, 2018, 42 *Texas Register* 7685; amended to be effective November 22, 2020, 45 *Texas Register* 8129.
[191] Texas Secretary of State, *Texas Health and Safety Code*, Title 7, Subtitle C, Chapter 711, Sec. 711.001, "Definitions." Adoptions and amendments listed in the text.

These various statutes often work together. For example, if, under Chapter 711 of the Health and Safety Code, a cemetery is considered a "nuisance," Title 13 of the Administrative Code outlines the procedural investigation that THC must take in order to determine whether or not to ask the State Attorney General to take legal action on its behalf.[192]

Because Oakwood Cemetery Chapel was constructed in a part of the cemetery where burials known to have taken place, the City of Austin obtained all necessary permits as required by the Texas Antiquities Code. It hired Hicks & Company Environmental/Archeological Consultants to monitor all construction activities within the building footprint and immediately adjacent to it, with a monitoring plan developed by Hicks & Company in coordination with THC. Because of its location, PARD and THC anticipated that unmarked burials would be located during the project, and archaeologists were on site at all times during construction activities.[193]

Monitoring of ground-disturbing activities started on November 2, 2016. Hicks & Company specifically were tasked to monitor three activities: drilling shafts for chapel support piers, mechanical excavations during the early phases of the project, and regrading of the site. The first work items to trigger the monitoring process were the excavation needed to install a temporary power pole, and the removal and regrading of soil around the north exterior side of the chapel, which uncovered a partial headstone and a second, complete headstone—both located to the north of the chapel. The grading work

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[192] Texas Secretary of State, *Texas Administrative Code*, Title 13, Part 2, Chapter 22, Rule §22.03, "Abatement of Cemetery as Nuisance." Adopted to be effective May 20, 2010, 35 *Texas Register* 3809; amended to be effective January 2, 2018, 42 *Texas Register* 7685.
[193] Haefner, et al., *Volume I*, i.

also uncovered 12 "burial stains" (areas where the soil is of a different color or texture than the surrounding natural soil, due to the disturbance of the soil during burial or the decomposition of organic matter such as human remains, wooden coffins, etc.)[194] One burial stain was located adjacent to the second headstone. After mapping the headstone locations, all work on the north side of the chapel stopped so that the archaeologists and City staff could consult with THC and the construction contractors. The City then redesigned the project to relocate a proposed parking area and landscaping improvements away from the north side of the chapel, where the burial stains were found.[195]

The next construction activity that required monitoring was the drilling of shafts for the installation of support piers needed to stabilize the chapel foundation. The interior finished floor of the chapel had been removed to make room for this work, which took place within the footprint of the chapel. During the drilling of the second pier shaft, on November 29, 2016, small bone fragments were discovered, and construction halted immediately.[196] The project team immediately notified THC; Ora Houston, the City Councilmember for District 1, which includes the cemetery; and City officials. PARD staff and Councilmember Houston began to engage the community, meeting with local clergy, holding press conferences and community meetings, gathering community input

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[194] While I was not able to locate an official definition for "burial stain", apparently "all archaeologists know what that is" and three of them worked together to help develop this definition.
[195] Haefner, et al. *Volume I*, 1–2.
[196] Haefner, et al. *Volume I,* 2.

and feedback about how to proceed, and developing initial draft reports on their findings.[197]

On March 9, 1917, Fox 7 News in Austin reported that, at a press conference, Councilmember Houston said, “My heart stopped when I heard that, in 1914, the chapel was built on top of graves, because I’m sure at that point people knew that there were graves in that particular section of the cemetery. And so, the lack of humanity hit me at that point. … This is holy ground to me and to my community.”[198] The City held a community meeting later that month to ask for feedback and input; approximately 50 community members attended to discuss the Oakwood Chapel findings to date, assess the future of the project, gain public feedback and comment, and establish the criteria that would guide the department’s future decision-making process.[199]

A second round of consultation resulted in an attempt to hand-dig at the identified burial locations, and the archaeologists discovered burial stains and some coffin hardware that way. However, the soil was too hard and compacted to use that approach to the larger space within the building footprint. Instead, archaeologists mechanically scraped the soil, 10–20 centimeters at a time. This approach uncovered a total of 37 burial stains. At that point, the project team consulted with the community. Based on their feedback, in May

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[197] Kimberly A. McNeeley, “Oakwood Cemetery Chapel Rehabilitation Project and Archaeological Findings” (memo to Austin Mayor and City Council), Austin Parks and Recreation Department, May 17, 2017.
[198] Fox 7 News, Austin, Texas, “Burial Sites discovered under Oakwood Cemetery Chapel in East Austin,” March 9, 2017, https://www.youtube.com/watch?v=or6NAFh8NuM.
[199] City of Austin Parks and Recreation Department, “Oakwood Cemetery Chapel Rehabilitation, Community Conversation: Project Status and Archeological Findings Update, March 2017” (meeting presentation slides), https://app.box.com/s/gbvfgu5cg2hwmxilqg8vozk42wfq8vdm.

2017 PARD recommended (and City Council agreed) to exhume as many of the remains as possible from beneath the chapel.[200]

A total of 59 unmarked burials, including some infant graves, were identified. Based on the date of the chapel's construction, the death dates of these individuals must have been between 1839–1914. The archaeologists did not recommend exhuming all of the burials; "22 were in locations that would not be impacted by the improvements to the chapel" or they were in locations where the proposed improvements could be modified in order to avoid impacting the graves.[201] Three of the burials, located outside the building footprint. were not exhumed. The City also adjusted the placement of some of the structural support piers to avoid additional exhumations. Five additional unmarked burials were found during the installation of a wastewater line, but these were left in situ because they were not impacted by that activity. The City has committed to installing one or more interpretive plaques or markers to memorialize the unmarked graves left intact beneath the chapel.[202]

In addition to the principal investigator, three project archaeologists and six additional archaeological crew members participated in this effort. An additional nine bioarchaeologists and 12 archaeological crew members were involved in the exhumations.[203] Dr. Kate Spradley performed a bioarchaeological analysis of the exhumed remains. The exhumed remains of the 20 adults were then sent to the University of Connecticut, where Dr. Deborah Bolnick has pioneered non-invasive DNA analysis.

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[200] Haefner, et al. *Volume I*, 2.
[201] Haefner, et al., *Volume I*, i.
[202] Haefner, et al. *Volume I*, 2.
[203] Haefner, *Volume I*, iii.

With participation from potential descendent communities, DNA extracted from the adults may allow the City to learn more about the people who were buried beneath the chapel. (The remains of 16 children and infants could not be tested because they do not contain enough genetic material.)[204]

In March and April 2017, PARD held two community meetings to share information and gather feedback, with an additional public review and comment period following each meeting. In May 2017, PARD recommended to City Council, based on the wishes expressed by the affected community, that as many of the burials as possible be exhumed and reinterred. Some burials were unable to be safely exhumed due to their proximity to structural grade beams but would be recognized and included in the interpretation and commemoration activities and materials. City Council approved that approach, and exhumations were completed later that month.[205]

In Spring 2019, as the chapel rehabilitation project was approaching completion, PARD held eight focus group meetings and a public meeting to provide updates on the bioarchaeology study and discuss opportunities for programming. Focus groups were held with Save Austin's Cemeteries, Rescue Austin Memorial Park, Congregation Beth Israel, Tejano Genealogical Society of Austin, Six Square Cultural Heritage District, Swede Hill Neighborhood Association, and the Blackland Community Development

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[204] Megan Vaughn, "A Lesson in Remembrance: Austin to Test DNA of Remains Found Beneath Historic Chapel," Spectrum News 1 Austin, October 8, 2020, https://spectrumlocalnews.com/tx/austin/news/2020/10/08/austin-to-test-dna-of-remains-found-beneath-historic-chapel.

[205] Kimberly A. McNeeley, "Oakwood Chapel Rehabilitation Project and Archaeology Findings" (memo to Austin City Council), Austin Parks and Recreation Department, May 1, 2017.

