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HISTORY

OF

EVERGREEN CEMETERY

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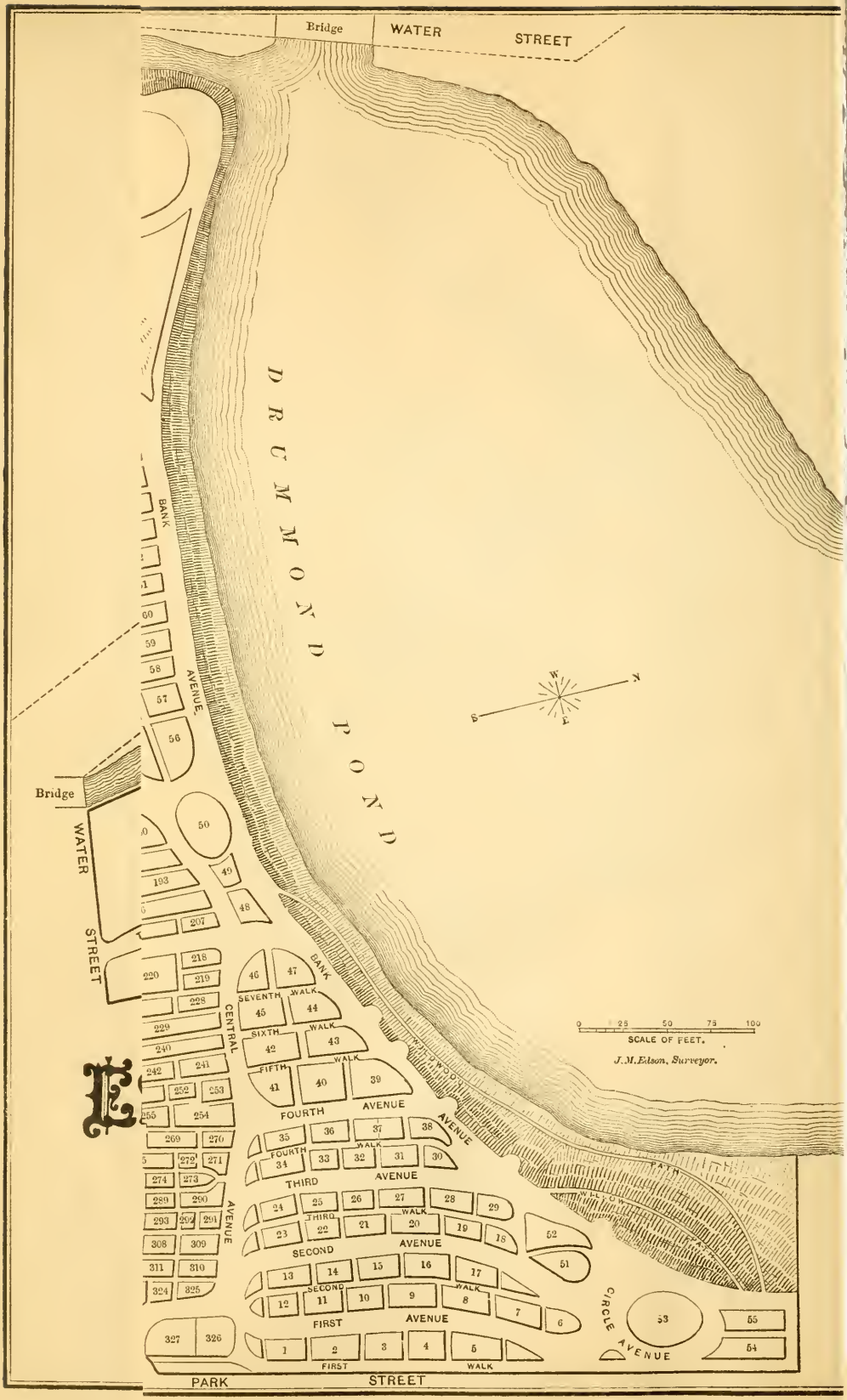
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J.M.Edson, Surveyor.

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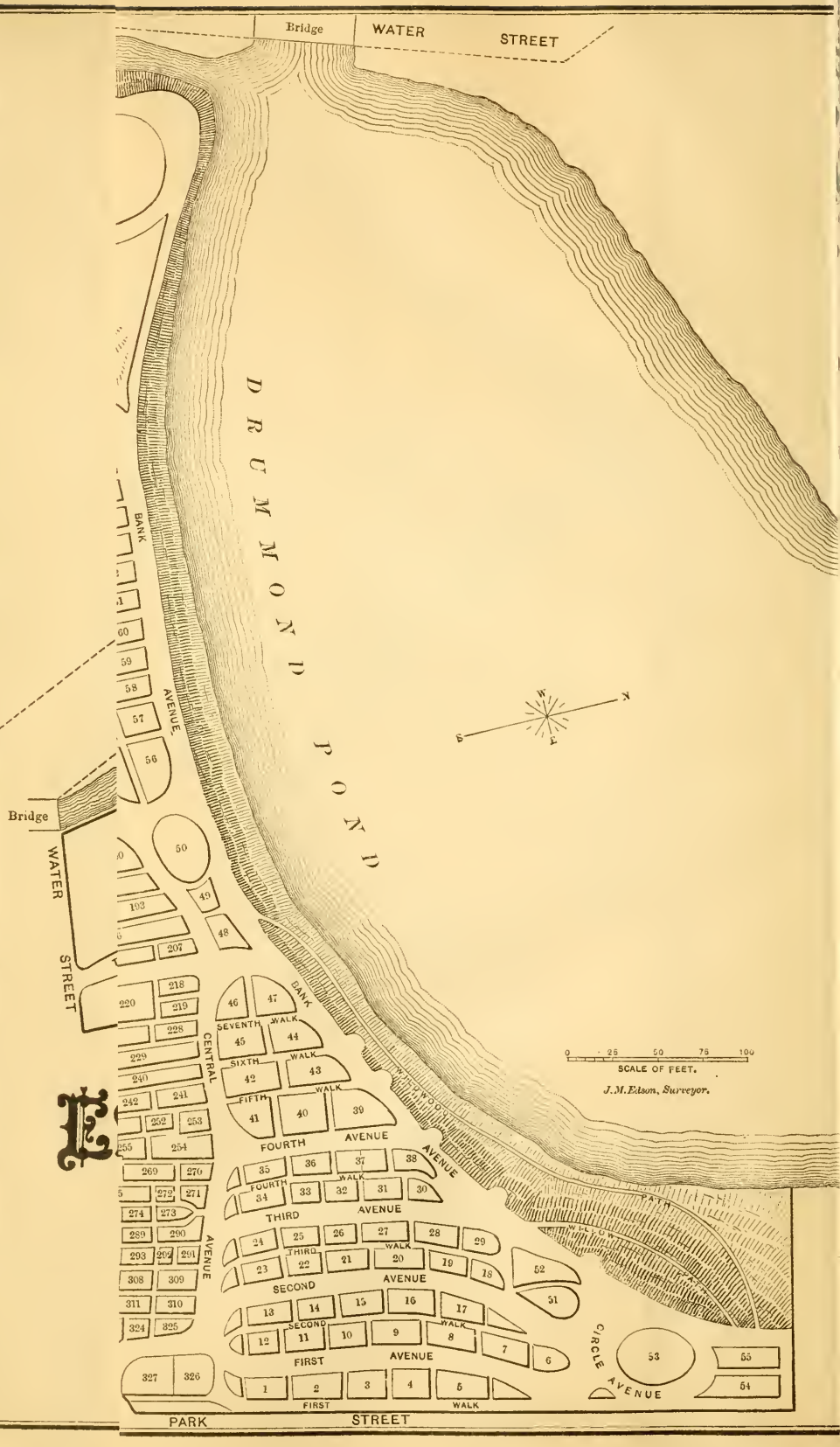
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FIRST AVENUE
CIRCLE AVENUE
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STREET
SCALE OF FEET.
J.M.Edson, Surveyor.

HISTORY

—OF—

EVERGREEN CEMETERY

SINCLAIRVILLE, CHAUT. CO., N. Y.,

And Other Burial Grounds in its Vicinity,

—WITH ITS—

LAWS, RULES, REGULATIONS, NAMES OF LOT-OWNERS, AND MAP.

11013

Prepared by Obed Edson, under the direction of the Trustees of Evergreen Cemetery Association.

Sinclairville, N. Y.:
Press of The Commercial.
1890.

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Officers and Trustees.

∴ ∴ 1890. ∴ ∴

PRESIDENT,

ALONZO LANGWORTHY.

VICE-PRESIDENT,

DANIEL B. DORSETT.

SECRETARY, TREASURER, AND SUPERINTENDENT,

HENRY A. KIRK.

: : : TRUSTEES. : : :

TIMOTHY D. COPP.	HENRY REYNOLDS.
DANIEL B. DORSETT.	HENRY A. KIRK.
ALONZO LANGWORTHY.	OBED EDSON.

Trustees and Officers.

The following are the names of the Trustees and Officers of the Association, from its origin to the present time:

TRUSTEES.

