

Southampton Town's Historic Burial Ground Committee
Minutes for August 21, 2018 – 10am

In attendance:

Sundy Schermeyer, Julie Greene, Roger Tollefsen, Tom Rogers, Tom Mendenhall, Chris Robinson, Sally Van Allen, Joseph Strassfield & Marlene Haresign

Minutes:

The Minutes of the June 12, 2018 meeting were discussed and Tom Rogers moved to approve them. All agreed.

Carry-over items:

- a) Some issues involving access, fencing and site clearing have not been completed at Pleasure Woods Cemetery. The Parks Department has understandably been very busy this summer but Julie will touch base with John Irwin after Labor Day.
- b) The maintenance of the Rev. Paul Cuffee's Gravesite remains an unresolved issue. Both the Hampton Bays Historic Society and the Town of Southampton Parks Department are "taking care" of the Cuffee site. Sundy will try to resolve this.
- c) A "New Business" Item in the June 2018 Minutes referred to a discussion held outside our Board Meeting concerning gravesite protection issues relating to the Shinnecock Nation. Since this item was brought up for information only, no action was taken.
- d) Cemetery signage: The Pleasure Woods Cemetery sign is ready but its placement on the site is not yet decided. The "Fournier/ Squires" sign will be corrected to read the "Fournier Burying Ground". Sundy and Julie will take care of the signs.
- e) Sundy and Julie are still working on the "Facilities Use Permit".

Website:

Roger provided a handout showing the results of a new method he is using to document items of cemetery interest. It is now much easier to add images and other documents to our evolving site. A hand-written map showing the laying out of the headstones at Pleasure Woods Cemetery was shown as an example. He asked that any images or text be provided digitally to him by email.

New Business:

Tom Mendenhall reported on the need to remove a dead tree that threatens some gravestones at the East Quogue Methodist Church Cemetery. He brought photos for committee members. Sundy will speak to the Park's Department about the tree removal and resolve who is financially responsible.

Julie reported that the Historic Division had discovered some buried gravestones at the Pleasure Woods Cemetery that the "Penn Survey" had not recorded. There was no discussion of how these stones will be replaced/restored. This item requires follow-up.

Julie asked if there is a procedure to follow when people find headstones on their property. Sundy said that when headstones are found, she, Julie, Roger and the building department should be involved. The determination of how to proceed will be based upon an onsite visit and the age of the stone. Roger asked Sundy for a definition of "historic" in the context of gravestones and what we do with stones we can't identify. More discussion and research is needed to establish a protocol.

Old Burying Ground:

Roger and Julie have been doing an extensive research project concerning the Old Burying Ground. Roger presented:

- a) A time –line of significant events that impacted the Old Burying Ground.
- b) A reconstruction map of the land divides south of Meeting House Ln
- c) A "rap sheet" for Samuel Dayton
- d) The history of the Edmund Post "ditch" and "well".
- e) Overlay maps showing the suspected location of the ditch and well bordering the eastern part of the Old Burying Ground
- f) A report on the August 18th ground probe in search of the ditch.
- g) Future plans include additional probing east of the hedge line and the potential of temporarily moving three hedges to the south

As a reminder, Roger and Julie are giving a talk at the Rogers Memorial Library on September 20, 2018 at 11:00 AM. Your support is appreciated.

We will get back to our normal schedule of the second Tuesday of alternate months by having our next meeting on Tuesday, October 9th, 2018 @ 10am.

Meeting was adjourned.

The Time-line of Significant events that impact the Old Burying Ground

1640 Trustees designated one acre of land for a Burying Ground to be set-back from Main Street

May 6, 1648 Samuel Dayton, on probation, given a 50lb lot

March 20, 1651 First Divide of Little Plains (east side of road)

1659 Second Divide of Little Plains (west side of road), by order of the fence

January 5, 1665 – Herrick given one acre (called a 385) for a right-of-way to the Burying Ground (Vol. 1 page 153)

1721 Old Burying Ground was filling up. North End Cemetery dedicated. The first grave was for Joseph Post, died aged 72 on November 10, 1721. The footstone read “The First interred (entured) in the place”

January 2, 1769 Joshua Rogers covenants that people may pass through his land to carry their dead to the burying yard, and that without the least molestation from me or mine, and I will provide bars to the southwest and northwest of the and burying ground for the people passing

1818 – James Post buys Herrick’s 385 acre

1855 Edwin Post buys Herrick’s 385

1864 article states that the Old Burying Ground had become densely over-grown with weeds and brambles.

