

Historic Overview

The three-acre Mount Zion Cemetery/Female Union Band Society Cemetery is composed of two roughly equal-sized halves, the Mount Zion Cemetery on the east and the Female Union Band Society Cemetery on the west, separated along a subtle north-south ridge in the center of the property. The northern and eastern property lines border Rock Creek Park, and the western line follows a ravine along the Twenty-Seventh Street, N.W., right-of-way (an unimproved public road) heading to Rock Creek. Approximately three quarters of the length of the southern boundary is formed by Mill Road, with the remaining east portion of the southern line bordering a private apartment building.

Historically called the Old Methodist Burying Ground, the cemetery originated as a churchyard burial ground and subsequently evolved in terms of changing ownership and frequency of

use. It was established by the Montgomery Street Methodist Church in 1808, which gathered at the Montgomery Street Meeting House, formerly located on Twenty-Eighth Street between M and Olive Streets, N.W. (formerly Montgomery Street between Bridge and Olive Streets), approximately one-half mile southwest of the cemetery.¹ Although churchyard burial grounds were traditionally located on the same site as, or surrounding their parent church, another nearby example of an early nineteenth century churchyard burial ground located away from its parent church is the former Presbyterian Burying Ground (1802), which was located on the site currently bounded by Thirty-Third and Thirty-Fourth Streets, Volta Place, and Q Street, N.W. Its parent church, the Bridge Street Presbyterian Church, was located at the corner of Thirtieth and M Streets, N.W. (formerly Bridge and Washington Streets), over one-half mile to the southeast.²



1 Jane Donovan, *Many Witnesses: A History of Dumbarton United Methodist Church 1772-1990*, ed. Jane Donovan (Washington, D.C.: Dumbarton United Methodist Church, 1998), 11.

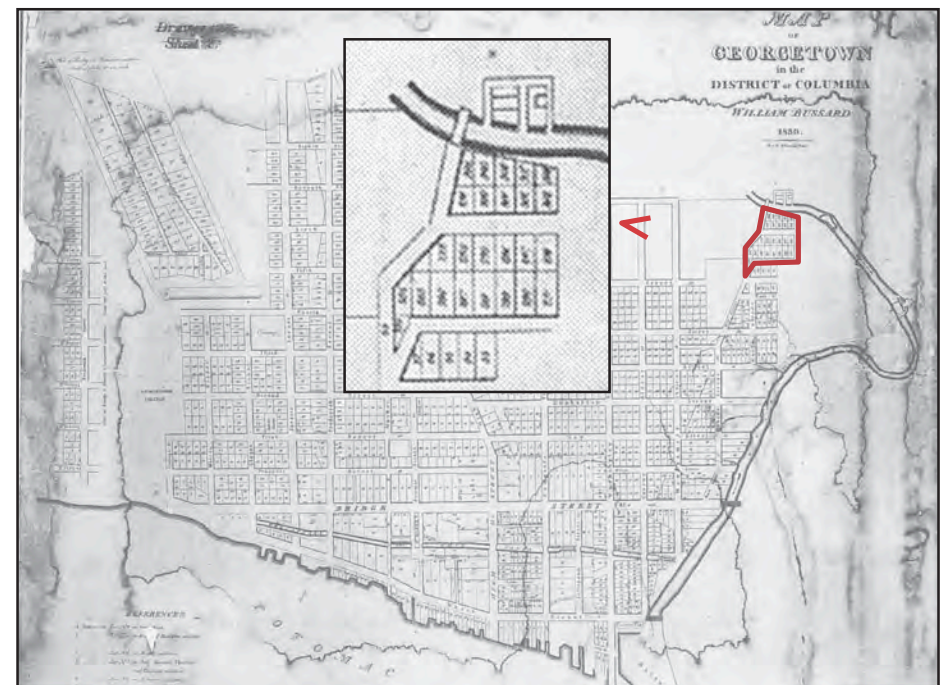
2 Paul E. Sluby, Sr., *Bury Me Deep*, (Washington, 2009), 112.

Perched above Rock Creek, the cemetery's natural setting is one of its unique characteristics. Situated on a natural promontory, the site is defined by a ravine to the west and a swale to the east, and features a relatively flat plateau at the southern end, where the majority of burial plots are located. North of the plateau, the grade becomes increasingly steep as it descends about 70 feet to the creek below.³ The steepest areas of the site are nestled among groves of tall trees. Several dozen shade trees are scattered across the plateau, and the property's southeast border is marked by a grove of white pine trees. Set back from the bustle of Georgetown, the site would have historically been very quiet. Prior to the construction of Rock Creek Parkway in the 1930s, the rush of the creek would have characterized the soundscape. The original locations of gravestones and fencing may have given the cemetery a dense, urban character at one time, but the majority of markers have been moved, leaving graves unmarked throughout the site.

Historically, the elevated site would have provided broad views of Rock Creek and its surrounding banks. Currently, the adjacent Oak Hill Cemetery is highly visible from the site. Built in 1849, Oak Hill was designed in the popular



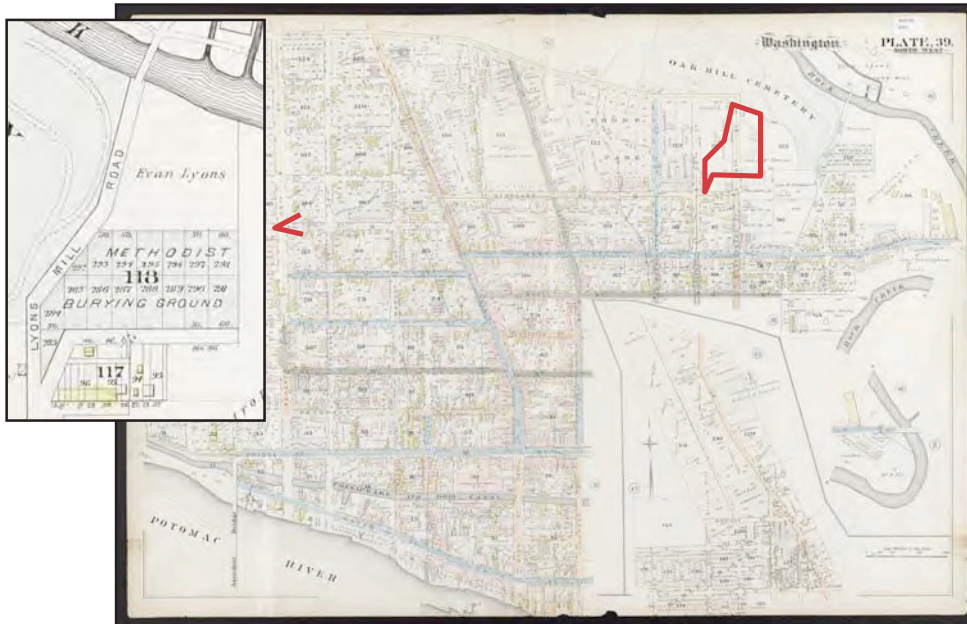
1814 Map of Georgetown by Francis Fenwick.
Library of Congress, Geography and Maps Division



