

Grave Happenings

BERKS COUNTY ASSOCIATION FOR GRAVEYARD PRESERVATION

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BCAGP
Berks County Association
for Graveyard Preservation



Don't forget to check our facebook for updates and more photos!
Check the www.bcagp.org website for internet edition newsletter archives.



Jean Bertolet

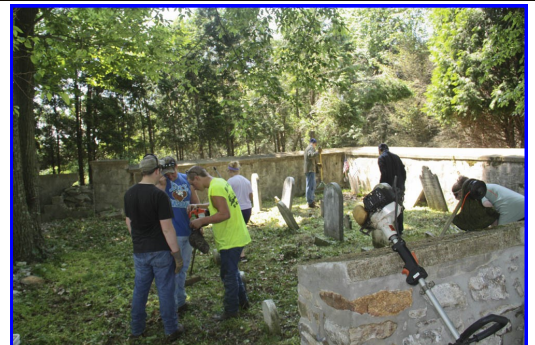
After years of wear, the last year's hurricane ripped the metal capping off the walls . We are in the process of repairing walls and replacing the twisted metal with slate. The Jean Bertolet burial ground is on Blacksmith Road in Oley and has a historical marker outside along the road. This project will be in the \$10,000 range and we could really use some donations to offset this cost. If you are a Bertolet, or just want to help, please donate and specify the Jean Bertolet burial ground with your check.



Keith Schaffer discovered there were steps concealed under grass and dirt. The students uncovered them at Day Of Caring.



More work will be done on the Keim burial ground later this summer and into fall.



Keifer

Thank you to Mr Mertz for his care of the Keifer burial ground. This isn't his family but he has been caring for their sacred ground, since no one has stepped forward. He cleared trees, brush and poison which was a big job.



Spohn

Leveled, tombstones reset and ground reseeded.



Rothermel

You may have noticed something going on at the Rothermel burial ground on W. Walnut Tree Road in Fleetwood. Some was our doing, and some was the work of the Rothermel Family Association, and of course Stanley Deeds again mowed the grounds. We did some work on the tombstones, and the Rothermel Association had some tree trimming done to prevent dead branches from coming down and damaging stones. There is more to do and more to come!



LETTER FROM LES

On June 3 BCAGP again supported Oley High School in its annual Day of Caring. Three vans, each with 8 students, led by two teachers and an interested parent traversed the Oley School District to work in 17 graveyards. This year's event was postponed several weeks as heavy rains were forecast for the original date.

The students walk into graveyards with varying degrees of need. A few graveyards have had some maintenance since last year's event or are shaded in a way that limits growth. These require essentially 'routine' work, though if it were your yard, you would not call it routine.

Other graveyards are nightmares that one guesses had extra doses of fertilizer to have experienced so much growth. Even finding a way in can be a problem. BCAGP is helpful from this perspective because we at least know where gates or openings once were.

The students deserve credit for the vigor in which they attack the situation. Generally, a few boys use string trimmers to attack the grassy growth. Other boys and girls use nippers and loppers to cut what the trimmers cannot. Later, rakes come out. The heavy stuff is raked to piles by some while others carry the piles to a corner or outside the graveyard. Frequently, after all this is done, the trimmers are restarted. After the debris is removed, the cutting can be lowered to more customary heights.

While the cleanup is going on, there may be a student or two digging around a tombstone and working to straighten it. BCAGP advises them on protecting the stone as they work. A memorable image from this year's event is a petite freshman or sophomore girl determinedly digging to straighten and align a footstone. Another surprise from this year was the uncovering of real steps to a Bertolet graveyard. It had always seemed as though there were once steps here. Little did we realize they were still here!

The hot humid day ended with a darkening sky, but the students were back at school before raindrops fell. BCAGP extends our thanks to the students and teachers for participating, to the parents who provide the tools that are used, and to the landowners who permit access to the graveyards.

Les Rohrbach is President of BCAGP and very active in both the organizational aspects and the hands on "down and dirty in the graveyard" activities of the group. Les travels from Pottstown to his "roots" in Berks and is an avid hiker and genealogist.

