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**ST. STEPHENS CHURCH  
AND CEMETERY  
INTENSIVE  
DOCUMENTARY STUDY  
CHRYSTIE STREET  
NEW YORK, NEW YORK  
SECOND AVENUE SUBWAY**

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INTENSIVE DOCUMENTARY STUDY  
CHRYSTIE STREET  
NEW YORK, NEW YORK  
SECOND AVENUE SUBWAY

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## TABLE OF CONTENTS

EXECUTIVE SUMMARY	iv
I. INTRODUCTION	1
II. RESEARCH GOALS AND METHODS	2
III. RESEARCH RESULTS	4
A.    Boundaries	4
B.    Interments	9
C.    Disinterments and Reinterments	12
IV. SENSITIVITY FOR HUMAN REMAINS	14
V. CONCLUSIONS AND RECOMMENDATIONS	15
BIBLIOGRAPHY	
FIGURES	
PHOTOGRAPHS	

## LIST OF FIGURES

1. USGS Jersey City, NJ, and Brooklyn, NY Quadrangles, 1981.
2. St. Stephen's Church APE, Chrystie Street between Grand and Broome Streets. Sanborn, 2001.
3. St. Stephen's Church 1805.
4. *Map of the City of New York Extending Northward to 50th Street.* Dripps, 1852.
5. *Maps of the City of New-York.* Perris, 1857-62.
6. *Insurance Maps of the City of New York.* Sanborn-Perris, 1894.
7. *Atlas of the City of New York, Borough of Manhattan. From actual surveys and official plans / by George W. and Walter S. Bromley.* Bromley, 1897.
8. *Atlas of the City of New York, Borough of Manhattan. From actual surveys and official plans / by George W. and Walter S. Bromley.* Bromley, 1934.
9. *Building "C" Plan, Block 418, Part of Lots 10, 11 & 12 Chrystie-Forsyth-Park.* 1934.
10. Areas of Potential Sensitivity for Burials.



### **PHOTOGRAPHS**

1. Photograph of Comfort Station, “Central Communications” building, for New York City Parks Department, looking south. Located at Broome Street between Chrystie and Forsyth Streets.
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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.

The Phase 1A identified a former church within the Area of Potential Effect (APE). This church, St. Stephen's Protestant Episcopal Church, was formerly located at the southeast corner of Chrystie and Broome Streets, now a portion of Sara Delano Roosevelt Park. The Phase 1A concluded that the site of the church, consisting of historic Lots 5-10 on Block 418, were sensitive for historic-period burials relating to St. Stephen's Church. The proposed project has the potential to affect this site via the construction of the Grand Street Station.

Documentary research found that the church yard contained a cemetery. Furthermore, evidence strongly suggests that St. Stephen's Church made every effort to remove burials once located on Block 418 on Lots 5-10, prior to selling its property in 1867. Records indicate that between 2234 and 2236 burials were reinterred at Cypress Hills Cemetery in 1867 by the church. However, documents failed to provide the original number of burials on the property so there is no guarantee that all human remains were removed. Therefore, the east end of what was historically Lot 5, and all of Lots 6 through 10, outside of the existing foundation of an extant park building, may be sensitive for burials if any were accidentally left on site. It is anticipated that they would be found anywhere from the surface down to about six feet below the fill, which extends to between 14 and 15 feet below grade. Therefore, what were formerly Lots 5-8 and the west half of 9 are potentially sensitive for burials at a depth of 0-20 feet below grade, with Lots 7-9 having greater sensitivity due to lack of historic disturbance. Furthermore, the east half of Lot 9 and all of Lot 10 are sensitive

outside of and below the park building foundation down to a depth of about 20 feet below grade.

Due to the possibility that human remains from the St. Stephen's cemetery may be extant on the project site, Historical Perspectives recommends avoidance of this parcel through project re-design. If avoidance is not possible, then archaeological testing of the site prior to construction and/or archaeological monitoring at the time of construction, in accordance with the appropriate state and federal standards, would be necessary.

RPA-certified professional archaeologists, with an understanding of and experience in the recovery of skeletal material, would be required to be part of the testing team. Prior to any archaeological testing and/or project construction, a protocol, defining the testing plan and procedures for handling skeletal material, would be developed in consultation with SHPO. The Christ and St. Stephen's Church would also be consulted about appropriate treatments and disposition of human remains should any be encountered. Representatives from MTA NYCT met with St. Stephen's Church in March 2003. Reverend Paul Olsen of what is now called the Christ and St. Stephen's Church, the descendent community of the St. Stephen's Church within the APE, would be consulted regarding the appropriate protocol for handling human remains, should any be encountered.

## I. INTRODUCTION

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## TABLE OF CONTENTS

EXECUTIVE SUMMARY	iv
I. INTRODUCTION	1
II. RESEARCH GOALS AND METHODS	2
III. RESEARCH RESULTS	4
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B.    Interments	9
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FIGURES	
PHOTOGRAPHS	

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The proposed project has to potential to affect the St. Stephen's Church site via the construction of the Grand Street Station. This Topic Intensive Study compiles the documentary research that was completed for the St. Stephen's Church site to try to establish potential burial boundaries, establish interments and disinterments, and determine whether the site is potentially sensitive for burials. It also assesses potential project effects on potential burials and provides recommendations for additional archaeological study and/or mitigation measures. This information is presented below.

## II. RESEARCH GOALS AND METHODS

As described above, proposed construction of the Second Avenue Subway would potentially disturb a portion of New York City Block 418, where historical St. Stephen's Protestant Episcopal Church was located from 1805 to 1866, and where currently a portion of the Sara Delano Roosevelt Park is now located. The site faces Chrystie Street between Broome and Grand Streets (Figure 2; for detailed information and the cartographic history of Block 418 in its entirety see Kearns et al 2003: 4.6 APX). Therefore, this topic intensive study was prepared to determine whether the site is potentially sensitive for burials.

Historical maps and atlases were obtained from local repositories and studied for land use over time. Evidence of prior 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 and atlases consulted were: Grim Plan of 1744; Maerschallck 1755; Montresor 1766; 1782 and 1797 British Headquarters' Map; Taylor Roberts 1797; Bridges 1807; Commissioner's Plan 1807-1811; Hooker 1829; Colton 1836; Tanner 1836; Bradford 1838; Mitchell 1846 and 1860; Dripps 1852; Colton 1856; Perris 1857-62; Delancey Farm Map 1865; Viele 1865 and 1874; Bromley 1879, 1897, 1911, 1916, 1925, 1930, 1934, 1955 updated to 1967, 1974; Robinson 1885, 1893; Sanborn 1894, 1905, 1922, 1951, and 2001; and Hyde 1913.

Numerous local and regional histories were examined for relevant data including I. N. Stokes' *Iconography of Manhattan Island*, Vols. III, V, and VI, which provided information on farm maps of the area and general history of the use of the area of land in the APE. Greenwald's manuscript entitled *Guide to Cemeteries* and Carole Inskeep's *The Graveyard Shift: A Family Historian's Guide to NYC Cemeteries* along with Kenneth Jackson's *The Encyclopedia of New York City* provided general information on cemeteries in New York City during the early 19<sup>th</sup> century when St. Stephen's Church would have existed on Chrystie Street as well as more specific statistics on St. Stephen's burials in particular. Joshua Newton Perkins' *History of St. Stephen's Parish*; Joseph Price's *An Historical Sketch, delivered at the Closing Services, in St. Stephen's Church, New York on the first Sunday in July 1866*; Nathan Seagle's *The Memoirs of a Metropolitan Minister: Sixty Years of Service in the Diocese of New York* all provided specific information on St. Stephen's Church from an insider's perspective for they were accounts written by the ministers of St. Stephen's Church either during their time of service at St. Stephen's or directly after their service. The most fruitful of these accounts was Perkins' *History of St. Stephen's Parish*, for it recounts the formation of the church up through its relocation on West 69<sup>th</sup> Street (now Christ and St.

Stephen's Church) and details specific church records and actions along with detailed accounts of land use on Chrystie Street.

In addition, local and regional newspapers, journals and magazines including *The New York Times* and *Harper's Weekly* were reviewed. These provided insights on church events, general local cemetery information such as the location of specific cemeteries, average size and price of lots, number of interments or reinterments, and advertisements for reinterments. Information on the construction and restoration of the Sara Delano Roosevelt Park and its potential disturbance to the APE was also obtained.

The Christ and St. Stephen's Church, located at 120 West 69<sup>th</sup> Street, NY, currently holds the St. Stephen's Protestant Episcopal Church records and was also contacted. St. Stephen's Church records are poor and not complete, however they did provide some insights into interments and reinterments through account books and memoirs. Records consulted from the Church's archives included: St. Stephen's Account book, 1810-1871; St. Stephen's Account Book, 1810-1868; St. Stephen's Vestry Minutes; Documents in Cypress Hills Cemetery File; Register of Lists of Baptisms, Marriages, and Communicants 1809-1829; St. Stephen's Book of Baptisms, 1829-1899; Book of Marriages, 1829-1900; Book of Burials, 1829-1891; Book of Confirmations, 1852-1867; File of 17 "release" contracts between burial vault owners and St. Stephen's Church dated 1866; and the Contract between St. Stephen's Church and Frederick Finck.

