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Title: WOULD-BE RESTORER OF CEMETERY ON BEACON HILL TOLD TO STAY OUT

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A man who wants to restore a pioneer **cemeterly** on Beacon Hill has been ordered once again to stay off the property.

Don Kipper, who has announced intentions of restoring the old **Comet Lodge Cemetery**, was ordered yesterday to keep off the land by Paul Elvig, executive secretary of the state **Cemetery** Board.

"I'm ordering you to stay out of this **cemeterly**," Elvig told Kipper yesterday at the **cemeterly**. "I will follow this up with a letter to you. Do you understand me?"

Kipper, seated on a gravestone, acknowledged Elvig's order.

"You can do what you want," he said. "I am dismayed by the whole thing."

Elvig's order and a stop-work order issued by King County were triggered by Kipper's plan last week to have fill dirt dumped in the middle of the **cemeterly**.

The overgrown **cemeterly** at 23rd Avenue South and South Graham Street was dedicated in 1895 and is believed to contain about 200 graves. Among them are buried some of Seattle's earliest settlers.

In late 1987, Kipper arranged to have a sewer construction company working nearby to bulldoze the graveyard to bare earth.

Gravestones and markers were moved to the south end of the **cemeterly**.

That action brought the first cease-and-desist order by Elvig against Kipper and the Elysian Fields **Cemetery** Association he had formed. At the time, Elvig said, "I have never seen anything like it.

It was devastation."

The first order was temporary. Yesterday, Elvig said he may have to ask King County Prosecutor Norm Maleng to seek a permanent restraining order against Kipper.

"I have been in 1,000 **cemeteries** in this state, and this gives me the most sinking feeling," Elvig told Kipper.

Kipper refused to discuss his intentions. In the past few months he has sought financial and volunteer help from area labor unions in his stated effort to restore the **cemeterly**.

Asked where he got the fill dirt, Kipper told Elvig he saw an ad in a newspaper. Asked what he was going to do with it, Kipper told Elvig, "I was going to fill in that gully."

"Aren't there graves over there?" Elvig asked Kipper. "Yeah, I guess there were," Kipper replied. "If there were graves there then, there are graves there now," Elvig said.

Kipper ended the confrontation by telling Elvig, "You can do what you want. It's your space."

Dan Leen, a nearby resident, said that last month when some descendants of people buried at the **cemeterly** paid a visit there, Kipper tried to kick them off the property.

Another area resident, W.J. Lathrop, Kipper's former landlord and a longtime friend of Kipper's family, said Kipper has talked about moving a surplus building onto the **cemeterly** and living in it.

Elvig said he would investigate reports that either the city or the county may own the **cemetery** because of a tax foreclosure years ago.

Ownership by a local government might help to preserve the property.

Elvig said he would also provide Leen with some state help in forming a group to take over cleanup and restoration of the **cemetery**.

That group would include descendants of those buried there.

Caption:

PETER LIDDELL / SEATTLE TIMES: DON KIPPER, RIGHT, IS TOLD YESTERDAY BY **CEMETERY** BOARD EXECUTIVE SECRETARY PAUL ELVIG TO HALT HIS **CEMETERY**-RESTORATION EFFORTS.

Caption:

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