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The remains were to rest in eternal peace, but progress disturbed their slumber – and the families left behind



Courier photo by BILL ADKINS

Donald Claspell looks at the tombstones he retrieved and brought to the home of his sister and brother-in-law.

Sanctity Violated

By PATRICK W. WATHEN
Courier staff writer

They were laid to rest in a tiny churchyard cemetery between 1851 and 1936, and some unrecorded graves may be older than that.

Today, where tombstones once stood vigil over the dead, people are busy gassing up and washing their cars at a Circle S convenience store.

The conversion of once-hallowed ground to commercial use was upsetting enough to descendants of the more than 60 people, including 13 Civil War veterans, buried in wooden caskets at the old Epworth United Methodist Church Cemetery at Epworth and Newburgh roads.

But last September, emotions boiled after remaining headstones were moved from behind the church's old ne-



Courier graphic by LARRY FINK

veterans' markers have been returned to the federal government. Veterans plan to memorialize the deceased servicemen, and people interested in genealogy want the records preserved and the stones displayed in a common area.

Routes leading to the dispo-

The Circle S convenience store is located at Epworth and Newburgh roads.

Courier photo by RICHARD HICKS



RICHARD HICKS



tions boiled after remaining headstones were moved from behind the church's old parsonage and dumped at Rose Hill Cemetery north of Newburgh.

Since then, some family members have retrieved stones, and bronze plaques from two

and the stones displayed in a common area.

Events leading to the dispute between the church and some family members go back to 1956, when church leaders decided to build a new sanctuary.

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GRAVES

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The plan required moving the cemetery, which dated back to when the property belonged to Salem Baptist Church. It's the Baptist burials that are unrecorded, said Epworth pastor the Rev. Dan Rasmussen.

In December 1956, Warrick Circuit Court Judge Addison Beavers approved the church's request to move the cemetery.

Beavers' order said all remains, "if any," were to be removed and re-interred at a new cemetery on church property and all headstones were to be re-erected.

None of the graves was removed, Rasmussen said.

He said the state health department, a local funeral director and a court-appointed trustee were on hand when the two most recent graves were opened.

One of those graves was that of Mary H. Shelton, who was married to Patricia Robinson Cole's grandfather, Isaac Newton Shelton, who also was buried in the cemetery. Mrs. Shelton died in 1936, and was the last person buried there.

All that was found in Mrs. Shelton's grave were casket handles, buttons and some hair, Rasmussen and descendants agree.

Family members who were

present asked that what was found be returned to the grave, and gave church officials permission to build over a portion of the cemetery as long as excavation went no deeper than four feet.

"There was a feeling that this would always be a churchyard. The feeling was the bodies could stay in the churchyard even though the monuments were moved; that it was hallowed ground," said Mrs. Cole, of Brighton, Mich.

They didn't know, she said, that it would become a gas station and carwash some day.

The gravestones were moved to another area of church property, but no graves stood beneath them.

About 30 years later, the stones were moved again, this time to an area behind the parsonage, which faces Epworth Road north of the church.

Pete Trowbridge, president of C&S Inc. of Tell City, Ind., said the company bought the church property, except the parsonage, about late 1987 for a Circle S convenience store, gasoline station and carwash. He said worship continued in the church until Epworth's new church, at 4455 Epworth Road a mile north of the old site, was completed.

Trowbridge assumed that the graves had been removed. "Later on, when we started digging, people began questioning whether all the bodies had been moved," he said.

He said he had a man assigned to watch while the site was excavated. Throughout all the digging, including a hole about 14 feet deep for the gasoline tanks, all that was found was a piece of crockery.

Amy Johnson, state research archaeologist, said if the graves never were moved, then technically, human remains still are there.

A law that went into effect in July 1989 offered greater protection to cemeteries, but it apparently does not affect the Epworth Cemetery because the law was not in force when Circle S was built.

She said very old graves have yielded remains in remarkably good condition, while no trace has been found in others. Soil conditions and topography are among conditions dictating the degree of decomposition, she said.

If, in 1956, authorities presumed that all the graves were empty because little remained in the two newest ones, then "I don't know that I would agree with that," she said.

Though the bodies of her ancestors

did not lie behind the old parsonage, Mrs. Cole said, she visited the tombstones there every time she traveled to Newburgh.

Last Labor Day weekend, she found the stones, then numbering about 30, missing. She learned that the old parsonage had been sold and the stones moved to Rose Hill Cemetery.

At the cemetery she found the stones in a pile, some of them damaged.

Kay Lant, Warrick County historian and a Rose Hill Cemetery board member, said church representatives attended a board meeting in 1984 and discussed moving the stones to the cemetery.

"I didn't hear anything for a year," she said. "The next thing we knew, the stones showed up on our property." That was around Labor Day, she said.

In September, the church proposed to the board that the stones be buried and a marker erected listing the names of people buried at the Epworth Cemetery, Mrs. Lant said.

"I told them I disagreed with that," she said.

She believes the stones need to be preserved, above ground, so families studying their heritage can see them.

Mrs. Lant said the cemetery board's lawyer also advised against burying the stones, and the church was asked to move them off cemetery property.