In addition to researching the Christ and St. Stephen's Church's archives, Green-Wood and Cypress Hills Cemetery were also contacted in order to obtain any additional information on reinterments from St. Stephen's Church which may be in their archives.

Other resources and/or city offices 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 city records such as *Minutes of the Common Council* and tax assessment records; The Municipal Library for *Board of Alderman Minutes*; The Department of Buildings of New York City; The New York Public Library's Local History and Manuscript Divisions for records on city cemeteries and the construction of Sara Delano Roosevelt Park; AKRF, Inc. for plot plans for reconstruction of the park, and the New-York Historical Society for accounts and sermons written by former ministers of St. Stephen's Church.

Finally, site visits were conducted and a photographic record of current conditions was made (Photographs 1-2).

### III. RESEARCH RESULTS

Documentary research found that St. Stephen's Church was established in 1805, prior the adoption of later 19<sup>th</sup> century laws designed to deter or prohibit interments within the city limits. Research also determined that in addition to burial vaults beneath the church, St. Stephen's Church had an affiliated cemetery at its Chrystie Street location.

In 1809 the Common Council prohibited burials under streets and by 1822/23 an ordinance was passed that forbade burials south of Grand Street (which lies less than one block south of the APE). In 1823,

*...the Common Council passes a law respecting the interment of the dead. This imposes a fine of \$250.00 for opening after June 1 any grave "which lies to the southward of a line commencing at the center of Canal Street to Sullivan Street thence through Sullivan Street to Grand Street thence Grand Street to the East River" neither shall it be lawful to inter in any vault or tomb south of the aforesaid line" March 31, 1823 (Stokes Vol. 5: 1628).*

This law forced many churches to establish cemeteries further uptown. Religious organizations petitioned to have the law amended to permit the use of private or family vaults and public and church vaults during the cold season, for they were to lose a considerable sum of income without use and sale of vaults. Eventually petitioners succeeded and the law was amended to allow for the use of existing family vaults (Report of the Committee on Laws 1825:III). However, by 1851 all interments were banned south of 86th Street in Manhattan and public and private institutions were forced to look outside the city-proper or the most northern points in Manhattan to bury their dead (Inskeep 2000:138).

#### A. Boundaries

##### Church Use

According to former ministers' accounts (Perkins 1906:11-12; Seagle 1955:40), St. Stephen's parish was established on March 12, 1805 as the Fifth Episcopal Church in New York City. On April 1, 1805 several parcels of land were purchased from the Delancey Farm on which to build a church, which are designated on a map made by Evert Bancker as Lot number 355 on the west, Lot 356 to the north, Lot 362 to the east and Lot 364 to the south, with each Lot being 25' wide and 100' in length. At that time, no block number was associated with these lots, which correspond to what are later designated as Lots 7 through 10 of Block 418 in the conveyance records. This parcel was sold by Cornelius Ray and his wife Elizabeth to The Rector, Church Wardens and Vestrymen of St. Stephen's Church in the City of New York on April 6, 1805 for \$3,750.

According to Perkins who quoted the *New York Post*, it was on May 7, 1805 that the corner stone was laid in the southeast corner of First (Chrystie) and Bullock (Broome) Streets for St. Stephen's Church. The church structure was built in eight months and was consecrated on December 26, 1805, which is appropriately St. Stephen's Day. The structure was made of

brick and stucco, and was 55 feet wide at the front, with an entrance on First (Chrystie) Street and extended 75 feet east on Bullock (Broome) Street (Perkins 1906:28; Figure 3). The surrounding street names changed to Chrystie (from First) in 1817 and Broome (from Bullock) in 1806. Also according to Perkins, a one-story room for the use of the rector was built in the rear of the church (on what became Lot 10) which served as both a vestry and robing room. Noted were “vacant lots on the south side of the church which would be eventually used as a burial ground” (Perkins 1906:29).

In 1808 the vestry of Trinity Church presented St. Stephen’s Church with bonds and cash as well as land on Greenwich and Warren Streets that were to be used as income for the maintenance of the church. This income allowed the church to also purchase Lot 6 as St. Stephen’s property in 1819 for \$1,750, and Lot 5 in 1824 for \$1,100. These additional parcels make the total dimensions of the church’s property about 150 feet wide by 100 feet deep. According to Joseph Price, the minister of St. Stephen’s who delivered the last sermon at the Chrystie Street location in 1866, the land on which the church was built (Chrystie and Broome Streets) was leased until purchased on October 23, 1823 (Price 1866:8). The following Tax and Directory Table provides a list of property owners or occupants of the site lots from the period of 1808 through 1876.



Tax and Directory Table:

LOCATION	1808 Tax	1820 Tax	1834 Tax	1844 Tax	1851 Directory	1858 Tax	1869 Tax	1878 Tax
BLOCK 418: Broome, Forsyth, Chrystie, and Grand Streets								
315 Broome Street (10)	no info.	no info.	St. Stephen's Church	St. Stephen's Church	St. Stephen's Church	St. Stephen's Church	F. Finck	F. Finck
317 Broome Street (9)	no info.	no info.	St. Stephen's Church	St. Stephen's Church	St. Stephen's Church	St. Stephen's Church	F. Finck	F. Finck
319 Broome Street (8)	no info.	no info.	St. Stephen's Church	St. Stephen's Church	St. Stephen's Church	St. Stephen's Church	F. Finck	F. Finck
120 Chrystie Street/ 321 Broome Street (7) (Chrystie Street was First Street in 1808)	no info.	St. Stevens Church (property referred to as 114-120 Chrystie Street, corresponding to 118 and 120 Chrystie Street)	St. Stephen's Church	St. Stephen's Church	St. Stephen's Church Jobst Myer, <i>grocer</i> Adam Stark, <i>Shoe-maker</i> (323 Broome Street, at Chrystie Street)	(St. Stephen's Church)	F. Finck (321 Broome Street)	F. Finck (321 Broome Street)
118 Chrystie Street (6) (First Street in 1808)	no info.	see 120 Chrystie Street above	St. Stephen's Church	St. Stephen's Church	St. Stephen's Church	St. Stephen's Church	Louis Vertenheimer	Louis Vertenheimer
116 Chrystie Street (5) (112 Chrystie Street in 1820, First Street in 1808)	Mr. Ogden & Co.	Andrew Ogden	no info.	no info.	J. J. Dean, <i>Under-taker</i>	Vestry of St. Stephen's Church	Louis Vertenheimer	John Laser

Note: Lot numbers are shown in parentheses after the street address. For 1820 tax assessment records, no street addresses or lot numbers are given for Broome Street, Grand Street, or most of Chrystie Street. Three lots on Grand Street are listed, all associated with Alexander Fink, with Noah Pratt, Elias Smith and Jacob Frost as jurors. For 1808 tax assessment records, there are only a few ward, lot, or street numbers. No owners or occupants listed in the 1820 records are on the 1808 records for Broome Street or Grand Street, although an Alexander Fink is mentioned once on Grand Street. Lots may have entirely different owners or occupants, exempt from taxes, or may be vacant.

Historical maps support the ministers' accounts and conveyance records. St. Stephen's Protestant Episcopal Church was depicted on the northwest corner of Block 418 with the church facing Chrystie Street (First Street) between Broome Street (St. Stephen's Street) and Grand Street (Judith's Street) from 1811 through 1862 (Commissioner's Plan 1811; Hooker

1829; Colton 1836; Dripps 1852). However, on the Bridges 1807 map, a structure labeled St. Stephen's Church is shown in the southwest corner of the block to the north, but this is probably an error since there are no records of the building having been moved. On the Commissioner's Plan of 1811, a large structure is correctly located at the northwest corner of Block 418 and is labeled "St. Stephen's do."

St. Stephen's Church was present on historical maps until 1857-62. According to the Dripps 1852 map, four structures (including St. Stephen's Church) are located on Lots 5 through 10, which constitute the church property (Figure 4). However, by 1857-62, only the church structure and the sexton's house are portrayed (Perris 1857-62; Figure 5). Both maps depict a large open yard, located south of the church fronting Chrystie Street.

The Perris 1857-62 map is the first to depict lots with street numbers and it shows a building located at 116 Chrystie Street, which according to St. Stephen's account books was the location of the sexton's house. It also indicates that the church's property extended into what is now the Chrystie Street sidewalk/roadbed (Perris 1857-62; Figure 5). A discussion pertaining to the construction of Sara Delano Roosevelt Park, which included the widening of Chrystie Street to the east is presented later in this report.

