

Southampton Town's Historic Burial Ground Committee
Minutes for October 9, 2018 – 10am

In attendance:

Sundy Schermeyer, Julie Greene, Roger Tollefsen, Tom Rogers, Chris Robinson,
& Marlene Haresign.

Minutes:

The Minutes for the August 21, 2018 meeting were discussed and Tom Rogers moved to approve them. All agreed.

Carry-over items:

- a) Pleasure Woods Cemetery. The Parks Department has started work and Julie will coordinate with John Irwin of the Parks Department until it is completed.
- b) Rev. Paul Cuffee's Gravesite is being cared for by the Parks Department.
- c) Cemetery signage: The North Sea Burial Ground sign is still an open issue that needs to be resolved. The Pleasure Woods Cemetery sign is ready but its placement on the site is not yet decided since the work at the site itself is still on going. John Irwin of Parks is looking to locate the Fournier Burying Ground sign.
- d) Julie provided a Facilities Use Permit to committee members. Sundy pointed out that some of the items do not apply and there are issues of liability and what activities are covered. These forms will be further discussed at the next committee meeting.
- e) The dead trees at the East Quogue Methodist Church Cemetery are still unresolved.

Stewards: Roger handed out a draft "Stewards' conditions report" that might be used by our Cemetery Stewards. He suggested that the Stewards use a simple form like this to communicate to our committee at an annual meeting for that purpose. Committee members could then decide how to prioritize our efforts and funding.

Presently our stewards are:

EAST QUOGUE METHODIST CEMETERY – Tom Mendenhall

WESTHAMPTON PRESBYTERIAN CEMETERY – Tom Rogers

OLD NOYAC BURYING GROUND – Julie Greene

NORTH SEA BURIAL GROUND – Southampton Historical Museum (Tom Edmonds)

NORTH END BURIAL GROUND – Southampton Historical Museum (Tom Edmonds)

OLD SOUTHAMPYTON BURIAL GROUND – Southampton Historical Museum (Tom Edmonds)

HUBBARD CEMETERY – Hampton Bays Historical Society (Brenda St. Claire)

FOURNIER CEMETERY – Hampton Bays Historical Society (Brenda St. Claire)

PAUL CUFFEE GRAVESITE – Parks Department (John Irwin)

PLEASURE WOODS CEMETERY – Ken Alfano

The Southampton and Hampton Bays Historical Societies are Stewards for multiple cemeteries. It was recommended that specific individuals for each site, chosen by the respective societies, might better serve as communicators to our committee.

Report of Old Burying Ground Presentations:

Roger reported that the two Old Burying Ground presentations (on September 20th and 27th) went well. There was a lot of interest and about 20 people attended. Roger has since received an inquiry from the Howell Family about the talks. Another result of the presentation was that Julie and I met with Mr. Wightman. Mr. Wightman has a very large historical record of the Bishop Family in Southampton and provided many documents that Julie copied for the Town's records.

One of the goals of our work at the Old Burying Ground was to determine what happened to its gravestones. While we continue to look for the "ditch" into which Mr. Edwin Post had been reported to have dumped gravestones, we discovered documentation that some of the stones may have been moved. During the Post Trial, Captain White provided testimony that identified some of the stones that were in the Old Burying Ground in 1880's. Julie was able to locate several of them that now reside in the Southampton/Sebonac Cemetery. More on this will follow.

Website restoration recording options

The "Penn Survey" was a fixed database that assessed conditions as of 2006. But we need to document new information about gravestones (including restoration efforts). Although the current site is capable of doing this, it is cumbersome and may not be suitable for the Town's long-term documentation goals. Roger will request a proposal for an upgrade to this site.

Discovery of historical human remains

There is no written Town protocol that addresses what to do when historical human bones or remains are found. A "burying ground" is not defined. New laws or regulations may be needed to protect these sites. Since our Committee may provide guidance and documentation, Roger provided a draft Protocol and will contact the Town Supervisor to see if a meeting to discuss this need is appropriate. Marlene mentioned that an Indian burying ground may have been located in the Hayground.