Oct 7, 1886 – Trustees appoint a committee to confer with Mr. Edwin Post to adjust the difficulty concerning the Old Burying Ground authorizes to offer in exchange the footway up to Mr. Post’s land (which the Town claims) and also a strip of land on the east side of the Burying Ground not to exceed the width of two feet so as to “clear the well”, for a road two rods in width from the North East corner of the Burying Ground to the New Highway on east road.

July 23, 1887 – The Brooklyn Daily Eagle reports the graveyard desecration with pig pen and a cow yard and a pasture field. Captain James Herrick tearfully implored the Trustees to see that he was buried among his kin. Post claims 1/3 of the Old Burying Ground. Post carted away 1,000 loads of loam that covered the tops of graves and used it to fill in the low places. The trustees were informed that the graves were leveled, tombstones with the moss of ages on them thrown into a ditch and the soil

carted away. Trustees tried three times to reach a settlement with Post but he was served a summons in July 1887

1887 George Rogers Howell, "Early History of Southampton" page 187 lists 38 gravestones in the Old Burying Ground

November 1887 Post Trial begins in Circuit Court

August 27, 1892 Trustees offer Post an exchange: the Herrick right of way for the Little Plains Access way of such a width as the clerk may deem necessary

August 27, 1892 Founder Memorial suggested for the Old Burying Ground; no action was taken

October 2008 Hampton Bays Cemetery Taskforce formed

November 2009 First version of website

January 2011 Southampton Town Historical Burial Ground Committee formed

Little Plains Road

Meeting House Lane

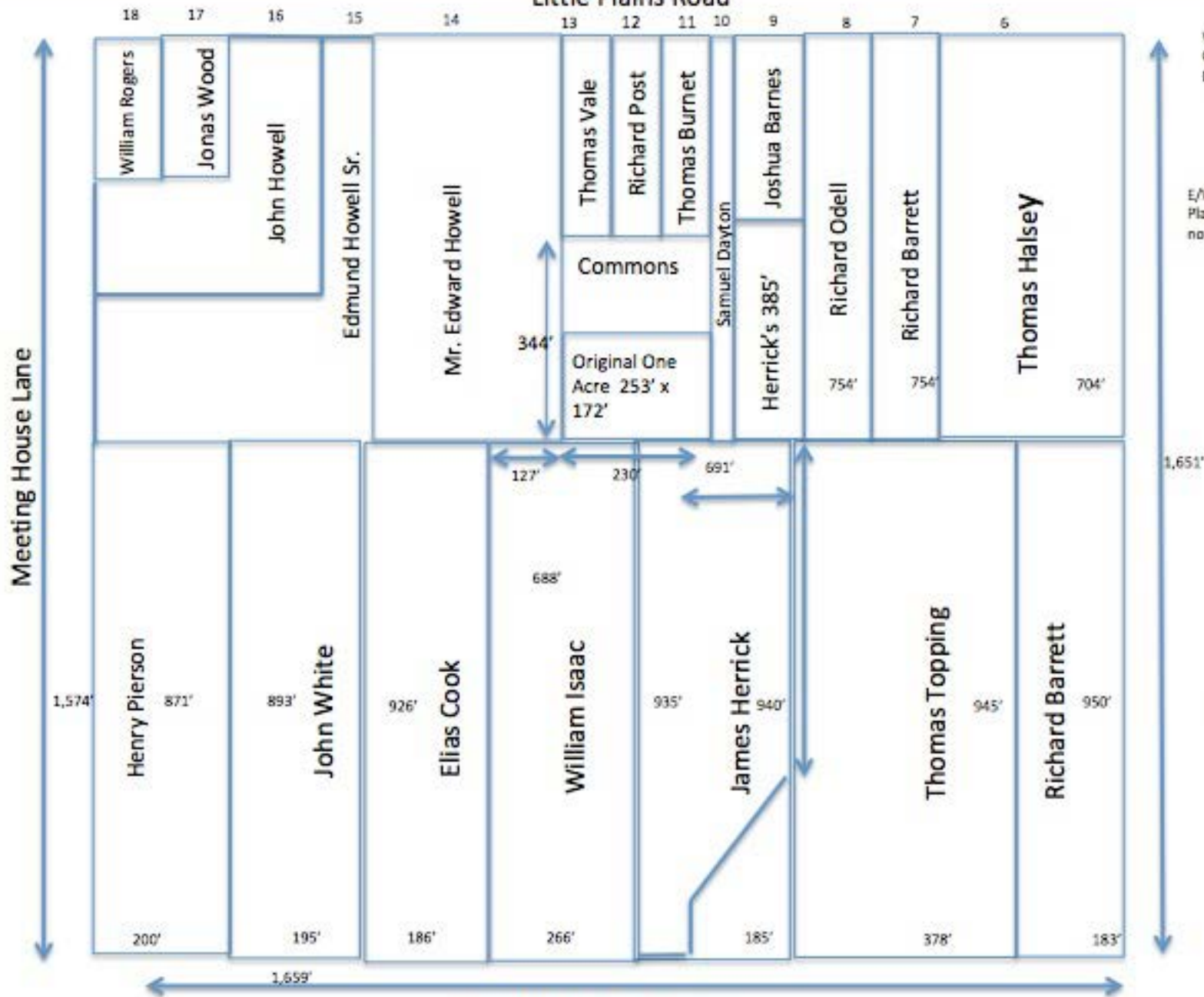
Western frontage:
Google = 1,676'
Lots 6-18 = 1,660'

