

CEMETERY ABANDONMENT:
NEW JERSEY CEMETERY LAW AND ETHNIC POPULATION MOVEMENT

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ABSTRACT OF THE THESIS

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Cemetery abandonment creates disconnections in cultural heritage. When vandalism, destruction, neglect, and overgrown landscape claim the grounds of a cemetery, a greater gap is created between living people and those that are deceased. This thesis aims to investigate the root causes of cemetery abandonment in direct relation to historic ethnic population movement and inadequate New Jersey cemetery law; it will discuss three New Jersey Cemeteries that have been left in unsuitable conditions: Saint Patrick's Cemetery of Rockaway, New Jersey, Grove Street Cemetery of Newark, New Jersey, and Evergreen Cemetery of Camden, New Jersey. Following research on the causes of cemetery abandonment and flaws in New Jersey cemetery law, this thesis recommends that amendment and expansion of current cemetery laws and boards in New Jersey can effectually aid in preserving cultural heritage such as gravestones, cemetery architecture, and landscapes along with intangible cultural heritage which are all components of cemeteries. Further, recommendations include financial and physical responsibility of municipalities containing abandoned cemeteries as well as public outreach and educational programming to promote cemetery preservation in New Jersey.

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Chapter One: Introduction

Architectural and landscape design, gravestone iconography, cemetery location, and methods of burial have changed with time; however, the purpose of a burial ground, graveyard or cemetery remains the same: to bury a deceased person. As cultural practice, cemeteries are reflections of human connection; descendants often visit these sites to remember their loved ones as well as their ancestral roots and heritage. If cemeteries contain emotional and ancestral attachment between those alive and those who have passed on, then why are these resources often left to fall into neglect and abandonment? When a certain ethnicity is thriving in a general area, they, as a community, likely would bury their loved ones in a common cemetery, whether public or associated with a religious house of worship. However, with historic shifting patterns of demographics and populations, ethnic population movement is not an uncommon occurrence in the United States; particularly in the 20th century and onwards. Changing demographics and ethnic population shifts can result in less frequent descendant visitation to burial grounds of ancestors. As visitation and burials decline, the overall quality of the cemetery can begin to diminish due to lack of funding, improper maintenance and, at worst, abandonment.

The definition of cemetery abandonment as defined in the 2000 state of New Jersey 209th Legislature will be used to investigate the abandoned status of three New Jersey cemeteries: Evergreen Cemetery of Camden established in 1848, Grove Street Cemetery of Newark established in 1901, and St. Patrick's Cemetery of Rockaway established in 1869. These three cemeteries were chosen because they represent burial grounds that may or may not qualify as "abandoned cemeteries" as per current New Jersey law, but have

been left in unsuitable conditions, are prone to vandalism, have no or little support by the overall community in which they are established, and seemingly do not have proper local or state law working in favor of their preservation.

Saint Patrick's Cemetery of Rockaway, New Jersey, is located eight hundred feet above sea level on the Copperas Mountain in a New Jersey State Park named Wildcat Ridge. This area, formerly known as the Hibernia mine, was, in the late 19th century, a mining site that contained a significant amount of ore.¹ The entrance of the small cemetery, measuring less than one acre, is marked by the words "Saint Patrick's Cemetery, established 1869," on an old and fading wooden sign. Gravestones located in the grounds of Saint Patrick's are of a mixed state of preservation; some stones are broken and even fewer are still standing. This cemetery is not classified under a certain type of architectural or artistic expression; rather, it is more similar to a small church graveyard located miles up a mountain. There is no church building or structure still standing in Wildcat Ridge indicating that the cemetery was in fact a church graveyard, however there are newspaper articles that refer to a church being located near the Hibernia Mine which will be discussed in detail in Chapter Four. Located in a park, Wildcat Ridge, the site is overgrown with broken and fallen trees, contains numerous gravestones that are broken, and littered with debris and trash.

Located in Camden, New Jersey, the 85-acre Evergreen Cemetery was established in

¹ Iron Mines and Iron Mining in New Jersey. By William S. Bayley. [Vol. VII of the Final Report Series of the Geological Survey of New Jersey; Henry B. Kümmel, State Geologist. Trenton, N.J., 1910.]. " *Geological Magazine Geol. Mag.* 8.11 (1911): 521. www.state.nj.us. State of New Jersey. Web.

1848; its design was influenced by the 19th century Victorian Garden Cemetery movement. According to Lynette Strangstad in her *Graveyard Preservation Primer*, “Victorian cemeteries were, and are, often elaborately designed. They were designed to lift the spirit to feel the presence of God. The landscaping plans for such cemeteries often included elaborate planting together with pathways and marked roads.”² Strangstad makes the point that these types of elaborate design elements were, and continue to be, more costly than more simple cemeteries from earlier centuries. Evergreen was once a site that was popular for the affluent 19th century city of Camden; wealthy members of society rest in the grounds marked by “numerous high-style marble monuments erected by notable citizens.”³ Evergreen possessed a Gothic Style superintendent home and office as well as a chapel; both of these historic icons of the city have been torn down. This once beautifully-maintained Victorian Garden Cemetery has deteriorated and faced bankruptcy, which will be discussed in further detail in Chapter 4. The landscape often lacks proper maintenance and the cemetery itself is considered to be unsafe due to high crime and the negative reputation of the city of Camden.⁴ In result, the grounds and gravestones at Evergreen continue to fall deeper into neglect and are subject to opportunistic vandalism.

Similar to Camden in that they were both once very affluent cities in the 18th and

² Strangstad, Lynette. *A Graveyard Preservation Primer*. Nashville, TN: Published by the American Association for State and Local History in Cooperation with the Association for Gravestone Studies, 1988. Print. Page 53.

³ Veit, Richard F., and Mark Nonestied. *New Jersey Cemeteries and Tombstones: History in the Landscape*. New Brunswick, NJ: Rivergate, 2008. Print. Page 95.

⁴ Guy, Shoshanna. "America's 'invincible' City Brought to Its Knees by Poverty, Violence - NBC News." *NBC News*. NBCNews.com, 7 Mar. 2013. Web.

19th centuries, Newark, New Jersey is home to cemeteries that, in result of ethnic population movement, have lost the attention of members of the contemporary community; one such cemetery is Grove Street Cemetery. Established in 1901, this cemetery is home to followers of Judaism. According to William Helmreich in his *The Enduring Community*, “the later portion of the 19th century was a golden age for Jewry in Newark.”⁵ As such, this ethnic group lived in their own section of Newark; here, strictly Jewish cemeteries were established. A fairly large cemetery, Grove Street is home to numerous congregations of the Judaic faith that once thrived in Newark; the cemetery is divided into sections according to congregation or association. This cemetery does not relate to a specific architectural or artistic cemetery movement. Although in comparatively better condition than Evergreen and Saint Patrick’s cemeteries, Grove Street Cemetery does not get the critical contemporary community attention and funding required for its landscape and gravestone conservation; as there are only two synagogues left in Newark, the majority of maintenance provided to Grove Street Cemetery is done on a volunteer and donation basis through organizations like the Newark Jewish Historical Society and Beth El Memorial Park Foundation.

My investigation of the Evergreen, Grove Street, and Saint Patrick’s Cemeteries will discuss the history of these burial grounds, including but not limited to, the investigation of construction, ethnicities of those buried, past and current ownership, and past and current states of maintenance. Field visitation methodology incorporated the

⁵ Helmreich, William B. *The Enduring Community: The Jews of Newark and MetroWest*. New Brunswick, NJ: Transaction, 1999. Print. Page 50.

approaches of Lynette Strangstad's *A Grave Preservation Primer, Your Guide to Cemetery Research* by Sharon Carmack and Douglas Keitster's *Stories in Stone: A Field Guide to Cemetery Symbolism* in order to respectfully and legally conduct research.⁶ In Chapter 4, which discusses ethnic population movement, New Jersey-based resources such as Edward Raser's *Morris County Burial Grounds Inventory for the Genealogical Society of New Jersey* and Alice Gould's *The Old Jewish Cemeteries of Newark* offer excellent ethnic population movement histories. Further, resources from the Rockaway, Camden, and Newark Historical Societies, the New Jersey Jewish Historical Society, the New Jersey Historical Society and Historic Camden County allowed me to access historical and demographical information on these cemeteries from the time of their original construction.

Scholarly works such as Warner's *The Living and the Dead: A Study of the Symbolic Life of Americans* of 1959 and Sloane's *The Last Great Necessity: Cemeteries in American History* of 1991 have been reviewed by Doris Francis in her *Cemeteries as Cultural Landscapes*. Francis states that both Sloane and Warner discuss symbolic cemetery landscapes as expressions of cultural traditions and community alterations which consequently influence historical writing and research. Francis notes that the work of both Sloane and Warner have been influential in the study of cemeteries as cultural landscapes. Their work, along with the work of those who came after, have promoted the advancement of cemetery research; in addition to the work of Warner and Sloane, other such scholarly works that have contributed to the field of cemetery research and

⁶ See Appendix B for the author's field research surveys.

preservation include *Death's Heads, Cherubs, and Willow Trees: Experimental Archaeology in Colonial Cemeteries* by Dethlefsen and Deetz, *New Jersey Cemeteries and Tombstones* by Nonestied and Veit and Strangstad's *A Graveyard Preservation Primer*. Each of these resources, in their own individual way, have worked to advance the practice of cemetery research and the preservation of cultural heritage within cemeteries; further, the above have been guiding resources throughout the process of writing this thesis.

Death's Heads, Cherubs, and Willow Trees: Experimental Archaeology in Colonial Cemeteries by Dethlefsen and Deetz, *New Jersey Cemeteries and Tombstones* by Nonestied and Veit and Strangstad's *A Graveyard Preservation Primer* are scholarly resources that have encouraged this research. *Death's Heads, Cherubs, and Willow Trees: Experimental Archaeology in Colonial Cemeteries* by Dethlefsen and Deetz, written in 1966, discusses cemeteries as historical, genealogical, and cultural links to past peoples, specifically in New England. Dethlefsen and Deetz discuss qualities of gravestones that make them important aspects of study such as pattern, design, and cultural symbolism connected to such iconography of gravestones. The 2008 work, *New Jersey Cemeteries and Tombstones*, is a literary resource that discusses the historical and cultural significance of New Jersey cemeteries. Nonestied and Viet discuss hundreds of cemeteries in New Jersey; culturally-important gravestone iconography, stone carvers, the educational and cultural value of cemeteries and an overview of cemeteries in New Jersey from the time of early Native American settlements and into the present day.

Similar to work of both Dethlefsen and Deetz and Nonestied and Veit, Lynette Strangstad's *A Grave Preservation Primer*, written in 1999, is a resourceful cemetery preservation specialist work that promotes public acknowledgement of the historical and cultural value of cemeteries. Strangstad's *A Grave Preservation* differs from *New Jersey Cemeteries and Tombstones* and *Death's Heads, Cherubs, and Willow Trees: Experimental Archaeology in Colonial Cemeteries* in its more direct focus on steps that can be taken in an effort to preserve cemeteries. Strangstad's cemetery preservation guide offers readers step-by-step directions that can be used to preserve a cemetery. While *New Jersey Cemeteries and Tombstones*, *Death's Heads, Cherubs, and Willow Trees: Experimental Archaeology in Colonial Cemeteries*, and *A Graveyard Preservation Primer* provide readers with valuable and resourceful information that promote knowledge, awareness, and methods of cemetery preservation, these works lack information on any United States cemetery law, particularly cemetery law in New Jersey. While these specialist works have been useful resources that have assisted in the research process for this thesis, but my work intends to take cemetery research and heritage preservation further by discussing cemetery laws in New Jersey and their effectiveness on cemetery preservation in the state.

After the historical and contemporary evaluation of each cemetery, I will review current New Jersey cemetery law in order to understand precisely what each law entails. I will discuss each cemetery alongside current New Jersey cemetery law as well as cemetery law in the bordering states of New York and Pennsylvania. I will then make recommendations for updates and amendment to current laws such as the 209th

Legislature and the New Jersey Cemetery Act and Board and suggest methods for public outreach. My recommendations will be made in an effort to bring awareness to the fact that cemeteries “provide community members with a physical record of a community’s former inhabitants”⁷ and with that, abandoned and neglected cemeteries create a gap in cultural heritage continuity. Cemeteries are the remainders of communities gone by. Without proper care, the historic and heritage resources they contain are at risk of being lost.

To the naked eye, cemeteries without gravestones or markers are just open spaces of landscape. If cemeteries that are unable to be financially maintained by their owners or cemeteries that do not have official owners continue to be left to the forces of nature and negative human activities (for example, robbery, vandalism, and unconventional behavior on sites) the cultural and ancestral heritage and history that can be learned about and gained from them will be even further lost with time. The purpose of this work is to express the seriousness of the state of many cemeteries in New Jersey that are in the process or in the early stages of inevitable decline. Without intervention from the leaders of New Jersey these cemeteries, as many before them, will eventually lose the remaining facets of their integrity and capability to provide the living with an understanding of the lives of our deceased human ancestors. Prior to discussing ethnic population movement, New Jersey cemetery laws, and field research observations, Chapter Two will discuss the history of cemeteries in the United States and New Jersey.

⁷ Veit, Richard F., and Mark Nonestied. *New Jersey Cemeteries and Tombstones: History in the Landscape*. New Brunswick, NJ: Rivergate, 2008. Print. Page 11.

Chapter Two: Cemetery History, Landscape, and Cemetery Masonry

In order to provide an understanding of the history and development of cemeteries in New Jersey, this chapter discusses cemeteries in the United States, including landscape design and masonry materials. The information on cemeteries that follows explains the importance of such sites in America and, consequently, this overview supports the preservation of cemeteries as cultural heritage and historical resources.

In the United States, burial grounds and graveyards preceded what are now known as cemeteries. The word cemetery has Greek and Latin roots which translate into “sleeping place and dormitory.”⁸ The word cemetery was not commonly used prior to the movement of burial grounds to landscapes that were not located in the center of town. Burial grounds or graveyards were typically small, and often located behind the church to which the deceased belonged, or in a generalized area that was relative to those living in a given community. By the 18th century in Europe, more bodies needed resting places and church graveyards became too crowded. Overcrowding in graveyards was considered a health concern which led to the creation of burial grounds outside of cities where more open land was available for use.⁹ This movement from church graveyards to the outskirts of cities is when the term “cemetery” began to be commonly used. By the 19th century, this European design spread to America as what is now terms the Victorian Garden

⁸ Online Etymology Dictionary
http://www.etymonline.com/index.php?allowed_in_frame=0&search=cemetery&searchmode=none
 Harper, Douglas. 2001-2005.

⁹ Majewski, Teresita, and David R. M. Gaimster. *International Handbook of Historical Archaeology*. New: Springer, 2009. Print. Page 148.

Cemetery Movement. At this point, America was facing an epidemic; yellow fever was spreading rapidly in major cities and graveyards were thought to be places where the illness could accumulate and ultimately spread.⁹ The Victorian Garden Cemetery Movement was particularly important for Americans with the concern of graveyards being unhealthy.

Based on the European model, American rural cemeteries, such as Evergreen Cemetery in Camden, New Jersey and Elmwood Cemetery in New Brunswick, New Jersey, were often large, located in the outskirts of cities, and provided adequate space for burying the departed with memorializing installations composed of stone such as granite and marble. Prior to the Victorian Garden Cemetery Movement, stone masonry was, for the most part, and if installed at all, used to simply mark the location of the burial and provide a name, perhaps date of birth and death, and in some cases, a brief message or religious quotation. With the rise of Victorian Garden Cemeteries, stone masonry developed into an art form which became linked with the rise of cemetery art and landscape. In the United States today, the difference between a cemetery and a graveyard is not commonly understood as the two terms are generally used interchangeably. Today, active burials at graveyards are uncommon; the majority of churches in the United States, especially those in cities, do not have the acreage to have a place of worship as well as an active burial space. More often, actual burials take place at a cemetery that is not located on the same legal property as religious houses of worship.

Whether a graveyard or cemetery, these grounds provide the living with tangible

⁹ Majewski, Teresita, and David R. M. Gaimster.

and intangible emotional connections to the departed and also act as historical and cultural educational resources for descendants as well as the public. For those interested in genealogical resources, cemeteries contain the landscape, gravestones, iconography, statuary, monuments, memorials, and mausoleums which act as tangible connections to the departed. Ancestral relation and connection to those who have passed, as well as peaceful and thought-evoking emotions that may arise while visiting a cemetery, are some intangible connections to cemeteries or grave yards. Historically and culturally, grave yards and cemeteries can provide a scope into the lives of those who lived during the time prior to burial. The language used on gravestones, the wording carved on stones, carved designs or imagery, and the material of the stones themselves can teach those living in the contemporary world about the culture and history of those who have passed.

The Victorian Garden Cemetery Movement allowed for artistic expression and landscape design to memorialize the departed. Well-known or commonly used stone carving designs were expanded upon and altered with time and location, providing historians today with the ability to date stones to time periods. The ability to date stones according to gravestone iconography is particularly useful when dates or wording have worn off the stone. For example, the winged cherub was a popular late 18th and early to mid-19th century gravestone design in the United States.¹⁰ (Appendix A: Figure 2.1) With time and artistic inspiration and technique, the winged cherub design went through alteration that was often influenced by location and the skills of specific craftspeople;

¹⁰ Veit, Richard F., and Mark Nonestied. *New Jersey Cemeteries and Tombstones: History in the Landscape*. New Brunswick, NJ: Rivergate, 2008. Print. Pages 29 and 31.

however, the consistent cherub theme allows professionals to date these stones to a general time period and sometimes a location. For example, according to Veit and Nonsteid, Uzal Ward of Newark was an 18th-century stone carver whose distinctive pear-shaped cherub and bold carved writing are very distinctive¹⁰ and can, by a cemetery researcher, be recognized in cemeteries throughout areas in and around Newark, New Jersey.¹¹ Stone carvers would often manipulate the standard cherub or other design with a personal twist. The carved image can be thought of as an artist's calling card; some carvers would even sign their stones.

When studying culture, iconography that is common for certain ethnic groups proves to be a useful resource; iconography can be used to discover a cultural connection to a stone, graveyard, or cemetery. A simple example is Celtic symbolism. Celtic imagery and writing that has been carved into a gravestone allows cemetery researchers to make a connection between the burial and the Irish, for these types of carvings are prominent on Irish stones. An example of this is a Celtic cross, known for its loops and design interconnectedness. (Appendix A: Figure 2.2) Any names carved into a gravestone can also aid cemetery researchers in linking the deceased to a general ethnicity.