New Business:

None

Our next meeting will be on Tuesday, December 11, 2018 @ 10am.

Meeting was adjourned.

Support materials for SHT Historic Burying Ground Committee
October 9, 2018

- 1) Old Burying Ground Presentation @ Hampton Bays Historical Society 7PM
- 2) Alice Symonds would like to be a Steward (631 365-3780)
- 3) A Shinnecock Nation website of interest is:
<https://www.jeremynative.com/onthissite/listing/hawthorne-site/>
- 4) Jim Wightman attended the 9/20/18 presentation of the OBG; he has a large family history of the Southampton Bishop family. (631 283-2686)
Julie and I will explore this at his home 39 Lewis Street (noon today)
- 5) Julie Howell Sarano – Howell Family interested in presentation of OBG
- 6) Pierson v Post – a classic property law case 1805 (Jesse Pierson v Lodwick Post)
- 7) The Hedge and Ditch Ownership Presumption:
The principle of this rule is that an owner digging a boundary ditch will normally dig it up to the very edge of their land, and must then pile the spoil on their own side of the ditch to avoid **trespassing** on their neighbour. They may then erect a fence or hedge on the spoil, leaving the ditch on its far side.
 - JJ Rousseau, *Discourse on the Origin of Inequality* (1754) "The first man who, having fenced in a piece of land, said "This is mine", and found people naïve enough to believe him, that man was the true founder of civil society. From how many crimes, wars, and murders, from how many horrors and misfortunes might not any one have saved mankind, by pulling up the stakes, or filling up the ditch, and crying to his fellows: Beware of listening to this impostor; you are undone if you once forget that the fruits of the earth belong to us all, and the earth itself to nobody."

TOWN OF AMPTON



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PERMIT APPLICATION FORM

Authorization for a specific activity or event is granted upon the issuance of a permit.

Applicant Name:
Address:
Phone:
Email:
Contact Name and Phone on day of event:

Activity/Event Date:
Begin Time:
End Time:
Estimated Number of Participants:
What location(s) will the activity/event take place? Please designate on the attached Cemetery listing (page 2)

Type of Activity/Event: (circle applicable activity):
<ul style="list-style-type: none"> ▪ Public Tour ▪ Public Speech, march, or parade ▪ Organized activity such as races, walks or similar activity ▪ Church or religious service ▪ University-sponsored class or seminar ▪ Other: _____

NOTE: The undersigned agrees and does hereby release from liability and to indemnify and hold harmless the Town of Southampton and any of its employees. This release is for any and all liability for personal injuries (including death) and property losses or damage occasioned by, or in connection with any activity or accommodations for this event.

I have read the rules and regulations governing the use of Town property and agree that by my signature, I, as well as the organization I represent, will abide by them.

Signature: _____

Historical Gravesites by Cemetery in the Town of Southampton

- East Quogue Methodist Cemetery
- Hubbard Cemetery
- North End Burial Ground
- North Sea Burial Ground
- Noyac (Edwards) Cemetery
- Old Southampton Burial Ground
- Paul Cuffee Gravesite
- Pleasure Woods Cemetery
- Squires (Fournier) Burying Ground
- Westhampton Presbyterian Cemetery

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VISITING THE TOWN OF SOUTHAMPTON HISTORICAL CEMETERIES

It is the Town of Southampton's policy to encourage our residents and taxpayers to visit its historical cemeteries. This use, however, must be controlled in order that our historical sites are preserved for all. All official historical cemeteries are open to the public between dawn & dusk.

REGULATIONS PERTAINING TO THE USE OF TOWN OF SOUTHAMPTON CEMETERIES

- Alcoholic beverages may not be possessed in the cemetery.
- Dogs must be leashed at all times and kept on walkways and roadways, only.
- Solicitation by outside parties on cemetery property is strictly prohibited.
- Riders of motorcycles and bicycles must keep their vehicles on paved roads and obey the cemetery speed limit.
- Recreational activities such as skiing, mountain biking, sledding, skateboarding, rollerblading, ball playing, or swimming are prohibited.

