

### **Excerpted from Archaeological Survey Report:**

“Additionally, one historic cemetery, the Byrd’s Chapel AME Zion Church Cemetery, was documented... the Byrd’s Chapel AME Zion Church Cemetery ... [is not] ... being recommended eligible for the NRHP; however, RK&K recommends avoidance of the Byrd’s Chapel AME Zion Church Cemetery. If avoidance is not possible, then additional consultation with the State Archaeologist will be required in order to determine the manner in which any impacted graves are to be removed and relocated per State statutes (i.e., NC GS 65 or NC GS 70, Article 3)” (pg. 2)

“Cemeteries located within the APE were delineated, documented, and evaluated. One identified cemetery, the Byrd’s Chapel AME Zion Church Cemetery, is located within the APE. RK&K conducted a visual inspection of the cemetery and its vicinity to identify existing grave markers and any topographical features that may be grave-related” (pg. 4)

### **Byrd’s Chapel AME Zion Cemetery (31CH1348) (from Pages 5 through 7)**

**Component:** Late-19th Century to twentieth century

**USGS Quadrangle:** Merry Oaks, NC 1969 1:24,000

**UTMs (WGS 1984):** 17S E679497 N394676

**Site Area:** 0.4 acre (0.16 hectare)

**Landform:** Saddle between ridges/hill

**Elevation:** 79 meters (260 feet) above mean sea level

**Soil Type:** Creedmoor-Green Level Complex (CrB) and Peawick fine sandy loam (PeB)

**NRHP Recommendation:** Not Eligible

**Management Recommendation:** Avoidance; No further work is recommended.

The Byrd’s Chapel AME Zion Cemetery was likely founded in the late nineteenth century and was an active cemetery into the twentieth century. The date of the cemetery’s abandonment is unknown. The cemetery is located entirely within the APE on a saddle between ridges on a 2 to 6 percent slope approximately 500 meters (1,640 feet) north of the US Route 1 and New Elam Church Road exchange on privately owned property at 661 New Elam Church Road (Parcel No. 68680). The vegetation consists of mixed pine and hardwood forest with a light understory of mixed vegetation. Ground visibility was 0 to 10 percent.

The cemetery survey identified three marked graves and an estimated 32 additional graves that were identified by informal headstone and footstone markers of fieldstone or unmarked depressions. The cemetery dimensions were determined to be 49 meters (160 feet) north to south and 33 meters (110 feet) east to west and include a buffer around identified unmarked graves to account for any potential outlying burials away from the concentration of the burials. The only grave marker in the cemetery with a date of interment reads July 6, 1904.

The Byrd’s Chapel AME Zion Cemetery was first recorded in 1992 by Gertha Clark and was last surveyed by J. Pyle, B. Norwood, and B. and J. Wiggins in 2006. These previous surveys estimated a total of 43 graves including the three marked graves (Cemetery Census 2021). The discrepancy in burial numbers between the surveys may be attributed to 14 instances of fieldstone markers, which were interpreted as headstones and footstones of seven burials for the purpose of the 2023 survey because of their proximity to each other and apparent organization in rows.

No cultural materials were collected at the cemetery, but the survey identified 32 uninscribed worn, rounded, oblong and tabular stones. Two temporary metal stake markers, and a copper urn for flowers were located adjacent to two fieldstone headstones, in addition to the three formal headstones. Temporary

metal courtesy markers were issued by funeral homes as temporary markers until a formal stone was purchased and engraved (Open Durham n.d.). The two metal markers did not contain any remnants of the original tags and no patent numbers were observed. No STPs were excavated within the buffered cemetery boundary. It is possible, given the plant matter at the site, that there are additional depressions or fieldstone markers that were not observed during the 2023 survey.

