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**ST. PHILIP'S
EPISCOPAL CHURCH
CEMETERY
INTENSIVE
DOCUMENTARY STUDY
CHRYSTIE STREET
NEW YORK, NEW YORK
SECOND AVENUE SUBWAY**

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ST. PHILIP'S EPISCOPAL CHURCH CEMETERY
INTENSIVE DOCUMENTARY STUDY
CHRYSTIE STREET
NEW YORK, NEW YORK
SECOND AVENUE SUBWAY

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EXECUTIVE SUMMARY

MTA New York City Transit (MTA NYCT) has prepared a Supplemental Draft Environmental Impact Statement (SDEIS) for a proposed full-length Second Avenue Subway extending from 125th Street to Lower Manhattan (SDEIS, March 2003). The Environmental Impact Statement (EIS) for the project is being prepared for the Federal Transit Administration (FTA) as lead agency, in accordance with the National Environmental Policy Act (NEPA). As per Section 106 of the National Historic Preservation Act of 1966, an archaeological resources analysis was prepared for the project. This document, *Second Avenue Subway, Phase 1A Archaeological Assessment* (Historical Perspectives, Inc., March 2003) established Areas of Potential Effect (APEs) for the project (e.g. the areas where the proposed project may affect potential archaeological resources), identified designated and potential archaeological resources that may be affected by the proposed project, and assessed the proposed action's effects on those resources. This Phase 1A was accepted by the New York State Historic Preservation Office (SHPO). It was also accepted by the New York City Landmarks Preservation Commission (LPC).

Under Section 106, a draft Programmatic Agreement was also prepared and is included in the SDEIS, to be executed by FTA, MTA NYCT, and SHPO. The draft Programmatic Agreement sets forth protocols to be followed pertaining to Archaeological Properties in the Second Avenue Subway APE, including areas sensitive for human remains. Protocols established specifically for cemetery areas include 1) establishing the appropriate descendant communities for each cemetery site and initiating contact with them, and 2) undertaking intensive documentary research on the cemetery sites. The results of the cemetery analyses are to be summarized in a report for submission to SHPO for review.

Within the APE of the proposed Second Avenue Subway, the Phase 1A identified the west sidewalk on Chrystie Street between Stanton and Rivington Streets as being potentially sensitive for human remains. These remains may have been interred within the APE, if St. Philip's Episcopal Church cemetery, formerly located on a two-lot parcel on Block 426 between 1795 and 1853, ever extended beneath the sidewalk. The Phase 1A determined that one of the Second Avenue Subway project options, the Shallow Chrystie Option, has the potential to affect this site through the construction of a cut and cover subway tunnel beneath Chrystie Street. Therefore, a Topic Intensive Study was indicated for this site and documentary research for the study begun.

However, since completion of the Phase 1A, the Shallow Chrystie Option was dropped from consideration as a project alternative because it would result in a greater number of significant adverse effects than the other project options under consideration, the Deep Chrystie and Forsyth Street Options. The Deep Chrystie Option, which would result in the construction of a mined or bored deep tunnel beneath Chrystie Street, and the Forsyth Street Option, which would result in a mined or bored deep tunnel beneath Forsyth Street, would not have any adverse effects on the area determined potentially sensitive for the St. Philip's Episcopal Church burials, since these tunnels would either be built below or east of the area of potential sensitivity at approximately 60 to 80 feet below grade. Since documentary research was well underway, this Topic Intensive Documentary Study presents the research

gathered for St. Philip's Episcopal Church cemetery, although the proposed project would no longer result in adverse effects to these potential burials.

Documentary research undertaken for this Topic Intensive Study and presented here indicates that between 1795 and 1809, it is possible that human remains were buried beneath the sidewalk in front of the St. Philips cemetery at what is now 195-197 Chrystie Street. The cemetery was first laid out in 1795, and in 1809, a New York City ordinance forbade further burials beneath streets and sidewalks, a not uncommon practice. Documents failed to provide the original number of burials within the cemetery, much less adjacent to the cemetery. Thus, there is no evidence that any human remains were removed from the streetbed in 1809 (now the sidewalk area), if they were every buried there. Also, when the cemetery was relocated in 1853, there is no guarantee that all remains were removed when the Rector, Church Wardens, and Vestry of St. Philip's Church exhumed bodies and sold the property. Therefore, the area of sensitivity for burials, which may have been accidentally left on site within the APE, consists of the sidewalk on the west side of the Chrystie Street roadbed from in front of the 50-foot wide cemetery parcel that was located 100 feet south of Stanton Street. Since depths of potential burial vaults and/or other internments were potentially as much as 14 feet below grade, it is anticipated that burials would be found anywhere from the surface down to 14 feet below grade.

Due to the possibility that human remains from St. Philip's Episcopal Church cemetery may be extant within the APE, Historical Perspectives recommended avoidance of the sensitive area through project re-design. This in fact has occurred by the Shallow Chrystie Option, which would have affected potential burials, being dropped from consideration as a project alternative. Therefore, since no adverse effects would result from the proposed project, no additional archaeological study is recommended.

As part of the outreach process undertaken regarding the former cemetery, MTA NYCT met with Dr. Sherrill Wilson, Director of the Office of Public Education & Interpretation (OPEI), New York African Burial Ground Project (ABG), and met with Beatrice Tomlinson of the present St. Philip's Episcopal Church congregation, located at 208 West 134th Street. Further research with the St. Philips congregation was not pursued since there would be no potential project effects on the potential Chrystie Street burials. For similar reasons, a discussion regarding St. Philip's role in the development of a testing protocol was not warranted, since no further archaeological study is required for the site.

I. INTRODUCTION

MTA New York City Transit (MTA NYCT) has prepared a Supplemental Draft Environmental Impact Statement (SDEIS) for a proposed full-length Second Avenue Subway extending from 125th Street to Lower Manhattan (SDEIS, March 2003). The Environmental Impact Statement (EIS) for the project is being prepared for the Federal Transit Administration (FTA) as lead agency, in accordance with the National Environmental Policy Act (NEPA). As per Section 106 of the National Historic Preservation Act of 1966, an archaeological resource analysis, which established Areas of Potential Effect (APEs) for the project (e.g. the areas where the proposed project may affect potential archaeological resources), identified designated and potential archaeological resources that may be affected by the proposed project, and assessed the proposed action's effects on those resources, was completed. This document, *Second Avenue Subway, Phase 1A Archaeological Assessment (Historical Perspectives, March 2003)* was accepted by the New York State Historic Preservation Office (SHPO). It was also accepted by the New York City Landmarks Preservation Commission (LPC).

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Within the APE of the proposed Second Avenue Subway, the Phase 1A identified the west sidewalk on Chrystie Street between Stanton and Rivington Streets as being potentially sensitive for human remains. These remains may have been interred within the APE, if St. Philip's Episcopal Church cemetery, formerly located on a two-lot parcel on Block 426 between 1795 and 1853, ever extended beneath the sidewalk. The Phase 1A determined that one of the Second Avenue Subway project options, the Shallow Chrystie Option, has the potential to affect this site through the construction of a cut and cover subway tunnel beneath Chrystie Street. Therefore, a Topic Intensive Study was indicated for this site and documentary research for the study begun.

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gathered for St. Philip's Episcopal Church cemetery, although the proposed project would no longer result in adverse effects to these potential burials.

Documentary research undertaken for this Topic Intensive Study indicates that the historical St. Philip's cemetery was located on city block 426 itself from 1795-1853. Between 1795 and 1809 the cemetery may have extended into the street bed in front of the cemetery. Since sidewalks were taken from street beds, rather than from within the city blocks, the sidewalk in front of the two lots at what are now 195-197 Chrystie Street were determined to be potentially sensitive for buried human remains (Figures 1, 2 and Photograph 1). For detailed information and cartographic history for the Block 426 through time, please refer to 4.5.6. Appendix, 4.5.6.1 Block Histories, pages 11-27 of the Phase 1A.

II. RESEARCH GOALS AND METHODS

This Topic Intensive Study compiles the documentary research that was completed for the St. Philip's Episcopal Church cemetery (Figure 2 and Photograph 1). It 1) identifies areas sensitive for historical burials; and 2) documents post-cemetery period development and redevelopment to assess the potential effect it may have had on the cemetery-period resources. As described above, the proposed project does not have the potential to adversely affect potential burials associated with the former St. Philip's Episcopal Church Cemetery, and, therefore, no further archaeological study and/or mitigation is recommended.

To accomplish the goals stated above, a variety of documentary and cartographic sources, as well as archivists, librarians, and genealogists, who have studied New York City cemeteries, were consulted to determine if historic era churches and/or cemeteries were once present in the APE. See Appendix A for an annotated list of various research resources consulted. See Appendix B for a list of the repositories searched.

Historical maps and atlases were obtained from local repositories and studied for land use over time. Evidence of disturbance was also established in order to determine site integrity and the potential presence of burials. Establishing prior impacts was essential toward determining whether additional research would be necessary. Among the maps consulted were: Manatus 1639; Montresor 1766; Ratzen/Ratzer 1766/1767; British Headquarter's Map 1782; McComb 1789; Taylor-Roberts 1797 (Figure 3); Randel 1807; Bridges 1807; Colton 1836; Tanner 1836; Dripps 1852 (Figure 4); Perris 1853; Perris 1857-1862 (Figure 5); Viele 1865; Dripps 1867; Spielman & Brush 1881; CHC 1884 (Figure 6); Robinson 1885, 1893; Bromley 1897, 1911, 1916, 1926, 1932, 1955, 1967, 1974; Sanborn 1984/1985, 1990/1991, and 2001 (Figure 2). See the Phase 1A report, 4.5.6 Appendix, 4.5.6.1 Block Histories, pages 11-27, for a full discussion of the changes through time to the St. Philip's Episcopal Church cemetery parcel (Kearns et al. 2003).

Additional maps particularly pertinent to the cemetery included Evert Bancker's survey map and the New York City public-services manuscript plan views of subsurface conditions provided by MTA NYCT that contributed to the understanding of the changes in land use as the project property was developed and redeveloped.

Numerous local and regional histories were examined for relevant data including Kenneth Jackson's *The Encyclopedia of New York City*, which provided general information on cemeteries in New York City and specific information on St. Philip's Church. I. N. Stokes' *Iconography of Manhattan Island*, Vols. III, V, and VI, provided data from the Minutes of the Common Council (MCC) and a manuscript map. Greenwald's manuscript entitled *The Cemeteries of New York City for 1830* included not only information about St. Philip's cemetery, but also about what is presently named the African Burial Ground as well as the historical African Zion Methodist Episcopal cemeteries, contemporaneous with St. Philip's. Carole Inskeep's *The Graveyard Shift: A Family Historian's Guide to NYC Cemeteries* furnished information on the Chrystie Street and Cypress Hills Cemetery (CHC) aspects of St. Philip's cemetery and listed a reference for CHC.