When searching through a cemetery for genealogical, ethnic, and historical information, the state of masonry can prove to be an extremely important factor. If a stone is worn and hard to read, if it is broken or victim to vandalism, neglect or abandonment, or if it is too old and delicate to perform a stone rubbing, the chance of

¹¹ Dethlefsen, Edwin, and James Deetz. 1966. "Death's Heads, Cherubs, and Willow Trees: Experimental Archaeology in Colonial Cemeteries". *American Antiquity* 31 (4). Society for American Archaeology: 502–10.

gaining information on that specific deceased person or group of people is low. Materials used can date the stone to certain time period. For example, marble was used regularly before granite became popular in the 20th century. An identifying trait of marble is that it naturally deteriorates more quickly than granite. An issue here is that a majority of stones that were carved prior to the 19th century in America were carved in marble because granite was expensive, heavy, and was more rare due to the fact that proper machinery to quarry, cut, and polish the stone were unavailable.¹²

Once suitable tools were invented, granite stones became the popular choice; tools to quarry the stone, lift the stone, carve and polish the stone along with railroad systems to transport the stone influenced the greater use of granite. Although marble is still used for gravestones today, granite has proven to have a slower natural decaying rate than marble and can withstand the negative effects of acid rain. Therefore, in terms of conservation and preservation, granite is a more popular material.¹³ There are other types of memorials that do not wear down as quickly as marble. For example, there are copper memorials, which were discovered through the author's field work while interning at Elmwood Cemetery, New Brunswick, New Jersey, that have metal plates that can be screwed on and off. Although use of copper runs the risk of turning green due to oxidation, the use of the material allowed for additions to the plots without the financial need to buy another headstone; a new metal plate could be made or words could be added

¹² Quiring, David. "Why Granite Is Preferred for Cemetery Monuments." *Why Granite Is Preferred for Cemetery Monuments*. Quiring Monuments Inc., 2015. Web.

¹³ .Veit, Richard F., and Mark Nonestied. *New Jersey Cemeteries and Tombstones: History in the Landscape*. New Brunswick, NJ: Rivergate, 2008. Print. Pages 28-30.

to the original plate.

The state and condition of gravestones and memorializing statuary can be further reduced when the cemetery in which they are placed has been neglected, uncared for, or abandoned. Cemeteries that have been officially or unofficially abandoned are often targets for unconventional activity such as loitering as well as vandalism and thievery of more expensive materials. Cemeteries left in such conditions also become victim to overgrowth and lack of landscape maintenance which can cause further destruction to gravestones and statuary; fallen trees, tree roots uplifting gravestones or growing through mausoleums, and weeds of all types growing through gravestones are just a few examples of what can take place in an unmaintained cemetery. All of these factors can cause hardship for cemetery researchers and preservation professionals seeking information from the resources that rest within cemeteries.

The physical elements of cemeteries, in the absence of good conditions, may be the only things that allow us to identify those who lie beneath the ground; these elements also allow scholars to collect data and improve upon cemetery preservation and study. Cemeteries are valuable resources that contain information from the past; these resources should not be allowed, legally, to fall into such neglected conditions. Abandonment and neglect should be outlawed due to the fact that cemeteries are home to the departed who once were living, who deserve respect, and who should rest in peace in areas that are maintained and that have not fallen victim to vandalism and the forces of nature. The need for cemetery maintenance improvement highlights the challenges of existing New Jersey cemetery law, a situation to be discussed in detail in Chapters Three and Five.

Chapter Three: The Abandoned Status of Evergreen Cemetery, Saint
Patrick's Cemetery, and Grove Street Cemetery

Over the course of thirty years, from the pre-1970s and into the early 2000s, New Jersey has created and amended legislature that involves the preservation of abandoned cemeteries. The most recent legislative act, New Jersey's 209th Legislature, was submitted in 2000 under Assembly Number 1177 and was prepared by Michael J. Arnone and Joseph Azzolina. This act "concerns the identification and preservation of certain abandoned cemeteries" and is "amending P.L. 1975, c.291 and P.L. 1987 c.129."¹⁴ The 209th Legislature is part of the Municipal Land Use Law in the state of New Jersey. The synopsis of this act is defined as to "authorize procedures for identification and preservation of abandoned New Jersey cemeteries."¹⁴ While an important law for cemeteries in the vicinity of new development, the act lacks a direct focus on the maintenance and preservation of abandoned cemeteries. Rather, the 209th Legislature focuses on developer and municipality steps and strategies for buying and building on sites or near sites; the act lays out the steps developers must take in order to, in compliance with state law, build and develop according to code within New Jersey municipalities.

The 209th Legislature defines the legal definition of abandoned cemeteries in the state of New Jersey although it is ambiguous in its reference to the topic of abandoned cemeteries throughout the remaining text. At its start, the act defines abandoned

¹⁴ *New Jersey Abandoned Cemetery Maintenance and Preservation Act*
http://www.njleg.state.nj.us/20002001/A1500/1177_11.HTM

abandoned cemeteries in the state of New Jersey as:

any place found to contain human burials, whether or not the burial site has been determined to have historical significance, not owned by a public agency or religious corporation, society or association and in which not more than 10% of the interments have been made later than 1880. This definition shall include, but not be limited to, graveyards, burial grounds and cemeteries which do not exceed ten acres and are used or intended to be used for the interment of bodies of the dead or the ashes thereof.¹⁵

The definition of a legally abandoned cemetery eliminates many cemeteries that have fallen into neglect in New Jersey. The legislation states that if a cemetery is owned by a public agency or religious corporation, society, or association, the said cemetery cannot be considered abandoned. This, in itself, limits the responsibility of state and local governments in the maintenance plan and care of neglected and abandoned cemeteries that are under their own jurisdiction. The fact that the state can claim no responsibility for abandoned and neglected cemeteries through legislature such as their 209th Legislature is unjust and disrespectful for those who are buried in such cemeteries and for their descendants. Further, when there is no one taking care of a cemetery, its grounds are

¹⁵ *New Jersey Abandoned Cemetery Maintenance and Preservation Act*
ftp://www.njleg.state.nj.us/20002001/A1500/1177_11.HTM

allowed to fall into conditions that deepen the gap in ancestral connection between those buried and their living descendants. For these reasons, government intervention in the form of funding for site maintenance and security monitoring is necessary for the conservation of such cemeteries both out of respect to those who have passed on and for future generations who may value cemeteries as culturally- and historically-rich resources.

Officially, the definition of abandoned cemeteries states that “no more than 10% of the internments can have been made later than 1880.”¹⁶ This section of the definition of abandoned cemeteries further works in opposition to the maintenance and recognition of abandoned and neglected cemeteries in New Jersey. A gap of 135 years is large considering that a cemetery can fall victim to both vandalism and nature as well as lose its integrity and cultural value in a matter of a few years. Further, the definition of abandoned cemeteries, as defined by New Jersey, does not offer any explanation involving the arbitrary designation of 10 acres as the upper limit which is necessary for legal abandoned cemetery classification. The law states that historic importance need not be relevant to cemeteries that do meet the requirements of the abandoned cemetery definition; with that in mind, it does not seem practical to create boundaries that limit the acreage of abandoned cemeteries in New Jersey unless this is to provide the state with less responsibility for those cemeteries. The 209th law does not support state and local maintenance of cemeteries that have fallen into neglect and unofficial abandonment.

¹⁶ *New Jersey Abandoned Cemetery Maintenance and Preservation Act*
ftp://www.njleg.state.nj.us/20002001/A1500/1177_11.HTM

As mentioned, the New Jersey 209th Legislature was written in accordance with the New Jersey Municipal Land Use Law. The New Jersey Municipal Land Use Law, or MLUL, “enables legislation for municipal land use and development planning and zoning and provides municipalities in New Jersey with authority to identify, evaluate, designate, and regulate historic resources.”¹⁷ Although created as part of New Jersey’s Municipal Land Use Law as an instructional aid in regulating historic resources, the terms “abandoned cemetery” and “preservation” are only mentioned a few times throughout the 209th law; the terms are vaguely mentioned until the very end of the bill where it is stated that “an abandoned cemetery preservation agreement, which shall mean a written agreement between a municipality and a developer containing provisions for the protection and perpetual care of abandoned an cemetery” needs to be created.¹⁸ This statement explains that the developer involved needs to lay out a plan for the protection and care of the given abandoned cemetery. This plan needs to be approved by the specific municipality. Unfortunately, historic resources are not always the priority for developers and consequently, it is not entirely uncommon for developers to take the least costly of time and budget way out of building situations that involve historic resources; by making the most simple plan possible or using the least expensive means to carry out their plan, developers can easily overlook and under maintain a cemetery even when a plan for preservation is drawn. Placing the bulk of preservation responsibility on such developers remove the involvement of the government in the maintenance plan of abandoned

¹⁷ “MLUL.” *MLUL*. The New Jersey Planning Officials, 2013-2015. Web.”

¹⁸ *New Jersey Abandoned Cemetery Maintenance and Preservation Act*
ftp://www.njleg.state.nj.us/20002001/A1500/1177_11.HTM

cemeteries even in cases when these cemeteries meet the legal requirements necessary to be considered abandoned.

Following the conclusion of the 209th Legislature is a statement about the importance of abandoned cemeteries in the state of New Jersey. The statement expresses concern for historical continuity. The statement stresses that:

many of these cemeteries have been neglected for so long that they have grown back into woodland, become obscured from view and been. These cemeteries serve to remind us of our cultural and historical heritage, rekindle an awareness of the difficult struggles and unique achievements of preceding generations and renew, in each succeeding generation, an appreciation and an understanding for the patterns of our State and local history.¹⁹

Based on the above, the 209th Legislative of New Jersey recognizes that cemeteries are immensely important historical, cultural, and educational resources. The state also acknowledges that cemeteries are not being maintained, are being left to fall into neglect and blight, and are being forgotten. Following the comments on the historic and cultural value of cemeteries, the closing statement of the law continues on to state that the

¹⁹ *New Jersey Abandoned Cemetery Maintenance and Preservation Act*
ftp://www.njleg.state.nj.us/20002001/A1500/1177_11.HTM

on developer maps and encourage preservation plans for them.”¹⁹ Considering the emphatic statement on the significance of abandoned cemeteries and acknowledgement of their decaying state, there should be less of a limitation of qualifying abandoned cemeteries and instead more comprehensive state and local government involvement in the maintenance and care for such cemeteries. “Encouragement for preservation” should not be the only legislation for the preservation of cemeteries in the state of New Jersey. Preservation and conservation should be obligatory, not simply encouraged; not only are these sites rich in cultural heritage and history but they are also resting places for the dead, who deserve respect and acknowledgment.

Even though the 209th Legislature narrowly limits the number of cemeteries to be considered abandoned, the law is at least an effort to make a statement on the protection and preservation of cemeteries that are officially abandoned. Why exactly the regulations set size, burial date, and ownership type restrictions is yet to be entirely understood other than local and New Jersey state governments might be trying to avoid the burden of financially and physically maintaining sites that are heavily neglected and which are, by the community, already considered abandoned. In order to support the fact that this legislature places too strong of a limitation on what cemeteries should be considered abandoned and why, this thesis now moves to examine the comparison between the New Jersey 209th Legislature and the case studies of Evergreen Cemetery, Saint Patrick’s

Cemetery and Grove Street Cemetery.

According to the New Jersey Abandoned Cemetery Maintenance and Preservation Act, Evergreen Cemetery does not meet the necessary requirements to be classified as a legally abandoned cemetery. More than ten percent of the burials at Evergreen took place after 1880. In addition, the grounds of Evergreen Cemetery are about 85 acres, exceeding the 10-acre limitation laid out by the state of New Jersey. Although ownership is uncertain at this point in time, the Harleigh Cemetery of Collingswood, New Jersey, is believed to have assumed the responsibility of maintaining the grounds of Evergreen Cemetery following its bankruptcy and the death of the caregiver who was legally named responsible for its maintenance, which will be discussed in further detail in Chapter Four.²⁰ However, the cemetery certainly is no longer in a condition that shows respect for the dead and it is not safe for descendants to visit. The site is not always clearly accessible and contains tangible resources such as gravestones and plot markers that have not, either historically or currently, been treated with appropriate care.

Saint Patrick's Cemetery of Rockaway, New Jersey also does not meet the necessary New Jersey 209th Legislative requirements to be deemed an abandoned cemetery. The Wildcat Ridge Wildlife Management Area is a park containing about 10,300 acres. This park is managed by the New Jersey Division of Fish and Wildlife.²¹ As such, the site is a publicly-owned recreational area. As a component of a publicly-

²⁰ Levins, Hoag. "A Visit to Evergreen Cemetery, Camden City, New Jersey." *A Visit to Evergreen Cemetery, Camden City, New Jersey*. HistoricCamdenCounty.com and Camden Historical Society, 2004. Web.

²¹ "NJDEP Division of Fish & Wildlife - Wildlife Management Areas." *NJDEP Division of Fish & Wildlife - Wildlife Management Areas*. State of New Jersey

owned park, Saint Patrick's Cemetery cannot be considered an abandoned cemetery by law. In addition, most burials at this cemetery took place prior to 1910 but after 1880. Saint Patrick's would meet the qualifications for acreage as its grounds incorporate less than ten acres; however, Saint Patrick's is an example of a site that is overgrown, has damaged trees fallen upon gravestones and plot markers, is littered, and has not had any official government funding or maintenance.

Grove Street Cemetery is another example of a cemetery that has fallen into neglect although less so than both Evergreen Cemetery and Saint Patrick's Cemetery in terms of landscape maintenance and preservation efforts in recent years. According to New Jersey state law, Grove Street Cemetery does not qualify to be termed a legal abandoned cemetery. The cemetery takes up more than ten acres of land and more than 10% of the burials took place after 1880. Grove Street Cemetery is not owned by the city, one society, or a private organization; ownership of this cemetery is complex and will be further discussed in Chapter Four. Although it possesses better preservation conditions than Evergreen and Saint Patrick's Cemeteries, Grove Street Cemetery is slowly, but surely, falling into an unmaintained state and without local or state intervention, the site may be unrecognizable in the near future.

Based on the cemetery situations as described above, it is evident that the current New Jersey definition of abandoned cemeteries does not offer adequate financial aid to neglected cemeteries in the state of New Jersey. Cemeteries such as Evergreen, Saint Patrick's and Grove Street are unmaintained; there is a lack of funding devoted to maintenance and preservation necessary to facilitate the grounds that are home to

deceased state dwellers who once gave their time, money, and efforts to the state of New Jersey. It is abundantly necessary to investigate and analyze other New Jersey Cemetery laws in order to fully understand if there has been any state aid provided for cemeteries in disheartening conditions similar to those of Grove Street, Saint Patrick's and Evergreen Cemeteries. Chapter Four next examines the specific histories of Saint Patrick's, Grove Street and Evergreen Cemeteries in an effort to investigate cemetery history, how these cemeteries became neglected, and their current conditions and preservation challenges.

Chapter Four: Historical Analysis of Saint Patrick's, Grove Street, and Evergreen Cemeteries

It is important to investigate how Evergreen, Saint Patrick's and Grove Street cemeteries ended up in their current neglected conditions; this chapter explores the specific history and preservation challenges of each cemetery with the aid of the author's field observation and historical research. All three cemeteries were flourishing cemeteries that were popular burial locations in the state of New Jersey in the late 19th century and into the mid-20th century. In the second decade of the 21st century these sites are decaying. With the loss of gravestone iconography, mortuary buildings and structures, plot markers, and the original mortuary landscape that served the community, the culture and history of those buried are also fading away. This chapter discusses the history and cultural relevance of these cemeteries to their local communities during the time of their activity, events that led to their current conditions, and discusses known preservation and conservation efforts and programs.

Part 1: Saint Patrick's Cemetery of Rockaway, Morris County, New Jersey

As discussed in the Chapter One, Saint Patrick's Cemetery is the mortuary home to former miners and mining families that dwelled, lived, and briefly thrived on the Hibernia Mountain of Rockaway, New Jersey. Now overgrown, littered upon, and victim to the growth of its own natural landscape, Saint Patrick's has fallen into a neglected state that no longer resembles its original purpose: the memorialization of the departed

members of a mining community that once flourished eight hundred feet above ground. Because of the success and eventual decline of the northern New Jersey Hibernia Mine, iron ore mining in the state of New Jersey will be briefly discussed. According to William Bayley in his *Geological Survey of New Jersey*, mining became popular for a brief after English settlement in New Jersey in the 19th and 20th centuries.²² Iron ore mining in New Jersey focused on four variations of ore: bog iron ore, limonite or brown hematite, red hematite, and magnetite. Before the American Revolution in 1766 and until the early 20th century, iron ore was a main component of the New Jersey economy. Although there were declines and rises in demand for these types of iron ore, companies throughout New Jersey profited from mining up until the start of the 1920's.²² Mining conditions were, and remain, very dangerous. Not only did miners work miles underground with a mountain above them, but poisonous and deadly gases such as methane also commonly linger in these man-made shafts. In addition to these perilous conditions, and prior to the invention of electricity, there was no light other than flammable fire-lit lamps.²² Mine workers worked early in the day and underground for hours upon hours without sight of day light; this sort of work schedule led to the establishment of a mining settlement in the area of the Hibernia Mine.

While the Hibernia Mine was built and in full working use by 1764, according to the weathered, yet informative, sign that still stands at the entrance of the cemetery, Saint Patrick's Cemetery was established in 1869. (Appendix A: Figure 4.1) Oral histories

²² Iron Mines and Iron Mining in New Jersey. By William S. Bayley. [Vol. VII of the Final Report Series of the Geological Survey of New Jersey; Henry B. Kümmel, State Geologist. Trenton, N.J., 1910.]. " *Geological Magazine Geol. Mag.* 8.11 (1911): 521. *Www.state.nj.us*. State of New Jersey. Web.

offers a glimpse into the series of events that took place in the “Village of Hibernia.”²³ Bishop Rodimer’s grandmother and great- aunt were alive during the flourishing era of the Hibernia Mine. According to Bishop Rodimer, in 1865, another Bishop, Bayley, bought less than an acre of land in the Hibernia Mine and then sold some of the property to the Upper Hibernia School District. With the remaining land, Bishop Bayley “instructed Father Castel of Boonton to open a mission at Hibernia and to use the remaining property for a church building.”²⁴ The oral histories discuss the process of building Saint Patrick’s Church, the religious organization associated with the cemetery of this study.

According to Bishop Rodimer, the framework of Saint Patrick’s Church was actually moved from another location prior to the establishment of the church cemetery. Boonton, New Jersey, is about twelve miles away from Hibernia in Rockaway, New Jersey and is the location from which the framework of the soon to be Saint Patrick’s church was moved. The process of relocation occurred in or about 1850.²³ Following the successful relocation of its framework, the church construction was completed. After this structural relocation for the construction of Saint Patrick’s Church, “Bishop Bayley bought another section of land, near but not touching on the church lot, in 1869 from the New Jersey Mining Company for \$1. Bishop Bayley designated this land to be the location of the church cemetery.”²⁵ The sale of land to the church and its designation as the church cemetery, in agreement with Bishop Rodimer’s written and oral history, is

²³ Documentation of Incorporation, 1899.

²⁴ Rodimer, Bishop Frank J. "St Patrick's, Hibernia." *The Beacon* 3 Sept. 1981: n. pag. Print.

²⁵ Raser, Edward. "County Burial Grounds Inventory. " Morris County Historic Sites Committee. 1975. Print. Pages 50-149

1975, for the *Genealogical Society of New Jersey*. A sketch of Saint Patrick's Church was included in the article written by Bishop Rodimer for *The Beacon* in 1981 (Appendix A: Figure 4.2). In his article, Bishop Rodimer explains that the image was hand drawn by his great-aunt.

