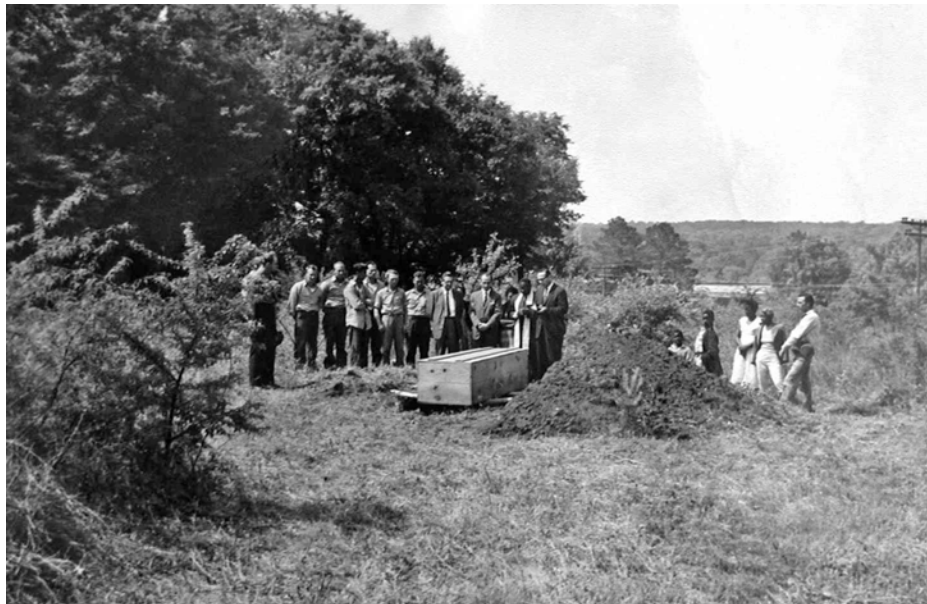


THE PENITENTIARY CEMETERY, COLUMBIA, SOUTH CAROLINA



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Death in anonymity is the ultimate insult to human dignity.
– Kathy Reichs, forensic anthropologist and author.

MANAGEMENT SUMMARY

This report examines the development of what has been called the Penitentiary Cemetery, Prison Cemetery, and Tickleberry Cemetery over the past 100 years. It is located in northwestern Columbia, South Carolina and as the name implies was used by the S.C. Penitentiary (later the Department of Corrections) for the burial of its inmates.

Although structurally incomplete, the penitentiary opened its doors in 1867. Less than 15 years later the small plot used for inmate burials within the penitentiary walls had been filled and the new burial ground, discussed in this study, was acquired in 1883.

The pre-twentieth century history of South Carolina penal efforts demonstrates little concern for the individuals - mostly African American - that were committed to the facility. Of far greater concern to the citizens of the state was that the prison be run in manner that eliminated all taxpayer costs. It is therefore no wonder that for the first 68 years of the new cemetery's operation the prison kept almost no records of burials.

It wasn't until the initiation of South Carolina's death registration process in 1915 that death certificates can be used to identify prisoners being buried at the penitentiary cemetery. Our examination of prison records and death certificates reveals that even these state mandated forms were inconsistently completed by prison officials.

Over time, several marking devices were used by prison officials. For several decades whitewashed concrete markers were used, providing a name, prisoner number, and

death date. Then a simple metal plate was substituted. But for much of the cemetery's use the graves were either unmarked or marked in the most transient fashion. As a result most of those buried at the penitentiary cemetery rest anonymously. Nevertheless, this research has identified 279 individuals known to be buried in the cemetery. We estimate that there are perhaps 1,200 burials within the fenced area and to the east, outside the fence (not including those moved to this location from Lower Cemetery - they would bring the total to 1,900).

Over its history, the cemetery received only minimal care by the prison and its usual condition was overgrown and largely forgotten.

Although Columbia's Central Correctional Institute did not close until 1994, a new cemetery was developed in 1988, behind the Goodman Correctional Institute on Broad River Road - situated on what used to be known as Walden Farm. Even before the new cemetery was operating, control of the old cemetery was assumed by South Carolina's Budget and Control Board - an agency that had even less interest in the cemetery and its occupants than the prison. In 1982 a significant portion of the property was sought by Cosmos Broadcasting Corporation - the parent of WIS TV - for a tower site. No arrangement was ever reached since Cosmos was not willing to pay the appraised value of the property.

In 2000 the State Budget and Control Board disposed of the property to the City of Columbia, which has held the tract since that time. During the past decade the condition of the cemetery has steadily deteriorated. The once locked gates protecting the graves are now

broken and open. Many of the markers in the cemetery have been destroyed or stolen.

The cemetery must be considered threatened - both by the development pressing along the Broad River and by the seemingly uncaring management of the City of Columbia. The cemetery is virtually forgotten by Columbia's citizens, prison authorities, and its current owner, the City of Columbia. This study, however, reveals the history of the property, as well as the very large number of burials that have taken place on the property over the past 90 years.

The cemetery requires - and deserves - a far higher standard of care than it has received over the past 20 years. In addition, should the cemetery ever need to be removed, it is important to realize not only the very large number of burials on the property, but also the extraordinary information held by the cemetery.

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INTRODUCTION

Background

We first became aware of the Penitentiary Cemetery in 2000 when it became public that the City of Columbia had acquired the property in a land exchange deal with the State of South Carolina. The cemetery was visited, an initial sketch map produced, and the cemetery was identified as archaeological site 38RD1182. Like our early work at Douglas Cemetery (Trinkley and Hacker 2008), the work at the Penitentiary Cemetery was unfunded and limited in nature.

Since that time we have intermittently mapped the cemetery and have conducted considerable additional research on the cemetery's development, use, and final abandonment.

We have been asked about our interest in the cemetery – and more bluntly why it should be considered important since it was used only by “prisoners and convicts.” Many are of the opinion that the cemetery was used for executed prisoners. Of course, neither is entirely true. The cemetery contains the infant daughter of a female prisoner – a true innocent. Most of those buried in the cemetery, while prisoners, died from disease. Relatively few of the burials are of executed prisoners.

Beyond that, however, we need only point out that there have been 227 post-conviction DNA exonerations in the United States – including one in South Carolina. Clearly, not all individuals who are in prisons, even on death rows, are guilty.

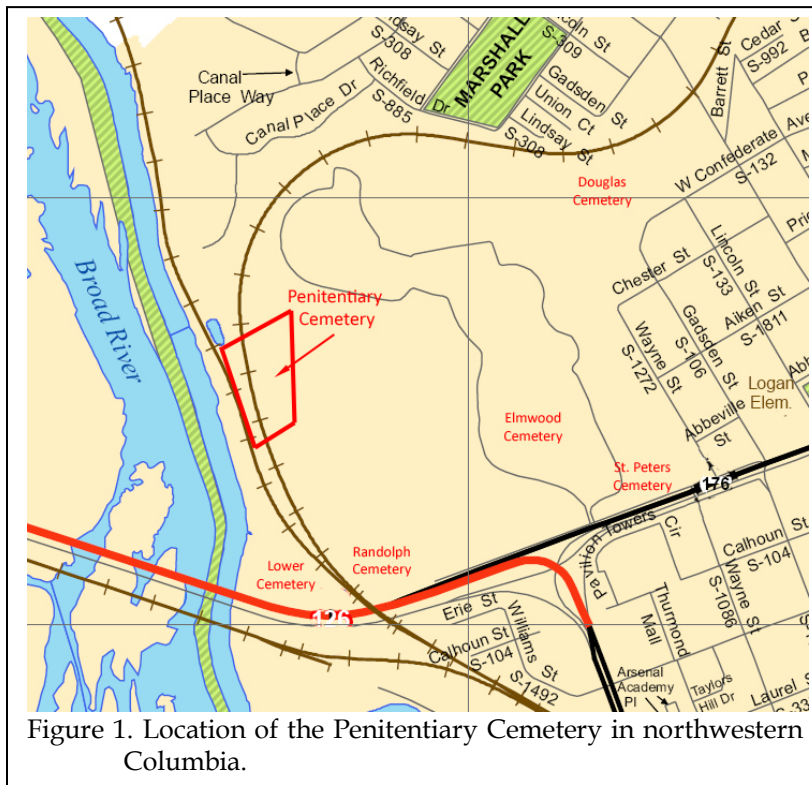


Figure 1. Location of the Penitentiary Cemetery in northwestern Columbia.

In 1912 Alex Weldon was executed – and buried in the penitentiary cemetery. His last words were,

I am in this electric chair not for what I done, but for what somebody else done. . . . I am about to go to eternity and I have made peace with my God. Facing eternity, I would not dare tell a lie, for I know, and you know, that nothing can save me from death in this chair. A lie now would do me no good (*The State*, August 14, 1912, pg. 12).

The cemetery also provides mute evidence for the way in which South Carolina has

historically treated her prisoners. As Benjamin Perry remarked, the state and its law originated with a people “whose fierce and savage feelings were more easily influenced by the love of revenge and destruction than by any principle of justice, reason or equity” (quoted in Thomas 1983:i). Even Columbia’s not especially liberal newspaper occasionally ran articles such as the one headlined, “Convicts No Better Than Dogs – Another Instance of Talbert’s Neglect of Duty” (*The State*, June 16, 1891, pg. 5) or “The Inhumanity of Man to Man – Pitiab Condition of South Carolina Convicts” (*The State*, June 3, 1891, pg. 1).



Figure 2. View of the Penitentiary Cemetery in 2001, looking southwest. In the foreground are concrete markers; in the background are “license plate” markers.

The penitentiary cemetery – no less a historical relic than the CSS Hunley – represents part of South Carolina’s history. Situated among the cemeteries of Columbia’s white and black elite at Elmwood and Randolph, it provides stark contrast.

But most fundamentally, our interest was driven by the desire to ensure that no individual, regardless of their situation in life – or crimes, real or imagined – is forgotten. We are concerned that burial grounds, often attractive development targets, are made even more so when they are forgotten and occupied by

individuals on the fringe of society. Our goal, then, is to raise awareness of the Penitentiary Cemetery and give those buried there a voice.

An Overview

The Penitentiary Cemetery is situated in northwestern Columbia, between Elmwood (Columbia’s 168 acre historic rural landscape cemetery that began in 1854) to the east and the Columbia Canal to the west. The cemetery – or at least that portion recognizable today – is situated at the southern tip of a 13.5 acre tract. Today the parcel has been cut up by a Columbia

sewer, a relocated railway line, and a South Carolina Electric and Gas transmission line. Historically, however, the property was considered prime farmland, the portion outside the cemetery being cultivated by prison inmates.

The penitentiary cemetery was separated from Randolph Cemetery to the south by what was historically known as Cemetery Creek – a drainage that flowed southwesterly from the heart of Elmwood Cemetery (on Cemetery Hill) to the Broad River prior to the creation of the Columbia Canal. With the

change in water levels, this drainage became a largely dry gully of steeply sloping land that has never been developed by Elmwood Cemetery.

The penitentiary tract slopes from a high of 270 feet above mean sea level (AMSL) at its northeast corner southerly and westerly toward the canal, to a low elevation of about 205 feet AMSL. The cemetery portion has an elevation of about 234 feet AMSL at its eastern edge to 214 feet at its southwestern edge. It represents one of the most level areas in the original 13.5 acre tract.

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The remainder of the property shows the scars of agricultural exploitation - terracing and exposed red clay soil. Vegetation outside the grassed cemetery area consists of scrub, brambles, and second growth pine and hardwoods - all typical indicators of land abandoned and nature attempting to heal abuse.

To reach the cemetery today most visitors travel through Elmwood to its northwestern edge, where a dirt road leads off the property, winding downhill and eventually entering the penitentiary cemetery clearing. Historically, bodies were transported through Lower Cemetery, along the canal, entering the penitentiary property along its northwestern edge. Then a field road would take the burial party southward to the burial grounds, covered in broom straw, at least from the 1950s.

THE PENITENTIARY CEMETERY, COLUMBIA, SOUTH CAROLINA

HISTORIC SYNOPSIS

The South Carolina Penitentiary

No comprehensive history of the South Carolina penal system has been produced, although Oliphant (1916) and Thomas (1983) both provide limited overviews. Thomas, for example, documents the arduous road leading to the state finally accepting the concept of a penitentiary in 1866, appropriating \$20,000 (and later an additional \$45,000) for its construction. Prior to that time those convicted of crimes were housed at the county level. The South Carolina Penitentiary (what would eventually become known as the Central Correctional Institution or CCI), accepted its first prisoner in April 1867.

During the postbellum Republic administrations between 1869 and 1877, large sums continued to be spent on the penitentiary. By 1871, in addition to the cell block, there were buildings for a machine shop, shoe shop, carpenter, blacksmith, weaving shop, and tailor's shop. We have, however, found no plan for this early prison. In spite of using prisoners for the bulk of the building efforts, the penitentiary built up huge deficits.

An 1876 investigation of the prison found the cells in good condition, but the prison food and clothing "inadequate" (Thomas 1983:118). By the time Wade Hampton and the Democrats took control of the state, there was considerable hostility toward the penitentiary and its mounting costs. The board members and the superintendents spent considerable efforts at reducing costs and making the prison self-sufficient. Through a convict leasing system the annual appropriations were dramatically cut and operating funds came primarily from the income of convict labor.