Graham Hodges' biographical sketch of the Reverend Peter Williams, Jr. in the *American National Biography* as well as Williams' published pamphlets available in the N-YHS Rare Book Collection complemented and supplemented the information included on St. Philip's Episcopal Church's website.

The vertical files at both the N-YHS and the NYPL were also examined. In addition, local and regional newspapers, journals and magazines were consulted including *The New York Times (NYC)* backfile index that dates from 1851 onward and JSTOR, an online journal database.

Other city offices and/or resources that were consulted during the course of further research for this project include: The City Register of New York for conveyance records; The New York City Municipal Archives for the *Minutes of the Common Council* and hard copy of the pre-1976 records from the Department of Buildings of New York City; The Municipal Library for *Board of Alderman Minutes*; The New York Public Library's Local History and Manuscript Divisions for records on city cemeteries; and the New-York Historical Society. Additionally, street disturbance records were found in the Manhattan Bureau President's Office, Topographic Department; subsurface public services and utilities records were found through the Department of Design and Construction for the historical Department of Water Supply, Gas and Electricity materials; and Raymond International, Inc.'s soil borings were provided by AKRF.

Also, numerous genealogists and historians with knowledge of New York cemeteries or St. Philip's Church were contacted. These included: The Reverend James R. McGraw, Rector of the John Street United Methodist Church; the Trinity Church Archivist; Wayne Kempton, Archivist for the Episcopal Diocese of New York; Harry Macy, Jr., Editor of *The NYG&BS Newsletter*; Ken Cobb, Archivist at the Municipal Archives (MA); Bill Moloney, at the Cypress Hills Cemetery (CHC); Dr. Sherrill Wilson, Director of the Office of Public Education & Interpretation (OPEI), NY African Burial Ground Project (ABG); and Beatrice Tomlinson, member of the Vestry of St. Philip's Church.

Finally, a site visit was conducted and a photographic record of current conditions was made (Photograph 1).

The most productive resources for this Topic Intensive Study of the St. Philip's Episcopal Church cemetery within the APE beneath the sidewalk and street bed in front of 195-197 Chrystie Street as well as for the cemetery, outside the APE on the east side of Block 426, were provided in the MCC, the ABG Archaeological Project's updates in its newsletter, The St. Philip's-Harlem website, The Reverend B.F. De Costa's published discourse, and CHC's 1884 promotional pamphlet, in addition to CHC's Bill Moloney's telephone conversation.

III. RESEARCH RESULTS

The St. Philip's Episcopal Church cemetery was originally identified on historical maps and atlases on city Block 426 west of and adjacent to Chrystie Street between Stanton and Rivington Streets (Kearns et al 2003:4.5-4). The west sidewalk of Chrystie Street between Stanton and Rivington Streets was identified as potentially sensitive in the Phase 1A due to the possibility that burials extended out of the cemetery boundaries and into the APE. The following discussion details the history of the cemetery and its boundaries, attempts to delineate potentially sensitive areas, and documents interments and disinterments to the extent that is possible.

A. Boundaries

What became the St Philip's Episcopal Church cemetery property on Chrystie Street had been part of James Delancey's West De Lancey Farm (Bancker 1780-1788:6,21-22,38-40; Spielman & Brush 1881:29-30; Stokes 1926, V:1319). Delancey acquired the West Farm in 1741 and 1765 (CR:Block 426 General Statement). Chrystie Street (until 1817 named First Street), in the area of the APE, was staked out in 1782 (Bancker 1780-1788:38) and presumed to be in place in 1795 when the 50 feet by 200 feet parcel on the west side of Chrystie Street was purchased for "a burying Ground for the black People" (MCC II:137). In 1797 Chrystie Street (as First Street) and the rectangular "Negros BURYING GROUND" were in place on the west side of Chrystie Street; and both were included on the Taylor Roberts Plan (Figure 3).

It was in 1795 that the African Society¹ and the Mayor, Aldermen & Commonalty, in conjunction with Trinity Church, Samuel and Phila Delaplaine, and Mangel Minthorne,

¹ *A Petition of Isaac Foster & several others stiling themselves *free People of colour (* Marginal note reads African---Ed.) residing in the City of New York, that they have lately associated under the name of the African Society...with the intent to procure a place for the erection of a building for divine worship and the interment of People of Colour. That the Corporation of the said City and the Corporation of Trinity Church and diverse well disposed Individuals have been pleased to aid your Petitioners with Money to purchase Land for the abovementioned Purposes That two Lots of Land known by 232, 233 situate in the seventh Ward...have been purchased with the said Money and with what your Petitioners have added of their own and a Deed hath been executed by Saml Delaplaine & his Wife to the Corporation of said City for the two lots in trust for the purposes aforesaid...and contain together in width fifty feet front & rear and two hundred feet in Depth. And that your Petitioners are not at present able to become incorporated as a religious Society agreeably to a Law of the State, they are under the necessity, from the peculiarity of their Situation, to request the further humane Assistance of the Corporation" And therefore respectfully soliciting "that the Corporation will be pleased to authorize Six of your Petitioners to wit Isaac Fortune, Wm Hutson, Abraham Dickenson---John Hall, James Parker & Peter Francis, who are appointed by all your Petitioners, Managers of the Business of the said Association or Society, to improve & use the said Land for the purposes hereinbefore mentioned and to demand sue for receive & enjoy*

purchased “the Lot of Ground...for a burial place for the Black people” (MCC II:158-159, 161, 151). Later on, the Common Council received “...a Deed of Two Lots for a burial Ground for the blacks in this City...”, meaning the St. Philip's cemetery on the west side of Chrystie Street (MCC XVI:266).

Two of the available land conveyances at the City Register's office listed the measurements of the cemetery on the project parcel as 50 feet by 200 feet (Liber 221:434[1827]; Liber 269:300 [1831]). An 1852 published map (Figure 4) shows the narrow, rectangular cemetery on the west side of Chrystie Street between Stanton and Rivington Streets. The 1852 deed reiterated the 50 feet by 200 feet measurement even though it did not indicate the use of the project parcel as the land was transferred as two lots in fee simple from the Rector, Church Wardens and Vestry of St. Philip's Church to Sigmund Altschul, a liquor dealer (Liber 639:32 [1852]). Thus, what had been the single cemetery parcel remained the same size throughout its history, between 1795 and 1853. Nonetheless, as discussed in greater detail below, areas beneath sidewalks and streets in New York City sometimes became the location for burials as the cemetery parcels themselves became overcrowded. There is the possibility that St. Philip's cemetery became overcrowded before an 1809 moratorium on beneath-street burials was enacted, which may have forced the sidewalk area to be utilized for interments. Thus, conservatively, the total area for the cemetery could have been a 50 feet by 225 feet rectangle, which included the sidewalk width in front of 195-197 Chrystie Street. Although the cemetery may have extended further into the street at one point, the construction of the existing subway beneath Chrystie Street has already disturbed this area.

Within two months of purchasing the two lots, Altschul sold the northern one (City Register: Block 426 Index). The former cemetery parcel, redeveloped, in part, for light manufacturing (soap and candles), remained as two separate lots until some time between 1897 and 1911 when one structure was built covering both lots (Figure 5; Bromley 1897, 1911). By at least 1912 there was a basement beneath the single, nine-story brick building constructed, covering what had become one, double-width lot (Buildings Department, Plan 315, May 20, 1912). Currently, a nine-story brick building with a basement covers both lots (Figure 2, Photograph 1).

In summary, the footprint of the two-lot wide former cemetery property, as well as the sidewalk and street bed boundaries remained unchanged in configuration from 1795 onward (Figures 3-5; Dripps 1867; Robinson 1885; Bromley 1897, 1911, 1916, 1926, 1932, 1955, 1967, 1974; Sanborn 1984/1985, 1990/1991; Figures 2 and 7).

the Fees & Privileges usually taken & had by the Proprietors of burial Grounds in the said City and that in the case of the Death or other removal of the Managers, such [253] others as shall be chosen by the said Association may be so authorized And that whenever an Incorporation can be effected agreeably to Law and the said Land may be conveyed to the Trustees for the purposes aforesaid.”

Whereupon it was resolved that this Board will comply with and grant the solicitation & request of the said Petitioners (MCC II:158-159).

B. Interments

In the absence of any available parish registers or sacramental register records, it is not clear as to when the first burials took place within the cemetery. With the closing of the African Burial Ground in lower Manhattan in 1794, it can be assumed that burials would have taken place in 1795 when there was the appropriation of the project parcel, "...for a burying ground for the Interment of all Negroes who shall die within the City of New York" (MCC XIV:787).²

Dr. Sherrill Wilson, Director of the Office of Public Education & Interpretation (OPEI), New York African Burial Ground Project (ABG), provided an OPEI newsletter, *Update*, which recounted that, according to St. Philip's own death records, 5,000 bodies were buried in the Chrystie Street cemetery (*Update* 1995:17). However, primary sources were not found to corroborate this number. If the cemetery plot was confined to its 50 by 200 foot boundaries, or 10,000 square feet, and individual graves each occupied a space of about five by seven feet, or 35 square feet, then approximately 286 individual burials would have fit on the cemetery parcel. However, if individual graves contained numerous bodies, or vaults contained multiple burials which were periodically "cleaned out," far more interments could have occupied the parcel.

Clearly, there were few other burial places available in Manhattan for either the slave or free "People of colour", as Isaac Fortune and several others described themselves in 1795 (MCC II:158). No in depth survey was undertaken for this report, but at least two other burying grounds were known to be exclusively for people of African descent. The first of these was the African Methodist Episcopal Zion Churchyard Cemetery (1773-1807) (AME Zion), which had a vault on Church Street in Lower Manhattan which served its congregants between 1802 and 1807 (Inskeep 2000:4; MCC IV:522). The AME Zion Church was originally a part of the John Street Methodist Church, while St. Philip's Episcopal Church was originally a mission of Trinity Church (Episcopal). The second one was the historical Harlem Reformed Dutch Church, also known as the First Collegiate Reformed Church of Harlem, which had a separate burying ground, at this time, for slaves (Inskeep 2000:82). Other burying places, such as the St. Stephen's Episcopal Church cemetery (1805-1851) less than three blocks south of the St. Philip's cemetery, provided a section of the churchyard burial ground for the "People of colour" (Kelly Britt, personal communication, April 2003).