1830 Map of Georgetown by William Bussard.
Library of Congress, Geography and Maps Division



1861 Boschke Topographical Map of the District of Columbia
Library of Congress, Geography and Maps Division



1887 Hopkins & Co. Plats of Properties in the City of Washington
DCPL, Washingtoniana Map Collection

mid- to late nineteenth century fashion of the Rural Cemetery Movement, which emphasized an effortless, park-like setting, enhanced by naturalistic features. Despite the stark visual contrast that Oak Hill Cemetery provides when looking north from within Mount Zion Cemetery, and although there are no formal records to prove a connection of influence, the Rural Cemetery Movement's primary premise is well represented in the natural surroundings and topography of Mount Zion Cemetery.

There is no evidence of any overarching cemetery plan, design hierarchy, or a secondary circulation pattern. Additionally, there are no records providing a description of how the cemetery was originally conceived, and no historic plans pertaining to the site until it was partially restored in the 1970s. The current appearance is marked by a combination of seemingly unorganized piles of markers, various extant memorials, and no clearly defined boundaries.

The use of the Mount Zion/Female Union Band Society Cemetery as a burial ground can be dated to October 13, 1808, when Ebenezer Eliason purchased the land for \$500 on behalf of the trustees of the Montgomery Street Methodist Church (known today as the Dumbarton United Methodist Church, located at 3133 Dumbarton

Street, N.W.,) to bury white parishioners and their slaves. The Montgomery Street Methodist Church was one of the few churches at the time that accepted white and black members, though on a segregated basis. Nearly half of the congregation consisted of former slaves and free blacks in the years leading up to 1816, when a group of 125 black members, dissatisfied with segregation, established their own congregation under the supervision of the parent church.⁴ Known as the Colored Members of the Georgetown Station, the group purchased a lot on the corner of Mill Street (now Twenty-Seventh Street, N.W.,) and P Street, N.W., and erected a church there, which was variously called “The Ark” and the “Meeting House,” until 1844 when it was renamed Mount Zion.⁵ The congregation, now called the Mount Zion United Methodist Church and located at 1334 Twenty-Ninth Street, N.W., is thought to be the oldest black congregation in the District of Columbia, as well as the first black Methodist church in the area.⁶ The cemetery is the only remaining in D.C. used to inter a significant number of former slaves.⁷

4 Pauline Gaskins Mitchell, “Mount Zion United Methodist Church and Mount Zion Cemetery”, 1984 *Records of the Columbia Historical Society of Washington, D.C.* 104.

5 Donovan, 288.

6 Mitchell, 103.

7 Sluby, Sr., *Bury Me Deep*, 20-21.

THE OLD METHODIST BURYING GROUND.

The leasing of the old Methodist burying ground to the Mount Zion (colored) Church is the subject of much unfavorable comment among the parishioners of the Dumbarton Avenue Church, who say that the representatives of the church had no right to do it without the consent of the lotholders. In some cases, it is said, colored bodies have been buried immediately over those of white men who in life occupied very prominent positions in the town.

*Dumbarton St. M. Church } Recorded April 5, 1893 - 2. P. 6
For Lease
Mount Zion M. Church } This indenture
made this twentieth day of May 1879, by
and between the Corporation of Dumbarton St.
District Episcopal Church, of the first part
and the Corporation of Mount Zion M. Church, of
the second part, both of the County of Washington,
in the District of Columbia, Witnesseth that for
and in consideration of the sum of one dollar
paid in hand, the receipt of which is hereby acknowledged, the parties of the first part hath
and do by these presents leave and confirm
to the parties of the second part, for the full
term of ninety-nine years, all that piece
and parcel of ground known as the Old
Methodist Burial Ground, being and lying within
the corporate limits of the City of Georgetown,
situated between Rock Creek and West of
and do by these presents leave and convey
to the parties of the second part, all their right
privilege and interest in and unto the
property and no other interest than the piece
and have the right to convey for the term
herein before stated Subject to such reservation
and agreements as are herein made as to
to be used for the purposes herein stated
and no other The parties of the second part
shall make all needed improvements
viz, roads, walks, paths, planting
of trees and such other changes as may
make the property suitable for their use*

Lease of cemetery by Dumbarton Street Church

to Mount Zion Church; Agreed to in 1879, Recorded 1893.

From Vincent deForest's personal records

The Montgomery Street Methodist Church acquired additional land in 1822 that increased the size of the cemetery to one-and-one-half acres, approximately double its original size.⁸ The cemetery continued to host segregated burials of whites and blacks throughout the first half of the nineteenth century and became known as the Methodist Burying Ground, later the Old

⁸ Donovan, 286-287.

Methodist Burying Ground.

