

Welcome reception for gay nuptials

Big to-do greets gay couples in Provincetown

By Marilyn Miller
mmiller@cnc.com

PROVINCETOWN — Independence Day came early this year.

Gay couples, long denied the benefits of marriage, came from across the nation to the end of the Cape to file their intentions on this historic day, wanting to have a document that said they were there when Massachusetts became the first state in the nation to allow same sex marriages.

"This is so amazing," said Teri Nezbeth, who works at Helping Our Women in Provincetown. "I never thought this day would happen. It's overwhelming, I'm numb. We are independent of discrimination now."

Allen Gallant, a volunteer who helped register the 57 press people representing newspapers, television and radio stations, said: "This is such a gala day. I was thinking as I checked their credentials that in 20 years we are going to look back and say, 'Do you believe that they used to not let us do this?'"

Town Manager Keith Bergman called it "a great day for Provincetown, an historic day."

He pointed out that history was made in Provincetown on Nov. 11, 1620, when the Pilgrims signed the Mayflower Compact, which is considered the nation's first constitution.

"It is only fitting that we gather

PROVINCETOWN
continued on Page 15



Having just received their marriage license, Cody Rogahn, right, and Jonathan Yarbrough walk through the media and well-wishers gathered in front of Provincetown Town Hall on Monday.

Staff photo by Merrily Lunsford

Wedding bells ring in Orleans

By Bill Fonda
bfonda@cnc.com

ORLEANS — The afternoon surf at Nauset Beach made for a noisy setting, but the Rev. Myke Johnson's words at the start of Gloria Bailey's and Linda Davies' wedding ceremony Monday were heard loud and clear.

"Dear, dear friends, this amazing day has finally arrived," Johnson, minister of First Parish Church in Brewster, said to the approximately 30 friends and media huddled in a circle at the bottom of the beach's boardwalk. "Gloria and Linda, by your willingness to take a risk and take a stand, you have been prophets. This is a historic day and a historic moment."

Less than a half-hour later, Johnson pronounced Bailey and Davies "legally married spouses," for the first time in their 33 years together.

"I'm glad that I had my shoes off, because we're standing on holy ground," said Johnson.

During the reception that evening at the home of Susan Fleming and Susan Eitel in Orleans, where the marriage license was already framed, Davies admitted that it felt special to be part of a legally recognized marriage.

ORLEANS continued on Page 17



Gloria Bailey, right, and Linda Davies make their way up from Nauset Beach after exchanging their vows.

Staff photo by Merrily Lunsford

'An amazing time to be alive!'

By Scott Dalton sdalton@cnc.com

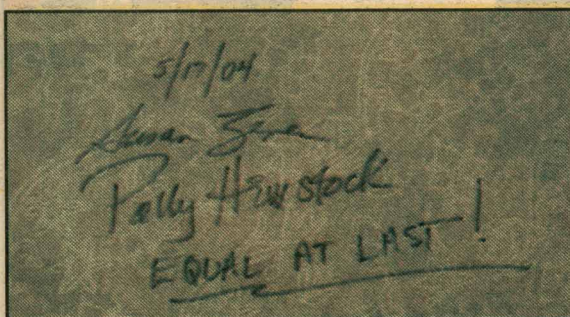
HARWICH — Town hall played host to a moment in history Monday as 13 same sex couples stopped by to request marriage licenses from Town Clerk Anita Doucette.

Doucette, who was also working to tabulate absentee ballots in anticipation of Tuesday's town election, said Monday would be "business as usual" in her office.

But it was apparent from the start that Monday would be unique.

A half dozen of the couples came by early, with Carolyn Carey laying

AMAZING TIME continued on Page 14



Susan Leven and Polly Hemstock signed a celebratory mat in Harwich Town Hall Monday.

Staff photo by Scott Dalton



Sue Landers, center, and Andi Genser exchange wedding vows in Larson Park, overlooking Wychmere Harbor in Harwich Port on Monday. Town Clerk Anita Doucette officiates the ceremony.

Staff photo by Scott Dalton

'Amazing time'

continued from Page 1

a "congratulations carpet" up to Doucette's window, which was shadowed by a "Congratulations and Best Wishes" banner.

