

GONE, BUT NOT
FORGOTTEN

**Cemetery
Preservation
Guide**



Cemetery Preservation Guide

Fairfax County Cemetery Preservation Association, Inc.

This guide was prepared by the FCCPA and contains general information about cemetery preservation and protection, most specifically in Fairfax County, Virginia. It is intended for general public use. FCCPA welcomes you to share this guide with others, including making photocopies of the forms and/or amending them for your own purpose.

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Graffiti spray-painted on a grave marker at the Marshall family cemetery in Burke, Virginia, spurred two county history commissioners and other community members into action. In June 2008, a group formed to protect the cemetery.

During the summer, a clean up was organized. Trees were cut; brush and trash were hauled away. Broken glass from beer bottles was painstakingly picked up. A thick layer of dirt and algae on the marker was gently taken off using soft toothbrushes and distilled water. The spray paint will remain until a professional conservator removes it using a method that will not harm the stone.

In October 2008, a dedication ceremony was held at the cemetery. Subsequently, the Fairfax County Cemetery Preservation Association, Inc. (FCCPA) was founded to protect the hundreds of other family cemeteries in Fairfax County. The FCCPA is a nonprofit 501(c)(3) organization incorporated with the state of Virginia.

Our mission is to **identify, document, preserve, protect**, maintain, and advocate for cemeteries in our county that are threatened by vandalism, development, or neglect. Also, FCCPA will educate the community about the historical importance of cemeteries, and how to survey and preserve cemeteries.

The association and you can **help accomplish this mission** by:

- Researching a cemetery's history.
- Conducting on-site surveys at cemeteries.
- Reporting cemetery vandalism to authorities.
- Updating county and library information on cemeteries.
- Seeking out and advising organizations or individuals who want to "adopt" a cemetery.
- Connecting individuals who have concerns or questions about cemeteries with the appropriate county department.
- Replying to individual's inquiries about family cemeteries.
- Educating the community about Virginia's laws regarding cemeteries.
- Educating the community about the preservation of cemeteries and grave markers.
- Educating the community about the historical importance of cemeteries.

Fox Family Cemetery,
Vienna, Virginia



Fox Family Cemetery,
Vienna, Virginia

Frying Pan Baptist Meeting House Cemetery
in Herndon, Virginia. The field stones indicate
the head or foot of a grave site.



FAQs

1. How do I join the FCCPA?
Visit our Web site at www.honorfairfaxcemeteries.org
2. What if I want a speaker for my organization?
Visit our Web site at www.honorfairfaxcemeteries.org
3. I have heard that my family is buried in Fairfax County, but why isn't the family name included in the county library cemetery survey list (Web pages at www.fairfaxcounty.gov/library/branches/vr/cem/)?
You may search by location (Herndon, Burke, McLean, etc) or through land and deed records. Also, check in the Fairfax County Genealogical Society's multi-volume set of books titled Fairfax County, Virginia, Gravestones. These include church cemetery headstone transcriptions which are not available in on-line records.
4. What can I do if I am concerned that developers are encroaching on my family's cemetery?
One step is to search at www.fairfaxcounty.gov/ldsnet/. This Web site allows you to search current development projects by address. You can get general information about the developer's plans, and you can also see which Zoning staffer is handling the case. You could call the developer to ensure that they are aware of the cemetery on or near their property. Contact Fairfax County's Cultural Resource Management and Protection section (703-534-3881) to see if they have any information regarding the development. Finally, contact the Northern Virginia Regional Preservation Office of the Virginia Department of Historic Resources (540-868-7030) to see if a permit was issued to the developer.
5. How do I access my family's cemetery, which now has been enclosed in someone's backyard and there is no gate for me to use?
Code of Virginia (57-27.1) A. provides for ingress and egress of family descendants to cemeteries on private property. Code of Virginia (57-27.1) D.: "Any person denied reasonable access under the provisions of this section may bring an action in the circuit court where the property is located to enjoin the owner of the property from denying the person reasonable egress to the cemetery or gravesite. In granting such relief, the court may set frequency of access, hours and duration of the access."
6. What do I do if I found vandalism when I visited my family's cemetery?
Record the vandalism, including photographing the damage done. Vandalism should be reported to the local law enforcement agency. Contact the Fairfax County police non-emergency number: 703-691-2131. The current owner of the property on which the cemetery is located should also be contacted.

If you witness vandalism in progress, report it to the local law enforcement agency immediately. Vandalizing a grave is a felony.

7. I know the location of my family's cemetery, but there are no markers and I have heard the remains were moved. How do I find out if and where the remains were re-interred?

Demolished: If there are no signs of the cemetery still being there, it may have been moved. (A local court order, or a permit from the Virginia Department of Historic Resources, must be obtained before moving graves.)

Demolition in progress: A local court order, or permit from the Virginia Department of Historic Resources, must be obtained before moving graves, including a public legal notice and reasonable efforts to notify descendents. Check with the local law enforcement agency to see if a court order was issued, or contact the Northern Regional Preservation Office of the Virginia Department of Historic Resources at 540-868-7030 to see if a permit was issued.

8. How do I determine the current owner of the property my family's cemetery is on?

Locate the cemetery on a map that shows the tax parcel number of the property. Maps are available at the Virginia Room or on-line at the County of Fairfax Web site at www.fairfaxcounty.gov/maps/county/. The Geographic Information Systems (GIS) section has multiple selections to choose from. The Property Maps found in the Digital Map Viewer are helpful in narrowing down the parcel number once a general area is identified.

Once you know the parcel number of the property, visit the Department of Tax Administration's Web site (www.icare.fairfaxcounty.gov) and search for the property by parcel number to find current ownership information. You can search by address. If your cemetery is in someone's yard, you will see the owner's name. If the cemetery is its own parcel and you don't know the exact address, put in the address of the property next door or nearby. Then click on the link to view the map so you can see the parcel number of the cemetery. Look this up and you will see who the legal owner of the property is. Oftentimes, it's "the heirs of..." who are unidentified. It is important to note that some cemeteries are owned by family trustees, some of whom are unaware that they own a cemetery.