On October 19, 1842, a tract of land along the western border of the Old Methodist Burying Ground was sold for \$250 to Joseph Mason in trust for the Female Union Band Society, a cooperative benevolent society founded in the same year by a group of free African American and Native American women.⁹ The Constitution of the Female Union Band Society pledged assistance to each member in the form of \$2 a week during sickness, as well as a grave and \$20 for funeral expenses when deceased.¹⁰ The land purchased in trust for the Society was used to fulfill this pledge and was known as the Female Union Band Society Burying Ground. As there was no visible boundary that divided it from the adjacent Old Methodist Burying Ground, the two sites came to be viewed as one cemetery and collectively referred to as the Mount Zion Cemetery.¹¹

Sources have linked Mount Zion Cemetery with the Underground Railroad, indicating that the brick burial vault served as a hiding place for

⁹ “Female Union Band Newsletter - January-March 2012” Georgetown Public Library, Vertical Files. – written by the reinstated band, W. Dianne Mayo - refers to founders as “Cherokee Mixed-Bloods”

¹⁰ Donovan, 289.

¹¹ Paul E. Sluby, Sr., *The Old Methodist Burying Ground* (Washington, 1975), 16.



Wood grave marker from cemetery, circa 1970s.
From Vincent deForest's personal records

runaway slaves as they awaited safe passage.^{12, 13} The National Park Service has included the cemetery in a preliminary list of sites associated with the Underground Railroad, noting that the list should be viewed as a representative sample of sites associated with the Underground Railroad, and a starting point for further research and refinement.¹⁴

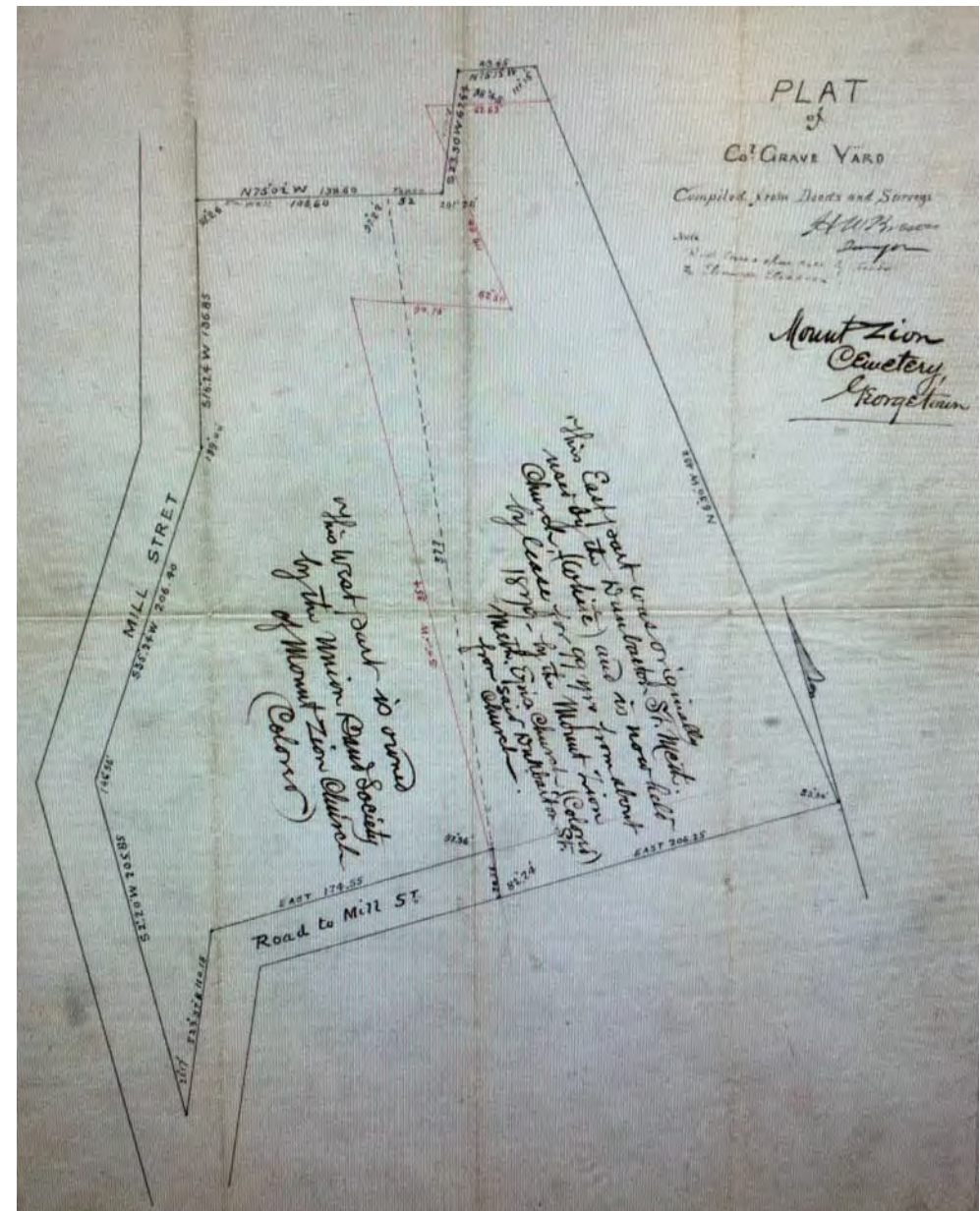
The year 1849 marked a period of decline in burials at the Old Methodist Burying Ground due to the creation of Oak Hill Cemetery, reserved for white burials, just to the west of the Female Union Band Society Burying Ground. This led to numerous disinterments of white burials in the Old Methodist Burying Ground, which were subsequently re-interred in the new, neighboring cemetery. After thirty

¹² Sluby, Sr., 25.

¹³ Various sources have linked the cemetery with the Underground Railroad, including oral tradition and personal accounts of the site's history such as that of John Butler, a member of the Mount Zion Church, as well as news articles including "Tracking the Underground Railroad", published in the Washington Times on February 26, 1998.

The collections of William Henry Siebert and William Still, whose accounts of the Underground Railroad were published during the late 1800s and early 1900s, and are held at the Ohio History Connection (formerly the Ohio Historical Society), reference the use of cemeteries in Washington as locations on the Underground Railroad.

¹⁴ National Park Service, *Underground Railroad Special Resource Study* (Denver Service Center: U.S. Department of the Interior, 1995), 159.