With the sound of singer Josh Groban in the background, Susan Leven and Polly Hemstock, as well as Lee Culver and Brian Power, became the first same sex couples to fill out the applications that would allow them to marry.

"Now we just have to cook for the next three days and we'll be fine," Leven quipped. The couple planned to wed last night (after The Codder's deadline).

"Not separate. Finally equal," Hemstock added.

Wedding bells ring at Wychmere

Although most of the couples said they planned to wait for at least the three days required by law before being wed, Andi Genser and Sue Landers, who have been together for 18 years, decided they had waited long enough. Upon filling out their marriage license, the couple stopped by Orleans District Court to apply for a waiver. By 12:30 p.m., they were back in Harwich and standing at the Wychmere Harbor Overlook with Doucette to exchange their vows.

Back at town hall, the atmosphere was festive, with many well-wishers stopping by to congratulate the couples. Pem Schultz, of the Brewster-based Parents, Friends and Families of Lesbians, Gays, Bisexuals and Transgendered Persons, stopped by with a vase full of flowers, asking each couple to take a stem in commemoration of their special day.

For Nancy Eaton and Barbara Low, who have been together for 11 years, it seemed that Monday might never come. They said the protracted legal wrangling around the

legalization of gay marriage had been a draining experience.

"We read each morning's newspaper and listened to the morning news with trepidation," said Low. "We're glad that our rights have been supported."

"It's a magical time to be alive," Eaton added with a wide smile. "It's an amazing time to be alive."

Rob Lewis and Randy Kendell, who co-own the Cranberry Goose in Harwich Port, put a traditional spin on the day. The couple, who live in West Dennis, had car trouble this past weekend, and decided to walk to town hall Monday to fill out their marriage license.

"We were highly motivated to be here," Lewis said. "We had made a commitment very early in our relationship that we would be together 52 weeks a year for 52 years and then renegotiate."

The couple have been together for 27 years, and Kendell said he predicted six years ago that Massachusetts would legalize gay marriage "in five to 10 years."

"I was watching the court cases and felt the arguments were solid," he said. "I thought, 'Anyone with common sense couldn't deny this.'"

Lewis, who has three adult children and five grandchildren from a previous relationship, said his children had long ago "adopted" Kendell as their second father.

"I've been family for a long time," said Kendell with a grin. "When the first grandchild was born, Rob's son, Ben, handed the baby to me and said, 'How does it feel to be a grandpa?'"

The couple, who will wed before a justice of the peace Friday, plan to have a church ceremony for family and friends in February.

Beyond the politics: One couple's story

By Scott Dalton
sdalton@cnc.com

HARWICH — Earlier in the week, Polly Hemstock and Sue Leven faced the same challenges as any couple preparing for their big day.

They were anxious that the weather would be right for their pond-side ceremony Thursday evening. They spent long hours in the kitchen, making sure there was enough food and drink for the 42 family members and friends who would be joining them. And they were looking forward to spending the rest of their lives together.

On Monday, there was a palatable sense of both joy and relief as they affixed their signatures to a marriage license in Harwich Town Hall.

"You get up every day and read the front page," Hemstock said last weekend about the debate and challenges surrounding the implementation of gay marriage. "Then there's the Internet, in case you haven't had enough."

Then Hemstock would check her e-mails to see if there were any last minute challenges in the offing. Meanwhile, Leven would scour the "letters to the editor" page of the local papers, trying to take a pulse of public sentiment across Cape Cod.

When it came time to plan the actual wedding, Hemstock and Leven decided they would wait the three days between receiving their license and getting married, although they could have sought a waiver through Orleans District Court.

"We thought about it, but decided we had had enough anxiety,"

"This is a very good point for people to consider. What would happen if you hit your two-year anniversary and someone said, 'You're not married any more?'"

—Susan Leven

Hemstock said with a laugh. "We didn't want the additional hurdle."

The couple held their breath last month when they decided to place their engagement announcement in the local papers. Neither was sure what the reaction would be, as both hold very public positions: Leven is the town planner in Harwich, and Hemstock serves as director of property management in Eastham. But they were determined to both celebrate their pending wedding and to raise the consciousness of people on all sides of the issue.