According to historical accounts, the church was falling into disrepair and financial crisis by the middle of the 19<sup>th</sup> century, and the mother church would not authorize monies to St. Stephen's for the construction of a new church on its present grounds. Concurrently, there was an increasing change in the population in the Lower East Side due to the waves of immigrants from Eastern and Western Europe. Irish immigrants who were primarily Roman Catholic along with Jewish and Italian immigrants were moving to the Lower East Side and the parish began to experience a decrease in active parishioners. These two major factors forced St. Stephen's parish to eventually relocate further uptown (Perkins 1906: 117-118). The last service at St. Stephen's Church on Chrystie Street was held on July 2, 1866 (Perkins 1906: 122). According to conveyance records, St. Stephen's Church made its final payment for Lot 7 in 1866 for \$300 which then allowed all the lots owned by the church (Lots 5-10) to be sold to Frederick Finck in 1866 for \$50,000. After several years of searching for a new home, St. Stephen's purchased the chapel at its present location at 120 West 69<sup>th</sup> Street and Broadway, which was home to the Church of the Transfiguration. The church fell upon difficult economic times again in the 1960s and so too did their neighboring parish, Christ Church. The trying times brought the two congregations together to consolidate membership and resources in the 1970s, and services continue today under Christ and St. Stephen's Church.

This move uptown by the congregation and subsequent demolition of the church complex, except the sexton's house, is reflected on an 1879 atlas which no longer depicts the church present within the APE (Bromley 1879). The brick structure that is believed to be the sexton's house, from former minister's accounts, was still standing through at least 1885 (Robinson 1885).

A discussion of the subsequent development and land use of the church site is presented below.



### Tenement Use

By 1894 the most of the lots formerly owned by St. Stephen's Church on Block 418 were covered by four and five story buildings with stores on their first floors and little open yard space (Sanborn 1894; Figure 6). Lots 5 through 10, which were formerly occupied by St. Stephen's Church, contained four and five-story buildings which did not appear to have basements. By 1897, Lots 5 and 6 had five story structures with basements and Lots 7 through 10 continued to have structures with no basements (Bromley 1897; Figure 7). In addition, Lots 5-6, and 8-10 had open yard areas. Boring logs indicate that the location of these yards contain fill levels from the current surface down to about 15' below grade, with the depth of the water table at about 33 feet below grade (Raymond International Inc., 1974). It is not known if this fill represents added strata or demolition debris from historic construction.

### Sara Delano Roosevelt Park

Between 1925 and 1930 all structures on Block 418 were razed (Bromley 1925; 1930). Within the next five years, Sara Delano Roosevelt Park was developed on this block. It was at this time that Chrystie Street was widened about 30 feet to the east, defining the west boundary of the park and Forsyth Street widened about 20 feet, which defined the eastern boundary of the park. The center of the park was defined as a "Depressed Area," which probably did not extend below reported fill levels (Bromley 1934; Figure 8).

A comfort station, designated as "Building C," was constructed on Block 418 at the corner of Broome and Forsyth Streets, extending into the APE onto the east half of Lot 9 and most of Lot 10 (Figure 8). This building was intended for use as a comfort station for park users, and contained a playroom and dressing room for the boys and girls (Building Dept. Folders, NB app #25 1934). This one-story structure had a basement that could hold 100 people (Building Dept. Folders, NB app #25 1934; Figure 9). The construction of this basement would have affected the sensitivity of any remains that may have still been located on a portion of Lot 9 and most of Lot 10 of Block 418. This, however still suggests that the remaining APE Lots, numbered 5 through 8 and the west half of 9, may not have been disturbed by the original construction of the park.

The WPA Program noted that the playground needed resurfacing in 1940 due to the settlement of asphalt in some areas, which dropped almost a foot (Department of Parks and Recreation, Box 102519, Shelf 102519, Folder #9). The park also fell into disorder in the late 1950s and early 1960s, when it was reputed to be in "unusable condition." At that time, the mayor received many complaints regarding the state of the park, some of it due to the construction of the subway on adjacent Chrystie Street (Department of Parks and Recreation, Box 103135, Shelf 103136, Folder #21). After much debate about putting in an underground garage under the park, it was decided the park would be reconstructed and restored for use in the 1960s.

## B. Interments

Additional research has indicated that St. Stephen's Church had an affiliated cemetery at its site on Chrystie Street. Due to a lack of information or gaps in information in church records and documents on the location of interments and number of interments that took place between 1805-1866 at St. Stephen's Cemetery, this section will be separated into two additional sections for clarity: Cemetery Location and Interment Dates and Numbers.

### Cemetery Location

According to documentary records researched in the church's archives and historical accounts of the church's activities by former rectors, St. Stephen's Protestant Episcopal Church had burying grounds at their location on Chrystie and Broome Streets in Manhattan. This is the area that falls within the APE, and was researched in depth and detailed below; however other records of a possible cemetery lying outside of the APE are also discussed to help assess sensitivity in the APE.

According to several correspondents of Perkins, St. Stephen's cemetery was located on Chrystie Street at the site of the church, where people could see "its many white marble headstones, prominent both day and night making it a noticeable feature" (1906:54). Perkins also states in his *History of St. Stephen's Church* that it was customary in Europe and in America to bury dead in a yard attached to the church. In New York City, this custom lead to a large number of family vaults being placed adjacent to churches. This custom of burying parishioners next to the church was also in use by St. Stephen's Church for Perkins states that "a plot of ground on Chrystie Street south of the church, was laid out as a place for burial" (1906:54). Unfortunately, he does not state when the first use of the cemetery took place and church records of burials do not predate the 1820s.

Church records show that when the St. Stephen's Church congregation relocated uptown in the 1860s, reinterments were required in order to properly sell the property on Chrystie Street. These records confirm that the cemetery was also located on Block 418, Lots 5-10. As described above, the church first owned Lots 7-10 and did not acquire Lots 5-6 until 1819 and 1824. At least two burials were referenced in Perkins' *History of St. Stephen's* as early as 1806 (1906:14) and in 1809 an unidentified corpse was discovered "near the gate of the chapel" and needed to be reinterred for two burial vaults to be built (Vestry Minutes). Any early construction of a cemetery from 1805-1819 or burial vaults would most likely have taken place on Lots 7-10, south of the church and then could have extended into Lots 5-6 when the land was acquired, but there is no record that confirms this. In addition, Church account records show that funerals were taking place as early as 1818. The sale of vaults and the dues from burials were being collected as early as 1819, and there is also a record of funerals taking place prior to 1819, but no record of where the burials were located.

There are also several references to a burial ground located on First or Second Streets, north of this APE, and it is likely that the cemetery referenced is one that was located between First and Second Streets east of Second Avenue outside the APE. According to the Reverend Paul Olson, this cemetery was a non-denominational cemetery, allowing for parishioners from St.

Stephen's Church and others to be buried there. He also notes that some of the parish records make reference to Stephen's Church parishioners being buried at this location (Personal Communication, Rev. Olson to Kelly Britt April 1, 2003). The unknown number of burials from St. Stephen's Church at this second cemetery could explain the discrepancy in reinterments discussed below.

In 1822/23, an ordinance was passed in Manhattan that forbade interments below Grand Street, but since St. Stephen's Church and Cemetery was located north of Grand Street, this ordinance did not apply. However, this ordinance did force many churches to establish cemeteries uptown. In 1851 another City ordinance was passed that forbade interments south of 86<sup>th</sup> Street and prohibited the creation of new cemeteries in Manhattan. As a result, St. Stephen's Church pursued burying their dead north of 86<sup>th</sup> Street in existing cemeteries after this date. According to Perkins, Trinity Corporation gifted to St. Stephen's Church a burial plot for use of their rectors and wardens in Trinity cemetery, which is located between Amsterdam Avenue and the Hudson River and between West 153<sup>rd</sup> and West 155<sup>th</sup> Streets. An extract from the Vestry minutes dated March 8, 1852, indicates:

*...[it was] ordered that lot 791 E, in westerly division of Trinity cemetery, be granted to the Rector, Wardens and Vestrymen of the Church of St. Stephen in the City of New York, for the use of their Rector and his Successors in office for the time being, in lieu of lot 791D ordered to be granted to that church on the eighth of December last, and that the comptroller and clerk execute a proper deed therefore under the corporate seal (Perkins 1906:37-38).*

The last record of a burial at the St. Stephen's Church location was for Martha Stewart in 1865, which was undertaken in disregard for the 1851 law (Register of 1829-91). However, after this date, bodies were disinterred and then reinterred in other cemeteries outside of Manhattan, primarily Cypress Hills Cemetery. (See reinterment section below for details).

After exhaustive research in primary and secondary research materials it appears that St. Stephen's Church had a primary burial ground at its location on Chrystie Street on Block 418, with the possible additional use of the non-denominational cemetery on First Street between First and Second Avenues.