Also, the Cultural Resource Management and Protection Section (703-534-3881) can help you find property owners.



9. What do we do when no one in my family is capable of maintaining our family cemetery any longer?

Contact FCCPA on our Web site: www.honorfairfaxcemeteries.org. Or write to us at c/o Fairfax Library Virginia Room, 10360 North Street, Fairfax, Virginia 22030. The association will help you understand possible actions your family can take. Also, the Virginia Department of Historic Resources (VDHR) can give technical assistance regarding the preservation of historic cemeteries. This assistance includes recommended options for treatment and preservation of cemeteries. Visit www.dhr.virginia.gov.

10. What is involved in helping maintain and protect a cemetery?

To maintain or protect a cemetery, the FCCPA suggests that individuals or organizations keep the cemetery free of weeds, tall grass, and brush; pick up trash; and report vandalism.

11. What is involved in helping to preserve and protect a cemetery?

Contact the owners and get permission to clean up.

Clear away brush and weeds by hand from around the gravestones and markers. (Do not use weed whackers or pesticides near the markers as each can damage stone.)

Clean the markers using soft toothbrushes and distilled water. This method removes algae and dirt. (To remove graffiti, you need to hire a professional conservator.)

If markers are toppled, leaning, or broken, you would need to hire a professional also.

Pick up trash.

Ask neighbors or organizations to accept the responsibility of maintaining the cemetery.

12. How do I sell or give away a cemetery?

The actual selling or giving away of private property that contains a cemetery is no different from the sale or gift of any other private property. A real estate agent or attorney would be able to help. A deed search may be needed.

13. How do I establish a trusteeship of a family cemetery with a home owners association (HOA) or a church?

If the owners can no longer care for the family cemetery, an attorney would be able to set up a trusteeship agreement.

14. What if there is dumping at a cemetery?

If dumping is witnessed, call the police. An owner may erect a No Dumping sign. The county will get involved if the materials dumped are not biodegradable, for example: tires or appliances. Call Community Health and Safety (703-246-2300), Fairfax County Health Department.

15. How do we decide between preservation and restoration?

Preservation entails maintaining the markers and cemetery as is. You would clean the markers with distilled water, pick up trash, and remove possible threats to the markers like tree limbs and underbrush.

Restoration involves restoring the markers and the cemetery to their original condition. This requires the services of a professional monument conservator.



This cemetery was surrounded by a deteriorating wooden fence. There were four granite headstones and one field stone marker with a hand-cut inscription. Fourteen other burials were marked by plain field stones. The cemetery was clean and received periodic maintenance.

Date of Survey 3/14/1994

Fox Family Cemetery,

Cemetery Preservation Preparations

1. Determine the ownership of the cemetery.
2. Research the cemetery (See Research Guidelines, pages 9-12).
3. Copy important information to the cemetery: maps/plats, marker inscriptions, family contacts, etc.
4. Survey the cemetery (See Survey Guidelines, pages 13-14).
5. Enlist a volunteer or organization to clean up the cemetery.
6. Meet with the owner/trustees at the cemetery to discuss preservation or restoration of markers/cemetery and to agree upon the clean-up process and scope.
7. Establish a continual maintenance program for the cemetery.
8. Educate the public about the cemetery.



Fairfax/Buckley Cemetery in Fairfax Station, Virginia.



A map of the Gooding-Seaton Cemetery is filed in the Cemetery Vertical Files in FCPL's Virginia Room. #21 indicates the location of the family cemetery adjacent to Pleasant Valley Memorial Park Cemetery.

Guidelines for Cemetery Research

Please do your document research *before* doing an on-site survey of the cemetery!

The FCPL's regional library located at 10360 North Street in the City of Fairfax is where the Virginia Room is located. This is where you can find almost all of the references you need to complete your research.

You must have a Fairfax County Public Library (FCPL) library card. Begin at the second floor information desk. Ask the librarian for the **FCCPA District Binder**. The binder contains cemetery surveys, which include the FX numbers of the cemeteries. Sign out the survey. Remove it from the binder to make a photocopy or two (one copy for rough draft and another for the final, completed survey). Return the survey to the binder, and then return the district binder to the librarian.

PART I

1. Virginia Room Cemetery Vertical Files

The **cemetery number, FX __**, is located on the survey you just photocopied. With that number, inquire at the desk to see the complete cemetery file. These are kept in the workroom and are unavailable to the general public. Ask the librarian at the Virginia Room desk to please bring you the particular file. The original contents of this file are NOT to be removed from the library so please make photocopies of any pages you wish to add to your research file. Return the file to the librarian.

2. Virginia Room Cemetery Database

Access the on-line database:

www.fairfaxcounty.gov/library/branches/vr/cem

This brings you to the main page of the database.

You will be working mostly with **family cemeteries**, so choose that option.

Find the cemetery you are investigating, and click on the link. This will bring up general information on the cemetery.

NOTE: The on-line database is organized by family name and geographic location. If you do not know the family name of the cemetery you are researching, you will have to look at every site in the area where your cemetery is located, e.g. Herndon, Fairfax Station, etc. Also be aware that some cemeteries in the database are misnamed.



3. Search the Fairfax Genealogical Society Cemetery Volumes

REF 929.3755 FAIR

Make copies of all information from the on-line search and the vertical file which you find might be helpful to complete the survey. Although the goal is not collecting information on gravestones, just seeing the number listed (one or one hundred) will help you know the size of the cemetery.

4. Property Tax Map Data and Plat

Going on-line to **<http://icare.fairfaxcounty.gov/Main/Home.aspx>** brings you to the Fairfax County Department of Tax Administration property search page.

Choose an **address** search.

Input the address of the cemetery in the line provided. This will bring up the tax office's information on the property.

Write down the Fairfax County Tax Map number in the upper left corner above the owner's name, as this is vital for identification purposes.

Click on printable summary and **print the page**.

Click on the map to see exactly where the parcel is located. Print this, too. Every cemetery file should contain these printed papers.

