

BURIAL GROUNDS NEGLECTED



OLD RUSSIAN ORTHODOX CROSS MARKS GRAVE — A much weathered, wooden cross is discovered in a secluded setting at Anchor Point, marking the burial place of an unknown Indian of many years ago.

— Photo by the ZOZULA FAMILY

Couple Surprised to See Eight Native Graves On Land They Bought

By JACQUELINE GLASGOW
Staff Writer

A Fairbanks couple, Ruth and Paul Zozula, bought land last October on the Kenai peninsula and discovered they now own what appears to be an old native cemetery.

Located near Anchor Point about 16 miles above Homer on Cook Inlet, the three acre piece was bought from a realtor in Homer. When the couple went to look at the land, they were surprised to find a small plot with about eight graves.

Ruth Zozula describes the property as a secluded, delightful area close to the inlet. Anchor Point is the farthest west point you can drive on the North American continent. It derives its name from the fact that Captain Cook, searching for the famed Northwest Passage, anchored his boat there during a storm.

"I don't think there are too many people who own a graveyard," said Mrs. Zozula.

The Zozula family intends to carefully maintain and keep the little graveyard and feel a sense of great respect for the burial grounds.

Yet they were concerned enough to come to the Tundra Times with the story because they could not quite understand how a native cemetery came to be sold in the first place.

Their deed shows only that they bought the land from Myrtle Meckle. Ms. Meckle

apparently inherited the land from her brother who may have homesteaded it. There are several old homesteads in the area, with ancient, abandoned cabins and outbuildings. The Zozula property has one small cabin on it and directly across the road are the remains of what they were told were the beginnings of a small church, never completed.

"Perhaps the cemetery was connected somehow with the church," Mrs. Zozula speculated.

The realtor from whom the Zozulas purchased the property told them that the old Anchor Point road is built over another part of the cemetery. They were also told by local people that it was, indeed, an old Indian graveyard.

The oldest grave in the plot has a Russian Orthodox cross atop it, but the name has been lost. There also appears to be the grave of a baby or small child.

Ninilchik, only twenty miles north of Anchor Point, was founded by the Russians when Alaska was "Russian America." Today a group of Russians who call themselves "The Old Be-

(Continued on page 6)

Native Graves on Real Estate...

(Continued from page 1)

lievers" have founded an authentic Russian village named Nikolaevsk, eleven or twelve miles away.

They wear old-style costumes, speak the Russian language, and adhere to many of the old customs.

Paul Zozula was born in Russia and has spoken with some of his soon-to-be-neighbors in their native tongue. The Zozulas intend to move to their new property as soon as they sell their place in Fairbanks. The couple have five children.

William Zozula, age 11, when asked what he thought of the family's graveyard, said, "I like it."

"What fascinates you," said Ruth Zozula, "is — Who are the people buried there? What kind of lives did they lead? What did they think about?"

Apparently, not everyone has evidenced the respect for native burial grounds that the Zuzulas have, including the state of Alaska and the United States government.

Throughout the history of state, Native people have been removed from lands which they occupied and on which they buried their dead, whenever the government wanted to sell or develop the land.

Last summer, the Tundra Times investigated a report of a power line which ran directly through a Native cemetery at Nenana. No records were ever found showing an easement granted, other than for an old telegraph line which was designed to cross to Siberia back in 1916.

Subsequently, the line was converted to use by the Alaska Railroad and to date, still infringes into the heart of the native cemetery even though there have been requests made by Mitch Demientieff, the young chief of Nenana and by John Sackett of the Tanana Chiefs for its removal.

It was also discovered that the railroad had originally moved the cemetery from its original site along the riverbank, disturbing the graves, and in some cases, literally blasting them out of the hillside with dynamite when they laid the bed for the track.

Workers on the track bed still occasionally discover human bones in the earth surrounding the track.

There are unconfirmed reports of another native cemetery in the Palmer area where old graves are being bulldozed as land is cleared by developers to make sites for the sale of vacation homes, and in the town of Wasilla, local native people are concerned about the gravesite of Chief Wasilla which land developers wish to move to make way for "progress."

At the native community of Tanacross, Chief Oscar Isaac heard reports that a white man had built an airstrip on the ridge which is the site of the ancient village of Kechumstuk, also the location of a major Indian burial ground dating back hundreds of years.

The site is certain to be selected by the native corporation as a historical site under the Special Purpose Grant of the Native Land Claims Act.

News of the invasion of outsiders in the old village was brought down the mountain by two young engineers with the Bureau of Land Management, who said they were walking the entire length of the old telegraph

route for purposes of that department.

They would not tell the villagers what that purpose was.

A federal public land order No. 2172, dated August 9, 1960, "By virtue of the authority vested in the President", withdraws all public lands on which are found Native cemeteries and "a strip of land 330 feet in width surrounding the perimeter of each cemetery, for the proper care, upkeep, and administration thereof."

The order is subject to valid existing rights and existing withdrawals, which in effect, means it cannot be retroactive on burial lands which had already been deeded away. However, the order clearly makes invalid any sale of public lands after August 9, 1960 on which a native burial ground was located.

It is very unlikely that any provisions of this order were ever carried out and the Secretary of the Interior in the thirteen years since its issuance has not made an intensive effort to withdraw and survey these lands.

An official at the Bureau of Land Management said the primary stumbling block is the lack of manpower to conduct the actual surveys. If however, any native village or group were to request such a survey, the order would require that it be executed and the lands withdrawn.

A provision in the 2 million acre special purpose grant of the Native Land Claims Settlement Act, Section 14 (h) states: "The Secretary of the Interior is authorized to withdraw and convey 2 million acres of un-

reserved and unappropriated public lands located outside the areas withdrawn by sections 11 and 16, and follows: (1) The Secretary may withdraw and convey to the appropriate Regional Corporation fee title to existing cemetery sites and historical places."

The major difference between this provision and the Public Land Order of 1960 is that the latter merely withdraws the land for protective purposes but had no provisions for granting title to that land to any native group.

The legal question may revolve around whether any unreserved public lands containing native cemeteries were let for patent in the interim between issuance of that 1960 order and the final claims settlement, either to private individuals, to the State of Alaska, or for mineral rights.

If so, such a transfer may be illegal under the existing order and may represent an abrogation of responsibility on the part of the Secretary of the Interior and the Bureau of Land Management, who were charged with the duty of withdrawing and filing an accepted plan of survey on such locations.

Many of the twelve native regional corporations have set a high priority on locating and identifying all burial grounds as rapidly as possible.

In some cases where a substantial burial ground exists even on land which has already been alienated or patented to other parties, it is expected that in many cases, the return of the burial ground to the rightful owners, the native people of Alaska, will be requested.