



This is to certify that

*Bivens Chapel
Cemetery*

has been deemed
a significant landmark
by the

**ALABAMA
HISTORICAL COMMISSION**

and added to the

**ALABAMA REGISTER OF
LANDMARKS AND HERITAGE**

on
December 19, 1991.

Guy Hunt
Governor of Alabama

Thurmond
Executive Director
Alabama Historical Commission



BIVENS CHAPEL CEMETERY - AN ALABAMA HISTORIC LANDMARK

Col. Robert Bivens bought the land on which Bivens Chapel Cemetery is located from his father, Valentine, on November 5, 1825. He was 21 years old at the time, was born in Kentucky in 1804, the oldest child of Valentine and Elizabeth Speer Bivens. We do not know if the cemetery was in use then. Years ago, Harry Brake, a great-great-grandson of William Speer, said he had heard his father say it was first a slave burial place. However, some of the old, unmarked graves could very well be those of early settlers.

The oldest dated marker in the cemetery is inscribed "Martha A. Bivens, wife of Col. R., dau. of John and Ann, 1806-1836". Col. Bivens died in 1872 and is buried near his second wife whose tombstone is marked "Martha, second wife of Col. R. Bivens, age 35, died 1853". A few yards away another stone reads "Susan, third wife of Col. R. R. Bivens, born 1826 - died 1887".

William Speer, a Revolutionary War soldier, is buried beside his wife, Mildred. He was born in Maryland in 1758, lived in North Carolina at the time of his war service, and moved to Kentucky in 1801. He came to Alabama in 1824 and settled on land near the cemetery, where he lived until his death in 1859 at age 101. The General Sumpter Chapter, Daughters of the American Revolution, placed the marker at his grave more than 60 years ago. The William Speer Chapter, D. A. R., in Birmingham, is named in his honor. William Speer was Col. Robert Bivens' grandfather.

A stone sarcophagus near an old cedar tree is the grave of Joseph Linn (1791-1853). It is said that folks who lived nearby hid their meat and other valuables in this tomb when the Union Army was in the area.

The grave of infant John Dziak (1901) is surrounded by an iron fence and marked with a metal cross. The inscription on this cross is in Slovak. The baby's parents came to Brookside through Ellis Island in the late 1890's. Joe Billitz and Charles Roth, whose graves are nearby, also emigrated from Czechoslovakia to Brookside in the late 1800's. These graves are in Bivens Chapel because the Russian Orthodox and Roman Catholic cemeteries in Brookside had not been established. Immigrants from Czechoslovakia, Poland, Russia, Greece, Italy and France played a very important part in the development of Brookside and the surrounding area of Jefferson County. Rich coal seams were discovered here in the 1880's and strong men were needed to mine the coal.

In 1918 the old cemetery was almost filled so an addition was opened. In the mid 1920's Bivens Chapel United Methodist Church was moved from its original location on what is now Cherry Avenue to a spot between the old cemetery and the new addition. Although the church and cemetery share a common name they are entirely separate.

For many years all maintenance of the cemetery was done by families who had relatives buried there. Most of the cleaning was done just prior to "Decoration Day" in May and it consisted of scraping the graves clean with a hoe, hauling off the weeds and grass that were scraped up, then mounding up each grave.

On July 14, 1959, a group met at the cemetery to consider ways to beautify and better care for it. At this meeting Tom Long, Charlie Bivens and Charlie Long were elected Trustees; Fred Black, Custodian; Charlie Long, Treasurer and John Early, Secretary. Members of the committee to solicit funds were Elbert Miller, Bill McDonald, Ray Brake, Bert Bivens, Bob Carroll, Sam Linn, Pat Skelton and Bruce Bagley. These men agreed to sow grass on the cemetery and to replace all the old headstones that had no name or date on them with flat tiles. They made rules prohibiting building walls and planting shrubbery. Funds for mowing grass and other maintenance were collected by "passing the hat" on Decoration Day each year.

In September, 1977, a series of three meetings were held at the Bivens Chapel Methodist Church. These meetings were well attended and the problem of providing money for future needs of the cemetery was discussed. Most of the people present liked the idea of raising a permanent fund, investing the money in bank certificates of deposit and using only the interest from the CD's for cemetery care. Each family was urged to make a "lifetime contribution". An organization "Bivens Chapel Cemetery Care, Inc." was formed and the trustees elected were - Bennett Brake, president, Herman Wolfe, Olan Long, Joy Dulin, Elizabeth Estes, Ralph Wolfe and Don Waid. Evaree Long was chosen as Secretary-Treasurer. These trustees serve without pay and in addition to attending meetings and conducting cemetery business, they spend time working in the cemetery. In 1991 two additional trustees were named - Harold Johnson and Benny Brake.

Bivens Chapel Cemetery Care, Inc. received many generous contributions and several people have left money in their wills. The largest bequest came from Harry Brake, who left the cemetery more than \$22,000.00 when he died in 1979.

In 1988 an irrevocable trust fund of \$100,000.00 was created. Only the interest from this fund can be withdrawn and used for cemetery care and maintenance. The value of the fund at present is more than \$125,000.00. The grass is being mowed at least eleven times a year.

Mrs. Marie Bivens Bruce is the last member of the Bivens family to own the cemetery. She inherited it from her father, Charlie Bivens, when he died in 1964. Mrs. Bruce and her husband, Lonnie, opened a new section, Bivens Memorial Gardens, in which only ground-level grave markers may be used. In 1984 she gave the entire cemetery, along with a 40 foot buffer strip surrounding it, to Bivens Chapel Cemetery Care, Inc.

In 1983 the cemetery was named a Jefferson County Historic Site.

In December, 1991, Bivens Chapel Cemetery was added to the Alabama Register of Landmarks and Heritage.

(Compiled by Bennett and Elizabeth Brake
April 1992)