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‘How Could This Happen?’: A Century of Marti-Colon Cemetery

ABSTRACT:

The Marti-Colon cemetery, originally purchased by the city in 1896 as a final resting place for the residents of West Tampa, has repeatedly failed its charge of “perpetual care” over its extensive existence.¹ Backed by a collection of resources compiled by Henry Echezabal in his search to find missing graves of Centro Asturiano members, the accounts of mismanagement, failure of government oversight, buryovers, and general neglect create a story that spans over 100 years and still affects West Tampa families.

In 1903, J. L. Reed Sr. purchased the land that would encompass the Marti-Colon Cemetery. In the 1930s, when the cemetery was sold to the city so that Columbus Drive could be built, which would cut through the population centers of West Tampa, Tampa, and Ybor, the cemetery was bisected, leaving the northern side separate from the southern. The construction of Columbus required the removal of bodies from the road's path, but records indicate that not all the bodies were removed, or perhaps only their headstones were moved.

In 1939, the city leased the remaining cemetery land to A. P. Boza. Under Boza, the lease agreement's stipulations were blatantly disregarded for decades, only being brought to public attention during various scandals, such as the abandonment of the northern section after white West Tampa citizens complained about black burials taking place, or a city work crew dumping raw sewage onto the overgrown abandoned section in 1959. In that same year, Boza and Reed Jr. both confirmed to the Tampa Tribune that potentially “hundreds” of people were buried in the northern section, with Boza claiming the majority of the graves were part of a segregated section for blacks, while Reed Jr. maintained the section was not “by any means” exclusively segregated. Only seven graves were moved before the city declared the northern section “clear,” and rezoned the land for commercial use.

The northern section, after being separated by Columbus, fell into disrepair again and again, beginning almost immediately after the construction of Columbus. Eventually the cemetery was sold into private hands, and the northern section re-zoned for commercial uses, despite the fact that it seems hundreds of graves remained underneath.

Today, the older northern section of the cemetery is topped by a strip mall, and many of the graves that are supposed to be in the remaining southern section are lost or mislabeled, particularly the early burials of African Americans, all of which seem to have been lost or never accounted for if moved. Unfortunately, this is a story that is not unfamiliar with Florida graveyards, particularly those that have served African-American communities.

Introduction.

Henry A. Echezabal, during his tenure as President of the Centro Asturiano--a mutual aid society and social club for community members of Asturiano heritage-- was approached by members looking for the graves of their families in the Marti-Colon Cemetery. After a few instances of these requests, Echezabal decided to start accumulating information on the cemetery, and investigate these reports himself. Starting from the earliest documents pertaining to the property, which went back to 1895, Echezabal amassed an unrivaled collection of correspondence, court transcripts, newspaper articles, photographs, and anything else that could shed light on Marti-Colon's sordid history. Buryovers, missing bodies, careless recordkeeping, in addition to families preparing empty plots for loved ones, only to find them occupied (while the

¹ Armando Mendez, *Ciudad de Cigars: West Tampa* (Tampa: Tampa Historical Society, 1995), 137.

loved ones left to sit in the morgue). No one was prepared to give any answers as to how the cemetery came to be in this state. And the City of Tampa remained clueless as how to deal with the scandal developing right before it.

The details of the earliest years of Marti cemetery are hazy. In 1896, a growing West Tampa, fueled by the cigar industry, purchased a plot of land that burial records indicate had been used as a cemetery at least as early as 1895, in order to create an official city-run cemetery.² As far as local residents were concerned, the Marti cemetery (interchangeably known as the “West Tampa cemetery” during these early years) was considered the city cemetery to serve West Tampa, even though at some point the cemetery moved into private hands. In its earliest years the northeast section of the land was operated as a cemetery by B. D. Avant, and records from Lovengreen Funeral Home record burials there from 1895.⁴ Some time between 1896 and 1902 the land apparently moved into the private hands of the Ghira family, was bequeathed to Josephine and Alfred N. Parslow, and was then sold to J. L. Reed by the Parslows on December 20, 1902 for the sum of \$200.⁵ Reed then began to use Marti cemetery as the primary burial site for his funeral home. The cemetery even served as the final resting place for a West Tampa mayor. On September 23, 1908, West Tampa mayor Francisco Milian shot himself following a continuing row with his young wife.⁶ The beloved mayor’s funeral drew a crowd of two thousand, with the cigar factories closing to allow workers a chance to attend the ceremony. The Tampa Morning Tribune related the drizzling, dour scene at his burial, and noted that the mayor had been laid to rest in the Marti cemetery.⁷ Today, Mayor Francisco Milian’s grave no longer exists, and neither do any records that would indicate whether the grave was moved at any point in the hundred years since. In fact, many of these early graves turn up missing on the rare occasions when someone tries to locate them. The central question of how this came to be traces a century-long story of mismanagement. To be sure, much of the blame is to be shouldered by the funeral home directors, but the history of Marti-Colon also demonstrates the gross lack of oversight the Tampa government has displayed and still displays to its historic and aged cemeteries, and the neglect cemeteries can receive when it is assumed they are predominantly populated by people of color. It also demonstrates the importance of community involvement in protecting and preserving historic cemeteries, as carelessness towards them can be surprisingly endemic.