Look at and click on all of the links on the left side of the main property page to see what information you can learn. Take note of the "sales" link. This tells you the last transaction or two (or three...). If there are several sales transactions noted, they don't all generally show up on the printable version. **Please record any deed information you see on the sales page that does not show up on the printed version.** The deed numbers are essential to determine a chain of title for the property.

NOTE: If you do not have the address of the cemetery, choose the address of the closest property to the cemetery that you can find. Following the steps above, view the map for that property and locate the cemetery parcel on that map. Zoom in until you can see the cemetery's parcel number, write that number down, and look up the cemetery on the search page using a tax map number search.

PART 2

1. Historical Newspaper Index Instructions

The Washington Post (historical) from 1877-1990 is available on-line.

Access the Fairfax County Public Library with a library card.

Go to **On-line Resources**

Select **Newspapers**

Select **ProQuest**

Log On with your library card number

Type in a specific **search topic**

From multi databases select **Historical Washington Post**

Enter a **date range** and Search

Collect any articles or important information about the descendants from the articles. Articles can be printed to add to your research file.

Local historical newspapers: *Alexandria Gazette*, *Fairfax Herald*, etc.

Access the Fairfax County Public Library with a library card.

Go to **On-line Resources**

Select **Newspapers**

Select **FCPL historical newspaper index**

Log On with our library card number

Type in **topic**

Check **ALL newspaper sources**

Complete **date range**

Check **ALL newspaper types**

Results will supply: Newspaper, date, page number, article headline

Search the microfilms for the specific newspapers

Copy any pertinent information. Articles can be printed out to add to your research file.

HINT: Be flexible with search topics. EXAMPLE: There were no results with "Burke, Silas" and "Silas Burke." However, when "Burke" was used, 188 search results were found, of which six or seven dealt with the death of Silas Burke and/or the family cemetery.

HINT: Often times the *Fairfax Herald's* "headline" result is all you will find when you read the newspaper. EXAMPLE: the headline reads "Burke Elementary gets library." The microfilm copy from the newspaper had no article, only "Burke Elementary gets library."

2. U.S Census and Genealogical Research

Ancestry.com and *Heritage Quest* are available on-line in the Virginia Room.

Often times it is easier to work forward in time rather than backwards. The most recent population census available is 1930.



3. Property Deed Books

Going on-line to www.fairfaxcounty.gov/dpz/historic/ihs brings you to the Web site for the Fairfax County Inventory of Historic Sites in the Department of Planning and Zoning.

Click on **Research Guidelines** for a detailed description as to how to research the history of a site. Pay special attention to #3, **Circuit Court Archives**. These guidelines are tailored for researching buildings, but you need to take these steps to research the history of your cemetery site. Fortunately, Circuit Court Archives allows public access to its on-line database, **CPAN**, which includes all Fairfax County deeds, so you don't have to pull out all the big, heavy deed books. However, you will need to go to the third floor of the Fairfax Courthouse to access the system at the archives. Be advised that several of the very early books are missing. The Virginia Room has many deeds on microfilm, but CPAN is much, much easier to use.

4. Will Books

These also are available on **CPAN**. You choose "**wills**" instead of "deeds." The will indices are organized by year and decedent's last name. Unfortunately, not everyone left a will.

5. Archaeology Vertical Files

Cemetery research resources are also available at Fairfax County Park Authority's Cultural Resources Management and Protection Section, James Lee Center, 2855 Annandale Road, Falls Church (telephone 703-534-3881). Please call ahead before you visit.

Resources that can be found there include:

Cemetery locations.

GIS mapping of all cemeteries located by Brian Conley.

UTM coordinates.

Addresses.

Aerial photographs: Current (2007) 1997 1953/54 1937 1943.

Data on prior surveys of all cemeteries.

Desktop access to VDHR reports.

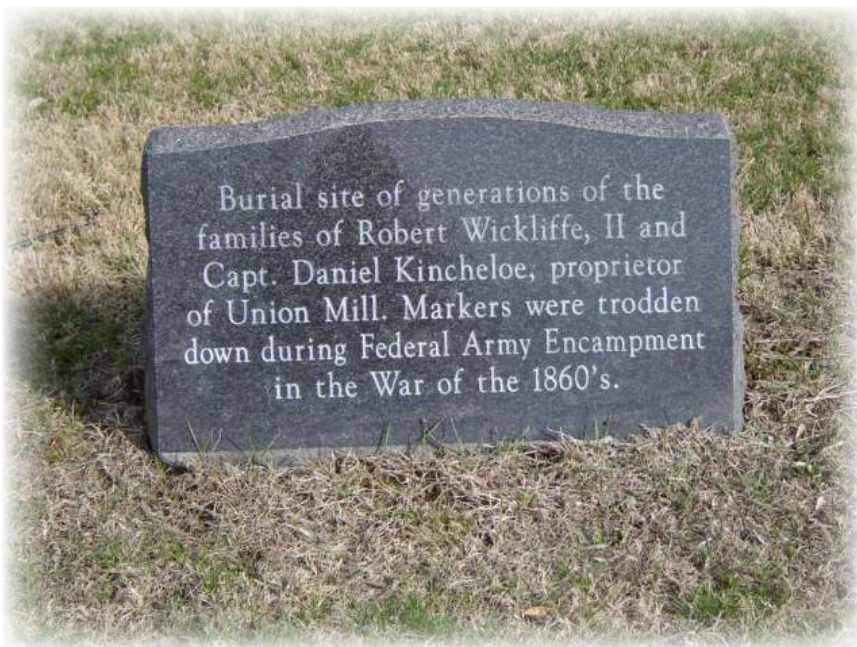
Published reports of previous archaeological surveys.

Guidelines for On-Site Cemetery Surveys

NOTE: These guidelines were adapted from David Roberts' lecture to the Coalition to Protect Maryland Burial Sites in Columbia, MD, March 7, 1992.