Corporation, which represents a neighborhood in East Austin. The chapel reopened to the public in May 2019.[206]

In February 2020, the archaeology consultant completed its archaeology and bioarchaeology studies and submitted reports to the Texas Historical Commission. Archaeologist Brandon Young, who helped prepare that report, expressed a common concern among those involved with the project that the remains would be primarily African American, although osteological analysis of the 20 exhumed adults' skulls indicated that they were racially diverse.[207] Although that section of the Cemetery was historically known as the "Colored Grounds," it also was used to bury "paupers" and "strangers," which may account for the presence of White remains. The mix of ethnicities may also indicate that people in this section were buried in sequence as they died, rather than in separate or segregated areas within the section. Hicks & Co. also provided updates to PARD and the City of Austin's African American Resource Advisory Commission, Human Rights Commission, and Historic Landmark Commission. After THC and the City had reviewed the report and updates, the report was released to the public in May 2020. In June, PARD staff presented City Council with information about the City's academic partnership with the University of Connecticut for DNA analysis of

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[206] City of Austin Parks and Recreation Department, "Oakwood Cemetery Chapel Accountability Timeline" (website), https://experience.arcgis.com/experience/d0b7ec88a46147ff835c3be602d72938/page/Accountability-Timeline/.

[207] Vaughn, "A Lesson in Remembrance."

the burials "to better understand the lives of the men, women, and children who were discovered."[208]

On October 9–10, 2020, the Austin Parks and Recreation Department held a public event via Zoom called "All Together Here: A Community Symposium for Discovery and Remembrance." During 12 sessions over two days, 39 project team members and other speakers discussed the Chapel project, archaeological investigations, DNA analysis, and opportunities for the community to memorialize, grieve for, and lift up the people whose graves were covered when the Chapel was constructed. Hosted by Laura Esparza, the division manager of museums and cultural programs for Austin PARD, "All Together Here" remains viewable on PARD's YouTube channel.[209] The following information was derived from audio recordings of the session videos that I captured using a digital recorder and transcribed using Otter.ai transcription technology.

In these sessions, many speakers used the term "descendant community," which Franklin and Lee, "following the lead of other public archaeologists," define as "… a non-homogenous self-identified group encompassing those who, regardless of background, identify with a particular past or locale through shared traditions, proximity, or collective memories."[210]

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[208] City of Austin Parks and Recreation Department, "Oakwood Cemetery Chapel Accountability Timeline."
[209] Video recordings of all 12 sessions from the "All Together Here" symposium are presented as a playlist on YouTube at https://www.youtube.com/playlist?list=PLelTMMBW0YOQV6QssY0ufCEu2sm5n_zcX.
[210] Maria Franklin and Nedra Lee, "African American Descendants, Community Outreach, and the Ransome and Sarah Williams Farmstead Project," *Journal of Community Archaeology and Heritage* 7, no. 2 (January 2020): 137.

Session 1: Process of Discovery

Laura Esparza welcomed viewers and provided short introductory comments. Austin assistant city manager Christopher Shorter made similar remarks and led viewers in a moment of silence out of respect for the 39 people whose remains were exhumed.

Session 2: Understanding the Oakwood Cemetery Archaeology Findings

Keynote speaker Dr. Kate Spradley is a biological anthropologist who led the bioarchaeology efforts for this project. Dr. Spradley works in the forensic anthropology laboratory at Texas State University, which in 2009 became a federally recognized Hispanic-serving institution, and the students who assisted her on this project were from diverse backgrounds and identify as Hispanic, Black, and Asian. This lab has high security and is not open to the public; any students working in the lab had to meet security clearance standards. Spradley noted that the lab often handles the remains of people who die crossing the Texas-Mexico border, as well as unidentified decedents.

Dr. Spradley explained that the compacted soil under the Chapel caused the bones of people buried there to break into several pieces; while the human body has 206 bones, each set of remains contained 600–1000 bone fragments, each encased in a hard shell of clay soil that had to be very carefully removed to prevent more damage. Cleaning the bones took 2–3 weeks per individual set of remains, with multiple persons working on that activity. Next, researchers laid out the bones of each person in their correct anatomical position in preparation for analysis. Some of the skeletons were incomplete because of poor bone preservation. The researchers then catalogued each piece of bone using a software program developed by the Smithsonian Institution for the repatriation of

skeletons through the Native American Graves Protection and Repatriation Act (NAGPRA), which compels museums to return Native human remains to the appropriate tribe with which the deceased person was affiliated.

During this project, a Trinity University (San Antonio) student intern compiled all of the previously digitized cemetery records from Oakwood Cemetery. Those records indicated that most of the people buried in Section 4, where the Chapel is located, were identified in the records by race (White, Black, or Mexican). Dr. Spradley and her team then used that information to measure adult individuals' skulls and teeth to estimate potential belonging to European, African, or Asian population groups. They also estimated sex based on pelvis shape or the length of long bones in the arms and legs, using a statistical program that indicated the likelihood that the skeleton belonged to a man or a woman. Although it was easy to differentiate child remains from adults, and easier to identify a relatively narrow age range for children based on growth indicators, the researchers generally were only able to determine that adults were 21–45 or 46–75 years of age. They were able to determine that most of these people were relatively healthy, with little evidence of trauma, and that they most likely died of infectious diseases, which was very typical of that time period.

The panel then took up the discussion, comparing these findings to those from the Dallas Freedmen's Cemetery and the joint quartz complex Alameda-Stone Cemetery in Tucson, Arizona. Dr. Maria Franklin (Department of Anthropology, University of Texas at Austin) moderated the panel, which included Dr. Spradley; Brittany McLean (AmaTerra Environmental), the lead bioarchaeologist in charge of the Oakwood exhumations; Brandon Young (Hicks and Company); and Brad Jones, the state

archaeologist and director of the division of archaeology with the Texas Historical Commission.

Brittainy McLean described the challenges of conducting archaeological excavations in a cemetery context, including identifying possible burial locations through visual observations, and for this project, the very limited and confined space available to work, due to the locations of burials near and (in some cases) beneath the chapel foundations. The archaeologists only used hand trowels to scrape off the top layer of soil; they used very small wooden tools for the excavations in order to avoid damage.

Several panelists discussed the ethics of conducting archaeological excavations in cemeteries. They considered complying with state laws, being aware of the community's cultural and religious concerns, and treating the remains with respect and dignity, which in a laboratory setting means that they are not put on display and are kept in a secure location. The archaeologists emphasized that they take this work very seriously and treat burials with the utmost respect and that, despite how their profession is portrayed in popular culture, they do not go around digging up graves as a matter of course. They do not want to exhume a burial unless it is absolutely necessary.

Dr. Franklin asked each panelist what they were most surprised by during the project. Dr. Spradley mentioned that it was, unfortunately, common practice to build structures in cemeteries over the graves of marginalized people. Brandon Young had been surprised, given that Section 4 had been notated as "Colored Grounds," that the individuals exhumed during this project were a diverse group, with adults and children, men and women, White and Mexican and Black. Brittany McLean was surprised by the

lack of personal possessions buried with the deceased, other than one small porcelain religious artifact found on the chest of a child's remains.

The archaeologists were able to date the burials, which were known to be between 1839–1914, mostly by the coffin hardware. Because the burials had little coffin hardware and few personal effects, it is possible that these people were traveling through Austin when they died and did not have any next-of-kin, so the City would have been responsible for burying them. Brad Jones also noted that Austin had been a "frontier town" during many of those years and not especially well-supplied, so people may not have had many possessions and coffin hardware may have been scarce as well.

Brandon Young discussed why it took the team so long to prepare the report. First, they had to secure multiple permits and consult with the City and the Texas Historical Commission. Once they had clearance to excavate, the fieldwork was very meticulous, due to the careful handwork required and the amount of paperwork it generated. In the laboratory, the bones and other artifacts had to be cleaned and catalogued before all of the data could be analyzed. Young observed that a tremendous amount of information came out of 37 burials. Brittany McLean added that the heavy clay soil made everything more difficult because it stuck to the bones, and Dr. Spradley also noted that it took longer to estimate age and sex due to the lack of intact bones in some cases.

Session 3: No Rest, No Peace: Cemeteries in Peril

AmaTerra archaeologist Mason Miller moderated the session's panel, which included archaeologists Doug Boyd (Cox McLain Environmental Consulting), Duane

Peter (Cox McLain), and Sergio Iruegas (president, GTI Environmental LLC). Each panelist presented a video, followed by a discussion.