Meeting Robert Deisemann through our Facebook, was one of the best social networking success stories for our group this year! As it turned out Rob has taken over the caretaking of his family burial ground in Bethel. Rob and wife Susan and family member Jay, organized a first clean up, and we were happy to be along to help with the Bashore burial ground. All the stones were reset and treated with biocide, as well as the yard being cleared. Along with the adults were Rob's teenage daughter Alexis; and my niece Megan, who lives nearby, was our photographer for the day. And this is why we do what we do. So these historic memories are there for the kids.

We noticed that all the stones in this family have the same sunburst caved into the top which we found interesting, as well as noting



that the headstones are facing away from the footstones. Our guess is that they were not originally like that, but moved later. This is something we will not

know for sure, unless someone comes forward with more information. Quite a bit of transcribing was done so we



can compare with the earlier records. Especially now that we have the ability to clean the stones and they become more legible we need to compare the records with the stones. Everyone was busy. Dave, Les, Paul, Rob and Jay ran the weed

whacking and clearing detail. Karla did tombstone readings and Keith reset stones. I had the easy job of applying biocide to the tombstones.



Susan and Alexis raked and removed debris while Meg took pictures and helped Karla reading stones. A lot was accomplished in just one morning! It was a nice day and good company. Despite getting sunburned, I enjoyed the day and look forward to this again. If your family is having a work

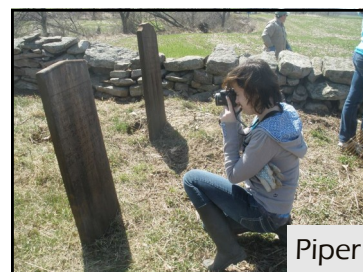


party to clean up your family burial ground, we often have people that are willing to come and help. We prefer that the family take the lead and

we come in on the assist. One of our goals is to have every burial ground being maintained primarily by the family who descend from those buried within. We as an organization can get a lot more done if the basic maintenance is being done by family or those who "adopt" the graveyard. And for those that didn't make it to this one, well sorry, you missed the delicious whoopee pies baked by Rob. Ya snooze ya loose.



Anne Wagner



Doing the Deed

One of the most confusing aspects of deed searches is the Warrant to Patent to Deed process. This process is often complicated by transfers of the rights to warrant or patent, so that the final patentee or legal owner may be many transactions, legal documents and even generations removed from the start of the process.

In Pennsylvania the original owner of all land was William Penn and subsequently the generations of Penns who came after. The process began with vacant land or land that was not warranted, patented, sold or occupied by anyone. In order to become the legal owner of land it first needed to be identified as vacant land. When an application was made to purchase a certain tract identified as vacant land, a warrant was granted and the person applying became the warrantee.

An approved warrant application evoked an order, to survey the land in question. Once the land was surveyed, its size and meets and bounds established, a patent or evidence of a right to title would be issued. After the patent fees were paid in full to the Commonwealth, the person who paid the fees would become the legal owner or patentee. A legal title to the property is then transferred by Commonwealth of Pennsylvania or Proprietors, to the private individual. The owner, or patentee, could then convey the land, or any part of it by indenture, deed or bequest to other owners. Once a patentee was established, that patentee never changed. While ownership changes as land is, sold, inherited, divided and resold, the original patentee remains the same.

Another process to patent vacant land was based on settlement and improvement. A settler who squatted on a piece of vacant land could apply for a warrant based on his or her settlement and improvement of the land. This could be several years, even decades after the settler's initially occupied the property. It could also be someone other than the original settler. Based on the squatter's warrant application, a survey would be performed and a warrant to accept prepared. A survey was conducted and after all fees were paid a patent would be issued and the patentee named.

The patentee could be the warrantee, but may not be. When the warrantee and patentee for a tract of land are different, it typically means that the warrant right was sold by the warrantee to another individual or individuals. The right to patent could also be sold. The land could pass through any number of hands until someone paid the patent fees. Anyone of the owners of the property, including the warrantee, could have lived on the property and improved it prior to a patentee being named.

Simply put the order of land ownership went from the Penns to Vacant Land (or Squatters land) to Warrant Application to Order to Survey to Survey to Patent Right to Right to Patent to Patent Fees Paid to Patentee or Legal owner to Indentures or Deeds.

