

**Dallas Landmark Commission  
Landmark Nomination Form**

**1. Name**

**historic:** Garvin Cemetery Historic District  
**and/or common:** Smith Hall Cemetery  
**date:** 1875 (Tract A and C)  
 1890s (Tract B)

**2. Location**

**address:** 4000 Block of West Northwest Highway  
**location/neighborhood:** Sherwood East  
**block:** 5088 **lot:** **land survey:** Wilson Baker  
**tract size:** approximately 52,120 square feet (Tract A and C)

**3. Current Zoning**

**current zoning:** SUP77 Cemetery and Multi-Family

**4. Classification**

<b>Category</b>	<b>Ownership</b>	<b>Status</b>	<b>Present Use</b>	<b>Museum</b>
<input type="checkbox"/> District	<input type="checkbox"/> Public	<input type="checkbox"/> Occupied	<input type="checkbox"/> Agricultural	<input type="checkbox"/> Park
<input type="checkbox"/> Building(s)	<input type="checkbox"/> Private	<input checked="" type="checkbox"/> Unoccupied	<input type="checkbox"/> Commercial	<input type="checkbox"/> Residence
<input type="checkbox"/> Structure	<input checked="" type="checkbox"/> Both	<input type="checkbox"/> Work in progress	<input type="checkbox"/> Educational	<input type="checkbox"/> Religious
<input checked="" type="checkbox"/> Site	<b>Public</b>	<b>Accessibility</b>	<input type="checkbox"/> Entertainment	<input type="checkbox"/> Scientific
<input type="checkbox"/> Object	<b>Acquisition</b>	<input checked="" type="checkbox"/> Restricted	<input type="checkbox"/> Government	<input type="checkbox"/> Transportation
	<input type="checkbox"/> In progress	<input checked="" type="checkbox"/> Unrestricted	<input type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Other, specify
	<input type="checkbox"/> Being considered		<input type="checkbox"/> Military	<input type="checkbox"/> Cemetery
				<input checked="" type="checkbox"/> Vacant

**5. Ownership**

**Current Owner:** Vet to Vet (Tract C)  
**Contact:** James W. Johnson **Phone:**  
**Address:** 25 Highland Park Village, Suite 100-411, Dallas, Texas, 75205

**Current Owner:** Mary Kelso (Tract B)  
**Contact:** Mary Kelso **Phone:**  
**Address:** 4005 Cochran Chapel Road, Dallas, Texas, 75209-1501

**Current Owner:** Swor Estate (Tract A)  
**Contact:** Swor Estate **Phone:**  
**Address:**

**6. Form Preparation**

**Date:** January 2, 2005  
**Name & Title:** Frances James, Errol Miller, Michelle Wurtz  
**Organization:** Designation Task Committee  
**Address:** 1500 Marilla, Room 5CN  
**Contact:** Michelle Wurtz **Phone:** 972-423-5480 (wk)

**7. Representation on Existing Surveys**

Alexander Survey (citywide) local state national National Register  
 H.P.L. Survey (CBD) A B C D Recorded TX Historic Ldmk  
 Oak Cliff TX Archaeological Ldmk  
 Victorian Survey  
 Dallas Historic Resources Survey, Phase \_\_\_ high \_\_\_ medium \_\_\_ low  
 For Office Use Only

Date Rec'd: \_\_\_\_\_ Survey Verified: Y N by: \_\_\_\_\_ Field Check by: \_\_\_\_\_ Petitions Needed: Y N

Nomination: Archaeological Site Structure(s) Structure & Site District

**8. Historic Ownership**

original owner: Tract A & C: J. G. Garvin and wife Eliza J. Garvin and W. L. Crawford and wife M. S. Crawford donated this site for a burying ground; Tract B: William Cochran

significant later owner(s):

**9. Construction Dates**

original: n/a  
alterations/additions: n/a

**10. Architect**

original construction: n/a  
alterations/additions: n/a

**11. Site Features**

natural: n/a  
urban design: n/a

**12. Physical Description**

Condition, check one: \_\_\_\_\_ Excellent X Deteriorated \_\_\_\_\_ Unaltered \_\_\_\_\_ Moved(date \_\_\_)  
X Good (land) (cemetery stones) \_\_\_\_\_ alterations pending  
 \_\_\_\_\_ Fair \_\_\_\_\_ Ruins \_\_\_\_\_ Unexposed

*Describe present and original (if known) physical appearance. Include style(s) of architecture, current condition and relationship to surrounding fabric (structures, objects, etc). Elaborate on pertinent materials used and style(s) of architectural detailing, embellishments and site details.*

Garvin Cemetery, also known as Smith Hall, is located in the 4000 block of W. Northwest Highway (Exhibit A). The cemetery encompasses a tree lined green space fronting W. Northwest Highway to the north and extends into a private residence's yard to the south. A residential neighborhood (Cochran Heights) creates the eastern border and an apartment complex (Sherwood Apartments) and City of Dallas park property forms the west. For many years there were three distinct sections of land on the Dallas County