NAME.	ELECTED.	TIME OF SERVICE.
Bernard W. Field,.	June 24, 1862	Until his decease, May 20, '84
Timothy D. Copp,...	" "	Until the present time.
John Dewey,.....	" "	Until June 20, 1874.
Daniel B. Dorsett,.	" "	Until the present time.
William Wait,.....	" "	Until June 18, 1864.
Alonzo Langworthy,	" "	Until the present time.
Henry A. Kirk,.....	June 18, 1864	Until the present time.
Obed Edson,.....	June 20, 1874	Until the present time.
Henry Reynolds,...	June 21, 1884	Until the present time.

OFFICERS.

Bernard W. Field, President from June 24, 1862, until his death, May 20, 1884.

Alonzo Langworthy, President from June 21, 1884, until the present time.

Daniel B. Dorsett, Vice-President from June 24, 1862, until the present time.

John Dewey, Secretary from June 24, 1862, until he resigned, February 19, 1870.

Alonzo Langworthy, Secretary from February 19, 1870, until June 17, 1871.

Henry A. Kirk, Secretary from June 17, 1871, until the present time.

John Dewey, Treasurer from June 24, 1862, until he resigned, February 19, 1870.

Henry A. Kirk, Treasurer from February 19, 1870, until the present time.

Bernard W. Field, Superintendent from May 1, 1863, until his decease, May 20, 1884.

Henry A. Kirk, Superintendent from May 24, 1884, until the present time.

Thomas Horner, Sexton from May 1, 1863, until June 18, 1864.

HISTORY.

By OBED EDSON.

EVERGREEN CEMETERY lies within the corporate limits of the village of Sinclairville; yet its situation is such as to seclude it from the localities around. It occupies a moderate eminence, which terminates a tongue of land that extends nearly across the valley of Mill Creek, crowding the waters of the stream into a narrow passage. A high and precipitous bank forms the southern boundary of the valley, and at the same time fixes the northern limit of the cemetery. Mill Creek, gathered into a pond, extends along the base of the bank, where its waters darkly gleam from out the shade of overhanging elms and willows. A steep bank bounds the cemetery on the west, along which a race, issuing from the pond, extends to an ancient grist-mill. A sharp declivity substantially marks its southern limit. The cemetery is accessible without hinderance from the east, where a village street lies between it and the pleasant fields beyond.

It would be difficult to choose a burial place so convenient of access, with such interesting surroundings, and at the same time, a place of retirement so well suited to its sober uses. The wild gorge, partly hid by twisted birches and ragged hemlocks; the pond, dimly seen down deep in its shadows; the stream, the bridge that spans it, and the old mill, are pleasing objects, in harmony with the peace and repose that pervades this abode of the dead. On every side are green fields and gently rising hills. As you look northward, through foliage that fringes this border of the cemetery, you have glimpses of the narrow, winding valley of Mill Creek, skirted with leafy

verdure, leading to the dimly-visible and far-away hills that overlook Lake Erie. Southward, and near at hand, lies the pleasant village; its handsome academy, flanked by church spires; its clean yards and painted houses, among shadows of elms and maples. Beyond the village, are meadows and pastures. Here the valley broadens away to the southwest, where the distant Ellery hills bound the view.

In the midst of verdant fields and inviting scenes like these, would we consecrate the spot where the living may meet the dead. We would soothe our grief at the loss of friends by laying them to rest in pleasant places. Respect for the dead is an instinct of our race. With tender care we consign their remains to the earth. Even the erring and fallen, cold in death, command a respect which was denied them when living. The awe with which we behold the lifeless form of man, lately the tenement of exalted powers, the abiding place of an infinite spirit, potent for either good or for evil, is but homage paid to the dignity and nobility of the race. Reverence for the dead continues long after death. We hold the places where they are laid to rest, as hallowed ground. These consecrated acres grow more dear to us as the years go by, for those that once we knew grow less and less. One by one, our friends go to their final rest, and the green hillocks that cover their dust multiply in the burial places.

"Friend after friend departs.
Who hath not lost a friend?"

The custom of setting apart burial places for the dead, to be embellished with works of art, is not confined to civilized nations, or to modern times. It grows out of an universal sentiment, existing in every age among all people. Nearly four thousand years ago, Abraham went to Hebron, in the land of Canaan, and purchased of Ephron, the Hittite, for four hundred shekels of silver, a burying place; a field in Machpelah, in which he buried Sarah his wife, who had died there among strangers. More than four thousand years ago, the pyramids of Ghizeh, the mightiest structures ever reared by human hands, were built in Egypt, as sepulchres for kings. Often, the most distinct traces left of the existence of once powerful nations, are elaborate catacombs, containing multitudes of dead; or the

remains of mausoleums, built in honor of the great. Races unknown to history, that dwelt in distant corners of the earth, have left as the only evidence of their existence, tumuli erected over the bones of their dead. Even here, near this modern burial place, are the graves of a departed race. When the pioneers came, a crumbling earth-work, that had intrenched an old, forgotten town, encircled what is now the village green. On the same ground where now our youth assemble to practice feats of strength and skill, the young men of an older race once were accustomed to engage in ruder sports. In fields beyond the village, mouldering skeletons mark the spot where their dead were buried. The bones were sometimes found gathered promiscuously in one grave, and sometimes the dead were buried side by side at decent intervals, and with marks of care.

These fading traces denote that here were rudely cultivated fields, an ancient village, and a strange and primitive people, who, rough and barbarous as they were, honored the dead.

"But they are gone,
With their old forests wide and deep,
And we have built our homes upon
Fields where their generations sleep.
Their fountains slake our thirst at noon;
Upon their fields our harvest waves;
Our lovers woo beneath their moon—
Then let us spare, at least, their graves!"

History gives little account of this people, and we but dimly see their shadowy forms through the mists of years. A venerable forest has grown above their village and burial place since they vanished from view. The forest remained long unvisited, save by occasional wanderers of the tribes that succeeded them, and the wild beasts that held dominion there, until at length the white man came to break the silence that had so long hung over it.

The border line of settlement had been steadily moving westward, until the first year of the present century, when it reached the County of Chautauqua. In the spring of 1809, a few families commenced the first settlement of the town of Charlotte, in the northwest part, since known as the "Pickett Neighborhood." It was not long after these settlers had begun to rear their cabins there, and clear away the wilderness, that

death entered their midst. In the summer of 1810, the wife of Joseph Arnold, and her sister, Jerusha Barras, were taken sick with a fever. Not long after, in September of that year, Mrs. Arnold died, and on the day following, her sister also died. These were the first deaths that occurred in the town of Charlotte.

Mrs. Arnold and her sister were buried in one grave, on the land where they lived, now the farm owned by Chauncey Pierpont. Their grave is still to be seen, and should be marked with an appropriate headstone. Short and simple were the funeral rites that attended this burial in the wilderness. No clergyman ministered to sorrowing friends; no church bell tolled for the march to the grave; the simple obsequies were performed amid the silence of the woods—among the tall and graceful forest trees. The lavish hand of Nature adorned their wilderness grave with the beautiful foliage of autumn, and the wild flowers of the woods. No ground had at that time been set apart for the burial of the dead. The sad and peculiar circumstances of the first deaths impressed upon the settlers the need of such a place.

THE PICKETT BURYING GROUND.

The Pickett Burying Ground was the first to be dedicated as a resting-place for the dead in the town of Charlotte. In the year 1812, about one-fourth of an acre, on Lot 60, was set apart from the farm of John Pickett for that purpose. It is situated at the southeast corner of the four corners in School District No. 1, and opposite the school house, in the "Pickett Neighborhood." It has now been in use for over seventy-seven years. Samuel, the father of John Pickett, and the ancestor of the Pickett and Cleland families of Charlotte, came to the town in 1811. He died December 19, 1812, in the fifty-seventh year of his age, and he is believed to have been the first person buried there.*

The oldest head-stone erected in the town is here, at the grave of Polly Anderson. She died December 23, 1813, in the

*So says Darius Cleland, the oldest resident of that part of the town of Charlotte.

forty-seventh year of her age. The grave-stone is the work of no mean artist, though made of rough material, quarried from the natural ledges of the county. The following lines are inscribed upon it:

"Withdraw my friends,
Dry up your tears,
For here I lie,
Till Christ appears."

Here lies buried Clarinda Atkins, who died December 20, 1815. She was the wife of Amos Atkins. He and Stephen Jones were the first settlers in the town of Gerry. Two soldiers of the Revolution are interred in this ground—John Cleland, Sr., who died February 16, 1827, and Caleb Clark, who died May 17, 1837. They were the ancestors of the Cleland and Clark families of Charlotte. John Pickett and John Cleland, Jr., well-known pioneers of the town, are also buried here. In all, about fifty-five persons are interred in this burial place. February 26, 1867, John Pickett, nearly fifty-five years after he dedicated it to the public, first executed a deed to "The community of School District Number One, in the Town of Charlotte, and all others living in the surrounding towns wishing to use the same for burying purposes." It is designated in this deed as the "Pickett Burying Ground." Before the execution of the deed, at a town meeting held March 7, 1848, Eliakim Barnum, John Pickett, and Robert P. Robertson had been elected trustees by the inhabitants of the town, to have charge of the ground.