Sergio Iruegas discussed legal aspects of cemetery work, including compliance with federal and state historic preservation laws and regulatory processes. He used the terms "known and unknown" cemeteries, stating that the terms "abandoned" and "unverified" cemeteries (as defined in Title 13, Chapter 22 of the Texas Administrative Code) "are predicated on the consultant's ability to conduct appropriate archival research." Iruegas noted that demonstrating respect for descendant communities, as well as the deceased, begins with "an archaeological intensive survey, based on a research design that considers an appropriate archival level of effort and identifying unmarked burials outside or within modern-day cemetery boundaries." Legal noticing requirements, such as publishing notices in local newspapers, may not be sufficient to comply with applicable laws when it comes to seeking consent from next-of-kin before excavating near or in graves or exhuming remains. Irguegas also discussed some of the cultural traditions of Indigenous Tejano and Native American people and the need to be aware of traditional mortuary practices and incorporate those into the research design. For example, in previous investigations, he used secondary screening of removed soil to capture ceremonial caches of beads that might otherwise fall through regular screens. He noted that this tradition has evolved under Catholicism to include burying people with rosary beads.

Doug Boyd spoke next about his work with the Pioneer Cemetery archaeological project in Brazoria, a small city in Texas located in Brazoria County, near the Gulf Coast. Due to the number of sugar plantations in that area, Brazoria County was one of the

Texas counties with the highest percentages of Black people in its population in 1860. In 1939–1940, the Texas Highway Department constructed State Highway 332 along what it believed was the western edge of that segregated, African American cemetery; however, the highway was actually built over the edge of the cemetery. Because of the highway's proximity to known cemeteries, the Texas Department of Transportation (TX-DOT) in 1999 hired archaeologists to investigate for unmarked burials in advance of a road-widening project. The fieldwork was conducted between 1999–2010 and included searching for unmarked graves, including completely excavating a ¾-acre section of the highway right-of-way west of the cemetery and, eventually, removing the pavement in the northbound lane of the highway. (Boyd emphasized that heavy machinery, when used properly, does not damage graves. He noted that an experienced heavy equipment operator can skim 1–2" of soil at a time to expose a new layer for the archaeologists to examine, and in large areas, hand-excavating is not practical.) Archaeologists exhumed 14 sets of remains, including nine adults and five infants or children, and removed them to a secure laboratory for analysis prior to reinterment. Public outreach throughout the project was most important prior to and during the reinterment ceremonies, which took place in 2003 and 2012. TX-DOT installed new grave markers at each re-burial plot. Boyd noted that, as road builders, TX-DOT "deals with more historic cemeteries than any other agency in Texas." He also shared that the archaeological reports produced during this project are available to the public.

Duane Peter discussed his work with the Dallas Freedmen's Cemetery, another TX-DOT project that involved moving 1,150 burials in advance of constructing the North Central Expressway. In that case, the African American descendant community

wanted to have a larger role and voice in the direction of the project. The project team subsequently convened a community steering committee and assembled a diverse scientific team, which conducted a "holistic, in-depth study of nineteenth-century African American urban life." Their goal was to document the history of the local African American community, reflecting that community's perspective, for the project's comprehensive technical report, as well as a major exhibit for the African American Museum in Dallas and an educational curriculum for third graders. The steering committee solicited artifacts and memorabilia from the local community and recruited people to provide oral histories. They reached out through the media, as well as all of the African American churches in the region. The steering committee also held a contest to design the project logo, which was advertised to high school and college students. Peter noted that today's availability of social media and widespread internet access would have made the public outreach easier. He envisioned that the project could have had its own website to share information and solicit input and feedback, which could have expanded the number of people in the descendant community who were able to participate. He also thought a change of perspective in the archaeology professional had been important. Prior to 2000, the scientists working on the project felt that they owned the data, and as a result largely ignored the descendant community. However, Peter insisted that professionals needed to respect the community, work collaboratively with them, and be open to their perspectives. The original investigators had not been respectful and the descendant community was very opposed to their approach. Peter stated that "I know not all my colleagues will agree with this … but there are times when the values and interests of the descendant community really trump the interests of the scientists leading the study … the

responsibility for demonstrating to the local community the value of what we as archaeologists or human osteologists can contribute … is on us."

Sergio Iruegas also pointed out that, in some cases, descendant communities know exactly where cemeteries are and who was buried there, and investigators must coordinate with the people who are familiar with the history and culture of the area. He suggested that 1936 county highway maps in Texas often show where segregated areas were located. He also noted that family burial plots are not always laid out in rows or in a grid pattern, depending on the cultural background of the family. Archaeologists cannot assume that if they find a grave and then check three feet away and find nothing, that no more burials are present.

Mason Miller ended the session by discussing how archaeological investigators serve both the business client (the agency who hired them) as well as the "ethical clients," which are the affected and descendant communities associated with historic cemeteries. Duane Peter agreed that navigating the process with both types of clients can be challenging, because they do not necessarily value the same things. Archaeologists sometimes must serve as a liaison between the two communities, try to convince everyone to do the right thing, and respect the wishes of the community. Doug Boyd agreed that state agencies are not trying to do the *wrong* thing, but their resources are limited and cemetery projects can be very expensive. Sergio Iruegas noted that if governmental agencies and the community cannot reach an agreement or consensus about the path forward, the dispute may be resolved in court.

Session 4: Understanding Our Ancestors through Anthropology

Kim McKnight, program manager for the historic preservation and heritage tourism program in Austin PARD, led this session with panelists Dr. Deborah Bolnick and PhD student Samantha Archer (both from the University of Connecticut) and Dr. J. W. Joseph and Dr. Matt Matterness (New South Associates).

Dr. Bolnick began by explaining that she and her team are anthropological geneticists with expertise in the analysis of ancient DNA. She explained in technical terms what DNA is and how it is used to determine whether and to what extent individuals or groups of people are related, as well as how genetic markers can shed light on geographic origins of an individual's maternal or paternal lineage. DNA can also inform our understanding of a person's genetic sex (although not necessarily their gender), and non-human DNA found in human bodies can explain what types of food that person may have eaten during their lives. DNA from parasites, pathogens, or bacteria may indicate the types of diseases that a person might have experienced, and chemical markers that become attached to an individual's DNA can provide information about environmental factors to which they could have been exposed. However, studying ancient DNA is very challenging because most DNA breaks down after death; only about 1–5% of the DNA that would be available from a living person is contained within a sample of ancient DNA. As a result, testing methods have to be very sensitive but also respectful of the individuals whose DNA is being tested. Dr. Bolnick employs only non-destructive or minimally destructive testing, using methods that were designed specifically for studying ancient DNA.

Samantha Archer summarized the history of African Americans in Texas, including the large influx of enslaved people brought to the state immediately prior to and during the Civil War. Her research focuses on the genetic effects of state-sanctioned violence in nineteenth-century Texas, with an emphasis on convict leasing and the use of the Texas penal system as a substitute for slavery. Archer addressed the case of the “Sugarland 95,” the persons buried in a prison cemetery in Sugar Land, Texas (near Houston) which were “discovered” during construction activities for a new school building. A local activist had told the school district that a prison cemetery was on that land, but he was ignored until the remains were unearthed. Archer noted that genetic ancestry does not equate to race but rather to how a person might have been racialized during their lifetime. She also discussed epigenetics (genes that can reveal how a person was subject to and dealt with stress) and skeletal trauma.