CEMETERY VISITORS SHALL NOT:

- Trespass through the cemetery, or enter or remain on cemetery grounds before or after posted hours.
- Desecrate, vandalize, deface, tear down or injure any property, grave stone, monument, tomb, vault, or fence in the cemetery.
- Bring illegal substances or alcohol into the cemetery.
- Congregate about an interment space while funeral ceremonies are in progress, unless accompanying the funeral.
- Sit, walk upon or occupy any private lot not belonging to him or her or to a member of his or her immediate family.
- Climb the banks or terraces.
- Climb on or disturb any trees, shrubs, or plantings, or pick flowers or foliage.
- Possess a bow and/or arrow in the cemetery.
- Throw trash or litter on the roads, paths, lawns, lots or any other part of the cemetery grounds or buildings, except into designated receptacles.
- Drive a motor vehicle faster than 15 miles per hour within the boundaries of the cemetery.
- Operate an off-the-road vehicle of any kind, except for cemetery maintenance personnel.
- Feed or disturb fish, birds or other animal life within the cemetery.
- Conduct a treasure or scavenger hunt on the cemetery grounds. This includes geo-caching activities.

Burial Ground Stewards

Every town-owned burial ground could benefit by having a Steward
An updated list would be put onto our website
Cemeteries not owned by the Town should also have updated contact information

A simple cemetery evaluation sheet might include:

Cemetery _____ Steward _____ Date _____

Condition of Fence & Signage

Is Tree work required?

What is the General appearance of the Burial Ground?

Are there erosion issues?

Have Gravestones conditions deteriorated?

Using a gravestone condition baseline for comparison

U of Penna gravestone condition map or website

Stewards should note changes

Are any stones missing?

What gravestones do you feel are in the most need of attention?

- 1) Stewards should be familiarized with the use of the website
- 2) Provide digital images of issues they discover
- 3) Stewards should visit their cemetery before an annual meeting
- 4) Stewards could present their recommendations at that meeting
- 5) The Committee could prioritize issues and schedule actions or workshops

Presently Stewards:

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Expanding the function of the Univ. of Pennsylvania Condition Survey

The U. Penna Survey was a fixed database that assessed condition as of 2006
Because it could not be changed or edited,

We added an additional database called "New Survey"
This allowed new graves or burial grounds to be added
Can add multiple captioned images, but
Could not logically add new information or restoration work
So, are added searchable text in our website – labor intensive
Use of "New Survey" database causes confusion

Suggest we now use the U of Penna survey as the "Burial Records"
The original data would be preserved
New gravesites or burial grounds could be added.
The "New Survey" database would be eliminated

A new, relational database would be developed called "Plot History"
This would allow multiple records to an existing plot
Including, Restoration work
New findings about a gravesite or burial ground
Multiple, captioned images for each record
Automatic reports for a period or type

Any information added to the "Plot History" would appear with the Plot image and other information that is currently returned from the U of Penna Survey. By clicking on a history sidebar, an expanded view of a record that could contain the images and actions taken for a that time would appear.

The Search function would be simplified. Except for administration, users would type in a name or Plot Id Number only. The "Burial Records", Daughters of the America Revolution database and any text within the site would be searched and returned.

Developing a protocol for the discovery of gravestones or human remains found within the Town of Southampton

- 1) State's definition of "Historic" is greater than 50 years old
- 2) How would this protocol apply to the Shinnecock Nation?
- 3) Existing cemeteries may someday be deeded to Town
- 4) Encourage all private cemeteries to survey sites > 50 years old
- 5) What are the laws that will protect historic gravesites?