THE SINCLAIRVILLE BURYING GROUND.

The Sinclairville Burying Ground was the second place of interment set apart in the town of Charlotte.

On the 20th of June, 1809, John Pickett, of the Pickett Settlement, piloted a party of pioneers down Mill Creek, and along the grounds afterwards selected for burial purposes at Sinclairville, to Cassadaga Creek. Here he felled a tree to enable the party to cross. After pointing out the way that led through the woods to the Smiley Settlement in Ellery, he returned to his home. No white man that we have any account of had visited the place now occupied by Sinclairville

prior to Mr. Pickett, except the surveyors of the Holland Land Company. They, in 1808, ran the northern line of Lot 41, which passed very near to the northern limits of the village burying ground and cemetery.

In March, 1810, Major Sinclair, William Berry and his family, and some others arrived at Sinclairville, completed and occupied the first building erected in the village—a log house that had been commenced the fall before. The first clearing made here in this wilderness, was a tract of two or three acres that lay east and adjacent to the burying ground, which in June following was planted to corn. In the summer of 1810, a dam was thrown across Mill Creek, and a saw-mill built northwest of the cemetery, not a stone's throw from its western limits. It thus happens that the first openings in the forest at Sinclairville, and the first settlement of the village, were made close around this burial place.

A little later, and improvements were commenced further away. Clearings began to be made, and buildings to be erected, on and near Main street, and along what is now Railroad avenue. The barren character of the soil where the burying ground and cemetery are located was undoubtedly the cause of its not having been selected for improvement, so that the thick forest and undergrowth of hemlocks, for several years after the settlement of the village, remained undisturbed, the natural habitation of rabbits and conies, which even to this day haunt the locality.

No spot for burial purposes was allotted to the public for some time after the settlement of the village. The first settlers were hardy and vigorous people. But few died during the early years. The first death that occurred within the corporate limits of the village was that of Elisha Winsor, an infant son of Abraham Winsor, who then lived on Railroad avenue, just north of the town line. He died in 1814, four or five years after the settlement of the village. He was buried on the bank or hill, that rises a little west of the iron bridge over Mill creek, on Railroad avenue. Hiram Sinclair, an infant son of Major Sinclair, died in March, 1818. He was buried in a little grove of plum trees which then grew a few feet northwest of the hotel, near the east line of the village lot now owned by James A. Clark. One or two other young children may have

died in the village, and been buried without the limits of what afterwards became the burial ground.

About the year 1818, Mr. Sinclair set apart for the use of the public for burial purposes, two acres of land, substantially what is known as the Old Burying Ground. It occupies the southeasterly portion of the lands enclosed and improved as Evergreen Cemetery. It is not certainly known who was the first interred here. Many years ago, a young traveler on his arrival at Sinclairville, was prostrated by sickness. He was well cared for by Mrs. Sinclair at the tavern, and at the house of Dr. Sargent, but died after a lingering illness, and was buried in the Old Burying Ground. His grave was long known as the "Stranger's Grave." Upon a rude, unfinished head-stone, near the central and western part of the Old Burying Ground, is carved in distinct and well-formed letters, the following words, "Febr'y 28 1818." This is the oldest inscription in the grave-yard, and may mark the stranger's grave, and perhaps the place of the first burial. A few feet from it, is an old, uncut headstone without inscription, while a little way in another direction is a rude headstone, on which are cut the letters, "S. W." In the vicinity of these old stones are a number of unmarked graves, while others near them have at the head undressed stones, evidently gathered from the creeks and fields around, upon which usually there is no inscription. These undoubtedly are the oldest graves in the burial place, made before grave-stones, finished by workmen skilled in the business, could be readily procured. The first well authenticated burial made in this ground was that of two infant children of Sylvanus L. and Hannah Henderson. They died January 26, 1820, and were buried in the Old Burying Ground when it was nearly covered with forest trees. The remains of these children were afterwards removed to the lot of W. W. Henderson in the new cemetery. Among the oldest graves is that of the infant son of Samuel Brunson, who died November 21, 1821. In a conspicuous place, not far from the center of this old burial ground, is the grave of Major Samuel Sinclear, the founder of the village, and the person from whom it derives its name. He belonged to a distinguished family of New Hampshire. He was a near kinsman of Joseph Cilly, formerly United States Senator from New

Hampshire, and of Jonathan Cilly, who while a member of Congress from Maine, was killed in the celebrated duel with Graves of Kentucky. He was a kinsman of Gov. Benjamin F. Butler of Massachusetts. In his youth Major Sinclear was a soldier of the Revolution, in the regiment of his uncle, Col. Joseph Cilly, a distinguished officer of that war. Mr. Sinclear was in the battles at Saratoga that immediately preceded the surrender of Burgoyne. He was in the battle of Monmouth, and at Valley Forge. He served in the campaign against the Indians under Sullivan. At his grave is an ancient, but fine headstone, carved from the quarry stones of the county, and finished with skill and taste, scarcely equaled by any other in the burial ground.*

On the same lot is buried his wife, Fanny Sinclear, and her mother, Thankful Bigalow, who died in the year 1839, at the age of 96 years, 11 months, and 8 days. Pioneers of the county lie buried here, in graves without head-stones, who have many descendants living in the locality of the burying ground. Among the earliest residents buried here, whose graves are marked, are Nathaniel Johnson, and Sylvanus L. Henderson

*This, and several other fine grave-stones, in the Old Burying Ground, were made by the Damon brothers. The parents of the Damons came to the town of Pomfret in Chautauqua County, in the year 1816, with their four sons, Stephen, Martin, Joseph, and North. The sons were rough, intemperate men. They lived upon a farm in the south part of Pomfret, near the residence of the late Elisha Norton, on the Old Chautauqua Road. Little is known about Stephen. He was a half-brother of the others. Martin was a stone-cutter, and fashioned many of the grave-stones that are so numerously seen in the early burial places of the county, particularly the old cemetery at Fredonia. These grave-stones are readily recognized by the style of the work, as well as the material out of which they are made. They are usually in a good state of preservation, and are valuable as fine specimens of early skill. Martin carried on his business for a short time in a shop at, or near, the village of Fredonia. He was the most respectable of the family, and his work proves him to have been a man of ability in his business, possessing skill and taste. There is an unique and almost grotesque specimen of his work in the old cemetery at Fredonia. Upon an ancient stone, set at the grave of Capt. Thomas Abell, who died in 1814, he has represented the Day of Judgment. The angel Gabriel is seated on a great cloud, with a trumpet nearly as long as his body, out of which issues the words, "Ye dead arise," "Come to judgment." Other angels are seated on the cloud, hiding their faces in their hands, as if weeping. Beneath them, tombstones are represented as falling into confusion, and the dead, with bald heads, and curious, chubby faces, appear to be ascending out of opening graves. The execution of this rather remarkable design is fine, much of the work being in high relief. The stone is fast going to decay. It would be well worth the trouble for those having the cemetery in

his son-in-law, Abraham Reynodls, Samuel Hurley, Warren Dingley, John M. Brunson, Justus Torrey, John Sinclair, David Cobb, Melzer Sylvester, Lemira Camp, William M. Wagoner, Hannah Wagoner, and John McAlister, who died at the age of 88. He was the founder of the Baptist church in Sinclairville, and grand-father of Gen. John McAlister Schofield, the general highest in rank in the armies of the United States. Here are buried the Rev. Chester W. Carpenter, Rev. N. H. Barnes, and Rev. J. B. Gale, esteemed pastors of the Congregational Church in Sinclairville; Dr. Gilbert Richmond, and also Henry B. Hedges, young and skillful physicians—over the remains of the latter stands the first monument erected in the town; Albert Richmond and Elezer M. Peck, well known lawyers of Sinclairville; Jarvis B. Rice, once Sheriff of Chautauqua, and John M. Edson, a well known citizen, formerly a judge. He came to Sinclairville in 1810, with the family of Major Sinclear, his step-father. He was prominent among the pioneers of the county. Among other well known persons buried here are James Williams, John Reed, Ulysses Tracy, David Sinclear, Henry Kirk, Elizabeth Hedges, Jonathan Hedges, Asa Dunbar, William Strong, Ebenezer Skinner, Caleb J. Allen, David Sackett, John Thorn, Ebenezer and Erasmus Brown, Anna Brunson,

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charge to preserve a *fac simile* of this curious piece of workmanship as a relic of the past.

It is told of Martin, who had a ready and sarcastic wit, that a leading Fredonia physician who saw him at work, jocosely asked him if it was his custom to letter the grave-stones before the person for whom they were intended had died. Martin grimly replied, "Not unless I hear he is your patient."

Joseph quarried the stone on the farm, from the quarry still known as the Damon quarry. On the 24th of April, 1834, he committed murder upon the person of his wife. He was tried at Mayville in September of the same year. He was ably defended by James Mullet of Fredonia, one of the most talented and eloquent lawyers in Western New York. He was convicted, and hung at Mayville, May 15, 1835. This was the first execution for a capital offense in the county. It occurred in the open field, in the presence of a large concourse of spectators. It was regarded as a prominent event in the early history of the county, and a deep impression was made upon the many people who witnessed the melancholy scene. The skull of Mrs. Damon, and the iron bar with which the murder was committed, are now in the possession of Elias Forbes of Fredonia. Joseph left two children.