Circa 1800s plat, DC Office of the Surveyor

years of declining use, Montgomery Street Methodist Church considered their options regarding the increasingly difficult maintenance of the unprofitable cemetery, and granted a ninety-nine year lease of the Old Methodist Burying Grounds to Mount Zion Church. Dated May 25, 1879, the lease allowed Mount Zion Church access to the cemetery for burial purposes, provided they maintain existing burial sites and monuments and erect a fence around the property at their own expense. In an oral history interview conducted by ethnography student Andre' Love ca. 1980, Michael K. Beard, historian of Dumbarton United Methodist Church, described a steadily deteriorating wooden fence, which divided the white section from the black section, prior to the execution of this lease.¹⁵ Under the lease arrangement, the grounds were well-kept by Mount Zion Church during the late nineteenth century and the early twentieth century, especially on Memorial Day, also known as Decoration Day, when local youths would sell flowers, water, and lemonade to visitors near the entrance on Mill Road.¹⁶

¹⁵ HALS No. DC-15, 2008, 4.

¹⁶ Sluby, Sr., 18.

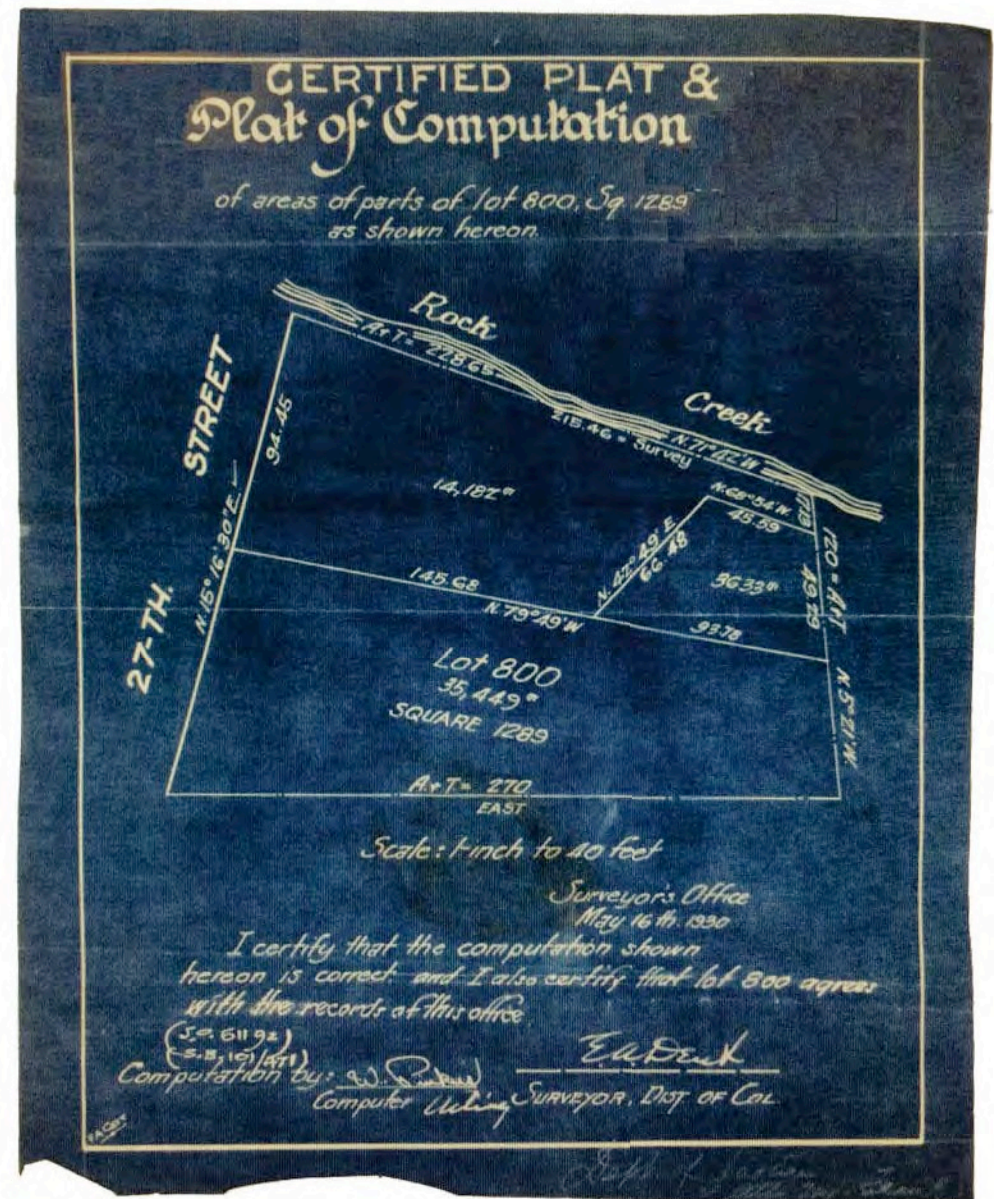


View of cemetery, looking north from center. Circa 2008.

HALS No. DC-15-016

Annual Memorial Day activities also included decorating ceremonies for the graves, with invitations extended to all lot holders in the cemetery.¹⁷

In 1931, the United States Government acquired 17,815 square feet of the northernmost portion of the cemeteries, now Lot 0801 in Square 1289, as part of the development of Rock Creek Parkway.¹⁸ Following this transfer, maintenance of the cemeteries declined, and the last recorded burial in either cemetery was Mary Logan Jennings, a past president of the Female Union Band Society, in 1950.¹⁹ In 1953, the District of Columbia Health Department condemned the cemeteries, prohibiting further burials.²⁰ It appeared as though the Female Union Band Society had ceased to function altogether, and it was evident that neither the Dumbarton nor Mount Zion Church could afford to maintain the two cemeteries. These events, in conjunction with the early stages of gentrification in Georgetown, attracted the attention of developers.²¹



1930 plat, DC Office of the Surveyor

17 *The Washington Times* (Washington [D.C.]), 26 May 1903, page 7. *Chronicling America: Historic American Newspapers*. Library of Congress.

