

May 31, 2007

Charles Goldberg, Esq.
Steimberg Law Firm, LLP
61 Broad Street
Charleston, SC 29401

Re: Arcturus Lavon Brown Property, Hanover and Huger Street, Charleston

Dear Mr. Goldberg,

I visited the property on Wednesday, May 29, arriving at about 11:30am and leaving about 1:00pm. The purpose of my visit was to examine the property in an effort to determine if a cemetery might be present. I understand this visit was requested because the Charleston Co. property map lists this parcel (TMS 4590104003) under the category of "03-Church Parsonage Cemeteries [sic]."

Although we conducted no title search or detailed historical assessment, I understand from Ms.

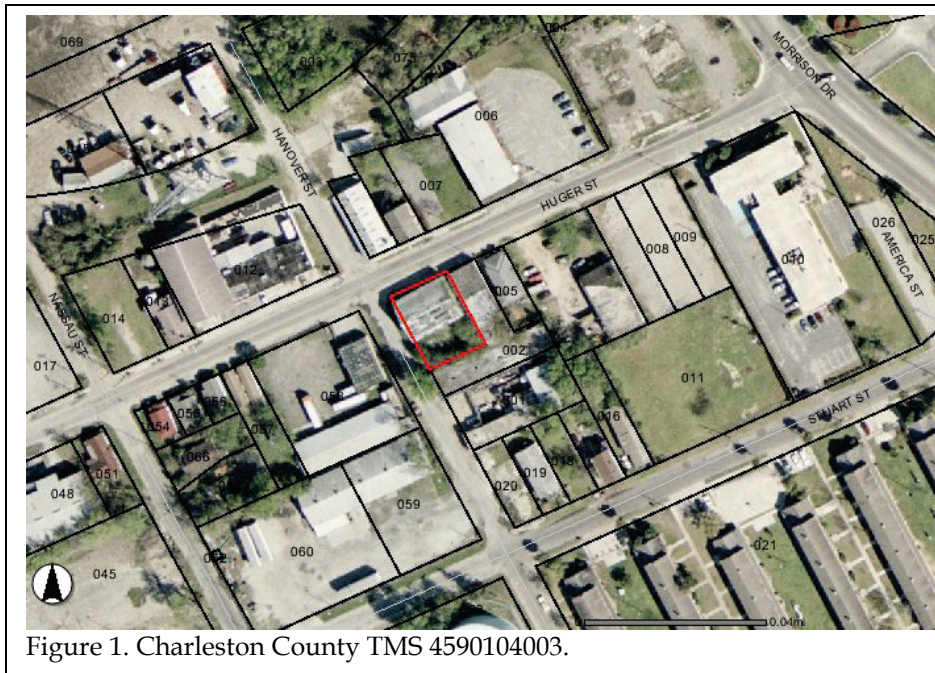


Figure 1. Charleston County TMS 4590104003.

Brown that the church may date from the 1940s or 1950s. Within the past several years the structure was demolished by the City of Charleston and the property sold at a Sheriff's sale to Ms. Brown. The March 2001 aerial photos used by the Charleston County GIS show this structure occupying the northern half of the property (Figure 1). The southern half appears to be in lawn with denser vegetation along the

rear property line. The aerial does not show any evidence of stones, although in does become increasingly pixilated as enlarged.

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The designation used on the property map is applied even to those properties with no historical evidence of cemeteries. For example, immediately northwest, across Huger Street, the property of the Refuge Church of Our Lord Jesus Christ (TMS 4590101012) is also listed as "03-Church Parsonage Cemeteries [sic]."

The only background work I conducted was to examine Chicora's in-house file on Charleston burial grounds and cemeteries. While far from complete, we have been collecting information for the past 5 years and our files probably represent the most complete compendium of "lost" cemeteries for the Charleston area. There were a number of African American cemeteries in this general area of Charleston. We were not, however, able to identify any cemetery at this specific intersection.

The 1958 Charleston USGS topographic map does show a church at this location, but fails to

indicate the presence of a cemetery.