Soon after his brother's execution, North Damon went to Canada. Subsequently dark rumors came back, that he too had been executed for murder. Martin died soon after the death of Joseph.

I am indebted for many of these facts respecting the Damons, to Hon. E. F. Warren. O. E.

Nelson Mitchell, John Arnold, Isaac Newton, Susan Marsden, Henry Smale, a citizen of Cuba, West Indies, Dr. Samuel Parker, and Robert LeGrys.

Although the land constituting the Old Burying Ground was fully dedicated to the public, and for many years actually used as a burial place, yet no written conveyance was made of it by Major Sinclear in his life-time. Upon a carefully prepared map of the village of Sinclairville, made by Simeon Clinton, May 10, 1836, is accurately delineated all of the village lots, including that of the Old Burying Ground, giving the length and bearing of its boundary lines. Upon a still older map, the burying ground appears, carefully plotted with respect to its dimensions and boundary lines, while upon the earliest plot of the village that has been preserved it is not delineated. The first conveyance of these grounds made to the public was by deed bearing date March 3d, 1849, executed by Elias S. and Jonathan Hedges, and Lucy his wife, to "John Reed, John M. Brunson, and Nelson Mitchell, trustees, duly appointed by the town of Charlotte, to superintend the burying ground situate near the village of Sinclairville." Subsequently the boundary line of the old burying place was slightly changed by the conveyance of a small portion of its grounds to Richard D. Sherman, in exchange for a strip of land nearly twenty feet in width, extending along its western limits. The ground was regularly surveyed, and divided into lots, probably not long after it was dedicated to the public, but during many years afterwards, no one exercised any special authority over it. Nothing was charged for lots. People buried their dead where they chose, and no inconvenience or misunderstanding resulted. Such money and labor as was expended to keep the grounds in order, was raised by subscription. A sufficient amount was raised in this manner, at one time, to build a good and substantial board fence around it. No one regularly served as sexton. The graves were dug by such persons as happened to be at hand. At a town meeting held March 7, 1848, John Reed, John M. Brunson, and Nelson Mitchell were chosen trustees. These were the first persons who had lawful authority to exercise control over it. At a town meeting held March 6, 1849, Isaac Newton was also chosen trustee. For many years, Harrison Nichols was usually employed to dig the graves, and per-

form some of the duties of sexton. At a town meeting held February 21, 1865, the Board of Trustees of Evergreen Cemetery were duly elected trustees of the burial ground, and at a meeting of the Board of Trustees of Evergreen Cemetery, held April 1, 1865, B. W. Field was elected Superintendent of the burial ground, and John Dewey its Secretary and Treasurer.

GREENWOOD.

About two miles southwest of Sinclairville, is one of the earliest places set apart for the burial of the dead, in the central part of the county. It is near what was once known as the Barnes Place, in the northeast corner of the town of Ellery, close to Cassadaga creek, and not far from a pleasant natural grove of original forest trees. It was in use from the earliest period of settlement by the people who reside upon Pickard street, in Ellery, and upon the town-line road between Ellery and Gerry, and in South Stockton, and by some who resided in the vicinity of Sinclairville. Over three hundred burials have been made here. The earliest inscription is that upon an old head-stone at the grave of Margaret Love, who died February 3, 1823. Among those best known, interred in this ground, are John Pickard, a soldier of the Revolution; Elisha Tower, John Love, Jared Nicholson, Zaccheus Norton, Peter Pickard, a soldier of the war of 1812, Abel Brunson, Levi Love, John Tompkins.

Inscribed upon the headstones in this grave-yard are the names of many well known families in this part of the county. Among them frequently appears the name of Pickard, Love, Becker, Denike, Stom, Vanderwaker, Lenox, Patterson, Brunson, Norton, Demott, Rogers, Carpenter, Tompkins, Denison, Rooker, Kibbe, Tefft, Woodworth, Putnam, White and Burns.

This burial ground has been enlarged from time to time, and now contains about two and one-half acres. The present trustees are Arkinzo Norton, Asa Tefft, and James Becker. Arkinzo Norton is the superintendent.

CHARLOTTE CENTER BURYING GROUND.

The third death, and the first male person who died in the town of Charlotte, was Barnabas Cole. He died in the year

1811, and was buried at Charlotte Center, then a little settlement deep in the woods which had been commenced in 1809, a little later than the settlement in the Pickett neighborhood, and a little earlier than that at Sinclairville. It is not certainly known where Cole's remains were interred. It is believed, however, that he was buried within the limits of what was afterwards set apart as the burial place at Charlotte Center. The burying ground consists of two acres or more, situated on the west side of the highway, about forty rods south of the intersection of the roads at the center of the town, in which about four hundred and fifty people are buried at this time. The oldest grave-stone in the burial place is that at the grave of Betsey C., daughter of Jabez and Mary Beardsley, who died February 12, 1831, aged nine years. A monument is erected here to the memory of Alonzo W. Cross, the first soldier representing the town of Charlotte to fall in the war of the Rebellion. He was instantly killed in the thick of the conflict in the battle of Malvern Hill, July 1st, 1862. Upon his monument are inscribed the lines:

"No more the trumpet's martial sound
Shall summon him to meet his foes,
Nor war's deep thunder echoing round,
Disturb him in his last repose."

Many of the pioneers, and most prominent of the early residents of the town, are buried in this burial place. Among them Robert W. Seaver, a soldier of the Revolution, and the first settler at Charlotte Center; Randolph W. Seaver, his son; Elijah Carter, a soldier of the Revolution, was probably buried in this ground; Stephen Lyman, Samuel Vaughn, and Samuel Cleland, soldiers of the last war with England; the brothers Calvin, Luther, Nathan, and Daniel Lake, among the best known and most respected citizens of the town; Aaron Hall, Nathan Penhollow, Addison Lake, Hiram and A. W. Straight; also Thomas Pearson and William Wright, natives of England; James Houston and Hugh Harper, natives of Ireland; David George, and James Williamson, and David Rose, natives of Scotland. The latter was more than seven years a soldier in the British Army. He served in the 93d Highlanders. He arrived at the battle ground at Waterloo, with his regiment, just as the great conflict terminated. He served under Pack-

enham at the battle of New Orleans, and soon after was honorably discharged, his time having expired. He returned to his native country, and later took up his home in Charlotte.

BURYING GROUND IN DISTRICT NO. 2, GERRY.

About the year 1828, the Holland Land Company conveyed to William Alverson, Stoddart Cannon, and James Schofield, grandfather of Gen. John M. Schofield, as trustees and members of the Methodist society in Gerry, one hundred acres of land on Lot 53, situate a little northwest of the center of the town. In 1829, or soon after, with the proceeds of the sale of a portion of it, a Methodist meeting house was built. It stood upon this land, on the west side of the highway, about two miles south of Sinclairville. Adjacent to it a burying ground, consisting of about one-third of an acre, was at the time set apart from this tract and dedicated to the public. The church was the first built in the Cassadaga Valley, and one of the first Methodist meeting houses in Chautauqua county. Long since, it has passed away, as have the earnest and faithful fathers of the little society that built it. They sleep in the burial place near the spot where the church so dear to them was reared. Previous to the building of the church, there had been three deaths in this community—John McCullough, who died in May, 1827, and his nephew John McCullough, who died in November of the same year, and a child of Chauncey Shaw. They were first buried a little distance from the church site, on Lot 46, near to its south line, on land now owned by John Heminger. After the dedication of the burial ground, they were disinterred and buried there. The oldest grave stone is a Damon stone, erected at the grave of Roany Scott, who died January 31st, 1829. Of the early members of this society of Methodists, whose influence was so long felt in the town of Gerry, are buried in this place, James R. Alverson, his wife Damaris, and his brother William, Gilbert Strong, who died at the age of ninety-two. Here also are buried John McCullough, James Langworthy, Robert Lenox, James Heath, David Strong, James Woods, Dr. Japtha L. Heminger, David Cowden, Ephraim Belknap, and Samuel Woods, the last four soldiers of the war of 1812. Charles Lenox, a soldier of the war of the Rebel-

lion, is buried here. Among those here interred is Susannah Woods, who died June 15, 1873, at the advanced age of one hundred years, eight months, and twenty-two days. In all there are about eighty interments in the ground.

THE RICHMOND BURYING GROUND.

Deacon Ezra Richmond came to Sinclairville from Windham Co., Vt., about 1817. He set apart from his farm, which lies just out of the corporate limits of the village of Sinclairville, about five-sixths of an acre for burial purposes, asking no compensation. July 2, 1860, he executed a deed of the ground in trust to Merlin Wagoner, Charles H. Blanchard, and Orren Robertson. Until his decease, he took much interest in preserving these grounds properly. They lie upon the south side of the road leading from Sinclairville to Ellington, about half a mile east of the bounds of the former village. They are now in very good condition, surrounded by a fence with stone posts, and numerous thrifty maple trees. The oldest grave-stone is that erected at the grave of Zilphia Goodrich, who died November 12, 1836, aged thirty-six. About fifty-five persons have been buried here, most of them members of the families of Richmond, Brown, Brunson, Cutting, Baker, Wagoner, and Blanchard, who were nearly all of them residents along the highway leading from Sinclairville to Ellington. Among the buried are Deacon Ezra Richmond and his wife Clarissa, Anthony Brown, Moulton Blanchard, Stephen Freeman who died at the age of ninety years, and George Wade.