In the years following the construction of Saint Patrick's Church, the church was incorporated in accordance with the New Jersey Act to Incorporate Trustees of Religious Societies on March 7, 1883. The legal document discusses new trustees of Saint Patrick Church, refers to the community living on the Hibernia Mountain as the Village of Hibernia, and provides dates of building and incorporation.²⁶ Provided by the Morris County Library reference center, the full two-page photo copy of the Certification of Incorporation is in the libraries' own publication entitled *St. Patrick's Cemetery Rockaway, NJ*, written in 2012 by a library employee named Sara K. Weissman. In her book, Weissman also includes information on the Upper Hibernia School District; Hibernia was split into two districts, Upper Hibernia and Lower Hibernia. While both districts had their own schools, the Upper Hibernia School District was significantly larger than that of Lower Hibernia. By 1867, the Upper Hibernia School was successfully built upon the Hibernia Mountain. This school required both a principal and an assistant teacher; at this point in time, two teachers for one school meant that there was a large student population.²⁷ The number of students suggests that the Hibernia Mine community was large compared to, for example, the Lower Hibernia School which only

²⁶ Weissman, Sara K. *Saint Patrick's Cemetery Rockaway, New Jersey*. Morristown: Morris County Library, 2012. Print.

²⁷ O'Donohue, James. "Old and Forgotten Cemeteries of NJ Part 1." LuLu Press. 1 March 2013. Print.

had a principal.²⁸ Further evidence of a large community living in the Hibernia Mountain or in “the Village of Hibernia” is the 1880 census, included in Weissman’s work at the Morris County Library, which accounted for 740 residents living in the Village of Hibernia.²⁸

With so many community members and children attending school in this location it is important to discuss who these people were and from where they came. The word “Hibernia” of Latin origin, translates into the word “Ireland.” Both Bishop Rodimer and Sara Weissman state that Saint Patrick’s Cemetery was mainly home to both Irish and Austro-Hungarian ethnic groups. At this point in history, between 1847 when the church was built, and the flourishing time period of the Hibernia Mine in the latter half of the 19th century, was the “Irish Potato Famine” as well as the “Forty-Niner Movement.” Both the Potato Famine and the Forty-Niner Movement are important moments in history and as such will be briefly discussed because their relevance is reflective of ethnic immigration patterns into America during the 19th century.

The Irish Potato Famine, also called the Great Famine, resulted a potato blight from 1845-1852. A great majority of the Irish lower class depended and relied on the potato as their staple source of nutrients. The origin of the blight is uncertain, but it is believed by most that the potato blight spread from the United States to Ireland. Over the course of two years, from 1845-1847, the potato harvest that was not affected by the blight equaled less than one fourth of its regular crop.²⁹ Emigration to the United States was a result of the potato blight in Ireland. The United States, to this day, is known as the land of

²⁸ Rodimer, Bishop Frank J. "St Patrick's, Hibernia." *The Beacon* 3 Sept. 1981: n. pag. Print

²⁹ Kinealy, Christine. *This Great Calamity: The Irish Famine, 1845-52*. Dublin: Gill & Macmillan, 1995. Print.

opportunity and was a destination for Irish immigration to the United States. The Potato Famine of 1845-1853 was not the only time Irishmen crossed into the United States. The Irish had been in America for centuries and as such the areas in which they settled were primary locations for those immigrating in the latter part of the 19th century. As the Irish immigrated to America during the famine, they sought out locations that made them feel the comfort of home in a new and unknown land. As the word Hibernia translates into Ireland, whether or not immigrants were related to anyone living in Hibernia, the name of the town was welcoming to Irish settlers. Bishop Rodimer, in his 1981 article in *The Beacon*, discusses how his grandmother, who was from Ireland, came to America and settled in Hibernia in 1852.³⁰ She moved to the United States to escape the Potato Famine. Immigrating into the United States, the majority of Irishmen did not have money and needed jobs; the mines in New Jersey, as well as the name Hibernia, would have attracted them to mountains of Rockaway, New Jersey.

Much like the Irish during the Potato Famine, Austro-Hungarians immigrated to America in the late 19th and early 20th centuries seeking political freedom and opportunity. Supporters of Hungarian freedom were defeated by the Austro-Hungarian Empire in 1848 and in result many Hungarians fled their homeland to avoid persecution, execution, prison, or other punishment. Further, many Austrians came to America because, in their homeland, there was an economic decline and jobs were being lost to industrialization.³¹ In result, many came to America, the land of opportunity; thousands of immigrants came to the United States and sought out places to reside that made them

³⁰ Rodimer, Bishop Frank J. "St Patrick's, Hibernia." *The Beacon* 3 Sept. 1981: n. pag. Print.

³¹ "Immigration Library." *Immigration Library*. N.p., n.d.

feel the comfort of home. With this wave of immigration, many Austro-Hungarians settled in the Northeast of the United States and with proximity to locations which were linked with industrial mining.³² The Hibernia Mine is forty-two miles from Ellis Island, the point where boats filled with passengers seeking immigration landed. If there was available work for immigrants and there was a growing population of Austro-Hungarians in the Hibernia Mine, it would have been a primary location for immigrants coming into the United States from 1848 and through the early 20th century.

Based on historical sources, the Hibernia Mine was a destination point that welcomed immigrants from Ireland, Austria, and Hungary. There was available work, housing on site, and welcoming communities among which to live. Although the cemetery site is now in “need of attention”³³ and “completely overgrown, vandalized, and unattended,”³⁴ there are a few headstones that still are legible. According to Sara Weissman, as of 1975, there were only 22 headstones left at Saint Patrick’s Cemetery that were in stable, legible conditions.³⁵ After exploring the site, I have confirmed that this is the case, however, in the past forty years the condition of the cemetery has further declined and there are fewer legible gravestones. There is one stone that is in comparably good condition, based on its shiny, dark gray color, it is carved out of granite, a time and weather-resistant stone. What can be seen in the pieces of broken and/or worn marble and

³² Gale Encyclopedia of Multicultural America, 2nd edition. Edited by Jeffery Lehman. New York: Gale Group, 2000.

³³ Raser, Edward. “County Burial Grounds Inventory. “ Morris County Historic Sites Committee. 1975. Print. Pages 50-149

³⁴ Munsell. “History of Morris County New Jersey Embracing Upwards of Two Centuries. 1710-1913.” Lewis Historical Publishing Co. New York and Chicago. 1914. Print

³⁵ Weissman, Sara K. *Saint Patrick's Cemetery Rockaway, New Jersey*. Morristown: Morris County Library, 2012. Print.

slate stones are names such as Barna, Flanigan, Vacza, Zeliska. Hart, and Klotezek. It has been confirmed through genealogical name searches that Vacza and Barna are Hungarian names and that Hart and Flanigan are Irish names.

By the early 19th century, the Hibernia Mine settlement population began to dwindle. Sara Weissman makes a reference to a County Clerk Deed, book number 013, which legally certified the transfer of the Saint Patrick's Church deed to the New Jersey Iron Ore Mining Company on March 16, 1891. According to Munsell's *History of Morris County, New Jersey of 1882*, the New Jersey Iron Ore Mining Company owned what is now known as the Hibernia Mine; the company would lease the land out to other mining companies such as the Andover Mining Company.³⁶ While the New Jersey Mining Company owned the deed of Saint Patrick's Church, it is curious that a mining company would want to own developed land that could not be used for mining. Saint Patrick's Church burned down in 1910.

The Dover Index describes the fire and burning down of Saint Patrick's Church as an emotional event; people in Rockaway were heartbroken by the fire. Additionally, the newspaper mentions that a nearby barn burned down as a result of the fire and that there was a lack of water necessary to put down the flames due to the location of the site, 800 feet above ground level.³⁷ No new church was built to replace Saint Patrick's; local writers speculated that there were political and church-related motives behind the Saint

³⁶ Munsell. "History of Morris County New Jersey Embracing Upwards of Two Centuries. 1710-1913." Lewis Historical Publishing Co. New York and Chicago. 1914. Print

³⁷ New Jersey Micro clips and Rockaway Historical Society. Dover Index Newspaper. 1910. *Hibernia*

Patrick's Church never being rebuilt.³⁸ There is no mention of Saint Patrick's Cemetery being affected by the fire that caused the destruction of the church but, given the circumstances, parishioners of Saint Patrick's needed to find a new place of worship. Consequently, burials at the Saint Patrick's likely fell into decline.

Only a few years after Saint Patrick's Church burned to the ground, the Hibernia Mine was officially closed down in about 1915 and has not been used as an active iron mine since the early 20th century.³⁹ With the closing of the mine, the working force in the Village of Hibernia needed to find employment. With efforts to find new work to feed their families, it is likely that they moved out of the area. All that remains of the once flourishing mine community today are Saint Patrick's Cemetery, old and closed off Hibernia Mine shafts and old structural foundations. The entire park, Wildcat Ridge, a New Jersey State Wildlife Management Area, is now a primary location for hawk watching and contains a hibernaculum, a spot where thousands of bats hibernate during the cold winter months. Although located in a preserved nature site, Saint Patrick's Cemetery has lost the majority of its physical integrity.

Saint Patrick's Cemetery has in the past years been a point of conversation and some preservation action from the Rockaway Historical Society and the Boy Scouts of Rockaway, New Jersey. In the early 21st century, and with little funding for their efforts and in collaboration with one another, they placed painted white wooden crosses at the locations where grave markers had been destroyed. (Appendix A: Figures 4.1, 4.3, and 4.4) The current dilapidated condition of these replacement markers only further marks

³⁸ Rodimer, Bishop Frank J. "St Patrick's, Hibernia." *The Beacon* 3 Sept. 1981: n. pag. Print.

³⁹ Weissman, Sara K. *Saint Patrick's Cemetery Rockaway, New Jersey*. Morristown: Morris County Library, 2012. Print.

the need for state and local government intervention. Even the replacement markers are broken, collapsed, and lay on the ground throughout the cemetery. Further efforts were made by mending broken gravestones using metal poles. From what was visible during this author's site visit in October of 2015, these "repaired" stones were not glued together in any way but pieced together and supported by slanted poles forced into the ground. (Appendix A: Figure 4.5) There were once metal marker poles placed along the perimeter of the cemetery; the poles, located throughout the cemetery, are now rusted and broken. (Appendix A: Figure 4.6) Most of the poles fell to the ground simply through decay. Trees have fallen directly on top of gravestones and plot markers and plants and bushes are growing throughout the grounds. (Appendix A: Figure 4.7)

The gravestone repair activities taken on by the Boy Scouts and Rockaway Historical Society were commendable but professional cemetery preservation needs to take place. Financial and legal aid, as well as attention from the public and figures of civic authority are the only way for the tangible and intangible cultural heritage that rests within Saint Patrick's Cemetery to be conserved and preserved in a manner that respects those buried at the site. The physical integrity of Saint Patrick's Cemetery continues to be threatened and is facing decline. Saint Patrick's cemetery will continue to fall into deeper disrepair and eventually total ruin unless there is a change within the public and state and local governments which have the power to facilitate and fund maintenance and professional conservation treatments for the betterment of the site.

Part 2: Grove Street Cemetery, Newark, Essex County, New Jersey

Grove Street Cemetery, located at 211-304 Grove Street, Newark, New Jersey is similar to Saint Patrick's Cemetery in that it is in dire need of cemetery preservation. Grove Street Cemetery is home to former Jewish residents of Newark, New Jersey. This ethnic and religious community, which will be discussed in further detail below, thrived in the third ward of the city of Newark in the late 19th and early 20th centuries. An aerial view of the grounds indicates that Grove Street Cemetery is a medium-sized cemetery located east of a much larger Christian cemetery. (Appendix A: Figure 4.8) Today, the cemetery contains many of its original gravestones, all of which are positioned within a few feet of each other. Grove Street Cemetery is crowded with standing and leaning gravestones and there are some fallen and broken gravestones throughout the cemetery. There is a lack of financial support for cemetery maintenance of Grove Street Cemetery; however, there is a current effort towards cemetery upkeep from local historic and preservation organizations as well as members of the Judaic faith throughout the state of New Jersey.

Newark, New Jersey was a popular destination point for Jewish immigrants entering the United States in the latter quarter of the 19th century and into the 20th century. William Helmreich's *The Enduring Community* and Nat Bodian's *Old Newark Memories* both discuss Jewish immigration and the Newark community in which they lived.⁴⁰

⁴⁰ Helmreich, William B. *The Enduring Community: The Jews of Newark and MetroWest*. New Brunswick, NJ: Transaction, 1999. Print. Pages 15-25 and Bodian, Nat. "The Landsmanshaftn of Newark." *The Landsmanshaftn of Newark*. Old Newark Webmaster, 1998-2004. Web. 09 Jan. 2016.

Although there was a constant flow of immigration from Europe to North America, from 1880 until about 1924 there was a heavy Jewish Eastern European immigration pattern into the United States.⁴¹ At this point in history, the Russian “Pale of Settlement” was in full effect. This Russian settlement plan had borders of limitations for Jewish people living in the Russian Empire, now modern day Eastern Europe; the area Jews were limited to includes what is now Poland, Ukraine, Germany, and Romania.⁴² According to the Library of Congress, between the years of 1880-1924 about three million Eastern European Jews immigrated into the United States in an effort to remove themselves from the threat of massacres, anti-Jewish sentiments and decrees, and low job opportunity that was common in the Pale of Settlement.⁴² Additionally, as was discussed in Chapter 4, Part 1, there was an influx of immigration from the Austro- Hungarian region, which included members of the Judaic faith. When immigrants entered the United States they sought out locations that would make them feel comfortable in a New World; for many Jewish Eastern Europeans this location was Newark, New Jersey.

According to Bodian, the “Landsmanshaftn,” or Jewish ethnic societies in Newark, welcomed Eastern European Jewish immigrants. Landsmanshaftn were created in the model of Jewish villages from Eastern Europe and together the members of each society prayed and held cultural and social celebrations in an effort to “retain the Jewish culture

⁴¹ “Polish/Russian -Immigration- Library of Congress." *Polish/Russian - A People at Risk - Immigration...- Classroom Presentation | Teacher Resources - Library of Congress*. Library of Congress, n.d. Web.

⁴² “Polish/Russian -Immigration- Library of Congress." *Polish/Russian - A People at Risk - Immigration...- Classroom Presentation | Teacher Resources - Library of Congress*. Library of Congress, n.d. Web.

of their heritage while reconciling these loyalties to their newfound American identity.”⁴³ Further, the Landsmanshaftn worked to give medical care, insurance, costs for funerals, loans, and a burial place in the cemetery owned by the given society. Grove Street Cemetery is home to the most Landsmanshaftn burials in Newark; a popular cemetery for deceased Jewish residents of Newark, Grove Street Cemetery is crowded with gravestones that are placed closely next to one another.⁴³ (Appendix A: Figure 4.9) These burial plots were free to members of the Landsmanshaftn, therefore space needed to be used in the most efficient way possible.⁴⁴

Grove Street was never owned by one distinct cemetery company or business. It was, and remains, comprised of group burial sections for Landsmanshaftn members that once lived in Newark. There is no singular owner of Grove Street Cemetery. According to the current Principal Planner and City Surveyor, Joe Foxx, the Grove Street cemeteries are privately owned by congregations and associations and as such the city of Newark does not have any ownership connections with Grove Street Cemetery nor does it have an active arrangement to oversee the grounds. Rather, the city of Newark strictly works to maintain general health and safety regulations within the cemetery, as it does for the rest of the city of Newark. As Grove Street Cemetery is formed from smaller cemeteries that require support from local synagogues and associations, there has been a decrease in support, visitation, and maintenance at these cemeteries within the main cemetery due to population shifts in location.⁴⁴ Beginning in the 1960s, Jewish residents began relocating

⁴³ Bodian, Nat. "The Landsmanshaftn of Newark." *The Landsmanshaftn of Newark*. Old Newark Webmaster, 1998-2004. Web.

⁴⁴ Bodian, Nat. "The Landsmanshaftn of Newark." *The Landsmanshaftn of Newark*. Old Newark Webmaster, 1998-2004. Web.

out of Newark and consequently, with only two synagogues remaining, local Newark synagogues do not have the number of members that they had in the historic past. A brief investigation of the series of events that initiated this population movement follows.

Ethnic societal groups, or *Landsmanshaftn*, were popular among adult immigrants in the 19th and 20th centuries, but the concept faded relatively quickly by the time these immigrants had children who became adults. However, even with dwindling *Landsmanshaftn* popularity by the late 19th and early 20th centuries, the Jewish sections of Newark thrived for many years.⁴⁵ This is evident in the Central or Third Ward and Clinton Hill of Newark which were popular locations for Jewish community members. Newark, prior to the 1880's, experienced a predominantly Eastern European flow of immigration; an estimated 45,000 Eastern European immigrants settled in Newark from 1881-1924.⁴⁶ Jewish immigrants, upon arriving and moving into Newark, settled mainly on Springfield Avenue which was the main street of the Third Ward. Springfield Avenue had Jewish shops and delis, stores, and apartment buildings. Here, immigrants lived in near poverty conditions. However, Newark was an industrial city and there were factory jobs available. Helmreich states that once Jews could afford it, they moved into the Clinton Hill and Weequahic area of Newark; this was considered a step up in the world and was often thought of as a big step into the future of success.⁴⁶ Eventually, in the 1960's and 1970's, there was a drastically large population shift of Jews out of Newark and into other areas of New Jersey.

⁴⁵ Helmreich, William B. *The Enduring Community: The Jews of Newark and MetroWest*. New Brunswick, NJ: Transaction, 1999. Print. 49-68

⁴⁶ Helmreich, William B. *The Enduring Community: The Jews of Newark and MetroWest*. New Brunswick, NJ: Transaction, 1999. Print. Page 41

Similar to many industrial cities in the United States, there was a gradual movement out of Newark, particularly in the 1950's, when Americans moved out of cities and into suburbs. In the 1960's, in result of social changes and riots, the most noticeable movement of Jews out of Newark took place. Race riots were taking place in numerous cities in the United States in the 1960's; Newark was one of these cities. Prior to the race riots of the later portion of the 20th century, African American and Jewish residents of Newark lived together, not always peacefully, but well enough for both groups to live among one another. But, according to Helmreich in his *The Enduring Community*, "For Jews and blacks, reality was different than to the rest of America. To blacks, the riots represented a victory by the oppressed and an opportunity to take control of the city and reshape it according to their vision. For Jews, the riots represented the destruction of the inner core of their community."⁴⁷ Helmreich states that once Springfield Avenue was occupied by non-Jews, Jewish residents of Newark felt like the base of the community was slowly losing its cultural and ethnic connection. As a result of growing disconnection to Newark and the rise of suburbs outside of cities, a great population movement of Jewish people out of Newark took place. Jews moved into areas such as East Hanover, Morristown, Union, Harrison, East Orange, and Milburn to name a few New Jersey suburban areas of relocation.⁴⁸ As the Jewish community spread out into new areas of northern New Jersey, the strictly Jewish cemeteries that were home to their ancestors were left to a community that had very little cultural or ancestral link to them;

⁴⁷ Helmreich, William B. *The Enduring Community: The Jews of Newark and MetroWest*. New Brunswick, NJ: Transaction, 1999. Print. Pages 49-68

⁴⁸ Helmreich, William B. *The Enduring Community: The Jews of Newark and MetroWest*. New Brunswick, NJ: Transaction, 1999. Print. Page 41.

this situation can be thought of as a main component of the downfall of such ethnic and religious cemeteries. Cemeteries that only provide services for one religion exclude the support of a new community with differing religions. Jewish societies, synagogues, community centers, and the organizations that were once in charge of Jewish burial grounds, closed down as a result of population shifts. However, there is always an exception, and in this case, the Epstein family is just that.