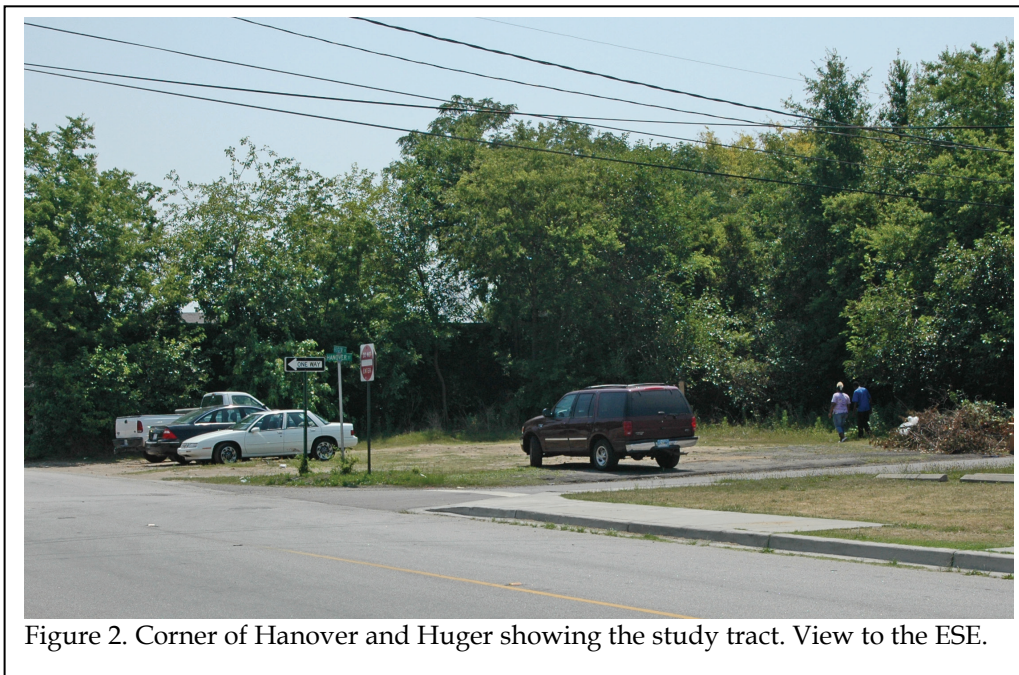


Figure 2. Corner of Hanover and Huger showing the study tract. View to the ESE.

My field investigation relied exclusively on a penetrometer. This is a device used to measure ground compaction in pounds per square inch (psi). Areas of posited graves will have lower psi readings than those where there has been no digging.

The penetrometer is used at set intervals along grid lines established perpendicular to the suspected grave orientations. The readings are recorded and used to develop a map of probable grave locations. At Colonial Cemetery in downtown Savannah, Georgia we managed to locate at least 8,678 unmarked graves using this technique. We have found very consistent ranges in soil compaction at cemeteries throughout the region. We learned the technique at a forensic anthropology workshop at Mercyhurst College and the penetrometer is used extensively by the FBI to locate clandestine graves. While it is never possible in our field to offer guarantees, I have tremendous confidence in the penetrometer and have used it successfully at several dozen cemeteries.

This technique can, however, be affected by either very dry soils (which is not currently a significant problem in the area) or by artificial compaction (if, for example, there has been a road placed through some of the graves, they may be too compacted to be identified).

I found the front half of the property to be currently for vehicle parking (Figure 2). This area is scattered with remnants of the demolition, including brick and concrete fragments, window glass, and other architectural elements. Between the construction, demolition, and recent use for parking, the soils in this area are heavily compacted. Using a hand penetrometer I was unable to penetrate deeper than about 2-inches in any one area. Throughout the soil compaction was >300 psi.

The rear half of the lot consisted of three distinct sections. The northern section was identical to the front half of the property – open soil evidencing scattered architectural items and trash. Soil compaction was similar -- >300 psi. The middle section of this rear area has been used for the dumping of construction debris. There are distinct piles of soil, often mixed with construction debris, such as brick and concrete. These piles extend from west to east in an arc and are found just within the extant woods



Figure 3. This represents the least disturbed section of the property. View to the SE.

line. This area was largely covered, precluding either visual examination or identification of underlying soil compaction.

The most southern section, adjacent to the rear neighbor, a concrete block structure and bounded by a short length of chain link fence, is dominated by scrub vegetation (Figure 3). Most of this vegetation might fall into the category of “trash” – things that

have been planted by birds, such as yucca and cherry laurel. I did, however, note several large *Ligustrum* – a privet that was often planted. Here the soils are somewhat more open and accessible, although there is still much trash scattered throughout (including tires, metal roofing, trash bags filled with soil, and other items). Where it was possible to obtain reasonable accurate penetrometer readings the upper 3 to 6 inches of soil had a compaction of about 100 psi. Below this the compaction increased to levels between 200 and 300+.

I found no indication of grave pits based on the limited area that I could examine. Likewise, although *Ligustrum* was present, I observed no other plantings typical of African American cemeteries, such as yucca, cedar, or bulbs such as daffodil or snow bells. I saw no evidence of sunken areas or grave mounding. I found no fragments of marble or granite that might be consistent with destroyed monuments.

Based on the condition of the property and the absence of more detailed historical research coupled with more intensive field investigation I cannot rule out the possibility of a cemetery or burials on the parcel. This limited work, however, found no indications of burials (visual evidence of graves,

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evidence of plants often associated with African American burials, areas of low compaction, or remains of monuments). In addition, I was unable to find any reference in our limited files of a cemetery at this corner. While a church is shown on the USGS topographic map of this area, there is no indication of a cemetery on this document. And finally, I do note that the assessor's designation is used for a broad category of property, whether graves are present or not. Consequently, it seems reasonable to observe that the potential for burials is not high, but again cannot be ruled out.

However, if additional assurance is necessary, several approaches are possible. One is a more detailed historical study. This would include examination of historic aerial photographs dating to the 1930s; review of the Charleston City Directories for the period from ca. 1900 to 1990 for any mention of a cemetery at this location; and a sampling of death certificates for any mention of a cemetery by the name identified in the city directory research. This work would require two days; thus the cost would be \$1,000 plus reasonable expenses (very limited since all of this work can be done here in Columbia).

The other approach would be to use a small bobcat to strip back the soil on the property. This would quickly reveal the presence of burial pits, if they are present. This work would also require two days, plus the rental of a bobcat and other expenses; thus, the cost would probably be around \$2,000.

Of course, the need for additional work is entirely dependent on the level of comfort your client desires that no cemetery is present.

I am enclosing our invoice for the work conducted Wednesday. Of course we are happy to do more should you so desire - please let me know if we can be of additional service.

Sincerely,

Michael Trinkley, Ph.D.
Director

Enclosure