In the nineteenth century, overcrowding in cemeteries was a problem for all New Yorkers. By the time that a moratorium on beneath-the-streets burials was invoked in 1809³, St. Philip's cemetery had the potential for 14 years' worth of burials "...for all Negroes who [died] within the City of New York" (MCC XIV:787). In 1807, referring to the AME Zion

² These 1825 MCC minutes were quoting a 1795 deed from Samuel Delaplaine and his wife to the Corporation, Mayor, and Aldermen of the City of New York. For 1795 there are "No Instruments of Record" according to the CR blocks and lots index.

³ The following Resolution was presented and agreed to Resolved, that in the future no permission be granted to build any vault for interment of the Dead under any of the Streets of this City (June 26, 1809) (MCC V:595).

Resolved that all Licenses granted for building Vaults under the Street adjoining any Church, be rescinded, except so far as to completing the same where Contracts have been made, or the ground opened in consequence of such license heretofore granted (July 10, 1809) (MCC V:611-612).

cemetery downtown on Church Street, James Hardie, as Supernumerator of the Board of Health reporting to the City Inspector and the Commissioner of the Health Office, stated that “This society has no burying ground, but inter all their dead in a vault under the church.” Hardie went on to write that “...since the first commencement of this practice [of burying all their dead in a vault under the church] full five years have elapsed and...that, at an average, One hundred and fifty persons have been interred there annually since that period: hence there are now... not less than seven hundred and fifty dead bodies.” (MCC IV:522).⁴

At that rate, and with the 1795 dedication of 195-197 Chrystie Street as a “...burying ground for the Interment of all Negroes who shall die within the City of New York”, there might have been as many as 1,950 burials in the 50 feet by 200 feet St. Philip's cemetery on Chrystie Street between 1795 and 1808. Thus, the area outside the block boundary and beneath the street might have been needed to alleviate the potential overcrowding within the cemetery parcel itself. Therefore, the portion of the APE consisting of the sidewalk in front of the location of the former cemetery is sensitive for human remains.

Overcrowding in cemeteries was also a problem for New Yorkers in that complaints were made of the stench emanating, they thought, from burial grounds, whether they were churchyard cemeteries, vaults beneath churches, or burial grounds.

Although no documentary evidence was found concerning the actual number of burials in St. Philip's cemetery, the olfactory evidence as related by neighbors and public health officials indicated that the decomposing buried human remains sometimes created a stench (MCC XI:257, 286-287; IV:522). In August of 1820 the inhabitants of Chrystie Street “in the vicinity of the African burying-ground” [that is, St. Philip's cemetery], declared that it was a nuisance (MCC XI:286). The Sexton, Lewis Francis, admitted that while he was ill his son “had conducted the business in a careless manner, sometimes leaving the Vault-door but partially covered; but...he promises most faithfully [that it] shall never again occur, and that other evils [302] complained of, shall be corrected” (Ibid.).

At the same time, the Committee on Public Lands and Places, looking also into complaints about the Potters Field (Washington Square), in which the AME Zion Church had a burying plot starting in 1807, “found no cause for complaint against the keeper, having reason to believe he had strictly adhered to the rules stipulated... (Ibid.). Yet, the Committee “made some alterations in the former mode of interments” (Ibid.).⁵

The St. Philip's cemetery and the AME Zion beneath-the-church vault were not the only burying places cited for noxious odors. In 1824 Jonathan Fiske, Esquire, wrote to Dr. Samuel Akerly about the Dutch Church Yard at the corner of Liberty and Nassau Streets.

⁴ The CC response to James Hardie's report was to pass an ordinance “to restrain interments in the Vault under the African Zion Methodist Episcopal Church” (August 10, 1807) (MCC IV:523). Subsequently the AME Zion Church petitioned and was granted a 50 foot by 50 foot plot in the Potter's Field (Washington Square) (August 17, 1807) (MCC IV:525).

⁵ The alterations included ...*That no Corpse shall be left at any time, without covering of earth of at least two feet deep, and no grave shall be left from one day to another day, without being entirely filled up with earth.*

No Corpse, shall be deposited nearer the surface of the ground than four feet.

Nor shall any person whose death was occasioned by any contagious or putrid fever be interred otherwise than in a single grave six feet deep.... (MCC II:287).

Fiske remembered that, when living next door to the churchyard cemetery in the hot months, he had to “shut the door and windows looking into the yard.... [When Fiske] remonstrated the sexton against his opening the vaults in the morning, and permitting them ‘to remain open during the day’...[the sexton’s reply] was ‘that it would be as much as his life was worth to go into the vault, until it had stood open some time to air’” (MCC XIV:627).

In 1825, Dr. David Hosack, MD, reporting to the Corporation of the City of New York, described the “poisonous and most destructive exhalations...to the sextons and others entering upon the air of the church” caused by beneath-church burials as well churchyard interments at the Brick Presbyterian Church, then on Beekman Street.⁶

In August 1820 “Sundry inhabitants of Chrystie Street in the vicinity of the African burying-ground” presented a memorial to the Common Council (CC) complaining of a “very offensive situation” (MCC XI:286-287, 257). It turned out that, in part, the “[s]tench complained of [might] frequently have arisen from the filthy state of the neighboring Slaughter Houses” (MCC XI:286). At that same CC meeting, it was noted that the stench at first thought to come from the Potters Field (Washington Square), where AME Zion had a 50 foot by 50 foot burial plot, was probably from a nearby manufactory that rendered animal bones and had “a large mass of Cattle’s bones lying in a putrid state in the open air” (MCC II:287). The solution to the problem was for the entrepreneur, Mr. Deacon, an Englishman, “to erect an additional boiler, by which he means he will be enabled to use up the bones as fast as he obtains them, and before they become putrid” (Ibid.). Mr. Deacon “seem’d not aware of the offensive nature of his factory” (Ibid.).

By the 1820s both the St. Philip’s cemetery and the AME Zion cemetery were reaching their limits. The 50 feet by 50 feet burial plot in the Potters Field (Washington Square) granted to the AME Zion Church in 1807 was “nearly filled” in May 1824 (MCC XII:700). In June 1825, for public health reasons, there was “a Remonstrance against further Interments in the [50 feet by 200 feet] African Burying Ground in Christie (sic) Street” (*Update* 1995:17; MCC XIV:575,640). St. Philip’s cemetery must have solved the problem, for the cemetery remained and continued to serve as a cemetery. Yet on July 14, 1835, The Reverend Peter Williams, Jr., first Rector of St. Philip’s Church, wrote a letter to the Rector, Church Wardens, and Vestry of Trinity Church, which read, “Our cemetery, which has been in use forty years, is now so full, that we cannot inter our dead as deep as the law requires, and for a violation of this law (see footnote 5) our sexton has recently been heavily fined.” (Trinity Church Archivist, personal communication, May 8, 2003). The 1809 rescinding of the practice of beneath-the-street burials had limited the cemetery to its original 50 feet by 200 feet burying ground.

⁶ *Your Committee refer to the brick Presbyterian Church, where such openings may be discovered, and from which it is apparent, that danger was apprehended, from the effects of those poisonous and most destructive exhalations, which are known to originate in such receptacles of the dead, either to the sextons and others entering upon the air of the church. This fact alone, is, in the opinion of your Committee, in a place of a host of witnesses, and a volume of testimony to prove beyond all doubt or question the dangers that are to be apprehended from this source. There are in this ground, including under the church, 52 vaults, 48 of which are private, and 4 of which are public vaults; and according to diagram furnished to your Committee, 32 of these are beneath the floor, and within the walls of the church....* (Hosack 1825:61-62).

A random sample taken from the first 15 years of St. Philip's cemetery's existence (1795-1810) found that the majority of the interred people were "former New Yorkers" and their ages at death ranged from newborn to 98 years (*Update* 1995:13).⁷

If there were 5,000 burials in the cemetery, as the *Update* essay stated, it would mean, on average, 81 burials per year.⁸ No matter the number of burials, The Reverend De Costa, in a discourse given in 1889, at the opening of St Philip's Church on West 25th Street, spoke about the history of St. Philip's cemetery. In the 1850s, he explained, "...the growth of the city soon required abandonment of all burial grounds in that part of the municipality. Besides this, the cemetery in Chrystie Street was completely full." (De Costa 1889:52). Thus, although the number of the dead interred in the St. Philip's cemetery on Block 426 and in the APE is unknown, the cemetery was full in 1853.

C. Disinterments and Reinterments

The following newspaper notice appeared a little less than a one year after the Rector, Church Wardens, and Vestry of St. Philip's Church in the City of New York transferred ownership of the two-lot cemetery to Sigmund Altschul, a liquor merchant (April 13, 1852, Liber 639:32).

Notice --- The Vestry of St. Philip's Church having made arrangements for removing the bodies deposited in their burial ground in Chrystie-st., to Cypress Hills Cemetery, give notice to those who have friends deposited there and wish to take charge of them, that by making application at the Ground, and pointing out the spot, the bodies will be delivered to therein free of charge. (New-York Daily Tribune, March 23, 1853:3)

The newspaper notice and a contemporary map indicated that not only were there burials still in place on Block 426 in 1852, but also that redevelopment did not begin until some time after March 1853, and certainly by 1862 (*Ibid.*; Dripps 1852; Perris 1857-1862; Figures 4, 5). It may have taken some time to exhume, transport, and reinter the human remains originally

⁷ Quoting from the *Update* 1995:13, ...the majority were former New Yorkers. However, St. Croix, Curacao, the West Indies, and Africa were also given as places of origin. The age of the burial population ranged from newborn to 98 years, with a high child mortality rate. Evidence of poverty or poor living conditions contributed to a wide range of illnesses and occasionally misdiagnosis such as "teething," as was the case of one year old Nancy Bostwick. More commonly, infantile flux, whooping cough, rickets, hives, and convulsions claimed the lives of children. Causes of death for adults included consumption, fevers, severe colds and in one case, insanity. "Sudden death," was attributed to several adult Black males including thirty year old Cuffee, Henry Brown, and John Battered a forty year old man from Africa. Others originating from Africa included Mary Brown, who died from dropsy, Beasrshaba (sic), who died from a cold and Claus Zigama Brown who was ninety-eight years old when he died in 1814 (*Manhattan Death Libers Vol. 1, 2, 3—1795-1820*).

⁸ Again, no survey was conducted for this report, but James Hardie wrote in 1807 that 750 bodies had been buried in a five year period (1802-1807) beneath the AME Zion Church, and a 2000 *New York Times* article stated that 2,060 bodies were buried in 156 vaults in the New York Marble Cemetery (NYMC) (1830-1937), less than four blocks north of the Chrystie Street cemetery (MCC IV:522; Kelley 2000:n.p.; Inskeep 2000:126). The NYMC, still in existence, measures approximately 80 ft x 250 ft and was a "place of interment for gentlemen" (Sanborn 2000; Inskeep 2000:126). Using this anecdotal information, the average burials per year varied anywhere from 19 to 150.

buried in St. Philip's cemetery. As of yet, no records have been found that list the numbers of the Chrystie Street cemetery's dead who were exhumed and removed to other burying grounds or cemeteries.⁹ Nonetheless, there were several New York City ordinances and laws as well as State laws that influenced the disinterment policies for all Manhattan cemeteries in the 19th century. The 1842 and 1847 State laws, as well as the 1851 New York City ordinance, described below, had the most direct impacts on St. Philip's cemetery on Block 426.