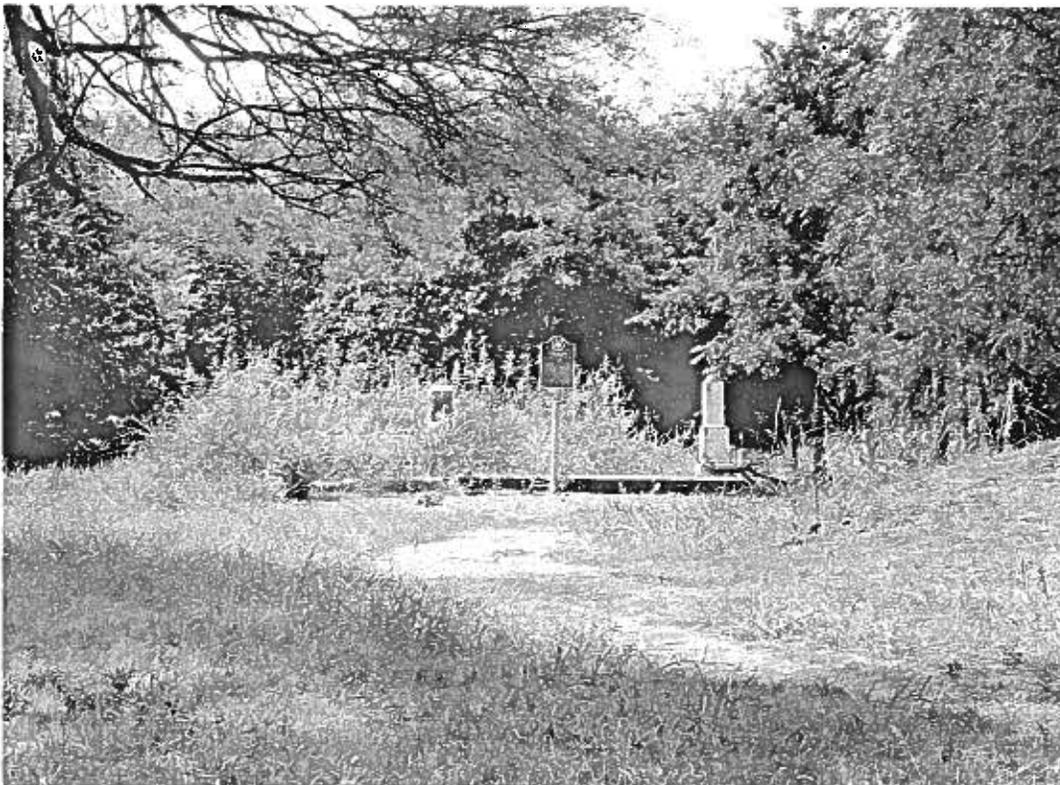
maps and records all denoted as cemetery and called the Garvin or Smith Hall. City Blocks No. 5077 and 5088 contain these sites.

Historically, the cemetery represents two burial grounds. The first (Tract A and C), established in 1875, was associated the Garvin Family. The second (Tract B), an African American cemetery, was created around the turn of the century. Due to private ownership issues, the following nomination divides the cemetery into the three tracts (Tracts A, B, and C) as delineated in Exhibit B.

As with many old cemeteries, not much is known about the individuals buried at Garvin or the exact location or true extent of all graves. This is true for both the 1875 and later African American portions of the burial site. Field stones, headstone pieces, ruminants of metal markers, and other artifacts suggest that all three parcels contain a larger number of graves that currently physically recognized. Additional archeological and historical research is necessary to elucidate the number of graves and the names of the individuals potentially buried there.

***Tract A and C:***

The original boundaries of the 1875 portion of Garvin cemetery exceed the small pocket of marked graves (3,583 square feet) currently dedicated for cemetery usage (Tract A). An additional 48,497 square feet (Tract C) of property, to the north, south, and east of the 3,583 square feet, was designated as cemetery until 1990 when Frank Finn, a private individual (not associated with the cemetery nor its descendants) successfully petitioned a judge to gain title to the property. The 48,497 square feet is now a taxable property zoned multi-family. Numerous maps and inventories of the property, dating from 1949 through 2002, indicate the potential existence of graves on the 48,497 square feet of now non-certified cemetery. At least one grave marker and many surface artifacts support these records.



Photograph of Tract A (grave markers) and portions of Tract C.

***Tract B:***

Around the turn of the century, land adjacent to the 1875 Garvin cemetery, was deeded by John Cochran (1838-1928) for burial purposes. Tract B, which is south and southwest of Tracts A and C, is thought to be associated with the early African American community namely Elm Thicket and possibly Mathis Town, Meadows Town, and Farmers Branch. This site is behind the Sherwood Forest Apartment complex, next to the home of the Kelsoe family and adjacent to a Dallas Park Department Bachman Creek Greenbelt and trail. The property is owned by the Kelsoe family, who purchased the house and grounds in the late 1990s.

This burial ground includes a small marked plot (approximately 40 square feet bound by an iron fence) and an adjacent field (to the west of the Kelso residence) containing both marked and unmarked burials associated with individuals from the previously mentioned communities. At least 10 individuals are thought to be buried in the marked plot behind the residence.



Photograph of small plot located on Tract B.

### **13. Historical Significance**

*Statement of historical and cultural significance. Include: cultural influences, special events and important personages, influences on neighborhood, on the city, etc.*

#### **History of Tract A and C:**

##### **James G. Garvin**

Garvin Cemetery was established in 1874 by Missouri native James G. Garvin (1830-1900). Mr. Garvin was educated in the subscription schools in Howard County, Missouri. He married Catherine Tompkins in 1850. In 1861, James enlisted in Colonel Nat Burford's regiment and served until the end of the Civil War participating in many battles and raids.

Garvin came to Dallas shortly after the Civil War and began to buy land, build a house, open a grocery store, and had residential houses he rented out. His wife, Catherine, died in 1875 leaving five children. Garvin married again in 1876 to Mollie Hedrick but she lived only two years. His third marriage was to Lula Smith in 1879, and they had one child before she, too, died in 1882. James Garvin's last wife was Ann Eliza Haines, who he married in 1883. From these various marriages with six known or listed children it is not known how or if any of them ever claimed the property the cemetery is on. There has never been a will located.

##### **Establishment of Garvin Cemetery**

The cemetery was in the Wilson Baker survey. Governor J. P. Henderson signed the grant for 640 acres of land to Baker on 12-20-1847. The agent for Baker, J. P. Farquhar, of Washington County sold 300 acres to N. R. and G. B. Granberry from Madison County Mississippi, in 1848. By 1849 the Granberrys had sold to Perry Dakan. Dakan did not keep it very long as he sold it to Wm. M. Cochran in 1851.

For \$75.00 in 1874, Nancy Jane Cochran wife of Wm. M Cochran sold three acres to James G. Garvin. A year after the sale, Mr. Garvin buried his first wife Catherine on the recently acquired land. In April of 1897, a short time before the death of Mr. Garvin (July 1897), the site was formerly deed as cemetery noting that it was "described and dedicated property and shall be a burying ground for the people of Smith's Hall neighborhood in Dallas County as a resting place for the dead."