1. **Select a cemetery** to survey by location, interest, or need.
2. Allow for two hours minimum to **do an on-site survey**.
 - ❖ Work in pairs, when possible.
 - ❖ Introduce yourself to the neighbors, who can be a good source of information.
 - ❖ Carry a clipboard, yard stick, and small broom (to remove leaves, etc.)
 - ❖ Carry drinking water and a cell phone.
 - ❖ Wear boots, long sleeves, and gloves.
 - ❖ Bring a digital camera.
 - ❖ Take photographs from several different angles. If you feel it is important to understand size or distance in a photograph, place a quarter or yard stick in the picture. Photograph the cemetery and its surrounds, including:
 - Overview of the cemetery, including markers, field stones, and depressions.
 - Markers with unusual inscriptions.
 - Broken, leaning, or fallen markers.
 - Any evidence of vandalism.
 - Unusual markers—zinc markers for example.
 - Markers with symbolism.
 - ❖ For photographs, make print copies and/or a CD to include with the completed survey. Eventually the photographs can be added to a Web site, so keep digital copies, too.
 - ❖ Record inscription information from markers not recorded in earlier surveys.
 - ❖ Record observations and suggestions for the cemetery.
 - ❖ Be respectful of terrain, flora, and fauna.
 - ❖ Don't try to clean a marker to get a better look. Do not make rubbings.
 - ❖ Leave markers in place. Do not try to move or right a marker.
 - ❖ Be careful not to introduce any foreign matter into the cemetery/burial grounds.
 - ❖ Record your notes and impressions on site.
 - ❖ Complete the formal check list/survey when you get home.
 - ❖ Complete the survey to the best of your ability.
3. To **complete the formal survey form**/check list:
 - ❖ Do not use shorthand or abbreviations.
 - ❖ Complete the survey in print or type, no cursive.

- ❖ Keep your descriptions simple and straightforward.
 - ❖ Add any appropriate notes that might help others understand the condition of the cemetery.
 - ❖ Keep record of any questions or concerns you may have.
 - ❖ Include your recommendations for the cemetery.
 - ❖ Share the knowledge from the survey with others.
4. While completing an on-site survey and **vandalism** is noted:
- ❖ Record the vandalism, including photographing it.
 - ❖ Vandalism should be reported to the local law enforcement agency. The current owner should also be contacted.
 - ❖ If vandalism is in progress, report it to the local law enforcement agency immediately.
 - ❖ Vandalizing a grave is a felony.
5. **Demolished cemeteries.** If there are no signs that the cemetery is still there, it may have been moved.
- ❖ Record it with the survey.
 - ❖ If demolition is in progress, please note that a local court order or permit from the Virginia Department of Historic Resources, must be obtained before moving graves, including a public legal notice, and reasonable efforts to notify descendants. Check with the local law enforcement agency to see if a court order was issued, or contact the Northern Regional Preservation Office of VDHR at 540-868-7030 to see if a permit was issued.



NVRPA's Hemlock Overlook Park



| |
|--------------------|
| FX _____ |
| Name: _____ |
| Note: _____ |

CEMETERY SURVEY

| | |
|---|--|
| Person Filling Out This Form | |
| Date | |
| Name of Cemetery | |
| Street Address (if applicable) | |
| Location Description (if no street address) | |

| | |
|-----------------------------|--|
| FX Cemetery Number | |
| FX County Tax Map Number | |
| VA State Archaeology Number | |

| | |
|---|--|
| Property Owner Contact Information (Please print this information from county Web site and attach to file) | |
|---|--|

Condition of site from road:

- Well maintained and preserved, currently in use
- Well maintained, but not in use
- Poorly maintained
- Abandoned
- Overgrown, but graveyard easily identifiable
- Overgrown, not easily identifiable
- Unable to see cemetery from road
- Not identifiable as a burial site, but known to exist through tradition or other means. Explain: _____

Notes: _____

Topography:

- Flat
- Hill top
- Rolling
- Slope
- Combination



| | Info included | No info found | Initials |
|--|--------------------------|--------------------------|----------|
| 1. VA Room Cemetery Vertical Files | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 2. VA Room Online Cemetery Database fairfaxcounty.gov/library/branches/vr/cem | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 3. FX Genealogical Society Cemetery Book REF 929.3755 FAIR | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 4. FXCO Tax Map Data and Plat icare.fairfaxcounty.gov/Main/Home.aspx | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 5. Site Photographs | | | _____ |
| 6. Completed Survey | | | _____ |

OPTIONAL

| | | | |
|--|--------------------------|--------------------------|-------|
| 1. Historic Newspaper Index fairfaxcounty.gov/library/newsindex/default.asp | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 2. Census/Genealogy ancestry.com, heritagequest.com | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 3. Deed Books FXCO Circuit Court Archives / VA Room | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 4. Will Books FXCO Circuit Court Archives / VA Room | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 5. Archaeology Vertical Files FCPA Cultural Resources, James Lee Center | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 6. Topographical Map Identifying Location FCPA Cultural Resources, James Lee Center | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 7. 1937 Aerials FCPA Cultural Resources, James Lee Center | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| 8. Chancery Files FXCO Circuit Court Archives / VA Room | <input type="checkbox"/> | <input type="checkbox"/> | _____ |

GPS References:

Virginia Legal Statutes Pertaining to Cemeteries

Code of Virginia (1950)
<http://leg1.state.va.us/lis.htm>

§ 57-27.1. Access to cemeteries located on private property; cause of action for injunctive relief; applicability.

A. Owners of private property on which a cemetery or graves are located shall have a duty to allow ingress and egress to the cemetery or graves by (i) family members and descendants of deceased persons buried there; (ii) any cemetery plot owner; and (iii) any person engaging in genealogy research, who has given reasonable notice to the owner of record or to the occupant of the property or both. The landowner may designate the frequency of access, hours and duration of the access and the access route if no traditional access route is obviously visible by a view of the property. The landowner, in the absence of gross negligence or willful misconduct, shall be immune from liability in any civil suit, claim, action, or cause of action arising out of the access granted pursuant to this section.

B. The right of ingress and egress granted to persons specified in subsection A shall be reasonable and limited to the purposes of visiting graves, maintaining the gravesite or cemetery, or conducting genealogy research. The right of ingress and egress shall not be construed to provide a right to operate motor vehicles on the property for the purpose of accessing a cemetery or gravesite unless there is a road or adequate right-of-way that permits access by a motor vehicle and the owner has given written permission to use the road or right-of-way of necessity.