18 U.S. District Court for D.C., District Court Docket No. 2043, 1931.

19 HALS No. DC-15, 2008, 9.

20 Mitchell, 113.

21 Donovan, 292-94.



Image of wood gate and 1819 grave stone, circa 1965.
 Historical Society of Washington

The appearance of the cemetery prior to its prolonged, unkempt state leading up to a 1970s restoration is largely unknown. However, the following physical description of the cemetery, from research genealogist Paul Sluby Sr.'s 1975 publication "Old Methodist Burying Ground," was based on recollections of older local residents:

A high wooden fence, complete with entry gate, ran the length of the south side as did a low brick wall. At the gate a dirt path divided in a "Y" fashion. The right fork first curved to the right and then divided several times so that visitors might have access to the many graves on the southeastern portion of the grounds. Also, a brick retaining vault, located on sloping terrain in the northeastern portion of the cemetery . . . could be reached most conveniently by this route. The fork to the left broke slightly to the left, then continued in a northerly direction passing just behind the large Beck-Doughty monument which stands on the west-center of the site. Several branches of this path wormed throughout the area toward the north, eventually meeting with the extension of pathways from the vault side. During the early years the terrain had not eroded to the extent now visible, and the plateau area of the grounds continued north

for many more feet, thus extending the level burial area. The bank then dropped in a fairly steep breakaway, but not too steep for burials which were conducted on the resulting hillside. At the bottom of the slope, on the northern end of the grounds, was a brick retaining wall, probably added for anti-erosion purposes. No longer visible, the wall must have collapsed under the relentless weight of the damp soil, and most of the hillside burials, no doubt, slid down the embankment to the creek area to become reburied in the excavation process when Rock Creek Parkway was cut through.²²

22 Sluby Sr., 18-19.

The historic entrance gate was located by the end of Mill Road in the middle of the southern property line, and it led to a path that followed the subtle north-south ridgeline that marked the division between the two halves. It is unknown whether any other paths existed historically.²³ According to a report by Stanton L. Wormley and Alvin E. Melton, the wood gate along Mill Road that apparently served as the entrance to the cemetery was still located on the site in 1971, though dilapidated.²⁴

Dumbarton United Methodist Church announced it would begin negotiations to sell the cemetery in May 1957, and a standard real estate title search

was authorized the following month, which revealed that the church held clear title to ten city lots comprising one-and-one-half acres (the tract comprising Mount Zion Cemetery). The search also revealed that ten adjacent lots of approximately the same size were owned by the Female Union Band Society. But the group had no legal

²³ HALS No. DC-15, 2008, 25.

²⁴ Paul E., Sluby, Sr. *Mt. Zion Cemetery, Washington, DC: Brief History and Interments*. Edited by Stanton L. Wormley (Washington, DC: Columbian Harmony Society, 1984), 9.

View into cemetery, looking northwest. Circa 1931. *Historical Society of Washington*



LEGAL NOTICES

STUART H. ROBESON,
Attorney for Plaintiff.
923 20th Street N.W.
Filed November 1, 1960.
HARRY M. HULL, Clerk.
IN THE UNITED STATES DISTRICT
Court for the District of Columbia.
—MOUNT ZION METHODIST
CHURCH, A Corporation, 1334
29th Street N.W., Washington,
D. C., Plaintiff, vs. Unknown Heirs
at Law, Devisees and Allenees
of JOSEPH MASON, Trustee, for
FEMALE UNION BAND SOCIETY,
also known as FEMALE UNION
BAND SOCIETY OF WASHING-
TON COUNTY, an Unincorporated
Body, and Unknown Members of
the FEMALE UNION BAND SO-
CIETY also known as FEMALE
UNION BAND SOCIETY OF
WASHINGTON COUNTY, and
Their Unknown Heirs at Law,
Defendants.
—Civil Action No. 3994-60.—Or-
der of Publication.—The object of
this suit is to obtain judgment
declaring good in fee simple by
adverse possession plaintiff's title
to: Part of a tract of land called
The Rock of Dumbarton, described
in accordance with a plat of Sur-
vey recorded in the Office of the
Surveyor for the District of Co-
lumbia in Liber 174 at Folio 321
as follows: Beginning at the in-
tersection of the Northernly line
of Mill Road and the Westernly
line of the land conveyed to
RICHARD PARROTT and others
by deed dated January 24, 1809
and recorded March 6, 1809 in
Liber V at Folio 126 of the District
Records of the District of Colum-
bia; thence West along said Road
to intersect the Westernly line of
27th Street (20 feet wide); thence
along the Westernly line of said
27th Street (20 feet wide) South
22 degrees 57 minutes West 113.68
feet to intersect the East line of
27th Street (20 feet wide); thence
along the East line of said 27th
Street (20 feet wide) the three
following courses and distances:
(1) North 1 degree 07 minutes
East 214.28 feet to a pipe; (2)
North 34 degrees 08 minutes 30
seconds East 203.95 feet to a
pipe; (3) North 15 degrees 14
minutes 30 seconds East 134.64
feet to a pipe on the Southwest-
erly line of the land condemned
and taken by proceedings in Dis-
trict Court Cause No. 2043, Su-
preme Court of the District of
Columbia holding a special term
as a District Court of the United
States; thence along the Southernly
line of the land so condemned
and taken South 77 degrees 49
minutes East to the Westernly
line of the land conveyed to said
Parrott and others; thence South
along said Parrott and others' South-
Westernly line to the Northernly
line of said Mill Road and the
place of beginning, being intended
to describe all that land lying
East of 27th Street (formerly Mill
Street) conveyed to JOSEPH MA-
SON in trust for the FEMALE
UNION BAND SOCIETY by deeds
recorded respectively in Liber
W.B. 100 at Folio 91 and Liber
W.B. 101 at Folio 72 of said
Land Records of the District of
Columbia. On motion of the at-
torney for plaintiff, it is by the
Court this 1st day of November,
1960: ORDERED, that the de-
fendants, if living and if deceased,
the unknown heirs, devisees and
allenees, and the unknown heirs,
allenees and devisees of JOSEPH
MASON, Trustee, for FEMALE
UNION BAND SOCIETY, also
known as FEMALE UNION BAND SO-
CIETY OF WASHINGTON COUNTY,
an unincorporated body and un-
known members of the FEMALE
UNION BAND SOCIETY, also
known as FEMALE UNION BAND
SOCIETY OF WASHINGTON
COUNTY and their unknown heirs,
devisees and allenees cause their
appearance to be entered herein
on or before the first rule day
occurring one month after the
day of the first publication here-
of, otherwise this cause will be
proceeded with as in case of
default, provided a copy hereof
be published once a week for
three successive weeks in the
Washington Law Reporter and
The Washington Evening Star,
longer and other publications be-
ing dispensed with for satisfactory
cause shown. (S.) CHARLES F.
McLAUGHLIN, Judge. (Seal.) A
True Copy. Test: HARRY M.