#### Interment Dates and Numbers within APE

Most the information on St. Stephen's Church interments was collected from the church's account books, Vestry minutes and other church files, along with accounts from former ministers such as Perkins (1906), Price (1860) and Seagle (1955). It should be noted that the church's early records are incomplete and not consistent; therefore there are gaps in sequences and dates. According to Perkins, there were at least two burials at a cemetery as early as 1806, but it is not certain if this refers to the cemetery within the APE (1906:14). In addition, in 1809, there was an unidentified corpse "near the gate of the chapel" (Vestry Minutes). The church needed to identify the remains and move them so that they could build two burial vaults for the church (Vestry Minutes).

The register does not list burials for 1809-1929, although account books and Vestry minutes note interment activity. Account books show that monies were collected on interments in vaults and for the building of additional vaults until 1848. However, the account books do not state the number of interments, nor where these interments or vaults were located. The Registers list 267 individuals buried between 1829 and 1865, however Perkins claims that for fifty years there were actually more than 3000 burials conducted by the church, not including individual ones in family vaults at the Chrystie Street location (1906:54). Large numbers of burials took place during the years of 1819 and 1822, undoubtedly due to scourges of Asiatic cholera and yellow fever which left many dead and who were buried immediately without ceremony (Perkins 1906:55). This could account for the large discrepancy of numbers in church account books and other sources.

Perkins also notes that the Rector Dr. Feltus and his wife were buried in 1828 beneath the chancel, which is the space below the altar. In 1866 when the congregation left the location at Chrystie and Broome Streets, their burials were transferred to Green-Wood cemetery and reinterred there in Lot 5, no 5518 section no.45 (Perkins 1906:55)

A review of the church records found inconsistencies in the level of detail recorded. For example, some early parish records denote ethnicity, while others do not. Parishioners were bracketed as “blacks” on separate baptismal and marriage lists, but it is not noted if these parishioners were also separated in the rites pertaining to death. It is not known if “blacks” were buried in separate vaults or plots in the burial grounds. Burial records from the church were only kept after 1829, which is two years after the 1827 New York law that prohibited slavery. Therefore ethnicity may not have been notated in church records after 1827.

Selling burial plots and vaults served to provide additional income for the church. Parishioners and non-communicants could be buried at St. Stephen's Cemetery for a fee. This factor combined with the selling of pews brought in needed income to the church. From 1818 to 1824 an estimated \$789.20 was brought in as income from burials and/or burials in vaults (St. Stephen's Account Book). In addition, an estimated \$291.43 was brought in as income from funerals between 1818 and 1823. It is not known if this income was for just a funeral service or a burial with a funeral service. Reverend Paul Olson stated that it is possible that these listings refer to monies obtained from services conducted outside St. Stephen's parish, but was still listed as income for the church (Personal Communication Rev. Olson to Kelly Britt on April 1, 2003). All records for the church and cemetery were kept together and were not separated by transactions. Furthermore, in 1819 \$11.87 was brought in as income for use of a funeral pall, which is a covering for a casket, but it is not known if it was for a funeral and burial conducted at St. Stephen's Church.

Price states in the appendix of his historical sketch of the church that the income from the sale of vaults for interment was \$1000.00 per annum until “an ordinance of the corporation of the city closed this source of revenue, and brought on new difficulties” (1866:22). This reference may be to an 1822/23 ordinance which banned burials south of Grand Street, which was amended in 1825 to not “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). This would suggest that the sale of vaults was encouraged to cease after 1825. However, St.

Stephen's Church continued to build vaults even though they may have been encouraged by the city to inter remains further north. Church account records show that income was still being brought into the church for many years. Families could own these vaults and they were labeled as such; others were simply labeled either "private" or "public." It is also noted in Vestry minutes of 1811, that "no ground be broken for a vault in the ground adjoining this church for less than one dollars [sic] per square foot" (Vestry Minutes). In 1831, account records note that \$880.00 was paid to Robins and Harrison for the building of vaults, also confirming that vaults were still being used as a source of income after the 1822 ordinance was amended in 1825.

Although there were reportedly between two and three thousand burials associated with St. Stephen's Church that were disinterred and moved in the 1860s, it is likely that these would not have all been located at the cemetery within the APE. However, due to the lack of primary records, there are currently no ways to discern exactly how many burials were interred at the cemetery adjacent to St. Stephen's Church.

### C. Disinterments and Reinterments

In 1866, due to financial demands combined with the change in population in the Lower East Side, the parishioners and rectors of St. Stephen's Church decided to sell their land and relocate further uptown (Perkins 1906: 117-118). The last service was held on July 2, 1866 (Perkins 1906: 122). Once St. Stephen's Church determined to move from its Chrystie Street location, the remains from their cemetery were disinterred and then reinterred in other locations. An expenditure dated on January 20, 1865 for \$200.75 was in the account books for the purchase of four lots at Cypress Hills Cemetery noted as Deed #3596, Section 14, Nos. 265, 266, 267, 268. In 1867 the church purchased Nos. 263 and 264 for \$100.00 for burials taking place after the church moved. There are 96 plots shown on a diagram, some that were still available as late as 1966.

Records demonstrate that the church was committed to honoring its obligation to remove and reinter the bodies. Accounts note an expenditure of \$80.30 on February 24, 1866 for advertisements placed in *The Herald*, *The Times*, *The Express*, and *The World* newspapers advertising the disinterment of burials so that relations or interested parties could claim them. The archives contain 17 "releases" between St. Stephen's Church and other parties. These releases are buy-back contracts by which the church re-purchased the vaults so the entire property would be unencumbered to sell to Frederick Fink. A conveyance report shows what appears to be a possible buy-back of a vault on Lot 7 from St. Stephen's Church to Alexander Stewart. It notes that bodies in vault six, which was located on Lot 7 at the corner of Chrystie and Broome Streets, would be removed and provided for a "decent reinterment" by Stewart within thirty days of sale (Liber 995, p. 59).

Joseph Price's historical sketch of St. Stephen's Church states that Henry B. Price, his son, was the agent in charge of the "removal of the bodies from the yard" (1866:23). Price states that "never has a work of this kind [the removal of the burials done by the church] been conducted with more quietness and conciliation, or met with more submission and thorough persuasion of its necessity" (1866:19). This noted "quietness" might explain why there is



little information in the primary records on the procedures involved in the disinterment and reinterment of the burials.

Account records also indicate that the church removed and reinterred remains in the 1860s. In 1866, payments were made to Jonas Stoltz for “removing remains from St. Stephen’s” (Accounts February 24, 1866). Several other expenditures are recorded referencing the reinterment process, such as expenditure for an “Inspector for removing the bodies” (Accounts March 1, 1866), and \$408.00 to C.M. Way, “assistant for interment in Cypress Hills Cemetery” (Accounts March 22, 1866). However, there is a discrepancy in the total cost of the reburial process. St. Stephen’s Annual Report of the Treasurer for 1866 reports a total cost of \$2,387.05 spent for the reinterment process while Perkins’ reports in his *History of St. Stephen’s*, that the entire process cost \$10,000 to complete.

The cost is not the only discrepancy in the reinterment process. There is also a discrepancy in the records of the number of remains and names of the dead (see Reinterment table below). The number of burials within the APE between 1805 and 1829 is unknown due to the lack of primary records. From 1829 to 1865, 267 known interments took place, but there may have been more that were unrecorded. According to Cypress Hills’ records only 234/236 reinterments from St. Stephen’s cemetery were recorded by name, while another 2000 were unnamed (Personal Communication Bill Moloney to Cece Saunders on April 2, 2003). Although Perkins makes a statement suggesting there is the possibility of over 3000 reinterments from St. Stephen’s cemetery (1906:54), he does state that 2000 of these were reinterred in a common trench in Cypress Hills Cemetery in 1867 (1906:55). This common trench was paid for by William Miles, a Vestryman of the church (1906:55). This number corresponds with the 2000 unrecognized bodies that were reportedly buried in a common trench in Cypress Hills in 1867 (Personal Communication Bill Moloney to Cece Saunders on April 2, 2003). The difference in the number of reinterments is just over about 31 bodies, which reflects the difference between the 267 named interments recorded in St. Stephen’s records and the 234/236 named interments that are recorded on Cypress Hills’ Cemetery list (the number 234 is written in the text but 236 names were counted). This difference could be due to private reinterments that may have taken place in other plots or other cemeteries, such as Green-Wood Cemetery, where it is known that Rev. Felters and his wife were reinterred.