C. Any person entering onto private property to access a gravesite or cemetery shall be responsible for conducting himself in a manner that does not damage the private lands, the cemetery or gravesites and shall be liable to the owner of the property for any damage caused as a result of his access.

D. Any person denied reasonable access under the provisions of this section may bring an action in the circuit court where the property is located to enjoin the owner of the property from denying the person reasonable ingress and egress to the cemetery or gravesite. In granting such relief, the court may set the frequency of access, hours and duration of the access.

E. The provisions of this section shall not apply to any deed or other written instrument that creates or reserves a cemetery or gravesite on private property. (1993, c. 713; 2004, c. 831.)

§ 57-39.1. Improvement of abandoned and neglected graveyards.

When the owners of any private graveyard, not connected with any church or church property, abandon the graveyard and allow it to fall into a condition of neglect and disuse, so that it is unsightly and thereby lessens the desirability and value of adjacent land, and the owners fail or refuse, when requested by the owner of adjacent land or when requested by the local governing body of the

county, city or town wherein the private graveyard is located, to remedy such condition of neglect and put the graveyard into suitable condition, then any owner of adjacent land or the local governing body may file a bill in equity in the circuit court of the county or city wherein the graveyard is located, for the purpose of requiring the graveyard to be placed in a suitable condition. The owners of the graveyard or any person having a right therein shall be made defendants to such court proceedings.

The court shall not enter an order requiring the owners of a graveyard in which a grave or entombment right has never been sold to improve it or place it in a suitable condition. However, after hearing the evidence the court may allow the petitioners, at their own expense, to improve the graveyard and place it in suitable condition and may also require bond to ensure that the petitioners will not injure or remove any tomb, monument, gravestone, grave marker, or vault without having first obtained court approval. Acting pursuant to court order, the petitioners may thereafter enter upon the land and improve the graveyard and place it in suitable condition. The costs in any case involving a graveyard in which a grave or entombment right has never been sold shall be paid by the petitioners.

In any case involving a graveyard in which a grave or entombment right has been sold, the court shall determine whether the owners or petitioners shall pay the costs of improving the graveyard and may require bond to insure against injury or removal of any tomb, monument, gravestone, grave marker, or vault without court approval.

(1950, p. 91; 1986, c. 55; 1990, c. 675.)

§ 18.2-127. Injuries to churches, church property, cemeteries, burial grounds, etc.; penalty.

A. Any person who willfully or maliciously commits any of the following acts is guilty of a Class 1 misdemeanor:

1. Destroys, removes, cuts, breaks, or injures any tree, shrub, or plant on any church property or within any cemetery or lot of any memorial or monumental association;
2. Destroys, mutilates, injures, or removes and carries away any flowers, wreaths, vases, or other ornaments placed within any church or on church property, or placed upon or around any grave, tomb, monument, or lot in any cemetery, graveyard, or other place of burial; or
3. Obstructs proper ingress to and egress from any church or any cemetery or lot belonging to any memorial or monumental association.

B. Any person who willfully or maliciously destroys, mutilates, defaces, injures, or removes any object or structure permanently attached or affixed within any church or on church property, any tomb, monument, gravestone, or other structure placed within any cemetery, graveyard, or place of burial, or within any lot belonging to any memorial or monumental association, or any fence, railing, or other work for the protection or ornament of any tomb, monument, gravestone, or other structure aforesaid, or of any cemetery lot within any cemetery is guilty of a Class 6 felony. A person convicted under this section who is required to pay restitution by the court shall be required to pay restitution to the church, if the property damaged is property of the church, or to the owner of a cemetery, if the property damaged is located within such cemetery regardless of whether the property damaged is owned by the cemetery or by another person.

C. This section shall not apply to any work which is done by the authorities of a church or congregation in the maintenance or improvement of any church property or any burial ground or cemetery belonging to it and under its management or control and which does not injure or result in the removal of a tomb, monument, gravestone, grave marker or vault. For purposes of this section, "church" shall mean any place of worship, and "church property" shall mean any educational building or community center owned or rented by a church. (Code 1950, § 18.1-244; 1960, c. 358; 1975, cc. 14, 15; 1982, c. 561; 1983, c. 579; 1990, c. 510; 2004, c. 203.)

§ 18.2-125. Trespass at night upon any cemetery.

If any person, without the consent of the owner, proprietor or custodian, go or enter in the nighttime, upon the premises, property, driveways or walks of any cemetery, either public or private, for any purpose other than to visit the burial lot or grave of some member of his family, he shall be guilty of a Class 4 misdemeanor.

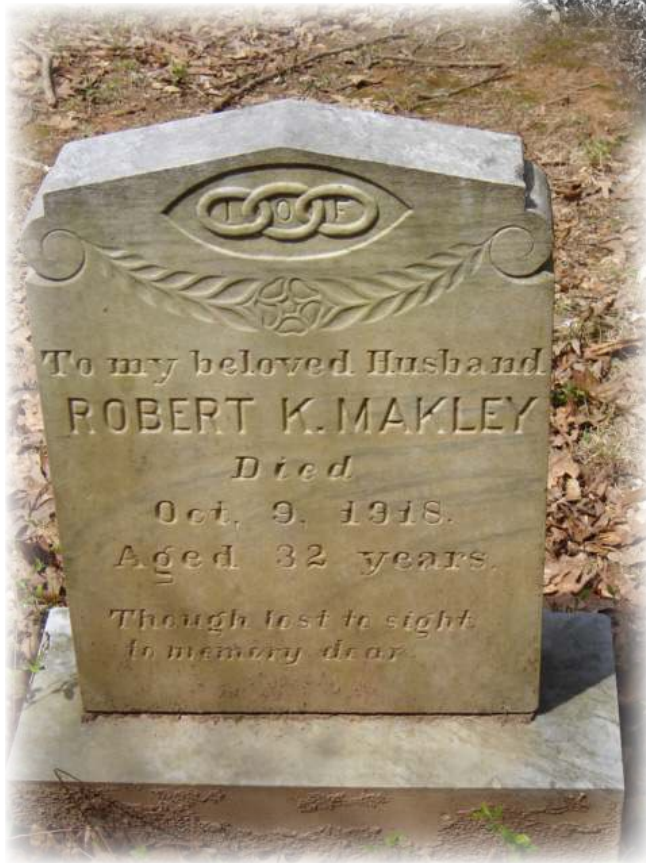
(Code 1950, § 18.1-181; 1960, c. 358; 1975, cc. 14, 15.)