STUART H. ROBESON,
Attorney for Plaintiff.
923 20th Street N.W.
Filed November 1, 1960.
HARRY M. HULL, Clerk.
IN THE UNITED STATES DISTRICT
Court for the District of Columbia.
—MOUNT ZION METHODIST
CHURCH, A Corporation, 1334
29th Street N.W., Washington,
D. C., Plaintiff, vs. Unknown Heirs
at Law, Devisees and Allenees
of JOSEPH MASON, Trustee, for
FEMALE UNION BAND SOCIETY,
also known as FEMALE UNION
BAND SOCIETY OF WASHING-
TON COUNTY, an Unincorporated
Body, and Unknown Members of
the FEMALE UNION BAND SO-
CIETY also known as FEMALE
UNION BAND SOCIETY OF
WASHINGTON COUNTY, and
Their Unknown Heirs at Law,
Defendants.
—Civil Action No. 3994-60.—Or-
der of Publication.—The object of
this suit is to obtain judgment
declaring good in fee simple by
adverse possession plaintiff's title
to: Part of a tract of land called
The Rock of Dumbarton, described
in accordance with a plat of Sur-
vey recorded in the Office of the
Surveyor for the District of Co-
lumbia in Liber 174 at Folio 321
as follows: Beginning at the in-
tersection of the Northernly line
of Mill Road and the Westernly
line of the land conveyed to
RICHARD PARROTT and others
by deed dated January 24, 1809
and recorded March 6, 1809 in
Liber V at Folio 126 of the District
Records of the District of Colum-
bia; thence West along said Road
to intersect the Westernly line of
27th Street (20 feet wide); thence
along the Westernly line of said
27th Street (20 feet wide) South
22 degrees 57 minutes West 113.68
feet to intersect the East line of
27th Street (20 feet wide); thence
along the East line of said 27th
Street (20 feet wide) the three
following courses and distances:
(1) North 1 degree 07 minutes
East 214.28 feet to a pipe; (2)
North 34 degrees 08 minutes 30
seconds East 203.95 feet to a
pipe; (3) North 15 degrees 14
minutes 30 seconds East 134.64
feet to a pipe on the Southwest-
erly line of the land condemned
and taken by proceedings in Dis-
trict Court Cause No. 2043, Su-
preme Court of the District of
Columbia holding a special term
as a District Court of the United
States; thence along the Southernly
line of the land so condemned
and taken South 77 degrees 49
minutes East to the Westernly
line of the land conveyed to said
Parrott and others; thence South
along said Parrott and others' South-
Westernly line to the Northernly
line of said Mill Road and the
place of beginning, being intended
to describe all that land lying
East of 27th Street (formerly Mill
Street) conveyed to JOSEPH MA-
SON in trust for the FEMALE
UNION BAND SOCIETY by deeds
recorded respectively in Liber
W.B. 100 at Folio 91 and Liber
W.B. 101 at Folio 72 of said
Land Records of the District of
Columbia. On motion of the at-
torney for plaintiff, it is by the
Court this 1st day of November,
1960: ORDERED, that the de-
fendants, if living and if deceased,
the unknown heirs, devisees and
allenees, and the unknown heirs,
allenees and devisees of JOSEPH
MASON, Trustee, for FEMALE
UNION BAND SOCIETY, also
known as FEMALE UNION BAND SO-
CIETY OF WASHINGTON COUNTY,
an unincorporated body and un-
known members of the FEMALE
UNION BAND SOCIETY, also
known as FEMALE UNION BAND
SOCIETY OF WASHINGTON
COUNTY and their unknown heirs,
devisees and allenees cause their
appearance to be entered herein
on or before the first rule day
occurring one month after the
day of the first publication here-
of, otherwise this cause will be
proceeded with as in case of
default, provided a copy hereof
be published once a week for
three successive weeks in the
Washington Law Reporter and
The Washington Evening Star,
longer and other publications be-
ing dispensed with for satisfactory
cause shown. (S.) CHARLES F.
McLAUGHLIN, Judge. (Seal.) A
True Copy. Test: HARRY M.

owner at that time, so trustees of Dumbarton and Mount Zion churches began the process to sell all twenty lots and split the profit evenly.²⁵

As required by law, an ad was placed in the classifieds section of the *Evening Star* once a week for three consecutive weeks in November 1960, announcing that Mount Zion Church was filing suit to obtain possession of the Female Union Band Society Cemetery. Shortly after these ads were published, Mary and Ellen Sinclair, survivors of Mary Logan Jennings, came forward and Mount Zion lost its case. Dumbarton Church decided to proceed with the sale of Mount Zion Cemetery and on September 19, 1963, received a court order with permission to disinter bodies and sell the property. In October 1963, the Sinclairs declared themselves to be the reconstituted Female Union Band Society and filed a petition in the U.S. District Court for the District of Columbia for the right to conduct disinterments in their parcel. The petition was unopposed and the Court granted it on August 10, 1964. In 1967, the organization appointed trustees to sell their portion of the site.²⁶ The reinstated Society conveyed a 25% interest in the cemetery to their attorney, Charles L. Norris, as payment for his work defending their title to the land, furthering the degrees of ownership involved in the site.