The crowded cemetery of Grove Street Cemetery has been voluntarily maintained since 1901 by a company that is now called Raiken and Epstein Memorials Inc., a family business whose name has changed in accordance with ownership to the present time. (Appendix A: Figure 4.9) Beginning in 1901, land for burials was sold to local Landsmanshaftn, making these organizations the owners of their sections. The separation of burial grounds within the main cemetery can be seen in a tax map provided by the city of Newark. (Appendix A: Figure 4.10). Working within his family tradition, Sanford Epstein, now deceased, was a volunteer superintendent for the majority of his adult life at Grove Street Cemetery and other Jewish cemeteries in northern New Jersey that suffered from a lack of contemporary community support and funding for maintenance funding. Sanford told the Community Relations Committee of the Jewish Federation of Greater MetroWest NJ, “not to call these old cemeteries ‘abandoned’ but rather ‘orphaned’ because he [Sanford] cares for them.”⁴⁹ Sanford volunteered at the cemeteries up until his death in 2012 because:

⁴⁹ Ginsberg, Johanna. "Cemetery Guardian Sanford B. Epstein, 78." *NJJN*. The New Jersey Jewish News, 11 June 2014. Web.

many of the burial societies and synagogues that started cemeteries over 100 years ago, particularly in Newark, either no longer exist or moved to the suburbs. When the synagogues and burial societies that ran the cemeteries closed down, maintenance of the historic cemeteries became a community responsibility.⁵⁰

Sanford believed that Jewish people buried in these cemeteries deserved respect and the care that was promised to them by their *Landsmanshaftn*. Sanford believed so strongly in keeping cemetery grounds regularly maintained that he worked with his own children to keep their family business active in order to take care of cemeteries that lacked inner-city community support.

Raiken and Epstein Memorials Inc., re-established and renamed in 1982 by Sanford and his daughter, works to maintain Jewish cemeteries not only in Newark but in a number of locations in northern New Jersey. Raiken and Epstein Inc. is a family affair. Sanford's son Ira is heavily involved in the business, and volunteered to maintain Grove Street Cemetery on a regular basis. Ira states:

Today, companies set up funds. Every time they sell a grave, the funds are put aside for the roads, for the fences, for the upkeep of the cemetery. So even if people don't pay for individual care for graves, there is money maintain the cemetery. That's not what happened in Newark. Dozens of different burial societies for *landsmanshaftn* owned individual sections. They were worried about what they were going to eat and about every disease known to

mankind in 1910. They didn't care about what's going to happen
in 2010.⁵⁰

As burial societies closed their doors, their cemeteries lost their owners. Organizations and people like the Epstein family are the reasons that the Grove Street Cemetery is in comparatively better condition than that of Saint Patrick's and Evergreen Cemeteries. Although Grove Street lacks financial support from Newark's contemporary community, there is a noticeable amount of support for the cemetery from Jewish people who do not live in Newark but who are descendants of those who are buried there.

There are several organizations currently working to protect and maintain Grove Street Cemetery. The Newark Historical Society, in collaboration with Rutgers University-Newark, the Jewish Historical Society of New Jersey, and the Beth El Memorial Park Foundation, along with numerous other authors and historians such as Alice Perkins Gould have all, in some way, worked to preserve the memory of those buried in Grove Street Cemetery and other Jewish cemeteries in Newark. Not only were these groups helpful in referencing works for this research but they also regularly work to preserve and conserve Newark Jewish Cemeteries.

The Beth El Memorial Park Foundation runs yearly group visitations to Grove Street (and four other Jewish cemeteries in Newark) in order to aid descendants in visiting their Jewish Federation of Greater MetroWest and the Jewish Community Foundation, has run

⁵⁰ Ginsberg, Johanna. "Cemetery Guardian Sanford B. Epstein, 78." *NJJN*. The New Jersey Jewish News, 11 June 2014. Web.

the Newark Cemetery Visiting Day.⁵¹ The annual event falls on the Sunday between Rosh Hashanah and Yom Kippur in September. This event provides heavy police protection for visitors as crime is a serious issue and fear in the city of Newark.

Visitors of Grove Street Cemetery have been violently assaulted and injured at the site. *Vos Iz Heias*, a Jewish news source, reported on an attack in 2013. While visiting Grove Street Cemetery, a 75-year-old man was brutally beaten with a baseball bat and slashed across the face with a knife while at his parked vehicle outside the cemetery. After refusing to give his keys to the perpetrators, they inflicted bodily injury upon him and fled with his vehicle. To quote the now deceased volunteer superintendent, Sanford Epstein, “there was only one other such violent attack at Grove Street which was well over thirty years ago.”⁵² With events such as the above, along with Newark’s rating of number 30 out of 100 most dangerous cities in the United States in 2015, many Jewish New Jersey community members fear visiting Grove Street Cemetery and other Jewish cemeteries in Newark.⁵³ Websites that discuss visitation to Newark Jewish Cemeteries like Grove Street Cemetery, such as that of the Jewish Genealogical Society of New Jersey, have a warning about Newark crime, instructing those planning to visit only to do so on the annual Visitation Day for the city as it “is not safe to visit any other time.”⁵⁴

Although Newark has been deemed an unsafe place to visit by many, Grove Street Cemetery has many intact original gravestones worthy of visitation. There are natural and

⁵¹ “Newark Cemeteries.” *Jewish Genealogical Society of North Jersey*. Jewish Genealogical Society of North Jersey, n.d. Web.

⁵² “New Jersey - Elderly Jewish Man Beaten, Carjacked At Newark Cemetery.” *Vos Iz Neais?* VINNEWS.com, 30 Sept. 2013. Web.

⁵³ “Top 100 Most Dangerous Places to Live in the USA - NeighborhoodScout.” *Top 100 Most Dangerous Cities in America*. Location Inc., 2000-2016. Web

⁵⁴ “Newark Cemeteries.” *Jewish Genealogical Society of North Jersey*. Jewish Genealogical Society of North Jersey, n.d. Web.

human causes, including litter, for deterioration of the cemetery grounds but overall the cemetery is not in the worst of conditions. Many Jewish people who visit the site are not local community members; few members of the local community (aside from historical associations) have publicized interest in the cultural heritage of their city or the historical information that rests within the cemeteries at Grove Street. Organizations such as the Jewish Society of New Jersey and the Jewish Community Foundation of the Greater MetroWest that are interested in the preservation of the cemetery are located in Whippany, New Jersey, not Newark. The city of Newark, promptly responding to the author's general inquiries about the status of Grove Street Cemetery, acknowledges that they have no responsibility to maintain the site. The site would benefit from gravestone restoration of broken gravestones, broken gates, and broken plot markers and removal of litter. (Appendix A: Figures 4.11, 4.12 and 4.13) However, compared to cemeteries like Saint Patrick's and Evergreen, Grove Street is in a better preservation condition and currently has more maintenance and volunteer work taking place in its favor.

Part 3: Evergreen Cemetery, Camden, Camden County, New Jersey

Home to a mixed ethnic population, Evergreen Cemetery, a 19th century Victorian Garden Cemetery, was an important burial ground and popular visiting place for members of the city of Camden, New Jersey. Today, both Camden and the site of Evergreen Cemetery have been the focus of political and economic controversy. As the economy and population of Camden declined in the late 20th century, issues such as weak educational programs, safety, and finances surfaced and community concern for the

protection of historical and cultural resources became less of a priority. This is evident in the case of Evergreen Cemetery and its infamous lack of attention from the city of Camden.

Historically, Camden was a prominent New Jersey city that was known for its close proximity to the city of Philadelphia, its ferry system, railroad system, and the production of its many factories. Situated both on the Delaware and Cooper Rivers, and beginning in the 17th century, Camden was a primary location for businesses that relied on water-way transportation of produced goods until the development of the railway system in the 19th century.⁵⁹ With technological advances and the invention of the railroad system, Camden became an even more popular destination and relocation point for people in New Jersey. Factories were abundant in Camden during this time, which brought in both wealthy businessmen along with thousands of mixed ethnic immigrants and industrial production profits. The success of industrial production remained in Camden even after the Great Depression.⁵⁸ However, similar to cities like Detroit, between the 1950's and 1970's, the administration, architecture, and population of the city of Camden began to deteriorate due to economic downturn.⁶⁰ Further, technological advances and relocation of businesses were causes for Camden to lose its welcoming charisma in the later portion of the 20th century.

Without work, people were not moving into the city and, consequently, those who could afford to move out of the city relocated. Left behind were those who were not financially able or willing to move out of their homes in the city. Those who stayed in

⁵⁹ City of Camden." *City of Camden*. City of Camden NJ, n.d. Web

⁶⁰ "Why Camden, N.J., Is Still Failing Despite State Intervention." *Why Camden, N.J., Is Still Failing Despite State Intervention*. Governing the States and Localities, 22 Aug. 2013. Web.

Camden were predominantly African American and Puerto Rican and today these ethnicities still are the majority of the population.⁶¹ Camden is not simply an impoverished city; it is the poorest city in the United States and as such, in 2015, has been rated the number one most dangerous city in the country with only 77,000 people occupying the city.⁶⁰ Similar to the city of Detroit, which declared bankruptcy in 2013, Camden is barely able to keep its head above financial water.

As such an impoverished location, the once bustling city of Camden is now home to a county waste plant, a trash to steam plant, a prison, crime, murder, blight, a weak education system, and to top it off, corruption in the city government. Three mayors in the past 30 years have been sent to prison for corruption. In fact, the city was in such bad shape that local church organizations petitioned for New Jersey state intervention.⁵² New Jersey took over the government of Camden, and provided the city with over one million dollars in aid. Further, in 2013, Governor Chris Christie initiated the fourth school system administration take over in Camden in just two decades in an effort to provide the youth with educational opportunities that have the potential to help pull the city out of its current state. In addition to the school take over in 2013, the police force in Camden was cut completely and police authority was taken over by the Camden County Police who

⁶¹ Courtesy of the following sources:

Vergar, Camilo Jose and Gillette, Howard. "Invincible Cities." *Invincible Cities*. Ford Foundation 8-61 and Rutgers the State University, n.d. Web.

Top 100 Most Dangerous Places to Live in the USA - NeighborhoodScout." *Top 100 Most Dangerous Cities in America*. Location Inc., 2000-2016. Web

Guy, Shoshanna. "America's 'invincible' City Brought to Its Knees by Poverty, Violence - NBC News." *NBC News*. NBCNews.com, 7 Mar. 2013. Web.

still monitor the city.⁶² Efforts are clearly being made by both the local and state government to improve the overall condition of Camden. According to a New York Times Article from 2014 which includes resident interviews, Camden has become more welcoming, the county police force is helping to revitalize the city, and there is a general feeling of good hope amongst some residents.⁶³ However, this article is from 2014 and, as formerly pointed out, Camden was rated the number one most dangerous city in America in 2015. The city of Camden has gone through industrial, governmental and economic changes that were not expected in the early 20th century; with a rapidly declining city (financially, economically, and in administration) all aspects of the community have been affected, including cemeteries like Evergreen.

Evergreen Cemetery, totaling 85 acres, is a large cemetery that, much like its home city, has had controversial circumstances that have negatively affected its survival as a historic cultural site. (Appendix A: Figures 4.14 and 4.15) Once a popular destination point for the residents of Camden when it was a thriving industrial city, Evergreen Cemetery would be unrecognizable to those who purchased family plots in its grounds many years ago. Multiple online articles provided by the Historic Camden County organization, reveal that throughout the early 21st century, Evergreen has been home to

⁶² Courtesy of the sources:

Star Ledger Educational Board. "NJ.com: Camden Illustrates the Limits of State Intervention." *NJ.com: Camden Illustrates the Limits of State Intervention*. The Pew Charitable Trusts, 29 July 2013. Web.

Ly, Laura. "State of New Jersey Stepping in to Run Camden's Troubled Schools - CNN.com." *CNN*. CableNews Network, 25 Mar. 25. Web.

Why Camden, N.J., Is Still Failing Despite State Intervention." *Why Camden, N.J., Is Still Failing Despite State Intervention*. Governing the States and Localities, 22 Aug. 2013. Web.

⁶³ Zernike, Kate. "Camden Turns Around With New Police Force." *The New York Times*. The New York Times, 31 Aug. 2014

criminal activity as well as the city- approved destruction of cemetery architecture.

A chapel and a superintendent building were once inhabitants of the grounds of Evergreen Cemetery. Today, they have been demolished entirely.⁶⁴ Unfortunately, little information is known about these structures, and their structural integrity when they were torn down is uncertain. Even more, it is unclear who made the decision to demolish these structures. A photograph provided by the Camden County Historical Society provides information on the chapel that once stood in the center of Evergreen Cemetery.

(Appendix A: Figure 4.16)

According to the Camden County Historical Society, this image is the most publicly available information that remains on the chapel. While there is limited information about the chapel, the photograph provides information that is useful for understanding the cemetery architecture and landscape of Evergreen Cemetery in its historic past. Plot markers, gates, large trees, horse and buggy path ways, iron gates, and gravestones are all visible in this photograph, allowing present-day viewers to understand what made up the formerly popular Evergreen Cemetery. The once attractive Victorian Garden cemetery was “Camden's most opulent and prestigious burial ground; the place where the city's wealthiest merchants, most important political leaders, honored Civil War veterans and cultural personalities were laid to rest in solemn pomp.”⁶⁵ Along with such occupants,

⁶⁴ Levins, Hoag. "A Visit to Evergreen Cemetery, Camden City, New Jersey." *A Visit to Evergreen Cemetery, Camden City, New Jersey*. HistoricCamdenCounty.com and Camden Historical Society, 2004. Web.

⁶⁵ Levins, Hoag. "A Visit to Evergreen Cemetery, Camden City, New Jersey." *A Visit to Evergreen Cemetery, Camden City, New Jersey*. HistoricCamdenCounty.com and Camden Historical Society, 2004. Web.

Evergreen is also the final resting place of a diverse working class people, including British, German, Irish, Polish, Italian, African American, Puerto Rican and Jewish residents who dominated the city throughout the 19th century.⁶⁶ An organization or individual must have bought the grounds in the later portion of the 19th century and developed the grounds into an appealing cemetery, however, exactly who this group or person was is unclear at this point in time. In fact, much of the background information involving Evergreen Cemetery is elusive.

The resources and references that have aided in the compilation of historical information about Evergreen Cemetery are limited. The city of Camden does not have its own historical society; there is only the Camden County Historical Society. When contacted for any sort of reference, contact, or resource regarding Evergreen, the Camden County Historical Society gave just one contact, Harleigh Cemetery, along with a brief message which stated that Harleigh holds the vast majority of records from Evergreen and was responsible for its management; they also stated that the Camden County Historical Society has limited interment records regarding the site. Harleigh Cemetery, a 19th century Victorian Garden Cemetery, is located just about one and a half miles northeast of Evergreen Cemetery and is positioned right on the modern-day border of the city where it meets the town of Collingswood, New Jersey. (Appendix A: Figure 4.17) Only the southwest section of Harleigh Cemetery is located in Camden, while its formal address is located in a Collingswood, New Jersey. The grounds at Harleigh are well

⁶⁶ "City of Camden." *City of Camden*. City of Camden NJ, n.d. Web.

maintained and burials still take place. Multiple attempts to contact the city of Camden and Harleigh Cemetery for this investigation were not returned; these non- responses are not uncommon when it comes to investigating who is responsible for Evergreen Cemetery's maintenance. Through articles about the grounds published by various authors and organizations it has become evident that ownership of the site is unclear even to those living in Camden as well as those actively involved in preserving cultural and historic resources in Camden and Camden County.⁶⁷ There were active burials and landscape-maintenance activities at Evergreen Cemetery until it went bankrupt in 1997. According to Malcom Sharp, author of a 1999 condition report about the cemetery after filing bankruptcy, the responsibility for Evergreen fell to the New Jersey Cemetery Board which then hired the New Jersey Attorney General to ask that Evergreen be appointed a receiver to "take over the business of Evergreen... for there was income being held that could have been used for the cemetery's care."⁶⁸ According to the Camden County Historical Society, "by the late 20th century Evergreen had become a derelict property, minimally maintained by a court appointed receiver. When he died, the place slipped into its current odd limbo: no one owns it or is officially responsible for its upkeep."⁶⁸ This statement, made by a historian from the Camden County Historical Society, confirms that the Cemetery Board did in fact ask the court to appoint a receiver to take care of

⁶⁷ Levins, Hoag. "A Visit to Evergreen Cemetery, Camden City, New Jersey." *A Visit to Evergreen Cemetery, Camden City, New Jersey*. HistoricCamdenCounty.com and Camden Historical Society, 2004.

⁶⁸ Sharp, Malcom. "Condition of Evergreen Cemetery, Camden." *Condition of Evergreen Cemetery*. Genealogy.com, 30 Sept. 1999. Web.

Evergreen following its declaration of bankruptcy. Since the death of the appointed receiver, responsibility for the cemetery has been unclear. Both the Camden County Historical Society⁶⁹ and an article written in October 2013 for The Daily Journal⁷⁰ states that maintenance of Evergreen is the responsibility of Harleigh Cemetery. Harleigh Cemetery has yet to confirm or deny this statement; the article written for The Daily Journal article entitled, *Camden Cemeteries Offer No Respite from Blight*, notes that Harleigh Cemetery “did not return a request for comment.”⁷⁰ Further, “calls to the mayor’s office for comment were not returned.”⁷⁰ It has become increasingly apparent that information on the ownership and maintenance status of Evergreen is not deemed important or relevant for the public.

Evergreen has been neglected throughout the years. The brittle and yellowing grass is regularly cut, and compared to photos taken by the Camden County Historical Society in 2004, it is in considerably better condition than it has been in the past. (Appendix A: Figures 4.18 and 4.19) Although there are broken gravestones, an extensive amount of grave-marking stones in Evergreen Cemetery are flat and level to the ground surface. These flat stones are better preserved than larger gravestones. However, such stones are at risk of overgrowth by grass, weeds, and trees growing directly through them. There are a few dead trees still standing in the cemetery landscape. If, for example, a heavy storm with similar forces to that of Hurricane Sandy hit Evergreen, it is entirely possible that these dead trees may be severely impacted, either falling over completely or

⁶⁹ Levins, Hoag. "A Visit to Evergreen Cemetery, Camden City, New Jersey." *A Visit to Evergreen Cemetery, Camden City, New Jersey*. HistoricCamdenCounty.com and Camden Historical Society, 2004.

⁷⁰ Fichera, Angelo. "Camden Cemeteries Offer No Respite from Blight." *TheDailyJournal.com*. Archive.thedailyjournal.com, 6 Oct. 2013

branches may snap off. Either scenario would be perilous for the gravestones in locations near trees. One gravestone at Evergreen expresses a fear for the security of the grave: the entire gravestone is enclosed by a metal gate for protection.⁷¹ (Appendix A: Figure 4.20) A drive-by windshield investigation of Evergreen in November 2015 revealed that Evergreen is being better maintained than in the past, although the issue of visitor safety is still a strong concern.