John and Mary Marshall gravestone, Burke, Virginia, at the dedication of the cemetery.

Dirt and algae had been scrubbed off, but the spray paint could not be removed.



Historic photograph (ca. 1970) of the Marshall Family Cemetery, Burke, Virginia.
This same marker is shown on pages 1 and 19.



Gravestone in Fairfax/Buckley Family Cemetery, Fountainhead Regional Park.

RESOURCES

INTERNET RESEARCH

Fairfax County Public Library cemetery survey

<http://www.fairfaxcounty.gov/library/branches/vr/cem/cemsurv.htm>

Circuit Court Archives, County of Fairfax

<http://www.fairfaxcounty.gov/courts/circuit/>

Fairfax County, Virginia Free Public Records Directory

http://publicrecords.onlinesearches.com/VA_Fairfax.htm -

Virginia Room, City of Fairfax Regional Library

<http://www.fairfaxcounty.gov/library/branches/fx/>

Tombstone Transcription

<http://www.usgwtombstones.org/virginia/fairfax.html>

Virginia Department of Historic Resources

<http://www.dhr.virginia.gov/>

Find a Grave

<http://www.findagrave.com/>

Family History and Genealogical Records

<http://familysearch.org>

African-American Cemeteries in Albemarle and Amherst Counties

<http://www2.vcdh.virginia.edu/cem/>

BOOKS

Brothers and Cousins: Confederate Soldiers and Sailors of Fairfax County

William Page Johnson, II

Beginning at a White Oak: Patents and Northern Neck Grants of Fairfax County, VA

Beth Mitchell

Fairfax County in 1860: A Collective Biography

Edith Moore Sprouse

Stories in Stone: A Field Guide to Cemetery Symbolism and Iconography

Douglas Keister

A Graveyard Preservation Primer

Lynette Strangstad

PRESERVATION WEB SITES

Gravestone Preservation

<http://www.gravestonepreservation.info/>

The Association for Gravestone Studies

<http://www.gravestonestudies.org/>



National Park Service Preservation Briefs
<http://www.nps.gov/hps/tps/briefs/brief38.htm>

Fairfax County Cemetery Preservation Association
<http://www.honorfairfaxcemeteries.org>

Chicora Foundation <http://chicora.org/>
Chicora is a Columbia, South Carolina public, non-profit heritage preservation organization founded in 1983. Their work includes archaeological and historical research throughout the Southeastern United States.

PRESERVATION/HISTORICAL SOCIETIES
Preservation Directory
<http://www.preservationdirectory.com>

Arlington County
<http://www.arlingtonhistoricalsociety.org>

Fairfax County
<http://www.fairfaxhistoricalsociety.org/>

Loudoun County
<http://www.preserveloudoun.org/>

Prince William County
<http://www.historicprincewilliam.org>

Stafford County
http://stafford.va.us/Departments/Planning_&_Zoning/Cemetery_Committee/Index.shtml

Coalition to Protect Maryland Burial Sites, Inc.
P. O. Box 1533 Ellicott City, MD 21041-1533
<http://www.rootsweb.ancestry.com/~mdcpmb/coalition01.htm>.

EDUCATION
Historical Preservation Educational Program
<http://www.nvcc.edu/loudoun/preserve/default.htm>

GRANTS
Save America's Treasures Grants
<http://www.nps.gov/history/hps/treasures>

Guide to Cemetery Preservation for Eagle Scout Candidates

This guide has been prepared by the Fairfax County Cemetery Preservation Association (FCCPA) for the specific purpose of assisting Boy Scouts who are interested in performing their required Eagle Scout Leadership Project.

"Show me the manner in which a nation or community cares for its dead and I will measure with mathematical exactness the tender sympathies of its people, their respect for the laws of the land, and their loyalty to their ideals."

–William E. Gladstone

Guideline for Eagle Scout Projects When Cleaning a Cemetery

Select a cemetery that you feel could benefit from a clean-up, documentation, and/or renovation. Generally, old family cemeteries offer the best opportunities. Find them on the Fairfax County Cemetery Web site at: <http://www.fairfaxcounty.gov/library/branches/vr/cem/>

Visit the cemetery, establish if you have the ability to handle the project, and note who the owner is. Privately-held cemeteries are private property; permission for cleaning must be obtained from the owner.

Participate in a walk-through of the cemetery with a representative from the FCCPA and/or owner of the cemetery.

Discuss work plans for the cemetery and communicate them to owner.

Obtain written permission from the property owner outlining what will be done.

Begin the paper work for the Eagle Scout Project. The Eagle Scout Leadership Service Project Notebook (No. 512-927) can be found on-line and is used to document your project. You will find that the toughest part of your project is the documentation. You must plan ahead, allow planning and research time, and take a variety of variables into account (school, work, sports, vacation, weather, etc.) DO NOT PROCRASTINATE!

The Eagle Scout Leadership Service Project is the culmination of your years in scouting and YOU, the Life Scout, are expected to lead the adults, friends, and fellow Scouts on this project. YOU are the one that is responsible for your project. Your parents, Scout leaders, peers, and friends can help, nudge, push, encourage, etc., but the responsibility is yours.

Contact the President of the FCCPA, who will research the cemetery, arrange for a survey to be conducted (which you should attend), and help you seek permission from the owner for a clean up:

Fairfax County Cemetery Preservation Association, Inc.
www.honorfairfaxcemeteries.org

CONSIDERATIONS

Things to consider as you plan:

- Parking.
- County noise ordinance.
- Generally, start work no earlier than 9 a.m. on weekends.
- Daylight Savings Time.
- Don't schedule work to be done in the dark.
- Brush removal – landfill hours and fees.
- You must pay to dump at the landfill. Budget accordingly.