Some family members retrieved their stones. Mrs. Cole reached an agreement with the church to share the cost of erecting her family monument at Rose Hill.

Rasmussen said the bronze plaques from two of the military markers were returned to the government.

Don Claspell, a descendant of the Carney family, moved eight stones belonging to Carney family members, including his great-grandparents, John R. and Rebecca J. Carney.

Doug Carney, of Sleetmute, Alaska, is a Carney descendant. He is satisfied with Claspell retrieving the monuments, but he, like Mrs. Lant and Mrs. Cole, believes the stones should be erected together so they can be found by people doing family research.

If the stones are not brought back together, Carney says, some kind of registry needs to be maintained telling where the monuments are and who was buried at the cemetery.

Mrs. Cole would like to see a monument erected at Rose Hill or

on Circle S property listing the people's names, date of birth, date of death and any information that was on the stones, and say they were buried at Epworth Cemetery.

Roy Brown of Boonville, Ind., described himself as a "concerned citizen" who has contacted a variety of Warrick County officials about the situation he calls "pathetic."

"As I told the preacher, he might be legally right, but morally, he's wrong," Brown said.

Sonny Franklin, commander of American Legion Kapperman Post 44 in Newburgh, said the post plans to obtain the veterans' stones from the church and erect them in a mock cemetery outside the Legion building.

The veterans names will be listed on a plaque, he said.

He said the post also will attempt to have the bronze plaques returned.

Rasmussen said he did not know where the remaining stones were, and wouldn't identify who did know. And, he did not know what would happen to the monuments.

"I'm sorry if it's caused anyone any personal pain," Rasmussen said.

It's not a cemetery, but bodies are there

By Peggy Tombaugh

You're born, you die and then you're buried. However, that isn't always the end.

A Michigan woman is concerned about the fate of her Newburgh area's ancestors' remains in a cemetery which no longer exists.

As history is told, the Salem Baptist Church was built in 1826 in Newburgh. The church was built with money raised from selling cemetery plots. In March of 1851 the church was transferred to the Epworth Methodist Episcopal Church at a cost of \$100.

A new building to house the Epworth Church was built in 1868, and the present sanctuary was built in 1887.

Problems arose in 1956 when officials of the church needed to move the existing cemetery in front of the church to build the new church. All of the families who could be located were

notified, and officials went through court proceedings to disband the church.

In March of 1957, Gilbert Meyer, then of Meyer Funeral Home, officiated over the transferring of the bodies.

But, some of the bodies were never moved. Some of the families could not be reached, and some of the families wanted the bodies to remain in their location.

Those bodies that were not moved remained in the ground in front of the church. The markers of those persons were moved to a smaller cemetery behind the church parsonage.

Ron Devaisher, chairman of the board of trustees of Epworth, said legally the cemetery is behind the parsonage, not at the church—even though the bodies were never removed.

Epworth Church is for sale, and an ancestor of one of the families who remains in the cemetery is

upset.

Patricia Cole, who lives in Michigan, is an ancestor to Isaac Newton Shelton who was buried in the cemetery in 1910. His second wife, Mary Helen Hall Williams Shelton, was the last to be buried in the cemetery. She was buried in 1936.

Patricia is afraid that whoever buys the church will decide to add onto the building. She does not want anyone to dig in the church yard and disturb the bodies which remain there.

However, the last person was buried there 50 years ago, and chances are there are no more remains.

"You can't dig up and move something that isn't there," Devaisher said.

Mike Biggs, pastor at Epworth, said if the person who buys the church would dig and find remains, the church would take responsibility to move the remains into the new cemetery where the markers are currently

standing.

"From the state's standpoint, the cemetery doesn't exist anymore. It exists behind the church," Biggs said.

Devaisher said when the bodies were moved in 1957 very little remains were found. Now, there would be even less.

Virgil Simpson, of Simpson-Meyer Funeral Home, said it took 20-25 years for bodies buried in pine boxes to completely decay. So, he presumes there would not be much left at all. However, he said that in 1936 they were starting to bury people in vaults, so Mary Shelton

could possibly have been buried in a vault.

Cole said she and her relatives would be happy, if when the church was sold, an agreement would be drawn up that whoever buys the church cannot dig deep into the ground. She pointed out that if someone was to dig a foundation it would not be deep enough to disturb the remains. However, someone building a basement would disturb the remains.

Devaisher said that kind of an agreement would be a possibility, but nothing had been said to him by Cole or by the realtor.

Dora Hanna, of Citizen's

Realty, said legally there is not anything she can do. If both parties would want to draw up an agreement then it could be done.

However, legally the cemetery does not exist in front of the church, so anyone owning the property can do anything they want to do.

"Their soul has gone to heaven. Their physical remains have turned back to dust," Devaisher added.

The cemetery behind the church is maintained by the church trustees, and it will remain that way. The church is the only thing for sale. The parsonage and the cemetery are not, Devaisher said.



This is the new cemetery of Epworth Church. The markers, and not the bodies, were moved from the yard in front of the church to this area behind the church and the parsonage.