THE LUCE FAMILY BURYING GROUND.

The only private burial ground in the town of Charlotte is the Luce Family Burying Ground, on the east side of the highway, about two and half miles north of Charlotte Center, in which five persons have been buried. It consists of about an eighth of an acre of the farm owned by William Luce at his decease. It was set apart for such use by the members of the family of William Luce, an early settler in this part of the town. He died February 27, 1867, and is buried there. His wife Lydia Luce, who died March 26, 1868, is also buried there. The first interment was made June 5, 1866, of Elmer D., a child of Nelson Luce. The deed by which it was dedicated to its uses was executed October 5, 1870.

EVERGREEN CEMETERY.

The history thus far given of early burial places in Chautauqua County, may seem inappropriate in a work purporting to relate solely to Evergreen Cemetery. The people, however, who dwell in its vicinity, are interested in the burial places that preceded it, where lie their ancestors, their neighbors, and those whom once they knew. It is for these persons that the foregoing was prepared. The present opportunity is improved chiefly to preserve a record of these early burials and burial places.

The first places of burial in Chautauqua County were usually much neglected. It was not, however, through want of affection by the early settlers for departed friends that this was so. The pioneers as sacredly cherished the memory of their dead as do we of the present generation. They were poor, and the first step necessary to make for themselves homes, was to remove the formidable forests that stood everywhere around. The first process in clearing the land left the fields disfigured with stumps, and blackened logs, and consequently they were obliged to select for the sacred purposes of burial, unpromising places with forbidding surroundings. It was not practicable for them to even make such places pleasant, much less to adorn them. They had so little to encourage a taste for beautifying their burial grounds that they too often permitted them to grow up to weeds and briars. However, as circumstances grew more favorable, they began to care for the resting places of the dead.

ORGANIZATION.

Although the Old Burial Ground at Sinclairville was less neglected than most others, certain public-spirited citizens of the village, among whom were Alonzo Langworthy, B. W. Field, and John Dewey, saw that a decent respect for the dead demanded that more care should be taken of the graves than it had been common to bestow, Moreover, it was found impossible to procure title to the lots, and it was seen also, that the greater frequency of the burials would soon render the Old Burying Ground inadequate. Accordingly, a meeting was held by some of the citizens of the village at the office of Obed Edson, June 21, 1862, for the purpose of organizing an association under the "act authorizing the incorporation of rural cemetery societies, passed April 27, 1847." More than seven persons were in attendance as required by the act. B. W. Field was called to the chair, and John Dewey was chosen secretary. On motion of Alonzo Langworthy, it was resolved that the name by which the Association should be known should be "Evergreen Cemetery." Six trustees were chosen: Timothy D. Copp, John Dewey, William Wait, Bernard W. Field, Daniel B. Dorsett, and Alonzo Langworthy. Bernard W. Field was chosen President; Daniel B. Dorsett, Vice-President, and John Dewey, Secretary and Treasurer.

PURCHASE OF GROUNDS.

June 26, 1862, about one and three-quarters acres of land, lying north and adjoining the town cemetery, was purchased for the sum of one hundred dollars, and conveyed to the trustees by John M. Brunson and Hawley Green. The grounds bounded on the north by the pond at high-water mark, and lands of F. Holtz, east by the highway, south by the town burial ground, and west by the continuation of the west bounds of the town burial ground, northwest to the old Drummond Pond. This ground was laid out into lots, and mapped. Walks and drives were made, and shrubbery was set out. By the faithful attention and the skill of Mr. Field, the President and acting Superintendent, the grounds were soon changed from a barren hemlock knoll, to green lawns, adorned with tastefully-trimmed shrubbery.

EARLY DIFFICULTIES AND FINAL SUCCESS.

At first, the Association encountered much opposition. Some respectable people seemed to believe that it was a speculation entered into for gain, while others assumed that it was to draw a distinction between citizens in the community, by providing better places of burial for some than others. Against these unjust prejudices the Association for a while had to contend. Upon the suggestion of Mr. Langworthy, one of the first steps taken was to remove the fence that separated the new cemetery from the old ground, making the two one burial place. All parts of the ground thereafter received equal attention. The members of the Association loaned it money and gave their time towards its development. By prudent and wise management, the Association has been made self-sustaining, kept out of debt, and has a handsome balance in the treasury. This has been accomplished without the aid of contributions from the public. The members of the Association have never asked for nor received donations from any source whatever. As improvements were made, and the grounds became more and more attractive, those who had early opposed it, became the most desirous to obtain choice lots within the new grounds, and finally all opposition ceased, and the cemetery became an object of general pride.

ADDITION TO GROUNDS.

The demand for lots became so great that the necessity of acquiring new grounds became apparent, accordingly, for the sum of five hundred dollars the Association purchased of John M. Brunson and Hawley Green, a much larger tract, which adjoined the cemetery and old burying ground. The new purchase included the territory bounded on the north and west by the pond and the race issuing from it, and south by a line extending from the southwest corner of the cemetery to the race. It was surveyed and plotted, and a field of briars and thorns soon transformed into a lawn, with walks and drives, and burial lots. June 19, 1872, Hawley Green and Sheldon M. Hall, for the sum of two hundred dollars conveyed to the Association a considerable tract, bounded on the north by the last mentioned purchase, east by the lots of Richard D. Sherman and Martin B. Craw, south by the highway known upon the map of the village

as Water street, and westerly by lines extending a little distance easterly of the race. This purchase includes a portion of the south slope of the hill or eminence upon which the cemetery is situated, extending the bounds of the cemetery to the highway, where a gateway was subsequently erected, and a southern entrance to the grounds established January 1, 1886. S. M. Hall, and the estate of Hawley Green, for the consideration of one hundred dollars, conveyed a small strip of land adjacent to the last above described piece, which extends the limits of the southern portion of the cemetery westerly to the race below the mill, and widens the front of the grounds along Water street, so that the boundaries of Evergreen Cemetery, including the Old Burying Ground, comprise about eight acres of land.

LAYING OUT AND IMPROVING THE GROUNDS.

Soon after the purchase of the two first mentioned tracts, they were laid out by Mr. Langworthy, and the Superintendent, Mr. Field, assisted by Obed Edson, who surveyed and made maps of each tract as it was acquired. John M. Edson, jr., afterwards made a map of all the grounds belonging to the cemetery, including also the old burial grounds surveyed by him for that purpose. A lithographed copy of his map, reduced in size, accompanies this sketch.

It was only proposed when the Association was formed, to provide a moderate addition to the old burying ground, to supply an immediate local want. The first purchase of land comprised less than two acres. With so small a tract at their disposal, the founders of the cemetery were obliged to sacrifice, to some extent, their views of what a cemetery should be. And when subsequent additions were made, the territory was still so small in extent, and the number of burials so rapidly increased, that they were unable to wholly conform their plans to the natural beauties of the situation. Widely sweeping drives and walks, and ornamental areas, such as the natural features of the ground justified, would have required too lavish an appropriation of space. The Association have, however, in laying out the lots, avoided the stiff and straight lines of the conventional burying grounds of the past, and have, upon the

steep sides and outer limits of the ground, preserved its natural beauty undisturbed.

The moderate limits of the cemetery, also influenced to some extent, the selection of the evergreen as the prevailing shrubery. That being better adapted to limited areas, by reason of its compact growth. The artificial style of training would have been unjustifiable in more ample grounds, as unnatural, and in violation of correct taste, but is here compelled by the narrow space alloted to its growth. The faithful care bestowed by Mr. Field, the late Superintendent, and Mr. Kirk, his successor, in the cultivation of trees and shrubs ; the close and skillful training required to prevent the branches from overshadowing the crowded lots, has resulted in a marvelous density and beauty of evergreen foliage.

BURIAL LOTS.

The burial lots are laid out in various sizes, so that all persons can be suited in the quantity of the ground, as well as in location. Grading and putting lots in shape is done by the Association, so that the grade may harmonize with the general features of the particular locality. The prices of the lots vary with the desirableness of the location. Those who desire to secure but a single grave can do so without purchasing more ground, as the Association has set aside good eligible ground for that purpose.

SUPERINTENDENTS OF THE GROUND.

Bernard W. Field died May 20th, 1884. He had been President and Superintendent of the Association for twenty-two years. During this period, encouraged and supported by the trustees and officers of the Association, through his assiduity, and remarkable skill in training the shrubbery, and his care of the lawn, this barren, arid promontory, became a place of beauty. He gave it not merely his official attention, but bestowed upon it constant personal labor, for which he received but a modest compensation. Since the death of Mr. Field, under the careful supervision and constant attention of Mr. Kirk, the present Superintendent, the cemetery has been made more beautiful each year, until now it is unsurpassed by any in Western New York.