E/W dimensions of the Little
Plains Road western frontage
not shown to scale

Toilsome Lane

E/W dimension of South
Main Street Lots
not shown to scale.

South Main Street



Samuel Dayton

May 6, 1648 – It is ordered that Samuel Dayton shall be accepted as an Inhabitant & hath a fifty pound lot granted unto him provided the said Samuel (being a stranger to us) weare of good approbation in ye place where he last lived at Fleshing, and do demeane himself well heare for ye time of approbation namely six months next to come.

Feb 10, 1653 – Samuel Dayton had sold five acres in the plaine

Sept 12, 1653 – An action of Slander entered by Thomas Vale against the wife of Samuel Dayton was settled by Dayton paying 40 pounds damage

Sept 16, 1653 – on appeal, jury reduces damages to three pounds and an increase in court charges

June 1654 – Samuel Dayton buys Robert Mervin's house and land

June 21, 1655 – Samuel Dayton fined 3s essentially for disruption of court. Found deeply guilty for breach of peace, whereas some were frightened and many grieved at such vile expressions. Further the Court sees just cause to fine Samuel Dayton 50s for aspersion of the towns with an unjust accusation in saying what should we yield for to have a trial in this town that never did good. Dec 3, 1656 – John Cooper opens an action of trespass against Samuel Dayton

Dec 12, 1656 – Samuel Dayton's wife (Medlia) sells four acres in the great plaines to John Howell

Sept 21, 1658 - An action against Samuel Dayton by John Cooper awarded Cooper the horse and court charges

Sept 22, 1658 – Samuel Dayton appeals decision

Jan 7, 1661 – George Miller enters an action against Deborah Scott and Samuel Dayton?

Nov. 17, 1662 – Christopher Lupton and Henry Pierson enter an action against Samuel Dayton for trespass concerning a calf. A jury on Dec 9, 1662 was undecided.

Jan. 15, 1662 – John Cooper files an action of trespass against Joseph Raynor, Richard Howell, Thomas Cooper and Samuel Dayton for taking a whale off the beach.

Dec. 28, 1663 – Samuel Dayton of North Sea cord-winder, sells to Jonathan King of Boston, his house and home lott at North Sea. If Dayton pays King 17 lb, 2s 7d before the 1st of December next the above sale is void. - Dayton essentially pawned his home!

July 25, 1658 – Ralph Dayton (father of Samuel) of East Hampton provided his last will and gives Samuel half his bees. A flock bed, a pello with a drawer to it, two coverlets and one white blanket.

Sept 22, 1658 (See Vol 1. Page 123). Robert (Samuel's brother) remained in East Hampton but Samuel lived in North Sea. Robert was born in 1628 died April 16, 1712. Samuel removed to Brookhaven and died in 1690. Samuel Dayton had land on Cow Neck and a place there was called "Dayton's Beach".

