

HFFA NEWS

A publication of the Heinrich Frey Family Association

Editor — Marilyn Fry

Published quarterly—

Last week in February, May, August, and November

www.hfrey.org

Hello, Cousins, Kin, and other Readers,

I hope that everyone had good winter holidays with family and friends. Our immediate family of 19 had a wonderful Christmas. It was great to have my children and their spouses, six grandchildren, two grandsons-in-law, and six great-grandchildren all together to celebrate at my house. At the end of the day, I asked everyone to take ornaments off the large Christmas tree to take home to save for their own Christmas trees next year as I won't be putting up such a large tree again (the Christmas tree was my son Ron's project each year, so I told everyone that the ornaments were his Christmas gift to all of them).

In this issue, you will find a biography of the new HFFA President. In following issues this year, we will publish biographies of the other officers and directors so that newer members can get to know them and so that previous members can get to know them better. We have so many interesting HFFA members! It will be fun to get to learn more about them.

As you know, the HFFA newsletter is a team project. I collect articles and information; my daughter, Gretchen, collects the photographs and prints out the newsletters that are sent by USPS mail; and my niece Ginny formats it all. I couldn't do it alone! Many thanks to them for all their help!

Sincerely,

Marilyn Fry

Costa Mesa, California

mfry101@aol.com



Treasurer's Report



Summary

07/19/2017–2/10/2020

INCOME	22,717.09
Uncategorized	50.00
Dues	9,361.26
PayPal Fee	-11.70
Other Dues	9,372.96
Frey Fort Cemetary	155.00
Heinrich Cemetery	1,382.41
Heinrich Cemetery Expenses	-953.38
Pay Pal Fee	-1.75
Other Heinrich Cemetery	2,337.54
Journal Purchase	488.00
Links Book	170.00
Other Inc	8.00
Past treasurer income	5,771.80
Reunion Fee 2019	4,879.00
Swiss Genealogist	451.62

EXPENSES	-10,806.66
Auto & Transport	-235.55
Gas & Fuel	-55.55
Reunion Transportation	-180.00
Bills & Utilities	-747.05
Internet	-747.05
Dues & Subscriptions	-143.98
Fees & Charges	-89.46
Bank Fee	-89.46
Journal Expenses	-2,496.29
Misc.	-648.97
Office Expenses	-648.97
Paypal fee	-6.17
Postage	-544.60
Newsletter	-353.35
Other Postage	-191.25
Reunion Expenses	-5,894.59
OVERALL TOTAL	11,910.43

Ralph Frye, Treasurer



Dear Family,

I hope that everyone had a nice holiday season. I always look forward to Christmas as it is the one time of the year that all six of my grandchildren are together. Watching the cousins play together always brings back memories of Christmas at my grandparents' house in Sutter Creek (Bob and Mabel Fry), where all the families would descend on them, and I was surrounded by all my Fry/Denham cousins. Cousins are special friends that we keep for a lifetime. I never would have imagined then that someday I would be surrounded by 50-60 cousins the way we are during our reunions. And every reunion there are new ones to meet as our membership grows. So I would like to officially wish all of you, my cousins, a very Happy New Year and to tell you how proud I am to have the opportunity to serve as the President of the Association.

Since Punxsutawney Phil did not see his shadow on Groundhog Day, I am excited that spring is right around the corner. Of course, living in California, we don't have very cold winters, but still there is something special about spring when all the flowers start blooming and our days get longer.

We are starting some preliminary plans for our next reunion. It will be in Xenia, Ohio, in the early summer of 2021. We haven't set the exact date yet, but usually we try to have it in mid to late June. Jon Frye, our Vice President and Journal Editor, will be hosting this reunion.

Our HFFA Bylaws have been in need of updating, so about six months ago, Norm Schulze formed a committee to start working on rewriting and updating them. The by-laws are now getting close to completion. They have to be voted on by the membership (all of you) at a business meeting. Our next business meeting won't be until we all meet at the Xenia reunion in 2021. Once completed, we will be mailing the proposed draft by-laws to each of you so that you will have plenty of time to read and review them. We will probably be mailing them out to you this spring or summer. I am so glad that we have people like Norm in our Association who are willing and committed to dedicating long hours to make our Association

better. The Bylaws Project was on top of all the work he has done with the cemetery project in Montgomery County, Pennsylvania, where Heinrich is buried. Hopefully you read about it in the last newsletter and saw the photographs showing how different it looks now that the land has been cleared. I encourage any of you who can to make a donation into the Heinrich Frey Burying Ground Project, which we set up to finance this project as there is still much work to do and many more expenses to come. Donations can be made by check to HFFA, sent to Treasurer Ralph Frye or by going to our website (www.Hfrey.org) and paying using PayPal.

Please feel free to call or email me anytime.

gret101@aol.com
(949) 683-6831

Gretchen Fry
President, HFFA

New Members

Jerie L. Caffee
1723 North Skyview Street
Wichita, Kansas 67212
(316) 651-6661936-9918
jerica1@gmail.com

1. Heinrich Frey/Anna Catherine Levering
2. Benjamin Frey/Christina Merkle
3. Benjamin Fry/Catherine ?
4. Christina Fry/John Cartmell
5. Mary Cartmell/David Bookless
6. James Scott Bookless/Jennie Elizabeth Ross
7. Willis Arthur Bookless/Iva Pearl Snodgrass
8. Clifford Vernon Bookless/Thelma Viola Fox
9. **Jerie L. Bookless**

Changes and Corrections

New Address:

MaryAnn Hormuth
12809 Willow Tree Lane
Louisville, Kentucky 40299

Victor Bernhard Johnson, Jr.
2003 Sussex Drive E.
Orange Park, Florida 32073
(850) 387-3677
vixsal@comcast.net

An Appeal for Dues

To HFFA Members:

This is a friendly reminder that your 2020 HFFA Association dues are now past due for the coming year. The dues are **\$25 per year**. You can pay more than one year if you prefer. Please remit your check to the above address. **Make checks payable to HFFA.** If we do not receive your dues by March 31st, 2020, you will be removed from the membership roll. If for some reason you are unable to pay your dues by that time and still want to be a member of HFFA, please contact me so that we can make arrangements. If dues are not received by the date, you will also be removed from the HFFA Facebook page, newsletter, and the journal. PayPal is still available, and if you go to our web site hfrey.org, you will find the section where you are able to pay by PayPal.