The June 1877 convict labor law required that those leasing prisoners provide

"humane treatment." Firms such as the Greenwood and Augusta Railroad paid the costs of a prisoner, plus \$3 a month for each. Thomas notes that while humane treatment may have been a requirement, it seems to have had little effect. Of the 285 prisoners leased to the Greenwood and Augusta Railroad between September 1877 and April 1879, 128 died (Thomas 1983:135). This is over one death a week. George W. Cable, in the book *The Silent South*, published in 1885, remarked:

The overwhelming consideration of self-support makes the spirit of the lease system dominant over all. The reformatory features are crude, feeble, and purely accidental. The records are meager. The discipline is of that poor sort (Cable 1885:150).

During 1880 there were 11 contracts, working 355 prisoners. By 1881 no state funds were being used to maintain the state's prison population (Thomas 1983:140).

A small Lexington County (later part of Richland County) farm was acquired in 1877 to provide additional work for prisoners - and additional income and supplies to the penitentiary. Although an 1892 article lists no fewer than eight farms (*The State*, January 21, 1892), some may have been using leased labor. We do know, however, that with the economic decline of 1889 many of the industrial activities inside the prison became unprofitable and the prison acquired two additional farms - Reid and DeSaussure (Oliphant 1916:9).

The two farms were "situate on the line between Kershaw and Sumter counties, about 12

miles southwest of Camden. The line between the counties lies between the stockades on the two farms and the dividing line between the farms is at the county line" (*The State*, June 17, 1899, pg. 3). The Reid (or Reed) farm (Kershaw County) consisted of about 2,500 acres, the DeSaussure farm (Sumter County) about 1,700 acres. About 2,500 acres between the two farms was under cultivation, with most of that being bottomland protected from the Wateree by dikes 7 feet in height and 15 feet wide at their base. In

many legislators dissatisfied with their success. This was defeated by the recent "careful management of the present administration" (*The State*, February 1, 1902, pg. 1).

By 1918, however, a report prepared at the request of the governor found that production was,

hampered, first, by the lack of a sufficient number of able-bodied prisoners, and, second, by the lack of proper facilities for taking care of their prisoners so as to keep them in condition for the best work. The present buildings are most meagerly equipped, without cooking arrangements, steam kettles, laundry equipment, heating apparatus, or suitable hospital facilities. Under the circumstances, the men cannot be properly fed and clothed and their productivity is necessarily diminished.

The managers are hampered also by lack of sufficient farm machinery and other equipment. It would be profitable for the state to supply at least four tractors for the two farms, with other modern machinery, especially in view of the lack of sufficient man power (Hart 1918:46-47).

The prison farms continued operation at least into the 1950s. The Reed and DeSaussure farms became the Wateree Correctional Institution. Today this facility includes a 7,000 acre row crop, dairy, egg-laying and beef cattle operations. The Richland County farm, including Walden, became the property used by the Department of Corrections Headquarters, the Broad River Correctional Institution (1988), the Camille Griffin Graham Correctional

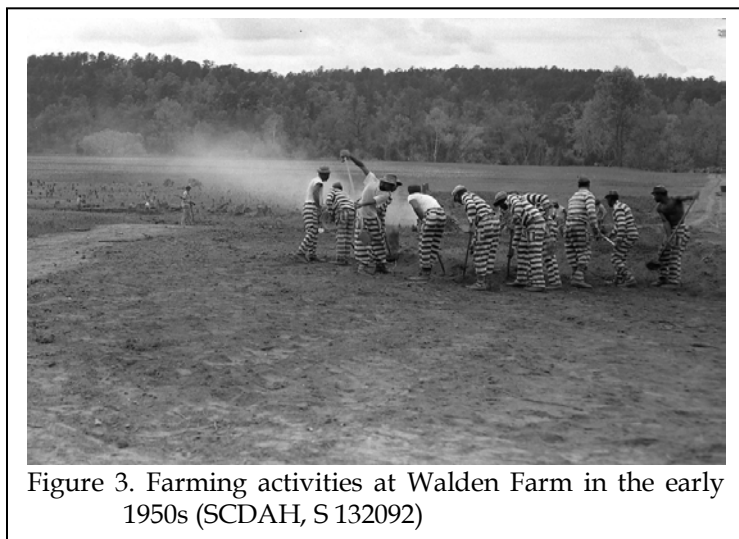


Figure 3. Farming activities at Walden Farm in the early 1950s (SCDAH, S 132092)

1899,

The DeSaussure farm works about 60 convicts and the Reed estates about 50. Apart from the homes of the managers, the stockades and the saw mill, there are no buildings on the farm except a few weather sheds on that vast expanse of miles and miles of bottom land (*The State*, June 17, 1899, pg. 3).

Cotton was the chief money crop on both farms, with subsistence crops such as corn, wheat, rye, potatoes, peanuts, and peas. Also produced were hay, fodder, and cotton seed.

The farms, however, were not truly profitable on any meaningful scale. In 1902 there was an effort to dispose of the properties with

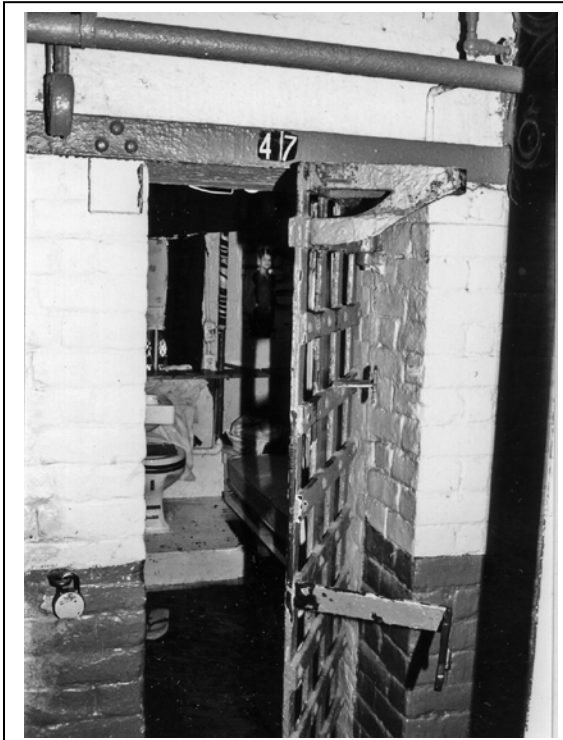


Figure 4. Original cells in Cell Block 1, dating from the nineteenth century (SCDAH, S 132092).

Institution (1973), the Stevenson Correctional Institution (1938), the Goodman Correctional Institution (1970), and the Walden Correctional Institution (1950).

By 1925 the deteriorating condition of the penitentiary system itself was the focus of a joint legislative investigation. The resulting report found that the prison sat on 18 acres of land, containing 16 “dilapidated buildings” surrounded by a wall “warped and defective” and providing “poor and inadequate protection.” In sum, the committee found that the prison was “so obsolete, so inadequate, so unsafe and so unsightly that one cannot view it except as an expression of another age.” The farms were reported to have been a financial loss for the past 25 years (Anonymous 1926:4-5).

Prior to 1912 executions were by public hanging, conducted by the individual counties. In 1911, however, legislation was introduced to require all executions be conducted by the state “within the walls of the penitentiary” using electrocution. The bill went on to specify that after the execution, if the body was unclaimed, it shall be interred in the grave or cemetery attached to the prison with sufficient quantity of quicklime to consume such body without delay” (*The State*, January 23, 1911, pg. 7). While it is uncertain if quicklime were used, a “death house” was constructed by the penitentiary in 1912.

An article described the building as measuring 60 by 40 feet and “erected under the supervision of A.W. Todd, the Charleston architect.” As shown in Figure 5, the building was of red brick, with “a score of large oblong windows, just below the edge of the roof” to “give plenty of light to all sections.” There were six cells to the right of the entrance. Fearful that condemned prisoners would cheat the state of execution, there was a double iron enclosure “to prevent the giving of any instrument or poison with which a prisoner condemned to death



Figure 5. Death House at the penitentiary, dating from 1912.

might commit suicide.” While the article related that the cells were “comfortably furnished,” it admitted that “no provision has been made for heating the building” (*The State*, July 29, 1912).

To the left of the cells was the "death warrant room," where the death warrant would be read to the prisoner, an autopsy room, and the "death room." The death room measured 20 by 20 feet and contained only the electric chair. The "control" was placed "in an opening in the wall to the rear of the chair." An "expert electrician" was initially employed to serve as the executioner in order to "tell whether the apparatus is working well." There were several occasions when the chair did not work, forcing postponement of executions. So high was the amperage - and so outdated were the electrical circuits in the prison, that the lights did, indeed, dim during electrocutions. Eventually the chair, perhaps in black humor, was nicknamed "Old Sparky."

The autopsy room was perhaps misnamed since there never seems to have been an autopsy performed. Instead, the room was intended to allow the executed prisoner to be examined by several physicians who would confirm death (*The State*, July 29, 1912, pg. 10).

Although once "remodeled," executions were not moved from the penitentiary until 1989, when they were transferred to the newly completed Capital Punishment Facility at Broad River Correctional Institution.

It wasn't until 1900 that male prisoners under the age of 16 (and as young as 7) finally left the state penitentiary for the "new" reformatory on Broad River Road. By 1916 about half of the inmates were under 12 and one review remarked that the institution,

is absolutely destitute of all reformatory features except a Sunday Service. It is in fact a juvenile prison . . . the boys are kept in a brick building [that is] bare, desolate, and dirty. The beds are dirty and uncomfortable. There was no heating apparatus except four smoky fireplaces in each of the

two dormitories. . . . There was no cooking apparatus, either ranges or steam cookers. All cooking had to be done in the brick ovens or in two large kettles. There was no laundry apparatus, but the boys washed their clothing, after a fashion, in ordinary wash tub. There were no towels, tooth brushes or hair brushes. There was no school whatever except a Sunday School, no library, no pictures, no writing materials. . . . There was no provision for recreation. In answer to the question: "What do the boys do for recreation?" the superintendent answered: "Farm work!" The State makes no appropriation for the maintenance of the reformatory. The writer has visited perhaps 200 institutions for children, but only once before in his experience has he seen a company of children so utterly forlorn, miserable, and helpless as the boys in the Negro Reformatory of South Carolina (Hart 1918:43-44).

Women continued to be housed at the penitentiary in a separate building until 1937 when construction began on a women's penitentiary.

The 1930s also saw labor drained away from the penitentiary as a result of the "chain gang law" which allowed counties to keep prisoners for local labor projects. By 1960 this program was terminated, not for its inhumanity, but rather the common corruption of using prison labor on private projects.

While labor for farms and other industries was drained by the counties, this did not mean that the overall penitentiary population fell. In fact, in 1932 Cell Block 1 saw

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a major “renovation.” When originally built in 1867, the cell block was a single granite building designed to hold 500 inmates in cells measuring 5 by 8 feet. The original building had no roof (a metal roof was later added), electricity, or plumbing. Originally there was only one washroom to serve the entire inmate population. Bathwater was not changed between inmates.

In 1932 steel cells were installed in the middle of the building to increase its holding capacity. These cells were not removed until 1980. In the late 1980s inmates who chose to live in the cell block – by that time a preferred living space because of the privacy of the single cells – were required to sign a waiver to live in Building 1 because it was condemned.

It was in 1932 that a fire originating in the furniture factory on the penitentiary grounds destroyed the main chair factory (formerly the TB hospital), five frame warehouses, a large wood shed, dry kiln plant, guard tower, and kitchen annex – a third of the prison buildings. The cost of rebuilding was estimated to be \$150,000. Figure 7 shows the prison in 1932, probably after the fire. Figure 8 is a plan of the prison in 1947. We have found surprising few plans of the penitentiary.

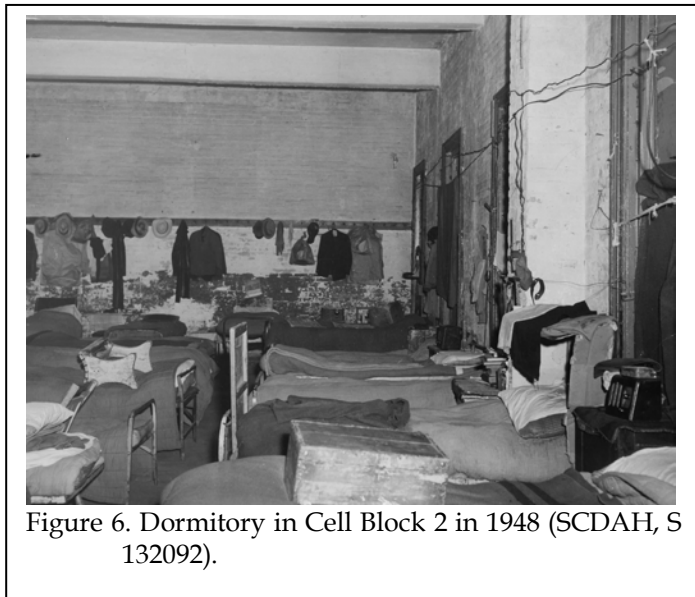


Figure 6. Dormitory in Cell Block 2 in 1948 (SCDAH, S 132092).

In 1960 the chain gang system was terminated and the SC Department of Corrections was established. The SC Penitentiary was renamed the Central Correctional Institution (CCI). Just a year earlier the original entrance at the penitentiary – a massive and imposing fortress façade housing the administrative offices – was torn down.

In 1994 the last of the inmates at the penitentiary were transferred to Lee Correctional Institute, the state’s newest and largest prison. This ushered in the era of development.