Ordinances and Laws

Eighteenth-century New York City ordinances and a late-19th century volume on the laws of the state of New York relating to...burial grounds and cemeteries.... provided no information on the "mechanics" of a cemetery, such as the depth of burial shafts, the number of "layers" of interments allowed, the limit to the number of burials within a specified space, etc. (1707, 1749, 1763, 1774, 1793, 1797, 1799, 1881). However, a review of the 18th century ordinances provided an insight into the changing attitudes concerning funeral and burial practices on the part of Manhattan's residents of African descent, and, therefore, of importance to St. Philip's Episcopal Church and its cemetery. Ordinances concerning burial grounds and cemeteries for the first half of the 19th century were read in the MCC. Evidence from various other neighborhood church and cemetery manuscript records suggested that the local burial practices were somewhat idiosyncratic. For comparative purposes, information on other vaults from nearby cemeteries was pursued.

Directly four blocks north of the location of St. Philip's cemetery, is the New York Marble Cemetery that began in 1830, is still in existence, and is outside the APE. The New York Marble Cemetery vaults were placed 10 feet below the 1830 surface (Trustees of the New York Marble Cemetery 1830-1832). Their vaults were constructed of Tuckahoe marble. In 1830 the ground-water level beneath the New York Marble Cemetery was 35 feet, and in 2000, when someone descended into a subterranean vault, it was dry (Trustees:Ibid.; Brown 1999; Kelley 2000).

Additionally, directly three blocks north of the location of St. Philip's cemetery, was the location of the Methodist Episcopal Church-East Circuit (MEC-EC) from 1805 to 1855 and mostly outside the APE. A full Topic Intensive Study for the MEC-EC is presented under separate cover (HPI 2003a). In 1835 the MEC-EC Trustees' Building Committee recommended that their new vault be "built after the manner of the Vaults in the [New York] Marble Cemetery" (Methodist Historical Society, October 1835). The Trustees then chose to have four new public vaults, "each 14 feet in depth and to be made of limestone" (Ibid., February 3 and 17, 1835; October 28, 1835).

⁹ De Costa "...regretted...the disappearance of the early records of St. Philip's Church...." (1889:4). The WPA inventory of Episcopal Church archives indicated that there were no records available earlier than 1867 (1940:71). Neither the Episcopal Diocesan nor Trinity Church nor St. Philip's Church archives contain any pertinent records (Wayne Kempton, Trinity Church Archivist, Bea Tomlinson, personal communication). It is said that the Schomburg branch of the NYPL has not been able to locate its St. Philip's records (Trinity Church Archivist, personal communication). If located, those records may begin 14 years after the close of St Philip's cemetery. CHC maintains that St. Philip's, not CHC, created and maintained the reinterment records for the reburials at CHC (Moloney, personal communication).

In 1804, nine years after the purchase of the two lots for St. Philip's cemetery on Block 426, the Common Council (CC) passed an ordinance "...That no person shall inter any Corpse in any Cemetery or other place in the said City to the Southward and westward of Pump Street [Walker Street in 2003] and Nicholas Street..." with certain exceptions (MCC III:462). St. Philip's cemetery on the west side of Chrystie Street between Stanton and Rivington Streets was more than one-half mile north of the "no burial line." Nonetheless, since they had the potential to bury "all Negroes who [died] within the City of New York" in their cemetery, the ordinance could have had an effect on the early use of the cemetery parcel, purchased in 1795 by possibly causing an increase in the number of burials in St. Philip's cemetery. This may have been exacerbated by the fact that the AME Zion Church, who's dead were at the time being buried beneath their place of worship on Church Street, could no longer continue this practice.

Later in 1804, the CC ordained, among other things, that the Sextons keep a weekly Register "of the persons buried in such Cemetery, Vault or burying ground...under a penalty of twenty five dollars for each neglect...." (MCC III:576). The ordinance also required that "on the Tuesday of every week in such papers as the Corporation employ an accurate list of the deaths of the preceding week... with the age Sex disease and other particulars of each person so dying and where buried...." (MCC III:577). If they still exist, these records of St. Philip's cemetery have not yet been found, notwithstanding an intensive documentary records search. Sometimes, while there were annual listings of the New York City dead in the MCC, they were sporadic (MCC passim).

At least as early as 1806, 11 years after the purchase of the parcel that became St. Philip's cemetery, the CC's Committee of the Board of Health recommended, among nine other things, that "...the interment of dead bodies within the city ought to be prohibited...." (as quoted in Stokes V:1442).

In 1809 a resolution rescinding the permission to construct burial vaults beneath streets and sidewalks was adopted, and also probably had some bearing on St. Philip's cemetery because, in part, the cemetery was 14 years old and, as one of the few cemeteries that interred people of African descent, would have felt the pressure for available burial space. For the post-1809 period, the Chrystie Street cemetery, like all other New York City cemeteries, would have probably restricted burials to within its boundaries. In 1809, St. Philip's cemetery was probably one of only two cemeteries south of the Potters Field (Washington Square) that accepted burial for people of African descent.

It was not until 1823, after many years of discussion and debate, that the CC passed a law, this time "[it shall not] be lawful to inter in any vault or tomb south of [Canal, Sullivan, and Grand Streets]" (from MCC XII:811, March 31, 1823, as quoted in Stokes V:1628). This law that went into effect, with some alterations, in June 1823, also included a moratorium on opening any grave southward of the new "no burial" line (MCC XIV:633; Stokes V:1442).

The law did have some effect on the burials south of Grand Street, and, at the same time, probably increased the use of St. Philip's cemetery as a burying ground.¹⁰

Further increase in the number of burials in St. Philip's cemetery was probably the outgrowth of the deliberations by a Committee of Delegates from different Religious Societies and the MCC's Committee on Laws in 1825. The result was a 57-page report (MCC XIV:576-634) that revised the 1823 law yet again.¹¹

St. Philip's Church probably complied with the 1842 State law that stated that a "Religious Society can not Remove Human Remains from Burying Ground without Written Consent" because the Rector, Church Wardens, and Vestry of St. Philip's Church proceeded with the removal of the human remains in 1853 (Snyder 1881:108; March 23, 1853 *New-York Daily Tribune*:1).¹²

Yet it was a combination of the 1847 State Rural Cemeteries Act and the 1851 New York City ordinance that forbade interments south of 86th Street and prohibited the creation of new cemeteries in Manhattan that provided the impetus for the removal of the human remains from St. Philip's cemetery and the reinterment of the dead bodies at the CHC in then rural Brooklyn (Jackson 1995:198; Cypress Hills Cemetery 1884:5; March 23, 1853 *New-York Daily Tribune*:1; Inskip 2000:xi). Acknowledging the wisdom of the legislature, the fledgling CHC, which opened in 1848, claimed that "...the Legislature of 1847, at the instance of many intelligent and public spirited men, erected a general law conferring upon voluntary Associations the right of establishing Rural Cemeteries throughout the State..." (Cypress Hills Cemetery 1884:5). These suburban and rural cemeteries tended to follow the contemporary Romantic ideals about designing cemeteries as "retreats from the crowding and pressures of the city. It was believed that the air made unhealthful by human remains would be purified by trees..." (Jackson 1995:198).

The 1851 New York City ordinance that banned burials south of 86th Street and forbade the creation of new cemeteries in Manhattan probably was the reason for the closure St. Philip's cemetery on Block 426. It certainly was the reason for the closure of St. Philip's two other

¹⁰ What is interesting is the number of vaults noted in the MCC: *Your committee will now state that, as appears from their former Report, there have been but 51 Interments within the prohibited limits since the present law went into operation, which [376] was in June 1823. That, during the Year preceeding (sic) the Ordinance, there were 821 interments within those limits, and there are within the said limits, 87 Public or Church Vaults, and 417 private or family vaults* (MCC:XIV:638).

¹¹ One of the three resolutions was "That it be recommend[ed] to the Churches, and religious societies to extend their places of interment as far as possible beyond the line of Grand Street, and not to permit the deposite (sic) of a large and inconvenient number of dead bodies, in any tomb or vault, in any one field or inclosure (sic)." (MCC XIV:634).

¹² *Laws 1842, chap. 215, passed April 11: §2. It shall not be lawful for any person or persons to remove any dead body or human remains from any burying ground, for the interment of which compensation shall have been received by any church or religious corporation, or by any officer or officers thereof, and which shall have been used for that purpose during the last three years, with the intent to convert the said burying ground to any other purpose, without having first obtained the consent in writing of three-fourths in number of the congregation or society of such church or corporation; and which consent shall be proved or acknowledged and recorded in the manner prescribed by the first section of this act, before any such removal shall be commenced or attempted.* (Snyder 1881:108).

cemeteries in Manhattan, according to the Reverend De Costa. Additionally, as Manhattan moved uptown, the cemetery land, as negotiable real estate, was viewed as potential income.

St. Philip's Church tried to continue to bury their dead in Manhattan while also purchasing a cemetery plot at the rural CHC cemetery in Brooklyn. Sometime before the closing of the cemetery on Block 426 in 1853, Trinity Church purchased other cemetery lots for St. Philip's Church on Sixth Avenue and West 30th Street, retaining the mortgage without interest (De Costa 1889:53). Only two bodies were buried there before the 1851 "no burial" line, that is, no burials allowed south of 86th Street, came into effect, prohibiting any further interments on the Sixth Avenue site (Ibid.). Just as the West 30th Street burying ground was closed, so, too, was St. Philip's cemetery on 105th Street, the result of the prohibition of "all burials (except intramural) [De Costa probably meant all new cemeteries] on Manhattan Island. The lot of land...is now in Central Park..." (Ibid.). De Costa went on to say that "[t]he Parish then obtained liberty from the city authorities to sell the land on Chrystie Street, which was accordingly disposed of and a cemetery was purchased...at Cypress Hills, Long Island, whither the remains of the dead were removed. (Ibid.) The 1852 deed confirmed De Costa's statement (Liber 639:32-33).