Reinterment Table:

<b>Dates</b>	<b>Number of interments in St. Stephen's Register</b>	<b>Number of Interments listed in Cypress Hills Cemetery Records from St. Stephen's Church*</b>	<b>Number of Interments reported by Perkins in <i>History of St. Stephen's Church</i></b>
1805-1829	No Records	N/A	N/A
1829-1865	267	N/A	N/A
1805-1865	N/A	234/236 named 2000 unnamed	2234/2236+
Total	267+	2234/2236	2234/2236+

\*Note that Cypress Hills Cemetery opened in 1847/48 as a result of the 1847 New York State law that allowed voluntary associations to establish rural cemeteries throughout the state (Cypress Hills Cemetery 1882:5)

Green-Wood Cemetery was contacted regarding possible reburials within that cemetery. They replied that a cursory look at records from 1866, the year in which St. Stephen's left its location at Chrystie Street and reinterments were performed, revealed that a number of persons were reinterred but none were noted specifically from St. Stephen's Church. However they also noted that the original place of interment was not always listed. There is no lot in Green-Wood Cemetery records specifically for the remains of persons removed from St. Stephen's Church.

#### IV. SENSITIVITY FOR HUMAN REMAINS

Documentary research strongly suggests that St. Stephen's Church made every effort to remove burials once located on Block 418 on Lots 5-10, prior to selling its property to Frederick Finck in 1867. Notices were placed in newspapers, which called upon relations and friends to claim remains for reinterment. Records at Cypress Hills Cemetery show that remains were reinterred from St. Stephen's Church during the years of 1866-1867, which corresponds with the date the church moved its location and needed to remove the remains from its property on Chrystie Street. Furthermore, records indicate that several people were paid to physically remove burials from the St. Stephen's Church property.

Once St. Stephen's relocated its parish uptown, the property on Chrystie Street where it formerly stood was redeveloped with a series of brick tenements. Several of the buildings on these lots did not have record of basements. Lots 7, 8, 9, and 10 had buildings with no basements, and are therefore less likely to have disturbances to buried remains which predate their construction. In addition, Lots 5-6, and 8-10 had open yard areas which were not developed.

Eventually, the buildings on the project site lots were razed to create Sara Delano Roosevelt Park in 1930. Concurrently, Chrystie Street was widened by about 30 feet to the east, defining the west boundary of the park and Forsyth Street widened about 20 feet, which defined the eastern boundary of the park. This essentially brought the front 30' of the St. Stephen's Church lots into Chrystie Street. The center of the park was, in part, depressed

below surrounding grade (Figure 8), and a comfort station “Building C,” was built on Block 418 near the corner of Broome and Forsyth Streets, and extended west onto sections of former Lots 9 and 10 within the APE. This one-story building with a basement currently serves as a central communication station for the City Parks Department (Photographs 1, 2). Excavations for the basement would have caused impacts to its footprint, and disturbed potential remains that may have been located on a portion of Lot 9 and most of Lot 10 of Block 418. The documentary study suggests that development left what were formerly Lots 5 through 8 and the eastern half of Lot 9 undisturbed by the original construction of the park.

Despite efforts made to disinter all burials and relocate them from defunct cemeteries, there are examples of efforts that have failed which have resulted in human remains being left *in situ*. One particularly pertinent example of this occurred nearby with the construction of the Golden Age Center, “Building B,” along the north side of Delancey Street in Sara Delano Roosevelt Park on Block 420 to the north of the St. Stephen’s Church APE. When the center was built, human remains were found inside the foundation walls of PS 35. Apparently the school was built in 1856 on the site of what was the First Free Congregation Church in 1845, on Chrystie Street, which later became the Bethesda Baptist Church in 1849 (New York Times December 18, 1964). [A memorandum dated December 21, 1964 to Harold Birns the Commissioner of the Department of Buildings also relates this event, but states that PS 125 was on the site]. It is particularly pertinent that human remains associated with a cemetery that was contemporary to St. Stephen’s Church, and located one block to the north of the APE, remained *in situ* despite later construction episodes. This event shows that despite every effort made to reinter human remains, there is the remote possibility that some burials may be left behind.

In summary, the documentary research suggests that the east end of Lot 5, and all of Lots 6 through 10, outside of and below the existing foundation of the park building, may be sensitive for burials if burials were accidentally left on site. If burials were left *in situ*, it is anticipated that they would be found anywhere from the surface down to about six feet below the fill, which extends to between 14 and 15 feet below grade (Raymond International Inc., 1974). Since that data from boring logs makes it impossible to discern whether fill levels represent added strata versus disturbed historic levels, both the fill and the soils beneath it must be considered potentially sensitive. Therefore, what were formerly Lots 5-8 and the west half of 9 are potentially sensitive for burials at a depth of 0-20 feet below grade, with Lots 7-9 having greater sensitivity due to lack of historic disturbance. Furthermore, the east half of Lot 9 and all of Lot 10 are sensitive outside of and below the park building foundation down to a depth of about 20 feet below grade (Figure 10).

## V. CONCLUSION AND RECOMMENDATIONS

The documentary and cartographic analysis of Block 418 Lots 5-10, where St. Stephen’s Church and cemetery were formerly located from 1805 to 1866, suggests that all efforts were made to reinter 19<sup>th</sup> century burials at Cypress Hills Cemetery. However, there is always the possibility that some burials were unaccounted for and left *in situ*.



The primary records report that the church was responsible for the removal and reinterment of about 2234/2236 burials to Cypress Hills, though it is not known how many of these burials came from the St. Stephen's Church Cemetery site on Chrystie Street. It is also possible that additional reinterments may have taken place in other cemeteries, or family vaults. However, the lack of detail in the records does not allow for tracking the number of original interments and subsequent disinterments from the cemetery within the APE. The lack of records kept by the early parishioners of St. Stephen's Church, and inconsistencies in 19<sup>th</sup> century records, especially in times of epidemics such as yellow fever, has resulted in missing names and discrepancies in the numbers of burials originally interred at St. Stephen's Cemetery. Also, the use of the non-denominational cemetery located on First Street between First and Second Avenues could account for parishioner burials as well.

Through records such as account books, newspapers advertisements, buy-back contracts and deeds for the purchase of a common trench by William Miles, a Vestryman, for remains not claimed, it is evident that St. Stephen's Church made every effort to reinter its parishioners from its cemetery on Chrystie Street to other cemeteries in the city.

Research indicates that late 19<sup>th</sup> and early 20<sup>th</sup> century activity may have had only a limited impact on the sensitivity of potential remains within the St. Stephen's Church APE. After St. Stephen's relocated its parish uptown, the property on Chrystie Street was developed with a series of tenements, some of which did not have basements. Lots 7, 8, 9, and 10 did not have buildings with basements, and therefore are more sensitive for earlier features or remains. In addition, Lots 5-6, and 8-10 had open yard areas which were never developed.

As stated in the above section, in the 1930s the buildings were razed and Sara Delano Roosevelt Park was built. A comfort station was built at the corner of Broome and Forsyth Streets, and extended onto the east half of Lot 9 and most of Lot 10. The construction of its basement would have affected the sensitivity of any remains that may have still been located on a portion of Lot 9 and most of Lot 10 of Block 418, unless they were deeper than the basement's excavation. This however still leaves Lots 5-8 and the west half of Lot 9 not impacted by the original construction of the park.

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. Therefore, outside of the areas disturbed by basement construction from the tenements and the comfort station, there is the possibility for human remains to exist. Burials could be within, and up to six feet below, the fill which extends to about 15 feet below grade. Since the basements of historic and modern structures do not extend this deep, resources could conceivably be located around and beneath them. Therefore the entire APE, outside and beneath the footprint of existing and former basements, is potentially sensitive for human remains which may have been inadvertently left behind when the cemetery was relocated in the 1860s (Figure 10).

Due to the possibility that human remains from the St. Stephen's cemetery may be extant on the project site, Historical Perspectives recommends avoidance of this parcel through project re-design. If avoidance is not possible, then archaeological testing of the site prior to

construction and/or archaeological monitoring during construction, in accordance with the *Standards for Cultural Resource Investigations and the Curation of Archaeological Collections in New York State* (1994), the Secretary of the Interior's *Standards and Guidelines for Archaeology and Historic Preservation* (48 FR 44716, September 29, 1983); and the Advisory Council on Historic Preservation's handbook *Treatment of Archaeological Properties* (1980), would be necessary.

RPA-certified professional archaeologists, with an understanding of and experience in the recovery of skeletal material, would be required to be part of the testing team. Prior to archaeological testing and/or project construction, a protocol, defining the testing plan and procedures for handling skeletal material, would be developed in consultation with SHPO. The Christ and St. Stephen's Church would also be consulted regarding the appropriate treatment and disposition of human remains should any be encountered. Representatives from MTA NYCT met with St. Stephen's Church in March 2003. Reverend Paul Olsen of what is now called the Christ and St. Stephen's Church, the descendent community of the St. Stephen's Church within the APE, would be consulted regarding the appropriate protocol for handling human remains, should any be encountered.