They said they were relieved when they started to hear from the community.

"There has been only positive response and it has been wonderful," Hemstock said, adding that the announcement actually helped bring her family together. "A cousin of mine, who I didn't know was living on the Cape, showed up in my office

in Eastham."

"You really get a sense of who is reading the paper," Leven said. "I didn't know what to expect. I never expected it to follow me to work, but three people from the board of appeals came up to me and said, 'That's so wonderful!'"

That positive reaction has also come from individuals with whom Hemstock and Leven have had professional differences in the past, a reaction that speaks volumes about the type of place Harwich is, Hemstock said.

"To me it has demonstrated a sense of feeling on the part of the community in Harwich," she said. "There has been an outpouring of good wishes."



Susan Leven and Polly Hemstock were scheduled to exchange vows last night.

Staff photo by Merrily Lunsford

The couple wrote their own ceremony, which celebrated their years as a couple, rather than focusing on starting a new life together. Town Clerk Anita Doucette officiated in her capacity as a Justice of the Peace.

Although they are looking forward to being able to celebrate as a couple, both said they would not become politically complacent. Leven noted that the state Legislature will take up the gay marriage issue next year, and that it remains slated for a statewide ballot referendum in two years.

"This is a very good point for people to consider," she said. "What would happen if you hit your two-year anniversary and someone said, 'You're not married any more?'"

"It means the legal fight isn't over," Hemstock added. "We'll get married and go right back to being political activists. We can't wait... It will be a very interesting time between now and November. This is something that people who are getting married in four days shouldn't have to be focusing on."

Leven and Hemstock said they discovered an unintended consequence of their wedding announcement appearing in the paper: direct mail. Soon after it ran, they were fielding reception planning offers, motel listings and advertisements for dresses "for the mother of the bride."

"This gives rise to a whole new opportunity to set new traditions," Hemstock said, a smile spreading across her face. "When someone asked me where I was registered, I said, 'Harwich. I vote in Harwich.'"

A time to celebrate. The first six couples to fill out marriage licenses in Harwich gather for a celebration photo with Town Clerk Anita Doucette.

From left to right: Rob Lewis, Randy Kendell, Susan Leven, Polly Hemstock, Lee Culver, Doucette, Brian Power, Mandy Devry, Sue Landers, Carolyn Carey, Andi Genser, Nancy Eaton and Barbara Low.

Staff photo by Scott Dalton



First Congregational Church awaits first gay marriage

By Laurie Higgins

As pastor of First Congregational Church in Harwich, the only open and affirming church of the 19 Congregational churches on the Cape and Islands, the Rev. Terry Newberry is in a unique situation.

The pastor is both an agent of the state and a representative of his church. But, while justices of the peace are now obligated to marry any couple that comes before them, a minister does not have that same obligation.

"Weddings here are done at the discretion of the minister and since I'm here they are done at my discretion.

"Weddings here are done at the discretion of the minister and since I'm here they are done at my discretion. So I basically decide who I'll marry and who I won't marry."

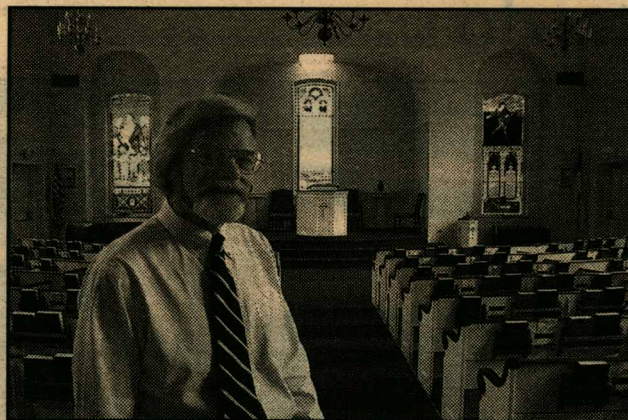
—The Rev. Terry Newberry

the issue from the pulpit, and he held a potluck supper and discussion group last week to answer any questions or concerns parishioners had.