Trustees of Dumbarton Church and the Female Union Band Society pursued separate plans to sell their properties, and there was an unsuccessful attempt to have the area rezoned to allow high density occupancy on behalf of interested parties, including attorney Charles L. Norris, who was also a real estate professional.²⁷ As plans to sell and develop the property continued through the rest of the 1960s and into the 1970s, the idea that the cemeteries should be preserved came into play on behalf of heirs of those buried in the Female Union Band Society Cemetery. Neville Waters, son of Gertrude Waters, a Society member, and the Afro-American Bicentennial Corporation (ABC) intervened to oppose the disinterment order of August 10, 1964.²⁸ The ABC was established in 1970, to “stimulate and organize participation of blacks and other minorities in the two-hundredth anniversary of the nation’s independence.” One of the group’s primary objectives became to “actively involve the black community in the fight to save Mount Zion Cemetery/Female Union Band Cemetery.”²⁹

Vincent deForest, chairman and president of the ABC, navigated various involved parties to initiate efforts to preserve and restore the cemeteries, and on June 15, 1972, the Mount Zion Church legally assigned their lease and interest in their cemetery to the organization in exchange for \$1.00.³⁰ Dumbarton Church also agreed to donate

27 Female Union Band Association, et al., v. Unknown Heirs at Law, Devisees and Alienees of Joseph Mason, Deceased, et al. Civil Action Nos. 2591-63, 1705-65. United States District Court for the District of Columbia. 403 F. Supp. 540; 1975 US District LEXIS 16762; 20 Fed. R. Serv. 2d (Callaghan). July 31, 1975. Opinion by US District Judge Oliver Gasch.

28 Mitchell, 114.

29 “Mt. Zion/Female Union Band Cemetery: Project Abstract,” in Mt. Zion/Female Union Band Historic Memorial Park, Inc., *Briefing Book*, July 2007.

30 Assignment of Lease between the Mt. Zion United Methodist Church and the Afro-American





their interest to the ABC on condition that the Female Union Band Society also transfer their portion, but Society trustees refused deForest's offer. Pressure on the Dumbarton Church intensified as media and community interest around the future of the cemeteries grew – WTOP-TV (channel 9) sent a reporter to cover the January 23, 1974 congregational meeting on the issue.³¹ Dumbarton held on until February 20, 1974, when the Church voted to assign its interest to the ABC.³²

As Neville Waters and the ABC sought to overturn the prior disinterment order and obtain legal permission to preserve the site, they received significant community support, as well as legal assistance from Eric Sirulnik, a law professor at George Washington University, and attorney Alan Raywid. Both attorneys later served as court appointed trustees, and remained involved with the progress of restoration of the cemeteries.

On December 9, 1974, Judge Oliver Gasch of the U.S. District Court for the District of Columbia held a hearing regarding the restoration of the cemeteries, at which Neville Waters and the ABC

Bicentennial Corporation. Washington, DC: June 15, 1972.

31 Donovan, 298.

32 Donovan, 304.

argued that only basic maintenance was required to bring the cemeteries up to Health Department regulations, and that the historical significance of the cemeteries would make landmark or monument status a viable option. Judge Gasch made a site visit to see the maintenance that the ABC and other volunteers including the American Federation of Police had already performed on the Mount Zion portion, and on December 13, ruled that they also be allowed to conduct similar work on the Female Union Band Society Cemetery. On April 8, 1975, the Court directed the ABC to plot locations of extant grave markers and memorials, catalog them, and temporarily remove them to facilitate grading and planting grass seeds, as well as erect a fence around the cemeteries.³³

On April 29, 1975, the ABC's efforts to promote the cemeteries on the basis of their historical significance and representation of evolving free Black culture in the District of Columbia were recognized when the District of Columbia Historic Preservation Review Board designated them a historical landmark of the nation's capital. In July 1975, the D.C. Health Department stated that both cemeteries would be in compliance with regulations once the levelling of dirt over several graves was complete. On July 31, 1975, Judge Gasch issued a decision that nullified the 1964 order that had granted permission to disinter bodies from the Female Union Band Society Cemetery and rejected permission previously given to the trustees to sell the property.

33 Mitchell, 114-116.



In writing his opinion, Judge Gasch stated that disinterment was no longer justified, and that such an action would be “a degradation” against the dead.³⁴ The opinion also settled claims on behalf of various parties interested in the sale of the land over the years, and appointed new trustees to oversee the restoration of the cemeteries and to work for their perpetual care. On August 6, 1975, Mount Zion Cemetery/Female Union Band Society Cemetery was listed in the National Register of Historic Places. Despite appeals, Judge Gasch’s opinion was upheld by the United States Court of Appeals in 1977.

On May 25, 1978, the original 99-year lease between Dumbarton Street Methodist Episcopal Church and the Mount Zion United Methodist Church expired, along with the subsequent re-assignment of that lease to the ABC. The court order issued by Judge Gasch in 1975 that gave control over the cemeteries to court-appointed trustees remains in effect despite the termination of the lease.³⁵ Ownership issues have continued to plague the property, with individuals claiming to be the reinstated Female Union Band Society

³⁴ Female Union Band Association, et al., v. Unknown Heirs at Law, July 31, 1975. Opinion by US District Judge Oliver Gasch. 9-10.

³⁵ Donovan, 304.



View of cemetery showing the brick vault, circa early 1970s.
From Vincent deForest's personal records.



Student volunteers, circa 1975.
From Vincent deForest's personal records.

seeking management of the Female Union Band Society Cemetery. As recently as 2013, the Superior Court of the District of Columbia Civil Division has reinforced Judge Gasch's 1975 ruling that the trustees named in his opinion hold legal title to the cemeteries and thus retain authority over the management and maintenance of the site.³⁶

In 1978, the National Capital Region of the National Park Service prepared an *Assessment of Alternatives for Proposed Project Mount Zion Cemetery Memorial Historic Park*, which explored the alternatives of either restoring the cemetery as nearly as possible to its original condition, or assuming that restoration was not feasible and to interpret the story of those buried there and to use the cemetery as an open/passive recreation space. The latter option was recommended and plans were prepared to construct a memorial plaza surrounded by a memorial wall built of displaced monuments and gravestones set into a low retaining wall. Markers that remained in their original historic locations would be preserved in place, and new trails and plantings would be added throughout the site.³⁷ In 1980, Walter Fauntroy, who was serving as the District of Columbia's first delegate in the United States House

³⁶ District of Columbia Court of Appeals; W. Dianne MAYO, Appellant, v. FEMALE UNION BAND SOCIETY CEMETERY TRUST, et al., Appellees. No. 11–CV–1492, decided January 16, 2013.