##### **Individuals Buried at Garvin Cemetery**

Several Civil War Veterans are interred in this cemetery, including Tennessee natives William Robert Swor, and his second cousin Pleasant G. Swor and his wife Martha Winn. Pleasant Swor (1834-1878) is known for leading an assault against Union forces at the Battle of Corinth.

An article in the Dallas Times Herald describes the death of a five-year-old boy, Clint (Floyd) Sparkman, living near Cochran Chapel and interred at the cemetery. Mr. Sparkman and his employees were preparing to slaughter hogs and a great iron kettle filled with boiling water hung on a crane over a blazing fire near the slaughtering pen. The little boy was playing nearby, missed his footing, and plunged into the scalding water. This was January 1, 1890.

Three of the wives, sons and daughters of the Garvin family are buried here. Several members of the Travis family, Gaines family as well as the Swor family, Mayes, Mathis, and Morris families are buried here.

Through the years the markers with the names of Hughes, Smith, Mowat, Mackey, and Lively have all disappeared. Some small concrete markers with metal strips attached remain in a few instances to note the graves of a Mackey, Lively, Quillen, West, or Ferree. The first known grave was 1875 (Martha J. Mathis) and the last marked site was 1912.

### **“Smith Hall Cemetery”**

The name Smith Hall was used in some records for the cemetery area nearest Northwest Highway. There was a James A. Smith Masonic Lodge No. 395 on the front portion of the property. The Lodge formed on “Mound Prairie” near the John Cochran homestead during the 1870s. John Cochran (1838-1928) joined this Lodge in 1875, soon becoming the Secretary, and later the Worshipful Master in 1884. Members of the Lodge were buried in the cemetery and some were moved through the years when the Lodge itself moved to Farmers Branch/Carrollton area ca. 1898.

### **Modifications to the Cemetery**

Through the years the site has been desecrated several times and various families have gone to court to keep nearby businesses from taking over the cemetery. A survey map prepared by John R. West, Jr., in the 1940's shows that there was a barn on cemetery property. Also in 1961, Jesse Swor (1913-1987) a descendant of individuals buried in the cemetery filed a court case stating that a neighbor had fenced in part of the cemetery and ran cattle on it. Another time trees and other debris from a landscaping business were dumped on this land. Developers have tried to get their plans approved by the City of Dallas to build a gated community on this site.

Jesse Swor and his brother attempted to maintain the site, he was the principal caretaker until his death. Swor made various strides to insure that the cemetery would be protected. He applied for and received a Texas Historical Marker, and provided a hand drawn map of the graves he was able to locate. Swor also contacted Dallas County and offered to donate the land to the County. In addition, Swor contacted the Park Department for the City of Dallas, asking for help. There was an Association formed at one time, but as these people who were interested died the cemetery was completely abandoned by 1986.

Since that time, the Boy Scouts have been called upon to try and keep the site. To earn their Eagle Scout badges, the scouts have added bushes, grass, flag pole, and a walkway in addition to cleaning the grounds. The Texas Youth Commission is forming an Association so that they will be able to help maintain sites like this and this cemetery will be on their agenda.

### **Description of Burial Markers**

The tombstones of Garvin Cemetery range from original engraved granite and marble headstones to small, unmarked fieldstones. The dates on the marked headstones range from 1878 to 1912. The size and shape of the markers vary from a few inches in diameter to standing granite monuments over 4 feet. There is a full tomb, which is believed to have been poured on the site in 1912. The Garvin family plot is marked by concrete edging and contains several of the monuments in the cemetery.

### ***History of Tract B***

As with the site of the 1875 cemetery, this tract of land was purchased William M. Cochran in 1851. William (1807-1853) died from typhoid, leaving Nancy Cochran a widow with six children. Her oldest son, John, a private in the Confederate Army, donated part of the land he had inherited to the black community to use as their burial ground in 1894. As noted above, this property was adjacent to the land used by J.G

Garvin for a graveyard when his first wife, Catherine died in 1875. Garvin had purchased land from Nancy Cochran in 1874 when he returned to Dallas after the Civil War.

A 1940 map drawn by John R. West, a surveyor in Dallas County, shows the area given to the African American community by John Cochran. This map clearly denotes the sites as an African American graveyard. Additional documentation of this cemetery, however, is limited and vague. Unfortunately, this includes the names of the individuals buried there. One of the sources of information about the cemetery is an account provided by Cynthia Jones. In 1992, Ms Jones, sent a letter and map of the "Old Negro Cemetery" to Frances James, a local cemetery historian. In that letter Ms. Jones stated that her grandfather, who was 96 years old and still living at the time, told her that John Cochran had given the land to the local African American to be used as a cemetery. Her hand drawn map, that had been described to her by her grandfather, also showed the John Lee homesite adjacent to the Garvin Cemetery nearer Northwest Highway. She further noted that her great, great grandparents as well as others from the Elm Thicket area, namely the Greens, Turners, and Shepards, etc. were buried in this cemetery. Elm Thicket was an African American freedman's town that evolved near now what is Lovefield, after the Civil War. This area is also known historically as North Park addition.

In 1962, Robert Haley, a Sunset High School student prepared a report for his teacher, W.R. Conger. Haley. In that report, he drew a map of the area showing the John Lee homesite and a Negro slave cemetery. In his write up, Haley spoke with Mrs. John Lee, who lived close to the cemetery. Robert Haley and Mr. Conger explored the woods to the southwest that contained graves of slaves and other Negroes. He concluded that the grave-sites were so spread out and so many not marked properly, they could not make a record of this section.

As noted earlier, the cemetery is currently located on property owned by the Kelsoe family. G.H. Kelsoe and his wife, moved from their home in Rowlett to Cochran Chapel Road in 1998. The site they purchased contained a home as well as small rear and side yards. In the back yard of the property they purchased was a plot containing as many as ten graves. The graves been marked with metal rods driven into the ground. Shortly after moving into their home, the Kelsoes enclosed the plot with wrought iron fencing in reverence to the individuals buried there.

