



# ALABAMA HISTORICAL COMMISSION

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## CEMETERY PRESERVATION

### WHY PRESERVE CEMETERIES?

- † Cemeteries are outdoor museums that help tell the story of our ancestors.
- † Cemeteries are repositories for unique funerary art; biographical, genealogical, religious and cultural information that may not be recorded any where else.
- † Cemeteries show us past burial practices and traditions that may no longer exist.
- † Cemeteries reveal settlement patterns and history of communities long forgotten.
- † People who have a strong connection to history and the past are more likely to protect and maintain cemeteries.

### AHC'S CEMETERY PROGRAM

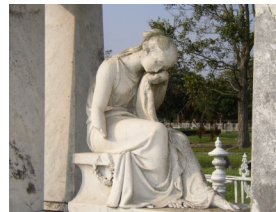
- Promote the Alabama Historic Cemetery Register, the state's OFFICIAL list of historic cemeteries
- Inform Alabama's citizens on laws that protect all cemeteries

### ALABAMA'S CEMETERIES ARE UNIQUE!

With Alabama's physical diversity and the diversity of her population, the range of cemeteries and grave markers within the state should come as no surprise. The state's burial practices reflect the assorted religious, cultural, ethnic, and socio-economic

backgrounds of those buried here. Trends and fashions developed, but unlike architecture, changes in burial customs tended to evolve slowly. Some traditions from Alabama's earliest settlement can still be found in a number of cemeteries, while abandoned

in others. As settlement patterns and people's view of death changed, cemeteries and burials evolved as well.



Decorative iron fence post at the New Cemetery at Old Cahawba, Alabama's first state Capitol.



**Mounded graves:** Custom where length of grave is covered with a mound of dirt, which is often rebuilt each year during Decoration Day



Princeton Cemetery, Jackson County; Listed in the National Register of Historic Places



Documenting a cemetery is vital to any project

## TIPS FOR A SUCCESSFUL CEMETERY PRESERVATION PROJECT

#1: Make a Plan: Before you begin any project, it is important to have a plan. By outlining goals and objectives and how to achieve them, you will have great success. A good plan will include all the various aspects of a project and will establish priorities, define involvement, and create a realistic work and maintenance plan.

#2: Determine cemetery ownership. Sometimes it is difficult, if not impossible, to find out who owns a cem-

etry. If possible, discuss your plans with the property owner to prevent problems in the future. Be sure to get permission if the cemetery is on private land.

#3: Document the cemetery. Through documentation you will identify the types of gravestones in the cemetery and evaluate their condition. Then you can prioritize where to begin any preservation work. The AHC can provide instructions and survey forms, as well as helpful hints for conducting a

survey. Take lots of photos!

#4: Nominate the cemetery to the Alabama Historic Cemetery Register.

#5: Establish a perpetual care fund

#6: Talk to your local elected officials about the importance of the site and ask how they can help.

#7: Educate yourself on the proper techniques for cleaning and repairing markers and how to deal with vegetation in cemeteries.

## CLEANING GRAVE MARKERS

BEFORE YOU  
BEGIN A CLEANING  
PROJECT,  
INVESTIGATE THE  
PROPER  
PRESERVATION  
METHODS SO  
GRAVESTONES  
WILL BE  
PROTECTED



NEVER USE ACIDS,  
BLEACH, BLASTING,  
OR HOUSEHOLD  
CLEANERS TO CLEAN  
GRAVESTONES

Many well intentioned cemetery cleaning projects have ended up causing more harm than good. There are techniques that can be extremely harmful to grave markers and actually speed up the deterioration process.

#1: Determine condition. Are there obvious cracks in the stone? Is it leaning? Are there signs of sugaring of the stone? If so, leave it alone. Any pressure on the stone could cause it to break or further erode the outer layer of the stone.

#2: Determine why the marker needs to be cleaned. Is it covered in atmospheric pollutants and dirt, biological growth such as pollen, fungi, moss, or algae that are harming the stone? In many cases, these pollutants and

growth have gotten deep into the pores of the gravestone and simply cannot be removed. Before washing the stone, try brushing off or scraping off the biological growth with Popsicle sticks, Q-tips, or any other material that is softer than the stone.

#3: Soak the stone with plain water before you begin any cleaning. After a heavy rain is a good time to clean.

#4: Clean stones using the *Gentlest Means Possible*, which is plain water and a soft bristle brush (nylon, plastic, natural, toothbrushes, etc.). If the cemetery has no available water, you will need to bring a lot water with you. Begin cleaning at the bottom of the marker and work up. Once clean, be sure to rinse the stone with water to

remove all the surface dirt. The purpose of cleaning is to remove harmful substances, not to make the gravestones look brand new. These are historic artifacts and should retain their historic character after cleaning.

### Safe Products to Use

Photo Flo, a Kodak product, can be used as a safe cleaning agent (1/4 oz. to 5 quarts water).

D2 Biological Solution is safe to use. It removes biological growth without harming the gravestone. Available at [www.d2bio.com](http://www.d2bio.com).