The penitentiary site was placed on the National Register of Historic Places – a move that resulted in *The State* newspaper publishing a personal attack on the researcher, suggesting he should be forced to live in Cell Block 1 (*The State*, December 2, 1994, pg. A12). The nomination, however, did little to slow the City’s rush to ensure the complete demolition of the buildings – all with the tacit approval of the State Historic Preservation Office (*The State*, August 22, 1997, pg. A1). Although the city’s development efforts involved federal funds, there was astonishingly no requirement to conduct any historical or archaeological investigations of the penitentiary property (*The State*, September 21, 1998, pg. B1). Thus, while the architectural merits were simply dismissed, the archaeological resources were not even given passing consideration – a decision that would have tragic consequences as discussed below.

When the City of Columbia failed to find a means of profitably developing the property, it was sold to the Beach Company, a Charleston development firm that orchestrated the development of what has become known as CanalSide – unhampered by any historic preservation requirements. The only remnants of the site are granite block park benches and a rusty hinge – used to decorate the city’s “Esplanade trail” (*The State*, June 14, 2008).

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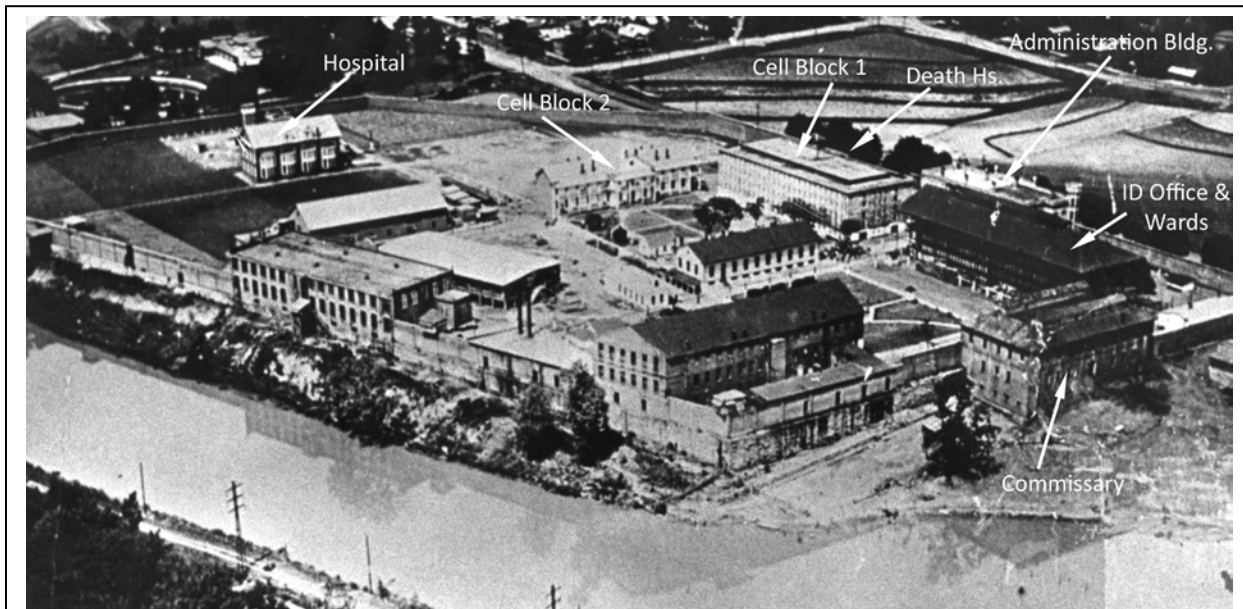


Figure 7. The penitentiary in 1932 with identifiable buildings labeled (SCDAH, S 132092).

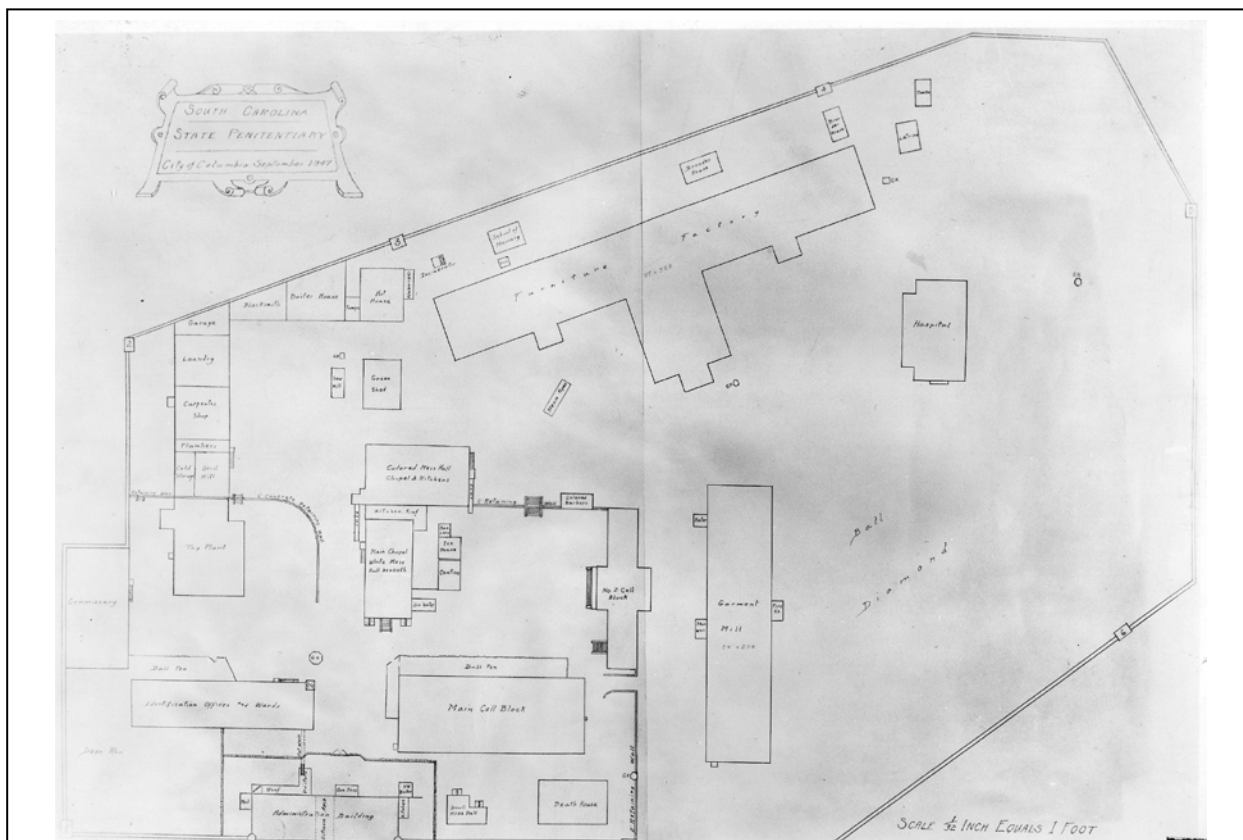


Figure 8. Drawing of the penitentiary in 1947, showing the rebuilding after the 1932 fire (SCDAH, S 132092).

Death at the Prison, 1867-1882

Between the opening of the penitentiary in 1867 and the end of 1882, there were approximately 248 deaths at the prison,

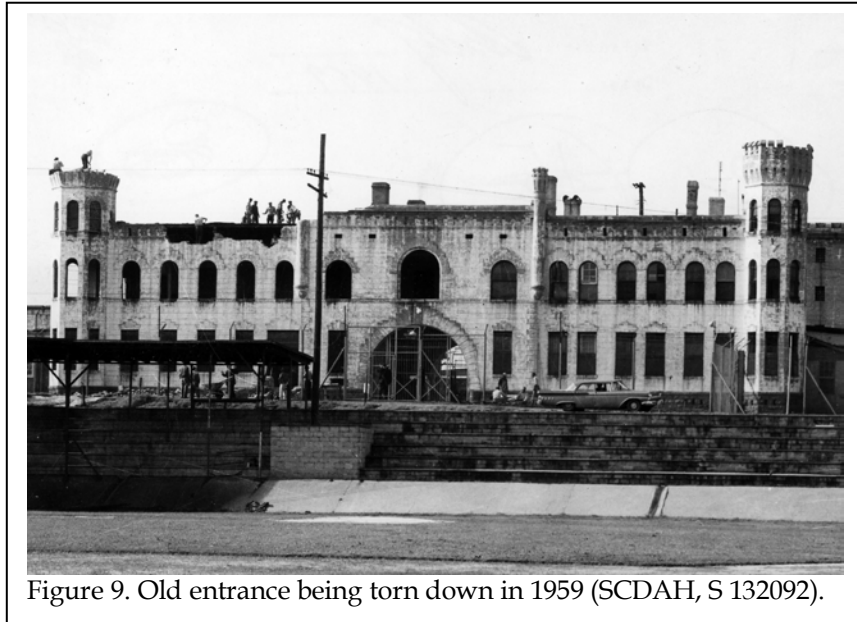


Figure 9. Old entrance being torn down in 1959 (SCDAH, S 132092).

including those who drowned or were shot while attempting to escape. The figure does not, in so far as possible, include any of the deaths occurring among prisoners leased out. The death rate averaged about 19 a year.

In the various reports from the Penitentiary published in the *Legislative Reports and Resolutions*, we find that in 1871 four coffins each required 50 feet of pine. Two were turned over to the store keeper. The 1878 report reveals that the Carpentry Shop used 2,880 feet of pine for coffins, suggesting that approximately 57 coffins had been constructed. In 1881, 1,000 feet of lumber was used - indicating about 20 coffins.

Superintendent T.J. Lipscomb, in his report for 1879, provides the only information we have concerning the early deaths at the penitentiary:

I would call your attention to the graveyard for the convicts

within the prison. It is in one corner of the garden, and the small plot of ground is so full of graves that there is scarcely enough ground to dig new ones.

I would suggest that a place be procured outside the enclosure for the purpose (*Reports and Resolutions*, 1879, pg. 297).

Although he provides no other information concerning the size of this graveyard or its location, a report for 1877 tells us that the garden was in the northwest corner of the penitentiary - one of the few open locations shown on the 1947 plan (Figure 8).

The Penitentiary Board concurred with the recommendation of Lipscomb, pointing out that the location "is not a very appropriate place" and asking for an appropriation of \$1,000 "for the purchase of sufficient ground, at some more suitable place."

The Superintendent's Report for 1881 explains that since the requested appropriation was not obtained until late October that year, it had not been possible to make a purchase. The following year, however, Lipscomb comments,

The special appropriation of \$1,000 for burial ground, made three years ago, has not been spent, and I would respectfully recommend that it be utilized at once in the purchase of a suitable ground for the purpose. I have been offered 12¾ acres near the colored cemetery of the city for one thousand dollars, and I think if this tract was

purchased it could be made to pay for itself in a few years in the crops which could be raised upon it until the ground was needed for the burial of bodies. The plan suggested by your honorable body - to bury the convicts on the State land above the Penitentiary, near Broad River Bridge, - is not feasible, in my judgement, as in the event of a freshet or the withdrawal of the water from the old canal, as proposed, the locality could not be reached, and it is in no way suitable for the purpose *Reports and Resolutions*, 1882, pg. 479-480).

larger than the hospital shown on the 1947 drawing and nearly as large as Cell Block 1. We suspect, however, that the cemetery was actually smaller and that by the time funds were being requested for a new burial ground, the one in the prison has been so heavily used that it was impossible to open a new grave without disturbing previous interments.

The absence of historical or archaeological investigations, required by federal funding, resulted in the loss of this burial ground to development. The failure of the State Historic Preservation Office to require such studies is inexplicable.

The New Penitentiary Cemetery, 1883-ca. 1988

The property that Superintendent Lipscomb referenced in his report was a parcel owned by Columbia businessman Thomas J. Robertson. A deed for the property was prepared on January 25, 1883. The property was described as 13.74 acres, "bounded on the North by land of Thomas J. Robertson, on the East and South by Elmwood Cemetery, and on the West by the Columbia and Greenville Railroad, being a part of that tract of land known as Tickleberry" (Richland County Register of Deeds, DB O, pg. 389). Also referenced is a plat by Thomas B. Lee, dated January 22, 1883 shown as Figure 10. Tickleberry Farm was owned by Col. A.R.

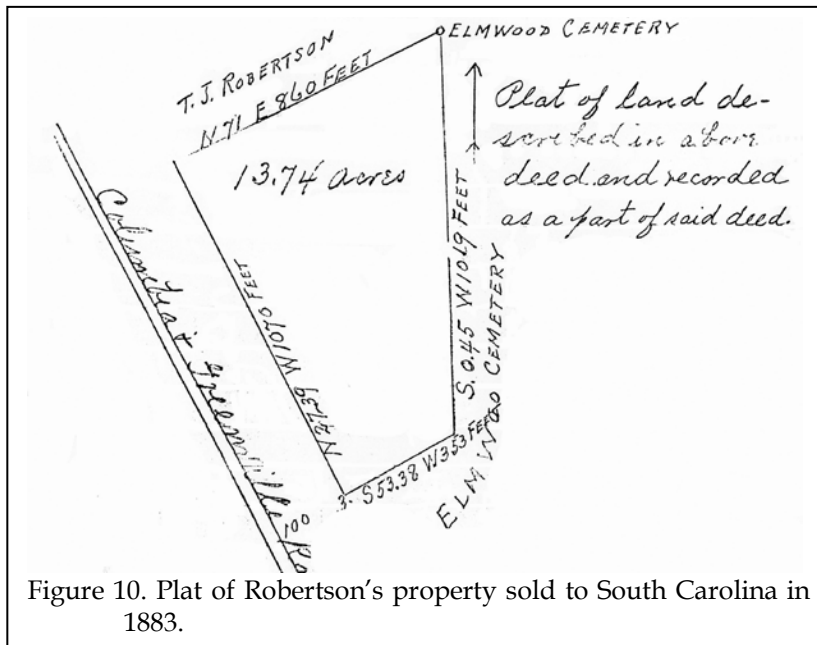


Figure 10. Plat of Robertson's property sold to South Carolina in 1883.