In 1998 and 1999, the property that is adjacent to the Kelsoe property was claimed by Attorney Frank Finn following a questionable court case where the property was decertified, losing its cemetery designation. After acquiring the land, Mr, Finn sold it to the Kelsoes who purchased it for purposes of protecting it. While not recognized in court papers, the reportedly vacant tract contained several scattered thin metal posts similar to graves found at many old cemeteries.

Since her Mr. Kelsoe's death in 2003, Mary Kelsoe (Mrs. G.H. Kelsoe) has spent \$36,000.00 to clean up the wooded area, purported to be the graveyard. She keeps it maintained each year thereafter with the same yard crew that keeps up her own property. Finally, Ms. Kelsoe approached cemetery historian and City of Dallas Landmark Commission member France James about protecting the burials located on her property through landmark designation.

### **Freed African Americans in Dallas**

On June 19, 1865, enslaved Texans were finally freed from bondage. During the Reconstruction Era African American Texans faced many challenges as they sought to reestablish their lives as free persons and reconnect their severed families. Many were drawn to large cities with prosperous economies like Dallas, Austin, San Antonio, and Houston versus more rural areas where work was restricted to agricultural labor. "Freedmantowns" were created on the outskirts of these cities, these communities served as the economic and residential centers of local Black life. Outside of these Freedmantowns, rights and privileges were

greatly restricted by city codes designed to segregate and depose African Americans of their full freedoms. Despite the obstacles imposed by White society many of these communities thrived and contributed significantly to the economies and growth of the larger city in which they were located.

**Add. Brief information about the various Freedman's Towns in Dallas. Establishment of cemeteries such as Freeman's. Description of Freedmans and custom of marking graves. Lack of written records associated with early cemeteries.**

**14. Bibliography**

*Published Sources:*

Carlisle, Willie Flowers, Old Cemeteries of Dallas County, published in 1949 by the Butler Bonham Chapter of the Daughters of the Republic of Texas.

Clipping file on the 7<sup>th</sup> Floor of the Dallas Central Library – Dallas Times Herald and Dallas Morning News articles.

Shehorn, Bobby Lynn – Pioneer History of Dallas, Texas – A Masonic Perspective, 1848-1874 published in 2005 by Anchor Communications LLC, 5266 Mary Ball Road, Lancaster, Virginia 22503.

*County Records:*

Dallas County Central Appraisal District files and maps, available on line at DCADD.com.

Dallas County Deed Records Volume 99139: p. 5015, dated July 19, 1999, housed at the Dallas County Records Building, Dallas, Texas.

Dallas County Deed Records Volume 89047: p. 0547, dated December 21, 1988, housed at the Dallas County Records Building, Dallas, Texas.

*Other Sources:*

History of the J. A. Smith Masonic Lodge (unpublished).

Jones, Cynthia E. – Correspondence to Ms. Frances James, dated September 23, 1992.

Personal papers of Jesse Swor.

Personal papers of Frances James.