IMPROVEMENTS.

Further improvements and embellishments are contemplated, which in process of time will undoubtedly be made. Among other improvements a receiving vault, and the means for more perfectly supplying the grounds with water, are contemplated. The elevated situation of the cemetery, its irregular and diversified surface, render it dry and adapted to drainage, fitting it for the purposes for which it was designed, as well as greatly enhancing its beauty.

SOLDIERS' MONUMENT.

A most beautiful and striking situation can be chosen for a soldiers' monument, which ought at once to be erected, to perpetuate the memory of those interred here who fell or served in the defense of their country. There is no spot in all the country around that will warrant the erection of so fine, so costly a monument, as this. It is central, easy of access, and constantly visited—frequently by people from abroad, drawn here by the reputation the cemetery bears.

Many soldiers are buried in the old and new ground. The following were soldiers of the Revolution: Samuel Sinclear and Nathaniel Johnson. The latter participated in the battles that resulted in the capture of Burgoyne.

The following were soldiers in the last war with England: Sergeant Joel Burnell, who served at the battle of Buffalo; John McAllister, Sylvanus L. Henderson, Jesse Walker, John Sinclear, James Parsons, John Bowen, and Richard G. Burlingame.

The following soldiers of the Rebellion are buried here: Sergeant Hiram Waterman, of the 49th N. Y. Vols. He was killed October 19, 1864, at Cedar Creek. Sergeant Caleb J. Allen, of the 4th Iowa Cavalry. He participated in the siege of Vicksburg, was afterwards taken prisoner by the Confederates, and confined in both Belle Isle and Libby prisons. His health was so impaired by sickness and hardship that he died Jan. 2, 1864, soon after his release. Sergeant Charles H. Brown, of the 154th N. Y. Vols. He died December 7, 1864, near Springfield, Ga. Also Silas L. Bennett, Daniel Kelly, Cyrus W. Torry, Benjamin F. Gossett, Leland A. Kirk, Roswell W. Graves, Edward Richmond, George A. Richmond, George A.

Clark, and Jonathan Ames. A memorial stone has also been erected in the grounds in honor of Sergeant William J. Allen, of the 145th N. Y. Vols. He was killed at the battle of Chancelorsville, October 19, 1864. In Evergreen Cemetery is buried Harriett E. Johnson, a daughter of Thomas Hart of Charlotte. She went to serve with the Union Army as a nurse to the sick and wounded soldiers. She died at Suffolk, Va., March 28, 1863, aged but twenty-one years.

CONCLUSION.

Many well known citizens are buried in the cemetery, whose names are not here given. They often appear, however, in the list of lot owners given below. Perez Dewey, an early and prominent merchant of Sinclairville, was the first to be interred in the new grounds. He died November 13, 1861, and was buried in the old burying ground. His body was removed, and interred in the cemetery October 16, 1862. The second interment was that of Arthur Sylvester, an infant child of James Sylvester, who was buried December 12, 1862. In all, 1021 persons are interred in the cemetery—722 in the old, and 299 in the new. A greater number lie buried in this sanctuary of the dead, than people the living village beside it. Here rest our friends—our nearest and dearest ones. Here we ourselves at last must lie. Indeed, how many heart strings bind us to this hallowed spot. How strong the impulse to embellish and adorn it, to plant a rose, or rear a stone, above the dust of a departed friend. To believe that we are to be laid to rest in some barren field, in a neglected grave, leads to gloomy thoughts, and inspires us with dismal themes:

"To talk of graves, of worms, and epitaphs,
Make dust our paper, and with rainy eyes,
Write sorrow on the bosom of the earth."

While to know that we are to lie among pleasant shades, with fragrant flowers, green hills, and blooming fields around, reconciles us, even to the grave, and takes away the dread of death. We fancy if at last the couch is soft, it will bring sweet slumber and pleasant dreams, in the sleep that knows no waking.

The wish that we may rest at last in some attractive spot,

amid cheerful sights and sounds, where our graves may be ever green, finds beautiful expression in Bryant's lines to June:

"I gazed upon the glorious sky
And the green mountains round;
And thought that when I came to lie
At rest within the ground,
'Twere pleasant, that in flowery June,
When brooks send up a cheerful tune,
And groves a joyous sound,
The sexton's hand my grave to make,
The rich, green mountain turf should break.

A cell within the frozen mould,
A coffin borne through sleet,
And icy clods above it rolled,
While fierce the tempest beat—
Away!—I will not think of these—
Blue be the sky and soft the breeze,
Earth green beneath the feet,
And be the damp mould gently pressed
Into my narrow place of rest.

There through the long, long summer hours,
The golden light should lie,
And thick young herbs, and groups of flowers,
Stand in their beauty by.
The oriole should build, and tell
His love-tale close beside my cell;
The idle butterfly
Should rest him there, and there be heard
The housewife bee and humming-bird.

And what if cheerful shouts at noon
Come, from the village sent,
Or songs of maids, beneath the moon
With fairy laughter blent?
And what if in the evening light,
Bethrothed lovers walk in sight
Of my low monument?
I would the lovely scene around
Might know no sadder sight nor sound.

I know, I know I should not see
  The season's glorious show,
Nor would its brightness shine for me,
  Nor its wild music flow;
But if, around my place of sleep,
The friends I love should come to weep,
  They might not haste to go.
Soft airs, and song, and light, and bloom,
Should keep them lingering by my tomb.

These to their softened hearts should bear
  The thought of what has been,
And speak of one who cannot share
  The gladness of the scene;
Whose part, in all the pomp that fills
The circuit of the summer hills,
  Is—that his grave is green;
And deeply would their hearts rejoice
To hear again his living voice."

LAWS, RULES, REGULATIONS

OF EVERGREEN CEMETERY ASSOCIATION.

RESPECTING ELECTION AND DUTIES OF OFFICERS.

SEC. 1. At the first legal meeting of the members of Evergreen Cemetery Association, six Trustees were chosen and divided into three classes, and numbered one, two, and three, each class consisting of two Trustees. The first class is to serve one year; the second class two, and the third class three years, and until successors are duly elected and appointed. In case of a vacancy in the office of either of the Trustees during the period for which he or they have been respectively elected, the person or persons chosen or appointed to fill such vacancy shall hold the office only for the unexpired term. Hereafter two trustees shall be chosen annually, and shall hold their office for three years.

SEC. 2. The annual meeting of the lot owners of Evergreen Cemetery Association for the election of Trustees and transaction of other business, shall be held on the third Saturday of June in each year, at such hour and place as the Trustees shall direct, and the Secretary shall cause notice to be given of such annual meeting, by posting in conspicuous places in the town of Charlotte, at least three printed or written notices of the same, at least five days previous to the appointed time.

SEC. 3. The Trustees shall hold a meeting on the day of the annual election, or within ten days thereafter, at which time they shall appoint from among their number, a President, a Vice-President, a Secretary, a Treasurer, and a Super-

intendent. The Trustees may appoint a Sexton from time to time, as occasion may require.

SEC. 4. The President shall preside at all meetings of the Trustees, and shall call meetings of the Board whenever he shall deem it necessary, or whenever requested to do so by two of the Trustees. In his absence the Vice-President shall preside, and in the absence of both, the Board shall fill the vacancy *pro tem.*

SEC. 5. The Secretary shall keep all minutes of the Board of Trustees, and all books of registry and record.

SEC. 6. The Treasurer shall receive all moneys due the Association, and pay out the same on the order of the President, countersigned by the Secretary. He shall render an account of the state of the finances of the Association for each year, to be exhibited at the annual meeting, and to the Board of Trustees whenever requested so to do. He shall also have custody of the seal of the Association, all books of accounts, title deeds, receipts, or vouchers, and all papers and documents of every kind pertaining to the financial affairs of the Association.

SEC. 7. The Superintendent shall be charged with the general care of the grounds, under the direction of the Board of Trustees, and have custody of all the property of the Association which may be on the premises, and discharge the duties of General Superintendent. He shall, whenever requested by the Treasurer, or required by an order from any three of the Trustees, and in any event as often as once in three months, pay over to the Treasurer all funds in his hands belonging to the Association, specifying in writing from whom and for what received, and take the Treasurer's receipt for the same. It shall be his duty to see that all plans for improving and embellishing the Cemetery are carried out; and generally to take care that the provisions of the laws of the State applicable to cemeteries, and the by-laws and regulations of the Association are enforced. He shall have a map of the Cemetery grounds, their avenues, walks, and lots, with their numbers, and shall cause the boundaries of the lots, avenues and walks to be preserved.

SEC. 8. Any person who shall feel aggrieved by the action of the Superintendent in the laying out or grading of lots,

borders or avenues, or in setting of trees and shrubbery in or around lots, may appeal to the Board of Trustees, the decision of a majority of whom shall be final. All appeals to the Trustees must be made in writing.

SEC. 9. The Trustees shall constitute and be a Board of Auditors, and may audit accounts at any annual or special meeting of the same.

RESPECTING BURIAL LOTS AND IMPROVEMENTS.