1,800.00 ft

2,000.00 ft

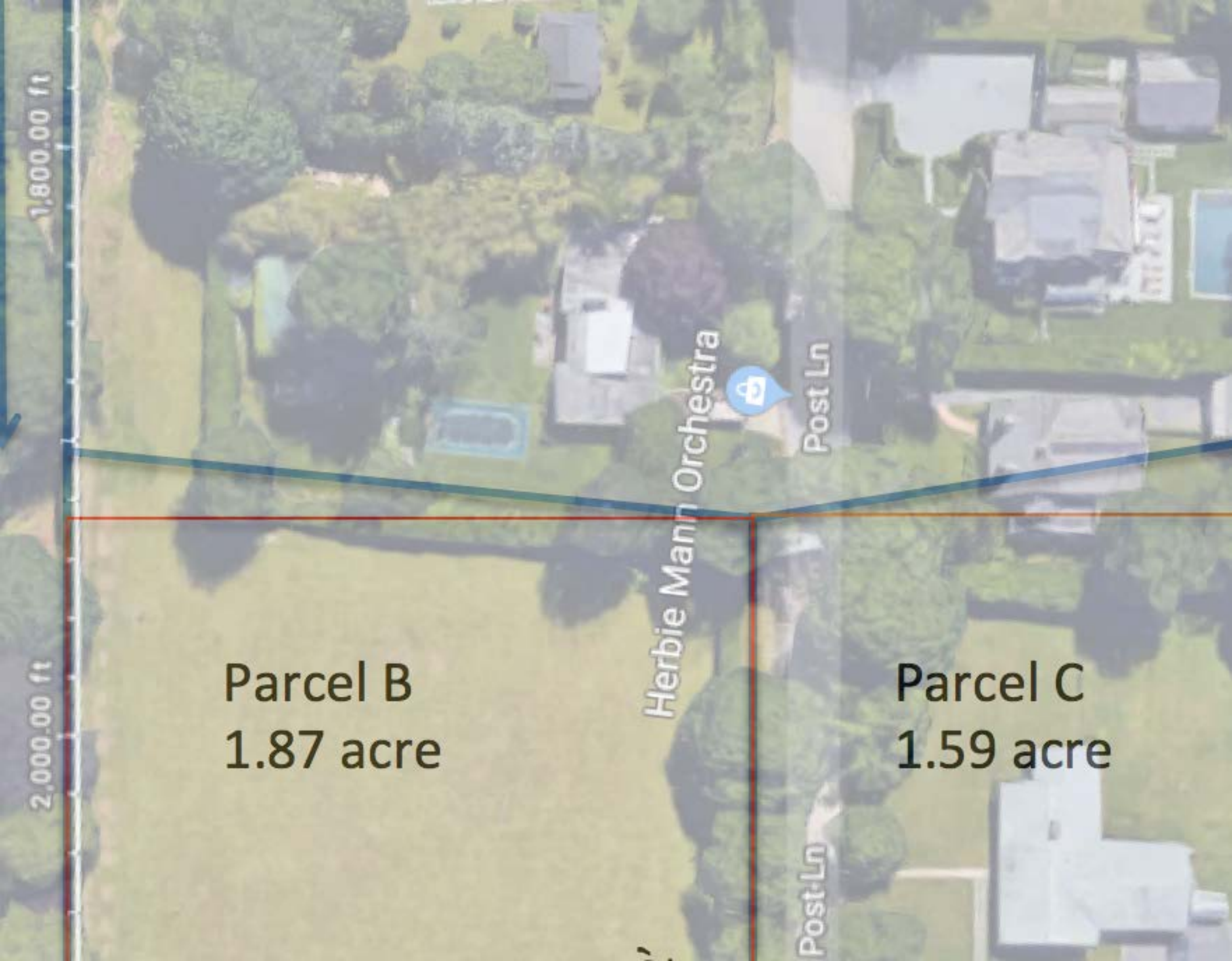
Parcel B
1.87 acre

Herbie Mann Orchestra

Post Ln

Parcel C
1.59 acre

Post-Ln



Looking for the ditch at the Old Burying Ground

Roger C. Tollefsen

The goal was to determine the location of a ditch into which Mr. Edwin Post was reported to have dumped gravestones and then recover gravestones. The reports of burying the gravestones from the Old Burying Ground occurred shortly before Mr. Post's 1885 Trial for trespassing. ¹

The boundary lines of the Old Burying Ground were originally ditched in the mid-1600's; ² but no ditches remain today. Since the dimensions of the original Burying Ground were not known, we had to reconstruct them using the early Town Records and Land Grants that distributed the Common lands. These results were then combined with Testimony from Edwin Post's Trial, early maps, a 2016 Land Survey and the findings made by the Ground Penetrating Radar surveys.

After eliminating other possibilities, it became clearer that the most likely ditch was located very near the Town-owned hedge that now marks the eastern boundary of the Old Burying Ground. When asked at the Trial if there had been a ditch there as indicated on a trial map, Edwin Post responded . "I guess there was up to about three years ago". ³

There was additional supporting information for the ditch location.

- 1) An 1886 survey by Addison Cook showed that a well had once existed near the southern terminus of the Old Burying Ground's eastern boundary line⁴
- 2) The 2016 GPR Survey had discovered unmarked graves in the Little Plains Access way⁵. Because it is likely that these graves were dug within the Burying Ground, it meant that the eastern boundary ditch's northern terminus must have been located just to the east of the unmarked graves.

If we could find the well, we could draw the line for the ditch.