Equipment:

- Anticipate what is required.
- Power tools, wheelbarrows, hand trucks, cutting tools, rakes, cleaning water, brushes, tarps, gloves, eye protection, first aid kits, etc.

Task Assignment:

- Do not have your help show up at your work site without a plan.
- Saying: "Everyone meet at nine and we'll move brush" doesn't work.
- You must:
 - Identify all the tasks to be completed.
 - Identify who will be responsible to the task completion.
 - You must also conduct an information and safety briefing.

Communications:

- Notify neighbors, Scouts, parents, etc. No surprises!

Budget:

- You must acquire funds in order to accomplish your project. While Mom and Dad might spring for pizza, you need to solicit funds for the costs that will be incurred on your project.

Documenting your Project:

- You must not only document your project to satisfy the requirements of BSA, you want your work on the cemetery to become a historical document that researchers in the future will use. The cleanup is physical work. The documentation of the cemetery requires you to use analytical thinking and a professional work ethic that will bring pride to you, your Troop, and Scouting.

Hazards:

- Insects, animals, poison ivy/sumac/oak, hot and cold, etc.
- Be Prepared. A first aid kit, an action plan, and communications are the key.

BEFORE STARTING A CLEAN-UP

Meet with the work group:

- Explain the historical importance of the cemetery.
- Remind the workers to be respectful of those buried there.
- Introduce yourself to the neighbors and explain what you will be doing in the cemetery.
- Review safety.
- Identify task division and equipment needs/availability.

Care of the Cemetery:

- Remove the trash and brush from the cemetery.
- Small trees may be removed (at ground level) with prior FCCPA.
- Repairs of any fencing must be approved by a FCCPA representative.
- Gravestones, field markers, etc. should not be disturbed.
- If fallen or broken, do not attempt to right or fix them.
- Leave this to the professionals.
- Removing long vines or runners must be done carefully, so as not to disturb field stones or gravestones. (Snip off at ground level.)
- NO DIGGING. Do not do any digging in the cemetery.
- Power tools may be used with the utmost care.
- Do not use weed whacker near a marker.
- Weed killers may be used with permission of the owner or FCCPA.
- Cleaning of gravestones may be done with soft brushes and distilled water.
- Do NOT use any type of cleaning agent.

Safety:

- Keep work groups to a manageable size.
- Provide close supervision of Scouts.
- Inform the workers of the following unsafe conditions:
 - poisonous plants, stinging insects, depressions in the earth, tree roots, etc.
- Work only during daylight hours and good weather.
- Have a first aid kit and water available.
- Carry a cell phone.



GRID INSTRUCTIONS

Setting up a grid is pretty easy.

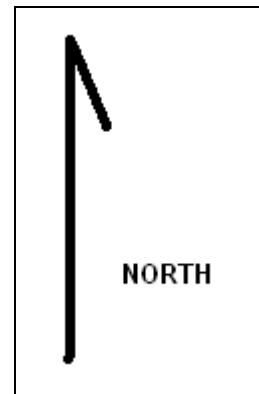
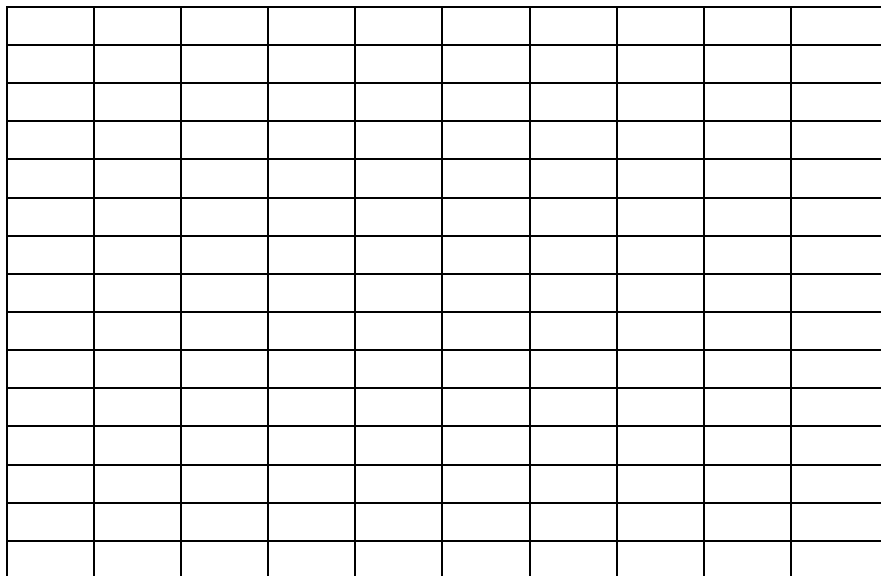
Depending on the size of the cemetery, and the space between stones, one can use a 1ft or say 5ft grid. Pick a datum or zero point, which should be something that will last over time. This can be one of the stones, a fence post, or any other relatively stable spot.