HFFA has one of the best journals for any family association, and Jon Frye works very hard to make them as accurate and interesting as



possible. Why would anyone want to give up our wonderful newsletter that Marilyn Fry has out four times a year? The newsletter keeps us up to date on what is going on through the year. I don't think you will want to miss paying your dues as we are planning a great reunion for 2021 that you won't want to miss. It is going to be held in Xenia, Ohio.

In conclusion, please get those dues checks off to me, and let's continue the fun. If at all possible, I would like to be able to have a complete list of members for the reunion. This will be the last request for dues.

If you do not plan on renewing your membership, please let me know either by "snail mail" at the address below or email at ralph.frye@lusfiber.net.

Thank you,

Marti Frye
Membership Chairman

308 Bellevue Plantation Rd.
Lafayette, LA 70503

News from Members:

As many of you know, with the devastating fires in Australia, the Animal Rescue Craft Guild organized a worldwide effort to help the affected animals that live there. Member **Ginny Fry Santos** brought together various family members to help cut and sew wildlife



pouches for injured and displaced animals. The babies and juveniles nestle in the pouch that mimic their mother's own pouch, creating a safe and secure environment as they rehabilitate.



While the fires are mostly controlled, large areas are still smoldering, making it difficult to assess the devastation. Nineteen mammal species, including Koalas and wallabies, are in need of

urgent help as so much of their habitat has been destroyed. Money is needed for animal treatment, food drops, and pest animal control programs. There are many organizations accepting donations. If you would like to donate a list can be found at

www.animalsaustralia.org



Gretchen Elizabeth Fry Harvey

I was born in Germany, September 20, 1954, the first child of Robert and Marilyn Fry, who named me Gretchen. All my life people would ask me if I was German, but I sadly told them, no, I was born to American parents at an Army hospital in Frankfurt. It wasn't until my dad had his DNA tested in 2008 and then was contacted by Richard Bell, whose first cousin was a match to my dad's Y chromosome, that my dad was able to connect the dots and discovered that his great-great grandfather John Fry of Frytown in Hannibal was the son of Benjamin and Nancy Kellar Fry, who was the son of James and Nancy Speers Fry, who was the son of Abraham and Agnes Young Fry, who was the son of "Old Ben," the son of Heinrich Frey, a German immigrant into America in 1685. This was fascinating and meant that I really am German!

After serving in the Army as a lieutenant, my dad returned to the University of California at Berkeley, where we lived in married student housing so my dad could continue his education. My two younger brothers were born two years apart in San Francisco during this time, so now we were a family of five. My dad earned a second BA, this time in Zoology; an MA in Botany, and a California Secondary Teaching Credential. When he finished, there was an opportunity to teach at Newport Harbor High School (where he also coached football for two years), so off we went to start a new adventure in Southern California. My dad also secured a position with the National Park Service to be a Ranger Naturalist in Yosemite National Park during the summer seasons. My parents discovered the perfect place to live with this unusual lifestyle (Newport Beach during the school year and Yosemite during the summers). Balboa Island, an adorable resort community, offered many furnished winter rentals. What a blessed life I lived! My winters were spent living on Balboa Island, going to school in Corona del Mar, playing at the beach, and experiencing adventures with rich friends whose parents had boats and lavish homes. When summer came, we packed up our personal possessions (we owned no furniture) and moved to a house tent

in Yosemite, where we hiked, read, played board games, and went to Ranger Bob's campfire programs and nature walks—no TV and, many years, no electricity (we had a wood-burning stove, a real ice box, and Coleman lanterns). My cousin Ginny would come stay with us for much of the summer, too, so that I could have a playmate since my brothers had each other.

I loved school but was mostly interested in all the social aspects such as clubs, sports, cheerleading, and such. After graduation, I went to Golden West College in the neighboring town of Huntington Beach ("Surf City USA"), where I was, yes, you guessed it, a cheerleader. I also worked as a waitress. Several of us cheerleaders pooled our money and got our own apartment, so I moved out at age 18 and loved earning my own money and being independent. But, alas, I fell in love and married young. At 19 years old, I was walking down the aisle, and by 20 I had a baby girl, Heather. Getting married that young doesn't always work out, and when I was 22, my little girl and I were on our own.

I wanted to build a great life for the two of us and sought a career that would provide me that opportunity. I got so lucky to find a career path that just couldn't be any more perfect for me—being a Title Representative. Yep, I became a sales person for title insurance where I could combine my skills as a cheerleader (the social part of me) with the hard work and service orientation I learned from being a waitress. Ha! I am sort of making a joke of it, but it really was the perfect job. I became a Title Rep. in 1977 and still continue as one today. I have had huge successes in this chosen field, earning top sales awards multiple years.

In 1980, I married Steve Cheney, who also had a little girl Heather's age, Samantha. Steve's ex-wife, Jan, and I got along great, and we exchanged kids back and forth. Heather and Samantha grew up feeling as if they were full sisters in every sense of the word, and I felt like the mother of two little girls. It was always so nice not to have the conflict I've seen other families go through and to actually embrace becoming an extended family. To this day, our families are still combined, and Jan and I are more like sisters. Over the years, we worked together on birthday parties; weddings; and, eventually, Steve's funeral.