**15. Attachments**

X  *District or Site Map*

*Site Plan*

X  *Photos (historic & current)*

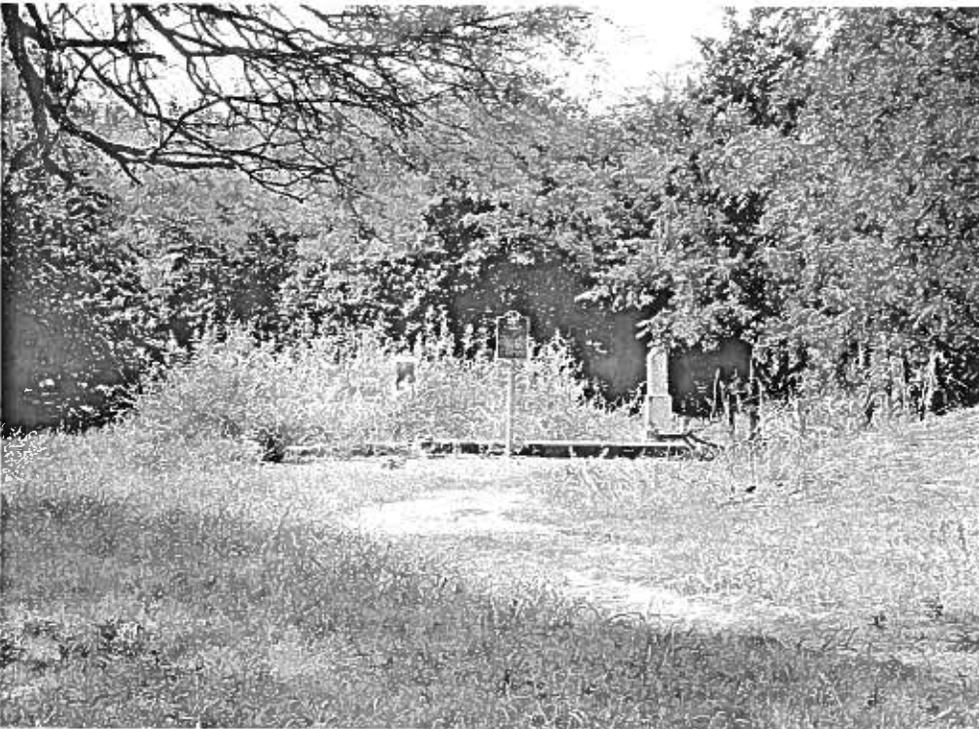
X  *Additional descriptive material*

*Footnotes*

*Other:* \_\_\_\_\_



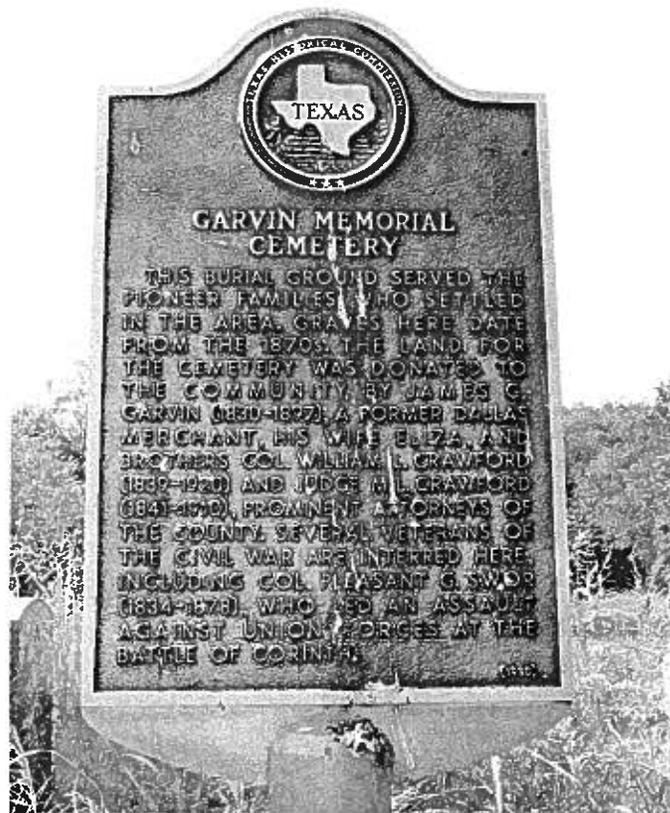
View of Garvin Cemetery from Northwest Highway.



View of "certified" Garvin Cemetery from Northwest Highway.



View of Garvin Cemetery from Northwest Highway looking southwest. Note: Historical Marker sign in need of repair.



View of Texas State Historical marker.



Looking towards Northwest Highway from historical marker.



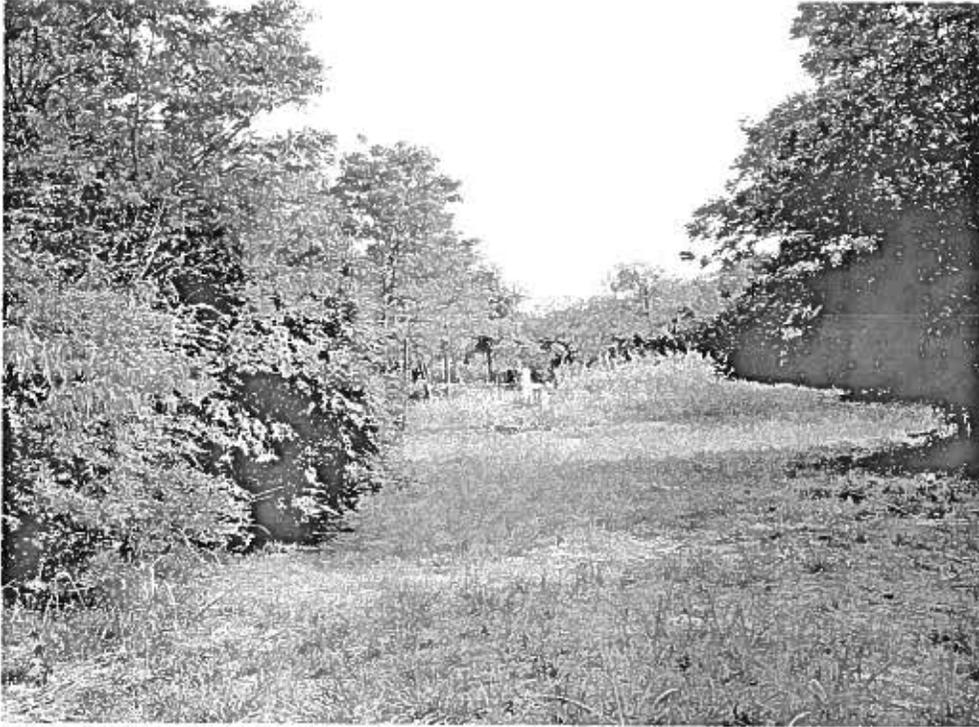
Looking towards Northwest Highway from historical marker. Northeast corner of lot.

Burial marker located outside "certified" cemetery boundaries. Name unknown. Note: Damage caused by mowing.