Matt Matterness discussed his work with a cemetery, known as the Avondale Burial Place, during a road construction project proposed by the Georgia Department of Transportation (GA-DOT). GA-DOT staff were aware that a cemetery might be located in the construction zone and hired Matterness’ firm to investigate and recover the burials, as well as try to learn who had been buried there. New South Associates identified more than 100 graves on a modest rise near the intersecting corners of four adjacent farm fields and a creek; farmers had avoided plowing there, and it had grown up into woodlands. The archaeologists found traces of glass and pottery on the soil but no markers of any kind. Because Georgia soil is heavy clay, remote sensing technologies like ground-penetrating radar would not have been especially useful. Instead, they used cadaver dogs to confirm that burials were present and then excavated two feet of topsoil before hand-scraping the

exposed surface until they could locate burial shafts. The team applied this methodology to the entire graveyard, continuing until they had exposed 30 feet of "free" space (with no graves) on each side of the cemetery. Of the 101 graves located, 61 were "sub-adults" (children), with the main part of the cemetery dating from 1840–1900 and the later graves from 1870–1920. The project team found grave goods including personal possessions, charms, and other items consistent with West African traditions. Some clusters of graves may represent families. Nearby residents who were thought to have ancestral ties to the cemetery agreed to have their DNA tested, and as a result, several people were confirmed to have a genetic link to individuals buried in the cemetery. The individual remains were then reinterred at the nearby Bethel A.M.E. Church cemetery due to its longevity in the local area, with some ties dating back to the antebellum period. A website, avondaleburialplace.org, and a video produced by GA-DOT called "I remember, I believe"[211] also documented the project and results.

The panelists agreed that working with descendant communities is "critically important" to a successful project. Oral histories and passed-down knowledge can inform scientific hypotheses and research designs, and descendant communities often possess critical knowledge. Dr. Matterness also noted that his investigation had not originally included DNA analysis, because it can be destructive, but the community wanted to verify whether the individuals whose remains had been exhumed were their ancestors.

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[211] The "I Remember, I Believe" documentary may be viewed on YouTube at https://www.youtube.com/watch?v=YuodoORsC70.

Session 5: How We Revere Our Ancestors

Carre Adams, cultural and arts education manager and curator of the Carver Museum and Cultural Center in Austin, welcomed viewers to the second day of the symposium and reviewed the sessions presented the previous day. She then introduced keynote speaker Dr. Michael L. Blakey, an anthropologist who served as the director of the African Burial Ground project in New York City and now teaches at the College of William and Mary in Virginia.

Session 6: The Value of Bio-Archaeology to Communities

Dr. Blakey discussed the value of "humanized African diasporic bioarchaeology," which can shed light on a history that was not documented or fully told—the stories of enslaved African Americans.

> "Bioarcheology has the potential to add missing pages to a past, that historical chroniclers either did not see, or did not choose to record. The past of enslaved African Americans beyond their own precious narratives is such a past. However, bioarchaeology has long been part of the objectifying white gaze on our past, racializing and naturalizing, the black body, rather than seeing it as a reflection of its circumstances, as Frederick Douglass observed it to be."

His work is descendant-led, and he discussed his findings in several projects and how it has led to a richer understanding of enslaved African and African-descended people in the American Colonies. Dr. Blakey discussed how he and his team were able to determine the African and West African origins of people interred at the African Burial Ground. He described how he examined thigh bones to determine that, in the earlier population of burials, women were subjected to less arduous work than men were, but over time women's bones showed that they were working as hard as men. In addition, Dr.

Blakey was able to show that the number of African or African-descended men was higher in the early English and Dutch colonies, prior to the 1712 and 1741 rebellions of enslaved persons in New York, than in later periods. Blakey said,

> "It seems that slaveholders were threatened by having many men in the colony. They sought to institute social control by reducing the relative number of men. And they began importing women not through the Caribbean as men had been imported through the Caribbean (where they were) seasoned as they put it, or habituated to their enslavement, but (instead) women were imported directly from Africa with children. … More and more work is being placed on the backs the shoulders, the thighs of African women in New York, to—it would appear—make up for the reduced number of African men that's all part of the effort of social control, we think."

Dr. Blakey concluded by saying that his approach is always to work with the community to identify questions that, for them, justifies removing remains and holding them for study before reburial "with dignity and memorial."

Session 7: Many Histories, One Burial Ground

Moderator Gregory Farrar, an exhibit assistant at Oakwood Cemetery Chapel, described how he had become involved with Oakwood Cemetery by conducting genealogical research there; Farrar had found his ancestors in the "colored" section. He used the database of 25,150 Oakwood Cemetery records to identify 2,731 people buried in the "Colored Grounds"; 818 in the "Strangers Grounds" (for people who died while traveling through or visiting Austin); 133 in the "Paupers Grounds", and 244 in the "Mexican Grounds." Another 132 people buried throughout the cemetery between 1892–1920 had Mexican or Hispanic names. Of the 1,242 people whose location in the cemetery is not noted, 111 are identified as having been Black or "colored." In Section 4-

CG, the "Colored Grounds," only 300 grave markers remain; these now have been surveyed and inventoried. He noted that Section 4-CG is the final resting place for people of different races, as it contains the "Strangers Grounds" and the "Paupers Grounds."

Panelists Dr. Daina Ramey Berry (University of Texas at Austin), Dr. Theodore Francis (Huston-Tillotson University), and Dr. Emilio Zamora (University of Texas at Austin focused on the history of Austin between 1839–1914. During the early years, Dr. Zamora stated that Mexican people and communities frequently moved in and out of Austin, for several reasons. Mexicans supported Black people who were escaping from slavery, and so they faced retaliation by White city officials. The ongoing conflicts between Texas and Mexico created additional instability for Mexicans in Austin. However, Austin also offered economic opportunities. Dr. Berry stated that the population of Black people was very small at first but then grew rapidly, especially around the 1850s and1860s. Dr. Francis pointed out that the usual idea of "frontier" is very colonialist, and instead we should think of the "frontier" as a dynamic place of change and transition, which—in Austin's case—also included Indigenous people.

Following the Civil War and through the end of the nineteenth century, racial conflict continued as the Mexican landed elite were either killed or driven down into South Texas, while Native people became "Mexicanized"—adopting Spanish last names and language in order to assimilate and survive. This process resulted in a large proportion of working-class Mexican people in Texas, at the same time that freed Black people were also part of that lowest segment of the working class. Both Mexican and Black people became sharecroppers or "land renters" with the worst contract conditions, which served to solidify their social status and prevented them from advancing

economically. In 1866, the Texas Legislature adopted so-called “Black Codes” to constrain the rights of African Americans, and lynching began to be used as a way to control both Black and Mexican people through the threat of racial violence. In Austin during the 1880s, a serial killer of both White and Black women terrorized the city, which led to the construction of the Moonlight Towers, very tall structures with lights built to illuminate the city streets.

Against this backdrop of lawlessness and violence, Black people built communities like Wheatville, Clarksville, Sprinkle, and Garfield in and around Austin. It was a time of great tension between White non-Hispanic people and everyone else. The Colored Convention movement, gatherings of African Americans to work for political change and civil rights, and to determine how to provide community support and social services to people in need, began after slavery and continued into the mid-twentieth century. (Statewide Colored Conventions in Texas were held sporadically in various cities between 1866—1895.)[212]

Black and Mexican people also were marginalized when it came to medical care, and in the nineteenth century, maternal and infant mortality rates were very high. Dr. Zamora mentioned that suicide, driven by despair and sustained racism, is sometimes overlooked as a major cause of death. Dr. Berry noted that some of her research into causes of death in African-descended communities in Texas, indicates by the high rates of infant mortality that parents might have been deliberately taking the lives of their

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[212] Dr. Gabrielle Foreman and her team of scholars at Penn State University are publishing records of the Colored Conventions online at coloredconventions.org.

children rather than have them live in slavery. Some women self-induced abortions. Children often did not survive to age five; health issues, including cholera epidemics and other infectious diseases, as well as climate and dietary issues, may have contributed to the high mortality rates of children.

Session 8: Cultural Practices of Grieving

I moderated this session with panelists Dr. Karla FC Holloway (Duke University), Dr. Nedra Lee (University of Massachusetts at Boston), Pamela Benson Owens (Six Square Cultural District), and Dr. Tim Griffith (AmaTerra Environmental).

Dr. Holloway began by discussing the ways in which African American and Euro-American burial practices began to merge in the late 1800s. Traditional grave goods such as shells, for example (on the East coast), gave way to pottery and household items. Funeral practices such as embalming and mortuary science made it possible for family members living far away to return for the memorial service, and during that period, the community provided meals and emotional support for the family. The expression of grief at the funeral was sometimes extravagant, so that "the outpouring was left there at the grave." While grief could be extraordinary, so was the resilience of African American people.