## STATE LAWS AFFECTING CEMETERIES

### BURIAL ACT (*Code of Alabama 1975, Section 13A-7-23.1, as amended 2010*)



(a) Any person who willfully or maliciously injures, defaces, removes, or destroys any tomb, monument, gravestone, burial mound, earthen or shell monument containing human skeletal remains or associated burial artifacts, or other structure or thing placed or designed for a memorial of the dead, or any fence, railing, curb, or any enclosure for the protection or ornamentation of any tomb, monument, gravestone, burial mound, earthen or shell monument containing human skeletal remains or associated burial artifacts, or other structure before mentioned, or for any enclosure for the burial of the dead, or any person who willfully and wrongfully or maliciously destroys, removes, cuts, breaks, or injures any tree, shrub, plant, flower, decoration, or other real or personal property within any cemetery or graveyard **shall be guilty of a Class A misdemeanor**.

(b) Any person who willfully or maliciously desecrates, injures, defaces, removes, or destroys any tomb, monument, structure, or container of human remains, burial mound, earthen or shell monument containing human skeletal remains or associated burial artifacts, and invades or mutilates the human corpse or remains **shall be guilty of a Class C felony** and upon conviction the person shall be punished as provided by law.

(c) The provisions of subsections (a) and (b) shall not apply to any person holding a permit issued by the Alabama Historical Commission pursuant to subsection (d), to anyone operating a cemetery under standard rules and regulations and maintenance procedures, or to any person otherwise authorized by law to remove or disturb a tomb, monument, grave marker, burial mound, earthen or shell monument, or similar structure, or its contents, as described in subsections (a) and (b), nor shall the provisions of subsections (a) and (b) apply to any person authorized to take any action on municipal property.

(d) The Alabama Historical Commission, to provide for the lawful preservation, investigation, restoration, or relocation of human burial remains, human skeletal remains, or funerary objects, shall promulgate rules and regulations for the issuance of a permit and may issue a permit to persons or companies who seek to restore, preserve, or relocate human burial remains, human skeletal remains, funerary objects, or otherwise disturb, a place of burial."

### CEMETERY ACCESS (*Code of Alabama 1975, Section 35-1-4*)

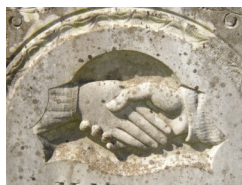
(a) Owners and lessees of private land on which a cemetery, graves, or burial sites are located shall have a duty to allow ingress and egress to the cemetery, graves, or burial sites by (1) family members, friends, or descendants of deceased persons buried there; (2) any cemetery plot owner; and (3) any person engaged in genealogical, historical, or cultural research, who has given reasonable notice to the owner of record or to the lessees, or both.

(b)(1) The right of ingress and egress granted by this section shall be reasonable and limited to the purposes of visiting graves or burial sites, maintaining the gravesite or burial site or cemetery, or conducting genealogical, historical, or cultural research, or, in the case of a plot owner, burying a deceased person in the plot.

(2) The owner or lessee of the land has the right to designate the frequency, hours, and duration of the access and the access route, if no traditional access route is obviously visible from a view of the property, provided that the designation is reasonable for the purposes set out above.

(c)(1) Any person entering onto private land pursuant to this section shall be responsible for conducting himself or herself in a manner that does not damage the private land, cemetery, gravesite, or burial site, and shall be liable to the owner or lessee of the property for any damage caused as the result of his or her access.

(2) The landowner and lessee, in the absence of gross negligence or willful misconduct, shall be immune from liability in any civil suit, action, or cause of action arising out of the access granted pursuant to this section.





## ALABAMA HISTORICAL COMMISSION

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The Mission of the Alabama Historical Commission is to PROTECT, PRESERVE, and INTERPRET Alabama's historic places.

The Alabama Historical Commission is the state agency charged with safeguarding Alabama's historic buildings and sites. Created by an act of the state legislature in 1966, it consists of 20 members appointed by the Governor, or serving ex officio, who represent a broad cross section of Alabamians. Architects, historians, archaeologists, and representatives of Alabama's universities are members of the AHC.



## WON'T YOU HELP SAVE ALABAMA'S CEMETERIES?

As Alabama's population becomes increasingly urbanized, traditional landscapes will continue to deteriorate without a renewed public interest in the value of knowing the State's past. The loss holds true for Alabama's burial landscapes as well as for small towns, family farms, or other historic architecture, music, and traditional culture in general. There is a near total shift of all things pertaining to death and dying. The process and ceremony has become commercialized, as witnessed by the proliferation of modern cemeteries in virtually every community, regardless of its location. The historic cemeteries of Alabama face a cruel set of circumstances. At the same time that more people discover the value and significance of these cemeteries, increased development pressure and changing aesthetics threaten their survival. Cemeteries offer invaluable information concerning Alabama's past. Different cultures and ethnic groups cope with death in a variety of ways, exemplifying their belief systems. They can tell us what types of people lived in an area, their religious affiliations, their economic standing and their views on life and death. Yet, as more people move away from family homes and committees take charge of cemeteries, many traditions and unique features face being lost.

**Benjamin Franklin said, "Show me your cemeteries and I will tell you what kind of people you have."**



**Let's work together and teach the next generation to love  
Alabama history and care for our cemeteries!**