

411 Belview Avenue  
Hagerstown, MD 21742

Jan. 26, 2026

**Testimony on SB0234**  
**Business Regulation – Abandoned Cemetery – Acquisition and Disposition**

**Position: Favorable**

I'm writing to ask you to approve Senate Bill 234, which would create a way for abandoned cemeteries to be acquired by organizations that will preserve them for posterity.

Our interest relates to the plight of Halfway African American Cemetery (founded in 1897), in Hagerstown, which is owned on paper by a fraternal order that went out of existence in the 1930s or 1940s. With no active owner, the cemetery became derelict, overgrown, and forgotten, even though some 400 people are buried there, including at least fourteen U.S. Army and Navy veterans. Since early 2020, the Friends of Halfway African American Cemetery, a group of descendants, neighbors, and other interested citizens, have been working to clean up and save the cemetery. Since 2022 we've been a 501(c)(3) nonprofit. However, our ability to preserve the cemetery (for example, by repairing broken headstones, or by applying for grant funding) is severely limited by the fact that we don't own the cemetery and can't work with a (non-existent) owner. We've done a great deal already, but without ownership we cannot complete the work or ensure the longterm safety of this special historic place.

Our group has talked with attorneys to try to find a path to ownership, without success. We have also approached the Washington County Commissioners and met in 2023 with the County Attorney. His legal opinion was that under the current condemnation guidelines there was no justification for the County to acquire the cemetery. His advice was that we should try to get a new law passed in Annapolis that would enable the County to help us.

Lack of a legal owner is a common problem with old cemeteries, especially African American ones. This was discussed by the Maryland Commission on African American History & Culture and the Maryland Historical Trust, in their report *Historic African American Cemeteries*, submitted in June 2022 to the Chairmen of the Senate Budget and Taxation Committee and House Appropriations Committee (pp. 18-19). Specifically, recommendation E.3 of the report reads, "Consider enabling legislation permitting local governments to take ownership of abandoned and inactive cemeteries for the purpose of maintenance and protection" (p. 19). SB 234 would be crucial step statewide, and for us an all-important step, in saving cemeteries. I urge you to move it forward.

Sincerely yours,



Emilie Amt, D.Phil.  
Board of Directors, Friends of Halfway African American Cemetery  
Emeritus Professor of History, Hood College