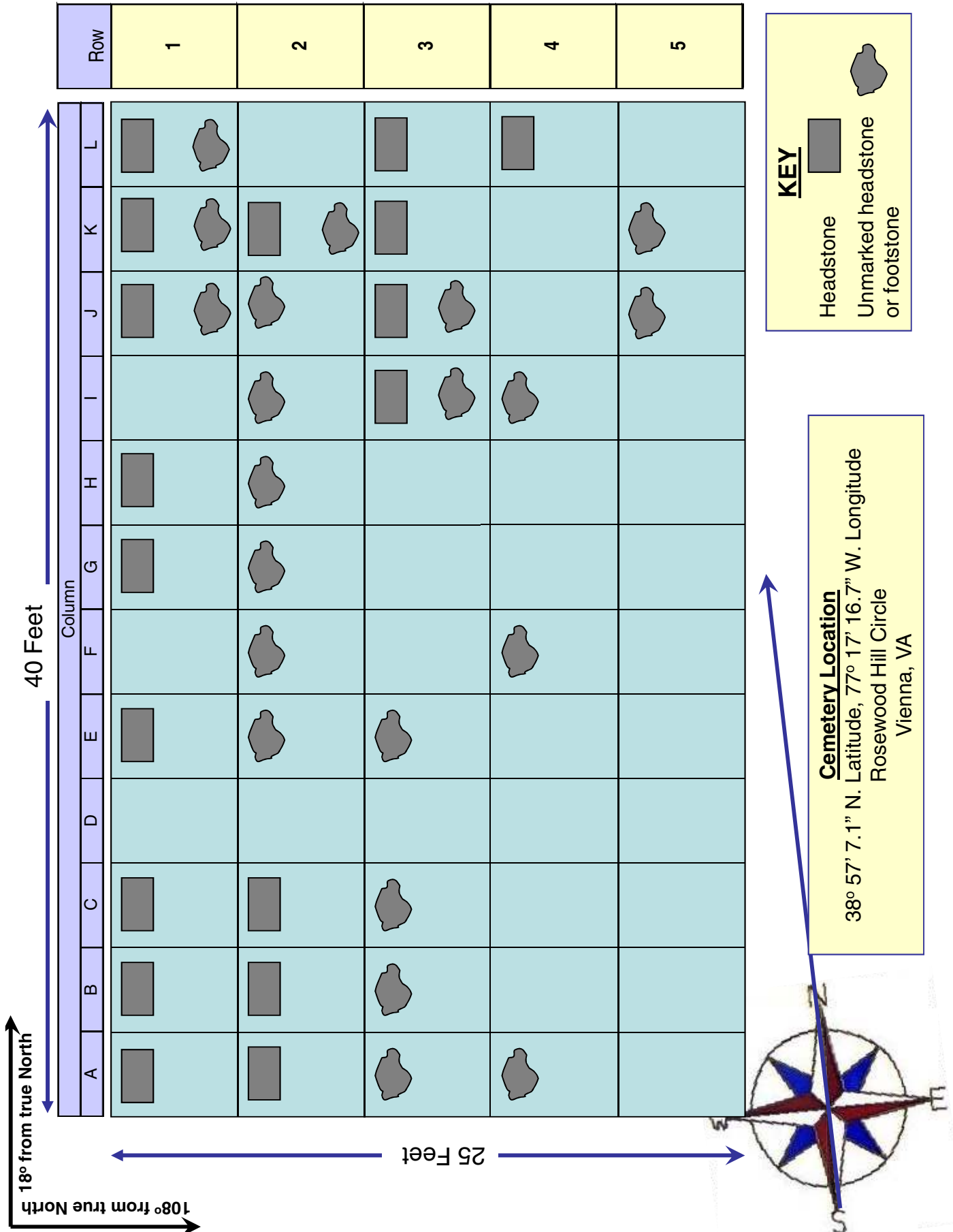
Ideally, that spot is in the southwest/lower left corner of the grid. It is not necessary that the grid be placed on the cardinal directions, but the map should indicate "grid north" and "true north".

From that zero, you measure up to the end of whatever you're trying to map, ideally placing flags at your grid points (if you're in a cemetery, place these flags no more than an inch or two deep, and remove them as soon as you're finished). Then measure over the same way. So, then you'll have a grid that covers the whole site.

Below is an example of a grid, in which the datum is in the center, creating N/S/E/W designations. If the datum is in the southwest corner, you'll only have squares that go something like- N1/E1 or N5/E5 which mean that the square is 1ft north and 1 ft east of the datum, or 5ftN/5ftE respectively.

<http://www.primaryresearch.org/PRTHB/Archaeology/Grid.JPG>







Gooding-Seaton Cemetery in
Annandale, Virginia



The headstone of the marker is resting against its base.
The anchoring iron pins have rusted and broken.
Day Cemetery in Vienna, Virginia

Fairfax County Cemetery Preservation Association, Inc.



Adopt-A-Cemetery Program

Why adopt a family cemetery?

- The cemetery is abandoned/ neglected.
- The cemetery is threatened by development.
- Vandalism at the cemetery has occurred.
- Owners cannot be located.
- Owners are incapable of caring for the cemetery.

Who can adopt a cemetery?

- Civic organizations
- Church groups
- Scout troops
- Philanthropic organizations
- School clubs/organizations
- Historical organizations
- Individuals

What are the responsibilities of the cemetery owner/guardian?

To grant permission for daylight ingress and egress to the cemetery for purpose of maintenance.

What are the responsibilities of the adopting organization?

- Provide periodic ground maintenance.
- Clear the cemetery of trash.
- Report to the police any evidence of vandalism.
- Understand that all work completed in the cemetery is done on a volunteer basis and therefore neither the FCCPA nor the owner is liable for any injuries incurred while working at the cemetery.

What are the responsibilities of the FCCPA?

1. To act as a liaison between the owners and adopting organization.
2. To obtain permission of owners/guardians of cemetery.
3. To provide written instruction to the adopting organization/individual on cemetery marker preservation, cemetery maintenance, and safety issues.
4. To provide assistance in the adoption procedure.
5. To meet with the adopting participants at the cemetery prior to the adoption to describe the cemetery boundaries, identify markers, field stones, and depressions.
6. To periodically visit the adopted cemeteries.
7. To maintain contact with the owners and adopting organizations.



NOTES



NOTES



*Fairfax County Cemetery
Preservation Association, Inc.*
www.honorfairfaxcemeteries.org

EVERY CEMETERY HAS A STORY TO TELL about the people buried there. One method for capturing that story is by conducting a cemetery survey—recording the names and dates on the gravestones, noting the stones' material and style, and documenting the overall condition of the cemetery itself.

The FCCPA has prepared this handbook to assist those who are interested in cemetery protection and preservation. The guidelines included have been tailored to the resources available in Fairfax County, Virginia. However, everyone can research their area's cemeteries by using records from local libraries, courthouses, historical organizations, genealogical societies, and churches.



Zinc Marker