As will be discussed in the following section, the state purchased the requested land, resolving the burial problems for the penitentiary.

Taylor prior to the Civil War, with much of it being acquired for Elmwood Cemetery in 1854.

Assuming approximately 7 by 3 feet (21 square feet) for the burial of each body with no overlap, the prison cemetery would have had to be about 72 feet square, or just over 0.1 acre. For comparison, the cemetery would have been

We have found few further mentions of the cemetery, outside of the death certificates identifying it usually as "Penitentiary Cemetery," although other terms used occasionally include "prison cemetery,"

HISTORIC SYNOPSIS



Figure 11. April 1938 aerial of the Penitentiary Cemetery. At the top is a view from the penitentiary northward to the cemetery. Below is a close-up of the cemetery.

THE PENITENTIARY CEMETERY, COLUMBIA, SOUTH CAROLINA



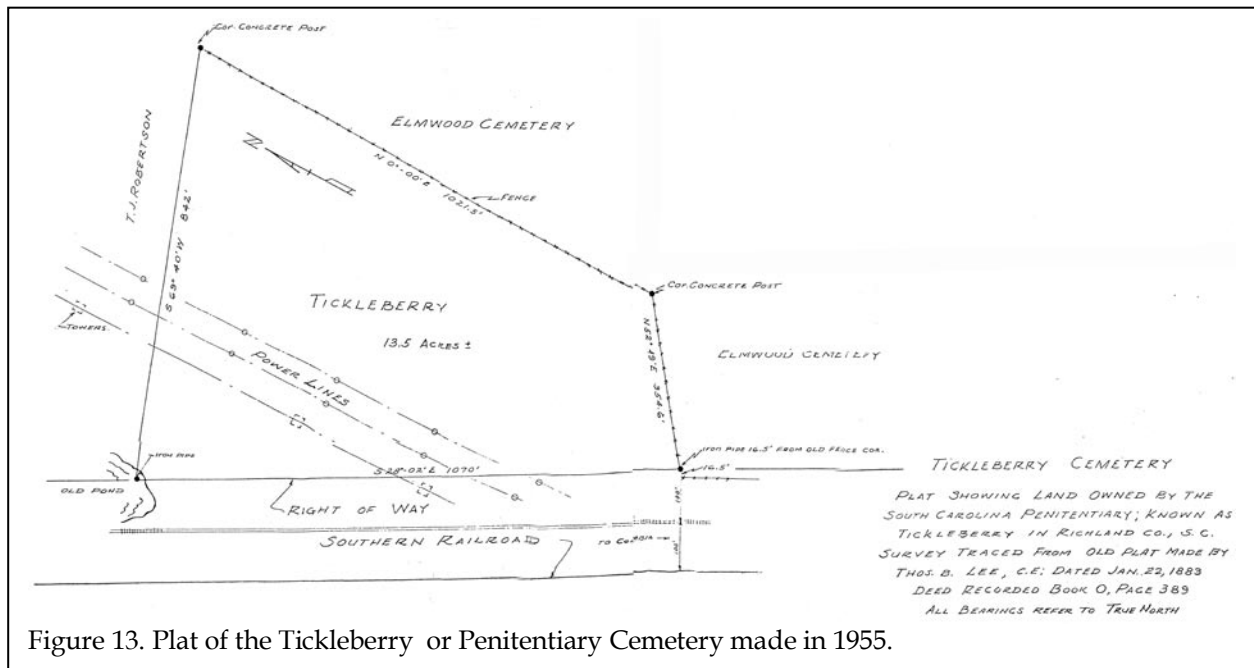
Figure 12. May 1951 aerial of the Penitentiary Cemetery. At the top is a view from the penitentiary northward to the cemetery. Below is a close-up of the cemetery.

“Tickleberry Cemetery,” and even “potters field.”

We do have a 1938 aerial photograph of the cemetery property (Figure 11). Just as Superintendent Lipscomb intended, the acreage was cultivated, with clear indications of terracing. The road accessing the cemetery crossed the railroad tracks about midway along the western side and cuts across the property to the east where it turns northward and runs along the edge of the tract, exiting onto the Elmwood Cemetery property (although that

still a road that leads from the penitentiary, across the railroad tracks, and then southward to the area being used for burials. Now, however, it appears that a sizable portion of the cemetery is wooded, with a new road winding along the western side, outside the woods. We believe that maintenance of the cemetery was being reduced, with vegetation reclaiming many of the graves. The road lead to a portion of the cemetery currently in use, which was not wooded.

Both the 1938 and 1951 aerials show a



portion had yet to be developed and was also under cultivation). The road also splits off to the north and south. The southern road leads down to a grassed area that appears to be square. This was the cemetery, having a shape very similar to that found today.

By 1951 we have a second view of the penitentiary property (Figure 12). Although terracing is still clearly visible, it does not appear that the property is being cultivated. There are several areas of scrub growing up on the tract and in the middle there is evidence of a borrow pit, excavated relatively recently since there is no indication of re-vegetation. There is

triangular sliver of the penitentiary property along the southeastern edge that appears to be wooded, in contrast with the remainder of the cultivated tract.

In 1955 another plat of the cemetery was prepared (Figure 13), showing the property to be 13.5 acres - slightly less than originally thought. This plat shows a fence along the east and south sides of the cemetery. The northeast and southeast corners are “concrete posts.” From work at Randolph Cemetery we know that this fence surrounded Elmwood Cemetery and many of these posts are still present.

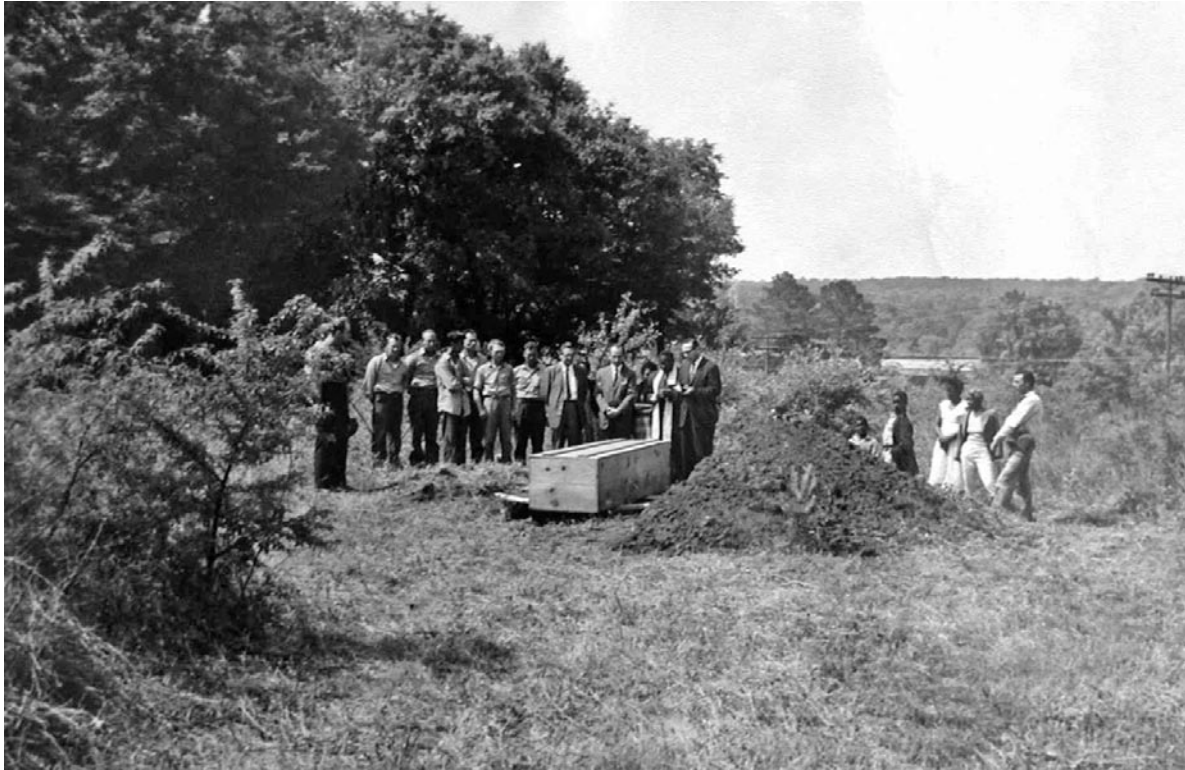


Figure 14. Photo of a burial in the Penitentiary Cemetery, thought to be that of Robert "Bozo" Johnson. To the rear is the railroad.

The plan also reveals that the western boundary of the property was 100 feet from the centerline of the railroad. The property dimensions are very similar to those shown in Figure 10. The plat reveals that by this time three power lines, including one high tension line on metal towers, had been constructed across the northwest edge of the property.

There are several photographs of a burial at the penitentiary cemetery, believed to be that of Robert "Bozo" Johnson, a prisoner executed in 1960 for "assault with intent to ravish." The photos provide a wealth of information concerning the process of burial, at least for the second half of the twentieth century.

The cemetery is overgrown in grass and the photo fails to show any other marked graves. The coffin is a simple rectangular pine box that appears to be made of 1x12 planks. It measured about 24 inches in height, 32 inches in



Figure 15. Funeral at Penitentiary Cemetery.

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width, and perhaps 84 inches in length. It was supported over an open, oval grave by two layers of boards. Presumably ropes would have been used to lower the coffin into the ground. At least as late as this photograph, graves were

Barber and Associates. There are relatively few changes, except for the addition of a City of Columbia sewer line running through the middle of the tract, existing at the southwest corner and then continuing to the east.

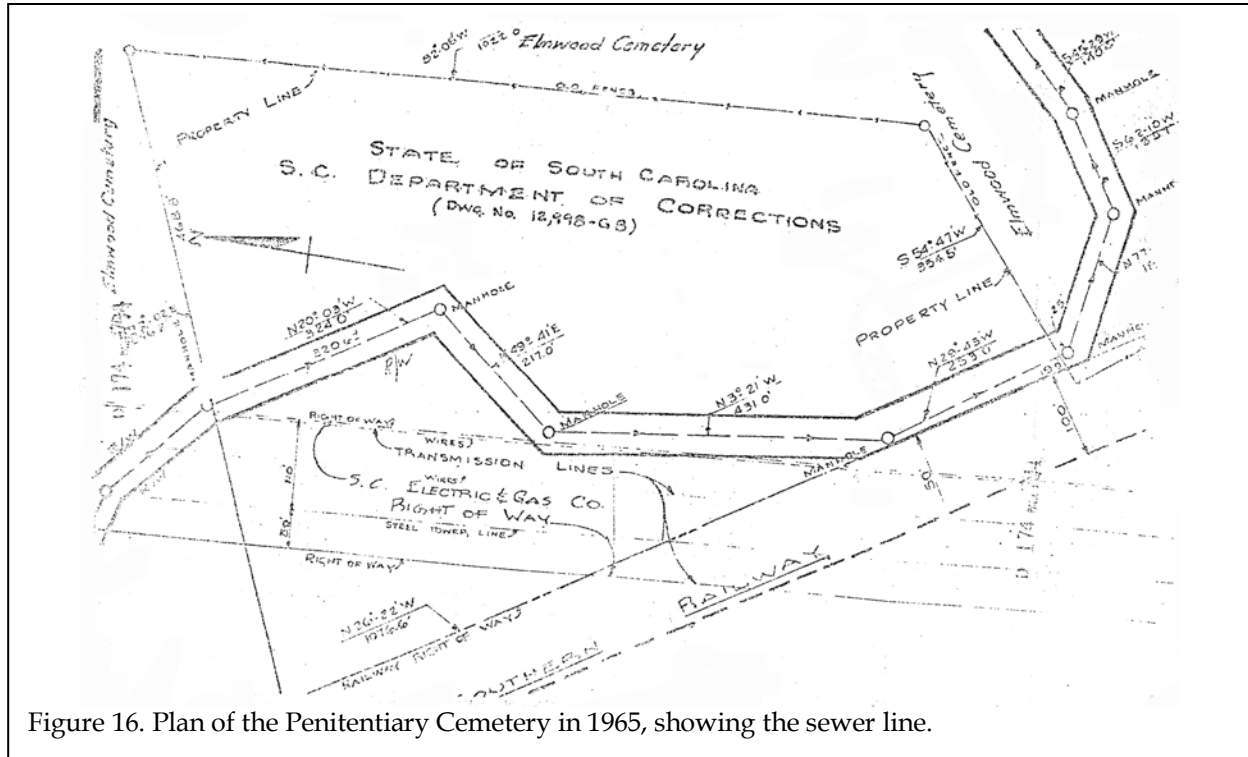


Figure 16. Plan of the Penitentiary Cemetery in 1965, showing the sewer line.

being dug by hand - there are none of the indicators of a mechanically excavated grave shaft.

To the left of the grave is a detail of six prisoners. Further to the left and partially obscured by the vegetation is a prison guard. Around the coffin are three white men dressed in coats and ties, likely prison officials. Behind them is a single African American female, presumably a relative of Johnson. The minister conducting the reading was the prison chaplain. Isolated from the others on the right are two children and two women, presumably also Johnson family members. With them is what appears to be a white driver, holding his cap with his right hand on his left side.