The negative stigma that defines the city of Camden is a deterrent when visiting the Evergreen Cemetery site. When people are afraid to get out of their vehicles to visit the site of their buried ancestors or to perform cemetery research, there is an issue at hand that needs to be resolved. Since 1999, the site has been overgrown but mowed on an occasional basis. A report documented in The Daily Times article, *Camden Cemeteries Offer No Respite from Blight*, mentions a visitor attempting to visit the site of her deceased family.⁷² The grass was so high that she could not find her way to the grave location in the cemetery; she called the city of Camden immediately and within two days all of Evergreen Cemetery was mowed. This situation suggests that the city of Camden is aware of the poor condition of Evergreen Cemetery and yet does not make the effort to have the site maintained regularly. In either case, whether Evergreen Cemetery has been mowed or is overgrown, there have been reports of hypodermic needles on the ground, people doing and dealing drugs, people having sexual intercourse at the cemetery while visitors were paying their respects, robberies, attempted carjackings, and even murder

⁷¹ Fichera, Angelo. "Camden Cemeteries Offer No Respite from Blight." *TheDailyJournal.com*. Archive.thedailyjournal.com, 6 Oct. 2013

⁷² Fichera, Angelo. "Camden Cemeteries Offer No Respite from Blight." *TheDailyJournal.com*. Archive.thedailyjournal.com, 6 Oct. 2013.

within the cemetery grounds. An example of such crime taking place at Evergreen is the case of a 52-year-old man who “was hit over the head and robbed of his car keys, wedding ring and phone” in August of 2013 at Evergreen; he was so badly hurt that he was in the hospital for five days and could not return to work for four weeks following the attack.⁷² Such challenging situations at Evergreen Cemetery strongly suggest that the grounds are no longer respected by Camden residents. To some, the grounds are simply an open space that allow for illegal activity to take place. It is unfortunate that some do not respect the grounds of Evergreen Cemetery for there are still descendants of those buried that wish to visit their loved ones and there are still others who wish to visit Evergreen Cemetery for the sake of its historical and cultural resources.

Despite the limited number of preservation efforts that have taken place since its bankruptcy, there has been at least one account of a historic cemetery walking tour that took place at Evergreen Cemetery. This tour was initiated by the Camden County Historical Society. The most recent, and only, documented public event that took place involving Evergreen Cemetery was the 2004 “Day of the Dead” tour of five historic Camden cemeteries led by volunteers of the Camden County Historical Society. Evergreen was the last and most unmaintained, site that was visited on the tour. According to the Camden County Historical Society, the event was meant to be a “safe, chaperoned bus visit to some of the city’s most historically important cemeteries which included Old Camden, New Newton Quaker Burial Ground, New Camden and Evergreen Cemeteries.”⁷³ Unfortunately this “genealogical excursion through Camden’s historic

⁷³ Levins, Hoag. "A Visit to Evergreen Cemetery, Camden City, New Jersey." *A Visit to Evergreen Cemetery, Camden City, New Jersey*. HistoricCamdenCounty.com and Camden Historical Society, 2004.

graveyards in 2004 turned into a near- wilderness experience at the day's longest stop, Evergreen Cemetery."⁷⁴ The grounds status of Evergreen during this excursion proved to be challenging. One participant on the Camden County Historical Society tour is quoted to have said that "it is shocking that a cemetery as large as Evergreen could just be abandoned by everyone in authority."⁷³ Although this was some years ago, the condition status of Evergreen remains the same, neglected.

From non-responses to historic articles about the site, no organization or the city of Camden will acknowledge responsibility for the site. Currently, the grass is mowed and gravestones are visible; however, there are still broken gravestones on the ground and the site in its entirety gives off the impression of being more of an open and deteriorating space rather than a final home to the departed. The negative stigma of the city of Camden does not help the situation at Evergreen; it is frightening to visit the site. In addition to regular site maintenance, more consistent police monitoring is needed to protect Evergreen Cemetery; murder, drug dealing, robbery and carjackings need to be put to a stop in order for Evergreen to have a chance of revival. Cleaning up Camden could be the starting point of efforts to restore Evergreen into a more respectable cemetery.

⁷⁴ Levins, Hoag. "A Visit to Evergreen Cemetery, Camden City, New Jersey." *A Visit to Evergreen Cemetery, Camden City, New Jersey*. HistoricCamdenCounty.com and Camden Historical Society, 2004.

Part 4: A Chance for New Jersey Restoration

Ethnic population movement can be considered the cause of the initial decline of Saint Patrick's, Grove Street, and Evergreen Cemeteries. Without ancestral interest or frequent visitation, these cemeteries have fallen into differing levels of neglect that now threatens the tangible and intangible historical and cultural heritage that rests within them. The need for employment, the decline of communities, the movement out of cities, social changes, and a lack of contemporary connection to cemeteries impact their decline. However, population relocation is not the singular root cause of cemetery decline; lacking law, public awareness, and local and state government interest in cemeteries has resulted in cemetery grounds such as Saint Patrick's, Grove Street, and Evergreen to fall into deteriorating preservation situations that no longer fully represent their original settings.

Population movement is a normal occurrence that cannot be prevented. When people want to move, there is no way to deter them. However, with the knowledge of population movement, state and local New Jersey municipalities need to be the ones ultimately responsible for the maintenance of cemeteries. With action taken by those in authority, local communities, which are influenced by their leaders, have the chance to take a positive stance on cemetery preservation. Under the leadership of influential public figures, communities in New Jersey can be given the chance to understand that cemeteries are resources that have the ability to teach those alive countless lessons about past people, events, and their own communal heritage. While Saint Patrick's, Evergreen, and Grove Street Cemeteries are not in good condition they can still be cleaned up.

An example of a successful cemetery restoration project is that of Locust Grove Cemetery in Pennsylvania. *From Troubled Ground to Common Ground*, written by Steven B. Burg, describes the restoration of a culturally- and historically-significant cemetery in Shippensburg, Pennsylvania.⁷⁴ Burg describes Locust Grove Cemetery as formerly considered an unwelcoming cemetery from which people often purposely kept away. It was known as a “dark, secluded, and dangerous place at the end of town.”⁷⁵ Locust Grove Cemetery is a burial ground for hundreds of African Americans but its historical significance was forgotten by most of the general community of Shippensburg. While some local residents made efforts to voluntarily take care of the cemetery, the task ultimately became more of burden than it was seemingly worth. Community morale was low until the Locust Grove Cemetery Committee was created in 2003; the committee was composed of local community members, the Shippensburg Historical Society, and a group students from the University of Shippensburg who were taking an Applied History course with Steven Burg. Financial support was given to the committee through community fundraisers, grants, and donations. Burg reflects:

as the state of the cemetery grounds improved, so did the public’s
perception of the cemetery...the image of the shadowy burial ground

⁷⁵ Burgh B. Steven. “*From Troubled Ground to Common Ground*”: *The Locust Grove African-American Cemetery Restoration Project: A Case Study of Service-Learning and Community History*. *The Public Historian* Vol. 30, No. 2 (Spring 2008) (pp. 51-82)

on the edge of town harboring criminals and vandals gave way to a new public perception of the cemetery as an important community historic site.⁷⁶

What began as a small effort to clean up Locust Grove expanded into a community-wide project that resulted in the restoration of the grounds as well as a deeper public respect for Locust Grove Cemetery.

The inspiring story of a community effort to restore Locust Grove Cemetery is an example of what can be done if a group initiates the process of cemetery assessment and maintenance. The restoration of Locust Grove took place over a series of years, from 2003-2005. The committee did not have an easy time gaining support but once they did, the state of Pennsylvania also began to promote the idea of acknowledging, respecting, and understanding the cultural and historical importance of cemeteries. Imagine how much more the project could have accomplished had the state government of Pennsylvania or the local municipality of Shippensburg been involved from the start of the project. A similar restoration project could also take place at Evergreen, Saint Patrick's and Grove Street Cemeteries, sites that are in critical need of maintenance and preservation. In order to initiate this idea, support from community members is essential; support can additionally be garnered from local and New Jersey government funding and more preservation leadership from the New Jersey Historic Preservation Office along with addition to amendment of current New Jersey Cemetery law.

⁷⁶ Burgh B. Steven.

Chapter Five: Additional New Jersey Cemetery Laws

Chapter Three discussed New Jersey's 209th Legislature on abandoned cemeteries, but the 209th Legislature is not the only law in effect that discusses cemeteries in New Jersey. The Cemetery Act of 2003, revised in 2010 and 2013, focuses on cemetery management and the consumer rights of the public citizens who own plots. In addition to the Cemetery Act of 2003, there is the legally-established ten-member Cemetery Board of New Jersey. Both the Cemetery Act of 2003 and the New Jersey Cemetery Board were established in order to protect cemeteries and to ensure customer satisfaction; the Act and Board work for the living family members of those who are already deceased, and for those who have planned ahead for their loved ones by purchasing space for internments in certain New Jersey cemeteries. However, although these New Jersey laws are clearly meant for the betterment of cemeteries in New Jersey, the Cemetery Act and the Cemetery Board do not focus on all cemeteries in the state. For this reason an overview of both the Act and Board will be provided in order to discuss what they each legally provide and what the Board and Act are lacking.

Created in 2003 and amended in 2010 and 2013, the New Jersey Cemetery Act focuses on privately-owned cemetery companies. The act "concerns the operation of cemetery companies"⁷⁷ and as such it does not focus on, or work in favor of, cemeteries that are no longer active, publically- or religiously-owned, or were filled to capacity prior to 1971, the year in which cemetery companies had to comply with certain state laws and

⁷⁷ *New Jersey Cemetery Act, 2003.*
ftp://www.njleg.state.nj.us/20102011/A1500/1417_11.PDF

regulations. For the cemeteries that are included in the discussion of the act, the New Jersey Cemetery Act does, however, work to create fair ground between the given cemetery company and its patrons. The act requires that cemetery companies, meaning non-municipality and non-religious corporations, in New Jersey be approved by the New Jersey Cemetery Board as “certificate of authority cemeteries.”⁷⁸ Approved cemeteries need to meet annual and financial requirements that have been laid out by the Cemetery Board. Further, certificate of authority cemeteries need to actively contribute funds into an irrevocable company Maintenance and Preservation Fund which is regularly supervised by the New Jersey Cemetery Board.

The concept of Maintenance and Preservation Funding is one that is most certainly meant to safeguard the upkeep of cemeteries in the face of detrimental and threatening occurrences such as bankruptcy, closure, or transfers of ownership. Prior to 1971, there were no laws that required cemetery companies to put money away for the purpose of maintenance and preservation; such financial planning was strictly the decision of cemetery companies and there were no legal repercussions for companies that did not contribute to maintenance funds. In it became mandatory for private cemetery companies to create such proactive funding.

The Cemetery Act of 2003 protects the public, who are patrons and shareholders, from having to deal with the torment of situations that can be compared to those of Evergreen Cemetery in Camden, New Jersey. Evergreen Cemetery was active in 1971,

⁷⁸ For more information on Certificate of Authority Cemeteries:
 "Cemetery FAQ." *New Jersey Cemetery Association Frequently Asked Questions*. New Jersey Cemetery Association Frequently Asked Questions, 2014
<http://www.njcaonline.org/cemetery-faq.php>

the year in which the Maintenance and Preservation Fund became a legal requirement in New Jersey. Due to this legal obligation, when Evergreen Cemetery went bankrupt, there was some money left aside in their Maintenance and Preservation Fund. In this case, had there not been a Maintenance and Preservation Fund, the New Jersey Cemetery Board would have been made responsible for Evergreen. Because the New Jersey Cemetery Board was able to legally argue the case that money was readily available for maintenance and preservation of the cemetery, it was court ordered that an appointed receiver be placed in charge of the upkeep of the site. Unfortunately, as has become clear, this state of affairs at Evergreen did not last. Today, it is said by members of the Camden community and the Camden County Historical Society that Harleigh Cemetery is responsible for the maintenance of the site but there is no publicly available or verbal evidence that fully identifies the truth in the matter. The situation at Evergreen remains an ambiguous one that has not seen publicized legal action in years. The case of Evergreen Cemetery demonstrates that the legal system in New Jersey involving cemeteries is not entirely strong in its implementation regardless of the efforts that have been put forth through the creation of the Cemetery Act and the Cemetery Board.

The New Jersey Cemetery Board is a legal organization that works under the New Jersey Division of Consumer Affairs. Its purpose is to “protect the welfare of the people of New Jersey by licensing and regulating cemetery companies that are not considered religious corporations.”⁷⁹ New Jersey’s Cemetery Board overlooks certificate of authority cemetery companies in New Jersey through enforcement of laws, rules, regulations, and

⁷⁹ New Jersey Cemetery Board." *New Jersey Cemetery Board*. State of New Jersey, <http://www.njconsumeraffairs.gov/cem/Pages/default.aspx>

through supervising cemetery company Maintenance and Preservations Funds. The Board requires annual updates, fees, and licensing to those who sell space for burials. All of the requirements, regulations, and supervision that the Cemetery Board is meant to keep cemetery companies running well and to keep the public satisfied with the services these companies provide. Ultimately these cemeteries are businesses that require customer satisfaction. One issue here is that the Cemetery Board does not have any connection to either a religious corporation or municipality-operated cemeteries; they only deal with privately-owned cemetery companies.

The New Jersey Cemetery Act and the New Jersey Cemetery Board do not have any jurisdiction over cemeteries that are publicly- or religiously-owned. Both the Act and the Board monitor privately-owned cemeteries, and the Board requires annual updates which include a fee for such cemetery companies. Municipality-owned cemeteries and religious corporation cemeteries do not have any legal obligation to update the Board on the status of their cemeteries. Chapter Three discusses the requirements necessary for cemeteries to be considered legally abandoned, defined by New Jersey's 209th Legislature from 2000; religious corporations and publicly-owned cemeteries are excluded from being termed abandoned, even if they meet the other necessary requirements to be considered legally abandoned. Religious corporations and municipality-operated cemeteries are immune from Cemetery Board regulations and monitoring and they also cannot be officially called abandoned cemeteries even if they are in states of poor preservation. It is evident that there are no laws working to defend such cemeteries or to ensure their maintenance and preservation, nor do they ever have the potential of being offered the chance to be considered legally abandoned. Consequently, even if in the vicinity of new development,

such religious- and municipality-operated cemeteries are not incorporated into preservation plans or abandoned cemetery preservation agreements which are mandatory for legally abandoned cemeteries as per the 209th Legislature. With lacking legal protection for religious and public cemeteries in New Jersey, subsequent and unofficial abandonment is not uncommon; this is evident in the case of Saint Patrick's Cemetery in Rockaway, New Jersey.

Saint Patrick's Cemetery is a publicly-owned cemetery that cannot be deemed abandoned by law, does not receive proper maintenance by the town of Rockaway, never had a Maintenance and Preservation Fund, and is lacking preservation. The New Jersey Cemetery Act offers no aid to the situation at Saint Patrick's Cemetery for it is a publicly-owned cemetery located in Wildlife Management Area. The New Jersey Cemetery Board also does not have any authority over the grounds; they cannot request annual status reports or speak to those who are in control of maintaining the site and all of its cultural resources. Saint Patrick's Cemetery is unprotected from human and natural interference and there are no laws that can be used to argue a case for its restoration. Without alteration to law, the only hope that Saint Patrick's has is to appeal to or educate the community of Rockaway, Morris County, and New Jersey; if the public is taught to take pride in the heritage of their community and about the important resources at risk due to the disrespect for and poor maintenance of Saint Patrick's, then they may develop the motivation to create change for the improvement of the cemetery. Restoration of the cemetery grounds and conservation of gravestones can be encouraged as part of the process of community revitalization. An inspiring example of community restoration efforts have been discussed in the case study of Locust Grove Cemetery in Shippensburg,

Pennsylvania.

Much like Saint Patrick's Cemetery, Grove Street Cemetery is a cemetery that does not receive aid from the New Jersey Cemetery Act or the Cemetery Board but would benefit from legal advocacy. Grove Street Cemetery consists of a group of privately-owned cemeteries that are strictly for believers and followers of the Judaic faith. As such, these cemeteries are either religious corporations, owned by an association, or ownerless and, like public cemeteries, they are offered little to no support from the New Jersey Cemetery Act or the New Jersey Cemetery Board. Some burial sections of Grove Street Cemetery no longer have owners; religious institutions, for example, synagogues or societies, which owned and operated these cemeteries are no longer in existence. With the disappearance of owners, these smaller cemeteries within Grove Street have only the preservation and public support of organizations such as the Newark Jewish Historical Society, the Community Relations Committee of the Jewish Federation of Greater MetroWest NJ, the Newark Historical Society, and the Beth El Memorial Park Foundation. Because of the support provided by these organizations, Grove Street Cemetery is in a better preservation state than others, proving that through support of the public and local organizations, culturally- and historically-rich cemeteries stand a chance of survival and preservation. Law created for the purposes of religious corporation cemeteries has been written as is evident in New Jersey's 215th Legislature.

A new addition to state administration, the New Jersey 215th Legislature, was enacted in November of 2013. This legislature "regulates certain activities of religious

corporations operating cemeteries.”⁸⁰ Only one page long, the 215th focuses primarily on:

prohibiting religious corporations from: selling, or having, or entering into a lease with respect to any of its real property dedicated to cemetery purposes or adjacent thereto a funeral home, or using any of its property for locating a funeral home; comingling its funds with a funeral home; authorizing control of its cemetery related business affairs by a funeral home or the selling or cross-marketing of any goods or services with a funeral home.⁸⁰

The 215th Legislature states that religious corporation cemeteries may not “authorize or permit any employee, trustee, or director to advertise the religious corporation if that person is engaged in the sale of markers or monuments outside of his employment with the given corporation.”⁸² In brief, the act forbids religious corporation cemeteries from making profits from the sale of land or through any connection to a funeral home or grave-marker salesmen. This is done in order to ensure that religious corporation cemeteries remain not-for-profit organizations.

Given the exclusions enforced by the 215th Legislation and the lack of set guidelines, has the motivation or assets to create funding for its future. If such religious organizations cannot legally make profits, they may not be financially able to put money away for the

⁸⁰ *New Jersey Religious Corporation Cemetery Act*.
http://www.njleg.state.nj.us/2012/Bills/S3500/3021_11.PDF

safety, regulation, and maintenance of their cemeteries. Some organizations may have fees, like perpetual care, for the maintenance of burial sites included in their burial, but others may not have such fees. Perpetual care is a fee sometimes required at the start of purchase in a cemetery; the fee paid to the corporation is invested and the money made off of the growth of the account provides the cemetery with money to maintain the given plot. If investments are made in unstable accounts, money may not be gained in the long run which can cause financial complications for the corporation or company. The lack of reliable maintenance planning and funding could leave such unprotected cemeteries in serious danger were the organization to permanently close its doors.

Depending on how the cemetery went out of business, there is a chance for the owner to sell the land or for the municipality in which it is located to purchase the land or to simply take over maintenance of the site. However, there are no legal requirements for the municipality to do so, nor a one hundred percent guarantee that there will be a buyer if the site went up for sale. For example, it is unlikely for a buyer to purchase a cemetery that no longer has space for internments. If a religious corporation cemetery were to go bankrupt or out of business, without any funding left for the maintenance or preservation of the site and with no aid from the municipality or a new owner, the grounds would be left to overgrow, decay, and at worst, become abandoned. Without laws working to ensure the safety and preservation of religious corporation cemeteries, these cemeteries have little hope for survival if ever faced with any fiscal or social situations that may lead to abandonment. Through the influence of bordering state cemetery laws, New Jersey legislature can improve.