Relative to the other boundaries of the Old Burying Ground, the eastern hedge line is unusually skewed. You can see it clearly on a recent map prepared for the Village's Proposed Sewer District ⁶ Because it originally seemed that Post had skewed this line in a westerly direction in order to show that the well was completely on his property, on May 30, 2018, we used Ground Penetrating Radar to look for it. When we scanned an area about 16 feet north of the hedge line, Bob Perry found a promising scan that could have been the well.⁷ Based upon that finding, we laid out a string line from the suspected well location to the northern unmarked graves. This line went through the backyards of 27 and 29 Post Lane and was about 10-12 feet north of the hedge. The landowner had given us permission to look, however, as we probed this line, we found underground obstructions or "hits" everywhere we looked along the line. At first, we believed these "hits" could have indicated gravestones. However, on further investigation, we realized that what were hitting was a gravel/clay layer located about 2.2 – 2.7 feet deep. This layer could be found

all around the area in which we were looking and extended westerly at least 50 feet beyond the hedge.

We later realized that the presence of a gravel/clay layer at 2 ½ feet deep indicated that the area had not been previously dug. Conversely, if we found no evidence of the gravel/clay layer, this could indicate a potential grave, well or ditch.

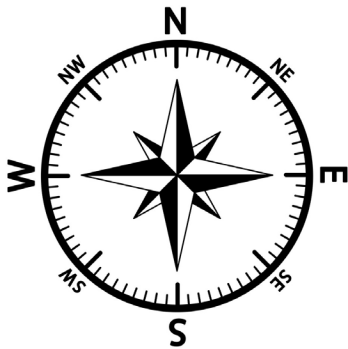
The well location is significant because it could help us establish the southern point of ditch line. We already had the northern point located; it is identified by a set of unmarked graves within the Little Plains Access Way. If we confirmed the presence of the well, we could confidently define the location of the ditch.

After the June 12th meeting of the Board, we met the Park's Department at 27 Post Lane. At the location at which Bob Perry had thought he found a well, we dug to a depth of over 4 feet but found nothing but a tangle of tree roots. We also were probing the backyards of 27 and 29 Post Lane on a line from the suspected well location to the unmarked Access Way graves. In retrospect, because we probed too far to the east we found nothing but undisturbed soil.

Finding the undisturbed soil on the suspected ditch line was not what we expected. However, things began to make sense when we attempted to confirm the presence of the well. After digging five feet down and probing further down to nine feet at the suspected well site, we found only tangled tree roots. So our southerly terminus was wrong.

Using what we had and had not discovered, we continued our research.

It turns out that Edwin Post didn't skew the eastern property line. That line's direction appears to have been set by the original landowners. When the Land Divides were made around 1650, the surveyors laid out the lots along a N/S direction. But in 1640, they were not aware of magnetic variation and how it affects a compass reading. Magnetic variation was first recorded to the Royal Society of England in 1701.



Richard Vale, Richard Post and Thomas Burnett were neighbors and the landowners of the property that originally abutted to the eastern boundary of the Burying Ground. It seems they may have gotten together to dig the ditch but may have assumed or heard that the property lines were laid out N/S. Instead of using a compass, they may have used a sexton and sighted their line using the North Star. While the ditch is aligned to true north, the rest of the southern part of Southampton Village, including the old Burying Ground, is aligned to the magnetic variation. The magnetic variation in 1640 was 9 degrees west of north.

August 9, 2018

Julie, Chris, Joe and Roger attempted to find a ditch that may have extended north from the N/W corner of the hedge bordering 29 Post Lane.

In many probes of the area outside the hedge of 27 & 29 Post Lane, we had found evidence of a clay/gravel layer located about 2.3 – 2.6' below grade. These findings were also true in the backyards of 27 & 29 Post Lane during a prior visit. We took this finding to mean that the soil was not disturbed below this layer. Graves or a well would have disturbed this layer but it is possible that the ditch may not have been dug deep enough to do so. We didn't know. However, when we probed the open area in the northern access way, we found no evidence of soil disturbance other than those areas associated with a grave. Either a ditch was dug that was less than 2 ½ feet deep or no ditch had been dug in this area.

Using the south corner of the grave for Daniel Foster (d.o.d. 11/5/1744) as a reference, we measured east to the unmarked graves located by Robert Perry. The distance from Foster's grave to the unmarked grave located in the center of the access way was 49 feet. This measurement was consistent with a scaled distance using Perry's 2016 GPR map. The distances to the other unmarked graves varied from 50-53'. After marking the graves, a N/S line was drawn and the points of intersection of the access road boundaries were located. The northern intersection of the line was located 23.5' west of the Haynes/Farnos property boundary marker to the north that is shown on the Town's 2016 survey. The southern intersection is located 4 feet east of the N/W marble boundary marker of 29 Post Lane. If this line extended south, it would intersect slightly to the west of the current location of the S/E corner of the Old Burying Ground. The current S/E corner is located 344' east of the S/W corner of the OBG. In 1886, Post's line was 2 foot further west and would be consistent with today's extended line. To "clear the well", ⁸ it looks like Post simply moved his S/W corner boundary 2 foot to the east and kept the northern point the same. If so, the buried ditch line runs through the backyards of 27 & 29 Post Lane and is very close to the hedge ⁹. The distance varies from 0 – 3 feet.