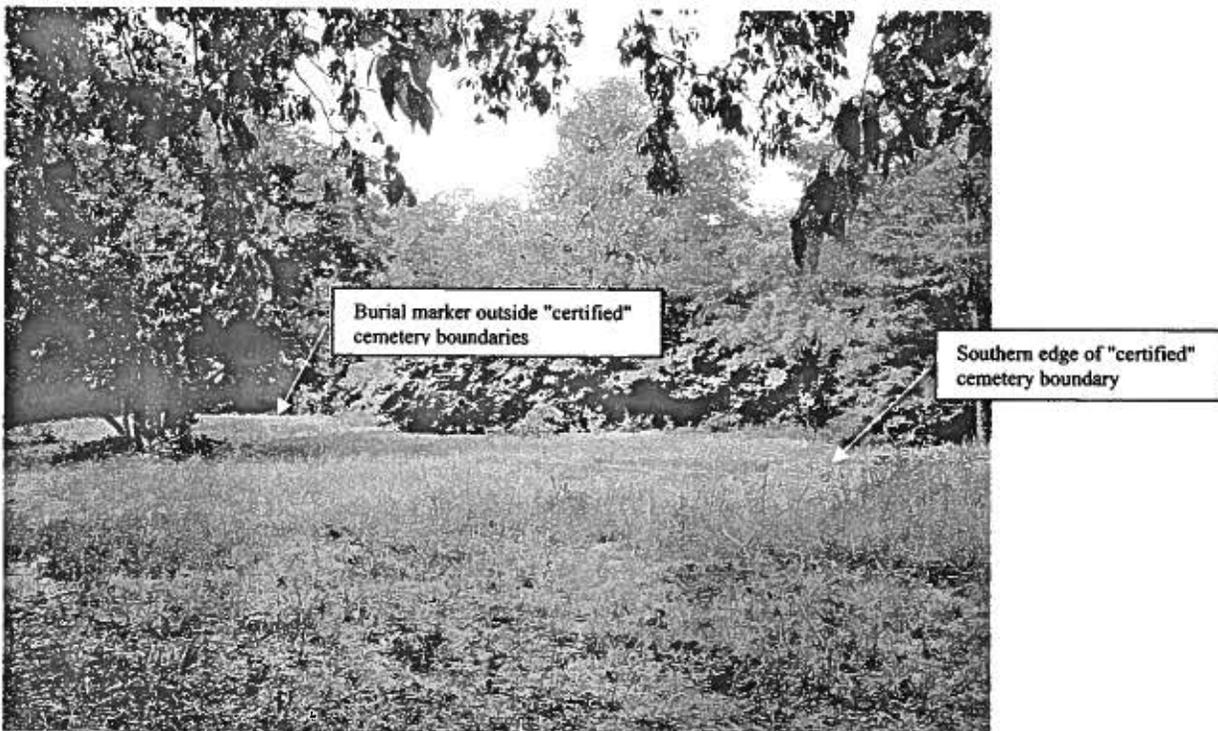


View of southern portion of lot.

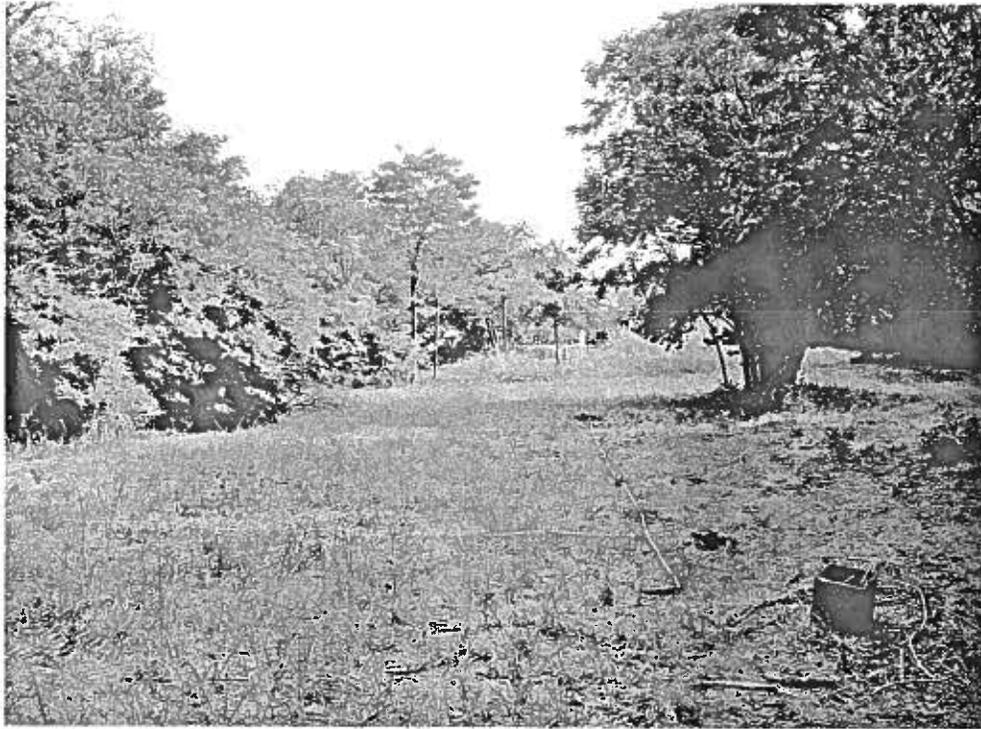




View of "certified" cemetery, looking towards Northwest Highway from burial marker located outside "certified" cemetery boundaries.



View showing southern edge of "certified" cemetery boundary in relation to burial marker located outside "certified" cemetery boundaries. View looking southwest.



View showing measurements being taken of the burial marker located outside "certified" cemetery boundaries.



View of surface find, outside "certified" cemetery boundaries.

## 16. Designation Criteria

**History, heritage and culture:** Represents the historical development, ethnic heritage or cultural characteristics of the city, state, or country.

**Historic event:** Location of or association with the site of a significant historic event.

**Significant persons:** Identification with a person or persons who significantly contributed to the culture and development of the city, state, or country.

**Architecture:** Embodiment of distinguishing characteristics of an architectural style, landscape design, method of construction, exceptional craftsmanship, architectural innovation, or contains details which represent folk or ethnic art.

**Architect or master builder:** Represents the work of an architect, designer or master builder whose individual work has influenced the development of the city, state or country.

**Historic context:** Relationship to other distinctive buildings, sites, or areas which are eligible for preservation based on historic, cultural, or architectural characteristics.

**Unique visual feature:** Unique location of singular physical characteristics representing an established and familiar visual feature of a neighborhood, community or the city that is a source of pride or cultural significance.

**Archeological:** Archeological or paleontological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest.

**National and state recognition:** Eligible of or designated as a National Historic Landmark, Recorded Texas Historic Landmark, State Archeological Landmark,

American Civil Engineering Landmark, or eligible for inclusion in the National Register of Historic Places.

**Historic education:** Represents an era of architectural, social, or economic history that allows an understanding of how the place or area was used by past generations.