SEC. 1. The land of Evergreen Cemetery shall be divided into lots or plots of such size and shape, and be distinguished by such numbers or description as the Superintendent may deem most appropriate, or as the Trustees may direct. Purchasers, in the selection of lots, may choose from all unsold ground which has been thus divided, excepting those lots reserved for especial purposes.

SEC. 2. All lots sold shall be held in pursuance of acts passed by the Legislature of this State, relating to rural cemeteries, and shall not be used for any other purpose than as places for the burial of the dead.

SEC. 3. Previous to possession being given, or grave dug, or interment made on any lot, a deed or location certificate therefor, in the form established by the Trustees, must be duly executed, and delivered to and accepted by the purchaser.

SEC. 4. Any person holding a deed or location certificate may transfer and convey his or her interest so far as such transfer is allowed by the Laws of the State of New York in relation to rural cemeteries; but no such transfer shall be valid until the person transferring shall sign a memorandum of such transfer on some book of the Association appropriated or used for such purpose.

SEC. 5. The price established for lots at present is five cents per superficial foot. Prominent points requiring peculiar improvements will be sold only in form and dimensions and at such prices as the Trustees may affix.

SEC. 6. It shall be the duty of proprietors of lots to place and keep in repair permanent land marks of their respective boundaries; and all enclosures of lots must be made on the lots themselves, without intruding upon roads, walks or alleys. Railings of iron, stone, marble, or iron posts with iron bars or

chains, and properly trained hedges, may be used for enclosure of lots, but no wooden structures will be allowed within or around any lot.

SEC. 7. The proprietor of a lot may erect any proper sepulchral structure thereon. Any slab placed in a perpendicular position must be set in a permanent socket of stone, with a stone foundation properly laid a sufficient depth below the surface of the ground to secure its permanency. In case of large and heavy monuments the foundation must be sunk at least four feet into the ground.

SEC. 8. If there shall be placed in or upon any lot, monument, effigy, enclosure, or any structure whatsoever, or any inscription, which shall be determined by a major part of the Trustees to be offensive, improper, or injurious to the appearance of the surrounding lots or grounds, the said Trustees shall have a right, and it shall be their duty, to enter upon said lot, and to cause the improper object or objects to be removed.

SEC. 9. Proprietors may cultivate trees, shrubs, and other plants upon their respective lots, but no tree growing upon any lot or border, whether originally there or planted by the proprietor, shall be cut down or otherwise destroyed or injured without the consent of the Superintendent.

SEC. 10. If any tree, shrub, or other plant, by means of its roots, branches or otherwise, shall become detrimental, dangerous, or inconvenient to the adjacent lots, walks or avenues, the Superintendent, directed by the Trustees, or a major part of them, shall have the right, and it shall be his duty, to enter said lot, and remove the said tree, shrub or plant, or such part or parts thereof as may mar the effect and beauty of the scenery, or as may be deemed detrimental, dangerous or inconvenient.

SEC. 11. Vaults or tombs will be permitted, provided they are built under ground, except at the entrance, constructed of durable materials, and fitted up in a tight and substantial manner, with catacombs which shall be sealed up with hard brick or other suitable material which the Trustees shall approve, laid in cement, immediately after the deposit of bodies therein. The entrance of all vaults and tombs shall be provided with one or more stone or metal doors. But no tomb or vault shall be constructed within the cemetery except on such lots and in

such places as shall be especially designated by the Trustees for that purpose.

SEC. 12. In the erection of vaults, tombs, monuments, railings or other structures, the persons erecting them shall not allow any stone, brick, earth, or other materials to encumber the grounds longer than is absolutely necessary; and they must be removed and deposited under the direction of the Superintendent, and at the expense of the proprietor of the lot on which the structure has been reared.

SEC. 13. Proprietors shall not allow interments to be made upon their lots for remuneration, nor shall any sale or transfer of a lot be made for profit.

SEC. 14. Any owner of a lot wishing to have it kept in perpetual repair, may for that purpose deposit funds with the Trustees, who shall give a deed of trust for the funds, and assume the duties and responsibilities.

RESPECTING INTERMENTS.

All lot owners desiring graves dug are requested to apply to the Sexton. In case of adults, the graves must be at least five feet deep.

They are also required to procure of the Secretary and fill out a blank, and return the same to him, of which the following is a copy:

EVERGREEN CEMETERY.

Please append correct answers to the following:

Name of deceased.....

Date of Birth..... Place of Birth.....

Late Residence..... Date of Decease.....

Date of Interment..... Disease.....

Parents..... Lot No.....

RESPECTING VISITORS.

SEC. 1. No person shall be allowed to ride or drive on this ground faster than a walk. Neither may any horse be left by the driver or rider unfastened. Neither may any horse be fastened to any tree or shrub, or enclosure of a lot.

SEC. 2. Driving upon lots, or the borders of lots is strictly prohibited.

SEC. 3. All persons are prohibited:

1. From picking any flower, either wild or cultivated.

2. From cutting, breaking, marking or injuring any tree, shrub, herb, or other object, whether upon the cultivated part or the bank adjacent.

3. From writing upon, defacing or injuring any monument, stone, fence, enclosure, or other structure, in or belonging to the cemetery.

4. From entering any individual's enclosure without the leave of the owner.

5. From passing over lots, and from walking in any part of the grounds elsewhere than in the proper roads and walks.

6. From running, jumping, the playing of games, or other practice that might indicate a want of reverence for the place, or in any way disturb the quiet and good order of the same.

It is especially desirable that children visiting the grounds be attended by their parents, or some suitable person, who shall be responsible for their conduct and observance of the rules.

It is of the utmost importance that there should be a strict observance of all the proprieties due the place, whether embraced in these regulations or not. Proper decorum should at all times characterize the place sacredly devoted and consecrated to the interment of the dead.

"Home of the coming dead!
The spot whereon we tread
  Is hallowed ground;
Here earth, in sacred trust,
Shall hold their sleeping dust,
Until her bonds they burst,
  And rise unbound.

Here shall the weary rest,
And souls, with woe oppressed,
  No more shall weep;
And youth and age shall come,
And beauty in her bloom,
And manhood to the tomb;
  Sweet be their sleep.

Around their lowly bed
Shall flowers their fragrance shed,
And birds shall sing;
On every verdant mound
Love's offering shall be found,
And sighing trees around
Their shadows fling.

And there's a holier light!
Hope, with her taper bright,
On every tomb,
Points upward to the sky—
There every tear is dry,
There is no mourner's sigh,
Nor death, nor gloom."

SECTION 647 OF THE PENAL CODE.

"A person who, not being the owner thereof, and without lawful authority, willfully injures, disfigures, removes, or destroys a grave-stone, monument, work of art, or useful or ornamental improvement, or any shade-tree or ornamental plant, whether situated upon private ground, or upon a street, road, or sidewalk, cemetery, or public park or place; or removes from any grave in a cemetery, any flowers, memorials, or other tokens of affection, or other thing connected with them, is guilty of a misdemeanor."

LIST OF LOT-OWNERS.

1 Thomas Spear.
2 Wm. Strong, Heirs of
3 Anne Mallory, N. part.
3 Stillman Fairbanks, S. part
4 Phillip Link.
5 W. W. Rood, Heirs of

6 .....
7 M. M. Wagoner.
8 Otis Harris.
9 Jo. Duhurst.
9 Henry Duhurst.
9 Edwin Duhurst.
10 Sebastian Loun.
11 James Irvin.
12 James Austin.
13 John M. Irvin.
14 Elijah Montague.
15 Barnabas Bartram, N. P.
15 Benjamin F. Gossett, S. P.
16 Thomas Hart, Heirs of
17 Electa Burnell, Heirs of
18 Homer Hall.
19 John Rose.
20 Eliza Hall, Heirs of
21 Orton Clark.
22 J. W. Billings.
23 Ezra Edmunds, Heirs of
24 James Sylvester.
25 Lewis Ellis.
26 Daniel Totman.
27 Chauncey Pierpont.
28 D. B. Dorsett.
29 Abigal Rodgers
30 R. E. Sheldon.