The formal gravestones located within the cemetery belong to Willis Byrd (born December 15, 1813; died July 6, 1904), Lucy Byrd (no date), and Emeline Macklin (no date). Additional research was conducted that identified Willis Byrd and his wife Lucy, and daughter Emeline as part of a free African American community in Chatham County, North Carolina. Willis Byrd was the son of Josiah Berd [sic]. In 1830 he lived in Pittsboro, Chatham, North Carolina as the head of a household consisting of 11 “Free Colored Persons” (US Census Bureau 1830). In the 1850 US Census, Willis Byrd is listed as a male, “Mulatto”, age 36, born 1814 in North Carolina, living in the Lower Regiment, Chatham, North Carolina. His occupation is listed as farmer, agriculture and he lived with his inferred spouse Lucy Byrd and inferred child Martha Byrd and two other individuals (US Census Bureau 1850). In the 1900 US Census, Willis Byrd aged 86 is listed as widowed living with his son Amos J. Byrd in New Hope, Chatham, North Carolina (US Census Bureau 1900). Death records could not be found for Willis Byrd and by 1900 Willis is listed as a widower. His wife’s (Lucy Byrd nee Evans) death is listed as 1897 in family trees recorded on Ancestry.com, but official documentation of her death could not be located. Emeline Macklin nee Byrd is first listed on the 1850 US Census as the daughter of Willis and Lucy Byrd as two years old and may have been born in 1847 or 1848. Emeline died on March 28, 1940. Her age was recorded as 105 but the birth year was recorded as “D.K.”, an indication of unknown. At the time of her death, she was living in a county home and her burial place is noted as Byrd’s Chapel.

Although only three of the burials are currently marked with the deceased names, given the apparent family connection to the cemetery, it is likely that other members of the extended Byrd family are buried at the cemetery. In 1850, Josiah Byrd’s household consisted of 11 individuals; in 1870, Willis Byrd’s household consisted of 10 people; and in 1900 Amos Byrd’s household consisted of six people that included his father and a boarder (US Census Bureau 1850, 1870, and 1900). These individuals and others associated with the Byrd family may represent those interred at the Byrd’s Chapel AME Zion Cemetery. Another death record lists Hubert Byrd, son of Amos, death at 12 buried in Merry Oaks. The Merry Oaks Baptist Cemetery does not have grave markers from Byrd family descendants; it is, therefore, likely Hubert was interred at the Byrd’s Chapel AME Zion Cemetery in one of the unmarked or fieldstone marked graves (NCBOH 1911).

The property on which the cemetery sits was donated by Amos J. Byrd and his wife Eliza to the “Church Trustees” of the African American Methodist Episcopal Church in America December 19, 1914 (Chatham County Record of Deeds Book F-H:17 1914). The deed is difficult to read but does say, “...in trust that said premises shall be kept, used, maintained, and disposed of as a place of Divine Worship for the ministry and membership of the African Methodist Episcopal Church in America...to the discipline usage and ministry...”

Amos (A.J.) Byrd likely died in Durham, North Carolina in 1928 (DNCR 2023). His death certificate could not be located and no record of his grave or interment could be found. Following the Byrd’s transfer of the property to the Church, the Conference Trustees sold the premises in 1992 to Rhonda Stone Mitchell and husband Daniel Sherrill Mitchell. The deed specified that “This conveyance is made and accepted subject to the following condition: that parties of the second part allow access to the graveyard as required by law” (Chatham County Record of Deeds Book 608:588). In 1998, the property was transferred to Patty Shelton Stone with the same condition (Chatham County Record of Deeds Book 755:866). Historic and deed research could not identify if any Church was ever located on the property; however, historic resources indicate a building at the location on the 1933 Soil Map for Chatham County,

and the Rural Delivery Map from the 1940s, and historic aerial imagery from 1955 indicates that there was a different building located on the property than today. Additionally, deed research on the surrounding parcels mentions a church at the location in 1954 (Chatham County Record of Deeds Book L-Q:181)

“...to the point of intersection of said of said old Road with the public road now in use (this public Road leads from Merry Oaks to New Elam Church); thence with the center line of said public Road North 24 degrees 40 minutes West 917 feet, North 18 degrees 50 minutes West of 480 feet to a point in the center of said public road, a corner of a Church lot (Colored Church); thence with the Church lot line...”

Cemeteries are not typically considered eligible for the NRHP unless they meet National Register Criteria Consideration D. Under Criteria Consideration D, a cemetery may be eligible for the NRHP if it derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from being associated with historic events. Despite the long history of the Byrd family as free African Americans beginning in the eighteenth century, research does not indicate that the family were persons of transcendent national, regional, or local importance or that the cemetery is associated with events of historical significance. RK&K recommends the cemetery as not eligible for inclusion in the NRHP. RK&K recommends avoidance of, but no further work, at the cemetery. If avoidance is not possible, then additional consultation with the State Archaeologist will be required in order to determine the manner in which any impacted graves are to be removed and relocated per State statutes (i.e., NC GS 65 or NC GS 70, Article 3).”