³⁷ *Assessment of Alternatives for Proposed Project Mount Zion Cemetery Memorial Historic Park*, National Capital Region/National Park Service, July 1978.

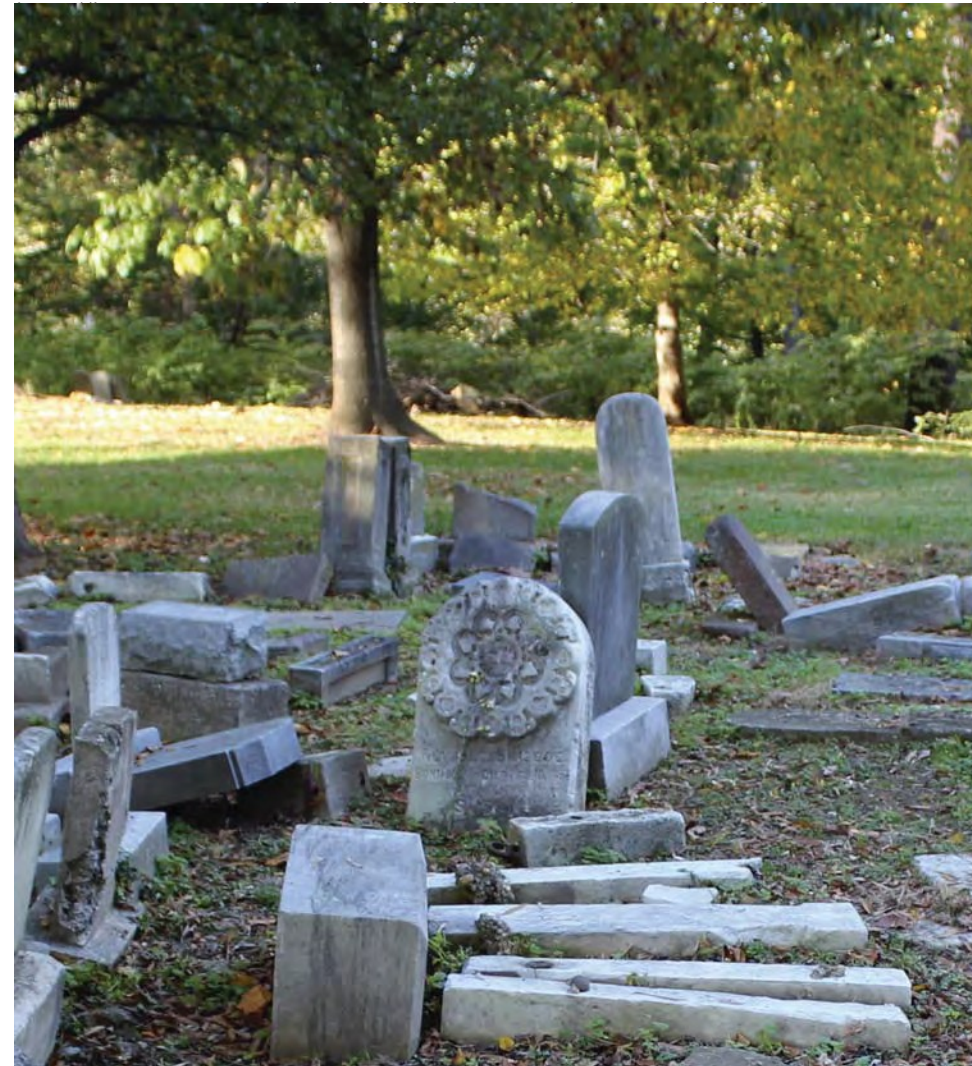


of Representatives, drafted legislation to include the Mount Zion Cemetery (including the Female Band Union Cemetery) in the National Park System, but the process did not proceed past the draft stage.³⁸

Since the 1970s, various efforts have been made to maintain the physical appearance of the cemetery. Vincent deForest organized volunteer work that renovated the plateau portion of the site, including the grading and seeding of the flat area, clearing of underbrush and debris, installation of park benches, and creation of a new approach located at the southwest corner.³⁹ The vault in the northeast area of the cemetery was restored between 2003 and 2007 with the help of donated funds. In 2006, the Mount Zion – Female Union Band Society Foundation (officially the Mount Zion/Female Union Band Historic Memorial Park Inc.) 501 (c)(3) was formed to “manage the maintenance and oversight of the Mt. Zion/Female Union Band cemetery.” Various maintenance and clean-up efforts have continued, and the cemeteries have hosted several community activities such as a Martin Luther King, Jr. Day of Service Tree Planting, Living Tribute and Remembrance Gathering on

January 19, 2009. The program celebrated the Presidential Inauguration, and included an African Libation Ceremony with the African Heritage Dancers & Drummers. Students from Adrian College (near Detroit) performed clean-up of the cemeteries.⁴⁰

40 Post by Melissa Hoggan Groppe, Marketing & Events Manager at Dumbarton House, to Michigan State University H- Net forum. January 18, 2009:



38 HALS No. DC-15, 2008, 14.

39 HALS No. DC-15, 2008, 14.



The site continues to serve as an important landmark, and is included as a destination along Cultural Tourism DC's African American Heritage Trail. However, deterioration also continues to impact the site - in 2012, the DC Preservation League (DCPL) listed the cemetery as one of the most endangered historic sites in Washington, D.C., due to persisting neglect.

In addition to preservation efforts such as a noninvasive archaeological investigations, and erosion-mitigating actions, the site would greatly benefit from increased community involvement, and serve as an urban oasis in the form of a memorial park.