The *New-York Daily Tribune* notice described how friends could point out the location of a burial and St. Philip's would deliver the skeletal remains to CHC (see newspaper notice at the beginning of the Disinterment section). According to Bill Moloney of CHC, the St. Philip's reinterment records were the responsibility of St. Philip's Church (personal communication, December 19, 2002). In any case, since CHC was established in 1848, their records would be able only to provide information on the number of bodies reinterred from St. Philip's cemetery in the 1850s. CHC would not have reburial records from 1795-1809 if, for some reason, bodies were removed from the sidewalk and street bed within the APE in front of the cemetery on Chrystie Street.

In 1853 St. Philip's bought a parcel in the northwest corner of CHC (Figure 6) and sold or gave out individual or family plots. Skeletal remains were reinterred in individual or family plots, unlike those deposited in "Zion's ground", the parcel immediately west of the St. Philip's CHC parcel (Figure 6). If "Zion's ground" were the parcel for the AME Zion burials, then the mass disinterment of skeletal material from their Manhattan burial ground were brought to CHC in boxes and reburied en masse (Bill Moloney, personal communication, December 19, 2002). At any rate, CHC has no records for St. Philip's reburials from the Chrystie Street cemetery, and any records at the Schomburg Center have not yet been located and may be from a period that post dates the Chrystie Street cemetery (WPA 1940).

As in the case of the interments, the actual number of disinterments from St. Philip's cemetery is as yet unknown. Further, there is always a chance for bodies to have been missed during the exhumation process, as Inskeep noted for a Methodist Episcopal, Independent Methodist Cemetery, also known as Stillwell's cemetery, outside the APE, approximately one-third mile northeast of St. Philip's cemetery (Inskeep 2000:109; Figure 4). Inskeep stated that at that the cemetery,

Some graves may have been missed during the removal [between 1854 and 1856 with the rest of the 15,000 removed from NYC Methodist cemeteries to CHC]. In 1891, the New York State legislature authorized the "Board of Education in the City of New York... to remove the human remains buried in the old burying ground, between 1st and 2nd Streets and 1st and 2nd Avenues in said city... and to reinter the same in any cemetery or burying-ground selected by or under the direction of the said Board of Education." It isn't clear how many graves remained, when the removal took place, or where the bodies were reinterred. (Ibid.)

At least one other nearby historical cemetery had a similar experience. Directly one and one-half blocks south, on the east side of Chrystie and outside the APE for the St. Philip's Cemetery burials, stood a churchyard from 1818 to 1856. In the 1930s Sara Delano Roosevelt Park eventually replaced the church parcel. Although it was thought that any burials associated with the church were exhumed before New York City purchased the property in 1856 and built a school, the 1964 construction in the park unearthed "the coffins of nearly two hundred men and women.... Workers noted that the foundations of a 19th century [public] school [built on the site] had been sunk into the burial vaults" (Inskeep 2000:18). Thus, closing and moving a cemetery does not necessarily mean that all the human remains were exhumed before the cemetery parcel was sold. Therefore, beneath the sidewalk in front of what was formerly St. Philip's cemetery, there is the potential to unearth human remains if any were buried in that location or missed during the exhumation process in the 19th century if in fact burials were undertaken beneath the sidewalk.

IV. SENSITIVITY FOR HUMAN REMAINS

The former site of the St. Philip's cemetery within Block 426, but outside the APE, is sensitive for human remains, which were interred during there in the last decade of the 18th century and the first half of the 19th century. Additionally, within the APE of the proposed Second Avenue subway, a portion of the cemetery may lie beneath the sidewalk, if burials were placed there due to overcrowding in the cemetery itself before 1810 (compare Figures 3-5 and 7). Thus, there is a possibility of encountering human remains in the APE.

On Block 426, outside the APE and within the cemetery, there may be human remains, the result of the original interments having been at a depth greater than the subsequent buildings' basements or else lying in an area with no basement. There is a possibility of encountering human remains, both in the APE and on Block 426, despite the care the St. Philip's excavators exerted when exhuming the remains in preparation for the transfer of the skeletal remains to other cemeteries before the Rector, Church Wardens, and Vestry of St. Philip's sold their cemetery property for redevelopment as an industrial/commercial establishment (Figure 5). This would be particularly true for the potential burials beneath the sidewalk and street bed since they may have been forgotten about between 1809 and 1853 and/or inaccessible for exhumation and reburial.

Research done for the Phase 1A archaeological evaluation of the Second Avenue subway APE indicated that sidewalks were created from street bed widths rather than from land

within the blocks (Kearns, et al 2003). Although pre-1897 maps do not include sidewalks, those later maps indicated a 20 feet wide sidewalk on the west side of Chrystie Street. Entries in the MCC indicated that sidewalks and street paving were being considered at least as early as 1826.

Exactly when the sidewalks went in is unknown, but, on April 3, 1826, after three months of discussion, the MCC resolved “that the sidewalks of Chrystie Street be laid with brick or Flagging from Delancey Street to North Street.... Which was approved and adopted” (MCC XV:313). Additionally, the MCC listed payment on June 6, 1825 for the “...paving of Chrystie Street” in the project area (MCC XIV:574). Encountering laid brick and flagging might indicate an early 19th century sidewalk level, beneath which human remains might lie. Encountering Belgian block or other kinds of paving stones might indicate the early street bed level.

Period atlases and fire insurance maps noted basements beneath the multi-storied brick buildings that stood where St. Philip's cemetery had previously been located on Block 426 outside the APE and the 9-story building that is currently present in that location (Kearns et al., 2003:4.5.6 Appendices, 4.5.6.1 Block Histories:20-23), but the Buildings Department records for the project site did not give basement depths. Thus, with a potential for some six-foot to 14-foot deep burials in graves and cemetery vaults, there is the possibility that intact human remains as well as evidence for cemetery vaults exists, but there is only a slim chance for grave shafts to remain. Since graves were traditionally six feet in depth, the grave shafts probably would not have survived the construction of the usual eight-foot basements.¹³

A soil boring, taken in the northeast corner of the sidewalk, listed 15 feet of sands and gravel beneath four feet of miscellaneous fill before encountering water at 25.5 feet. The sands and gravel continued to a depth of 37 feet below the surface. These sands and gravel, if they were to cover the project area, would have been conducive for a burial ground (Raymond International, Inc., ca. 1970s:C 06-23).

Within the APE the Chrystie Street sidewalk is 20 feet wide. Public utilities and other city services run subsurface along the street bed with several connections beneath the sidewalk. The metal plates lying within the APE on the sidewalk in front of 195-197 Chrystie Street probably cover access ways to the present 9-story building's basement on the former cemetery site (Photograph 1). If burials were at a greater depth than the access way, there is the potential for skeletal material beneath.

¹³ See the discussion of two nearby cemeteries, the Methodist-Episcopal East Circuit cemetery and the New York Marble Cemetery, under the Ordinances and Laws section.

V. CONCLUSIONS AND RECOMMENDATIONS

The St. Philip's cemetery area within Block 426, outside the APE, and the adjacent sidewalk, within the APE, has potential sensitivity for African American remains. The cemetery on the block was active between 1795 and 1853, but laws were enacted in 1809 prohibiting burials in the street, so the sidewalk area of the APE is only potentially sensitive for burials dating between 1795 and 1809 (Figure 7). The sidewalk area in the APE is roughly 50 feet by 20 feet. There is potential for human remains to be preserved beneath the existing sidewalk because, until 1809, cemeteries had permission to place burial vaults beneath the street and/or sidewalk on which the cemetery fronted, and burials may have thus been placed in this location. However, since mapped boundaries of cemeteries are not always exact, and bodies were known to be buried outside demarcated boundaries, it must be assumed that a slightly greater area in the APE is potentially sensitive for burials.

Documentary research has been unable to determine the original number of burials within the APE, so it is impossible to know if all remains were removed from the site. There are references that the cemetery once held 5,000 burials, but this number was not corroborated.

Due to the possibility that human remains from St. Philip's Episcopal Church cemetery may be extant within the APE, Historical Perspectives recommended avoidance of the sensitive area through project re-design. As described above, this in fact occurred by the Chrystie Street Option, which would have impacted potential burials within the APE, being dropped from consideration as a project option. Therefore, there would be no adverse effects to the potential St. Philip's Church burials as a result of the proposed project, and no additional archaeological study is recommended.

As part of the outreach process undertaken regarding the former cemetery, MTA NYCT met with Dr. Sherrill Wilson, Director of the Office of Public Education & Interpretation (OPEI), New York African Burial Ground Project (ABG), and met with Beatrice Tomlinson of the present St. Philip's Episcopal Church congregation, located at 208 West 134th Street. Further research with the St. Philips congregation was not pursued since there would be no potential project effects on the potential Chrystie Street burials. For similar reasons, a discussion regarding St. Philip's role in the development of a testing protocol was not warranted, since no further archaeological study is required for the site.

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FIGURE 1

USGS Jersey City, NJ and Brooklyn, NY Quadrangles, 1981.

St. Philip's Cemetery Site, Chrystie Street between Stanton and Rivington Streets.