31 .....
32 Lyman F. Fisher.
33 A. W. Andrus.
34 Thomas Ewart.
35 Henry A. Kirk.
36 John D. Bargar.
37 John H. Shoemaker, N. P.
37 Luther Lewis, S. P.
38 H. P. Hall.
39 B. W. Field.
40 Perez Dewey.
41 Henry Reynolds.
42 Venner Edmunds.
43 Alonzo Langworthy.
44 T. D. Copp.
45 Ebenezer Moon.
46 James M. Copp.
47 William Tugwell.
48 E. B. McAllister.
49 S. M. Newton.
50 W. W. Henderson.
51 John Pearson.
52 John Pearson.
53 Terry Family.
54 Allen Link.
55 A. Bial Copeland, Heirs of, N. P.
55 R. P. Robertson, S. P.
56 Sally Kimball.
57 Nelson Chase.
58 Elias Bargar.
59 E. O. Bargar, Heirs of
60 Fordyce Sylvester.
61 William Reed.
62 Bela B. Lord.
63 Bela B. Lord.
64 Leonard Phillips.
65 Obed Edson.
66 Obed Edson.
67 C. F. Chapman.
68 N. E. Bargar.
69 Duane Terry, N. P.
69 J. Terry, S. P.
70 F. & M. McCullough.
71 Robert Lenox, N. P.
71 James Harmon, S. P.
72 Z. H. & A. Phillips.
73 Albert Lee.
74 Sheldon and David Torry.
75 Monroe Young.
76 Caroline E. Burlingame.
77 Westoby Bargar.
78 Forbes Johnson.
79 E. H. Edson.
80 Alfred Harvey.
81 Owen Cleland, heirs of
82 Frank Harvey.
83 M. C. Frisbee.
84 Thomas Thompson.
85 Sylvanus R. Ward.
86 Henry Dunbar, heirs of

87 Alvin Billings.
88 J. W. Sisson.
89 Mrs. N. Osborne.
90 Samuel Briggs, Heirs of
91 W. G. Olmstead, E. P.
91 .....
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98 Calvin W. Cutting.
99 William H. Hall.
100 A. H. Baker.
101 Harrison and Albert Wood.
102 Allen Robertson.
103 William H. Scott.
104 Volney Patterson.
105 Osmon Johnson.
106 George S. Harrison.
107 Stephen Warner, Heirs of
108 William Warner, Heirs of
109 Samuel Hunt.
110 James Bates.
111 Frank Burns.
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131 William Shannon.
132 James Shannon.
133 David McClaren.
134 George W. Sinclear.
135 John F. Phelps.
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138 A. W. Sornberger.
139 James R. Brown.
140 John Luce, Heirs of
141 .....
142 James Johnson.
143 Elmer Eldridge.
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147 George W. Chase.
148 Jacob Jones.
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151 Orren Torry.
152 John Lynch.
153 F. M. Pickard.
154 Frank Terry.
155 Richard Thompson.

156 Lyman Link.
157 Justin Rider, Heirs of
158 Sylvester Luce.
159 Anson R. Day.
160 W. H. Kelley.
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162 .....
163 Fred Kelley, N. P.
163 Sidney W. Littlefield.
164 G. R. Mathewson, N. P.
164 Richard Hurley, S. P.
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166 William Bliss, Heirs of, S. P.
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168 David Luce, N. P.
168 C. V. Fisher, M. P.
168 .....
169 John Solly, N. P.
169 M. W. Shedd and J. H. Clarke, S. P.
170 .....
171 Noah Miller.
171 Snyder.
172 E. F. Patterson.
173 William H. Rikel.
174 C. Morse.
175 William Heppner.
175 F. Holtz.
176 Edward Faulhaber.
177 Henry Forstbauer.
178 Charles Berghefer.
179 Chauncey Dibble.
180 William Cipperley.
181 William H. Fox.
182 Martin B. Craw.
183 Ernest Heppner.
183 Newvanor.
183 Lewis and Hannah Briggs.
183 John Nichols, N. P.
184 Horace Dibble.
185 John McAllister.
186 John Sloan.
187 John Beck.
188 D. Sherman.
189 Asa Case.
190 Ebenezer Skinner.
191 Rev. Chester Carpenter.
191 Dea. Dyer Carpenter.
191 J. A. Clark.
191 .....
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192 David Ames.
192 David Cummings.
192 .....
193 David Sheldon.
193 Hawley Green.
194 Henry Sornberger.
195 Rev N. H. Barnes.
195 Rev. C. S. Jennings.
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196 John Bowen.
196 Erastus Bown.
196 .....
197 Joseph Andrews.
198 Blythe Harper.
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199 George Clark.
200 Nelson.
200 Clint Tibbets.
201 James Cobb.
201 William Cobb.
201 David Cobb.
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203 William Potter.

203 Joseph Goodrich.
203 Spencer.
203 Sylvanus Lord.
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204 Aden Wait.
204 George Wait.
205 William M. Lucus.
206 Elijah Newton.
206 Abe Newton.
206 E. Williams.
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207 Jonathan Bellows.
208 Asa Dunbar.
208 Royal Wells.
208 George W. Green.
208 Nathan Arnold.
208 Moses Campbell.
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209 Cyrus Smith.
210 Appleton Whitney.
211 B. Shirtliff.
212 Justus Torry.
212 Firman Torry.
212 Cyrus Torry.
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213 William Harper.
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214 Perry Lyman.
215 Ira P. Langworthy.
215 Mrs. S. French.
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216 Dr. A. A. Stone.
218 Ebenezer Brown.
219 Whitmore.
220 John M. Brunson.
221 Robert LeGrys.
222 M. Young.
222 H. Ferguson.
223 David Dalrymple.
224 Charles Cummings.
225 James Prentice.
226 George W. Elliott.
226 David Sinclair.
226 James Elliott.
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227 John Thorn.
227 Mark Crawford.
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228 Parsons.
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229 O. Williams.
229 Caleb Winn.
229 James Thompson.
229 Stewart.
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230 Samuel Brunson.
230 Amasa Dingley.
230 Denison.
230 Melzer Hunt.
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231 George W. Sinclair.
232 Judge J. M. Edson.
232 Major Sinclear.

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234 George Thornton.
235 Hudson Mathews.
236 William Wait.

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238 James Pierce.
238 Charles Pierce.
239 Gorham Hunt.

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240 Martin.

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241 George Dingley.
242 Albert Richmond.
243 Jacob Langworthy.
244 Alonzo Brown.
245 Aaron Moore.
245 Mrs. George Luce.

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246 Mrs. W. Tucker, S. end.
246 Walter Lenox.

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247 Blythe Harper.
248 David Palmer.
248 Manley.

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249 Ulyssio Tracy.
249 Rev. Gall.
249 William Hall.

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251 John Maynard.
151 John Edmunds.
252 Nate Newton.
253 C. W. Hedges.
154 J. B. Catlin.
254 William Gleason.
255 Harrison Nichols.
256 St. John.
257 John F. Wood.
257 John Moon.
257 William Sylvester.

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258 Riley Putnam.
259 Richard Brock.
260 M. D. Burlingame.
261 Wisner Nichols.
262 John Reed.
263 Dr. Henry Hedges.
264 Abram Reynolds.
265 Lasells.
266 Mrs. Marsden.

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267 Charles Moon.
268 Harvey Moody.
269 James Parsons.
270 E. Hooper.
271 John Day.

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273 Samuel Parker.
274 James Bristow.
275 David Sackett.
276 Julius Elliott.
277 F. W. Kirk.

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278 Thomas Erwin.
279 Garvin Learmoth.
280 George and James Richmond.
281 Dudley Nichols.
282 Heman Kilburn.
283 Stone.

283 Simeon Kilton.
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284 David Rider.
285 Isaac Millen.
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286 Worthy Putnam.
287 W. H. Taylor.
288 C. J. Allen.
289 Alfred Austin.
290 Benjamin Fisher.
290 Eliab Wilcox.
291 Calvin Huntington.
292 John Trusler.
293 Thomas Trusler.
294 Joel Ward.
295 Jesse Walker.
296 J. B. Rice.
297 John McNaughton.
298 Thomas Dickinson.
299 Elisha Baker.
300 Hiram Shaw.
301 J. H. Bennett.
302 Hiram Waterman.
302 Gales.
303 Lavina Allen.
303 .....
304 Samuel Doty.
305 A. H. Doty.
306 Melzer Sylvester.
307 Henry Sylvester.
308 Liscomb Stevens.
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309 Nelson Mitchell.
310 Thomas Spiking.
311 E. M. Peck.
312 H. Almy.
313 J. L. Arnold.
314 Myron Montague.
315 Chester Merchant.
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316 George Lenox.
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318 Joseph Colenso.
319 Daniel Kelly.
319 Horace Kelly.
320 Clesby's Child.
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321 Erastus Fox.
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322 Amos Tompkins.
323 William Johnson.
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324 Charles Langworthy.
325 Charles Young.
326 Daniel Pettis.
327 Walter Fox.
328 A. Snyder.
329 Washburn Cook.
330 Truman Cook.
331 Mrs. Bottom.
332 John Bloomer.
333 Palmeter.
334 F. Wheeler.
335 Wait.
336 J. W. Link.
337 Isaac Heath.
338 Walter Lenox.
339 Cornelius Nichols.
340 Leonard Eldridge.
341 John Trusler.
342 James Trusler.
342½ .....
343 Amos Rice.
344 David Stevens.
345 George Tackley.
346 Tompsett.
347 Carlie Copp.
348 Sylvenus Norton.
349 Charles Cross.
350 Lemuel Cross.
351 Ambrose Brown.
352 Lyman Andrus.
353 William Cross.
354 Mrs. Day.
355 M. J. Hitchcock.
356 Bacon.
357 O. VanVleck.
358 C. T. Huntington.
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359 Braman.
360 Bennett.

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ERRATA.

Page 4. The line "Alonzo Langworthy, Secretary from Feb. 19, 1870, until June 17, 1871," should be stricken out, as Mr. Langworthy was not then Secretary.

In the line following, for the words, "June 17, 1871," read "Feb. 19, 1870."

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