The limitations of the New Jersey Cemetery Act are highlighted by a comparison of

New Jersey law to that of cemetery legislation in New York and Pennsylvania. These comparisons are not meant to place the state cemetery legislature of New York and Pennsylvania on a pedestal, for they are not flawless, but rather to demonstrate that New Jersey is falling short of preventative maintenance and funding, municipality maintenance responsibility laws, and cemetery preservation laws that would benefit cemeteries in the state. Although these state laws have their own faults, Pennsylvania does have laws regarding cemeteries as historic resources and both New York and Pennsylvania place more cemetery maintenance responsibility on owners and municipalities than does the state of New Jersey.

The state of New York has an online manual, *Cemeteries and Crematories: Laws, Rules, and Regulations of the New York State Cemetery Board*, which provides legal information and cemetery law explanations.⁸¹ The manual does not mention cemeteries as historic resources but discusses the need to keep cemeteries well-maintained as a preventative measure against neglect and abandonment. New York State's Not-for-Profit Corporation Law Article 15 was created to "protect the well-being of our [New York State's] citizens, promote public welfare and prevent cemeteries from falling into disrepair and dilapidation and becoming a burden upon the community."⁸² Concerning abandoned and neglected cemeteries, New York requires both a "permanent maintenance fund" and a "current maintenance fund." Further, perpetual care funds are required upon

⁸¹ *Cemeteries and Crematories: Laws, Rules, and Regulations of the New York State Cemetery Board*
<http://www.dos.ny.gov/cmt/cemlaw.html#1506a>

⁸² *Cemeteries and Crematories: Laws, Rules, and Regulations of the New York State Cemetery Board*
<http://www.dos.ny.gov/cmt/cemlaw.html#1506a>

the purchase of a plot or internment space. The permanent and current maintenance funds are similar to New Jersey's Maintenance and Preservation Funds, however, there are two funds in the state of New York in addition to perpetual care; these required trust funds were made mandatory for cemetery corporations in order to preserve cemeteries in New York and prevent abandonment and neglect. Similar to New Jersey, New York has a cemetery board that oversees the finances of cemetery corporations and also requires annual updates of such cemeteries in the state.

In addition to permanent and current maintenance funds and perpetual care funds, New York also has an application for funds for maintenance of abandoned cemeteries. This application, available online, states that the Not-for-Profit Corporation law (discussed in the Laws, Rules, and Regulations of the New York State Cemetery Board manual mentioned above) "creates a fund which provides for the maintenance of abandoned cemetery properties."⁸³⁸³ This application is for municipalities in New York that have abandoned cemeteries that were once not-for-profit cemetery corporations or that are owned by the given municipality. Municipalities must fill out this application and file it to the New York Cemetery Board which then either approves or denies funding for maintenance. If approved, money is taken out of a fund managed by the Cemetery Board and given to the municipality; any remaining funding after maintenance has taken place must be returned to the Board. As mentioned above, the state of New York does not

⁸³ New York State Municipality Application for Abandoned Cemetery Maintenance
<https://www.dos.ny.gov/forms/cemeteries/1807-a.pdf>

mention cemeteries as historic resources throughout their manual but it does have laws working to prevent abandonment and to maintain healthy and respectful conditions throughout cemetery corporations and municipality-operated cemeteries within their state. This type of preventative maintenance, as well as more responsibility by municipalities, is also stressed in cemetery laws in Pennsylvania.

The state of Pennsylvania has laws in place that are meant to prevent cemetery abandonment and, if abandonment occurs, laws to maintain the grounds of cemeteries that are in need of attention. The Burial Grounds, Municipal Control Act of 1923 states that:

courts have the authority to designate local governments as the caretakers of neglected cemetery grounds. The local government must then finance the maintenance of the burial grounds, and these grounds must be open to the public. A petition signed by at least 25 citizens residing within a five-mile radius of the municipality-owned and maintained burial grounds may be used by a court as a means to order the local government to rid the grounds of weeds, overgrown brush, etc.”⁸⁴

The Burial Grounds, Municipal Control Act places the responsibility of maintaining abandoned cemeteries on municipalities. Contrary to the state of New York, whose

⁸⁴ Burial Grounds, Municipal Control Act
<http://www.phmc.state.pa.us/portal/>

municipalities are financially responsible for maintaining abandoned cemeteries.

The state of Pennsylvania also has the Historic Burial Places Preservation Act of 1994 which defines the term “historic burial place” as a “tract of land that has been in existence as a burial grounds for more than 100 years wherein there have been no burials for at least 50 years and wherein no future burials will take place.”⁸⁵ Through the Historic Burial Places Preservation Act and the Burial Grounds, Municipal Control Act, Pennsylvania has involved their state government and local municipalities in the process of cemetery preservation and has acknowledged cemeteries as historic and cultural resources.

Similar to the New Jersey Cemetery Legislature, neither New York nor Pennsylvania directly references the maintenance and/or preservation of religious corporation cemeteries. The online manual regarding Cemetery Corporation Law in the state of New York does not discuss religious corporation cemeteries except in one case, discussed in Section 1506, Part F, in which it states that cemetery corporations can legally accept a “conveyance of real property held by religious corporation cemeteries for burial purposes.”⁸⁶ Pennsylvania does not discuss the maintenance of such cemeteries in their legislature but the Burial Grounds Conveyance Act of 1913 does state that disinterment and consequent reinternment may be court ordered upon churches, cemeteries, and burial associations if the site has become derelict, a public health danger, or a public nuisance; following the relocation of bodies, the land can be sold for the profit of the state. The

⁸⁵ Historic Burial Places Preservation Act
<http://www.phmc.state.pa.us/portal>

⁸⁶ Cemeteries and Crematories: Laws, Rules, and Regulations of the New York State Cemetery Board
<http://www.dos.ny.gov/cmt/cemlaw.html#1506a>

cemetery laws in the states of New Jersey, New York, and Pennsylvania lack attention to religious corporation cemeteries and maintenance laws for religious corporation cemeteries. There is no obligation for maintenance funding or oversight required by these states; however, in Pennsylvania such cemeteries can be closed down by court order.

New York has preventative legislature that is meant to keep abandonment of cemeteries from occurring and Pennsylvania has a historic cemetery law that, when compared to New Jersey's 209th Legislature, is less limiting and consequently allows more cemeteries to be deemed "historic" and in need of maintenance and preservation. Based on the current New Jersey cemetery laws that have been discussed in this chapter (New Jersey's 209th Legislature, the New Jersey Cemetery Act, the New Jersey Cemetery Board and New Jersey's 215th Legislature) and the cemetery laws of New York and Pennsylvania, New Jersey cemetery law is in need of amendment and expansion to cover issues such as municipality responsibility for maintenance as well as legislature to prevent neglect and abandonment. Through such actions, New Jersey can move towards a more effective cemetery abandonment legislature and also create more public awareness of cemeteries as historic and cultural heritage resources.

There still remains a chance for preservation, survival and restoration of cemeteries that are not encompassed by the New Jersey Cemetery Act or those which have been overlooked by the New Jersey Cemetery Board. The restoration project at Locust Grove Cemetery in Pennsylvania and the preventative and mandatory maintenance cemetery laws in New York and Pennsylvania provide a glimpse of hope. Restoration and preservation of cemeteries as valuable historic, cultural, and educational resources is

possible with the assistance of funds and community and government support.

Amendment of current law, more local and state government interest, and greater public awareness can create a positive change in New Jersey cemeteries that are in need of assistance.

Chapter Six: Conclusions and Recommendations for New Jersey Cemetery Preservation

Conclusions

This thesis has investigated the reasons for cemetery abandonment and neglect in the state of New Jersey. I have discussed the current lack of cemetery preservation and maintenance in New Jersey through the investigation of three cemeteries in the state. Saint Patrick's, of Rockaway established in 1869, Grove Street of Newark established in 1901, and Evergreen, of Camden, established in 1848, are three cemeteries that are in need of preservation and maintenance support from the public as well as state and local governments. Ethnic population movement in the 20th century caused the initial decline of these three cemeteries, but ultimately, a lack of cemetery preservation law in New Jersey has led to their current states of decay and deterioration. By reviewing New Jersey cemetery laws such as the 209th Legislature and the 215th Legislature, as well as the New Jersey Cemetery Act and the New Jersey Cemetery Board, it has been established that in order for cemeteries in New Jersey to be valued as state cultural heritage resources, amendment to current legislature is necessary. By accepting cemetery neglect and abandonment as only an occurrence that requires some legal intervention, government officials are allowing the deterioration of tangible and intangible cultural heritage resources within cemeteries that are not included in their abandoned cemetery legislature. My research intends to bring awareness to the current situation of neglected and legally or non-legally abandoned cemeteries in New Jersey and offer solutions to current New Jersey legislative issues.

Research regarding each cemetery case study, including published works, online

resources and information suggested by historical societies and other organizations along with first-hand field observation, has, in some cases, been more accessible and successful than in others. Of the three neglected cemeteries, Grove Street Cemetery, although having lost some of its gravestones with time, is in the best preservation state of the three cemeteries discussed in the thesis due to volunteer interest and action. Saint Patrick's Cemetery and Evergreen Cemetery have lost considerable numbers of cultural and historical resources such as gravestones and architectural structures. Evergreen Cemetery has experienced controlled and uncontrolled vegetal growth in the past 19 years, beginning in 1997. Saint Patrick's currently has no landscape or maintenance control. Upon numerous research and non-research related visits to the cemetery within the past three years, the site has shown signs of decay and natural overgrowth.

Though the condition of Saint Patrick's Cemetery no longer represents a cemetery that respects the departed buried within its grounds, historical resources regarding the site have been the most available. The Morris County Historical Society and the Rockaway Historical Society promptly responded to personal inquiries and the Morris County Library contains numerous materials such as Sara Weissman's *St. Patrick's, Rockaway NJ*, James O'Donohue's *Old and Forgotten Cemeteries of NJ Part 1*, and Edward Raser's *County Burial Grounds Inventory* that all discuss the cemetery. Grove Street Cemetery has supporters that have also made themselves available for; Grove Street supporters were eager to assist in the research process that took place for this thesis. The Jewish Historical Society of New Jersey made a reference to Nat Bodian's *The Landsmanshaftn of Newark*. Also provided by the Jewish Historical Society of New Jersey was contact information (which led to a brief and informal discussion) with Newark's City Surveyor

and Principal Planner, Joe Foxx, who aided in the understanding of Grove Street cemetery being made up of multiple cemeteries within one main cemetery. Evergreen Cemetery, which lacks written historical information, is arguably the least maintained and least publicized of the three cemeteries discussed in this research. The situation at Evergreen is mute without any response to personal inquiry from anyone who might have information on the site.

All three abandoned and neglected cemeteries would benefit from restoration and preservation efforts. Through review of current New Jersey State cemetery laws and their legal boards, there is a lack of support for cemeteries that are in similar conditions to Grove Street Cemetery (home to religious corporation, association, and ownerless cemeteries) Saint Patrick's Cemetery, (a cemetery on public land) and Evergreen Cemetery (a cemetery without a confirmed legal owner). Available information on Saint Patrick's, Grove Street and Evergreen Cemeteries has been gathered and reviewed in an effort to provide a more clear understanding of the current status of each cemetery as well as cemeteries in similar conditions in New Jersey. Current laws working for or against New Jersey cemeteries have been analyzed and discussed and, consequently, recommendations for improvement of these laws, for the benefit of state cemetery preservation, will follow.

In light of the information that has been discussed, this author recommends amendment and improvement of New Jersey cemetery preservation and maintenance laws. In the next section of this chapter, recommendations for the revision of laws for cemeteries currently in conditions that do not appropriately pay homage to the departed or the resources within them will be made. Further, revised legal recommendations for

cemeteries that are currently being properly run and maintained but contain the unknown future risk of neglect and legally or non-legally defined abandonment will also be considered. The recommendations that follow are made in an effort to promote preservation in abandoned and non-abandoned cemeteries, regardless of the size, type of owner, or burial activity.

Suggestions and Recommendations

As discussed throughout this thesis, New Jersey's 209th Legislature, discussed in detail in Chapter Three, focuses on abandoned cemeteries in New Jersey. In order for a cemetery to be deemed officially abandoned it must be no larger than 10 acres, not publicly- or religiously-owned and have had no burials post 1880.⁸⁷ This law excludes numerous cemeteries throughout the state, including Evergreen, Saint Patrick's and Grove Street Cemeteries. Many cemeteries do not meet the requirement laid out by the 209th Legislature, resulting in there being no legal obligation for developers to create preservation plans for them. Consequently, without any state or local legal aid or requirements, such cemeteries are often left to deteriorate. Based on the fact that the three cemeteries investigated for this research do not meet the necessary qualifications to be deemed officially abandoned in New Jersey, the question of how many other cemeteries in the state lack legal protection arises. In result of research that was performed for this

⁸⁷ *New Jersey Abandoned Cemetery Maintenance and Preservation Act*
http://www.njleg.state.nj.us/20002001/A1500/1177_11.HTM

thesis it is necessary to recommend alteration to the 209th Legislature. Recommendations that follow are being made in an effort to create more state and local government support for cemeteries that are currently in a state of decay and in need of attention.

Recommendations for the Amendment of New Jersey's 209th Legislature

The 209th Legislature has created a heavy limitation on cemeteries that are legally eligible to be considered abandoned. This limitation leaves cemeteries that do not qualify under abandonment law to fall into more disrespectful conditions. Two recommendations for the amendment of New Jersey's 209th Legislature follow below.

1) The alteration of the 209th Legislature to lessen the acreage, years without burial, and type of ownership requirements in order for more cemeteries in New Jersey to receive financial aid. Currently, the 209th Legislature states that only cemeteries that have not had burials since 1880 (along with the acreage and ownership requirements) can be considered legally abandoned. This 136 year time span is too large. Without owners or community interest, a cemetery can fall into complete neglect and unofficial abandonment within a few years; if a burial took place two years prior to the closure of a cemetery, why should 134 years need to pass for there to be any legal attention given to the site? Descendants of the deceased pay a great deal of money to bury their loved ones respectfully. Their efforts should not be punished because the cemetery that they chose went out of business. The removal of these legal limitations would allow for more cemeteries to be drawn abandoned cemetery preservation agreements if development was planned to begin in the given vicinity of the cemetery. Even though alteration to the 209th

Legislature to expand the acreage, eliminate ownership requirements, and shorten the time lapse of lacking active burials would be beneficial to cultural and historic resources within cemeteries, even further adjustment to current law is necessary to guarantee the protection and preservation of state cemeteries.

New Jersey's 209th Legislature contains a statement that discusses the importance of cemeteries in New Jersey as cultural and historic resources. The statement encourages municipalities and the public to support their local cemeteries and the cultural heritage that they may contain. Having only an encouraging statement included at the conclusion of a state bill is not an adequate way to ensure that cemeteries are properly maintained and preserved. Within the 209th Legislature, it is made clear that official abandoned cemeteries do not legally require municipality or state attention unless they are in the vicinity of new development. When new development is planned to take place, the developers are responsible for creating an abandoned cemetery preservation agreement that works to protect the given cemetery. Abandoned cemetery preservation agreements need to be submitted and approved by the municipality in which new development is planned to take place. However, instituting the legal requirement for municipalities to create abandoned cemetery preservation agreements, regardless of new development, would benefit cemeteries in need of protection and preservation. If such amendments to the 209th Legislature were created, it would benefit the state and municipalities from having to deal with abandoned cemetery issues that can arise in certain development situations; an example of a development situation involving an abandoned cemetery that could have been prevented had there been appropriate law is the case of Snake Hill Cemetery of Hudson County, New Jersey.

In the 1990s, when the New Jersey Turnpike Authority (NJTA) decided to purchase ten acres of land in northern New Jersey for a highway project, they did not realize that the land they were purchasing was once possessed, in the 19th and early 20th centuries, county buildings such as a penitentiary, an asylum, an almshouse and an isolation center, along with a cemetery. After the land purchase transaction of buying this area of land was complete, the NJTA conducted historic research and land surveys, as suggestions about the lands former use arose.⁸⁸ There was no indication (gravestones or plot markers) within this land area that would have identified a cemetery, however, there had been previous efforts by descendants of those buried to alert officials that the property contained historic resources. One descendant, Patrick Andriani, had been in contact with Hudson County about a cemetery that was believed to have been located in the Meadowlands. Andriani reported “when I tried to find out where the place of burial was, county officials either told me it didn’t exist, or that bodies were all moved to some other place long ago. However, Hudson County’s speculation was misguided; archaeological research including land survey, ground penetrating radar, and controlled excavation by the Louis Berger Cultural Resource Management Firm unearthed 4,571 bodies along with nearly 10,000 artifacts in an area of planned NJTA development.⁸⁹ Historic document and maps research revealed that nearly 6,000 more bodies were buried within the area formerly known as “Snake Hill” and now known as the “Meadowlands;” of note is the fact that the Louis Berger Cultural Resource Management Firm was only contracted to

⁸⁸ Romney, Kristin M. "The Dead of Snake Hill - Archaeology Magazine Archive." *The Dead of Snake Hill - Archaeology Magazine Archive*. Archaeological Institute of America, May-June 2005.

⁸⁹ Sullivan, S.P. "Snake Hill's Secrets: 10 Years Ago, Thousands of Bodies Were Pulled from the Meadowlands." *NJ.com*. New Jersey On-Line LLC, 21 Oct. 2014. Web.

survey the areas for which the NJTA was planning to build.⁸⁹ The question however, this cultural resource management firm only unearthed the areas in which the NJTA was legally obligated to research.⁹⁰ The answer to the question of how many other bodies still rest within the New Jersey Meadowlands remains unknown.

After the discovery of 4,571 bodies at Snake Hill Cemetery, known descendants were informed and, ultimately, there was an effort to identify the discovered bodies which were then relocated to Maple Grove Park Cemetery in Hackensack, New Jersey although descendants had the opportunity to bury their ancestors elsewhere. The New Jersey Turnpike Authority was financially responsible for the reinternment of the 4,571 bodies that were discovered. Community controversy brewed over the idea of reinternment in a mass grave; descendants that did not support the idea of reinternment supported the restoration of Snake Hill Cemetery. Ultimately, the bodies were removed and, by 2003, reinterred at Maple Grove Park Cemetery. Had there been proper New Jersey cemetery legislature regarding all cemeteries, including private, municipality-operated, and religious corporation cemeteries, then it would have been known that Snake Hill once contained a cemetery. Had proper maintenance and preservation been a priority for Hudson County and New Jersey, the Snake Hill Cemetery and the 10,000 people buried within its grounds would still be preserved today, in their original setting. The case of Snake Hill Cemetery supports the need for regular municipality protection of abandoned and neglected New Jersey cemeteries.