***Recommendation***

***The Designation Task Force requests the Landmark Commission to deem this nominated landmark meritorious of designation as outlined in Chapter 51 and Chapter 51A, Dallas Development Code.***

***Further, the Designation Task Force endorses the Preservation Criteria, policy recommendations and landmark boundary as presented by the Department of Planning and Development.***

***Date:***

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***Chair  
Designation Committee***

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***Co-Chair  
Designation Committee***

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***Jim Anderson, Historic Preservation Planner***

***Insert Exhibit A here***

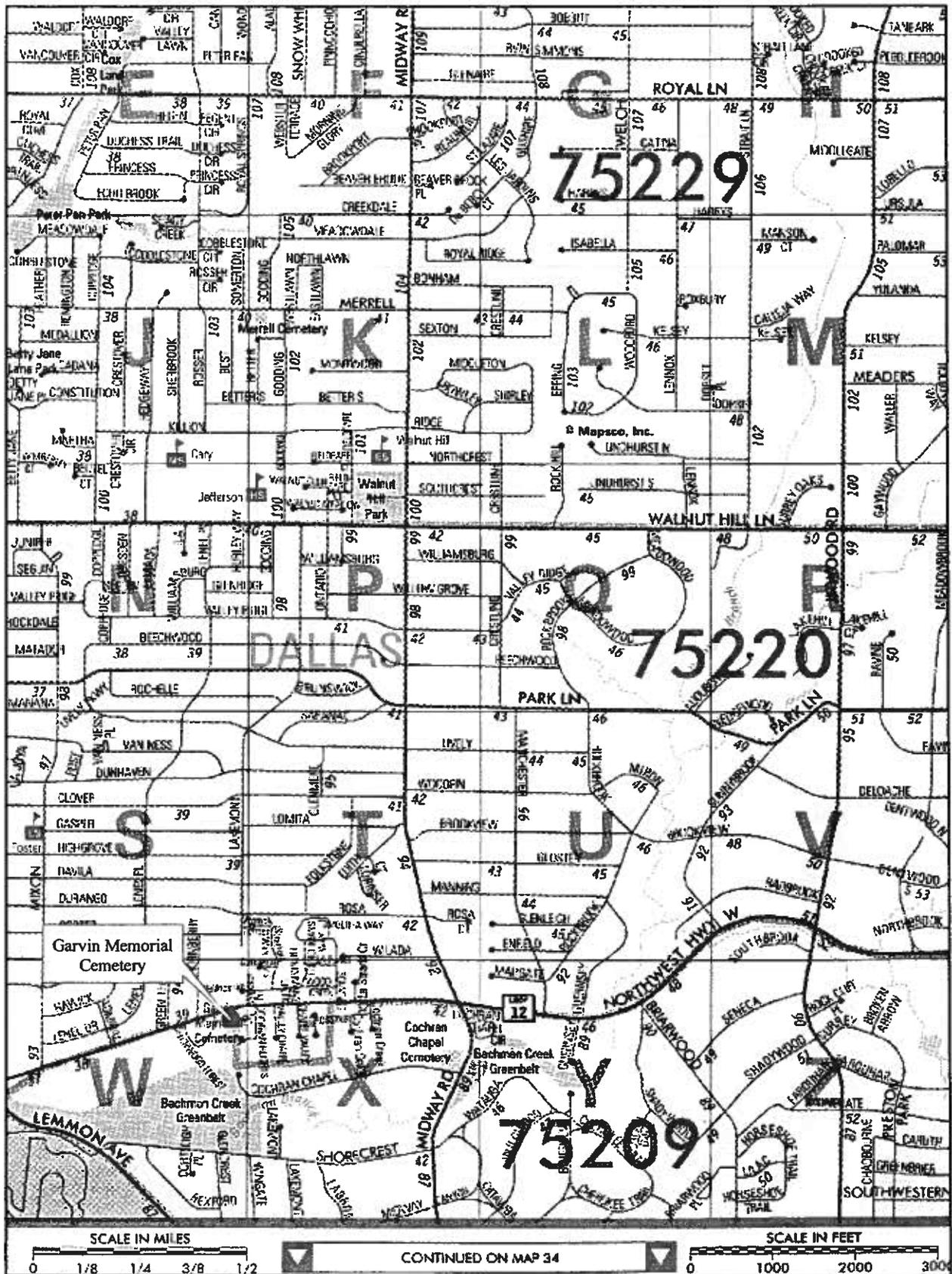


Exhibit A. Map showing the location of Garvin Memorial Cemetery (Source: Mapsco).