Dr. Lee discussed the social and community aspects of funeralizing the deceased, such as preparing the body, holding a wake, and sharing the repast (the community meal after the funeral). Family reunions often involved cemetery or grave cleanings as acts of remembrance, in conjunction with religious events or historical events such as Juneteenth. Sometimes these processes happened away from the burial site.

Pamela Benson Owens added that any faith tradition or community tradition around grieving is a way of expressing love and respect. She emphasized that we have an opportunity today to understand the past and how buildings were constructed over graves, and to recalibrate and ground ourselves in the love and respect of the past.

Both Mexican and African American cultures have traditions of ancestor worship and continuing relationships with the dead. Dia de los Muertos and Memorial Day (which started as Decoration Day, with Black people honoring dead Union soldiers in Charleston, South Carolina) are connected in that way. Mexican *ofrendas* are similar to the altars found in some homes in New Orleans. Iconography is important because it makes the dead visible and is a way of honoring and remembering. When a church (or the Oakwood Cemetery Chapel) is built over graves, that activity becomes a type of erasure. Some of today's cultural traditions in the Mexican and Black communities are closely related. Street corner memorials, t-shirt memorials, or car window memorials serve as ways for cultures that have been disparaged and challenged to be visible. Ancestors are being invoked—now perhaps more than in the past—as a powerful grounding tool to try to balance the way that Black bodies are devalued in our current society.

Owens noted that the East Austin community is fortunate that several legendary community pioneers are still living. She emphasized the importance of giving those elders sufficient space and respect to tell the story of the people buried under the Oakwood Cemetery Chapel as they want to tell it, without that story being rewritten, edited, shortened, or disrespected. Owens said, "Even if the DNA analysis on this project does not lead to the identification of descendants, we are reclaiming these people who have been lost to the broader historical memory."

Dr. Lee agreed that these are narratives of presence and persistence. She said, "Even without names or blood ties, we bear witness to their lives and the evidence of their deaths." Dr. Lee also cautioned that just because markers are no longer visible or present in a cemetery, that does not mean that the graves were never marked. We need to be mindful that other processes, including racism and economic exploitation, may have affected whether markers survived.

Owens concluded the session with a call to action:

> The ceremonies and rituals used to memorialize the people who were buried under the Oakwood Cemetery Chapel must be rituals of remembrance and renaming the loss of their lives. Any memorial to the deceased should have materiality and tell a story, so that it can be touched and visualized, but the elders and young people and those in-between should collectively decide how to mark the place of burial. A memorial should be shared and recognizable and material. We have a unique opportunity as a city and a community to create something new together, a course correction where we say "yes, and" instead of "either, or." And this homecoming can be for everyone, an awakening or reckoning for all of us to ponder the effects of racism in life as well as in death. Homecomings give us a chance to reflect on the ways that their lives have had ripple effects on others. It's our responsibility to tell a story that brings us all together.

Session 9: Forgotten No More: How to Memorialize

Dr. Jodi Skipper (University of Mississippi) led this session with panelists Dr. Arro Smith (Save Austin's Cemeteries), Jennifer Chenoweth (Austin PARD), Rev. Dr. Daryl Horton (Mount Zion Baptist Church), and Maria Solis (Tejano Genealogy Society).

Oakwood Cemetery is making all of their programming and research data digital and published online so that it is available for everyone. PARD is programming Oakwood Cemetery Chapel with quarterly exhibitions, including one with Rev. Horton called "To Believe," about the legacy of Rev. Jacob Fontaine who—emancipated at the age of 57—established the St. John community and six Black Baptist churches in Austin

that are still extant. Another exhibition, *Caminar*, was created with Maria Solis. Save Austin's Cemeteries at the time of the symposium had announced plans to include the chapel and memorialization of the people buried beneath it in their regular tours, after the reinterment was complete.

Before a memorialization ceremony can be planned, the community should hear more of the story of the people whose graves were covered by the chapel. Maria Solis described holding a ceremonial procession to call the names of the dead, even if they were only known as something like "Mexican baby girl" with no name attached to them. Any ceremony would need to be a community effort with coordination between the various descendant groups. Younger people could be engaged with more multimedia types of outreach to help them learn about these stories and their shared history.

PARD asked the community what they would like to see, in terms of memorial events or physical objects such as markers. Chenoweth said, "Once we honor this story, it gives us the opportunity to move forward together."

Session 10: As It Unfolded: Transparency and Public Process

Caitlin Hill (Austin PARD Cemetery Operations) moderated this session with project manager Kevin Johnson and Kim McKnight, PARD program manager for historic preservation and heritage tourism, who discussed how the project had unfolded. They noted that not everyone in the community was in favor of exhumation and that the community would like to see the reinterments close to the chapel, if possible. The alternative was to reinter them at Austin Memorial Park Cemetery, on the west side of the city.

Session 11: Best Practices for Difficult Discoveries

Archaeologist Rachel Feit led this session with historian Sally Victor, former City Council member Ora Houston, Dr. Stephanie Lange (University of Texas Center for Community Engagement), and Dr. Jane Rivera (former chair of the Austin Parks and Recreation Board).

Ms. Houston described receiving the call that let her know about the discovery of the burials and how she immediately assembled a group of faith leaders—including African American clergy, people from Our Lady of Guadalupe Catholic Church, and a rabbi—to discuss a way forward. That group was later expanded to include the larger community.

Dr. Rivera explained that, for many years, a contractor maintained the cemeteries and the City had insuffficent funding to properly care for them. Through a dialogue with the community during the Cemetery Vision Plan process, PARD developed goals for improving the cemeteries, which led to the chapel rehabilitation.

The panel also discussed larger policy issues, such as the City's perceived failure (at that time) to prioritize the preservation of historic resources associated with minority communities. Other state and local agencies also often fail to anticipate that they might find unmarked burials during transportation or other construction projects.

Kim McKnight was asked to join the conversation to talk about a suggestion that the chapel might be torn down or moved instead of moving the bodies. She noted that primarily White people had suggested to leave the bodies under the chapel and move the chapel, and PARD in this case gave greater weight to the wishes of the African American

community, which were to exhume and reinter. PARD staff specifically contacted a descendant of Rev. Jacob Fontaine and also received that recommendation from him, as well as from the scientific community.

Session 12: Seeking Participation and Healing.

City Council member Natasha Harper-Madison closed the symposium by thanking everyone for participating and inviting members of the community who might have had ancestors in Austin in the nineteenth century to participate in the DNA identification portion of the project.

As this record shows, the symposium panelists described an approach grounded in meaningful partnership with the affected and descendent communities. Engagement activities must be dialogic, center community voices, and focus on listening. Scientists and other professionals who are privileged to be involved in these types of projects must meet community members with humility and compassion. The City of Austin Parks and Recreation Department's continued work in Oakwood Cemetery reflects a commitment to those ideals.

African American Death, Grieving, and Remembrance

Black cemeteries, along with burial societies and other mutual benefit organizations, were established to "actualize Black autonomy in death." The ability of people of African descent to have control over their own burials or those of their loved ones was, for many years, predicated on their political and social status. The rights of

individuals to purchase and own property—even a grave plot—was in many places legally constrained on the basis of race in the 18th and 19th centuries. And the cemeteries or portions thereof were regularly segregated by Jim Crow laws or social traditions in the 20th century.[213] "While death might be the great equalizer, the living made decisions about burials, and their views on race and slavery informed those decisions."[214]

Holloway wrote that "no culture bases so much of its identity on the persistent rehearsal of commemorative conduct as does African America." The viewing of the dead in open caskets, accompanied by gestures of affection ("the laying on of hands, touching, kissing) recalled West African funeral traditions, and an embalmer's ability to prepare the body cosmetically (and in the case of a victim of violence, restoratively) would be highly scrutinized by those paying their respects. [215] A cooperative relationship existed between Black funeral homes and Black churches, both of which enabled the "expressive and experiential sociocultural universe" and "social solidarity as cultural practice" that "conditioned the unique expectations and performance of the Black burial service." The circumstances of Black deaths also "make a difference … so many Blacks died untimely deaths that funeral anguish came to be rehearsed as a dimension of the culture's engaged ritual rather than as the reason for the occasion."[216] The grief and lamentation is understood to be cathartic on many levels; for the loss of the loved one, for the struggles they may have experienced in their lifetime, and for those left behind—as well as joy for the liberation from racism to be found in death.