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**FIGURE 1**

St. Stephens Cemetery APE on Chrystie Street between Broome and Grand Streets.  
U.S.G.S. Jersey City, NJ, and Brooklyn, NY Quadrangles, 1981.

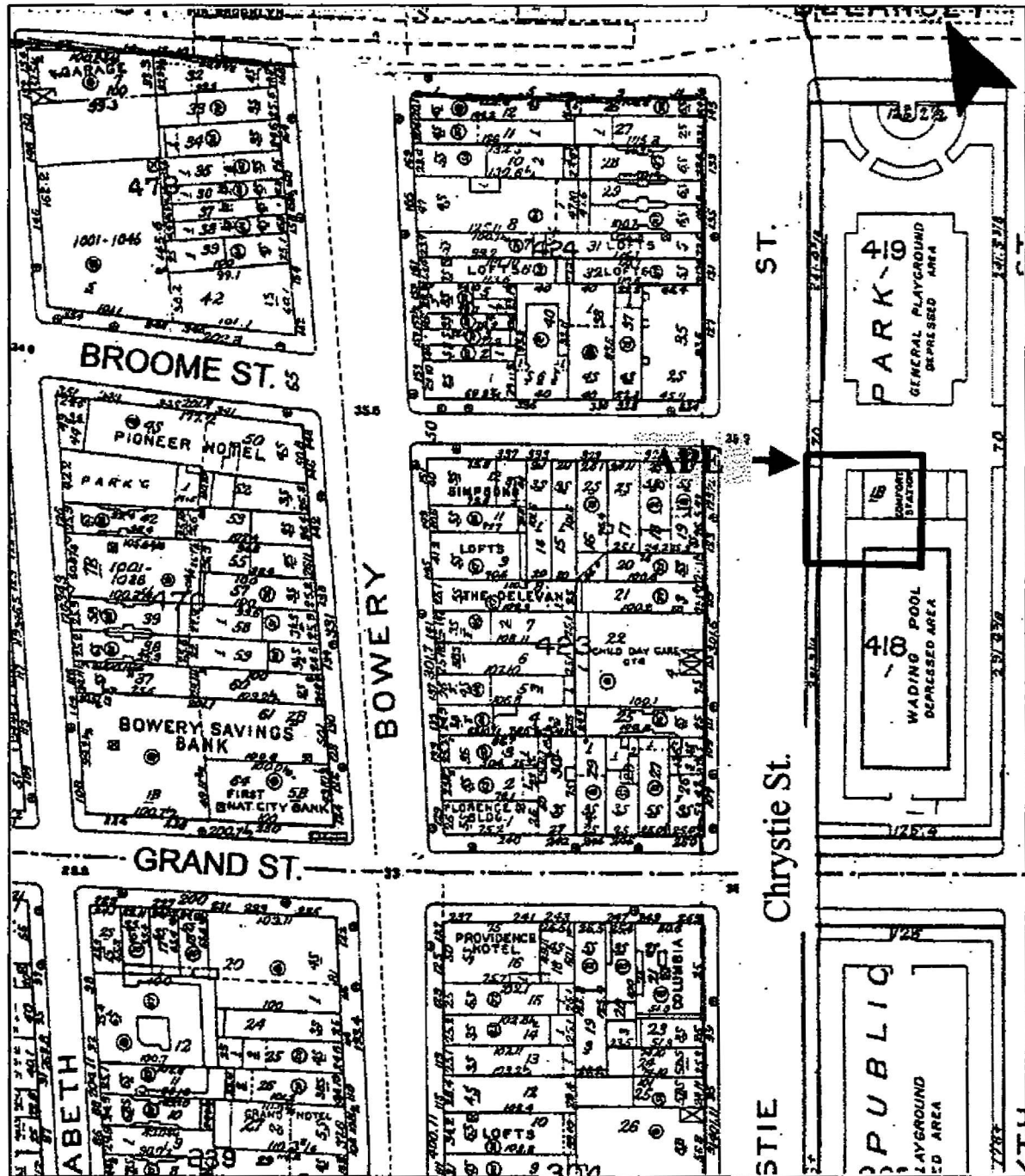


FIGURE 2

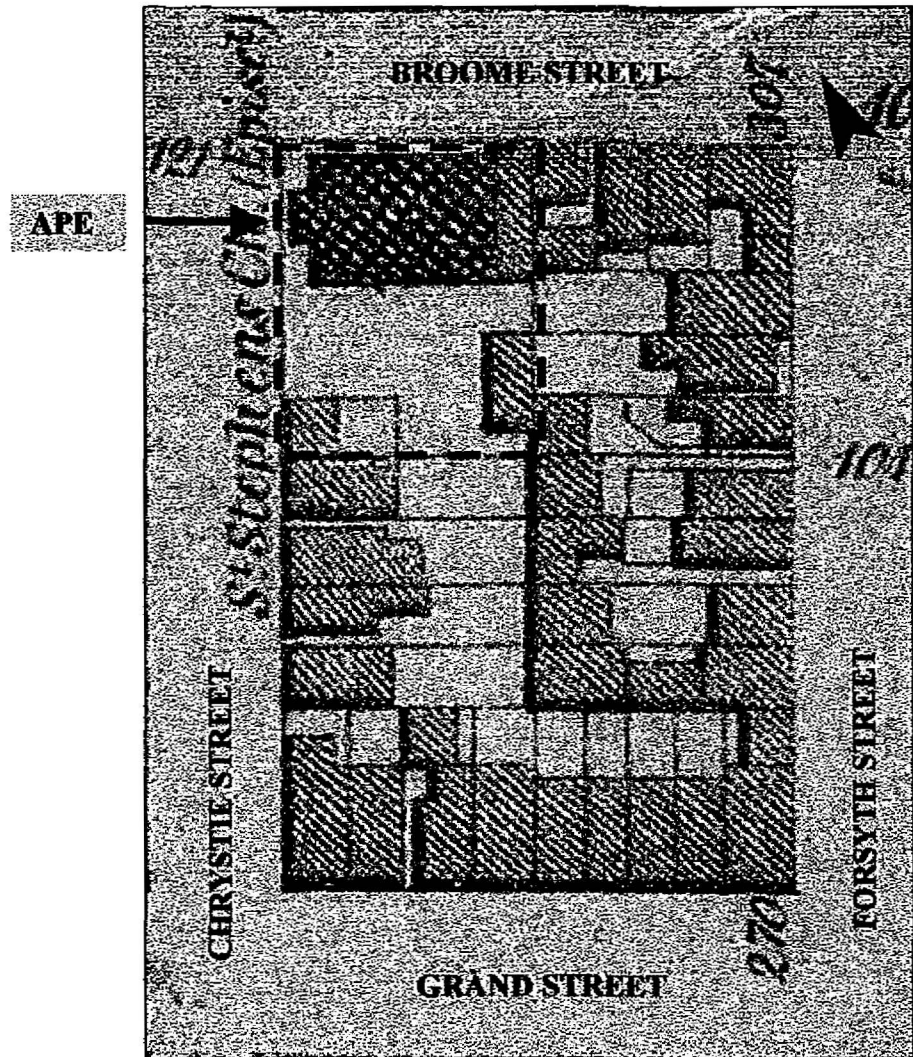
*Insurance Maps.* Sanborn 2001.  
St. Stephen's APE, Chrystie Street between Grand and Broome Streets.