Steve and I gave birth to another baby girl, Molly, in 1982 while living in Huntington Beach, California. I loved my life as a career mom with three beautiful girls, living close to the beach, surrounded by great neighbors, friends, and family. Weekends were spent on the various soccer fields and at family activities.

I am so proud of my girls. All three, after earning university degrees, have become very successful women. They each have two children. My six grandchildren range in age from 5 to 18.

I met Cabot in 1995, and we dated for ten years. He is considerably younger than I am, had never been married, and had no children. He became like a big brother to my girls and was, and still is, my best friend and truly my soulmate.



Cabot is a Realtor, and I am a Title Representative, so we share the same industry and help each other out. I do graphic design and make his marketing and flyers. We both stage listings and have accumulated a warehouse full of home staging items. We both enjoy our work and work long, hard hours. In addition to work, we are both members of the Newport Harbor Costa Mesa Lion's Club, where we do a lot of charity work. I am also the Vice President of the Costa Mesa Women's Club and write the CMWC newsletter every month. Our lives are very full, but our first priority is family. We live only one mile away from my mom, Marilyn Fry, the HFFA newsletter editor. Cabot's parents live in La Mirada, only a 45-minute drive. We have many family gatherings, sleepovers, and kids' sports events and have enjoyed many combined family cruise vacations as well.



It has really been wonderful meeting and getting to know all my Fry/Frey/Frye cousins and their spouses over the last ten years at the reunions. I feel so lucky to have had the opportunity to learn so much about my "roots" and to have visited so many places where my descendants migrated to and lived. For me, the best part of my HFFA experience has been attending the reunions. I am hoping that more and more of our cousins will find their way to our Association and attend a reunion. As busy as I am, I will do my best to be a good HFFA President as I am so very proud to be a member of this Association. I will be helping with our next reunion in Ohio in the hope that more of us will be able to spend time together having another great reunion experience.

Gretchen Fry Harvey

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Heinrich Frey Burying Ground,

**A HFFA Treasure in Danger,
A Preservation Program,
Description and Status,
And Personal Insight
Member Input Request**

Norman Schulze
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Introduction

The purpose of this report is to reveal briefly the background on the Heinrich Frey Burying Ground to those new to this historic family treasure, the name of which I sometimes shorten in this report to just "Cemetery." For others who heard my formal presentations and saw my slideshow in Hannibal and at Shelbyville, this *Newsletter* report serves as reminder and refresher, plus I wanted to share new information. The main purpose here, however, is not to enter into details regarding what has transpired on the historic cemetery Cleanup Project. For that, you will be well-informed in a forthcoming *HFFA Journal* issue. This report focuses on saving the old cemetery, an urgent need discovered during the long path to fulfilling the Cleanup Project, some of which is new but all of which is urgent and requires immediate attention. Inaction, or low priority, if one wishes to take exception to that "inaction" description on the part of the HFFA especially in view of information provided, shows the importance for the HFFA to improve timeliness. I solicit interested Members to take a proactive stance.

Serious interest exists on the part of Members, as marked by those who have so willingly and generously contributed. Those contributions provided a key driver whenever I had doubts about whether or not doing such work is really in my best interest. Note that although I refer to work on a Heinrich Frey Ground Preservation Program activity as a program, I want to be crystal clear that in reality this is not an officially approved HFFA program. Achievement of it becoming a program has been and remains my goal.

2000 June Origin.

The only HFFA officially approved activity project during a reunion regarding the old Heinrich Frey Burying Ground, as I prefer to call it when discussing the historical context, was to simply clean up the old cemetery. It was only intended to remove weeds and sticks to make it more presentable. We cemetery-sympathetic Members wanted to see it cared for. That consisted of my entire promise and commitment. But so many major revelations resulted from that simple promise, now almost five years ago. That innocent 2015 cleanup suggestion ended up providing the stimulus for me to advance the cemetery work further to new levels, ones well beyond any I've ever heard. Let's take a historical perspective about how this Burying Ground matter originated and rationale demanding urgency for HFFA action.

Until the year 2000 Morgantown, PA, HFFA Reunion, or Y2K as we dubbed it, that being the first Morgantown, PA, Reunion, the generally accepted belief for the burial site of Heinrich was at the Bertolet Cemetery. That information, after all, is cast in stone there, very near a Mennonite church, about 12 miles from his homesite. Charles Burgess, our treasured and most knowledgeable and, then, HFFA Historian, spearheaded work that showed the existence of a cemetery on Heinrich's last homesite. How he came upon that finding is unknown. Accordingly, the new notion of Heinrich's private family cemetery being his final resting place has transplanted that statement cast in stone at the Bertolet Cemetery. In a historical context, this is profound.

During our touring of the local area in 2000, we could not visit it. The property owner prohibited us from stepping onto his property. It is unknown if Charles ever visited the site, but it is doubtful. Our tour bus simply stopped on the side of the road, when we were then informed by Charles announcing on the bus's PA system that "the cemetery lay somewhere back there among the trees." Figure 1. We then drove off to the next destination. A very disappointing and hopeless feeling personally engulfed.

Figure 1. Location of Heinrich Buri-al Ground, as we viewed it in the Y2K Reunion, but taken 12 June 2015. Norm Schulze photo.



Year 2015, Research Origin and Awareness on Dire Need to Preserve.

Over the years, the lot ownership changed for the better for us HFFA Members. Fifteen years subsequent to our Y2K get-together, in 2015 during the second Morgantown Reunion, a new owner, one being more kind and family friendly, allowed HFFA Members' entry to visit our progenitor's resting place, by us simply signing a liability waiver.