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[213] Fletcher, "Baltimore's Mount Auburn Cemetery," 130–149.
[214] Jeffrey E. Smith, "Till Death Keeps Us Apart," 158.
[215] Holloway, *Passed On*, 7, 25–27.
[216] Holloway, *Passed On*, 152–153.

Funeral programs have traditionally memorialized the deceased and their accomplishments in life. In 2015, Saundra Kirk generously shared with me her private cache of funeral programs and directed me to the larger collection of these housed at the Carver Cultural Center and Museum in East Austin. Cultural traditions, such as the printing of full-color programs, laying in food for the repast (meal following the funeral), or special rituals performed by sororities, lodges, and other groups all serve to demonstrate the significance of the deceased and the respect to be afforded to them. "Lengthy orations" delivered by a series of distinguished speakers frequently mark the funeral service of Black church and civic leaders. "A lengthy service was perceived to be an honor to the deceased—a testament to the great impact of his or her life."[217]

City officials asked the East Austin community to decide how the individuals from Oakwood Cemetery would be funeralized. One suggestion included a memorial service at Wesley United Methodist Church in East Austin, whose congregation was founded in 1865 and whose current sanctuary is located just a few blocks south of Oakwood Cemetery, followed by a homegoing commemoration at the reinterment site. In the end, Austin PARD's cemetery organization, led by Kim McKnight, did so much more.

The 2017 community engagement process identified a portion of the "Historic Colored Grounds" near the chapel as a potential location for reinterment of the remains exhumed from beneath the chapel. In November 2021, archeologists supervised the mechanical scraping of the ground surface in that area and confirmed that no unmarked

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[217] Holloway, *Passed On*, 179–180.

burials were present. The following day, all individuals were re-interred in a respectful and protective environment. Twelve days later, on the evening of November 29, PARD staff held a public "Blessing Ceremony" with clergy from Mt. Zion Baptist Church and St. Theresa Catholic Church and Simone Talma-Flowers (executive director of Interfaith Action of Central Texas). The program included invocations to bring closure to the journeys of the people who had been reinterred, as well as the living communities to which they belonged.[218]

Through a partnership with anthropological geneticists at the University of Connecticut and anthropologists at the University of Texas at Austin, DNA samples provided by volunteer descendants are being compared to samples collected through a noninvasive process from the reinterred individuals' remains. It is possible that this innovative process may reveal familial connections in the community.

The design of an appropriate permanent memorial to the reinterred individuals also included community stakeholders. The final design incorporates polished gray granite markers in the shapes of Gothic arches for the adults and circles for the children. These markers are mounted on a granite base inscribed, "This monument marks the unknown journeys of individuals buried in the cemetery before the construction of the chapel." When the monument was finally installed in May 2023, Austin PARD held a three-day memorial event. In addition to the dedication of the monument, the event included a "history talk and community conversation" with historian Dr. Jacqueline

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[218] City of Austin Parks and Recreation Department, "Blessing Ceremony" (video), https://www.youtube.com/watch?v=c2t2NY88xPA.

Smith-Francis; a "Truth, Racial Healing, and Transformation Circle" led by the City of Austin's Equity-Diversity-Inclusion officer, Carmaleta McKinnis-Williams; a walking procession and a homegoing celebration. Participants could also take guided tours of the Historic Colored Grounds and the Oakwood Chapel.[219]

In 2021, the City of Austin was awarded a Digital Humanities Advancement Grant by the National Endowment for the Humanities. Subject matter experts Dr. Maria Franklin, Dr. Tara Dudley, and Diana M. Hernández participated in community engagement meetings with descendants in 2022 and made recommendations for building digital three-dimensional model of the unmarked graves in the Historic Colored Grounds that aligns with a geospatial database of records. Austin PARD invited descendants of people of color buried in Oakwood Cemetery to help create the model, including sharing family information and oral histories of their ancestors.[220] Fewer than 300 monuments exist in this three-acre area, which contains thousands of burials. As a result, it is difficult for the public to imagine that this grassy area is full of the unmarked graves of people who were marginalized in both life and in death. The 3D model created through this project combines historic photographs and data with video, exhibits, and legacy maps. Data collected through a remote sensing technology called Light Detection and Ranging (LIDAR) complete the 3D representation.

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[219] City of Austin Parks and Recreation Department, "Monument Dedication and Remembrance Event," *All Together Here: Discovery and Remembrance* website, https://experience.arcgis.com/experience/d0b7ec88a46147ff835c3be602d72938/page/Monument-Dedication-2023/.

[220] Daranesha Herron, "Oakwood Cemetery Calls for Descendants of Color to Create a 3D Model of Missing Burial Markers," KVUE ABC News, March 31, 2022, https://www.kvue.com/article/news/local/oakwood-cemetery-austin-seeking-descendents-for-3d-model/269-597ec355-1a29-43a2-9744-4789081d5580.

The reinterments and monument dedication did not mark the end of Austin PARD's work to repair and reconcile with the affected and descendent communities. The Oakwood Cemetery Chapel "All Together Here" project has been documented by the City through a website that includes videos of the symposium, a digital exhibit about the archaeological investigation, information about the reinterment of remains, information about the design of the monument to the unidentified deceased and the dedication of that monument, and an "Accountability Timeline"[221] containing the following information.

Oakwood Cemetery Chapel staff completed a separate digital exhibit, "To Emancipate," about the lives of enslaved people buried in the Historic Colored Grounds. With funding from the National Endowment for the Humanities, and in partnership with the community, historians developed a three-dimensional digital model of that section of the cemetery. Finally, Save Austin's Cemeteries funded an interpretive plan for the Historic Colored Grounds by Dr. Maria Franklin; Dr. Tara Dudley, an architectural historian and professor at the University of Texas at Austin; and historian Diana M. Hernández.[222]

Austin's Parks and Recreation Department provides a model for other cities that are reckoning with similar heart-wrenching discoveries. Throughout this multi-year process, PARD staff have engaged transparently, respectfully, and in partnership with the

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[221] City of Austin Parks and Recreation Department, "All Together Here" (website), https://experience.arcgis.com/experience/d0b7ec88a46147ff835c3be602d72938/page/All-Together-Here-Home/.
[222] City of Austin Parks and Recreation Department, "Historic Colored Grounds National Endowment for the Humanities Grant" (website), https://www.austintexas.gov/oakwood-cemetery-chapel-research-education.

descendent communities and all people associated with or affected by the discovery of burials beneath Oakwood Cemetery Chapel.

Conclusion: Remembrance and Opportunities for Reconciliation

Engaging descendant communities and other interested public groups in projects such as the Oakwood Cemetery Chapel rehabilitation and subsequent archaeological investigation can pose challenges to cultural resources professionals. As geographer David Lowenthal noted, “The tangible past is altered mainly to make history conform with memory.”[223] In the past and continuing even today, state agencies and others undertaking construction projects have frequently and regularly disregarded the voices and desires of people who are not White and of European descent.[224] As a result, research efforts are often “embedded in a present context characterized by anti-Black racism that also need(s) to be engaged with.”[225] For example:

- Texas’s public history narrative normalized Anglo-American contributions and obscured other histories.
- The presence and achievements of people of African descent are underrepresented across Texas heritage sites and museums, despite their substantial contributions to the state’s economy, politics, and social and cultural life.

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[223] David Lowenthal, “History and Memory,” *The Public Historian* 19, no. 2 (1997): 30-39.
[224] Ryan Smith, *Death and Rebirth in a Southern City: Richmond’s Historic Cemeteries* (Baltimore: Johns Hopkins University Press, 2020), 18.
[225] Franklin and Lee, “African American Descendants,” 135.

- Texas CRM archaeologists had consistently failed to identify African American sites as eligible for the National Register of Historic Places, which meant that site investigations never occurred prior to their destruction.