When Joshua Rogers granted access to the Old Burying Ground in 1769, the original access way from Little Plains Road to the Old Burying Ground was most likely 24 feet wide. We had always wondered about today's width of the access way to the OBG from Little Plains. Based upon the Trustee Minutes for May 1892, we now know that this property was a forced swap or exchange for the original Herrick's right-of-

way from South Main Street that was now on Post's property and probably blocked. The Trustees were under pressure to act and they would have wanted a simple and clean solution. I bet the swap was based on an exchange of equal acreage for the Herrick right of way. According to the 2016 Town survey, the Little Plains Rd access measured 328.7' x 57'4" or 18,870 sq ft. We don't know the width of Herrick's original right-of-way but we know it was 897' from South Main St. (Addison Cook 1888). If the swap was for equal acreage, that would mean that the (width of Herrick's right-of-way) * 897' = 18,870. A believable 21' wide.

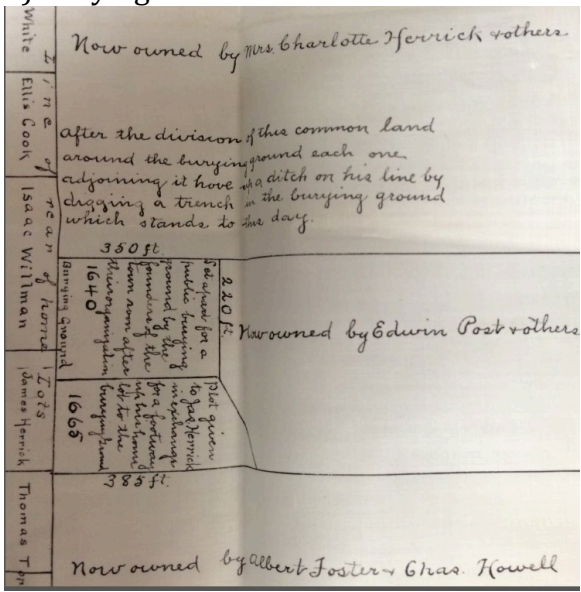
We looked for evidence of the "bars" that were placed in the S/W and N/W corners of the Little Plains Access that was created by Joshua Rogers in 1769 and abutted the Old Burying Ground. At a location along the line we had determined to be the ditch and 25 feet from the northern property line, we found an unusual large rock buried about 2 feet down. The rock had been gouged in several places. Julie will try to get some more information about this rock. Since that time, we have found an aerial map from 1930. It shows a boundary line that may have connected Joshua Roger's "bars". Oddly, this boundary line does not extend following the hedge line but veers due North. More probing may be in order.

We also explored another possible location for Post's well. On his first survey, Bob Perry used GPR in the S/E corner of the Old Burying Ground where we thought we might find the well. Although there was no evidence of the well, he did find graves up to and under both the southern and eastern hedges. However when we probed an area located five feet north of the S/W corner, we found that almost all the ground in this area had been disturbed but there was nothing to be found to the four-foot level. This was true even in an area where Bob Perry had not found evidence of a grave. This void may have been the location of a well that was dug up rather than filled in. We had previously probed inside the hedges just east of the void where the well may have been located;. There we found a surprising quantity of loose rocks at the 2-3 foot depth. These types of rocks (or any other rocks for that matter) had not been found anywhere else at the site and their presence could not be immediately explained.

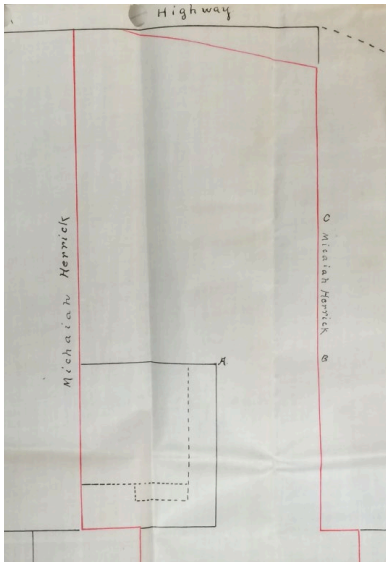
1) Gravestones being thrown into a ditch – Jul 27, 1887 Brooklyn Eagle

of it and settle for a money consideration. When the trustees first received the startling information that graves were being leveled, tombstones with the moss of ages on them thrown into the ditch and the soil carted away, they proposed going to law at once with the invader, but Mr. Salem H. Wales induced them to hold off by representing that he could settle the difficulty amicably. He failed.