When human remains are found

Example from the Ministry of Forests, Lands and Natural Resource Operations Archeology, British Columbia

In cases where the branch has been notified that human remains have been discovered by chance, the following procedures should normally apply:

- the Coroner's Office and local policing authority should be notified as soon as possible.
- the Coroner's Office should determine whether the matter is of contemporary forensic concern. The branch may provide information and advice that may assist in this determination.
- if the Coroner's [Office](#) determines the reported remains are not of forensic concern, the branch will attempt to facilitate disposition of the remains.
- if a cultural affiliation for the remains can be reasonably determined, the branch will attempt to contact an organization representing that cultural group.
- if remains are determined to be of aboriginal ancestry, the branch will attempt to contact the relevant First Nation(s).
- generally, if remains are still interred and are under no immediate threat of further disturbance, they will not be excavated or removed.
- if the remains have been partially or completely removed, the branch will facilitate disposition.
- if removal of the remains is determined to be appropriate, they will be removed under authority of a permit issued pursuant to section 12 or 14, or an order under section 14 of the *HCA*, respecting the expressed wishes of the cultural group(s) represented to the extent this may be known or feasible.
- if circumstances warrant, the branch may arrange for a qualified physical anthropologist or an archaeologist with training in human osteology to provide an assessment of the reported remains in order to implement appropriate conservation measures.
- analysis should be limited to basic recording and in-field observations until consultation between the branch and appropriate cultural group(s) has been concluded.

If remains are not considered to be part of a forensic concern

Town Historian assumes responsibility and investigates

If the site is deemed to be historic

If not within an existing cemetery (either private or Town properties)

Define burial sites – property lines may not be relevant

Determine the desired "set-back" (the burial ground)

Might use GPR – should Town own one?

Name the new burial ground & add gravesite to survey

Add burial ground information to Southampton GIS Map

Attach information to the title of the property

Is this legal?

Review and/or create laws to protect the site

If within existing burial grounds - Add to survey

If site is not considered historic - what do we do???

[What about Native American graves? Are they treated differently?](#)

South Carolina laws protect all cemeteries and graves equally. The same laws that prevent damage to cemeteries and burials without proper authorization apply to Native American graves in the same way that they apply to modern cemeteries, family cemeteries, and other unmarked graves. Digging up a Native American grave to collect relics is a felony -- as is grave robbing in *any* form.

There are federal laws that protect Native American burials on federal or tribal property.

[Can cemeteries and graveyards be removed from my property? How?](#)

Under most circumstances yes, [South Carolina law](#) does allow abandoned cemeteries to be removed. This process requires the county's governing body to approve the removal and you to advertise the intention for 30 days. If family members come forward they may protest the removal and this is taken into consideration by the governing body. If removal is ultimately allowed all expenses are borne by you, the property owner. You are responsible for the removal and reburial at a location agreed upon with family members.

Gravestones described in Edwin Post's Trial 1887
Paragraph 89 testimony of Captain White asked by Mr. Bisgood

Were these burials originally within the "white fence" built 1857?

Did Edwin Post move some of these headstones?

Did Edwin Post own a part of what is now the Southampton Cemetery?

What other headstones in Southampton Cemetery were originally from the Old Burying Ground?

Stone (below) were found in the Old Burying Ground per Captain White 1887?		Stones found in the OBG by U of Penna 2006 or Now found in Southampton Cemetery
Post, Charlotte	1868	Southampton Cemetery (Section 8, Main)
Post, James A.	1660	Southampton Cemetery (Section 8, Main)
Post, William R.	1847	Southampton Cemetery (Section 8, Main)
Post, J.	1822	Southampton Cemetery (Section 8, Main)
Post, H.	1831	Southampton Cemetery (Section 8, Main)
Post, Phobe	1842	Southampton Cemetery (Section 8, Main)
Post, Phobe R.	1843	Southampton Cemetery (Section 8, Main)
Post, James	1855	Southampton Cemetery (Section 8, Main)
Post, H.	1879	Southampton Cemetery (Section 8, Main)
Post's grandson	1885?	Southampton Cemetery (Section 8, Main)
		Post, Edwin 1815-1901 SHC (Sec 8)
		Post, Susan 1821-1904 SHC (Sec 8)
Rogers, O.	1817	Not Found (NF)
Rogers, H.R.	1822	NF
Rogers, Clara	1856	NF
Rogers, J.	1779	Rogers, James illegible
Roger, Obadiah	1783	Capt. Obadiah 10/31/1783
Rogers, Abigail	1782	NF
		Obadiah 5/8/1729
Herrick, William	1819	NF
Herrick, Elizabeth	1884	Elizabeth 5/21/1884
Herrick, William	1841	NF
Herrick, Nancy	1860	Nancy, Rose 7/22/1860
Herrick, James	1849	James 2/12/1849
Herrick, Cornelia	1858	Cornelia Augusta 9/9/1858
Herrick, George	1873	George 10/5/1873
Herrick, James	1887	NF
		Herrick 8/19/1810 ae 59
		Herrick, Abigail 4/6/1795
		Herrick, William (+FS) 8/19/1798

