One day in 1967, Elise Holmes created a piece of history. On the spur of the moment during a visit to her great-grandmother's grave, she recorded the names of all the people buried in a church plot on South Harrell's Ferry Road less than a mile east of O'Neal Lane.

"That's the only record that we have of definitely who was buried there in 1967," Holmes said.

Some 26 years later, that record proved handy. Holmes used it to contact the descendants of people buried in the graveyard to warn them that questions of ownership of the cemetery have arisen.

The problems facing the little cemetery with no name are a microcosm of how small, family- or church-owned burial plots dating back 100 years or more are faring on the verge of the 21st century.

Questions of ownership and caretaking often present unique problems for these small graveyards.

Today, Woodlawn Baptist Church claims ownership of the cemetery where Holmes' relative rests. The church bases its claim on two records of donation dating from the 1850s. However, a local land development company claims ownership as well, having bought a 900-acre tract of land that includes the cemetery.

The donations to the church did not show up in a title search his company conducted before buying the land from another party last year, said Lenny LaPlace, a principal in G.A.B.I. Corp.

"I think it (the cemetery) went with the sale," LaPlace said. "If it didn't go with the sale, I want someone to explain it to me."

The origins of the ownership problem spring from 1872. That's the year the church moved from near the cemetery on the north side of South Harrell's Ferry Road to its present location on Jones Creek Road.

As their church prospered over the years, church members forgot the 2½ acres of land they left behind on Harrell's Ferry Road.

The last burial there was in 1970. Since then, the cemetery site has deteriorated.

People used the area as a dumping ground. In the process, headstones were knocked over or stolen, and brush grew over others.

Individual family members tended to some of the plots, but the church did not pay much attention to the land or the cemetery until last year.

That's when Marty Hutchins, a church member and part-time church employee, began to research ownership of the cemetery and the land around it.

Along the way, he ran into Holmes, whose interest in the cemetery surpasses her great-grandmother's grave.

"It goes beyond family," Holmes said. "It goes to the history of what we call the old 7th ward. There has been nothing done to preserve the history." In the southeast part of the parish, Holmes said.

Holmes believes the Baptist Church is sympathetic to the plight of the people whose family members are buried in the cemetery. Hutchins said.

The church feels a responsibility to them because most everybody buried in the cemetery belonged to the Baptist Church for the Jones Creek Settlement, the forerunner to the Woodlawn Baptist Church, or was related to a church member, Hutchins said.

"I wouldn't have pushed it if I didn't have all these family members saying, 'We know what's going on out there. We just don't know what to do about it,'" Hutchins said.

Church members are uncertain what G.A.B.I. Corp. wants to do with the land, but the church wants to come to an agreement with the company over the cemetery, Hutchins said.

For his part, LaPlace said his company has not decided how to develop the 900 acres of land around the cemetery.

"We want to preserve it and make sure everyone respects the property," LaPlace said. "We have no intention of doing anything that would be detrimental at all."

Officials at G.A.B.I. Corp. are considering building a wrought iron fence around the cemetery, and installing benches to

Human remains are visible in a vandalized crypt inside Little Misery cemetery.
those grounds. And unless the transaction costs more, no one has to notify the state, she said.

Mayeaux encourages people who open new burial sites to register with her office, if for no other reason than to record that the plot exists, she said.

In East Baton Rouge Parish, there are 12 cemeteries that charge $25 or more for a plot, and 19 that don't, Mayeaux said.

But there are many more old church and family cemeteries here and across the state that are not registered with her office, she said.

The problem started years ago, when land owners donated pieces of property to churches or just decided to save a parcel to use as a family burial site, Mayeaux said.

"In some cases, towns started long ago, and some land owners verbally gave a piece of property to the town," she said.

Many times, no record of the transaction ever existed, she said.

Today, some of the cemeteries have been abandoned, like Little Misery.

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Elise Holmes stands beside her grandmother's grave in O'Neal Cemetery as she relates the history of the cemetery.

Cemeteries

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While attended, LaPlace said, but both his company and the church continue to claim ownership of the land.

Land ownership battles over little cemeteries sometimes seem like lost battles waiting to explode.

The ownership of a cemetery plot located on the south side of Old Hammond Highway between Fairway Baptist Church and Drouilla Lane is so tangled, not even the parish Assessor's Office is sure of the correct owner.

Records in the Assessor's Office indicate that the Pilgrim's Rest Sons and Daughters Benevolent Society owns the cemetery, named Little Misery, Assessor's Office, Frank Segar said.

But the Rev. Clarence Bridgewater, pastor of the Pilgrim's Rest Baptist Church, said the cemetery is not his.

"Once upon a time, the Pilgrim's Rest Benevolent Society was in charge of the cemetery," Bridgewater said. "But they never did own it.

Members of the society, who belonged to the church, cared for Little Misery, Bridgewater said. There was even a time, years ago, when the society almost bought the cemetery, but decided against it.

Care for Little Misery reverted to Ben Davis, whose family owned the land, Bridgewater said.

But Ben Davis died 10 years ago, and his daughter, Dorothy Dewey, is uncertain who owns the land.

"That cemetery belonged to my grandfather," Dewey said. "I don't know who owns it now. My grandfather died before I was born and I'm 73 years old."

The plot started as a family cemetery, Dewey said. But over the years, others were buried in Little Misery as well.

"My daddy used to tell people if they could or couldn't be buried in it," Dewey said.

Her father cared for Little Misery, but Dewey said she is uncertain if he actually owned the land.

Her grandmother parcelled out pieces of land around the cemetery, and other divisions have occurred as the family expanded, she said.

The uncertain ownership has taken its toll on Little Misery. Weeds and trees have grown up around the graves, blocking the view of the cemetery from Old Hammond Highway.

Broken bottles and litter dot the grounds, and exposed bones are visible in some tombs that have cracked open. In other tombs, bones are missing.

All that was just too much for Dewey, and she called LaPlace to take over care for Little Misery.

"I just feel like someone needs to do it, " Dewey said. "I'm just too much of a control freak."