Newberry told how he asked his parishioners if they knew any of the seven couples he married last year. A few people took some wild guesses but they were off

So I basically decide who I'll marry and who I won't marry," he says. "My normative practice is to marry people who are members of the church or family members of people who belong to the church, longtime residents of the community and or longtime summer residents."

Because marriage is such a loaded word, not everyone in the congregation is in agreement on the topic, Newberry said, and he fully respects people's right to disagree. He has addressed



The Rev. Terry Newberry of First Congregational Church in Harwich says he is willing to marry gay couples who have an affiliation with the church.

File photo

the mark, he said. He then asked them if those seven marriages affected their lives in any way, shape or form.

"The answer is clearly no because they don't even know who they are," he said.

So far the discussion is simply rhetorical because no gay or lesbian couples have yet approached Newberry.

The reverend hasn't had any negative reactions from parishioners in part because the issue was fully studied and discussed in the late 1990s and decided upon in May of 2001 when 80 percent of the congregation voted to become an open and affirming church. That means the church welcomes and embraces all who seek a relationship with God no matter what their circumstance in life happens to be.

First Congregational Church is a traditional church in many senses and like many local churches has a largely older population that might be expected to be more conservative about different lifestyles.

Newberry theorizes that members of his congregation have learned to become more accepting of different lifestyles because of their experiences with younger generations of their own families.

"All of a sudden people we love are living these lifestyles and we have learned not only to accept them, but to love them and care for them," he said. "As that happens within our families, it also happens within our church."

First Congregational Church's decision to become open and affirming is in alignment with national denomination's direction. The United Church of Christ is the only Christian church that is open and affirming at both the national and state levels. Though the national synod and the state conference make recommendations, each local church is autonomous and able to decide its own policies.

Same sex marriage will be a topic at the Massachusetts UCC Conference scheduled for June 11 and 12, with two resolutions concerning the issue.

The first is a resolution that asks the Massachusetts conference to develop a broad range of resources on marriage and make them available to congregations and clergy. The second affirms the commitment to be an open and affirming conference.

The latter "calls upon local churches, associations and commissions to join together to celebrate and affirm the Supreme Judicial Court decision granting gay and lesbian people the right to legally marry," Newberry said.

Those resolutions will be discussed, debated and voted upon by representatives from 430 Congregational congregations in Massachusetts. Representatives are chosen by a congregation vote and the number for each church is based on the size of the congregation.

Newberry and three voting representatives will be representing the Harwich congregation. He expects both resolutions will be approved.

To avoid crowds, Chatham was the place to be on Monday

By Bill Fonda
bfonda@cnc.com

CHATHAM — Together for 24 years, Gregory Heyl and Eric Riley had planned a recommitment ceremony and party for their 25th anniversary.

Those plans have now changed. Monday morning, they went to Chatham Town Hall to fill out a marriage license application on the first day they were allowed to do so after the Supreme Judicial Court's decision establishing gay marriage last November.

"The first step has been taken in equality for all," Heyl said. "(The wedding) will be this summer. We have a number of friends who live in Chatham or who have homes in Chatham who have asked us to wait until they arrive."

Unlike Provincetown Town Hall and

Second District Court in Orleans, where people waited outside for the buildings to open, Heyl and Riley were the first — and as it turned out, only — applicants in Chatham even though it was after 11 a.m. when they arrived.

"You expected someone else to beat us down here?" Riley said. "Never in my lifetime did I imagine I'd be holding such a thing. God bless Massachusetts."

As Heyl and Riley filled out their license application, Town Clerk Julie Smith instructed them on the finer points: explaining the need for blood tests, listing their mother's maiden names and writing what their names are going to be after they are married.

"We don't want your last name to be 'same,'" she said.

Smith also pointed out the space for Heyl and Riley to list their intent to live

"Never in my lifetime did I imagine I'd be holding such a thing. God bless Massachusetts."

— Eric Riley

in Massachusetts, as state law prohibits out-of-state couples from marrying if the marriage would be illegal in their home state.

"This is the most important part of the entire thing," she said.

Riley and Heyl spend part of the year in Chatham, returning to their Brooklyn home around Nov. 1. They were in New York when the SJC's decision was announced last year, and did not rush to make wedding plans.

"We knew there were going to be several challenges mounted," Riley said. "We didn't know if it would still be standing by the time we opened our house for the summer."