It was then for the first time that the terrible, extremely overgrown and rundown Heinrich's old cemetery showed its ugly face of unloved neglect, as presented below, Figure 2.



Figure 2. Abandoned Heinrich Frey Burying Ground, west side. Norm Schulze photo.

This visit created the rationale for the Cemetery Clean-up Project, one that the membership easily approved. Lacking anyone else to volunteer undertaking the project, I innocently agreed, not knowing what just lay ahead (but we never do), to perform the work, even though I live a very long 6-plus hours' trip away in Virginia.

The way that I looked at it, by so cleaning it up, I was honoring and respecting our progenitor, Heinrich, in my own little way.

Time Interval 2015 to 2019, Work Preparations.

Every time I have gone into these types of activities over the decades, I have learned to expect disappointments, but I retain optimism that some great surprise, or surprises, will spring forth to offset disappointments.

Like anyone, I really did not want to go through

the process to perform the job, i.e., recruit clean-up help, load up a bunch of tools, drive up, work, and then drive back, only to learn we cleaned up someone else's cemetery. Based upon prior Member discussions, probably as early as the year 2000, I became aware that the HFFA possessed the proof that this was truly once Heinrich's property. Hence, I fully expected that the HFFA would readily provide this critical documented information, and my impression was that documented proof would be no problem to obtain. However, in 2015 my discussions with the Historian to obtain the necessary documentation resulted only with oral validation and assurance, but nothing of physical substance came forth.

Reluctantly, rather than abandon my promise until the essential data came forth from the HFFA, I set out to research the deed trail myself, which I successfully accomplished near the end of 2018. This, too, exerted a far greater demand than expected, so much so that I vowed that I would take steps to assure that no one else would have to go through this process.

For the HFFA, two major discoveries resulted as a consequence of the deed trail research, illuminating upon those pleasant surprises that I just mentioned. First, Heinrich's great-grandson Daniel (1794-1888), after selling the family's old farm to neighbor Schlosser behind Daniel's farm, for some unknown reason, repurchased just the cemetery part. Second, the cemetery's deed actually contained a right-of-way easement that commenced at Kerr Road. When the two lots of land surrounding the cemetery that had been developed from Heinrich's old original property were sold, the 12-foot right of way was created along these two property boundaries, Figure 3.

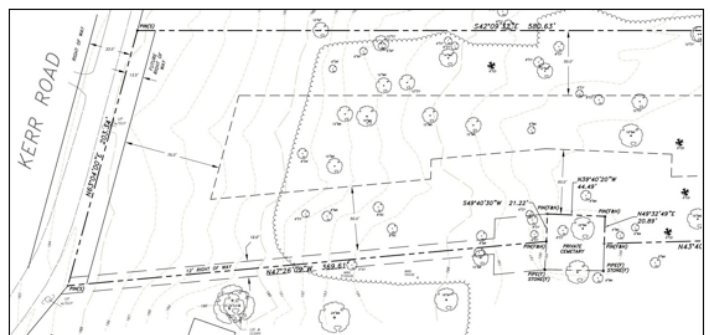


Figure 3. Survey of vacant lot on Kerr Road showing cemetery and right of way.

I assume that Charles was never aware of this right of way; at least, he never discussed it with me. This cemetery-entry refusal in 2000 to Charles remains another one of those mysteries, albeit an important question. The previous owner refused us visitation rights although, by the land purchase, he had accepted that as a condition when he bought the land, as shown in the deed. This event illustrates with another example how things do not necessarily happen the way they are supposed to.

That Charles accepted the visitation refusal causes me to speculate just what was the extent of his research conducted. This entire process was, from my perspective, not properly performed. If Charles had been able to provide the documentation, this work would have been completed much, maybe years, earlier and some questions perhaps answered. It was not available in *The Links Book*. Incidentally, I should mention that James Frey, then HFFA President, may have somehow been involved with the cemetery's discovery; he lived nearby. However, I have never heard his name come up in these discussions. He did a lot of work for the HFFA.

To assure that this unfortunate situation of an important undocumented deed trail never recurs, something no one should have to endure, I published afterwards a brief, but inclusive, summary report for the one permanent HFFA document, *The Links Book*. The all-important, sought-after deed trail is provided in full there, this being another uncommitted benefit received by the HFFA from this Cleanup Project. Our *HFFA Journal* editor, Jon Frye, then requested that I author a more detailed report for our *HFFA Journal*. He expects publication in 2020. Neither of these two documents were jobs I had planned to provide in the beginning, but they added still further our family history understanding to benefit the HFFA. My role continued to expand. But still, although very time-consuming, I considered it the right thing for the HFFA and Frey descendants. It's just that that was a lot of unexpected, time consuming work and explains why a simple cleanup project took so long.

Once the long sought-after deed trail was successfully completed, I was able late in 2018 to proceed with performing the actual, committed-to job at hand back in 2015. When one performs

basic research, a tremendous quantity of time is consumed, especially when working within an organization; that is all I can say in brevity for the 3-year time interval to get the cleanup job moving.

Cleanup

Performing the actual promised physical cleanup work for the HFFA could now proceed, finally. I first developed a work plan that was coordinated with the property owner. I wanted a small, but highly dependable and experienced work team, the members of which consisted of my oldest son, Erich, and HFFA Member, Ed Frye, who lives very close to me in Clifton, Figure 4. I am not sure how Ed and I got together, but it was a blessing. Ed has a farm to care for in the Shenandoah, so I knew he would be a great asset.



Figure 4. Ed, Erich, Norm, just before departure of Erich. Note my visible pain. 17 April 2019. Norm Schulze photo.