Deed search Glossary continued:

Neat measure - Indicating that the measurement given is accurate, precise as proven by a survey conducted, saying the tract in question does not include the traditional six percent over-plot allowance for roads or highways.

Orphan's Court - a court that appointed and supervised guardians to orphans and minors fourteen years of age unless specific guardians had been designated by a will. Minors fourteen and older could choose their own guardian, with the approval of the Court. It was also responsible for partitioning the real estate of a person who died without a will.

Owner - The owner is the person who possesses the property at any given time. The owner differs from the patentee. The patentee is the person who first paid the patent fee on a tract of land and the person the patent was issued to. Owners will change as each tract is sold and re-sold. The Patentee will always remain the same person.

Patentee - The individual who receives the patent to a tract of land. This person could be the warrantee, but may not be. The patentee could also be a subsequent owner of the property, who purchased it from the warrantee or another owner. The patentee is often not the original settler of the property, but simply a subsequent owner who paid the patenting fee. The patentee never changes for a tract of land, while ownership changes as the land is bought, sold, inherited and divided and re-sold.

Patent - A land patent is evidence of right to title and/or interest to a tract of land, usually granted by a central, federal or state government to an individual. In PA it would have been the Penn's, also known as the proprietors. Usually referred to as the "first title" deed issued to the original grantee. The patent does not constitute title but is evidence to a right to title. Land may pass through any number of hands until someone decides to pay the fees to have the land patented. [see also Patentee]

Patent, traditional - The traditional process to patent a vacant tract of land in Pennsylvania involved several steps. First, an individual or his agent identifies a piece of vacant property and applies to the land office for a warrant. If approved, a warrant to survey was issued. Next, the land would be surveyed. Once the survey and other patenting fees were paid, the survey was returned and a patent issued.

Patent by settlement and improvement - Another process to patent vacant land based on settlement and improvement. A settler who squatted on a piece of vacant land could apply for a warrant based on his or her settlement and improvement of the land. This could be several years, even decades after the settler's initially occupied the property. It could also be someone other than the original settler. Based on the application, a survey would be performed and a warrant to accept

prepared. After all fees were paid a patent would be issued.

Patented - When a property is patented, a legal title to the property is transferred from the Commonwealth of Pennsylvania or Proprietors, the Penns, to a private individual or corporation. All subsequent transactions between private individuals are done through deeds, not patents.

Perch - a Linear measure of distance equal to 16 1/2 feet. There are 160 square perches to an acre.

Perpetuity - forever, an obligation in a deed, such as right of ways, easements and exceptions can be written as "in perpetuity."

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Veteran Highlight By : Karla Hummel

Once I've tumbled into a few groundhog holes, dripped sweat on tombstones and perhaps gotten more poison ivy in a graveyard, I like to learn more about its inhabitants. Such is the case with the Schaeffer along Fleetwood-Lyons Rd, resting place of 2 veterans and early members of a prominent Berks family.

The patriarch and a veteran of the Revolutionary War, Georg/George Schaeffer was born in 1730 in Reichelsheim (which ironically made him a Hessian – which we commonly remember as enemy mercenaries in the Revolution). Reichelsheim would be simple location to pinpoint, except that there are TWO Reichelsheims in the state of Hesse, one dating from the year 817, and the “newer” one from 1303.



By his 21st birthday, George had crossed the ocean, set up a home in what is now Richmond Township, and married to M. Katerina/Catherine (nee Ruhl, Riel, Ruehl or Ruhlin, depending on your source). Together they had 5 progeny who survived to adulthood.

Of these, their son Phillip Jacob, born in 1770, was named for his father's good friend, Reverend Philip Jacob Michael – Pastor of DeLong's Reformed Congregation of Bowers (in which George himself was an Elder). Several years later, George and the Pastor in comradeship joined, as Chaplain and 2nd Lieutenant respectively, the war for independence.

When George died in 1792, his son, Philip, inherited the family homestead. Philip is credited with inventing and manufacturing the first horse powered threshing machine in Berks. His wife Eliza or Elisabeth, nee Federolf or Fetterolf, bore them 12 children. Being of like mind in patriotism, Philip served the county his father helped create, by fighting in the War of 1812.