Approximate Scale: ¼ inch = 250 feet

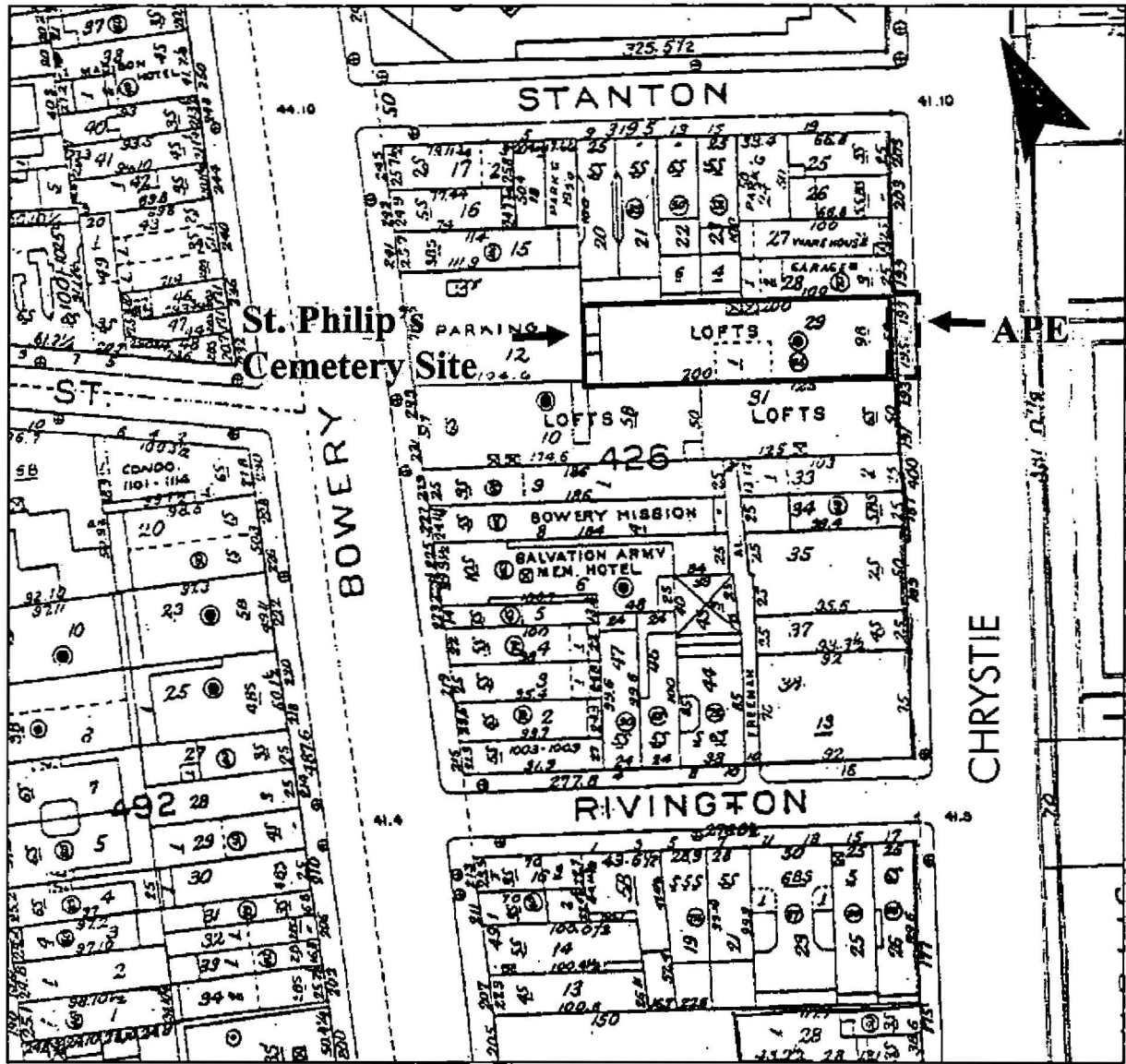


FIGURE 2

Insurance Maps. Sanborn 2001.

St. Philip's Cemetery Site, Chrystie Street between Rivington and Stanton Streets.

Approximate Scale: one inch = 100 feet

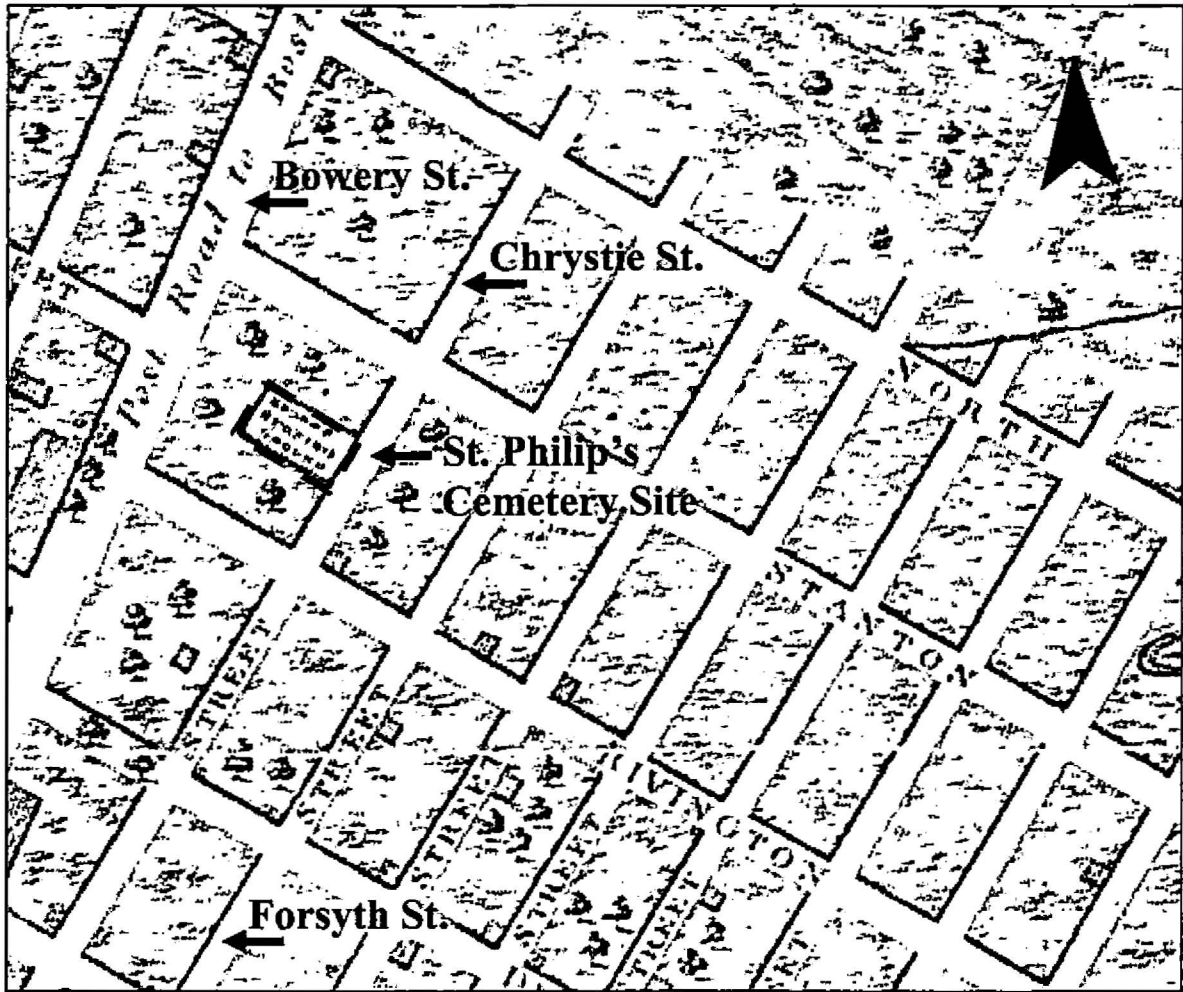


FIGURE 3

*A New and Accurate Plan of the City of New York in the State of New York in
North America.*
Taylor-Roberts 1797.

St. Philip's Cemetery Site, Chrystie Street between Stanton and Rivington
Streets.

Approximate Scale: ¼ inch = 100 feet



FIGURE 4

*Map of the City of New York Extending Northward to 50th Street.
Dripps 1852.*

St. Philip's Cemetery Site, Chrystie Street between Stanton and Rivington Streets.

Approximate Scale: 7/16 inch = 100 feet

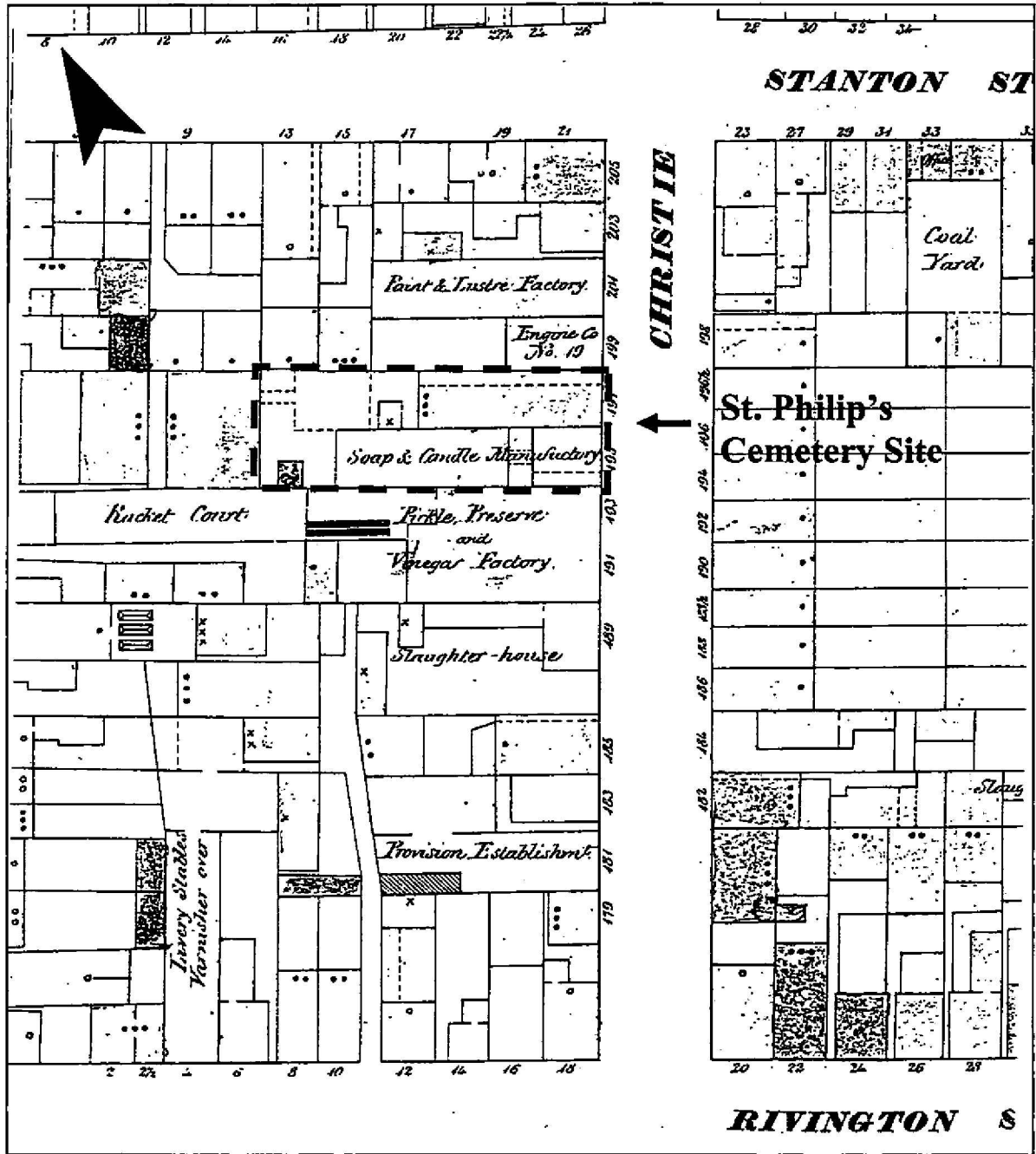


FIGURE 5

Maps of the City of New York.
Perris 1857-62.

St. Philip's Cemetery Site, Chrystie Street between Stanton and Rivington Streets.