Naysayers claimed that it was impossible to do what I set forth in the plan. Undeterred, I fully accomplished the cleanup and, during the process, accomplished so much more than weed and stick removals. The small team performed as expected and as they promised. In this entire experience, it is not possible to say enough good things about this owner. Without the owner, helpers Erich and Ed, the development of a sound workplan, and proper equipment, not to mention working exhaustive hours until dark, the project would not have been accomplished. I pushed myself equally hard, the goal being to fulfill my Cleanup Project promise to the HFFA as quickly as possible.

The only job that had been in the mill, but unaccomplished, was lowering, cutting up, and removal of a large American Walnut tree in the southeast section. It was a little less than 2 feet in diameter. As Erich and I were actually in the pro-

cess of proceeding toward the felling, Ed threw out the notion that maybe I should rethink cutting it down, as sometimes families plant some prominent tree, like walnut, in a cemetery for family memorial purposes. His suggestion caught me by surprise and made me think. Who knows? Maybe it was done in memory of Heinrich. Immediately coming into mind were the twin white oak trees in the Frey Fort Cemetery where legend relates that Benjamin and Christina are buried underneath. Erich and I discussed pros and cons; the owner, giving his approval, said it was fine to cut down, the decision resting with me. My motive was to provide more sunlight for grass growth and lawn mowing convenience. It is not fun to cut a walnut-covered lawn. Walnut removal is much work. I have to deal with such annually. I deferred. Looking for still even further guidance, I included a discussion at the HFFA Shelbyville Reunion. No one could offer further insight or knowledge. I took a vote, keep or remove, it was close to even, retention receiving one more vote. So, for now the tree remains.

2019 April 15-18, Cleanup Job

Well before the work commenced, the owner had advised, better yet, forewarned, regarding the significant number of groundhog holes present. He was uncertain as to whether any were occupied or not. Being a former groundhog hunter, I could advise how to determine, the ultimate conclusion being they vacated their homes. The cemetery floor is built up with about two feet of soil placed there during an undetermined, but more recent, timeframe, like early in the 20th century. The reason is unknown. Interestingly, groundhogs only occupied the new soil, not that outside the cemetery fence. Maybe it was newly-placed dirt, hence, easier to dig in.

When I was actually on-site viewing the cemetery for the first time without vegetation, the extent to which the summer's vegetation concealed the true, deplorable, run-down condition, became apparent for the first time. It vividly illustrates the consequence of neglect. The scene exhibited a far worse situation for us to deal with than we could observe in 2015. The rough, groundhog-riddled soil had remained hidden from view as well as concrete post degradations. Here is another view of what we had to deal with, Figure 5.



Figure 5. NE corner just before work commenced, 17 April 2019. Norm Schulze photo.

During my earliest presence on-site, Tuesday mid-day, as I documented by photographs the pre-work status, I could ponder quietly reflect all alone in silence. Ed was not scheduled to arrive until a couple hours later. The quiet pondering opportunity was so rewarding. I viewed the cemetery now from another perspective: It had clearly once been loved, respected, and carefully cared for, as manifested by the durable surrounding fence construction, now uncovered by this project. I continued to learn much more as this project work advanced. For one thing, had our ancestors not done what they did in terms of building a stout fence, I am convinced that the cemetery would have already disappeared! We would have lost our most precious historical family treasure that all HFFA Members should appreciate. Quality pays.

This is a family treasure exceeded in importance only by Frey Fort in Virginia, perhaps even greater as this property can, or should, be treasured by all descendants of Heinrich, whereas Frey Fort is of the greatest interest to one line, Benjamin's. I experienced still another spiritual revelation. Once there, it suddenly dawned upon me that here I am working on the very same property that a 7-greatgrandfather had also once toiled: cleared the forest, farmed, and lived. No other living descendent besides the three of us can make that claim. This was a special, unique feeling. I can only say that of this family in all my family lines.

What topped the excitement was, early into the second day of labor, the uncovering the "J F 1793" dated tombstone, one previously unknown to today's generation, Figure 6. I know that my heart skipped a bunch of beats upon hearing Erich announce, "Hey, I have found a tombstone with initials that look like 'J F' and a 1793 date on it. Who do you think it might be?" I had been made aware in my research that there had once been tombstones here that disappeared.

Figure 6. Newly discovered tombstone, "J F 1793". 2019 June. Owner photo.



This must be the tombstone for Joseph Frey (1761 – 3 August 1793) son of Jacob (ca1711 – January 1785).

Erich found this rare artifact ONLY BY DIGGING BELOW the cemetery's floor. Several other unmarked tombstones were similarly unearthed. All stones were replaced where found. Only a small part of the floor was unearthed; unfortunately, I never recorded the depth. There could well be more.

On 18 April 2019, I was successful in completing the promised Heinrich Frey Cemetery Cleanup Project as discussed, Figure 7. Here is a view of where we entered the cemetery in 2015, this being the north side. It looks a lot different. We reinstalled the pipes, excluding the east side where the post lay prone on the ground. For a before–after reference, the Figure 2 photo was taken from the right side in the north/northeast direction.



Figure 7. North side. Job complete! 18 April 2019. Shortly before I returned alone to Clifton in pain. This area is right of way area. Norm Schulze photo.

The owner provided me with a current photo for showing at the Shelbyville Reunion. He has been cutting the grass/weeds, Figure 8.

Figure 8. View in the direction of the SE corner from the north side, presented at the Shelbyville Reunion. June 2019. Owner photo.



We placed all stones in an upright condition at spot of discovery. Doesn't it look just great!

In case one wonders, I never obtained proof that Heinrich was buried there; it is just logical that he would be buried on his own farm in his own cem-

etry, not some place 12 miles away from home.