Approximate Scale: 1/2 inch = 50 feet



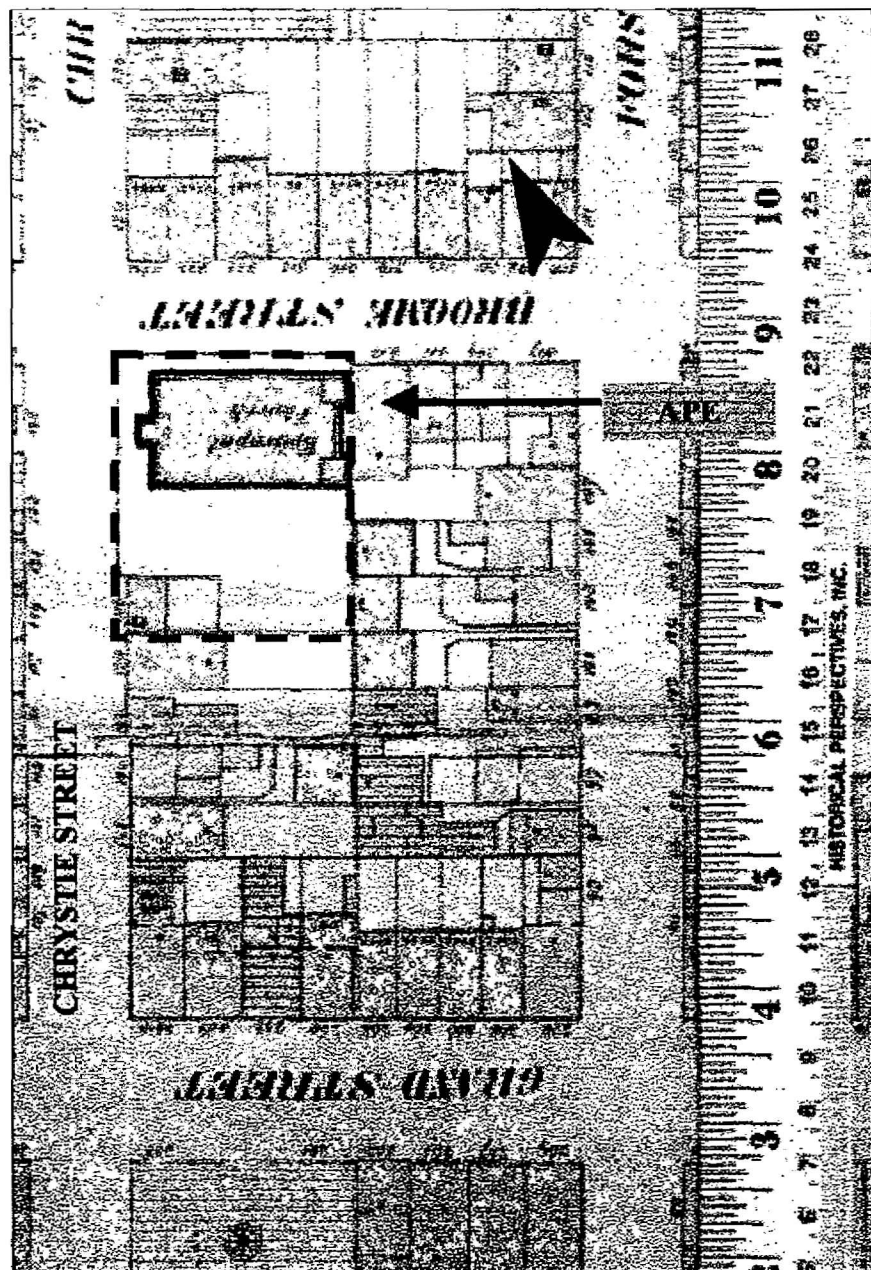
**FIGURE 3**

St. Stephen's Church 1805.  
Corner of Bullock (Broome) and First (Chrystie) Streets.  
*History of St. Stephen's Parish in the City of New York 1805-1905.*  
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**FIGURE 4**

*Map of the City of New York Extending Northward to 50th Street.*  
Dripps 1852.  
St. Stephen's APE, Chrystie Street between Broome and Grand Streets.



**FIGURE 5**

*Maps of the City of New-York.*

Perris 1857-1862.

St. Stephen's APE, Chrystie Street between Broome and Grand Streets.

Approximate Scale: 1 inch=60 feet



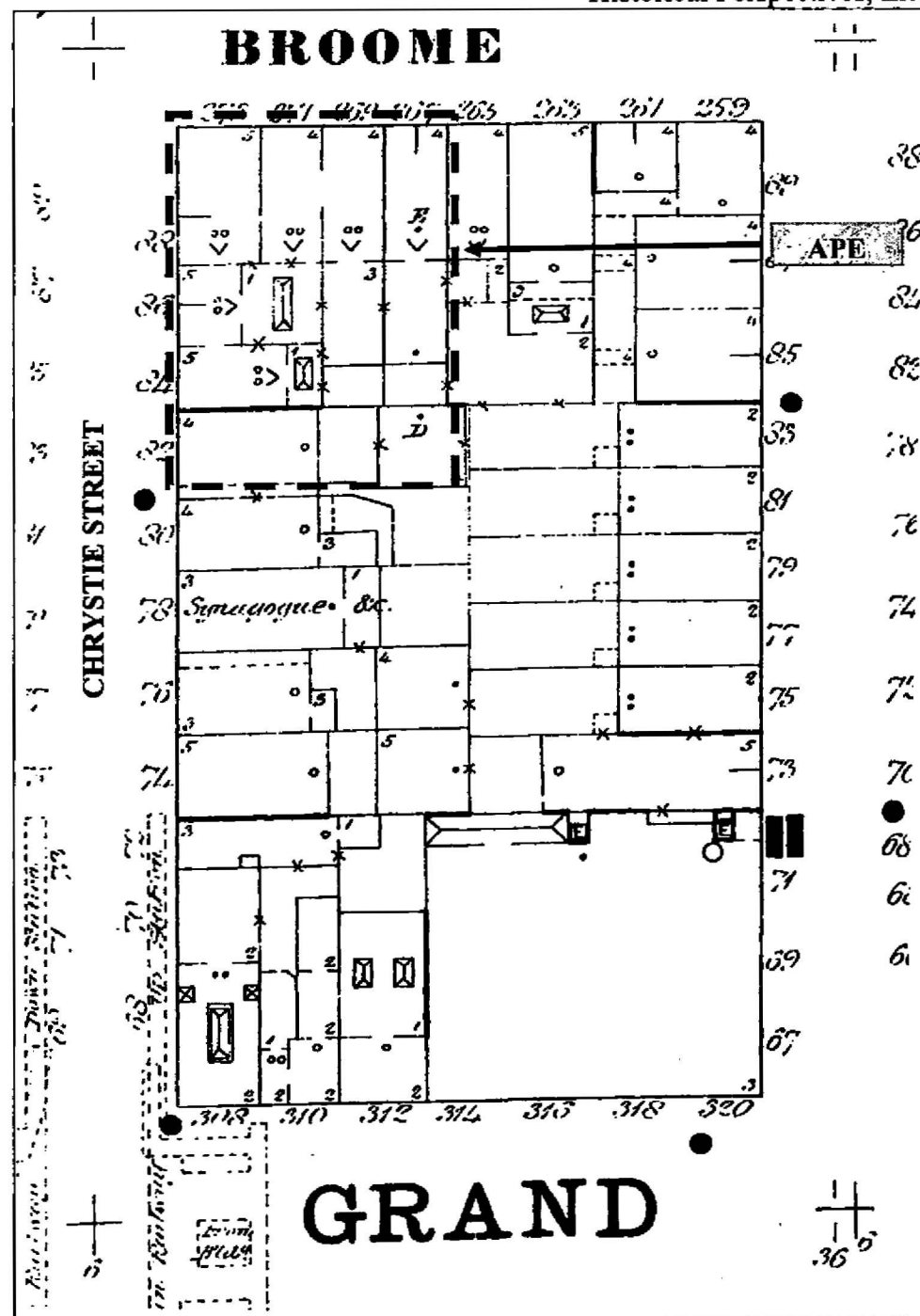


FIGURE 6

*Insurance Maps of the City of New York. Sanborn-Perris 1894.*  
 St. Stephen's APE, Chrystie Street between Broome and Grand Streets.