Heyl and Riley plan to make Chatham their permanent home someday, but there is a chance their marriage could be legal in New York as well, even though state laws do not currently permit same-sex marriage there.

In a letter sent last week to Gov. Mitt Romney, New York Attorney General Eliot Spitzer cited a nonbinding legal opinion he wrote last year that his state's law requires recognition of legal marriages from other states.

"It's stellar," Riley said of Spitzer's actions. "It'll be interesting to see what challenges we have in New York state to be recognized as a married couple."

Provincetown: Big to-do continued from Page 1

here, in the same place, almost 400 years later, to celebrate another milestone in the life of our Constitution and in the fight for civil rights," he said.

Townsfolk, with a few exceptions, joined in the celebration Monday, cheering, hugging and kissing couples as they left town hall with their stamped papers in hand. Some were greeted with a shower of confetti, others with rebel yells as gay supporters paraded in front of them with the rainbow-colored flag.

Local artist Carol Westcott stood outside as the first couple was ushered into town hall at 8 a.m.

"I did not plan to be here," she

"It is only fitting that we gather here ... to celebrate another milestone in the life of our Constitution and in the fight for civil rights."

— Provincetown Town Manager Keith Bergman

said. "I had to drive my husband to the bus, and then the car died, so here I am, and I'm glad I'm here. Someone just said to me, 'This is making history,' and it really is. It is long overdue."

Others were not so impressed. Three local women, while drinking coffee at Adams' Pharmacy, harumphed at the idea that it was a historic event. "It is what it is," said one, who then went back to her coffee with a sour look on her face.

Donald Thomas, the dancing policeman, was not dancing in the streets. He was guarding an area where the press parked their cars, making sure no one got in without the proper credentials. He shrugged at the suggestion that it was a historic day.

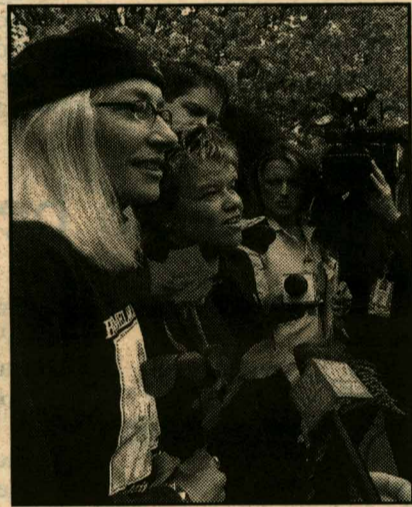
A dozen local police and State Police were available to keep order in case protesters showed up. But only two did, late in the afternoon.

One of the protesters, Jose, said he did not want to give his full name since "the liberal press" would twist his message. He said he was not



Shel Goldstein, left, and John Burke of Provincetown give each other a kiss as they exit Provincetown Town Hall.

Staff photos by Merrily Lunsford



Provincetown Selectwoman Cheryl Andrews, right, and her partner, Jennifer Germack, plan to marry this week.

opposed to gays, but did not think they should marry.

Dan Ascot, another protester, said he too had nothing against gays, but did not think they should marry.

It was only after some angry words were exchanged with one of the gay couples that police asked the two men to take their signs to the Bas Relief, behind town hall, where they were free to protest.

Patricia Fitzpatrick, the town's tourism director, said she didn't see the confrontation, but she thought the men should have been allowed to stay where they were.

"They were peaceful," she said. "I think that if we are a town that welcomes diversity, then they had every right to be there."

Candice Collins-Boden, director of the chamber of commerce, said Monday was a "wonderful day" for the town, and bodes well for a good season coming up, after three bad summers.

"I am confident it will bring business to Provincetown. This has made the town a much happier place," she said. "People have been waiting for years for this to happen, and now that it has happened, it has given the gay and lesbian community a lot of pride. And, we could not have paid for all the publicity we've gotten from this."

After the glare of the spotlight on Monday, Tuesday was just another day at town hall. The lines were gone, along with the camera crews, and only a few couples turned out to file their intentions, according to Vernon Porter, secretary to the board of selectmen.