Approximate Scale: one inch = 100 feet

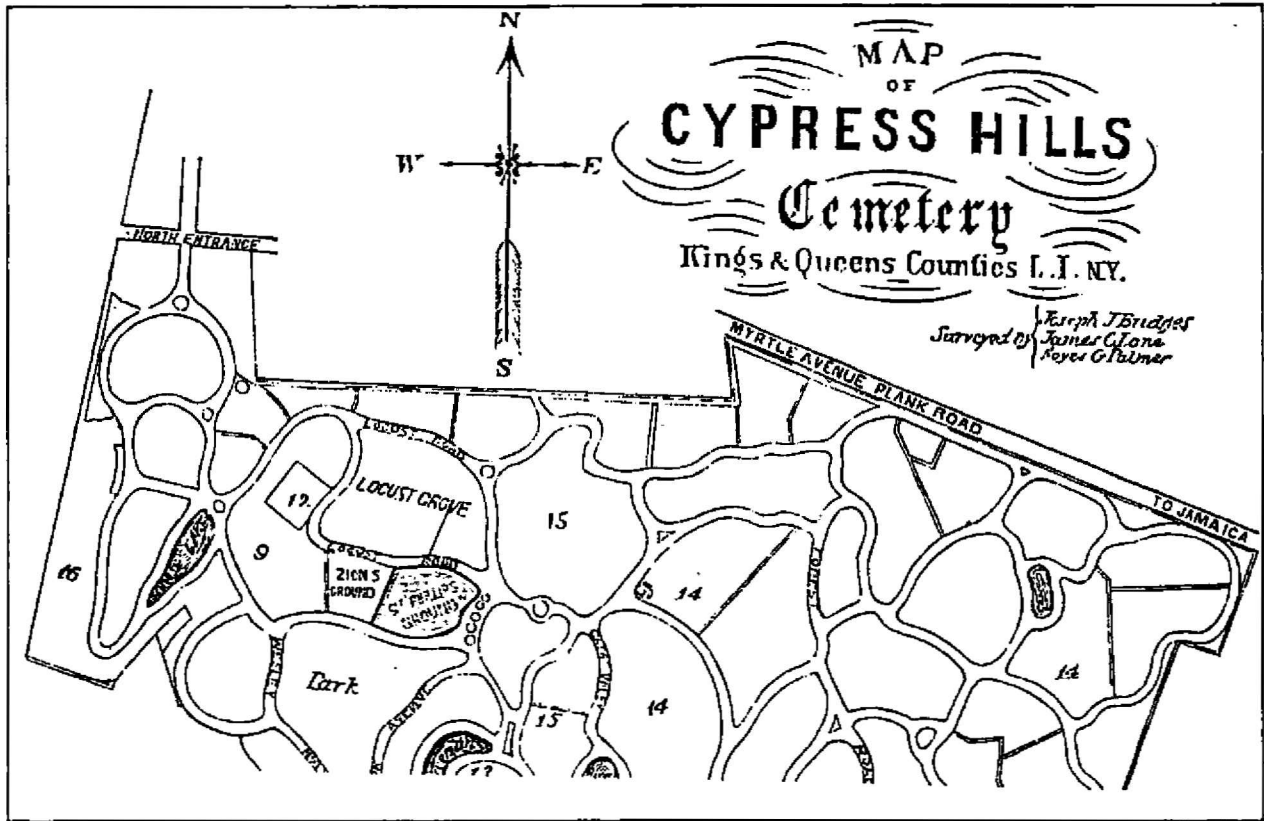


FIGURE 6

Cypress Hills Cemetery.
1884.

St. Philip's Ground in Cypress Hills Cemetery, Brooklyn.

No Scale Available.

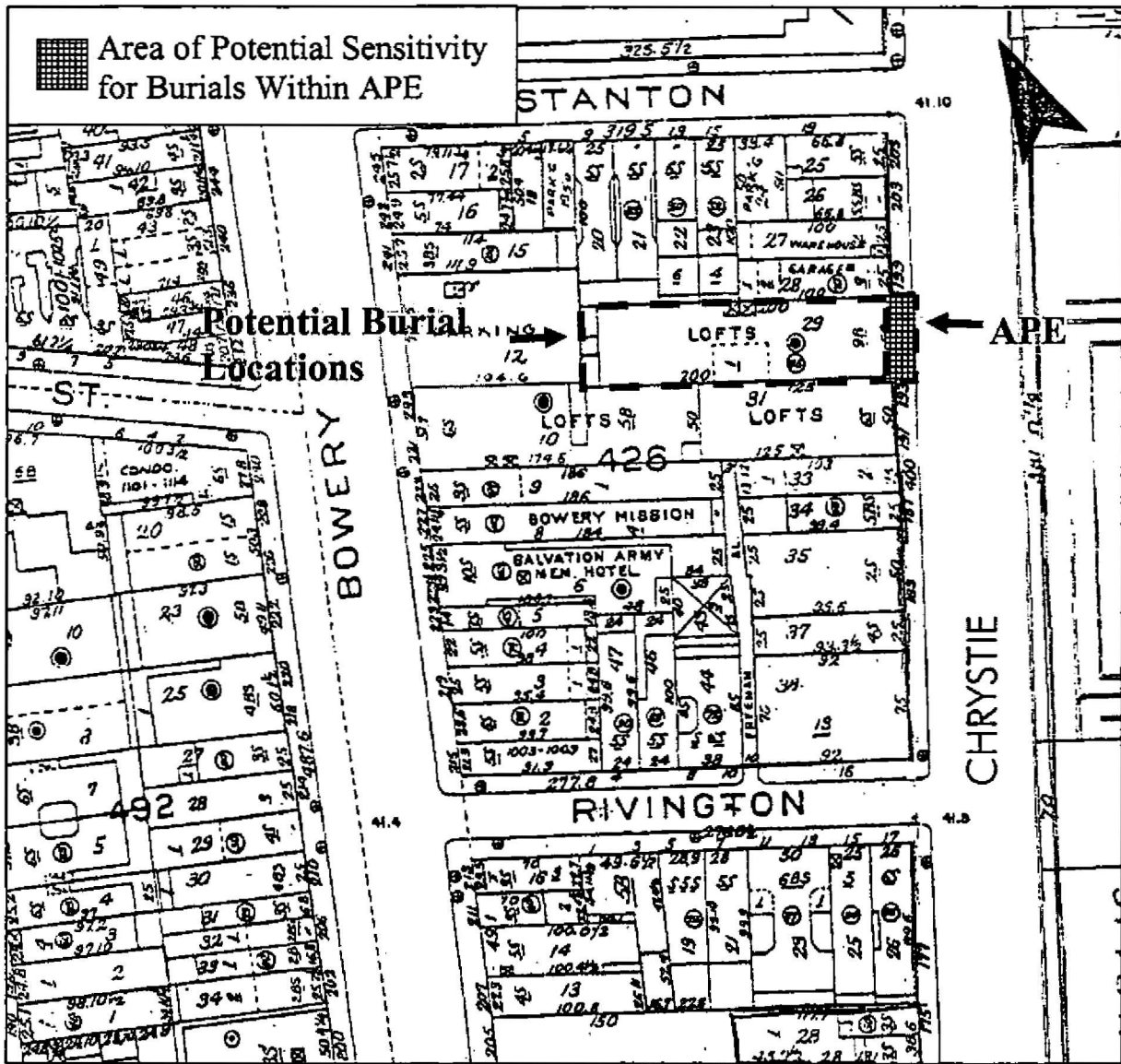


FIGURE 7

Area of Potential Sensitivity for Burials.
St. Philip's Cemetery Site, Chrystie Street between Rivington and Stanton
Streets.
Sanborn 2001.

Approximate Scale: one inch = 100 feet



PHOTOGRAPH 1

Looking west toward the 50-foot wide brick building at 195-197 Chrystie Street.



PHOTOGRAPH 2

Looking south at the sidewalk section of the APE in front of 195-197 Chrystie Street.

APPENDIX A

Appendix A includes the various research resources consulted for the St. Philip's Episcopal Church cemetery site report: Archivists, Librarians, and Genealogists; Manuscript Records and Cartographic Resources; Published Resources; and Published Cartographic Resources.

Archivists, Librarians, and Genealogists

The Archivist, Trinity Church Archives, has several pieces of correspondence from the Rector of St. Philip's Episcopal Church, The Reverend Peter Williams (1780?-1840). Other than that, the Trinity Church Archivist knows of no other materials on St. Philip's in the archives. She said that the Schomburg branch of the NYPL is unable to find the St. Philip's records it is supposed to have in its collection. The Trinity Church Archivist recommended contacting Wayne Kempton (personal communication, October 31, 2002 and May 8, 2003).

Wayne Kempton, Archivist for the Episcopal Diocese of New York, has no records for St. Philip's. He thought that St. Philip's Church might have the parish registers, including the sacramental registers. They do not, according to St. Philip's Vestry member, Bea Tomlinson (Claudia Cooney email, DATE). Kempton recommended talking with Harry Macy because Macy does research on Manhattan cemeteries that have moved or closed (personal communication, November 6, 2002).

Harry Macy, Jr., Editor of *The NYG&BS Newsletter*, advisor to Carolee Inskeep, and Manhattan cemetery scholar, suggested that there was only a slim chance for the New York Genealogical & Biographical Society (NYG&BS) to have records that could shed light on the number of burials and exhumations at the St. Philip's cemetery (personal communication, December 10, 2002). This appeared to be the case, although the vertical file did contain a 1981 newspaper article on the church. While Carolee Inskeep's book on New York City cemeteries included information on St. Philip's cemetery on Chrystie Street, there may be a typo (2000). Surely, the exhumed bodies were being removed to Cypress Hills Cemetery in 1853, as a *New-York Daily Tribune* notice suggested, rather than in 1863, as Inskeep's book lists.¹⁴ The 1851 law prohibiting interments south of 86th Street would have signaled the last year for any new burials, and there was a candle and soap manufactory on the southern half of the site at least as early as 1857, but by 1862 (Perris). Where would the excavated remains have been stored until 1863?

Harry Macy also recommended reviewing the *New York Herald* for details about burials and, perhaps, exhumations. Since there was no index for the newspaper, that began publishing in 1835, a search through reels of microfilm was not conducted. Hard copy of period newspapers at the New-York Historical Society (N-YHS) was not made available.

¹⁴ Notice.-The Vestry of St. Philip's Church having made arrangements for removing the bodies deposited in their burial ground in Chrystie-st., to Cypress Hills Cemetery, give notice to those who have friends deposited there and wish to take charge of them, that by making application at the Ground, and pointing out the spot, the bodies will be delivered to them free of charge (*New-York Daily Tribune*, Wednesday, March 23, 1853, Vol. XII, No. 3,723, p.1).