Loss of Cemetery

The most profound research product was the discovery that the cemetery could be obliterated. In lieu of the HFFA having outright ownership of the cemetery, my preference, our next best preservation hope is to assure it remains in a well-cared-for condition and not leave it as an abandoned cemetery. That is so important. Members do not know how lucky we have been and are to still have the cemetery. For future Frey family members to also enjoy, the cemetery needs to have preservation measures undertaken.

CEMETERY PRESERVATION WILL NOT BE CHEAP.

The rationale for my concern is:

- a) The current owner stated that the previous owner told him that "an owner could dispose of the cemetery."
- b) My investigation into Pennsylvania law did not offer any consolation that the cemetery has any legal protection. I am not a lawyer. Desired preservation would be up to family.
- c) The HFFA failed to respond fast enough to assure protection prior to the recent sale of the vacant lot, a sale which I believe has been on the market for a very long time, like roughly two years. I know that I brought it up at the previous reunion. Inaction has caused me to question whether or not the will is present. I know it is among some members. What will provide the evidence is the funding commitment.

If the new lot owners want to dispose of the cemetery, the rundown condition provides immediate rational. Think about the situation. If you owned the lot and were not a Frey descendant, what would you do? Note that:

- a) There are 12 large concrete posts connected by 2-inch pipes in various states of disrepair.
- b) Half of the posts are damaged, Figure 9, one being on the ground, Figure 10.

Figure 9. Damaged post. 16 April 2019. Norm Schulze photo.





Figure 10. Damaged post on the ground. 16 April 2019. Norm Schulze photo.

- c) Some pipes are badly bent or on the ground.
- d) The owner last August sold the vacant lot. My 2 return call requests were never received. They plan to build a residence on the lot.
- e) The new owners may very well desire to get rid of an “eyesore.”
- f) They will have all the necessary construction equipment present to make that happen.
- g) Removal would be fast and inexpensive for them. The fence posts could be knocked down in 5 minutes.

One may say, “But Norm, there is a right of way, they cannot do this.” Here is the conservative and cautious way I see it. One day, after the digging for the new house foundation is complete, the owners tell the backhoe operator to drive over and knock down those unsightly, falling down, crumbling old concrete posts. He drives over, pushes them over and drives back 5 or so minutes later and says, “Done.”

We would likely never know that happened until much later. If we did learn about the event and take it to court and win, the cemetery markers are gone. Maybe the judge orders the posts be reinstated; maybe he doesn't. Maybe the owner also says, “Level the ground there.” The bottom line: We simply need to protect our family treasure.

If the ownership question can proceed rapidly, and even if we don't have the ownership obtained immediately, that legal questioning process may be sufficient to preserve it for the present until a ruling is obtained.

Why I am encouraged regarding possible HFFA ownership, this being the best approach.

This synthesizes what I learned regarding ownership and property boundaries. I found there is not one but two lots affected. The cemetery

resides in between these two lots, one being sold by the owner August 2019, this being after the Shelbyville Reunion. I have tried but have been unsuccessful in contacting the new owners; they did not return my calls. The new owners were made aware of the cemetery, which had been discussed with the selling owner. They plan to build a residence on the lot. That failure to act in Shelbyville tripled our problem, for we now have to deal with three persons, rather than one.

We know that there is a separate deed for the cemetery, the 1878 deed. Under my research work, no subsequent cemetery transaction has been noted. But that must be confirmed as a specific job objective. Revelation of that separate cemetery deed was a most exciting and promising product of the deed trail research.

The deed maps show the boundaries circumnavigating the cemetery, Figure 3. There are six (6) survey pegs, one at each corner plus one in the center on the north and south sides. If the cemetery were a part of the basic lots, it would not be necessary to have shown these four corner boundaries.

The four steel, corner pegs are located outside of the concrete posts. The concrete posts, being inside, belong to the cemetery plat, Figure 11.



Figure 11. Corner peg located outside of concrete post, 16 April 2019. Norm Schulze photo.

Survey peg markers circumscribe the cemetery; otherwise, these are unnecessary if the boundary went straight through the cemetery. The center pegs, which are on the north and

south sides, not on the east and west, offer further support.

The right-of-way offers more evidence that the cemetery itself is separate, for people do not need a right of way to walk on their own property. On the lot map, Figure 3, there is even a large area in front of the cemetery that appears to be a protected right-of-way.

2017: June Shelbyville Reunion

Much, much more was accomplished in the performance of this project than the 4-day, simple

cleanup project that I ever committed to in 2015. Results of the research conducted were so profound that I felt compelled to call once again the cemetery's precarious situation to the attention of the HFFA Members during the 2019 Shelbyville Kentucky Reunion with the hope of its receiving proper attention worthy of its importance in terms of historical value.

At that time, I gave a one hour, 150-chart formal presentation on all the work that I had done on the cemetery since 2015. In addition, one evening I showed all the visual details of that project during a 30-minute, 207-slide slideshow, complemented with beautiful German songs, the first being *Und Wenn Ich Geh (And When I Leave)*. The work was, thus, on that occasion fully documented for the HFFA. In addition, a summary has been provided for *The Links Book*; and, at Jon's request, a more detailed discussion has been provided for an upcoming *HFFA Journal* consisting of 56 pages. I hope you enjoy reading and learning.

A step-by-step comprehensive recommended program for the benefit of the family of Heinrich was presented during the Shelbyville presentation. No preservation activity was discussed subsequent to my presentation, nor any preservation action taken, unfortunately.

2020: Steps the HFFA Needs to Take Immediately for Preservation.