#### **Pertinent References (from Pages 73 through 75):**

Cemetery Census (Cemetery Records on the Web)

2021 Byrd's Chapel AME Zion [L88.2]. *Chatham County North Carolina Cemeteries*. 367 BYRD'S CHAPEL AME ZION [L Chatham County North Carolina Cemeteries (cemeterycensus.com)] Accessed January 2023.

Chatham County GIS

n.d. *Chatham County Historical Aerial Photography 1955*. Pittsboro, NC. <https://gisservices.chathamcountync.gov/historicalimagery/>. Accessed March 2023.

Chatham County Register of Deeds

2023 “Index to Deeds, Mortgages, and Real Estate Conveyances—Chatham County, N.C.” Accessed April 2023. <https://www.chathamncrod.org/welcome.asp>.

Department of Natural and Cultural Resources (DNCR)

2023 *Byrd, Amos J.* MosaicNC. Accessed April 2023. [Byrd, Amos J. | MosaicNC](#).

North Carolina Board of Health (NCBOH)

1911 Death Records. Accessed online at Ancestry.com.

Open Durham

n.d. *Harris Hill Cemetery*. Preservation Durham. [Harris Hill Cemetery | Open Durham](#), accessed May 2023.

United States Census Bureau (US Census Bureau)

1850 United States Federal Census. Accessed online at Ancestry.com.

1860 United States Federal Census. Accessed online at Ancestry.com.

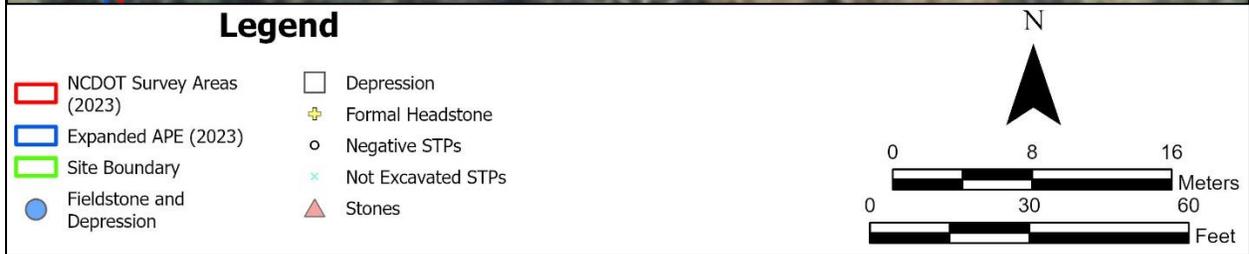
- 1870 United States Federal Census. Accessed online at Ancestry.com.
- 1900 United States Federal Census. Accessed online at Ancestry.com.
- 1910 United States Federal Census. Accessed online at Ancestry.com.
- 1914 “Statistics of the Population.” Accessed online at Ancestry.com.
- 1920 United States Federal Census. Accessed online at Ancestry.com.
- 1930 United States Federal Census. Accessed online at Ancestry.com.
- 1940 United States Federal Census. Accessed online at Ancestry.com.

United States Post Office Department

1940s *Rural Delivery Routes, Chatham County, NC.*

**Appendix A (Pages 80-81) – Archaeological Survey Required Form**

“All cemeteries (if any) should also be properly recorded and delineated if any occur within or adjacent to the expanded Study Area locations; specifically, the abandoned Birds Mission/Byrd’s Chapel AME Zion Church Cemetery is located within the expanded Study Area location west of New Elam Church Road.”



**Figure 4: Byrd's Chapel AME Zion Cemetery (31CH1348).**



Figure 5: Formal headstones and footstones, view west.



Figure 6: "EMELINE MACKLIN I LOVE MY BLESSED SAVIOUR I LOVE MY SAVIOR'S NAME" Emeline Macklin headstone and footstone Lucy Byrd footstone in background, view west.



Figure 7: "LUCY BYRD Wife of WILLIS BYRD Died 74 years - In the O Lord have I put my trust." Lucy Byrd headstone with Emeline Macklin in background, view east.



Figure 8: "WILLIS BYRD Born Dec. 15, 1813 Died July 6, 1904. In God have I put my trust." Willis Byrd headstone and footstone in background.



**Figure 9: Two depressions with fieldstone markers, view west.**



**Figure 10: Six field head and footstones, view west.**



**Figure 11: Fieldstone headstone with copper flower vase, view west.**



**Figure 12: Four fieldstones, possible head and footstone, view west.**



**Figure 15: Chatham County Aerial 1955, possible location of Byrd's Chapel AME Zion Church.**