Strategies identified for acknowledging and addressing these challenges include:

- Being aware of positionality and power dynamics between "experts" and descendants.[226] "Marginalized groups historically (have been) denied access to the more traditional structures of historical knowledge production and representation."[227] Establishing a working relationship that provides a variety of opportunities for descendants to participate. Acknowledging that "descendants possess knowledge that is equally important to" that of researchers.[228]

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[226] Franklin and Lee, "African American Descendants," 137, citing Stephen A. Brighton, 2011. "Applied Archaeology and Community Collaboration: Uncovering the Past and Empowering the Present." *Human Organization* 70, no. 4 (2011): 345; and citing George Nicholas and Julie Hollowell, "Ethical Challenges to a Postcolonial Archaeology: The Legacy of Scientific Colonialism," in *Archaeology and Capitalism: From Ethics to Politics*, Yannis Hamilakis and Philip Duke, eds. (Walnut Creek, CA: Left Coast Press, 2007), 64–66.
[227] Davis, 4.
228 Franklin and Lee, "African American Descendants," 138, citing Carol McDavid, "Archaeologies That Hurt; Descendants That Matter: A Pragmatic Approach to Collaboration in the Public Interpretation of African-American Archaeology," *World Archaeology* 34 no. 2 (2002): 306; and citing Carol McDavid, "Public Archaeology, Activism, and Racism: Rethinking the Heritage 'Product'," in *Archaeologists As Activists: Can Archaeologists Change the World?,* M. Jay Stottman, ed. (Tuscaloosa: The University of Alabama Press, 2010), 44–45.

- Remembering that researchers' goals may not be aligned with those of the community.[229] Working to ensure that the community receives "reciprocal benefits" as part of their collaborative involvement.[230]
- Making an effort to communicate clearly. Archaeology (and historic preservation) can be inaccessible to the general public, due to technical jargon and methodologies that often go unexplained.[231]
- Designing a project to be explicitly anti-racist and challenge past racially exclusive narratives.[232] The theory of "critical multivocality" posits that "numerous perspectives and values are brought together to enlarge our shared understandings of the past."[233]

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[229] Franklin and Lee, "African American Descendants," 137, citing Matthew B. Reeves, "Asking the 'Right' Questions: Archaeologists and Descendant Communities." in *Places in Mind: Public Archaeology as Applied Anthropology*, Paul A. Shackel and Erve J. Chambers, eds. (New York: Routledge, 2004), 72."

[230] Franklin and Lee, "African American Descendants," 138, citing Chip Colwell, "Collaborative Archaeologies and Descendant Communities," *Annual Review of Anthropology* 45 (2016): 116.

[231] Franklin and Lee, "African American Descendants," 137, citing Linda Derry, "Why Do People Become Involved With Archaeology? Some Answers from Alabama's Black Belt Region," *Archaeologies* 7, no. 3 (2011): 538–553; and citing Lorna-Jane Richardson and Jaime Almansa-Sánchez, "Do You Even Know What Public Archaeology Is? Trends, Theory, Practice, Ethics," *World Archaeology* 47 no. 2 (2015): 195.

[232] Franklin and Lee, "African American Descendants," 138, citing Douglas K. Boyd, Aaron R. Norment, Terri Myers, Maria Franklin, Nedra Lee, Leslie L. Bush, and Brian S. Shaffer, *The Ransom and Sarah Williams Farmstead: Post-emancipation Transitions of an African American Family in Central Texas, Volumes 1 and 2: Reports of Investigations No. 173*. Prewitt and Associates, Inc., Austin, Texas. Archeological Studies Program Report No. 139, Environmental Affairs Division, Texas Department of Transportation, Austin, Texas., 2015; and citing Nedra Lee, "Freedom's Paradox: Negotiating Race and Class in Jim Crow Texas," PhD diss., University of Texas at Austin, 2014.

[233] Franklin and Lee, "African American Descendants," 139, citing Sonya Atalay, *Community-based Archaeology: Research with, by, and for Indigenous and Local Communities* (Berkeley: University of California Press, 2012), 11–12; and citing Anna S. Agbe-Davies, "Inside/Outside, Upside Down: Including Archaeologists in Communities." *Archaeologies* 7, no. 3 (2011): 590; and citing Carol McDavid, "Archaeologies That Hurt," 303–314.; and citing Stephanie Moser, Darren Glazier, James E. Phillips, Lamya Nasser el Nemr, Mohammed Saleh Mousa, Rascha Nasr Aiesh, Susan Richardson, Andrew Conner, and Michael Seymour, "Transforming Archaeology Through Practice: Strategies for Collaborative Archaeology and the Community Archaeology Project at Quseir, Egypt," World

- Developing trust, approaching the community honestly and transparently, and demonstrating respect.[234] Remembering that institutions with which researchers are affiliated may have a history of racism that engenders distrust.[235] White people often have not behaved as though Black people have the right to decide how to represent their history and their community.[236]

Prioritizing issues of interest to the descendant community and advocating for their goals for the project.[237] Being creative about the project how to support and contribute to the achievement of those goals, including activities that may be outside the nominal scope of the project.[238] "The concept of 'material integrity' at the heart of federal preservation guidelines"[239] often disadvantages non-White/Anglo communities and the places they value. However, the case might be made that past events which led to a

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Archaeology 34 no. 2 (2002): 243; and citing Richardson and Almansa-Sánchez, 204; and citing Gemma Tully, "Community Archaeology: General Methods and Standards of Practice." Public Archaeology 6, no. 3 (2007): 158.

[234] Franklin and Lee, "African American Descendants," 138, citing Atalay et al. 2014, 17–18; and citing John P. McCarthy, "Who Owns These Bones?: Descendant Community Rights and Partnerships in the Excavation and Analysis of Historic Cemetery Sites in New York and Philadelphia," Public Archaeology Review 4, no. 2 (1996): 3–12; and citing Daniel G. Roberts and John P. McCarthy. 1995. "Descendant Community Partnering in the Archaeological and Bioanthropological Investigation of African-American Skeletal Populations: Two Interrelated Cases from Philadelphia," in Bodies of Evidence: Reconstructing History through Skeletal Analysis, edited by Anne L. Grauer, ed. (New York: John Wiley & Sons, 1995), 19–36.

[235] Franklin and Lee, "African American Descendants," 138, citing Barbara J. Little and Larry J. Zimmerman, "In the Public Interest: Creating a More Activist, Civically Engaged Archaeology," in *Voices in American Archaeology*, Wendy Ashmore, Dorothy Lippert, and Barbara Mills, eds. (Washington, DC: Society for American Archaeology, 2010), 140; and citing Carol McDavid and Fred McGhee, "Cultural Resource Management, Public Archaeology, and Advocacy," in *Handbook of Postcolonial Archaeology*, Jane Lydon and Uzma Z. Rizvi, eds. (New York: Routledge, 2010), 467–480.

[236] Blain Robert and Ethan J. Kytle, "Looking the Thing in the Face: Slavery, Race, and the Commemorative Landscape in Charleston, South Carolina, 1865–2010." *Journal of Southern History* 78, no. 3 (August 2012): 644.

[237] Franklin and Lee, "African American Descendants," 138, citing McDavid and Matthews, 18.

[238] Franklin and Lee, "African American Descendants," 144.

[239] Ryan Smith, *Death and Rebirth in a Southern City,* 17–23.

historic cemetery's desecration or "obliteration from the landscape" have achieved historical significance by their association with Jim Crow laws and policies.[240]

Seeking equity in these areas requires new ways of thinking about the practices of archaeology, historic preservation, and cultural resources management, particularly when working with city-owned African American cemeteries. However, as my research has shown, the differences between city cemeteries that are improved and interpreted, rather than simply mowed and trimmed, is not simply related to classifications of Black or White. The effects of past segregation and disinvestment may be visible, but both White and African American cemeteries observed in this investigation were being treated equitably today *within two other categories*: those cemeteries that are recognized and valued as historically significant, and those which are not. In each of these categories, I found no clear disparities based on race.

When cemeteries are considered to be historically significant, they are more likely to be stewarded by professionals with historic preservation training and experience; to receive taxpayer funding for conservation, interpretation, and improvements; and to be recognized as cultural assets. The caretakers of cemeteries thusly acknowledged are more likely to take on the important work of reconciliation with historically disadvantaged communities. Perhaps the goal then should be to help city governments access or partner with qualified individuals and organizations that can assist with stewardship at that level.