2) Burying Ground ditched to mark boundaries



3) Between 1882 and 1885, Post filled in the eastern ditch line of the Old Burying Ground.

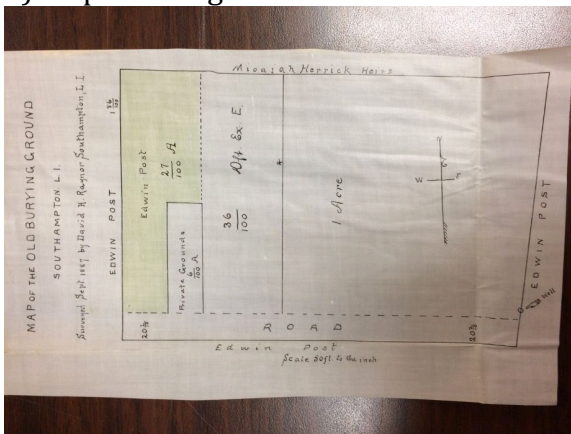


Q. State whether there is a fence and ditch between the points "D" and "C" on the map? A. I guess there was up to about three years ago. As long as I can remember there was always a separation between the two large lots; these ditches were probably to prevent sheep from going through. It was the common custom to bank under the fence to keep sheep in.

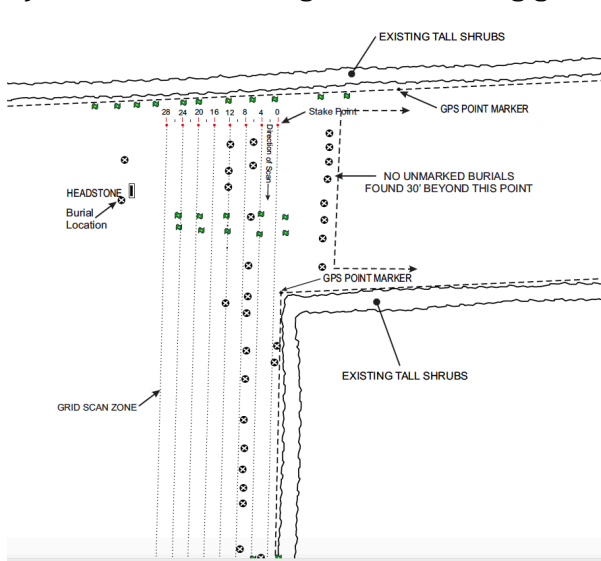
By the Referee:

Q. Then, I understand you, Mr. Post, your 129 father, as far as you know, and yourself since your father's death, have not claimed the title to this acre here?

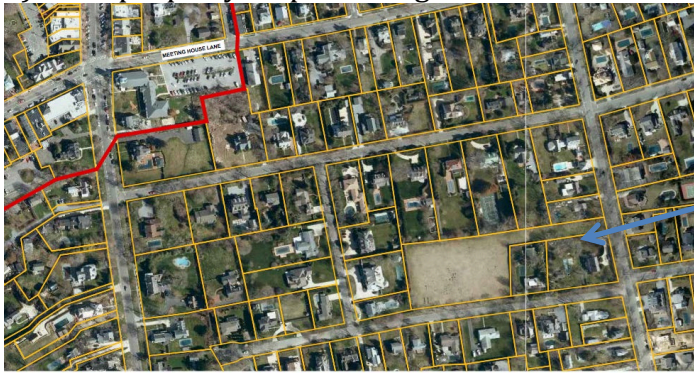
4) Map showing location of well - Defense Exhibit E Edwin Post Trial



5) Ground Penetrating Radar showing graves in Little Plains Rd Accessway



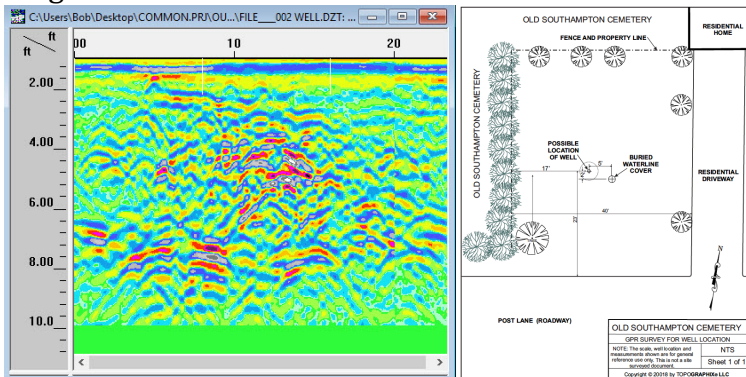
6) 2018 property map showing skewed eastern boundary of OBG