Without new development, cemeteries that are legally abandoned are not required to

⁹⁰ Sullivan, S.P. "Snake Hill's Secrets: 10 Years Ago, Thousands of Bodies Were Pulled from the Meadowlands." *NJ.com*. New Jersey On-Line LLC, 21 Oct. 2014. Web.

be protected or preserved by the state or local government. Cemeteries that currently do not meet the necessary standards to be called legally abandoned do not have the opportunity to be drawn abandoned cemetery preservation agreements, even if such a cemetery is located within the vicinity of new development. As the case of Snake Hill has demonstrated, this concept is flawed; unofficially abandoned cemeteries are excluded entirely and developers only draw preservation plans for legally abandoned cemeteries because it is required of them. If the importance of cultural heritage and historical cemetery resources has been legally acknowledged by the New Jersey state government, then why have so many cemeteries been legally allowed to fall into decay, neglect, and disrespectful conditions? If a cemetery has no clear owner and has become home to an overgrown landscape, illegal activities, and disrespect, then government assistance and intervention should be required. Cemetery preservation plans should not only be created when development is going to take place. My second recommendation for the amendment of New Jersey's 209th Legislature is:

2) The creation of legally required and enforced cemetery preservation plans by New Jersey municipalities. As the state of New Jersey has made clear in its 209th Legislature, cemeteries are important cultural, educational and historical resources and such new legal requirements would protect them from neglect and abandonment. Further, the instituting of mandatory municipality abandoned cemetery preservation agreements would prevent situations similar to that of Snake Hill Cemetery from ever occurring which, in long terms, would save money for the state.

By creating boundaries and limitations for the preservation of cemeteries, more threatening problems for these resources can arise; if a cemetery is in need of aid, then it

should be required by the state that the necessary actions by the local government take place. In terms of cemetery preservation, it is counter-productive for the state of New Jersey to pick and choose which cemeteries get protected and which do not; every cemetery contains the remains of people who entrusted those living to honor their memory. Memorialization includes not only honoring the physical remains of the departed but also the gravestones, iconography, mausoleums, statuary, and any other component of dedication that were chosen by those living in an attempt to immortalize those who have passed. Alteration and expansion of the New Jersey 209th Legislature on abandoned cemeteries would work to help cemeteries that are in need of attention currently and without delay.

The above recommendations for expansion of the 209th Legislature cemetery requirements, for the benefit of all cemeteries that are in need of financial and physical assistance, have been made in order for such cemeteries to become, most importantly, respectable burial grounds for the departed. The suggested creation of mandatory local government preservation plans for cemeteries would work towards the restoration of New Jersey cemeteries that have fallen into neglect. Cemeteries that are currently in need of attention and conservation aid are not the only cemeteries that require the consideration of state and local officials, however. Cemeteries that are currently well-maintained also need attention from state and local government figures and laws in New Jersey as well as guidance from the New Jersey State Historic Preservation Office (SHPO) whose mission is to promote and practice historic preservation in the state of New Jersey.

Recommendations for the Expansion of the New Jersey Cemetery Act, the Creation
of Mandatory Local Funding for All Cemeteries in New Jersey

Preventative preservation and conservation laws in New Jersey can work in favor of cemeteries that are currently maintained but may, in the unforeseeable future, need financial and physical assistance. The New Jersey Cemetery Act of 2003 and the New Jersey Cemetery Board were created in order to ensure the protection, maintenance, and preservation of cemeteries in the state. However, as discussed in Chapter 5, the act and board do not work to protect cemeteries that are religious corporations or owned by a New Jersey municipality. Here, it is evident that New Jersey is placing a strict limitation on what type of cemetery they are willing to make an effort to protect. New legislature could be created in order to truly and adequately protect cemeteries of all kinds regardless of religious affiliation or type of ownership.

A new law or an amended New Jersey Cemetery Act that encompasses and discusses all cemeteries in the state would be beneficial in ensuring the preservation of cemetery resources. The Cemetery Act encourages cemetery preservation in that it requires a Maintenance and Preservation Fund for cemetery corporations in New Jersey, but it excludes religious corporation cemeteries and municipality-operated cemeteries in the state. The resources within religious corporation and municipality-operated cemeteries are in need of protection too. Recommendations for the expansion of the New Jersey Cemetery Act and the creation of mandatory local funding for all cemeteries in New Jersey now follow.

1) A new or amended New Jersey Cemetery Act that requires proper maintenance of all

New Jersey (religious corporation, association, public, and private) cemeteries that are currently in business, which would also create a backup maintenance plan (in the case of a New Jersey cemetery going out of business) would more adequately work towards preserving cemeteries. For example, if a religious corporation cemetery goes out of business, the maintenance of the site should be taken on by the state or municipality in which it is located. In the long run, a state or local government takeover would prevent the cemetery from losing cultural and historic resources as well as from becoming a site for unconventional and disrespectful activity.

2) The mandatory creation and contribution to a Maintenance and Preservation Fund for all cemeteries, not just cemetery companies, would be a first step towards preservation for all cemeteries. In the former example, if the religious corporation cemetery had been contributing to a maintenance and preservation fund, then the money in that account could be used by the Cemetery Board, municipality, or state to maintain the cemetery. Supervision of funding and money allotment by the New Jersey Cemetery Board or a similar cemetery board would help to ensure cemetery preservation post-closure.

3) In the case of religious corporation cemeteries, the creation of individual cemetery boards per religion, in order to keep separate church and state, would be beneficial. Each board could oversee the funding and maintenance plans of cemeteries that belong to each religion. This is not an inconceivable idea; humans care about the remains of their ancestors and spend money in an effort to memorialize their deceased loved ones. Descendants want what they paid for to be properly and respectfully taken care of; they entrust those who operate cemeteries to do this. Instituting a religious cemetery board that supervises and further ensures the care of their departed loved ones could be viewed as

positive concept. If operations at New Jersey cemetery companies are overlooked by the New Jersey Cemetery Board then it is reasonable to have religious cemetery boards that overlook religious corporation cemeteries.

In addition to the need for the inclusion of religious corporation cemeteries in New Jersey law, municipality-operated cemeteries should no longer be exempt from state legislature. Public cemeteries should not be allowed to fall into decay without any legal repercussions. These types of cemeteries should be in well-maintained as they are on public land that tax payers expect their municipality to maintain. It is clear that municipalities in New Jersey do not always maintain publicly-operated cemeteries to the best of their ability. Saint Patrick's Cemetery, a publicly-owned site, is not maintained and there have been no local government efforts to preserve it; an immeasurable amount of cemetery resources such as gravestones at Saint Patrick's have already been lost and the majority of those remaining are in the process of decay. There is no excusable reason for publicly-owned cemeteries like Saint Patrick's to be left in such disrespectful conditions. Municipalities may argue that it would cost too much money to fully restore neglected cemeteries in their jurisdiction; it is not being suggested that cemeteries in need be completely restored, although that would be ideal. Municipalities are strongly urged to take care of cemeteries in their jurisdiction that do not have owners. If cemeteries are properly maintained in the long run, less vegetal and human-caused destruction will have the opportunity to ruin cemetery resources such as gravestones, mausoleums, and plot markers. Cutting grass, removing fallen trees and branches, and removing overgrown shrubbery should be required services provided by municipalities.

4) In order for maintenance by municipalities to be guaranteed, supervision of

maintenance by the Cemetery Board in addition to municipalities allotting appropriate funding, strictly for the purposes of maintaining municipality-operated cemeteries, would ensure that maintenance is properly carried out.

If all cemeteries in New Jersey were included in amended and new legislature as well as supervised by the current New Jersey Cemetery Board or a new religious cemetery board, then the cultural heritage resources located within cemeteries throughout the state would be at less risk of deterioration. There is no longer room for loopholes in law. In the case of Evergreen Cemetery in Camden, the Cemetery Board was supposed to take over maintenance of the site but they were able to legally argue that there was a remaining fund that could be used to maintain the cemetery. Evergreen's mandatory contribution to their Maintenance and Preservation Fund, instituted and enforced by the Cemetery Board, was worth it in the long run; the cemetery went bankrupt and there was money to fall back on to maintain the site. However, it was, and remains, problematic that once the person who was placed in charge of using this fund for maintenance died, and no one officially took over maintaining the site. Since the caretaker died, the landscape of the cemetery has been overgrown and then cut down repeatedly. Clearly, the loophole that the Cemetery Board found did not work in favor of the cultural heritage resources within Evergreen. Situations like that at Evergreen Cemetery, where, post-closure, money was left in a Maintenance and Preservation Fund but neither the state, city, nor Cemetery Board wanted the responsibility of using those funds to maintain the site, should not legally be allowed to occur. Either the local government, state government, or Cemetery Board should have been required to maintain Evergreen with the remaining funds. Money from that fund should have been further invested in an effort

to ensure maintenance of the site in the future. If they had, perhaps the chapel and superintendent building would still be standing and the site would not be a breeding ground for crime. Situations like that of Evergreen Cemetery become more intense when local communities lack connection to cemeteries, supporting the necessity of government intervention for and public interest in cemetery preservation.

Recommendations Regarding the Public of New Jersey

With a lack of contemporary community interest, preservation of cemeteries in New Jersey needs to become a topic of public discussion. Publicized local and state government interest towards preservation and maintenance of New Jersey cemeteries can greatly impact the way that public interprets cemeteries. The following recommendations are being made in order to promote public awareness and appreciation of cemeteries in New Jersey.

1) Through emphasizing the community and state heritage, history, and educational resources that New Jersey cemeteries contain, authority figures and preservation specialists have the capability to influence public interest. As was made evident in the case of Locust Grove Cemetery in Shippensburg, Pennsylvania, cemetery preservation can gain public interest through the efforts of local preservation advocates; all it takes is a spark of interest to ignite a flame of public dedication. Some active cemeteries in New Jersey have public outreach programming in order to stress the important cultural connection contemporary communities have with those buried in their grounds. Such outreach has the potential to help gain public interest in favor of local and state cemetery

preservation.

Through public programming, historic and cultural walking tours, school group activities and celebratory events on holidays like Veterans Day, cemeteries in New Jersey can share their resources with the public. Elmwood Cemetery in New Brunswick, New Jersey, is an active 19th century Victorian Garden Cemetery that has numerous guided and self-guided walking tours, flag placing celebrations on Veterans Day, and school group tours, throughout their near 70 acre cemetery. As an intern at this cemetery from September of 2014 to September of 2015, it is clear that the public is interested in the resources and information Elmwood contains. It is not uncommon for the public to perceive cemeteries as eerie places and, consequently, they often avoid them. Once walking tour participants at Elmwood Cemetery accepted that they were in a cemetery, many of them truly enjoyed learning about past historical events, like the Civil War and the establishment of Rutgers University, as well as people like Civil War veterans, past Rutgers presidents and professors, and regular New Brunswick citizens that lived in their very own place of residence. If Evergreen, Saint Patrick's or Grove Street Cemeteries had historical and cultural walking tours open to the public. These activities would encourage more active leisure use of the cemetery by the visiting public and local community. Growing appreciation and awareness can lead to public concern; interactive learning at cemeteries is a way for the public to gain interest in the welfare of cemeteries and to overcome the common cliché that cemeteries are places to be avoided. With interest, concern, and leadership from historical societies, associations, preservation professionals, and university specialists the public can influence the priorities of those in governmental

positions who have the authority to actually allot money and time to restore, preserve, and maintain cemeteries.

Another recommendation for the advancement of New Jersey cemetery preservation is gaining public interest and awareness through educational public activity. A partnership between the public and preservation professionals and university specialists is an example of how such collaboration can work to preserve and restore cemeteries. As was seen in the case of Locust Grove Cemetery in Shippensburg Pennsylvania, university students, guided by their professor, Steven Burgh, joined together with local residents to restore the abandoned and shunned cemetery. Together this preservation committee raised money and cemetery preservation awareness. This can happen in the state of New Jersey as well; the Cultural Heritage and Preservation Studies department at Rutgers University, for example, could initiate partnerships with local historic preservation organizations, such as the New Brunswick Historic Society or the Middlesex County Cultural Commission or state preservation organizations such as the New Jersey State Historic Preservation Office to begin researching and analyzing cemeteries in need of restoration and preservation in the New Brunswick and Middlesex County region. Further, this potential university/historic society/cultural commission/SHPO partnership could raise public awareness of the cultural heritage and history that rests within local cemeteries.

Overall, New Jersey does not have adequate legislature working in favor of cemetery preservation. The state of New Jersey, in their 209th Legislature, recognizes the immense historical resources and cultural heritage within all New Jersey cemeteries (including cemetery companies, religious-corporation cemeteries, and municipality-operated

cemeteries) yet legislature in New Jersey does not work to protect all of these types of cemeteries. The 209th Legislature places limiting restrictions on cemeteries that can be legally deemed abandoned; cemeteries that are officially abandoned are not legally required to be preserved unless the site is located within the vicinity of a building development plan. Cemeteries that do not meet the requirements defined by the 209th Legislature and also lack maintenance and ownership are not protected in any way by law.

Although current issues within New Jersey cemetery law exist, the state can still resolve these issues in their law. This thesis has recommended amendment of current New Jersey law in addition to positive relations between government officials and the public. Through execution of these suggested legal amendments and recommendations, the state of New Jersey has the opportunity to reconcile the error in their legislature for the sake of both respecting the departed as well as making the cultural heritage and historical resources that rest within cemeteries more accessible to the public and future generations.

Appendix A: Illustrations



Figure 1.1 *Winged Cherub, First reformed Church,
New Brunswick, New Jersey*

Photographed by Kristina Poggi. January 20, 2016.



Figure 1.2 *Celtic Stone Carving, Cedar Lawn Cemetery,
Clifton, New Jersey*

Photography by Kristina Poggi. January 20, 2016.



Figure 4.1. *Saint Patrick's Cemetery 1869 Marker Sign and Fallen Wooden Crosses*
 Photograph by Kristina Poggi. October 16, 2015

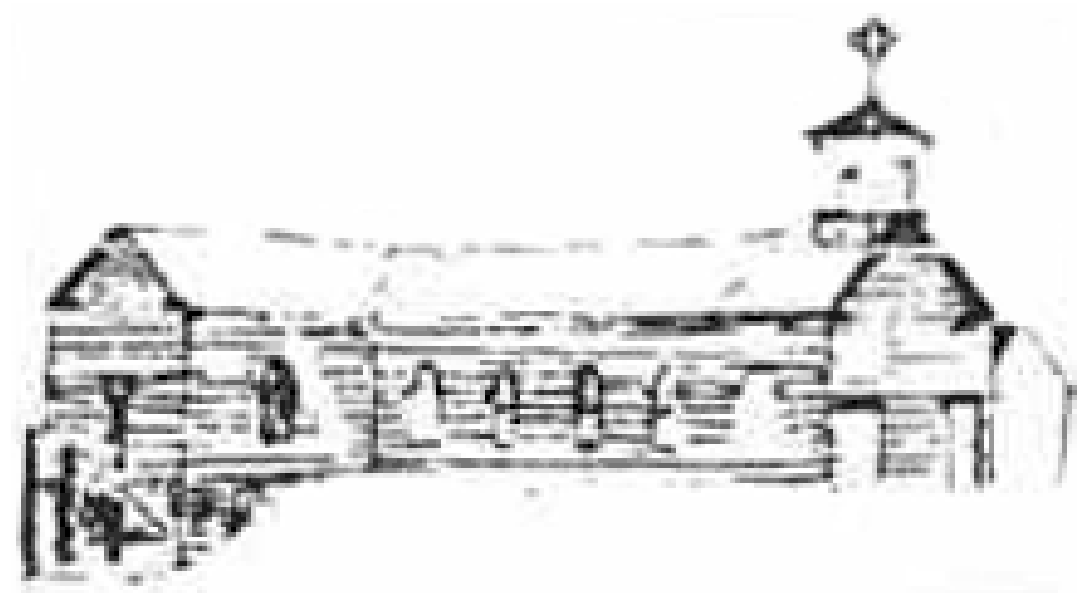


Figure 4.2. A Sketch of Saint Patrick's Church by the Great-Aunt of Bishop Rodimer, Author of *St. Patrick's, Hibernia*. September 3, 1981.



Figure 4.3. *Fallen Wooden Crosses at Saint Patrick's Cemetery (Circled in Red)*
Photograph by Kristina Poggi. October 16, 2015



Figure 4.4. *Fallen Wooden Crosses at Saint Patrick's Cemetery, Rockaway, New Jersey*
Photograph by Kristina Poggi. October, 16 2015



Figure 4.5. *“Repaired” Gravestone with Supportive Wood at Saint Patrick’s Cemetery, Rockaway, New Jersey*

Photograph by Kristina Poggi. October 16, 2015



Figure 4.6. *Damaged and Broken Metal Pole Perimeter (Highlighted in Yellow) at Saint Patrick's Cemetery, Rockaway, New Jersey*
Photograph by Kristina Poggi. October 16, 2015



Figure 4.7. *Tree Fallen through Center of St. Patrick's Cemetery*
 Photograph by Kristina Poggi. October 16, 2015

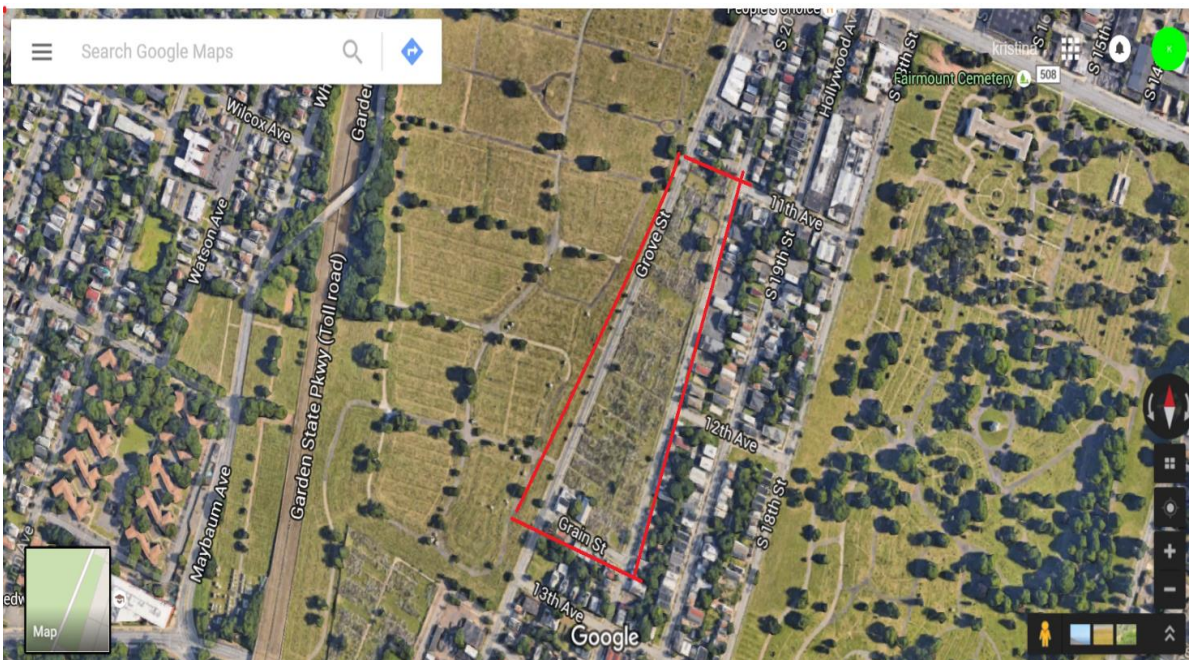


Figure 4.8. *Aerial View of Grove Street Cemetery (Highlighted in Red) North at Top of Page*
 Courtesy of Google Maps. January 18, 2016

<https://www.google.com/maps/>



Figure 4.9. *A Crowded Grove Street Cemetery. View from Grove Street, Newark*
 Photographed by Kristina Poggi. January 9, 2016