Photos best depict what is at stake, Figure 12 showing the cemetery traces removed, compared with Figure 8, with cemetery presence visible:



Figure 12. Edited photo to show removal of tombstones, pipe railings, and concrete posts. Norm Schulze photo.

The HFFA's challenge is to take appropriate formal steps to prevent loss of this most important family artifact, an artifact that should be of interest to the entire membership.

What was encouraging was that there is possible hope to avoid a loss. We need a cemetery preservation program. These proposed projects comprise steps in need of implementation now.

First Project, Bylaws authorization: The proposed plan is first to change our Bylaws whereby this type of activity is permitted. An organization should conform to its operation document or change. As far as I am able to take it, the first part of a preservation program, namely, a project to revise the Bylaws is accomplished. It is now up to the President to get the Draft Bylaws out and the Members to approve. That can and should be done immediately.

Next two steps: Obtain official HFFA approval of this Heinrich Frey Burying Ground Preservation Program through Member approval. Then secure the required funding.

Second Project, Ownership determination. Hire a lawyer. The HFFA should next, following implementation of a Bylaws authorization project, establish the legal foundation for cemetery ownership. For rationale that I have discussed, I have provided reasoning that offers hope for believing that the ownership is not clear cut as belonging to the lot owners. I give the highest probability of ownership to Daniel's descendants, but that depends upon Pennsylvania law. We need legal advice up front.

Just like a building, our cemetery preservation success or failure will be no better than the very foundation upon which it rests, in this case the legal foundation. To that end I have obtained and provided in December 2019 the President with a proposal coming from a regional legal firm since the last reporting period. The objective was to determine what kind of costs may be involved. The firm requested a \$2,000 retainer. Based upon my experience, that was pretty much what I expected. I provided the firm with a good description of the job, which by its nature would not lend itself to a firm cost bid in our favor.

I have received no response from the Shelbyville proposal. Again, I wish to offer my usual stipulation that whenever one does research, the outcome does not necessarily produce the results that one seeks.

Don't count on the law to protect our interests. From a lawyer whom I knew well: "The law is not logical. It is just the law."

Further Projects: Those aforementioned actions need to be acted upon prior to taking any further steps, but Members may justifiably like to know

what work may possibly lie beyond. I have clearly discussed those in my Shelbyville formal presentation. What we do next is a function of the results we have obtained so far; it is not predicated upon what any future work may produce. To summarize for possible further work beyond the Second Project, Ownership determination:

1. Further physically research the cemetery itself, as we only made a start when the phenomenal discoveries were made.
2. Repair or replace the fence.
3. Provide a marker or some type of cemetery identification, like a plaque and/or heavy rock to simply identify this as being a cemetery.
4. Investigate a more permanent solution beyond the HFFA.

FUNDS:

The HFFA needs to be prepared to raise significant funds if it is to be successful in preservation of our family treasure. As mentioned, this will not be a low-cost project. But that which is worthwhile does not come for free, that is, when we go outside our internal body of volunteers. Will = funds.

Accelerated measures are preferred to avert what appears to be headed to a year 2022 possible start or, worse yet, what could become a non-implemented valuable Frey family program. Delay often translates into cancellation. Further work on the Burying Ground preservation on my part is complete. I have gone well beyond my commitment to remove some weeds and sticks. I have shared everything with the HFFA using multiple occasions and methodology.

Here is what is pictorially at stake: One could go from the great view in Figure 8 to the following view in Figure 12 in about 5 minutes or less with a loader to take down the 12 posts and a few more minutes to remove what is close to three centuries of cemetery presence, Figure 2.

Is that what is wanted by Heinrich's descendants?

HFFA AND MEMBERS NEED TO TAKE STEPS:

These comprise steps that the HFFA should take, if there is truly the desire to preserve this old treasure, which is matched by proper funding.

1. Approve ASAP the Draft HFFA Bylaws, dated 18 November 2019, with whatever mandatory mods to implement programs. They have been prepared with this program in mind. There has been too much delay already.
2. Formally establish the preservation of the cemetery to be a HFFA program of the highest priority.
3. Obtain the funding to support this first step below to get a legal handle. The raising of funds would be facilitated by establishing a fund raiser management position.
4. Hire an appropriate lawyer, preferably local, to determine ownership, the second step.
5. Members should notify ASAP the President and other HFFA officers and Directors if they wish to commit to this cemetery preservation proposal. That can be done by email or postal service.
6. Subsequent steps toward preservation will be determined by the results of the above. Possibilities have been discussed.

Pray that we have not already procrastinated too long to be an effective organization. If that new house is going up soon and if the new owners declare their part of the cemetery to be an eyesore, we will have failed to take care of something irreplaceable. The HFFA has been made aware of this for a long time. Please don't let that failure be our legacy.

OPTIONS:

Based upon my experiences, I have clearly presented my case, plus why and how I think the HFFA should proceed. There are options:

1. Proceed with getting the Program start approved without the HFFA Bylaws' authorization first and proceed with raising funds by establishing a fund raiser management position.
2. Delay getting Draft Bylaws approved until 2021 and accept consequences discussed herein.
3. Refuse to accept preserving the cemetery as a HFFA goal and accept loss of the cemetery.

HFFA Bylaws Revision

Project Origin and Status

by Norm Schulze

Over the years, I have volunteered to manage, implement, and support projects considered important to the HFFA membership. While looking to determine what the HFFA Bylaws had to say about the implementation of these important projects, I found during late August 2019 from reading the current HFFA Bylaws, dated June 18, 2005, that current HFFA projects for which I agreed to work were either explicitly excluded or were not included as authorized work within the context of the legal HFFA framework.

The current bylaws are clearly out of date when compared with the current HFFA direction and will of the Members.