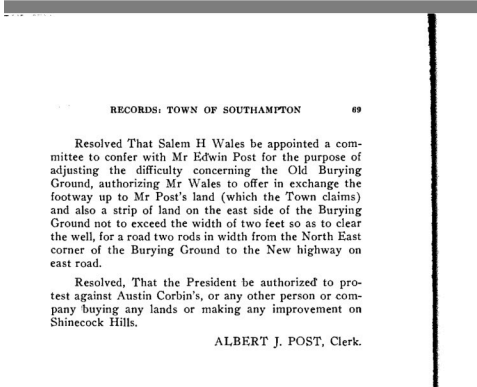
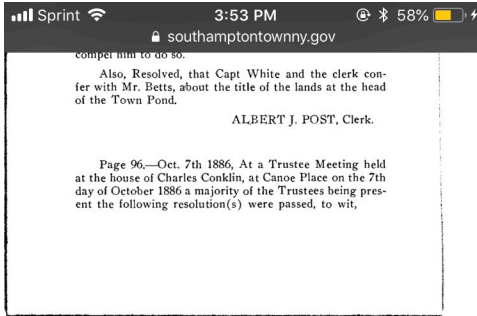
Only these two property lines point true North

PROJECT # SHPV 14-01	FIGURE 1-2
DATE: MAY 2015	Village of Southampton Sewer District Service Area Boundary Map

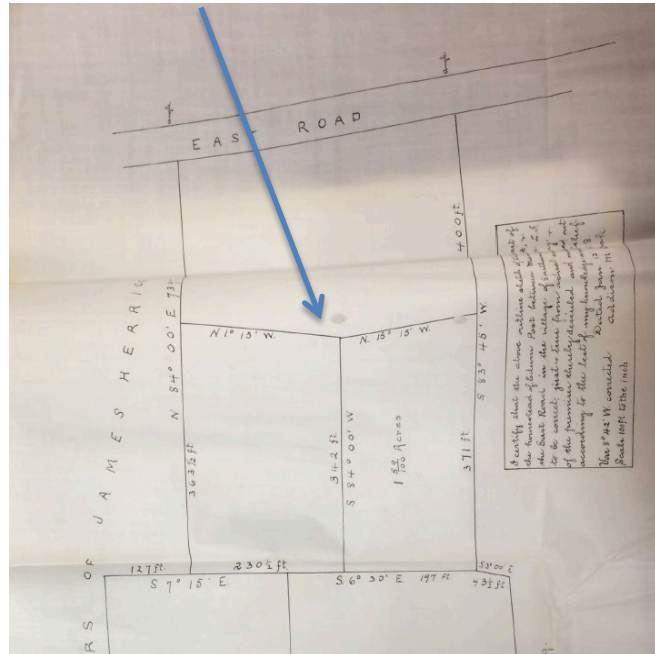
7) A GPR scan suspected to show a well – we later discovered that it was just a tangle of tree roots



8) "Clearing the well"



342' not 344'



After I superimposed Addison Cook's survey onto the reconstructed layout of the plots from the Little Plains Land Divide, it was impossible for fit Herrick's acre along with Lots 09 and 10 into the eastern part of Edwin Post's homestead which measured $6 \frac{2}{3}$ acres. The Little Plain Rd frontages matched but I couldn't fit the lots. The Burying Ground and its road accounted for 2 acres; lots 11-13 were another 2 acres. That left $2 \frac{2}{3}$ acre south of the Old Burying Ground road. This remaining area could have been made up of (1 x 50lb and 1 x 150 lb lots) or (2 x 100 lb lots). A 150lb lot on the Little Plains was equal to 2 acres; a 50lb lot equaled $\frac{2}{3}$ acre.

It looks clear that Samuel Dayton received a 50lb lot. He was new to the town. But he had a lot of problems that may have later caused the town to take back his property. If Dayton forfeited his lot #10 back to the Commons, the Trustees could have given a part of this parcel to Herrick.



The grave plot map above is an example of how a burial ground may have been laid out. The GPR survey revealed that the burials in the Old Burying Ground were made in straight, orderly lines. Someone had to be responsible for managing the Old Burying Ground and keeping records. The Trustees would have been involved but no such records have yet been discovered. This is a priority item that, if found, could identify all those buried at the Old Burying Gorund.