

NEWSLETTER
Union Campground Cemetery Association
September 10, 1995

Attention!
Second Annual Meeting
of the
Union Campground Cemetery Association
Saturday
September 30, 1995
2:00 P.M.
Brentwood Library
2214 Brentwood
Springfield, MO 65804

An important item of business will come before the membership at the annual meeting. Please read the following information and be ready to cast your vote when the issue is presented.

As you will recall, the newsletter of April 15, 1995 contained a paragraph explaining how efforts were being made to determine ownership of the cemetery. You were informed of the merger in 1906 of the Cumberland Presbyterian Church and the Presbyterian Church USA. Following the merger all lands and properties in Missouri were allocated to the Presbyterian Church USA.

On July 24, 1995 a letter was received from James R. Marlett of the John Calvin Presbytery of the Presbyterian Church USA. Excerpts from his letter are now included and you are requested to review these excerpts in order to gain understanding of a very unique situation. A word of explanation: Mt. Comfort Church is mentioned in his letter. This fine old church is located approximately five miles north of Union Campground Cemetery. Mt. Comfort Church dates back a few years before Union Campground Cemetery was established. Some of the trustees on the 1840 and 1866 documents (mentioned below) were ministers of the Mt. Comfort congregation. Mr. Marlett speculates the Mt. Comfort Church might have purchased the 39.6 acres where the cemetery is located in order to establish a large campground. The Cumberland Presbyterian movement was noted for its protracted campground meetings, sometimes lasting for a week or more.

Quoting from Mr. Marlett's letter:

"The Indenture dated September 29, 1840, conveyed title to the described real estate to Josiah Danforth, William Dysard (sic), Horace Snow, Alexander Younger, and C. C. Williamson and their successors as trustees for the members of the Cumberland Presbyterian Church in the County of Greene and State of Missouri.

"The Indenture dated January 24, 1866, transferring the property without that reserved for a cemetery refers to C. C. Williamson, R. J. Sims, James Harkness, and W. P. Dysart. They are referred to as 'trustees of the Cumberland Presbyterian Church within and for the County of Greene and State of Missouri.'

"Since there is no indication in Greene County records of transfer of title of the cemetery portion of the old campground to any other body, it would appear that the Mount Comfort Cumberland Presbyterian congregation or more precisely 'the trustees of the Cumberland Presbyterian Church within and for the County of Greene and State of Missouri' held title at the time of the merger in 1906-07. If that is correct, then technically title passed to the PCUSA presbytery. I have a copy of the enabling action of the PCUSA General Assembly taken on May 23, 1907, which states in part: 'That except as provided in the foregoing sections, the new Presbyteries above named, within the limits in this Act assigned them, shall assume jurisdiction; shall succeed to all ecclesiastical, civil, and property rights of the Presbyteries heretofore exercising jurisdiction over said territory; and shall, within the said limits, have and hold the same, with all the rights, privileges and immunities thereto belonging or in any wise appertaining, so far as they may lawfully so do.'

"As the above suggest, things are a bit murky. I would propose that at the appropriate time, John Calvin Presbytery, which is the legal successor to Ozark Presbytery PCUSA, grant an incorporated cemetery association a quit claim deed. I cannot make commitments absent action of presbytery, but in similar circumstances before the presbytery has gladly provided such a deed. You might also wish to seek a similar quit claim deed from the Mount Comfort folks. Let me know how and when you wish us to proceed. Our next presbytery meeting will be held on the last Saturday of October."

Keeping the above statements in mind, please consider these points:

- a. A decision needs to be made as to whether or not our association wants to own the cemetery property.
- b. If ownership is desired, and then action initiated to acquire an entryway onto the grounds of the cemetery, legal assistance would be expensive and far beyond our limited treasury.
- c. If the membership does not desire ownership, then what is the future of Union Campground Cemetery?
- d. The cemetery is completely "boxed in" without a proper and safe entryway. Several contacts have been made

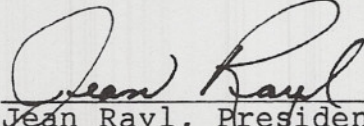
with the owner of the adjacent farm property about an entryway from Valley Water Mill Road. The owner has refused to give access from this road. Due to the present rugged condition of the terrain immediately to the east of the cemetery, we feel ingress/egress from this direction is not reasonable or safe, especially for the handicapped.

Without proper access, it would be impossible for heavy-duty equipment to be brought in for tombstone repairs and other maintenance activities. It would also be impossible for trucks to bring in fill dirt to level the numerous sunken gravesites. Further decay and neglect would be inevitable!

Perhaps members of the association who will find it impossible to attend the annual meeting will contact the president by letter or telephone to express their views on ownership.

RESEARCH: Southwest Missouri experienced above-average rainfall during the spring season. The cemetery grounds were too muddy to conduct a search for missing tombstones. Then the summer months arrived, bringing unusually hot and humid weather. We hope to resume research starting in late October or early November.

REMEMBER: Annual dues of \$10.00 per person are payable at the September meeting. Anyone who is interested in the perpetuation and preservation of the cemetery is eligible to become a member. Please mail dues and other donations to the treasurer: Mrs. Viola Nimmo, 5748 N. Farm Road 175, Springfield, MO 65803.


Jean Rayl, President
Union Campground Cemetery Ass'n.
1853 E. Gretna
Springfield, MO 65803

We were saddened to learn of the death of Don Rathbone, a resident of Lee's Summit, Missouri. Don and his wife, Nettie Lou, wanted so much to see Union Campground Cemetery, but his health made it impossible for him to visit the cemetery or to attend our meetings. Don Rathbone was a descendant of Sarah Ann Warr Rathbone. Our sympathy is extended to members of the family.