Something, consequently, needed to be done and to be done quickly. After studying the HFFA Bylaws Article XI specifying the amendment procedure, I then observed that there is only a 30-day membership notice requirement, that being the only stipulation before approval by the membership in order for revisions to become effective. This is how the entire “Amendments” Bylaw is recorded:

Article XI: Amendments

These bylaws may be amended, repealed or altered, in whole or in part, by the membership meeting of the Association, provided that a copy of any proposed amendment, or notice of proposed action, has been mailed to each member of the Association at least thirty (30) days before the meeting.

There is no requirement for Board preapproval. Further, any Member can make an amendment suggestion for review and approval.

So, alone, I initiated an action that would include these two projects in the HFFA bylaws, viz, the Heinrich Frey Burying Ground Cleanup Project and Jacob Frey Pedigree Project, this legitimizing what Members had approved. Then the great research results from the Cleanup Project pointed to the need to preserve the Heinrich Frey Burying Ground. This is discussed in an adjoining article. That is simply the Draft’s conception and birth.

To expedite the objective of having a suitable document for a Heinrich Frey Burying Ground Preservation Program (HFBGPP), as initial steps toward saving this problem of project exclusion scope, I commenced undertaking, full-time, on September 1, 2019, the drafting of a revision for ultimate approval by the HFFA Members. Once I got into studying the document, many faults were observed, including the lack of true adherence to the bylaws.

To advance the change process, upon completion of a good draft suitable for review and discussion purposes, I brought in Members, ultimately five (5), to assist with changes from a broader perspective and to critique what I had drafted. The group was named the “HFFA Bylaws Group”; three members are HFFA Board Members, including one officer, who provide input from a different perspective from regular Members, who, in turn, provide a different perspective from the Board. It provided a good, even mix.

In slightly more than 2.5 months later of full-time dedicated work, this drafted document was basically completed by 18 November 2019. To avoid any confusion with the current 2005 HFFA Bylaws now in effect, this document is titled “DRAFT HEINRICH FREY FAMILY ASSOCIATION BYLAWS, 18 November 2019.” That document is referred to here as simply “DRAFT.” To prevent any confusion or erroneous reading of any of its contents, the document’s headers and footers respectively show “DRAFT” and the date, “2019 November 18.”

Since reporting in the *November HFFA Newsletter* regarding this initiative, very minor tweaks to the DRAFT were provided by members of the HFFA Bylaws Group. We had eight revisions, plus some tweaks. The only remaining task for the HFFA Bylaws Group is to accomplish placing the DRAFT in the hands of the membership for review ASAP. While well in advance of the next business meeting, transmitting the DRAFT now provides an extraordinary sound period of time being available for Member review; plus, we guarantee that this does not inadvertently miss a Bylaw deadline in 2021. We are promoting the means to advance HFFA approval well in advance of the next reunion. With expedited approval, we could proceed with initiating a program to protect the cemetery, now excluded.

The HFFA Bylaws Group, of course, lacks resources to transmit the DRAFT to the entire membership. Thus, we must rely upon someone on the HFFA Board to perform the transmittal, basically the President. Accordingly, the DRAFT was transmitted to the President in mid-December for sending to the entire HFFA membership for review. A letter was drafted that gave the names and addresses of the six members of the HFFA Bylaws Group so that feedback from anyone within the organization could provide an input, one that is not likely possible in a group setting like a General Membership meeting. Since that transmittal did not occur, then to defer to a new President, a resubmittal was provided to the new President and to the remaining members of the Board, that is to those who had not seen the DRAFT document, three of the six members of the HFFA Bylaws Group being Board members also. That document ran into a small technical glitch with formatting that has now been corrected, shown by the revision identification 20200208a rev.

HFFA's approval of the DRAFT is a prerequisite for implementation of an all-important Heinrich Frey Burying Ground Preservations Project (HFBGPP). The restriction against performing preservation work is made clear in the HFFA's current 2005 beginning:

Article II: Purpose

To foster and perpetuate research into the genealogy of Heinrich Frey in the United States of America from his arrival in the area of Philadelphia, Pennsylvania in the late seventeenth century as an emigrant from Altheim in the province of Alsace,

The fostering and perpetuating of research into Heinrich's genealogy excludes the physical cemetery work that I have been doing as well as the preservation work that I have been promoting and proposing since the Shelbyville Reunion. The installation of the Frey Fort plaque did not fall within the purpose either. Until the 2005 Bylaws' adverse and limited administrative authority, an authority allowing for just the conduct of "research into the genealogy of Heinrich Frey," is lifted, work on the Burying Ground is basically halted.

One must acknowledge that reading the HFFA Bylaws, while very important, does not make terribly exciting reading. A Member would like to know, at a minimum, that the DRAFT was competently prepared as an option to dedicated reading. The Bylaws Group's members collectively provided a wealth of an extensive base of HFFA experience, there being over some 110 years of HFFA membership-years. This, along with a highly focused 2½ month preparation period, places the DRAFT in very good shape as necessary to accomplish the objectives. Improvements go well beyond broadening the scope of HFFA authority to conduct these aforementioned projects. Unfortunately, under the current plan, approval does not take place until 2021 at the Ohio Reunion. A more realistic assessment would then indicate a start in 2022. It may be possible to expedite the process, and that is being explored. I understand that, independently of each other, there has been Board discussion about the need to change the current document also.

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\$25 dues are paid annually in January.

Dues and address changes should be sent to **Marti Frye** at address above. Dues may be paid for multiple years. **Make checks payable for \$25.00 (per year) to HFFA.** Membership is on a calendar year basis.

Membership includes four issues of the Newsletter and at least one of the Journal each year.

The Links Book cost \$15 per CD.
Please contact **Marti Frye**.