Among Philip & Eliza's grandsons we find one who was both a Doctor of Divinity & Legum Doctor (law), the PA Superintendent of Public Instruction, another Doctor of Divinity & Legum Doctor (law), who was Professor at Eastern Theological Seminary, another leading lawyer of the Berks Bar, and finally another who head surgeon of Allentown Hospital.

The least I can do is help keep their resting places of these veterans and their spouses respectfully maintained.



In May, a group from BCAGP went to visit and clean up the Schaeffer burial ground in Fleetwood. This was the first time since restoration work was done in the 90's for this group of volunteers. Les, Keith, Paul, David, Karla and Margy did a fantastic job! Karla and Keith got some nice pics which you can find



on our Facebook! Thanks to Josh Kurtz for taking care of the debris as well!



Schaeffer



Notices

We will be accepting nominations for Officers to be voted on at the Annual Membership meeting in November. Please submit nominations in person at announced meetings, or send in writing to the address listed on the front of this publication no later than Sept. 20th 2014.

Once again we are taking inventory on our equipment. If you have BCAGP equipment, please notify Les Rohrbach. If you are no longer using it please return it so it can be used by someone else. Thank You.

Congratulations to Austin Schaeffer who is our 2014 Jacqueline Nein Award winner. Austin graduated from Oley High School this year and has been with us for Day of Caring several years.

Oley Day of Caring



Pictures from the whole day are on our Facebook.



Where is the Isaac Levan Burial Ground?

Isaac Levan, a tanner of Reading, was born January 1, 1734 and died June 9, 1800. Levan conducted a tannery on South 6th Street between Franklin and Chestnut Streets. He lies buried somewhere on the western slope of Neversink Mountain. The actual burial site has yet to be found. Legend has it that a ghost, known as "Old Man Levan" haunts the Neversink area, so someone knew a Levan lay buried on the hill somewhere, but where?

Isaac's will written May 31, 1800, was recorded in Berks County on June 9, 1800. His will identifies 5 children, only 1 still living. The children were: (1) Abraham, who was deceased, leaving children Polly wife of Benjamin Weiser; Catherine wife of John Frymoyer; Jacob, Isaac, Elizabeth and Hester Levan, all minors under the age of 14; (2) Catherine (Levan) Hottenstine, deceased leaving children Isaac Hottenstine and Jacob Hottenstein; (3) Isaac Levan; (4) Polly Levan, deceased, died without issue and (5) Jacob Levan, deceased, died without issue.

Isaac, the only living child, was bequeathed 100 acres of land located on Lord Street and the banks of the Schuylkill River. On December 3, 1800, the Orphans Court adjudged an additional 32 acres, of his father's land to Isaac. In 1805 Isaac Levan, sold the latter 32 acres, to John Lutz (a.k.a. Lotz). Upon Lutz's death the sheriff of Berks sold the same to General George M. Keim in 1832. Here Keim built the "White House", a hostelry on the Reading extension of South Ninth Street. The White House continued in operation for many years to come, still being referred to as "the tract on which

the White House is erected" in a May of 1958 deed (DB 1317 page 113) when it was sold to Thaddeus J. Manuszak. In 1999 Manuszak, after selling off bits and pieces of the original tract, sold the remaining 20.56 acres to the Berks County Conservancy.

Proof that Isaac Levan the tanner, was buried somewhere on Neversink Mountain, is found in the will of the son, Isaac Levan. In this will, recorded in Berks County on November 29, 1826, the younger Isaac asks his executors to, "also build or erect a good and substantial stone wall around the grave yard where my father now lies buried and where I also wish to be buried of at least twelve feet square and at least four feet above the surface of the ground exclusive of the foundation."

