

Hangin' in limbo



PHOTO BY DANNY SNYDER

Above is the family stone of Gov. Francis Harrison Pierpont, who died in 1899 while living with his daughter in Pittsburgh. His wife, Julia, died 13 years before him in 1886.

'What is suffering is the cemetery itself'

(Editor's note: The following is the second of a three-part series looking at the condition of historic Woodlawn Cemetery. Tomorrow, a look at what the future could possibly hold for the cemetery.)

BY MALLORY PANUSKA
TIMES WEST VIRGINIAN

FAIRMONT — In the winter of 2006, Arlene Edgell and her son Jack

Decker recall being surprised by a legal notice in the *Times West Virginian* advertising a Dec. 4 hearing for a petition to name a new board of trustees to take over the care of the Woodlawn Cemetery.

Edgell and Decker, who were members of the board of directors of the incorporated Woodlawn Cemetery Co. in charge of the grounds at the time, attended the hearing to defend their position as the present caretakers.

Decker and Edgell said many of their ancestors are buried at the cemetery, which is why they both have a vested interest in the upkeep of the grounds.

The petition, which was filed jointly in the fall of 2006 by John D. Hardesty Jr., William B. Wagner, Frank Clark Jr., Janice Watkins Cosco and Douglas A. Hutchinson, stated that there was no longer any evidence that there was a

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Cemetery's condition tied to court case

BY MISTY POE
TIMES WEST VIRGINIAN

FAIRMONT — The current condition of Woodlawn Cemetery, the final resting place of many of the founding fathers of Fairmont, Marion County and West Virginia, is tied to a circuit court decision and its later appeal.

At opposite sides are two groups, the board of directors, which cared for the cemetery for more than a decade between 1996-2006, and the board of trustees, which was appointed by a court decision in late 2006. That decision is currently under the review of the West Virginia Supreme Court of Appeals.

And until the final ruling comes back from Charleston, neither side of the argument is capable of fully caring for the historic cemetery.

State Code allows five or more people with relatives buried at a cemetery to make an application through circuit court to be named as a board of trustees when there is evidence that any previous board or organization to care for the burial grounds no longer exists.

In the fall of 2006, John D. Hardesty Jr., William B. Wagner, Frank Clark Jr., Janice Watkins Cosco and Douglas A. Hutchinson filed a such a petition. On Dec. 14 of that year, Marion County Circuit Judge Fred L. Fox granted the petition, naming the five descendants the new board of trustees.

Fox's decision was based in part on the board of directors' failure to make adequate deposits to Woodlawn's perpetual-care fund. State law requires that \$10 or 10 percent of gross sales of burial plots, whichever is more, be placed into the perpetual-care fund. Fox noted that Jack Decker, president of the board of directors and the one responsible for the care of Woodlawn, used all of the money coming in from burial fees and the sale of plots for the upkeep and maintenance

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