Herrick, Charlotte E.	11/18/1897
Herrick, Hiram	2/23/1790
Herrick, James	3/19/1783
Herrick, M.	8/31/1796
Herrick, Martha	10/18/1819
Herrick, Mehetable	7/17/1734
Herrick, Micaiah	9/16/1781

Brown, Phoebe	1857	NF
Brown, William	1871	Southampton Cemetery 8/05/1871
Brown, Nancy	1876	Southampton Cemetery 04/08/1876
Brown, David	1850	Southampton Cemetery 12/14/1850

The epitaph on Edwin Post's stone reads:

"Great peace have they which love thy law" (Psalm 119:165)

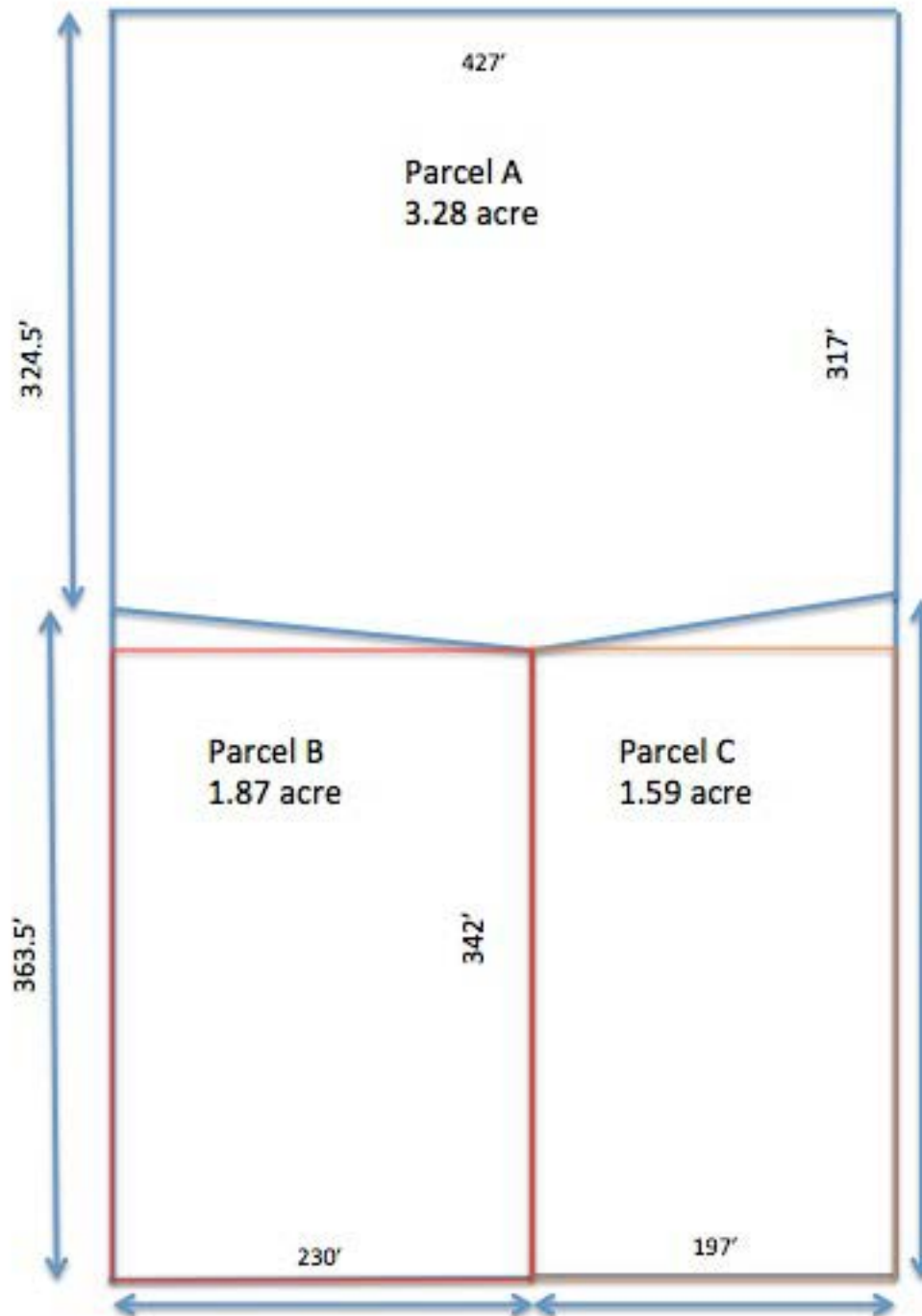
Southampton Cemetery Section 8, Main Cemetery is close to County Rd 39. The Cemetery was founded in 1885 as two parcels.