Figure 16 shows a June 1, 1965 plat of the Penitentiary Cemetery prepared by B.P.

In the absence of any meaningful archaeological investigations, it wasn't until December 1976 that the South Carolina State Highway Department discovered their proposed widening of I-126 between Graystone and Huger passed over Lower Cemetery - the pauper cemetery for the City of Columbia. Faced with "quite a few graves," they requested permission to rebury the remains on the state property (letter from S.O. Holstein, Jr., Right of Way Engineer, South Carolina State Highway Department to Furman E. McEachern, Jr., Director, Division of General Services dated December 7, 1976). The City of Columbia willingly provided their approval for the removal of the remains and in December permission was granted by the Budget and Control Board (letter from Furman E. McEachern, Jr., Director, Division of General

THE PENITENTIARY CEMETERY, COLUMBIA, SOUTH CAROLINA



Figure 17. 1977 grave relocation from Lower Cemetery. From left to right, ledger of Joshua Smith; left mass grave marker erected by the Highway Department.

removing 692 individuals. Without any historical, archaeological, or bioanthropological study, however, it was convenient to attribute these remains to "perhaps early settlers" (*The State*, June 11, 1988, pg. B1).

These remains were reburied, presumably outside the penitentiary cemetery, on the penitentiary property. The reinterment site is poorly documented, but appears to have been within trenches, at least partially enclosed by four brick columns. Today two are still standing, the other two have fallen and are displaced. The trenches, however, are still visible as depressions in the

Services to S.O. Holstein, Jr., Right of Way Engineer, South Carolina State Highway Department dated December 9, 1976).

woods.

On January 25, 1979 the South Carolina Budget and Control Board "assigned to the Department of Corrections for use as a cemetery

By April 1977 the disinterment was completed with the Highway Department

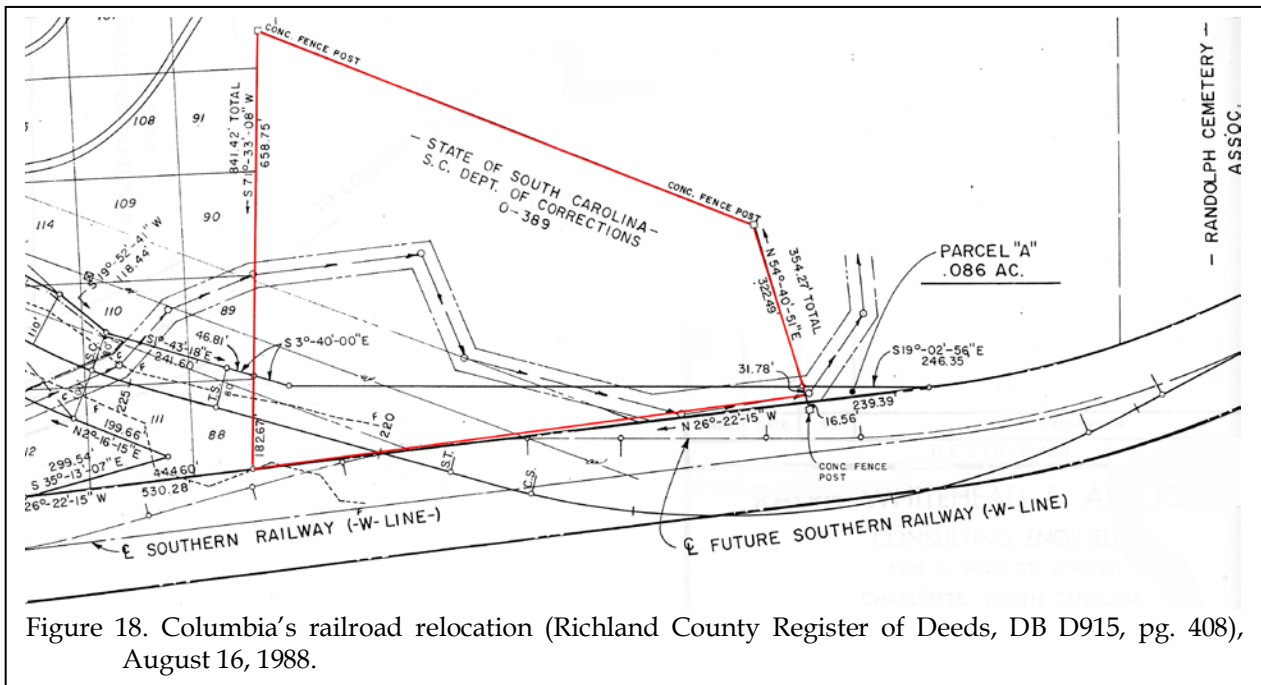
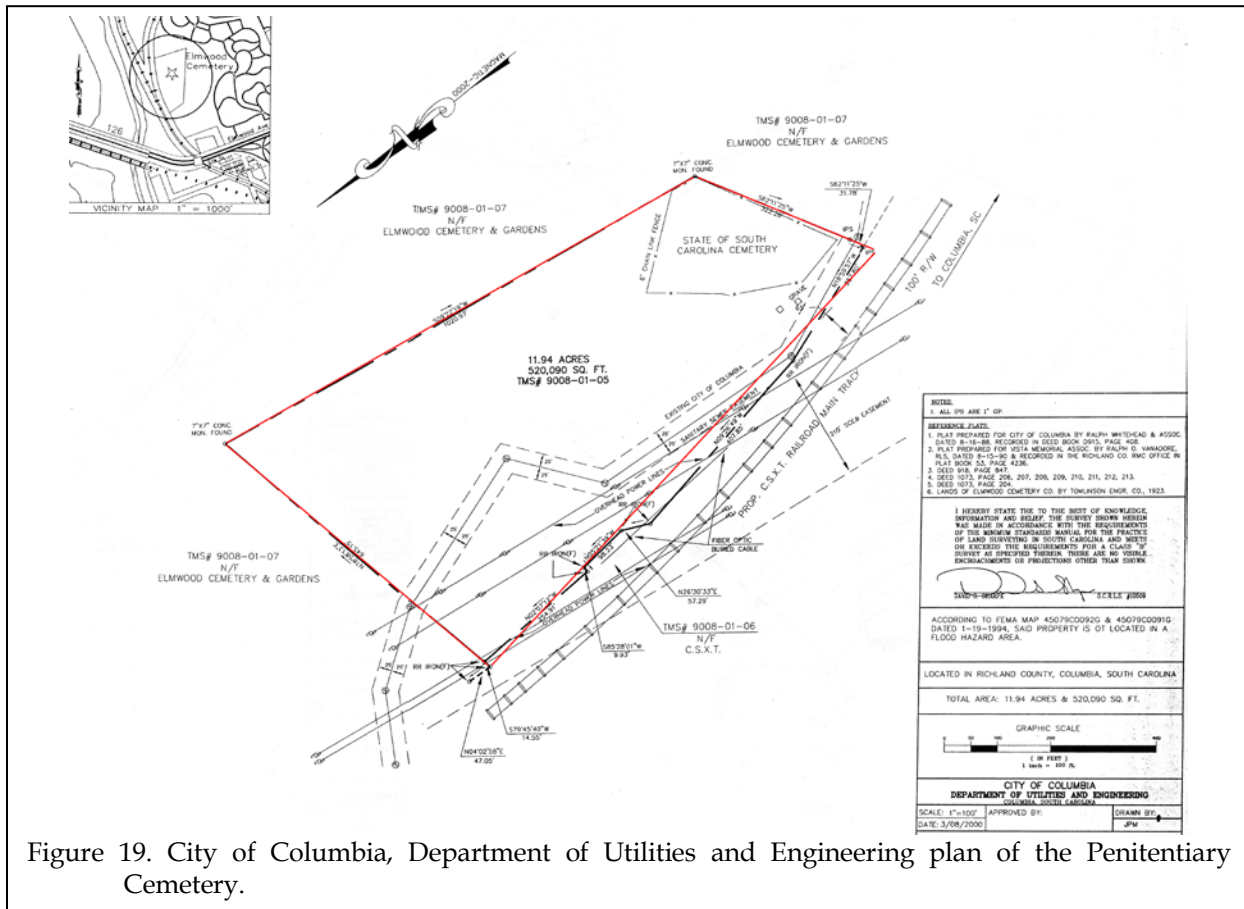


Figure 18. Columbia's railroad relocation (Richland County Register of Deeds, DB D915, pg. 408), August 16, 1988.

HISTORIC SYNOPSIS



2½ acres on the south end of a 13.65 acre tract owned by the state . . . and assigned to the Department of Corrections the maintenance and supervisory responsibility over this 2½-acre tract of land” (Letter from William A. McInnis, Deputy Executive Director State Budget and Control Board to Furman E. McEachern, Jr., Director, Division of General Services, dated January 26, 1979).

The effort to limit the burial grounds to 2½ acres seems to have been a prelude to the effort by Cosmos Broadcasting Corporation to acquire the northern portion of the tract for a “geostationary orbiting satellite communications facility” (letter from James A. Sefert, Vice President and General Manager, WIS TV to Ms. Desree J. Lightle, Real Property Manager, Division of General Services, dated April 28, 1982). Their effort to acquire the property was thwarted by the state obtaining an appraisal of

\$785,000 for the property (letter from Philip Urso, Dowzier, Wingard, Urso & Associates to Campbell K. Kreps, Assistant Real Property Manager, Division of General Services, dated July 28, 1982) – a price that was unacceptable to Cosmos (memo from Desree J. Lightle to Mike Copeland, Division of General Services, dated August 18, 1982). General Services advanced the idea of entering into negotiations with Elmwood Cemetery for the acquisition of the tract, although we have found no indication that this was ever done.

In 1988 the City of Columbia had embarked on its railroad relocation project. Knowing that additional graves would be identified, the City of Columbia sought permission to once again rebury bodies at the Penitentiary Cemetery. This time, however, the State balked, noting that “due to the monetary value of the Tickleberry Hill Property,



Figure 20. Photograph of the Penitentiary Cemetery, ca. 1990. In the background to the left is the plot used by the USC Medical School (SCDAH, S 132092).

(\$92,000.00 per acre), . . . we would not be agreeable to allowing reinterment in this area.” Instead, an already full African American Asylum Cemetery on Slighs Avenue was offered – and used – instead (this is the same cemetery that the City later claimed it didn’t know existed) (memo from Campbell K. Kreps, Assistant Real Property Manager, Budget and Control Board to Ted L. Lightle, Acting Director, Division of General Services, dated March 22, 1983).

The S.C. Department of Corrections, however, granted the City of Columbia permission to use its property for the stockpiling of soil related to the railroad relocation project (letter from H.R. Caughman, Jr., Ralph Whitehead & Associates to William D. Catoe, Deputy Commissioner for Operations, S.C. Department of Corrections, dated December 23, 1985).

The impact of the relocation is shown in Figure 18, with the tracks taking off the northwestern corner of the original Penitentiary tract. As a result, the tracks that are today visible from the cemetery are not those that formed the original western boundary, but rather the recent relocation project tracks.

It isn’t until March 2000 that we have a plat of the property (Figure 19) showing the chain link fence that was placed around what was thought to be the prison graves. The fence hugs the southwestern corner, but draws away from the southern boundary as it extends westward. The fence stops at the sewer line that runs along the western boundary of the property. The plat also

shows several of the 1977 relocated graves, although the large mass grave boundaries are not shown.

On March 26, 2000, the property was deeded to the City of Columbia in exchange for city property in the Bluff Road Industrial Park (Richland County Register of Deeds, DB R406, pg. 252). Since that time the city has assumed the maintenance of the cemetery.



Figure 21. Interior of the fenced area being used by the USC Medical School for the burial of cremated body donations.

The cemetery, at one time gated and locked, is no longer locked and, in fact, the gate has been removed from its hinges and now sits in the woods (it has been reset by Chicora). Graves that were marked in 2000 are today unmarked, their concrete or metal markers having disappeared under the city's watch. Maintenance of the cemetery continues to be minimal, representing no more than necessary to prevent the area from becoming overgrown. Since 2000 the property has also attracted at least one homeless camp.

In August 2000, it became known that the USC Medical School was using the Penitentiary Cemetery to bury the comingled remains of donors to the school's cadaver program (*The State*, August 8, 2000, pg. B3). At the time Medical School Associate Dean Lou Terracio commented that 20 years ago, when it began being used, "it was a very nice little cemetery." It appears that the arrangement began in 1979 and by 2000, there was a chained off area within the fenced cemetery with a single row of eight metal funeral home markers, many illegible.

By 2008, perhaps as a result of the lawsuit against the University, a white plastic fence had been erected around the medical school remains and the metal funeral home plates had been replaced by granite lawn markers. Also erected was a large granite memorial stone (Figure 21).

The last burial at the Penitentiary Cemetery was conducted by Prison Chaplain Terry Brooks in 1987. The real name of that inmate was unknown and the nature of the burial convinced Brooks that a new cemetery was necessary. He also remarked that efforts to bury one individual often exposed bones from previous burials, suggesting that the seeming order in the cemetery may be deceptive (*The State*, February 25, 1993, pg. 1D).

The New Cemetery at Goodman

In July 1988 the Department of Corrections Board approved the creation of a new inmate burial ground at the rear of the Goodman Correctional Institution on Broad River Road (*The State*, July 19, 1988, pg. 3C; July 21, 1988, pg. 1C). By that time the Corrections Department estimated that "about four inmates a year - most of them elderly - die in prison without family to claim the bodies." In a break with past tradition, prisoners would be "embalmed and buried in metal caskets."