Operation Under J. L. Reed, Sr.

Very little specific data exists during J. L. Reed Sr.’s operation of Marti cemetery. Although Reed operated the cemetery from 1902 to 1936, his funeral home records appear to extend only to 1929. However there is enough information to draw some conclusions about the early years of Marti, as well as get a feeling of how many persons were buried during Reed’s tenure, particularly with regards to persons of color. However these records do not help in identifying particular graves, as most of the records do not list anything more specific than the cemetery the person was buried in. Even when grave numbers are recorded, they provide no

² See Lovengreen burial records, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

³ Mendez, *op. cit.* Mendez does not cite his sources for the West Tampa purchase, and so no primary documents were found to corroborate this.

⁴ Reed v. Sheeley, Special Master’s Report 1, 2 (13th Jud. Court 1936), Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

⁵ *Deed Book 13* (Hillsborough County: Clerk of the Circuit Court, 1903), 144.

⁶ “Death Rather Than Separation; Mayor Milian is a Suicide,” *Tampa Morning Tribune*, September 24, 1908.

⁷ “Thousands Attend Funeral of Milian,” *Tampa Morning Tribune*, September 25, 1908.

additional help, as they refer to a numbering system that was not preserved, and is left unintelligible to researchers today. But what is clear is that a significant amount of persons of color who can be identified were buried in Marti within its first few decades; the importance of the fact that they were named should become evident shortly.

In 1959, long after Reed Sr. had died and two decades after A. P. Boza had taken control of the cemetery, the northern section of the cemetery became embroiled in a controversy concerning its management. In an article on the controversy, Boza recollects that the northern section of Marti had been used primarily for black burials, while Reed's son, Reed Jr., argued that the section was "by no means" exclusively black. It's difficult to say who was correct, but in 1960 when seven graves were removed from the northern section to Memorial Park cemetery, neither of the two persons buried during Reed's tenure were specifically listed as colored in his records. However, aside from their disagreement concerning the racial makeup of the northern section, both Reed Jr. and Boza agreed that the northern section housed potentially "hundreds" of bodies that had, by that point in 1959, never been disturbed.⁸

In the existing records from Reed's funeral home, which cover the years 1895 to 1929 (and include records from Lovengreen's funeral home), there are 158 graves distinctly listed as belonging to persons of color. Taking these records as a whole and comparing them to the modern list of graves in Marti-Colon on the Tampa Parks website, none of those graves exist in the cemetery today. In fact, most of the graves from these early years have gone missing, with less than forty pre-1929 graves remaining. There are two events that could possibly help at least explain where these graves have gone. The first is the construction of Columbus Drive, which ran straight through the Marti cemetery and required the removal of an unknown number of graves. There was also the later widening of Columbus, but records indicate that none of the graves affected by the expansion would include any of these early graves. The second would be when the northern section of the cemetery, left separated by the construction of Columbus, was supposedly emptied by the Boza funeral home. Both of these events will be explored in detail, but neither seem to adequately account for such a large number of missing graves. Some other explanation is needed to find out how so many graves can become unmarked or unnamed when records indicate these graves were never moved.

The construction of the Davis Causeway, today known as Courtney Campbell Causeway, began in 1927 under the direction of its benefactor, Captain Ben T. Davis. It was constructed as a link between Tampa and Clearwater, in order to avoid the older route which went through Oldsmar. In 1934, six months after the road's opening, a flurry of correspondence from Davis began gathering interest in an extension of Columbus Drive to directly connect to Davis Causeway by going directly through Marti Cemetery. Davis's interest in Marti began five years prior, when he first contacted the City of Tampa to create a road that would go straight through Marti. According to Davis, during this first contact the City of Tampa promised the road would be paved in time for the completion of the causeway. By the time of his letter to the Tampa Board of Representatives, the Causeway, which took over a million tax dollars to construct, had been in operation for six months, and the people of Tampa were coming up in arms concerning the lack of a thoroughfare to ease their access to the new bridge.⁹ This thoroughfare was also supported by the president of the Tampa Chamber of Commerce, F. M. Traynor, who offered to

⁸ Charles Hendrick, "Abandoned Cemetery Still Holds Many of Tampa's Unknown Dead," *Tampa Tribune*, June 14, 1959, 2-A.

⁹ Ben T. Davis to City of Tampa Board of Representatives, 11 December 1934, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

find a way to construct such an extension between Armenia and Lincoln avenue.¹⁰ This would allow drivers going from Tampa to Clearwater to avoid the confusing series of turns that were required to get around Marti and then find the entrance to the Causeway.¹¹

During this time, Davis had also been in correspondence with Reed concerning the thoroughfare, and upon what terms Reed would sell the land to the city. Reed wrote to Davis saying he would sell the entire plot for the Marti Cemetery to the City of Tampa for \$5,000. Though he was unwilling to move any bodies, Reed did offer to procure permission to move said bodies from the next of kin, and that he would not accept any offers from the city concerning it acquiring only the land necessary for the right-of-way through the cemetery.¹² On the 21st of October, 1935, the city entered into an agreement for the acquisition of the entire cemetery, on the terms that Reed would ensure that bodies in the path of the proposed extension would be moved before the Exchange National Bank of Tampa transferred the ownership of the cemetery to the city. The parties affected by the expansion through the cemetery, both known and unknown, were also to be entered into a suit in the Circuit Court of Hillsborough County, in order to protect the city and Reed from any liabilities. The progress of this court case, which began in February of 1936, provides much of the information on early Marti's history, particularly information from J. L. Reed's deposition. The court's authority would determine the removal of bodies for known and unknown parties, and if such removal didn't take place within six months (April of 1936), the city's agreement with Reed dictated that the deposit on the land be returned to the city by the bank, and concluded the agreement.¹³

On February 28th, 1936, the court ordered a publication to inform all those interested parties in the burials that would be affected by the right-of-way to appear to the bill of complaint filed for the 6th of April, otherwise the court would assume the allegations of the bill of complaint were confessed. The publication was printed for four consecutive weeks, beginning February 29th, in The Free Press.¹⁴ On the sixth of April, the court entered a *decree pro confesso* against the defendants, for failure of the named and unknown defendants to show up in court.¹⁵ A guardian *ad litem* was then appointed for the absent unknown defendants, as was required by law to advocate in their interest.¹⁶

The court began taking depositions for its Special Master's Report on April 13,¹⁷ and by April 20th had its final hearing and made its final decree, which upheld the *decree pro confesso*

¹⁰ F. M. Traynor to City of Tampa Board of Representatives, 6 December 1934, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

¹¹ E. T. Roux to Ben T. Davis, 7 December 1934, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida. In this letter, apparently unsolicited by Davis, Roux explains the difficulty of navigating through West Tampa. The risk of getting lost was such that it even had the effect of encouraging drivers to simply use the older route rather than try to find the new Davis Causeway entrance.

¹² J. L. Reed to Ben T. Davis, 10 September 1934, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

¹³ Agreement between J. L. Reed and the City of Tampa, 21 October 1935, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

¹⁴ Reed v. Sheeley, Order of Publication 1 (13th Jud. Court 1936), Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

¹⁵ Reed v. Sheeley, Decree Pro Confesso 1 (13th Jud. Court 1936), Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

¹⁶ Reed v. Sheeley, Order Appointing Guardian Ad Litem 1 (13th Jud. Court 1936), Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

¹⁷ Reed v. Sheeley, Notice of Special Master's Hearing 1 (13th Jud. Court 1936), Marti-Colon Cemetery Collection, Tampa Library, University of South Florida

against the defendants and gave Reed the authority to disinter the remains of all the graves in the path of Columbus.¹⁸ Of the scores of graves that were to be affected by the construction of Columbus Drive,¹⁹ only ten were named. Nine of these named graves were supposedly moved in May 1936 to another section of Marti. However, out of the ten, only three are listed in the cemetery today. The tenth grave that was planned to be moved, belonging to Narciso Alvarez, remained undisturbed as it was deemed at the last minute not to be in the path of the construction, and remains in Marti-Colon to this day.²⁰ The remaining seven named graves that are missing were not listed as affected by the 1962 expansion of Columbus (the only other time they could reasonably have been relocated), and thus leave no indication of their fate other than the probability of residing underneath Columbus Drive today. A brief memo from 1946 also indicates that many of the graves that were to be “moved” during the construction merely had their headstones relocated. Without much other context, the memo is apparently from Diana Kyle who enlisted the help of A. P. Boza to find a missing grave, only to conclude that the grave was under Columbus.²¹

Becoming “Colon” and A. P. Boza’s (Mis)management

On June 22, 1939, four years after its acquisition, the City of Tampa leases the entirety of Marti (both north and south of Columbus) to A. P. Boza. The lease allowed Boza to sell unused lots for burials, as long as he kept the property in a “park-like” state. The agreement stipulated that Boza could lease the property for the next thirty years, at \$40 a year, and required him to immediately fence the separate parcels of the platted land. The cleaning, fencing, improvement and maintenance were to be overseen by the Park Department of the City of Tampa. Furthermore, Boza was to immediately submit a “properly noted plat showing the grave spaces now occupied and which are unoccupied”, and submit a report to the City Clerk office every time a space was used for burial. Failure to comply with the terms for more than thirty days nullified the lease agreement, and the property could revert to City control without further warning. In a rare case of what might be dubbed “historical foreshadowing”, the agreement also specifically stipulated perpetual care for those buried, but more on that later.²² At the same time, it seems that the city also sold Boza 10 lots adjacent to the Marti plat which were unaffected by the lease agreement, and became the focus of a tax scandal in the late 1980s.²³

1940 saw the appearance of the first petition by the white residents of West Tampa to forbid the burial of persons of color in Marti, as the community in the vicinity of the “J. L. Reed Cemetery located on Columbus Drive . . . is a white residential community, [with] no colored people living in this vicinity”, and the residents “do not like colored people colored people buried in this cemetery, which is also being used for white people.” The petition seems to have

¹⁸ Reed v. Sheeley, Final Decree 1 (13th Jud. Court 1936), Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

¹⁹ It is difficult to get an accurate count from the Report of Special Master, due to the fact that graves “moved” are not listed in any sort of numerical order. However the marker number range and the sheer volume of lines suggest well over a hundred graves were affected.

²⁰ Reed v. Sheeley, Report of Special Master 1 (13th Jud. Court 1936), Marti-Colon Cemetery Collection, Tampa Library, University of South Florida

²¹ Diana Kyle, memo, 1946, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida. In the memo, a “Reeves” is mentioned as the one who had the headstones moved, which is taken here to be a misunderstanding of J. L. Reed’s name.

²² City of Tampa, A. P. Boza, Agreement, June 22, 1939, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

²³ Steve Kanigher, “Old Cemetery Causing Tax Woe,” *Tampa Tribune*, January 24, 1990.

been set off by the burial of blacks in the northern section of the cemetery by Boza during 1939-1940, within months of acquiring the lease to the cemetery. The second petition filed by the same residents in 1959, against the supposed renewal of black burials in the northern section, claims that the northern section was abandoned as a result of the first segregation petition. It also claims that all graves except two were moved to the southern section after the 1940 petition, though this claim is confusing as more than two graves were removed from the northern section in 1960, just one year after the second petition. This may however be attributed to the overgrowth obscuring the residents' view of the northern section, and time distorting their memories.²⁴ Here there appears a hole in the documentation. The northern cemetery did see the burial of people in 1939 through 1941, as several graves later removed attest.²⁵ It may be illuminating to first unpack the series of events between these two segregation petitions.

If the 1959 petition is correct, then at some point shortly after 1940 the northern section was abandoned. In August 1944, at the behest of Mayor Curtis Hixon, Boza received a letter from the City Clerk informing him that he had not lived up to the terms of his agreement to provide a plat map of the open and occupied burial spaces, nor had he filed records with the City Clerk's Office for each new burial.²⁶ To ascertain whether Boza had been living up to all the terms of the agreement (having been legally advised not to raise the issue while investigating the matter, as City Attorney Karl E. Whitaker raised "serious doubts" as to whether the city ever had the authority to make such a lease),²⁷ including the terms concerning groundskeeping and fencing, Mayor Hixon sent the Superintendent of Public Parks B. F. Sanborn to examine the state of the cemetery. Sanborn replied that the cemetery seemed in very good condition, with "special care on the lots where the people pay him."²⁸ Hixon forwards this information to Whitaker, who then replies to Sanborn inquiring whether his assessment consisted of both the southern and northern sections of the cemetery.²⁹ Whitaker summarizes Sanborn's findings to Hixon concerning the northern section--that it had indeed been abandoned. Quoting Sanborn's letter:

On the tract on the North side of Columbus Drive, there is no fence of any kind. It is grown up in weeds, scrub oaks, and trash of almost every description. Apparently, there has been no attempt to fence, landscape or otherwise beautify this area in any manner.³⁰

After the investigation by the city, Boza apparently complied by furnishing the City Clerk with a burial plat map. However, this plat re-subdivided the gravesites from the original survey plat of the cemetery. It was around this point the entire section of the cemetery south of

²⁴ Both petitions are under the "Correspondence" sections in the Marti-Colon Cemetery Collection under their appropriate decades.

²⁵ Jerry Boza to City Clerk, Tampa, Florida, 26 October 1960, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

²⁶ P. R. Bourquardez to A. P. Boza, 19 August 1944, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

²⁷ Karl E. Whitaker to Curtis Hixon, 21 November 1944, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

²⁸ A. P. Sanborn to Curtis Hixon, 23 November 1944, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

²⁹ Karl E. Whitaker to A. P. Sanborn, 6 December 1944, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

³⁰ Karl E. Whitaker to Curtis Hixon, 8 December 1944, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

Columbus was beginning to be referred to as “Colon”, with the northern section retaining the name “Marti” or “Old Marti” cemetery.³¹

The next decade seems to have passed without incident for Boza and Marti-Colon. It was June 1959 that saw what was possibly the most important scandal to rock the cemetery. The northern section, despite the investigation by the Parks Department and the City Clerk, had fallen into deep disrepair yet again--this time to the point where it was apparently barely recognizable to a crew of city workers, who dumped raw sewage into the concealing overgrowth. Though it's not clear what happened, the event did result in a *Tampa Tribune* article that sheds light on the past and present state of that part of the cemetery. In the June 14th article, the *Tribune* interviews both A. P. Boza and J. L. Reed, Jr. concerning the history of the northern section. In it, both Boza and Reed confirm that “potentially hundreds” of graves remained in the northern abandoned section. Reed states that his father moved “some 400 to 600 bodies” from the path of Columbus, yet the northern section still retained hundreds of West Tampa's dead. Boza, in this article, states that many persons in the northern section were black, while Reed states that not all were “by any means.” Boza goes on to state he recalled that bodies were buried four to five persons deep in parts of the right of way cleared for Columbus, and it was “no doubt the abandoned section would present the same picture.” The article goes on to try and identify a handful of graves, but states that the City Clerk's office provided no record that the names on the tombstones they investigated were ever buried there at all.³² This shocking set of revelations (and confirmation that it's difficult to find records even today on those buried in the northern section), paints a vastly different picture from the one the city of Tampa came to accept only a year later.

Given that Boza abandoned the northern section of the cemetery after garnering negative attention for black burials there, and his statement in 1959 that potentially hundreds of graves remained in that section, it seems that the white petitioners were mistaken when they believed all the graves aside from two were relocated to the southern section.

Of course, the sewage controversy created a stir in the community, and Boza was required to reclaim and renovate the northern section, as per the terms of his lease with the city. Boza states in a *Tampa Tribune* interview just five days after the sewage incident was reported that the whole issue may have been avoided had he paid any attention to the northern section: “Someone from city hall called my attention to the condition of the area some weeks ago . . . I guess you could say it was just my negligence in not doing something about it sooner.” The original plan was to restore the northern section and beautify the graves, without burying any additional people.³³ However, within a month, fears arose that Boza was planning to renew burials in the northern section, leading to the outrage that sparked the July 21, 1959 petition against the burials of persons of color in the northern section, for fear of property devaluation.³⁴ It's possible these fears arose when Boza sent in a bulldozer to begin clearing out the overgrowth.³⁵

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³¹ See also the re-platting map submitted by Boza, which labels the cemetery ‘Colon’.

³² Charles Hendrick, “Abandoned Cemetery Still Holds Many of Tampa's Unknown Dead,” *Tampa Tribune*, June 14, 1959, 2-A.

³³ “Old Cemetery to be Fenced and Repaired,” *Tampa Tribune*, June 19, 1959, 9-D.

³⁴ “Marti Burials Draw Protests,” *Tampa Tribune*, July 10, 1959. The petition can be found in the appropriate correspondence file in the Marti Colon Cemetery Collection.

³⁵ “City Group Agrees to Boza Deal on Cemetery,” *Tampa Tribune*, July 18, 1959.

The event sparked debate as to how the City might revise Boza's lease on Marti Colon. Burying new bodies was always considered a non-starter, and by November 1959, it was reported in the *Tampa Tribune* that considerations had begun that the northern section might be emptied of bodies and permanently designated a public park.³⁶ This plan eventually gained traction, as almost a year later, on October 26, 1960, Jerry Boza sent a letter to the City Clerk announcing that all seven of the remaining graves had been removed from the northern section, "thus leaving no graves on this side of the cemetery."³⁷ As the overarching trend of this cemetery suggests, memories apparently fade quickly in West Tampa, as nothing was said of the "potentially hundreds" of graves mentioned in the *Tribune* article over a year before. On December 19, 1960, after work has begun on turning the northern section into a park, Parks Supt. Frank Neff tells the *Tribune* that "all bodies have been removed" from the "old Jose Marti Cemetery".³⁸ This becomes the official position of the City of Tampa, as far as can be determined, to this day.

On December 30, 1960, the City of Tampa amended its lease with A. P. Boza. It removed Boza's claim to the northern section of the cemetery, as "it no longer serves any useful purpose as a cemetery and the City desires that said land be made available for public park or other public purposes as the City may determine". The second amendment made was to agree "that bodies of persons of African descent will not be interred within the portion of the cemetery lying south of Columbus Drive, without written permission of the City of Tampa." And finally, the amendment specified that the terms of the original 1939 lease still applied to the southern portion of the cemetery.³⁹

There is very little mention in the documentary record concerning the widening of West Columbus in 1962. The Boza Funeral Home issued a list of graves to the City Engineer's Office, though it doesn't specify if these graves are those which will be affected by the widening, or simply a list of all of those that could be. It also does not specify whether these graves are to be moved to another part of the cemetery, or to other cemeteries in the city.⁴⁰ There is, however, a brief mention in a *Tampa Tribune* article from 1990 that mentions some residents were afraid that graves affected by the tax scandal the article was reporting on would lead to the destruction of graves on the contested part of the cemetery, as "the city apparently destroyed dozens of graves near the cemetery many years ago when it widened what is now Columbus Drive."⁴¹ Unfortunately, without knowing what was supposed to happen to these graves that were affected by the expansion, it's difficult to say whether any are missing.

The last few years of Boza's tenure managing Marti-Colon passed without much incident. There were rumors of Boza staking out the cemetery, looking for opportunities to bury over an older plot that was no longer being visited. It's unclear if there is any substance to these rumors, but the mismatch of cemetery records with the actual gravesites, which was investigated by the City in the 1990s in response to a news investigation into Marti-Colon's history, suggests there

³⁶ Bob Turner, "Cemetery Area Urged as Park," *Tampa Tribune*, November 30, 1959.

³⁷ Jerry Boza to City Clerk, Tampa, Florida, 26 October 1960, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

³⁸ "Work is Started on Park," *Tampa Tribune*, December 10, 1960.

³⁹ "Amendment to Lease," 30 December 1960, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

⁴⁰ A. P. Boza Funeral Home to Charles Felder, 15 March 1962, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

⁴¹ Steve Kanigher, "Old Cemetery Causing Tax Woe," *Tampa Tribune*, January 24, 1990.

very well could have been intentional buryovers, aside from those already mentioned in the early years of the cemetery.⁴²

In 1964 it appears that Boza was released from his lease agreement.⁴³ However, maintenance, burials, and operations continue throughout the 60s and 70s. In 1978, A. P. Boza died, and his funeral home continued operations still. Even with Boza gone, buryovers continued and City oversight was still lax. In 1990, the *Tribune* reported that Boza, and Roel & Curry funeral homes buried people in the cemetery without the submission of permits throughout this period. But how did these later issues come to light? Almost unsurprisingly, given Marti-Colon's history, it was a tax fowl up.

Colon After Boza and the Sale of "Old Marti"

It was mentioned earlier that the City sold Boza 10 lots of adjoining land in 1939 when it leased the Marti Cemetery plat to him. In 1984, Boza Funeral Home is sold to Stewart Enterprises, which continued to maintain the southern Marti section, as well as the 10 additional lots. Eventually, Stewart Enterprises found it didn't actually own the southern section of Marti, and had been maintaining it under the assumption it was part of the "properties" it acquired along with Boza's funeral home. It is around this point where a historical error begins to form, and is repeated in the newspaper stories reporting on the tax snafu. The southern section of the original Marti plat, Boza and earlier newspapers had been calling "Colon", while they referred to the section north of Columbus Drive as the "Marti" or "Old Marti" cemetery.⁴⁴ However, it was during the 1980s tax issue that the southern section begins to be referred to as the "Marti cemetery" (as it was technically the southern section of the original Marti cemetery plat). The adjoining 10 lots sold to Boza in 1939, heretofore not worthy of any particular mention, though they did add 3.75 acres to the southern section's 1.75, became known as "Colon".⁴⁵ It was those 10 lots which were being taxed, as they had not been registered as part of the cemetery. (This misunderstanding continues to this day, and can be seen on the City's Parks Department website's description of Marti-Colon at this time of writing.) After several notices for failure to pay taxes, the land was to be auctioned off by the Hillsborough County Circuit Court Clerk's Office in early 1990. This drew out residents in protest, afraid that graves might be exhumed or destroyed (as they alleged had happened when Columbus Drive had been widened, though there's no other evidence for that aside from these reported claims).⁴⁶

After the misunderstanding was dealt with, and the additional lots given cemetery tax-exempt status, Stewart Enterprises was now aware that it was the city that owned the original Marti section. As would be expected, Stewart Enterprises quickly tired of paying for the upkeep of the city's cemetery, and tried to get the city to take over the expenses (as Stewart Enterprises was under no lease to maintain the cemetery as Boza had been). By 1993, the southern section of the cemetery had fallen into disrepair, as Stewart Enterprises claimed upkeep was taking ten thousand dollars a year, and wasn't making enough money from the sale of plots to keep up that expense. Again residents came out in protest, and confusion about the ownership of the cemetery

⁴² Steve Andrews, "City Confirms Reports of 'Buryovers'," *Tampa Tribune*, March 21, 2000.

⁴³ "Release of Lease," 19 March 1964, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida. Found in the 1960s correspondence file.

⁴⁴ Joe Henderson, "City Loses Track of Burial Plot Records," *Tampa Tribune*, October 11, 1995. Armando Mendez Papers, Tampa Library, University of South Florida, Tampa, Florida.

⁴⁵ Joseph Murray, "Marti Colon Cemetery History," prepared for the Tampa Parks Department, 2 February 1996, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

⁴⁶ Steve Kanigher, "Old Cemetery Causing Tax Woe," *Tampa Tribune*, January 24, 1990.

muddled the response. Assuming Boza's family had owned a large section of the cemetery, they went to his son, Boza, Jr., who wanted nothing to do with the property, as his father never left a will. In a moment of ironic obliviousness, Boza Jr. stated "If he had [left a will], I would have fought the will. [That land] is nothing but a liability. . . . Why should the problems of the dead be passed down to us?"⁴⁷ Eventually the city earmarked \$10,000 annually for the cemetery's upkeep, but even that wasn't enough to keep the cemetery in decent shape, and clean-up efforts continued for years.⁴⁸ In May of 1995 the city also starts taking care of the Boza-owned "Colon" section (i.e. the 10 lots purchased by Boza).⁴⁹

Meanwhile, the now long-forgotten northern section was undergoing changes. Under the assumption that the section of the cemetery plat north of Columbus has indeed been emptied of all graves, as per Jerry Boza's 1960 letter to the City Clerk. This is despite the fact that the overwhelming probability is there were scores of graves remaining, given Boza's and Reed Jr.'s statements in 1959, and given Boza only mentioning seven disinterments in said letter, as was explored above. Going from this assumption, the city decided to sell the northern section in 1985 to Sam Leone, with the contingent of the sale being that the area be rezoned from R-1 "Residential" to C-1 "Neighborhood Commercial", so that Leone could develop the land.⁵⁰ Though legal descriptions of the northern section of Marti Cemetery plat were obliged to name it as such, the agreements and correspondence surrounding the deal began to refer to the land as the "Marti Tract." And so the northern section of Marti was rezoned for commercial use. Today a strip mall covers the Marti Tract, and the status of the graves underneath remains unknown.

Of course, Marti-Colon's story doesn't end here. Residents, though missing many of the details of the cemetery's history, know bits and pieces of the history. Having such a long and sordid history with so many shifts and changes, it's difficult to find a particular grave in Marti-Colon, and residents do their best to locate their loved ones. Eventually, stories began to focus on these missing or mislabeled graves, and the failures of those who everyone assumed was keeping an eye on the state of the cemetery. This led to a shocking investigation in 1995 by local news station WFLA, which brought to light the record-keeping failures, the lack of city oversight, and the buryovers, in which one grave had been intentionally covered up by a new one. The lack of city oversight was so great, it didn't even know that burials were still occurring in Marti-Colon in 1995.⁵¹

After this initial investigation in 1995, the city began looking into the disparities in Marti-Colon's records. In October 1995, Parks Department deputy director Diana Kyle reported confidently that "I'm not convinced grandma is lost", and assured the *Tampa Tribune* that the city now possessed the records necessary to locate missing graves, as Stewart Enterprises released the Boza Funeral Home had turned over all of its records to the City of Tampa on April

⁴⁷ Jane Chang, "Cemetery Sags With No One to Claim It," *Tampa Tribune*, April 24, 1993.

⁴⁸ Jane Chang, "City Approves Funds to Clean Cemetery Site," *Tampa Tribune*, April 30, 1993; Cloe Cabrera, "Funding Sought to Help Cemetery Ward Off Vandals," *Tampa Tribune*, October 30, 1993.

⁴⁹ Joseph Murray, "Marti Colon Cemetery History," prepared for the Tampa Parks Department, 2 February 1996, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

⁵⁰ "Land Sales Agreement," 6 December 1984; "A Resolution Accepting the Bid; Authorizing and Approving a Land Sales Agreement by and Between the City of Tampa and Sam Leone, for Certain City Owned Property Legally Described Therein; Providing Effective Date Thereof. (Marti Tract North of Columbus Drive)," 6 December 1984, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida, both show and accept the condition that the land be rezoned for commercial use.

⁵¹ WFLA Channel 8 News Reports, various dates, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

28, 1995.⁵² By 2000, the city confirmed reports of “buryovers”, and Parks Department superintendent of grounds maintenance and cemeteries, Marsha Carter, admitted that records were so confused it was improbable that they might find out what had really happened with missing graves and contradictory records without A. P. Boza.⁵³ In their 1995 investigation, WFLA researchers entered over 5,000 records of graves gathered from the city, state, and Mormon church records into a database, and determined that over 290 graves were listed as having more than one person in the same plot. The Parks Department’s subsequent follow up involved inventorying the headstones and comparing them with burial records--they were forced to recognize that the records were too confused to determine where some people were buried with any accuracy. This was problematic to the point that Peter Mendoza, who was looking to bury his parents with his grandmother in Marti-Colon, was forced to abandon his plan, as he could not prove which grave spot his grandmother was buried in, thus showing he had burial rights to that plot.⁵⁴ This is the legacy of Marti-Colon today.

Conclusions

Having covered over a century of Marti-Colon’s history, it’s difficult to know what to do next in some cases. Obviously there are people who have an interest in finding out which graves belong to whom, but the practicality of finding out is, in most cases, outside the reach of families or the City. There are, however, some aspects one can take away from this story that are straightforward. For repeated failures, lack of oversight and shirking of responsibilities, it is entirely prudent to ask even today how the City is monitoring its cemeteries. These stories aren’t over, and there are new scandals and abandoned cemeteries being revealed all the time. In Pasco County, an abandoned African-American cemetery on Ehren Cutoff was neglected until a few years ago. Named after the church it served, “Mount Carmel Cemetery” is one of the few intact black cemeteries in Pasco. It was preserved and cleaned up thanks to efforts of the Pasco Black Caucus, local historian Jeff Cannon, and other involved and active community members. Despite financial setbacks, lack of county oversight and maintenance, damage from roaming cattle, and the difficulty of access to the property, the cemetery was eventually cleaned in 2007, and a historical marker erected.⁵⁵ Maintenance has been kept up by the efforts of locals, including the United School Employees of Pasco who organized an annual cleanup in 2009.⁵⁶ Community involvement can prompt local governments into preserving these historic cemeteries, but as Marti-Colon shows, interest has to be kept up, or these cemeteries might fall back into disrepair.

Or in a case of recent mismanagement, a St. Petersburg woman whose grave site next to her husband was sold twice by the Royal Palm Cemetery management, even though she had agreed to move him after the first foul-up. There were also allegations of infant graves being

⁵² Joe Henderson, “City Loses Track of Burial Plot Records,” *Tampa Tribune*, October 11, 1995. Armando Mendez Papers, Tampa Library, University of South Florida, Tampa, Florida; Joseph Murray, “Marti Colon Cemetery History,” prepared for the Tampa Parks Department, 2 February 1996, Marti-Colon Cemetery Collection, Tampa Library, University of South Florida.

⁵³ Steve Andrews, “City Confirms Report of ‘Buryovers’,” *Tampa Tribune*, March 21, 2000, 4.

⁵⁴ Steve Andrews, “Missing Graves Haunt Historic Cemetery,” *Tampa Tribune*, February 21, 2000, 4.

⁵⁵ Jeff Cannon, “History of the Mt. Carmel Church/Ehren African American Cemetery and Community,” last modified August 26, 2009, http://www.pascocemeteries.org/ehren_black_cemetery_revised.html.

⁵⁶ Sherri Lonon, “School Workers Spruce Up Ehren Cemetery,” *Tampa Tribune*, April 1, 2009, <http://tbo.com/pasco-county/school-workers-spruce-up-ehren-cemetery-101922>.

destroyed when a waterline was put in during the 1990s, plots being resold when their value went up, and a case of one man being buried in one plot and his marker placed on another.⁵⁷

It's easy to fall into a secure confidence that cemeteries are being maintained properly, much like how the Parks Department felt in 1995 that, despite any missing graves, they surely had the information needed to set things right. Even now, the city doesn't recognize the northern section of Marti, now the site of a strip mall, in its official description of Marti-Colon, but instead offers a mistaken view of the cemetery's naming history. The preservation of local history will depend on the continuing efforts of West Tampa residents to keep the cemetery clean and safe, as well as to stay on the city government to maintain proper records of burials and any other cemetery modifications that might alter or move graves. There may be no way to ever reclaim or identify the graves that have been built upon, buried over, or destroyed, but there are ways to prevent these sorts of things from happening again.

Did mention the people moved to Memorial park in Jerry Boza's letter to the City Clerk (1960s correspondence pdf pg. 6), but who aren't listed there today? Is this necessary to mention?

⁵⁷ Leonora LaPeter Anton, "Woman Sues Cemetery That Filled Plot Next to Her Husband--For the Second Time," *Tampa Bay Times*, January 15, 2010, <http://www.tampabay.com/news/humaninterest/woman-sues-cemetery-that-filled-plot-next-to-her-husband-8212-for-the/1065795>.