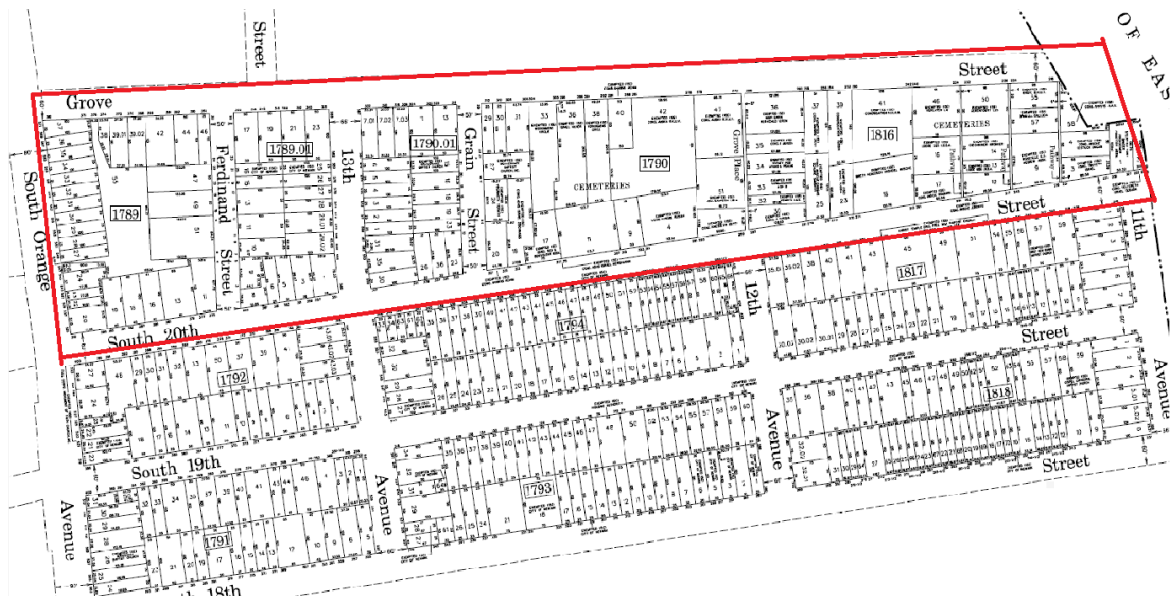


Figure 4.10. *Tax Map of Newark and Sections of Grove Street Cemetery.*
 (Area of Grove Street Cemetery Highlighted in Red, North at Right)
 Provided by the City of Newark. December, 1, 2015



Figure 4.11 *Broken Gate and Plot Marker with an Up Close View of Broken Plot Marker at Grove Street Cemetery, Newark*
(Points of Interest Circled in Red by Author)

Photographs by Kristina Poggi. January 9, 2016



Figure 4.12. *Leaning Gravestone at Grove Street Cemetery*
Street View, South 20th Street, Newark

Photographed by Kristina Poggi. January 9, 2016

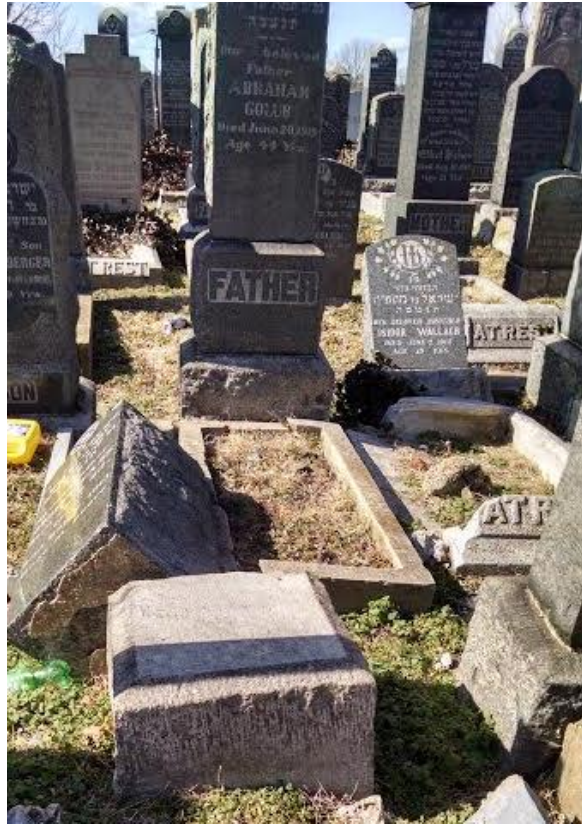


Figure 4.13. *Broken and Fallen Gravestone at Grove Street Cemetery*
View from South 20th Street, Newark
Photographed by Kristina Poggi. January 9, 2016

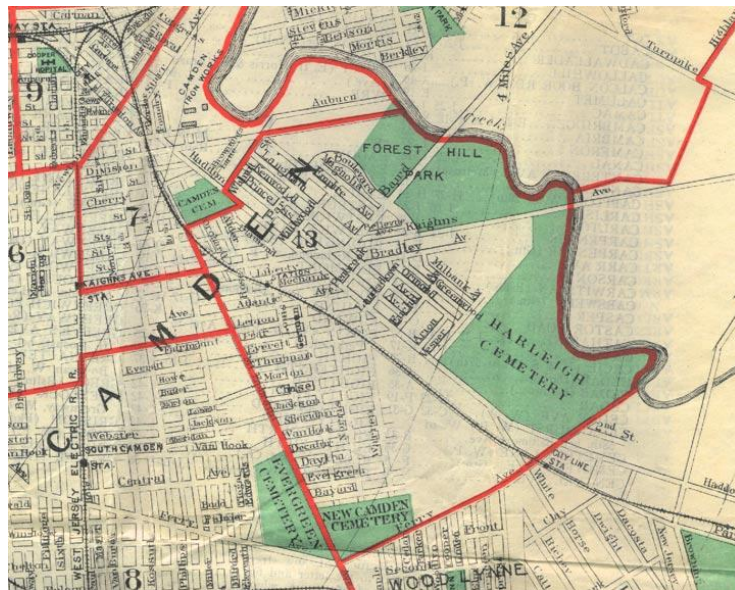


Figure 4.14. *1914 Map of Camden and Evergreen Cemetery*
Product of Historic Camden County

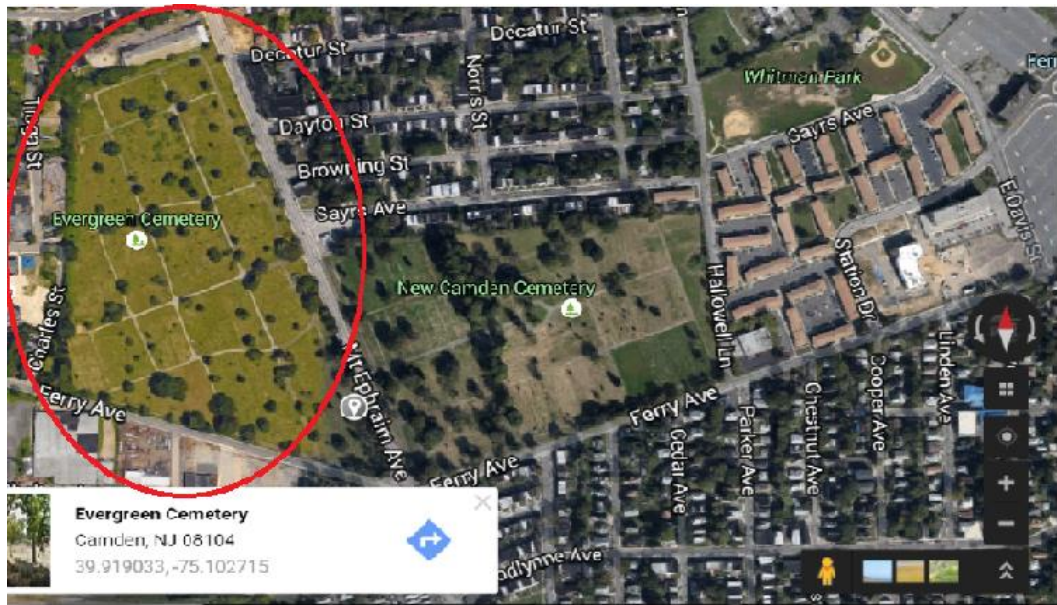


Figure 4.15. *Evergreen Cemetery Aerial (View Circled in Red)*
 Product of Google Maps. January 20, 2016.
<https://www.google.com/maps/>



Figure 4.16 *Old Chapel at Evergreen Cemetery, Camden*
 Provided by the Camden County Historical Society. October 10, 2004
<http://historiccamdencounty.com/ccnews90.shtml>

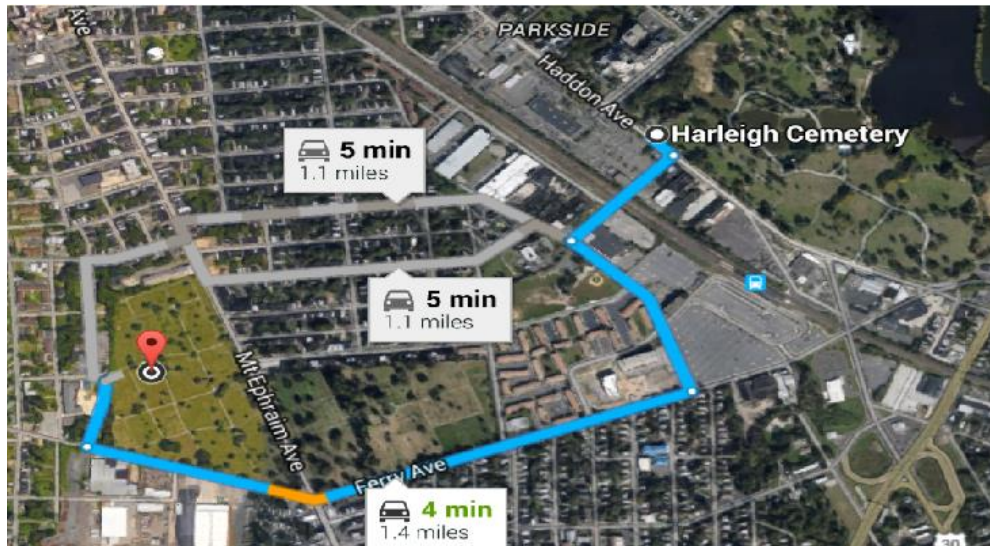


Figure 4.17. *Distance between Evergreen and Harleigh Cemeteries*
 Courtesy of Google Maps. January 20, 2016.
<https://www.google.com/maps/dir/>



Figure 4.18. *Landscape at Evergreen Cemetery*
 Photograph by Camden County Historical Society. October 10, 2004.
<http://historiccamdencounty.com/ccnews90.shtml>



Figure 4.19. *Landscape at Evergreen Cemetery*
 Photograph by Camden County Historical Society. October 10, 2004.
<http://historiccamdencounty.com/ccnews90.shtml>



Figure 4.20. *A Gated Gravestone at Evergreen Cemetery*
 Product of Camilo Jose Vergara. 2005.
<http://invinciblecities.camden.rutgers.edu/intro.html>

Appendix B: Field Research Surveys

Saint Patrick's Cemetery

Date of Recording:

October 16, 2015

Are there any signs in site:

Yes, a wooden sign that says "Saint Patrick's Cemetery est. 1869."

Location:

Rockaway Township of Morris County, New Jersey

Context of grounds:

The site is rural; it took nearly thirty minutes of hiking to get to its location.

Is this a public or private cemetery?

Public Cemetery

Does this cemetery have any associations?

There are no direction associations to this cemetery but has been support from the Rockaway Historical Society and the Rockaway Boy Scouts.

Size of grounds:

Saint Patrick's is rather small, estimated size is between 1 and 2 acres.

Estimate of stones:

There are about thirteen stones that have not deteriorated entirely but some of these thirteen stones are no longer in their original state having lost portions of masonry.

Type of grounds:

Saint Patrick's appears to have once been a church graveyard (there is no church standing today) with no specific artistic landscape design.

Topography:

The site is located on a mountain and in a heavily wooded area. As such within the cemetery there are some small hills.

Is the cemetery enclosed or open?

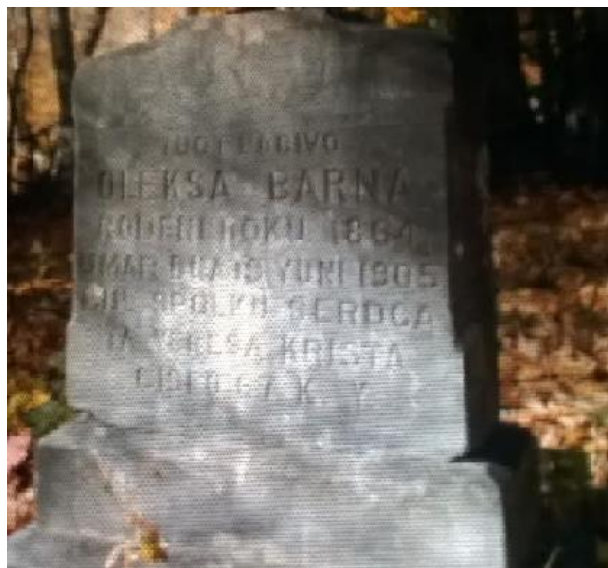
Saint Patrick's is open although there is evidence of metal pole ground markers that once stood to enclose the cemetery.

Does this cemetery have sections?

There are no noticeable sections that would have marked different religions throughout the cemetery but there are a couple broken plot markers that are visible beneath the overgrown vegetal state of the cemetery.

What is the overall condition of the site?

Saint Patrick's has a tree fallen through its center, overgrown grass and shrubbery, contains litter, and there are broken gravestones throughout the cemetery. There are wooden white crosses that have replaced broken grave markers and even these replacements are fallen over and scattered throughout the cemetery; these crosses were placed in an effort to preserve the grave site of and show respect to those buried in the grounds at Saint Patrick's.

Example of a Gravestone at this Location**Name on grave:**

Oleska Barna

Dates on grave:

1864-1905

Description of gravestone (Material if known, carving, quotations):

There are only words carved onto this stone. It does not have the same appearance that a granite stone would have so it is either marble or slate.

Written in English?

The wording is written in what appears to be an Eastern European language.

Designs on gravestone?

None, just writing.

Condition:

Mainly in decent condition but the lower left corner has worn down, causing this corner to be jagged.

*Grove Street Cemetery***Date of Recording:**

January 9, 2016

Are there any signs in site:

There are multiple entrances to this cemetery and there are at least two signs that identify the site. One is a smaller plaque and the other is above an archway entrance and is written in Hebrew.

Location:

Newark of Essex County, New Jersey

Context of grounds:

Grove Street is located just minutes away from the Garden State Parkway and is in an urban area. The cemetery takes up a few blocks of Grove Street and its parallel street, South 20th Ave.

Is this a public or private cemetery?

Grove Street is composed of thirty two smaller cemeteries that are owned by religious corporations, associations or societies, or no longer have legitimate owners.

Does this cemetery have any associations?

Grove Street has support from numerous societies and associations such as the Northern New Jersey Jewish Historical Association, Beth El Memorial Park and the Newark Historical Society.

Size of grounds:

Grove Street Cemetery is composed of about three city blocks so it is a medium sized cemetery.

Estimate of stones:

There are an estimated four hundred to five hundred gravestones at this cemetery. The stones are very closely placed to one another.

Type of grounds:

Grove Street does not have an noticeable artistic style or design scheme.

Topography:

From an aerial view, Grove Street is in a shape similar to a triangle. The grounds are flat without any hills.

Is the cemetery enclosed or open?

Grove Street is gated either with original metal gating or with new gating that is significantly taller than the original. Both types of gating are broken in numerous locations. There is barbed wire on the top of some areas of the newer gate.

Does this cemetery have sections?

Grove Street does have sections although they are not divided by words. Sections are evident in the close proximity of stones to one another and the spaces between these groups of gravestones. There are also plot markers within some of these sections.

What is the overall condition of the site?

Overall, the stones in Grove Street are in decent condition. There are broken gates and some gravestones are leaning over. There are definitely some broken stones through the cemetery but the majority of them are still standing. There is most certainly litter throughout the grounds which takes away from the preserved state of the cemetery.

Example of a Gravestone at this Location**Name on grave:**

Wasserman

Dates on grave:

None.

Description of gravestone:

The name Wasserman is the only carved word on this stone, without any iconography or quotations. I am suggesting that this stone is carved out of granite based on its lack of wear and defined word carving.

Written in English?

This particular stone is written in English but there are other stones within the cemetery that are written purely in Hebrew.

Designs on gravestone?

None, just writing.

Condition:

This stone itself does not have any noticeable signs of decay although the plot marker in front of is broken.

Evergreen Cemetery

Date of Recording:

November 21, 2015

Are there any signs in site:

At its entrance there is paper that has been attached to a gate that identifies the cemetery as Evergreen.

Location:

Camden of Camden County, New Jersey

Context of grounds:

Evergreen Cemetery is located on Mount Ephraim Avenue, Ferry Avenue and Charles Street in Camden, an urban area. Mount Ephraim Ave and Charles Street run parallel to one another; Charles Street has numerous industrial properties that are in front of Evergreen.

Is this a public or private cemetery?

Evergreen was a private cemetery company before it went bankrupt in 1997 and today there is no direct owner of the site to classify it as a public or private cemetery.

Does this cemetery have any associations?

In the past the Camden County Historical Society has made at least one preservation and historical effort to advocate public awareness of the cemetery but there has been no publicized preservation efforts by any associations or societies since 2004.

Size of grounds:

Evergreen is rather large, totaling eighty five acres of land.

Estimate of stones:

There are over five hundred at this cemetery, many are flat to the ground and are therefore difficult to incorporate when making an estimate.

Type of grounds:

Evergreen Cemetery was created under the 19th century Victorian Garden Cemetery design.

Topography:

From an aerial view, Evergreen Cemetery is triangular in shape with its point at the intersection of Ferry Ave and Charles Street. The grounds are flat without any hills.

Is the cemetery enclosed or open?

Evergreen is enclosed by gates and shrubbery while some areas are not enclosed at all and are directly open to the street.

Does this cemetery have sections?

Evergreen is a non-sectarian cemetery that has numerous religions and ethnicities buried within its grounds. There are plot markers throughout the site but there are no apparent marked sections.

What is the overall condition of the site?

Evergreen Cemetery has litter throughout its grounds and the streets surrounding its grounds. The grass at this site is yellowing, there are dead trees and overgrown shrubbery throughout the site and the overall atmosphere of this cemetery is unappealing. There are broken gravestones, sunken gravestones, leaning gravestones, and broken plot markers throughout the site. No noticeable preservation efforts that have taken place for the betterment of this cemetery. Because of its location in Camden there is a fear that arises at this cemetery due to the city's infamous stigma of being unsafe.

Example of a Gravestone at this Location**Name on grave:**

"Father"

Dates on grave:

No dates available.

Description of gravestone:

This type of gravestone is normally in front of a larger headstone that contains a family name but in this case, this small and slightly raised granite stone is unaccompanied by any companion burial markers. The lack of companion stones may suggest that there was once a larger family name stone or perhaps a "Mother" stone, although no traces of either are apparent.

Written in English?

Yes

Designs on gravestone?

A small granite stone with a darker rectangular shaped center with the word "Father" carved into it.

Condition:

This stone is in fairly well-preserved condition, although it is slightly worn, but lacks any companion stones which is common among similar grave markers. This might suggest that companion stones to this one have been lost.

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