By early 1993 there were 27 inmates buried in the cemetery, located in a pine tree grove at the end of a dirt road (*The State*, February 25, 1993, pg. 1D). At the time of the article, arrangements were being handled by Bostick & Tompkins Funeral Home, at a cost of \$960 per burial. Remains were being embalmed, placed in metal caskets, and brought to the cemetery in a hearse. Inmates still dug the graves, but they are using a backhoe. What hasn't changed, however, is that most burials are attended by only a very few individuals.

This new cemetery was used through May 1995 (the last burial was of Lawrence Ali, January 6, 1946 - May 28, 1995). He was the 62nd burial in the plot. After that time the Department of Corrections, perhaps concerned with cost, began cremating inmates and scattering the ashes nearby if no family can be contacted (Chaplin Lloyd Roberts, personal communication 2009). There is, however, no memorial to those who have been cremated. There are about 10 deaths a year resulting in unclaimed remains.

THE PENITENTIARY CEMETERY, COLUMBIA, SOUTH CAROLINA

THE CEMETERY

The Setting

Columbia's Elmwood Cemetery began on a high prominence, known as Cemetery Hill situated just north of Elmwood Avenue. Over time the cemetery spread north and northwest,

being farmed by Robertson prior to its purchase in 1883. Thus, while there is a fall of 20 feet over 320 feet or a 6% slope, the ground is still well suited to burials.



Figure 22. View of the Penitentiary Cemetery, 2001, looking north-northeast and showing terracing.

The fenced cemetery incorporates approximately 1.1 acres and while the fence generally follows the southern boundary (which was historically fenced by Elmwood) and a small portion of the eastern boundary (also historically fenced by Elmwood), the remaining boundaries are seemingly arbitrary. They were likely established based on obvious grave indications since we have found no record or plan of burials in any of the surviving penitentiary records.

If the cemetery boundaries are accurate – and as

following a ridge line overlooking Cemetery Creek to the southeast. A narrow ridge nose extends along the west side of Cemetery Creek – forming much of the area that was incorporated in the 13.74 acres sold to the state by Thomas J. Robertson.

The Penitentiary Cemetery, placed at the southern edge of the purchased tract, made use of the most level topography available on the parcel. In spite of this, elevations still range from about 214 feet above mean sea level at the southwestern edge to about 234 feet at the northeastern edge. Within the cemetery there are distinct terraces, suggesting that this area – like much of the tract – was



Figure 23. View of the cemetery looking northeast. The 1977 mass grave is in the vegetation on the left of the image.



Figure 24. Topographic map of the Penitentiary Cemetery.

will be discussed below, we are not sure they are - then the cemetery has an unusual form. Figure 24, for example, shows that there is no obvious reason to have begun burials over a hundred feet west of the boundary with Elmwood. Since this side of the property had been fenced by Elmwood, it would have provided a clear edge to the penitentiary's property and it seems unusual that so much would have been abandoned to any reasonable use. Likewise, we can see no logical reason for the cemetery to narrow to the southwest. Nor is there any convincing reason not to extend the

cemetery an additional 50 feet to the southwest - unless the cemetery was abandoned prior to that area being needed for burials.

Today the cemetery is grassed with a number of hardwoods, primarily found along the northeastern edge. All are oaks, trees that have gradually overtaken the cemetery and were allowed to mature. Most of these trees are estimated to be 60 to 70 years old - placing their growth beginning about 1940. This is consistent with the aerial images of the cemetery showing growth just beginning in the 1938 image.

THE CEMETERY

Elsewhere there is open grass pasture with vegetation kept in check by irregular mowing. Beyond the fenced area the vegetation is mixed hardwood with only an occasional pine. All appears to be second growth that has been allowed to overtake the fields after they were abandoned in the early 1940s.

The graves in the cemetery are aligned northeast-southwest, roughly perpendicular to the tract's southern boundary. While not precisely east-west, neither are the burials in nearby Elmwood or Randolph cemeteries. Burials appear to be relatively well aligned to one another, suggesting that use was frequent enough to permit new graves to be distinguished from previous graves, at least during the period of greatest use.

Many of the graves in the cemetery are clearly visible in the aerial photography (see

Figure 24, for example). While not clearly visible over the entire site, they are found in a variety of areas and seem suggestive of a parcel that is well filled with burials. This, too, is consistent with remarks indicating that when the last burials were placed in the cemetery during the late 1980s, previous graves were disturbed.

Walking over the fenced cemetery, graves can be easily detected by linear rows of depressions. These have resulted from the gradual decay and collapse of the coffins and the bodies. Those areas where graves are not visible were likely filled and leveled by the penitentiary at some previous time.

The most obvious of these depressions – as well as a few identified through a brief (and by no means inclusive) penetrometer survey of the tract – have been identified. At least 63 burial depressions are visible within the fenced



area, only eight of which are associated with markers. The remaining 55 depressions mark burials for which there are no longer markers.

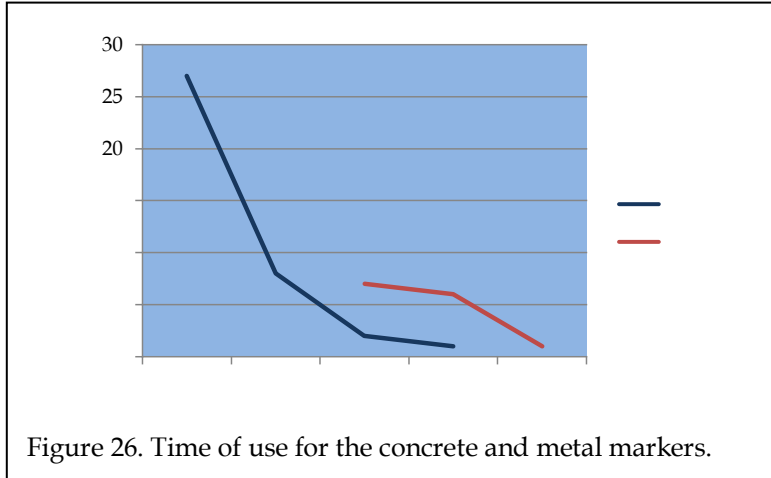


Figure 26. Time of use for the concrete and metal markers.

We were also able to identify four depressions - confirmed with the penetrometer - situated just outside the fence. Most of this area has been compacted by the adjacent dirt road and is not amenable to additional

15½ inches square. In this panel is the prisoner's name, prison number, and death date. Most, although not all, appear to have used metal letters; at least one appears to have been hand lettered although all other features are uniform. All of the markers contain some form of metal reinforcing rods, although these vary in size, number, and arrangement. These markers were originally whitewashed - in 1997 there were still visible traces of the whitewash. There are still 38 legible concrete markers remaining. These span the period from 1936 through 1960, with most occurring the late 1930s.

Associated with these markers are cast concrete footstones. Although none are still standing, several have been found scattered across the cemetery. These measure 6 inches in width by 18¾ inches in length by 2 inches in thickness and have a recessed panel measuring 4 inches square. In this panel are

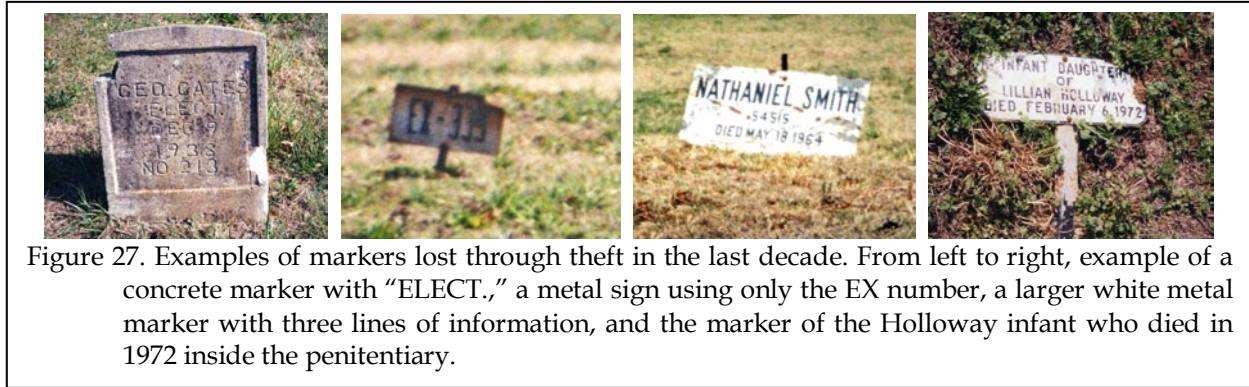


Figure 27. Examples of markers lost through theft in the last decade. From left to right, example of a concrete marker with "ELECT.," a metal sign using only the EX number, a larger white metal marker with three lines of information, and the marker of the Holloway infant who died in 1972 inside the penitentiary.

penetrometer work. These four graves, however, provides additional evidence that the fence, erected late in the cemetery's history, provides only a generalized boundary.

Markers

Graves are identified by two primary forms of markers - cast concrete and metal. The former measure approximately 16 inches in width by 31½ inches in height by 2½ inches in thickness and have an inset panel measuring

initials only.

The second style of markers are metal plates. These vary from those that appear to be "license plate size," measuring 6 by 11 inches to a few others that are larger, measuring 12 by 20 inches. They were set using either one or two metal legs or in some cases posts. Those remaining have black backgrounds with white lettering. There are only 14 of these markers still legible and suitable for dating. They range from 1952 to 1972, with the decades of the 1950s and 1960s being equally represented.

Both styles of markers show considerable evidence of abusive mowing practices (see for example the Hardy Green and Grandy James markers in Figure 25). The concrete markers are heavily scraped and abraded, while the metal markers are bent and mangled. It is likely that the uncaring maintenance procedures have accounted for the loss of many markers. An informant, for example, remembers the lower half of the cemetery being filled with row after row of metal markers in the 1960s (John Gibson, personal communication 2009). Nevertheless, it seems likely that graves prior to the 1930s may not have been marked at all, or if marked, were identified with the most temporary of materials, perhaps only wood.

It is also likely that some markers have been removed by morbid curiosity seekers, especially since the gates to the cemetery are no longer secured by the City of Columbia. In 1997 we identified 25 metal plates and 43 concrete markers in the cemetery (68 total marked graves). In 2007 there were only 56 marked graves – 21 metal plates (indicating the loss of four plates) and 35 concrete markers (indicating the loss of 8 cast markers). Thus in only 10 years 18% of the cemetery's markers have disappeared.

The situation becomes particularly morbid when one realizes that the theft of markers has focused nearly exclusively on those of executed prisoners. While in 1997 there were a number of markers indicated either “executed” or using the EX number, today there are none.

Also missing is the sign for the infant daughter of Lillian Holloway, who died in 1972. It, too, has either been stolen or destroyed through carelessness.

Survey and Mapping

The map of the penitentiary cemetery was compiled by Chicora Foundation staff

between 2008 and 2009 using a Sokkia 530R3 reflectorless total station. This plan provides an overview of the monuments and grave depressions within the fenced penitentiary cemetery, as well as grave depressions and other features surrounding the cemetery. The cemetery – and the surrounding graves as discussed below – have been recorded as archaeological site 38RD1182 with the South Carolina Institute of Archaeology and Anthropology.

In order to fully record the cemetery, a pedestrian survey of the 13.74 acre tract was conducted. Most of this area is steep, although remnant terracing is visible in several locations. Clay soils are exposed in areas where vegetation is not dense. In the middle of the tract we identified a borrow pit – which is observed on the 1951 aerial as a large white area of cleared soil.

In the wooded area immediately northwest of the burial ground we identified a series of four brick pillars. While unmarked, we believe that these represent the boundaries of the 692 relocated burials from Lower Cemetery. Among the pillars and running south to the cleared area, there are a series of narrow trenches visible today because of ground settling. These trenches were probably used for the burials of the containers holding the recovered remains. These depressions run into the grassed area, so the mass graves cover an area measuring about 125 by 75 feet.

Although no other ground disturbances in this wooded area north of the cemetery have been identified, the woods are filled with plantings such as English ivy, nandina, elaeagnus, euonymus, and privet. All are plants that are commonly found in cemeteries and other landscaped areas. Nevertheless, they are all easily spread by frugivorous birds and their presence is not necessarily indicative of intentional plantings.



Figure 28. Map of the Penitentiary Cemetery.



Figure 29. Examples of unmarked graves to the west of fenced penitentiary cemetery. These graves extend off the penitentiary property onto land today owned by River Trace Properties.

Along the eastern side of the fenced penitentiary cemetery the woods reveal a large number of burial depressions. Many form distinct rows with one after another clearly defined burials. All but two, discussed below, are unmarked.

These graves are slightly more obvious and well defined than those within the fenced penitentiary cemetery, but this may be the result of years of mowing over the latter, while those in the woods have been better preserved. The most noticeable difference, however, is that those in the woods are oriented close to east-west, about 40-45 degrees off those in the penitentiary cemetery.

While the bulk of these graves appear to be confined to the original penitentiary property, some do spill over eastward onto the property that until 2003 was owned by Elmwood Cemetery. In that year Elmwood Cemetery & Gardens sold the property to Vista Memorial Associates, which assumed the Elmwood name

(Richland County Register of Deeds, R883, pg. 976). They in turn sold the parcel to River Trace Properties in 2004 (Richland County Register of Deeds, R987, pg. 942).

The graves that extend eastward onto the River Trace Properties appear identical in alignment and time period to those found on the penitentiary property. We suspect that all are related.

These graves extend southward to the end of the penitentiary property and do not appear to be found beyond the boundary line. We have plotted only a small fraction of those present, to provide an idea of density and alignment. There are

333 graves identified in this wooded area. Based on this density and estimated boundaries, we believe there may be up to 700 burials outside the fenced penitentiary cemetery to the east.

The area covered by these graves appears to be the grassed triangle found along



Figure 30. Example of a wood headboard on the penitentiary cemetery property.

the eastern edge of the penitentiary property seen in both the 1938 and 1951 aerials (Figures 11 and 12).



Figure 31. Example of a granite boundary marker found along the eastern edge of the penitentiary property (a concrete fence post can be seen on the ground behind the boundary marker).

As mentioned, all are today unmarked except for two. These two graves, situated in dense brush at the north end of the plotted rows, have small wood headboards. These have a curved top and measure about 1½ inches in depth and 5 inches in width. They extend above grave about 6-8 inches. Both are identified as heart pine. Neither is marked, although they may originally have been painted. One is scorched, indicating that the area has been subjected to burns in the past.

There are several explanations for these graves. They may predate the sale of the property by Thomas Robertson to the penitentiary, representing early burials by Elmwood that have been lost over the years. Certainly there have been occasional rumors concerning Elmwood graves that were never recorded. The uniformity of the burials supports such an interpretation. However, the graves are so distinct, even today, it seems unlikely that the

penitentiary would have purchased property it knew had already been used for burial.

Another possibility is that these burials are associated with the poorly defined boundaries of Lower Cemetery and represent individuals of limited means who sought an inexpensive burial location. Although this cannot be discounted, most Lower Cemetery burials, in spite of their low cost, were handled by funeral homes and it seems unlikely that they would have risked unauthorized burials – especially burials on state-owned land. In addition, this area is removed from Lower Cemetery, making the connection more tenuous. Finally, some of the burials in Lower Cemetery have markers – none of those to the west of the penitentiary cemetery have any evidence of markers.

The third possibility – and the one we favor – is that these graves represent the earliest burials from the penitentiary, dating from 1883 to perhaps the very early twentieth century. Looking at known burial dates and the approximate space allotted, it does not appear that all of those who died since 1883 could possibly be found within the 1.1 acre that is today fenced. There is the issue of the change in burial orientation – an issue for which we have no ready explanation. Nevertheless, this remains the most reasonable explanation, explaining the number of burials and the absence of markers.

The graves found situated beyond the fenced penitentiary cemetery are in an area of second growth hardwoods. None of the existing vegetation appears to be older than perhaps 40 years – suggesting that this area was relatively open as late as 1960 – supported by the available aerial photography.

THE PRISONERS

Identified Burials

The State Penitentiary has not historically evidenced great concern with prisoners once they died. For example, one body, from a prison farm, was sent to Columbia "for disposal." Prior to the twentieth century little more was recorded than the total number of deaths per year, usually with some indication of the cause. Even in the first several decades of the twentieth century the information is spotty and there is little consistency.

Although the prison kept logs of bed checks, the number of hogs slaughtered, and detailed financial records, it appears to have never occurred to anyone in the institution - including the various chaplains - to maintain a register of deaths and burials until very recently. There was no effort to mark out burial plots and to identify those used. No plan of the cemetery - either within the penitentiary yard or on Tickleberry Hill - was ever prepared. Individual graves were poorly marked, if they were marked at all.

By using the various records of the penitentiary, especially the Register of Prisoners Sentenced to Death (SCDAH, S132109), the Inmate Record Ledger Book (SCDAH S132075), the Central Register of Prisoners (SCDAH, S132001), the Record of Executed Prisoners (SCDAH S132004), the Record of Deaths, Discharges, Escapes, Pardons, and Paroles (SCDAH S132008), and the records still housed at the SC Department of Corrections, it has been possible to piece together a list of known deaths. The disposition of the remains for some are noted in the prison records. There were some recorders who clearly took considerable effort to identify family members and would record the reason why the prisoner was ultimately buried in the Penitentiary Cemetery. Many of these

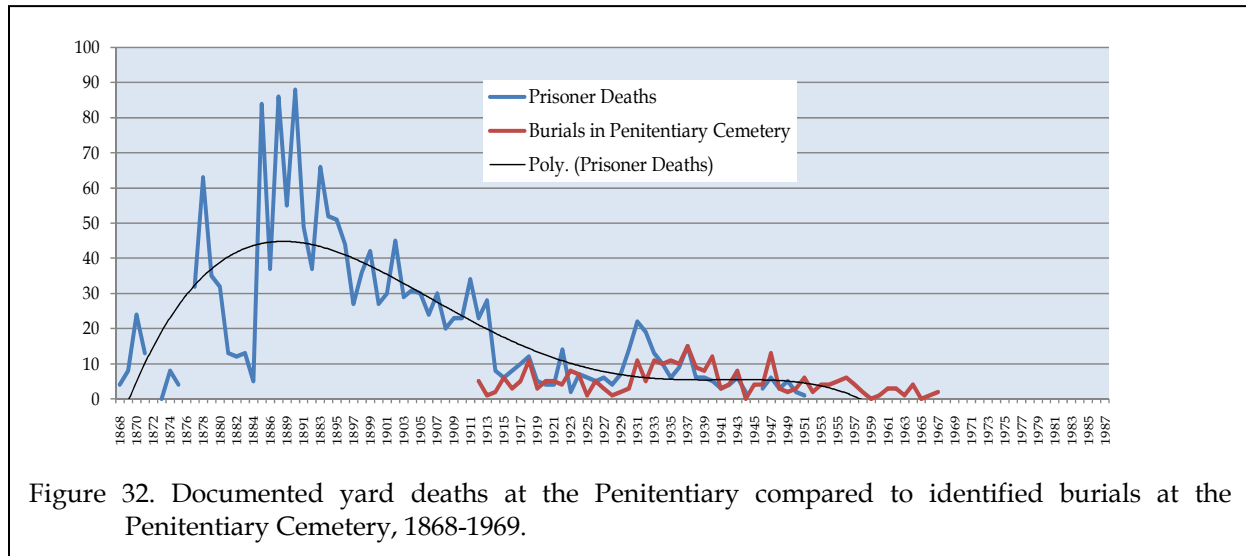
stories are heart wrenching accounts of relatives who turned their backs, who could no longer be found, or who were simply unable to afford the expense of shipping the remains home.

After 1915 and prior to 1959 all identified names were checked against death certificates. Even once death certificates were introduced, prison officials often failed to either complete the certificates or to mail them in. There are a number of death certificates missing for even executed prisoners and the record remains spotty well into the late 1930s.

The death certificates were also used as a check to judge the success of our efforts. We examined all of the death certificates for 1915, 1925, 1935, 1945, and 1955 pulling out those buried at the Penitentiary Cemetery and cross checking them with our records. We identified no additional burials, suggesting that our efforts are as complete as possible.

There is some evidence that prison officials were less concerned with completing death certificates for those prisoners buried in the Penitentiary Cemetery than they were for those being shipped elsewhere. The reason for this is likely that funeral directors handling remains demanded a death certificate. The prison, handling its own burials, saw little need for the formality.

Newspaper articles were another source examined in an effort to document the place of interment. Typically, however, Columbia's primary newspaper, *The State*, did not report on prisoner deaths unless it was titillating - an execution, suicide, drowning, or being shot while attempting to escape. *The State* also would often not report on the burial - only the means of death.



Of course we also used the markers, which we first recorded in 1997, as well as any photographs we were able to identify of the property.

We have been able to compile a list of 279 individuals documented as buried in the Penitentiary Cemetery (there were 280, but one individual, Cyrus Pinckney, was subsequently disinterred). These are identified in Appendix 1. There are, in addition, at least 79 additional deaths that are probably in the cemetery and these are identified in Appendix 2. Together they account for 358 individuals.

Analysis of Prison Deaths

Although the records are spotty, there were approximately 248 inmate deaths between 1868 and 1882. This includes, in so far as possible, only those deaths that occurred at the penitentiary and not among leased convicts. This equates to approximately 19 deaths a year. Reference to Figure 32, however, reveals that this average is misleading since the number of deaths varied dramatically, peaking at 63 deaths in 1878. We have previously estimated the acreage necessary for these burials within the penitentiary walls.

With the acquisition of the new burial

ground in 1883 the number of deaths at the penitentiary did not decrease. In fact, the penitentiary's surgeon, Dr. D.S. Pope, remarked in 1885 that, "the death rate is much heavier than ever before . . . diseases which are due to exposure to cold and the depressing influences of over-crowding have prevailed to an alarming extent" (*Reports and Resolutions*, 1885).

Deaths reached their historical peak of 88 in 1890. Afterwards deaths began falling, although the average between 1883 and 1959 was 20, essentially the same as for the period from 1868 through 1882.

Looking at the available burial data, it appears that the cemetery saw about five burials a year, or slightly less than one every two months (this is very close to the burial rate projected for the new cemetery at Goodman by Chaplin Brooks in 1988). All things considered, relatively few bodies were buried in the Penitentiary Cemetery, although through time we estimate that at least 350 bodies are likely buried in the 1.1 acre fenced plot.

This, however, is not a sufficient number to necessarily cause overcrowding. Typically a 1.1 acre tract, with no roadways or paths, could contain upwards of 600 burials an acre (allowing approximately a 12 by 6 foot plot for each burial) - or approximately 660 burials.

There are, however, several factors that affect these calculations. The first is that the property, with its terraces, will hold fewer burials than a perfectly flat parcel. Although the exact reduction is unknown, we estimate a 20% reduction – bringing the possible total down to 528.

Nor can we judge the effect vegetation such as trees had on reducing the available space. It is also impossible to judge the uncertainty in where previous burials were located and how this might have caused some areas to be skipped over.

A far more difficult assessment is the number of burials occurring in the cemetery during the 32 year period between 1883 and approximately 1914. We know that for the later period about a quarter of all bodies went unclaimed and were buried in the Penitentiary Cemetery. If this proportion held steady, it would suggest of the approximately 1,177 deaths between 1883 and 1914, nearly 300 would have gone to the Penitentiary Cemetery. Added to the 350 remains we anticipate are present, this brings our total number of burials up to approximately 650. This number is higher than we anticipate the plot can hold, at least using its current dimensions and assuming no intrusive burials. The number of burials projected helps explain the use of areas outside the modern fence.

Thus, we expect that the fenced and adjacent property associated with the Penitentiary Cemetery may hold between 600 and 700 inmate burials.

Those Buried

The identified records reveal that the cemetery was integrated and we see no evidence that the races were buried in separate areas. Of the 279 burials, 245 or nearly 88% were African American. The remaining were white burials. Only 10 of the burials are females, the remaining 270 or 96% were males.

The youngest individual buried in the cemetery, not including the infant daughter of a female prisoner who gave birth at the prison, is Albert Turner, a black male who died in the prison of tuberculosis at the age of 14 in 1915. Nearly as young was Harry Brown who died in the prison hospital at the age of 15 in 1937. There are also five 16 year olds buried in the Penitentiary Cemetery. Three were electrocuted (in 1921, 1940, and 1943) and the other two died in the prison hospital. An additional five inmates died at the age of 17.

At the opposite end of the scale was William Mims who died in the prison hospital at the age of 91 in 1937.

The mean death date for all individuals buried in the cemetery is just under 36 and the mode is 26.

Ninety-seven of the 279 (nearly 37%) individuals died at the hands of the state through electrocutions. The next most common cause of death was tuberculosis, accounting for 34 individuals (12%). Heart disease (including a broad range of diagnoses) accounted for 39 deaths (14%). An additional 29 (10%) individuals have no cause of death listed. The remaining 27% of the inmates have deaths ranging from suicide to homicide to drowning.

Given the very large proportion of African American prisoners (and deaths), it is not surprising that 52% of those buried in the Penitentiary Cemetery were listed as laborers. The youngest burial in the cemetery, Albert Turner, was listed as a laborer at the age of 14. Only three of these individuals were white. An additional 39 individuals (14%) were listed as farmer or farm hand. Nor is it a surprise, given racial segregation in South Carolina that all six of the textile workers buried in the Penitentiary Cemetery were white.

The primary reason listed for burial in the Penitentiary Cemetery is that no family could be indentified or was listed in the prison

records (this is the case for 86 of the 136 with explanations, or 63%). In some cases the individual had been in the penitentiary for so long that they had outlived their families. In other cases the individual never appears to have had any family. In 26% of the cases the family expressed that they were unable to accept the body for burial. In general this means that they were unable to afford the cost of embalming, shipping, and acquiring a grave plot. An 1893 article, "One Touch of Sentiment," appearing in *The State* told of this problem, explaining that the poor would go to extraordinary lengths to save family members from burial in a potter's field, but often failed.

There were a small number of families (8%) who refused to accept the remains.

There were also a few cases where family members could not be found. The saddest is that of Johnnie Sheally, who died at the State Hospital in 1956. His prison record indicates that he was married, but because he was "deaf and dumb" he had been unable to communicate who his wife was - as a result he was buried in the Penitentiary Cemetery.

There are also cases where the penitentiary authorities appear to have been exceptionally zealous in their efforts to bury prisoners - in fact almost all individuals were buried on the same day as their death - often within one or two hours. One notable case is that of Cyrus Pinckney, a prisoner who was executed on July 10, 1942 and immediately buried in the Penitentiary Cemetery. He was exhumed the very next day at his mother's request; she took the body for burial elsewhere.

Three bodies - Tom Richardson (1946), Ozie Drayton (1947), and Lowe Thomasson (1947) - were embalmed prior to burial. It is likely that these were used either for training or license testing and buried in the Penitentiary Cemetery afterwards.

SUMMARY

Overview

From the creation of the South Carolina Penitentiary in 1867 until 1883 those who died in the institution – approximately 248 individuals – were buried in a small plot in the northwest corner of the grounds. Given the value of the property, it is likely that this plot was no larger than 0.1 acre and by 1879 it was so full that every new burial was exposing bones.

Since no archaeological investigations were required by the State Historic Preservation Office when Central Correctional Institution (CCI) was demolished and apartments were constructed, this first prison cemetery has been lost beneath the CanalSide homes and apartments.

Land for the second cemetery was purchased in 1883. Most of the 13.74 acres was used by the penitentiary for farming and the penitentiary cemetery seems to have been confined to a small area at the southern edge of the tract. We believe the earliest burials – perhaps the first 700 – were made along the eastern edge of the property. This was an area shown in aerial photographs as late as 1950 as fields. At some point, probably just after the turn of the century, penitentiary burials changed orientation and were clustered in the southeastern corner of the property. The reason for this change is not clear, although it does appear to have reduced the total area being devoted to burials.

Burials were simple affairs. The coffins were pine boxes made in the penitentiary. Embalming was a rarity and burials typically took place within hours of death. The bodies were transported to the Penitentiary Cemetery using a cart and later a pickup truck, with the drive passing through Lower Cemetery and the

city dump before entering the cultivated fields of the penitentiary property. The burial detail typically consisted of prisoners to dig the grave, a guard, several penitentiary officials, and often the penitentiary chaplain. It is unlikely that the process took more than one or two hours.

The earliest graves were apparently marked using simple pine headboards. At least two of these still exist today, marking sunken graves along the eastern edge of the property.

By the 1930s the Penitentiary had begun to mark the graves using cast concrete head and footstones. On these “stones” was the individual’s name, date of death, and prison number. Grave marking gradually evolved into the use of metal markers. At first the same information was included as was found on the cast concrete markers. Later only numbers were used, further depersonalizing the process.

Although we estimate that perhaps 1,200 individuals are buried on the property, today only 38 legible markers remain. Although an oral informant talks of continuous rows of metal markers, most have been either stolen, mowed over, or removed to allow easier mowing.

At some point prior to 2000 a chain link fence was erected around the obvious graves that comprise the Penitentiary Cemetery. However, this fence fails to include at least four graves in what is today a dirt roadway, as well as perhaps 700 graves to the east of the fence (a sample of 333 have been surveyed, see Figure 28). This very large assemblage represents the earliest graves – probably dating from 1883 to perhaps 1900 or 1910. These earliest graves were oriented east-west. Later graves – those within the fence today – began to be oriented northeast-

southwest. The reason for this change in orientation is unknown.

The last burial in the Penitentiary Cemetery was conducted by Prison Chaplain Terry Brooks in 1987. Realizing that the property was full and that the cemetery failed to provide even the most basic human dignity, he worked for the creation of a new cemetery on Broad River Road. That cemetery was used for about a decade before the Department of Corrections decided to begin cremating unclaimed bodies.

In 2000 the State Budget and Control Board traded the 13.74 acre penitentiary property to the City of Columbia. Prior to this trade, however, a portion of the property was lost to the city's railroad relocation project as well as sewer line. In addition, the Highway Department used the property for the reburial of 692 bodies that had been removed from Lower Cemetery during the construction of I-126.

Those buried in the cemetery are primarily African American males. Although burials are found between the ages of 14 and 91, the modal age was 26 and the mean was 36. Most were buried there because no family could be found or the family was unable to afford the costs of claiming the remains, transporting them, and providing for a burial elsewhere.

Although we estimate that perhaps 700 individuals are buried at the Penitentiary Cemetery, we have been able to identify the names of only 279. An additional 79 names are offered as possibly being buried in the cemetery. Together these account for 358 or just over half of those thought to be buried on the property.

Other Prisons and Other Cemeteries

There is relatively little documentation on prison cemeteries. What there is, however, suggests considerable uniformity. Most seem to be in proximity to the prison. Interments were simple affairs with graves dug by other prisoners and only a chaplain or priest present.

The graves were simply - or poorly - marked, often with only a prisoner's number. As one observer noted, those who died in prison "had the last vestiges of their individuality stripped by a system that assigned them only a number." There seems also to be a uniform fear of burial in these cemeteries since it reflects abandonment by family and friends.

Those cemeteries we have been able to document, however, do have one clear difference with South Carolina's Penitentiary Cemetery - they are still maintained by the prison system. This alone suggests that the various prison systems continue to accept a responsibility for the care and preservation of these burials, while in South Carolina the property was disposed of with the same cavalier attitude as was reflected when a prison farm sent a body to Columbia "for disposal."

The Attica Prison Cemetery in Attica, New York is owned by the prison system and while the gravestones are simple, often containing only a prison number, the property is well maintained. The Illinois State Prison Cemetery in Crest Hill, Illinois is equally simple, with cast concrete slant monuments, but it is also well maintained.

For its first 100 years the Texas Department of Criminal Justice cemetery in Huntsville, Texas was largely ignored and, like South Carolina, no records were maintained of burials. However, in 1962 efforts to clean up the cemetery were begun and in 1974 the state began keeping records. Previous graves were identified and marked with concrete crosses. Today the cemetery has been sodded and is maintained by a dedicated inmate staff.

Once one of the nation's worst prisons, burial at Angola Prison in Louisiana exhibits extraordinary dignity. Coffins are made by an inmate craftsman and the remains are taken to the prison cemetery in horse drawn hearse. The warden, Burl Cain, has explained that "Once a man dies, his sentence is complete and there be

dignity in the passing” (*The Wall Street Journal*, May 18, 2005).

A similar situation is found in Ohio’s prisons. While markers vary by prison cemetery – there are seven owned by the Ohio Department of Rehabilitation and Correction – the graves are marked and maintained. The prison’s religious services administrator, the Rev. Gary Sims, noted “We’re very sincere [that every prisoner deserves something]. Where they’re at spiritually is a private thing, and whether they seek eternal peace is up to them. But for the here and now, the least we can do is show them respect” (*The Columbus Dispatch*, November 7, 2006).

Recommendations

All cemeteries, regardless of the circumstances, represent sacred spots. Although historically some penitentiary officials viewed the burial of dead inmates as “disposal,” in Judeo-Christian society the grave is held sacrosanct and not to be violated.

With the city’s acquisition of this cemetery it has assumed the obligation of caring for and protecting this cemetery. Thus far the job being done is only minimally acceptable. The once locked gates have been left open for the past two years. Grass is cut only when a foot in height. No effort is made to maintain the graves found outside the fence. The graves from Lower Cemetery relocated to this property have been ignored. Many of the markers have been damaged or destroyed in the past nine years since the City of Columbia assumed ownership of the property.

Clearly a much better job of maintenance is necessary – and the city cannot claim a lack of funding since it willingly chose to accept the cemetery property – it was not forced upon the city.

Preservation and Maintenance

Minimally the city should complete the work begun by this study to determine the boundaries of the cemetery. Once the true and complete boundaries are established, a new fence should be erected to include the entire cemetery, plus a 25 foot buffer on all sides. This fenced area should include the burials relocated from Lower Cemetery. The cemetery should be entirely cleaned of vegetation and grassed, to allow convenient and consistent mowing.

This mowing, however, must be conducted in a manner that does not cause additional damage to the cemetery and its markers. Those that have been damaged must be repaired.

The city has chosen to accept an obligation in perpetuity and must fulfill its responsibility to those buried on the property.

Removal

Removal is a poor option. However, if ultimately the cemetery must be moved (as opposed to the city’s past approach of simply destroying graves), then it is crucial that those responsible for the move recognize the extraordinary value of the cemetery.

This burial ground offers an unparalleled sample of a very specific group – working class African American males that span the last quarter of the nineteenth century through the end of the twentieth century. There has been no similar bioanthropological study in South Carolina, North Carolina, or Georgia (see Rathbun 1987 for the only vaguely comparable study and Rathbun and Steckel 2002 for an overview).

Areas of specific research potential include the opportunity to examine biological evidence and population affiliation using genetics, craniometrics, and dental morphology. When other bones are poorly preserved, teeth

often remain in good condition. Teeth have the potential to provide information on disease, diet, and nutritional inadequacy - all issues of considerable importance especially during the early years of the Penitentiary's operation.

In addition, the skeletal material can provide biological evidence and population affiliation using genetics, craniometrics, and dental morphology. Although there are no meaningful African genetic databanks at present, the study of burials prior to about 1930 can provide a significant comparative base of a relatively isolated African American population. For a selected few burials there is also data on living height, weight, and physical condition, as well as photographs, that would be useful for comparison with the bioanthropological data.

Other skeletal material offers the potential to study infectious disease and nutritional inadequacy. Of perhaps even greater interest is the potential to explore skeletal indicators of work through musculoskeletal deterioration, arthritis, and evidence of trauma.

Examination of the burials at the Penitentiary Cemetery also offers the opportunity to conduct a forensic study of prison deaths, examining causes and exploring conditions at the penitentiary, especially in the early years for which there is little documentation. The study would also offer the opportunity to better examine violent deaths that received little attention. The coroner inquests held during this period were rudimentary and impartiality was far from guaranteed. Forensic anthropological study holds the potential to provide a better understanding of life - and death - in South Carolina's Central Correctional Institution.

There is also the opportunity to conduct archaeological investigations, examining burial and mortuary practices among the prison population. We know of no similar study in the United States.

Of course, none of these studies are possible if the remains are simply shoveled out and deposited in pasteboard containers - the typical approach of low-bid "grave removal" firms.

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THE PENITENTIARY CEMETERY, COLUMBIA, SOUTH CAROLINA

THE PENITENTIARY CEMETERY, COLUMBIA, SOUTH CAROLINA

APPENDIX 2.

INDIVIDUALS POSSIBLY BURIED IN THE PENITENTIARY CEMETERY

Name	Prisoner Number	Death Date
Aiken, Allen	20202	11/14/19
An[], Will	19677	12/11/16
Anderson, Arthur	28523	3/14/31
Ardfy, Ziffy	22445	7/30/25
Barber, James	22563	5/13/29
Briggs, Press	27702	10/12/29
Brown, Ernest	21570	12/29/22
Brown, Joe	21241	6/11/22
Burbee, T[]	28520	2/14/31
Burnett, Bill	37755	6/29/48
Byrd, Dan	21144	3/5/22
C[], Charles	28013	6/15/30
Campbell, Lee	19093	4/8/16
Carter, Perry	33055	9/9/38
Chandler, Victoria	19686	1/29/20
Christian, Johnie	27697	6/15/30
Clemons, John	28538	2/28/31
Collins, Sol	31788	5/28/35
Cooper, Jesse	21789	4/10/32
Davis, John #2	21571	no date
Davis, John Ed	28811	9/25/31
Dean, Richard	29206	1/8/32
DeLoach, J.B.	28816	1/6/32
Dunbar, Ezekiel	27579	8/25/29
Edwards, Ernest	35705	11/22/50
Ester, Alonzo	19061	3/29/22
Evans, Isaac	45966	10/27/59
Gaudy, Bud	21422	5/3/22
Goff, Janie	20218	6/26/25
Grant, C.	20568	6/2/21
Griffin, Ernest	22334	5/15/25
Griffin, Wash	21710	1/5/29
Harris, Will	18083	2/11/16
Jackson, John Henry	20418	8/1/26
Jewell, Roy Lee	40003	9/19/50
Jo[], Lewis	28125	11/28/30
Judson, Russell	27222	12/17/29
Kelly, William	28484	2/2/31
King, Dave	29207	1/8/32
Kinsley, Kenneth	31817	5/13/35
Law, Richard	18650	9/9/16
Lee, Enos	28910	5/10/32
Legette, Edward	29450	12/12/33
Massey, George	22989	10/26/30
Maxwell, Robert	21014	1/5/21
McCormick, Charlie	30346	12/28/33
McCullough, Arch	20241	11/26/24
McDuffie, Will	17481	8/4/22
McKinley, William	20517	12/24/21
McNeil, Janen	20320	9/27/25
Miller, Hezikik	19774	4/17/16
Miller, Jenkins	19862	5/23/16
Mills, Eugene	18548	12/23/15
Mitchell, William	19675	7/17/15
Modist, Eddie	21165	11/10/21
Murphy, Jesse	20593	12/28/28
Pack, S.E.	27695	12/26/29
Rion, Robert	24071	12/25/30
Robertson, Ullis	31360	no date
Robinson, L.R.	21101	3/27/25
Rogers, King	45346	2/22/62
Rurk, Willis	29363	10/28/32
Salley, Doc	35840	9/30/51
Scott, Sarah	27944	7/10/30
Seegers, Stephen	21331	9/14/22
Singleton, Stephney	20100	1/24/18
Smith, Jack	30018	12/28/32
Snipes, Will	21280	4/17/22
Tiner, Henry	33991	no date
Toomer, William (alias Wm. Martin)	18833	9/8/15
Turner, Levin	31361	no date
Washington, Gus	18156	10/19/15
Washington, Levi	39026	4/14/55
Williams, Charles	19820	9/23/16
Williams, Elkin	21964	no date
Williams, John (alals [] Wiggins)	20494	no date
Williams, Willie Dean	45873	5/6/58
Winslead, Dan	29638	7[]/32
Young, Sherman	29804	12/1/32

THE PENITENTIARY CEMETERY, COLUMBIA, SOUTH CAROLINA

Cemetery Preservation Plans

Historical Research

**Identification of Grave Locations
and Mapping**

Condition Assessments

Treatment of Stone and Ironwork



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