In Georgia, a nonprofit Municipal Cemetery Association was established in 2007 to support city cemetery administrators in just that way. Today, 50 cities and 39 counties

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[240] Ryan Smith, *Death and Rebirth in a Southern City,* 17–23.

throughout the state of Georgia take part in workshops and other learning opportunities, in partnership with historic preservation professionals and its State Historic Preservation Office.[241] The Georgia Municipal Cemetery Association is the only organization in the United States exclusively serving city cemetery managers. If that concept could be expanded to other states and municipalities, this dissertation has shown that all city-owned cemeteries would benefit—regardless of race, class, or ethnicity—by being considered historically significant cultural assets to their communities.

As Dr. Jacqueline Smith-Francis said, during the "All Together Here" monument dedication in May 2023,

> "Practices of memorialization or acts of reverencing individuals, both those known and unknown to us, personally and collectively serve as a vehicle for bringing us together as families and communities, united in the mutual goal of recalling the past, revisiting it with the intention to learn more about the events that have happened before us, and consequently responding with practices of respect and a commitment to furthering projects that ensure that future generations can participate in similar processes of call and response."[242]

I choose, therefore, to measure *equity* in city-owned African American cemeteries by the respect, reverence, and commitment to preservation that municipal governments demonstrate toward those who are buried there. Ideally, cities will mark all graves, whether or not the identity of decedent is known. The stories of people buried there and the communities of which they were a part will be gathered in partnership with the descendent communities and professionally interpreted. Cities will present those histories

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[241] Georgia Municipal Cemetery Association website, https://www.gmcaweb.org/.
[242] Jacqueline Smith-Francis, "All Together Here: Our Present Past: History Talk and Community Conversation," May 19, 2023, City of Austin Parks and Recreation Department, https://www.youtube.com/watch?v=5scSb0d0uTg&t=3s.

through a variety of media, so that personal preferences, limitations, and digital connectivity challenges in rural and/or disadvantaged areas will not prevent people of all ages from accessing information. When markers and monuments need to be conserved, professionals or appropriately trained volunteers with access to the proper equipment will do that work. Cities will formally recognize historic cemeteries using the programs and opportunities available in their state. In all activities, cities will seek out opportunities to genuinely collaborate with descendent and affected communities and center descendent voices.

I believe that the preservation of city-owned African American cemeteries, in partnership with those communities, provides cities an opportunity to create space for healing and reconciliation. Let us bind ourselves to this worthwhile pursuit.

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APPENDIX A:
Full List of Texas Counties with Enslaved Population in 1860

Table 8. Texas counties by percentage of enslaved population in 1860; shaded counties were not included in the dataset for this analysis.

County	% Enslaved People 1860	County Seat
Wharton	80.9	Wharton
Brazoria	71.6	Angleton
Harrison	58.6	Marshall
Galveston	56.9	Galveston
Matagorda	53.7	Bay City
Bowie	53.5	Texarkana
Grimes	53.1	Anderson
Freestone	52.3	Fairfield
Washington	52.2	Brenham
Lee (previously part of Washington Co.)		Giddings
Montgomery	51.3	Conroe
Waller (previously part of Austin Co.)		Hempstead
Marion	50.7	Jefferson
Polk	50.6	Livingston
San Jacinto (previously part of Polk Co.)		Coldspring
Walker	50.5	Huntsville
Falls	47.5	Marlin
Fort Bend	47.3	Richmond
Jackson	46.1	Edna
Colorado	45.1	Columbus
San Augustine	41.9	San Augustine
Sabine	41.8	Hemphill

County	% Enslaved People 1860	County Seat
Cass (aka Davis Co., 1860–1871)	41.3	Linden
Gonzales	39.3	Gonzales
Travis	38.9	Austin
Rusk	38.8	Henderson
Gregg (previously part of Rusk Co.)		Longview
McLennan	38.7	Waco
Austin	38.6	Bellville
Hays	37.5	San Marcos
Smith	37.2	Tyler
Leon	36.5	Centerville
Brazos (aka Navasota Co., 1841–1842)	36.3	Bryan
Panola	36.1	Carthage
Caldwell	35.9	Lockhart
Red River	35.6	Clarksville
Upshur	35.6	Gilmer
Anderson	35.3	Palestine
Burleson	35.2	Caldwell
Houston	35.0	Crockett
Chambers	34.0	Anahuac
Liberty	33.9	Liberty
Victoria	33.9	Victoria
Fayette	32.7	La Grange
Newton	32.4	Newton
Dewitt	32.2	Cuero
Guadalupe	32.1	Seguin
Navarro	31.5	Corsicana
Jasper	30.9	Jasper

County	% Enslaved People 1860	County Seat
Madison	30.2	Madisonville
Milam	29.8	Cameron
Lavaca	28.7	Hallettsville
Nacogdoches	28.5	Nacogdoches
Lamar	28.0	Paris
Shelby	27.5	Center
Cherokee	26.8	Rusk
Tyler	25.4	Woodville
Titus	25.3	Mount Pleasant
Goliad	24.9	
Henderson	24.3	
Limestone	23.6	
Bastrop	22.9	
Harris	22.7	
Trinity	21.8	
Ellis	21.0	
Bell	20.9	
Orange	20.6	
Shackelford	20.5	
Wood	20.1	
Williamson	19.7	
Fannin	18.7	
Hills	17.8	
Angelina	16.1	
Grayson	15.8	
Calhoun	15.7	
Young	15.6	
Jefferson	15.5	
San Patricio	15.3	

County	% Enslaved People 1860	County Seat
Robertson	15.2	
Karnes	15.1	
Lampasas	14.9	
Refugio	14.7	
Bosque	14.6	
Live Oak	14.3	
Hardin	14.1	
Tarrant	14.1	
Buchanan	13.9	
Kaufman	13.5	
Hopkins	12.8	
Dallas	12.4	
Johnson	11.9	
Coryell	11.5	
Collin	11.3	
Cooke	9.8	
San Saba	9.7	
Bexar	9.6	
Burnet	9.4	
Bee	8.7	
Hunt	8.7	
Comanche	8.6	
Palo Pinto	8.6	
Van Zandt	8.5	
Blanco	7.7	
Kerr	7.7	
Nueces	7.4	
Atascosa	6.8	
Medina	5.8	

County	% Enslaved People 1860	County Seat
Parker	5.8	
Hamilton	5.3	
Uvalde	5.3	
Denton	5.0	
Jack	5.0	
Erath	4.9	
Llano	4.9	
Comal	4.8	
Montague	4.1	
Wise	4.1	
Bandera	3.0	
Mason	2.9	
Gillespie	1.2	
Hidalgo	0.2	
Starr	0.2	
Cameron	0.1	

APPENDIX B:
Cemetery Equity Checklist

CITY-OWNED CEMETERY ENDANGERMENT
CHECKLIST FOR EQUITY RESEARCH
Austin, Texas

Oak wood	Oakwd Annex	AMP	Plum	Ever green	CHARACTERISTIC
					The cemetery is maintained.
					Most graves are marked.
					Most grave markers are visible and upright.
					Most grave markers are free from mower/trimmer damage.
					There are visible signs of recent visitation, such as floral decorations.
					The cemetery is free of beer or soda cans or other trash that would indicate loitering.
					The cemetery is not used as a dumping site.
					The cemetery is fully fenced.
					All visible graves are contained within the fenced perimeter.
					There is a lockable gate.
					The cemetery has a sign on site that provides contact information.
					There is a sign stating the visitation hours and other rules.
					An informational sign shows a map, history of cemetery, etc.
					Some graves are covered with mounded dirt, grave goods.
					Graves are backfilled neatly; few or no visible grave depressions.
					Cultural plantings are visible.
					The cemetery is relatively safe from development pressures.
					The boundary between the cemetery and the adjacent landowner(s) is clearly defined and respected.
					The cemetery appears on Google maps.
					The cemetery contains a chapel, pavilion, etc. for services.
					The cemetery contains a public restroom facility.
					There is an Official Texas Historical Marker at the cemetery.
					You feel comfortable and safe visiting the cemetery.
					TOTALS

NOTES: