

# HENDERSON COUNTY HISTORICAL COMMISSION

---



Box 1412

Athens, Texas 75751

May 23, 1984

Honorable Mack Wallace  
Railroad Commission of Texas  
P. O. Drawer 12967  
Capitol Station  
Austin, Texas 78711

Dear Mack:

The Henderson County Historical Commission is working to preserve the old black cemetery; the Fisher Robinson Cemetery, and we have run up against a stone wall. As you probably remember, back in the 30's and 40's this cemetery on the north side of Robbins Rd. came off a piece of land formerly owned by Dilcey Robbin, which was given for a black cemetery by her descendants in the late 1800's.

We have secured many affidavits from her descendants and neighbors that had parents and other relatives buried here.

In 1939 or 40 Bob Bass, a local land speculator, put a deed on record that appears to have been put together from other deeds and falsely claimed title to the cemetery. He fenced the property up, put mules, cows, and hogs in the cemetery, and during this period someone took all the granite and marble headstones and hauled them off, leaving only the old iron ore markers that do not have any writing on them. These are still in the cemetery.

Later on, Bob Bass sold this land to Alan Whatley, claiming the cemetery under this false deed. We know that in Texas there is no such thing as a Limitations Title to steal a cemetery. When we were right in the middle of cleaning up this cemetery with the City's help, the City Attorney, Thomas Earl Williams, advised the City Manager that this property was in litigation and was owned by Mr. Whatley and for the City to stay out of the cemetery. He also advised Mrs. Marion Westbrook, Chairman of the Historical Commission, that this was not a cemetery but

private property and to stay out. But he also suggested to Bill Perryman that you, Mack Wallace, might get the Attorney General to help us recover this cemetery, which is now in litigation by filing a lawsuit on behalf of the State of Texas and the Descendants of those buried there. We are presently in the process of filing for a Texas State Historical Marker to be placed in this Pioneer Black Cemetery. This will be ready in the next few days.

Mack, I know you know a lot of people who have signed these affidavits and do not want to see this cemetery desecrated by having a shopping center or a parking lot poured on top of these pioneer families.

If you will help us by seeing that this file is turned over to the Attorney General and that they please help us stop this land from being claimed by someone other than the cemetery.

Yours truly,



Chairman, Henderson County Historical  
Commission



Fisher Robinson Cemetery Marker Chairman