The next we hear of the Isaac Levans burial on Neversink Mountain, where the two Isaac Levans lie buried, is in the July 24, 1887, Reading Eagle, when an Eagle reporter visited the aging Samuel Fix. In the interview, Mr. Fix, who was born in 1803, tells the reporter of his life and times. Among his recollections is the fact that in 1829, Mr. Fix built that wall around the graves of the two Isaac Levans, father and son, on Neversink hill, in accordance with the son's will. Now, 185 years later are there any remnants of the 4 foot high, 12 foot square, stone wall remaining. Were the two Isaacs the only burials or were there others? Where, exactly is or was the Levan Burial Gound?

by Betty J. Burdan



Reading Eagle May 17 1877

The Funeral of Catharine Geehr.
 Yesterday the remains of the late Catharine Geehr were laid away to rest in the quiet family burying ground in Oley township, near the Oley Line Hotel. She was among the last of the direct representatives of the old family. The remains were dressed in a beautiful white shroud and encased in a magnificent metallic burial casket, silver mounted and silver plated, bearing the name and age of the deceased. Rev. A. H. Sembower delivered a brief discourse at the house, No. 36 South 4th street, and Rev. A. S. Leimbach officiated at the grave. The bearers were: Messrs. D. Graeff, B. Boyer, C. Ritter, S. Fleck, H. Henninger and C. Cramp. There was a very large attendance of friends and relatives. Undertaker Charles Henninger had charge of the funeral and interment.

[Historic Burial Places Preservation Act \(PDF\) of April 29, 1994 \(P.L. 141, No. 22\)](#)

This Act defines "Historic burial place" as "A tract of land that has been in existence as a burial ground for more than 100 years wherein there have been not burials for at least 50 years and wherein there will be no future burials or listed in or eligible for the National Register of Historic Places as determined by the Pennsylvania Historical and Museum Commission."

It further states that municipalities may not use eminent domain to take a historic burial ground for an alternate use. PHMC approval must be given before a burial ground is taken for "public use." If the burial ground is taken for public use, then the burial ground authority must preserve a record of what was removed. This record must be sent to the county and PHMC.

Furthermore, this Act also stipulates that the following actions are illegal: the removals of a fence, tomb, monument, gravestone, or fragment. These actions are legal only if the object(s) is being removed with consent of the owner or descendent **and** a court order for the purpose of "repair or replacement, reproduction or preservation and display in an accredited museum."

"Grave Happenings" is a collection of articles provided by members of our Board about recent and on-going activities. We are always open to your suggestions for future content.

Permission to reprint any materials herein is granted provided they are printed in their entirety and that BCAGP's author is cited.



Our Mission

We strive to preserve and maintain the historic Berks County graveyards in Eastern Pennsylvania. The Commonwealth of Pennsylvania Historic Burial Places Preservation Act (1994) provides for the preservation of historic burial places, tombs, monuments and gravestones and imposes penalties for violations.

Research supports the existence of over 300 historic graveyards in Berks County of which approximately 120 remain with some sort of visible surface evidence. The BCAGP is working aggressively to preserve these historic grave sites for future generations.

JOIN OR DONATE TODAY!

If you're not a current member, please join us in preserving and maintaining our historic graveyards. If you do not wish to be a member at this time but you are interested in contributing support for a specific graveyard, please indicate that graveyard on the form below. We also appreciate contributions to the general fund.

MEMBERSHIP FORM - 2014

NAME: _____

ADDRESS: _____

EMAIL: _____ PHONE: _____

\$ _____ Annual Membership, Individual \$ 15; Family (residing in the same household) \$25

\$ _____ Annual business or municipality membership, \$35

\$ _____ Donation earmarked for the *Association General Fund*

\$ _____ Donation to be used for the _____ gravesite

\$ _____ Donation to be used in _____ municipality

Total Amount enclosed _____ Date _____

Mail Checks to: B.C.A.G.P., PO Box 3707, Reading, PA 19606

Membership runs a calendar year January to December. Membership dues paid after October will be applied to the next membership year. This form is also available on our website in the internet edition of the newsletters which can be printed.

The official registration and financial information of Berks County Association of Graveyard Preservation may be obtained from the Pennsylvania Department of State by calling toll free, within Pennsylvania, 1-800-732-0999. Registration does not imply endorsement.

Berks County Association for Graveyard Preservation is a registered 501 (c) (3). Please check with your tax advisor as to the deductibility of your contribution.

*Please check our website www.bcagp.org
for meetings times*