***Insert Exhibit B here***

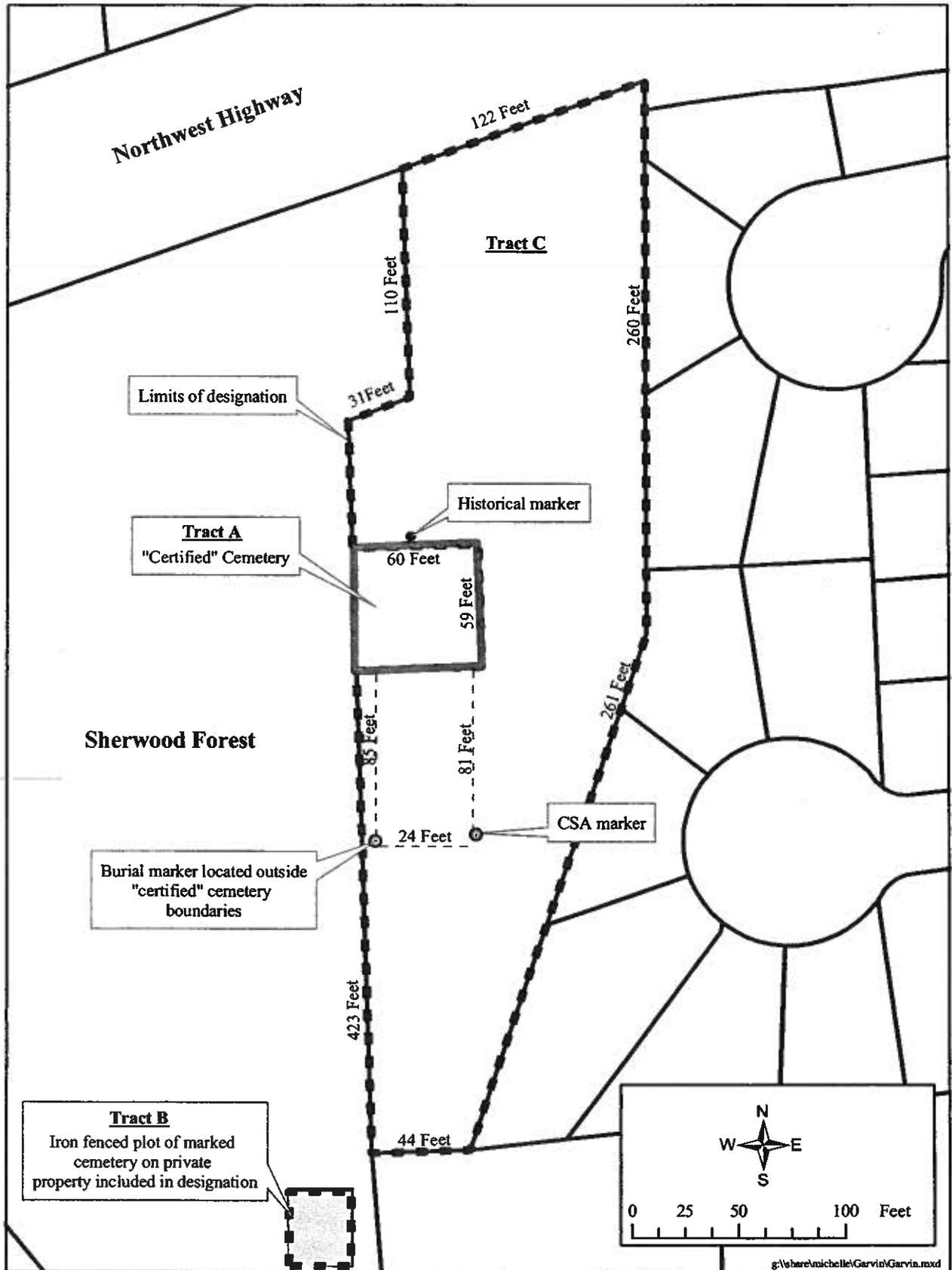


Exhibit B. Plan map of Garvin Memorial Cemetery (August 2003 Draft).

***Insert Exhibit C here***

S PLAT BOOKS

BLOCKS 5088 (PT)

EQUALS 1 INCH

SCHOOL DISTRICT DALLAS

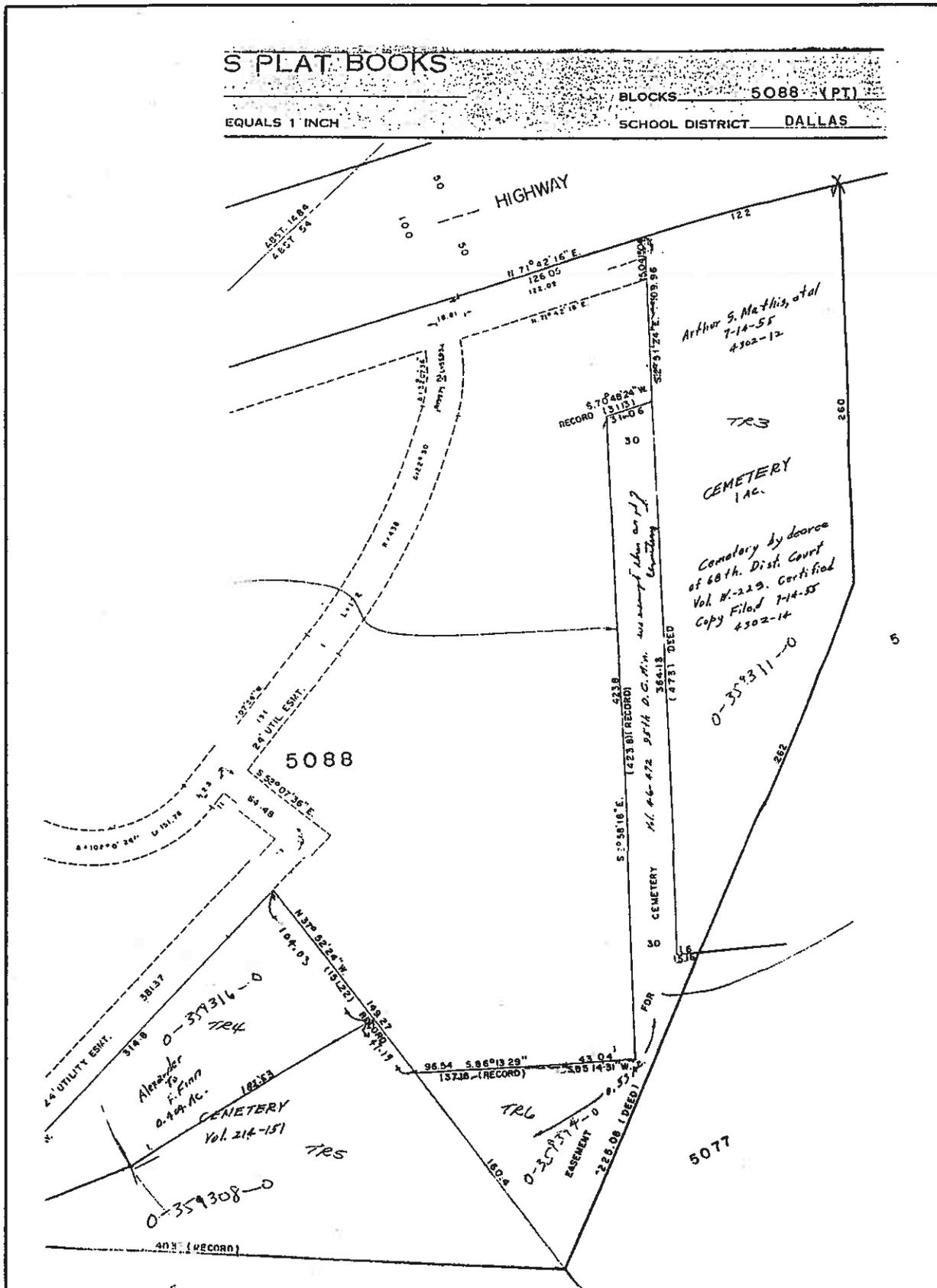


Exhibit C. Section from Dallas Plat Books showing location of cemetery.