Ken Cobb, Archivist at the Municipal Archives (MA), provided two map resources for the Methodist Episcopal Church cemetery less than three blocks north of St. Philip's cemetery. He remembered these maps after the MTA's closing date for research on the St. Philip's cemetery; thus, neither map was consulted for the cemetery on Chrystie Street (personal communication, January 20, 2003; Holmes 1867; a reindexed map, 1917).

Bill Moloney, at the Cypress Hills Cemetery (CHC), said that the cemetery's records are being put in an electronic database that will begin to be available in June 2003. Cypress Hills Cemetery, which was begun in 1848, is entering the records according to date the human remains were interred (or reinterred, as is the case with the St. Philip's cemetery) at CHC. Even waiting until June will not increase the probability of finding out about the number of bodies from St. Philip's that were reinterred at the CHC. Moloney said that St. Philip's bought their CHC parcel in 1853, and it was the church that kept its own records and sold or gave the plots to individuals or families. Moloney said CHC did not have records concerning the St. Philip's cemetery's reburials (personal communication, December 19, 2002).

Dr. Sherrill Wilson, Director of the Office of Public Education & Interpretation (OPEI), NY African Burial Ground Project (ABG), provided HPI with a set of the OPEI newsletters, *Update*, that recounted that, according to St. Philip's own death records, 5,000 bodies were buried in the Chrystie Street cemetery (*Update* 1995:17). Wilson noted the Fall 1995 newsletter article on "The Chrystie Street Cemetery" that was critical to understanding the closing of the cemetery in 1853.

Bea Tomlinson, member of the Vestry of St. Philip's Church, spoke with Cece Saunders of Historical Perspectives, Inc. and said that the church did not have the parish registers in their collection (personal communication, 4/25/03). The St. Philip's material in the Schomburg manuscript collection, which might include the parish registers and sacramental registers, has not been found (Trinity Church Archivist, personal communication, May 8, 2003). Unfortunately, at this point, it is not possible to know the number of interments, much less the number of exhumations at the St. Philip's Episcopal Church cemetery on the west side of Chrystie Street between Stanton and Rivington Streets.

Manuscript Records and Cartographic Resources

No manuscript records, including parish and sacramental registers, Vestry meeting minutes, and Sexton burial and reburial records, turned up at either the descendant church (St. Philip's Episcopal Church) or the Trinity Church Archives or the Episcopal Diocese Archives or the N-YHS or the NYG&BS or the Schomburg branch of the NYPL or the CHC. The Reverend B.F. DeCosta, writing in 1889, noted that the early records of St. Philip's had disappeared (1889:4).¹⁵

¹⁵ *It is regretted that the disappearance of the early records of St. Philips Church leaves us with so little knowledge of the details of the parish history of that period. The absence of records has driven us to such sources of information as are laid open in the Diocesan journals and public newspapers, from which the writer, with much expense and time, has gathered the greater portion of the facts that antedate the death of that most venerated man, the Reverend Peter Williams [ca. 1776-1840] (DeCosta 1889:4).*

Unfortunately, there are “No Instruments of Record” according to the index of land conveyances at the City Register (CR) for the 1654 to 1785 and the 1788 to 1796 time periods. It was in 1795 that a group of “free People of colour” petitioned for a “Piece of Ground” to be used as a cemetery (MCC II:137, 158-159). Fortunately, the published summaries of the Minutes of the Common Council (MCC) referred to and quoted the 1795 deed and reiterated it later several times (MCC II:137, 158, 161; XIV:715, 787; XVI:117, 267).

It was also in 1795 that the African Society and the Mayor, Aldermen & Commonalty, in conjunction with Trinity Church, Samuel and Phila Delaplaine, and Mangel Minthorne, purchased “the Lot of Ground...for a burial place for the Black people” (MCC II:158-159, 161, 151). Two of the available land conveyances at the CR alluded to a cemetery on the project parcel (Liber 221:433-435 [1827]; Liber 269:300-302 [1831]). The 1852 deed was silent as to the use of the project parcel as the land was transferred in fee simple from the Rector, Church Wardens, and Vestry of St. Philip's Church to Sigmund Altschul, a liquor dealer (Liber 639:32-33 [1852]).

Surveyor Evert Bancker's notes written in diary form in his survey books (N-YHS) were helpful, establishing that the project area was surveyed in 1782 in preparation for the extension north of First Street (the name for Chrystie Street before 1817). Thus, the street was in place before the cemetery parcel was purchased.

Manuscript maps at the Manhattan Borough President's Office's Topographic Bureau (MBPO) provided information on the 1929 widening on the east side of Chrystie Street. Although the widening took place within the APE, it had no effect on the west side of Chrystie Street and the St. Philip's cemetery parcel.

Pre-1976 Buildings Department handwritten files at the Municipal Archives (MA) contained only 20th century information. The earliest dated material was the 1912 application for the “erection of brick buildings”, which provided information about the nine-story “light manufacturing” building with basement still standing on the site in 2003 (Plan 315, May 20, 1912; Photograph 1).

A 1917 manuscript “reindexed” map, also at the MA, was not investigated as it was “discovered” only after the deadline for doing research for this report. Another 1917 map, from the Farm Histories folders on microfilm at the MA, was also not looked at. Instead, there was a reliance on the hand-copied WPA Block and Lot index at the CR and published resources that indicated that what became the St. Philip's cemetery parcel had been part of the De Lancey West Farm which had been sold by the Committee on Forfeitures after the Revolutionary War. The Bancker survey notes suggested that no structures were on the block or in the street bed in 1782 in front of the site of the 1795 cemetery.

New York City public-services manuscript plan views of subsurface conditions provided by the MTA also contributed to the understanding of the changes in land use as the project property was developed and redeveloped. The soil-boring data showed that a boring was taken in the sidewalk of the APE at the northeast corner of 195-197 Chrystie Street .

Neither the New York City Parks Department nor the Department of Design and Construction had any maps or other manuscript materials having to do with the St. Philip's cemetery site (Steve Rizzick, personal communication, December 4, 2002; Kirsten Olson, personal communication, December 11, 2002).

Printed Resources

A variety of published sources were consulted to determine the history of the project parcel and the potential impact of the proposed Second Avenue subway to the St. Philip's cemetery parcel. **Kenneth Jackson's** *The Encyclopedia of New York City* provided general information on cemeteries and specific information on St. Philip's Church. **I. N. Stokes'** *Iconography of Manhattan Island*, provided an entryway into the MCC and a manuscript map.

The Minutes of the Common Council 1784-1832 (MCC) at the MA supplied critical information not only about the construction of the sidewalks on Chrystie Street (prior to 1817, named First Street) but also about the development of the cemetery parcel at 195-197 Chrystie Street as well as the several problems encountered by various officials connected with the cemetery. The MCC also chronicled the dialogue about the relative merits of urban and suburban cemeteries as well as about the closing of cemeteries and moving them uptown and beyond.

The Proceedings of the Board of Aldermen (PBA) at the Municipal Reference Library (MRL) was a difficult resource in that the books were indexed volume by volume, with some volumes containing only six or nine months-worth of minutes. The index categories were not so clear, so that many different topics needed to be searched in each volume of minutes in hopes of finding some pertinent information. If it were to be pursued, probably searching under the topic "sidewalks" and "streets" might be the simplest way, perhaps, to shed light on surface and subsurface changes to the sidewalk and street bed in front of 195-197 Chrystie Street. However, this would not clarify the issue of sensitivity for burials.

Eighteenth-century New York City ordinances and a late-19th century volume on the laws of the state of New York relating to...burial grounds and cemeteries.... provided no information on the "mechanics" of a cemetery, such as the depth of burial shafts, the number of "layers" of interments allowed, the limit to the number of burials within a specified space, etc. (1707, 1749, 1763, 1774, 1793, 1797, 1799, 1881). However, a review of the 18th century ordinances provided an insight into the changing attitudes concerning funeral and burial practices on the part of Manhattan's residents of African descent, and, therefore, of importance to St. Philip's Episcopal Church and its cemetery.

Ordinances concerning burial grounds and cemeteries for the first half of the 19th century were read in the MCC. Evidence from various other neighborhood church and cemetery manuscript records suggested that the local burial practices were somewhat idiosyncratic.

Greenwald's 1933 typewritten essay, "The Cemeteries of New York City before 1830" included not only information about St. Philip's cemetery, but also about what is presently

named the African Burial Ground as well as the historical African Zion Methodist Episcopal cemeteries.

The WPA bound typescript of “The Inventory of Church Archives in New York City” for the Episcopal Church indicated that there were no records available earlier than 1867 for St. Philip’s, that is, 14 years after the St. Philip’s cemetery was closed and the remaining bodies removed and reburied at Cypress Hills Cemetery (1940:71). The Reverend B.F. De Costa, writing in 1889, had noted the “disappearance” of the early records (1889:4).

The Reverend B.F. De Costa’s 1889 published pamphlet provided critical information not only on the early history of St. Philip’s Episcopal Church, but also about the Chrystie Street cemetery and other St. Philip’s cemeteries in Manhattan in addition to the purchase of the parcel at CHC.

Carole Inskip’s *The Graveyard Shift: A Family Historian’s Guide to New York City Cemeteries* furnished information on the Chrystie Street and Cypress Hills aspects of St. Philip’s cemetery and listed a reference for CHC.

The New York African Burial Ground Archaeological Project’s (ABG) in its OPEI newsletter, *Update*, included a reference to an 1853 newspaper notice concerning the removal of the bodies buried in the Chrystie Street cemetery to the St. Philip’s section at CHC. This corrected the possible typographical error in Inskip. Among many other subjects, the ABG’s updates, including both the archaeological and historical work being done in connection with the ABG’s archaeological materials, would provide incredibly important comparative resources if the project site were to be adversely impacted by the construction of the Second Avenue subway and another level of archaeological investigation was conducted. By opting for the deep tunneling option, the MTA has avoided the possibility of an adverse impact on the potential cultural resources on the project site, the location of the St. Philip’s cemetery, 1795-1853.

CHC’s 1884 promotional pamphlet, referred to in Inskip, had not only a map depicting the location of the St. Philip’s parcel, but also a history of CHC, including a list of congregations, churches, and organizations, etc. having plots and lots at the CHC as well as a list charges for the various services offered.

Graham Hodges’ biographical sketch of the Reverend Peter Williams, Jr. in the *American National Biography* as well as Williams’ published pamphlets available in the N-YHS Rare Book Collection complemented and supplemented the information included on St. Philip’s Episcopal Church’s website.

The vertical files at the NYG&B, N-YHS, and the NYPL were negative for the project cemetery, as were both *The New York Times (NYT)* backfile online index and the bound volumes’ indexes for the *NYT* that began in 1851. The same was true for JSTOR, an online journal database. With the exception of the St. Philip’s and the African American Resource Center websites, online research provided only very general (and sometimes inaccurate) information.