DAR 1936 found Samuel Howell 02/24/1794 and

John Wick 01/16/1719 buried here

In 1721, the Old Burying Ground was filling up and the North End Cemetery was dedicated.

First burial in North End was Joseph Post "The First entured in the place"
November 10, 1721



Eastern Portion of Edwin Post's Homestead 1888 - Addison Cook Survey 6.67 acres

Parcel A

$$((688-342) * (427)) - ((194.3*29) + 230.5*19.1)/2$$

$$=$$

$$((346)*(427)) - ((5635)+(4403)/2) =$$

$$147,742 - 5,019 = 142,723 \text{ or}$$

$$3.28 \text{ acre}$$

Parcel B

$$(342*230.5) + (230.5 * 20.5)/2 =$$

$$81,194 \text{ sq}' \text{ or } 1.87 \text{ acre}$$

Parcel C

$$(342*197) + ((29*197)/2) =$$

$$67,374 + 2857 = 70,231$$

$$73,089 \text{ sq ft or } 1.61 \text{ acre}$$

$$A+B+C = (142,723+81,194+73,089)$$

$$\text{or}$$

$$6.82 \text{ acres}$$

Large Rectangle =

$$688 * 427 = 6.74 \text{ acres}$$

Note: E/W center line on Addison shows 342' not 344'. This measurement was made to what is now the S/W corner of 27 Post Lane

REDIRECT-EXAMINATION by Mr. Bisgood:

89

These dates of death are marked on the different stones: Charlotte Post, 1868; James A. Post, 1660; William R. Post, 1847; O. Rogers, 1817. H. Rogers, 1822; J. Post, 1822; H. Post, 1831, I think it is; Phoebe Post, 1842; Phoebe R. Post, 1843; William Herrick, 1819; Elizabeth Herrick, 1884; William Herrick, 1841; Nancy Herrick, 1860; Clara Rogers, 1856; James Herrick, 1849; Cornelia Herrick, 1858; George Herrick, 1873; James Herrick, 1887; James Post, 1855; H. Post 1879; J. Rogers, 1779; Obadiah Rogers, 1783; Abigail Rogers, 1782; Phoebe Brown, 1857; William Brown, 1871; Nancy Brown, 1876; David Brown, 1850. There's Mr. Post's grandson there, I didn't take his date, who died a few years ago.

90

The first settlers of the town, they were buried there but no monuments erected to them.

Q. (The Referee.) No headstones? A. No headstones; nothing to mark them. One of my ancestors was buried in 1755, but I know where he was buried from his children.