On Monday, Porter watched as Jack Kosko, local realtor, pushed past the crowds to reach his partner, John Fitzgerald, the town treasurer, and get in line with him to file their intentions. Once that was done, both men went back to their jobs, but not before Porter pulled Fitzgerald aside and jokingly said, "If it doesn't work out, call me."

That's something that still has to be reckoned with, Gallant said.

"This is going to be a hard thing to undo, and I think it is going to be a wake-up call for some," he said. "This is marriage. It isn't going to be easy to say, 'This is not working, I'm moving out.' That's not going to work any more."



A crush of media surround Christopher McCary, left, and Michael John Sullivan, the first couple to receive a marriage license in Provincetown. The Alabama couple was also the first out-of-state couple to obtain their license Monday. They later married in Provincetown the same day.

'Firsts' not new to Massachusetts

By Paul Gauvin
pgauvin@comcast.net

Being "first" to bring wedded bliss to a miss and a miss or a guy and a sir is not the first time a "first" has caused a Bay State stir.

While a parade of same-sex marriages were being performed Monday in Massachusetts, the first state in the nation to do so, the curious general population lined the parade route via a stream of coverage in the mainstream media. But state history yawned in the background and mumbled, "So, what's new?"

Such is the state's tradition for — ho hum — being "first."

Parks, schools and gubernatorial babies

Boston Common became the first public park in 1634 and in the following year Boston Latin Grammar School was founded, the first public secondary school in America. In 1636, the first American university, Harvard, was chartered in Cambridge.

From the nation's cradle to the contemporary couch, Massachusetts has had its successes in one-upmanship. The most recent? Acting Gov. Jane Swift was the first governor of any state to give birth to twins while in office. That's a first that may last a long time — as long, society may hope, as the same-sex marriages do.

And while it may seem inappropriate, several firsts that commingled gaming and higher learning also took place in this state, paring a state and enriching Harvard University.

Lotteries were an established mode of fund-raising in the state by 1780. Proceeds were used to support military expeditions and make internal improvements. In one lottery, the state put up as prizes 50 townships in the District of Maine, then part of Massachusetts. Harvard University — or Lucky U in this case — won 2,720 acres in the drawing.

Puritanical pressures ended the state's lottery practices in 1833 when a young Boston businessman committed suicide after spending his and his company's money on the lottery and assorted gaming. It took 138 years for the lottery to resume as a fund-raising practice with the establishment in 1971 of the current lottery. Subsequently, in 1974, Massachusetts became the first state to sell "instant" lottery tickets, "the Instant Game," with a top prize of \$10,000 — instantly. Nice work if you can get it.

But wait! That's not all.

The first American printing press was installed in Cambridge by Stephen Daye in 1638 and from the look of some current local newspapers some of the time, it is still in use. The following year the first American public school, the Maher School, was founded in Boston's Dorchester section.

Closer to modern times, the first automatic digital computer was developed by Howard Aiken of Harvard while, in 1961, the first nuclear-powered surface vessel, the USS Long Beach CG (N) 9 was launched in Quincy — whose shipyard is now defunct.

Boston opened the nation's first subway system in 1898 and the first public library in 1653. In 1876 Alexander Graham Bell, a teacher of the deaf and a cofounder of the National Geographic Society, made his first phone call at 5 Exeter Place, Boston to his assistant, Thomas Watson. The first words reportedly spoken over the phone were: "Mr. Watson. Come here. I want you." How many words have been spoken since then on that contraption?

African-Americans had their share of firsts in the Bay State, where the first abolitionist newspaper, The Liberator, was published in Boston by William Lloyd Garrison. The first church built by free blacks in America was, appropriately, on Joy Street in Boston and called the African Meeting House.

The first African-American in New England to serve in the Great and General Court of Massachusetts was elected in 1866. Closer to the Cape, Sgt. William Carney of New Bedford became the first black American to win the Medal of Honor. He later became a messenger at the State House and died there in an elevator accident.

The first regularly distributed newspaper, The Boston News-Letter, was published in Boston in 1704.

There's more, but enough is enough. The only events left dangling before the scientific process of extrapolation, is whether the first state in the nation to allow same-sex marriage will also be first to host the first same-sex divorce and a watery wind farm.