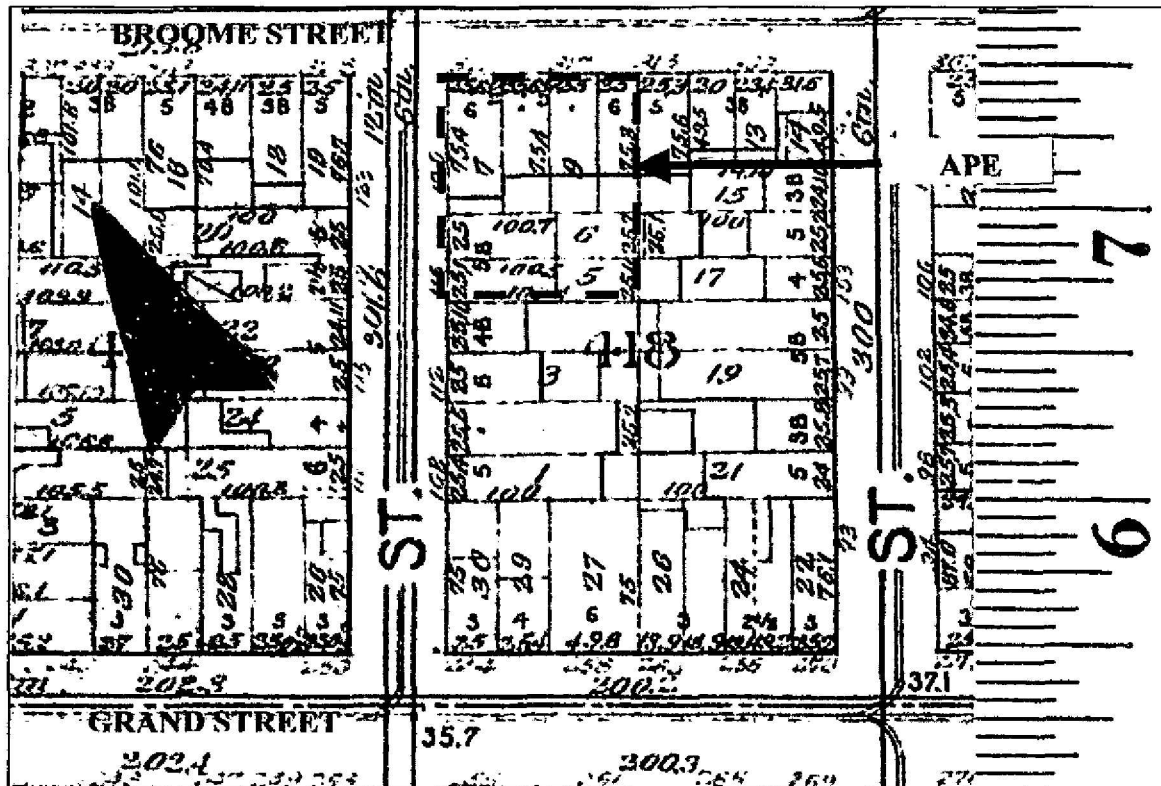
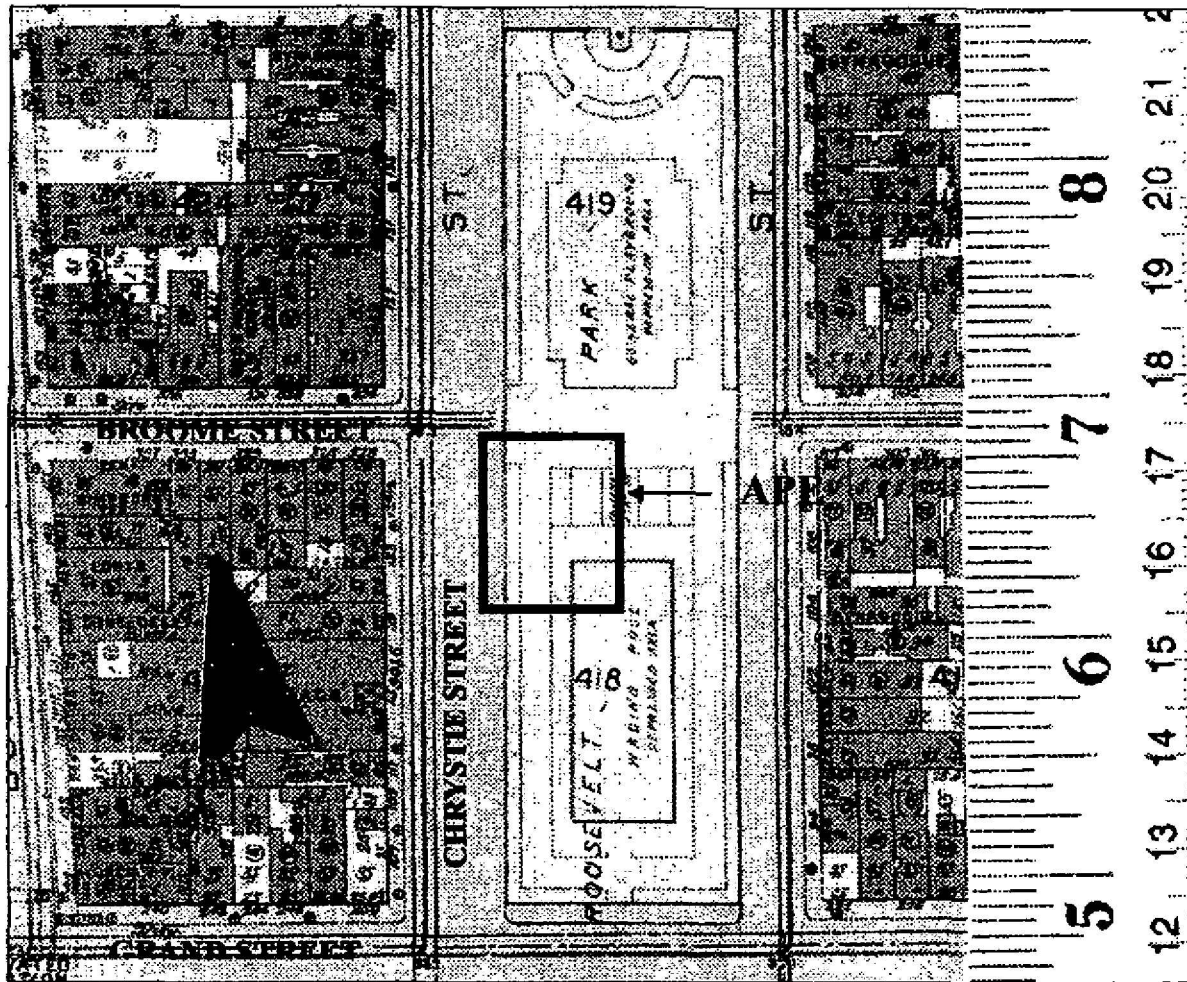


FIGURE 7

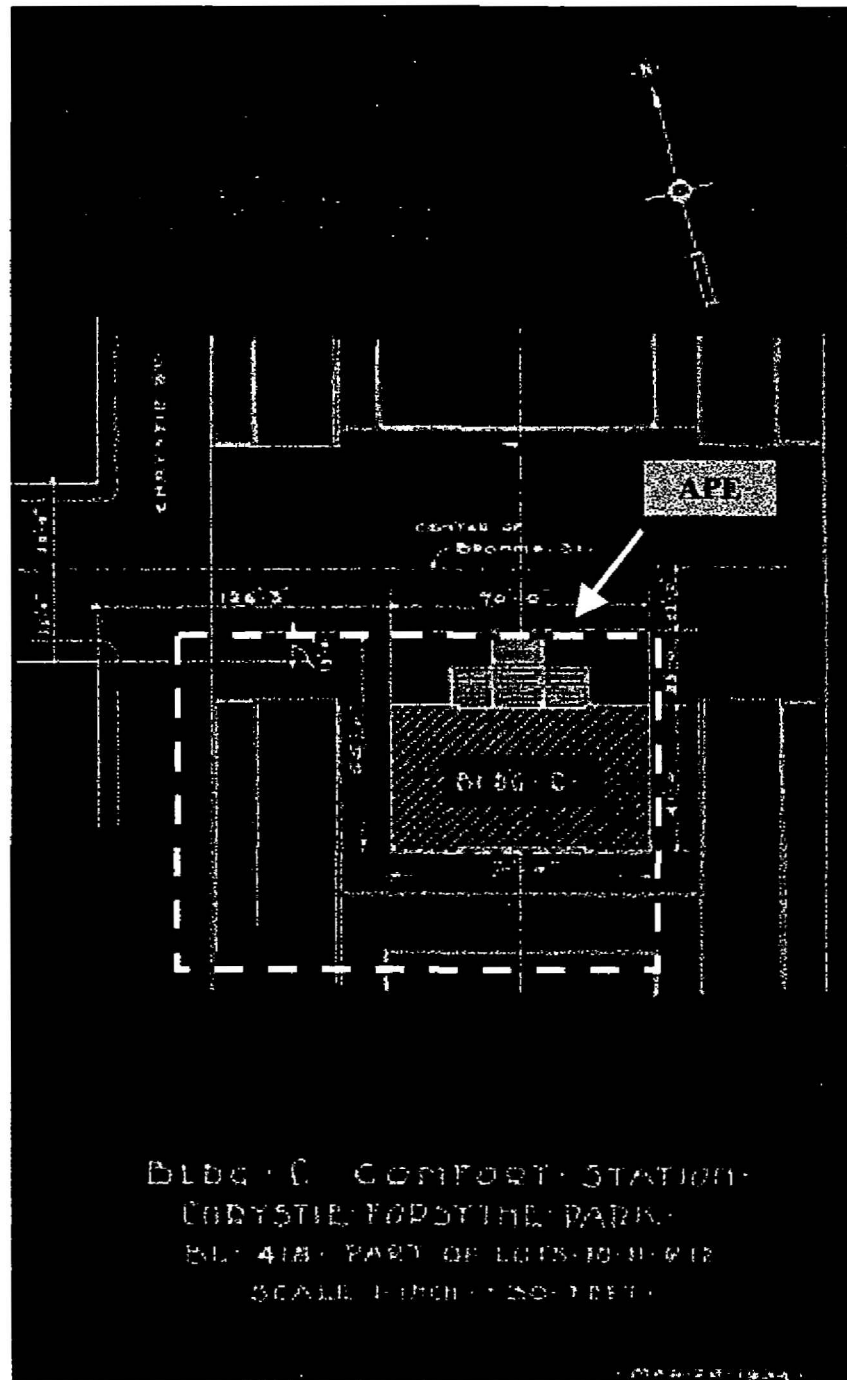
*Atlas of the City of New York, Borough of Manhattan.  
From actual surveys and official plans. Bromley 1897.  
St. Stephen's APE, Chrystie Street between Broome and Grand Streets.*





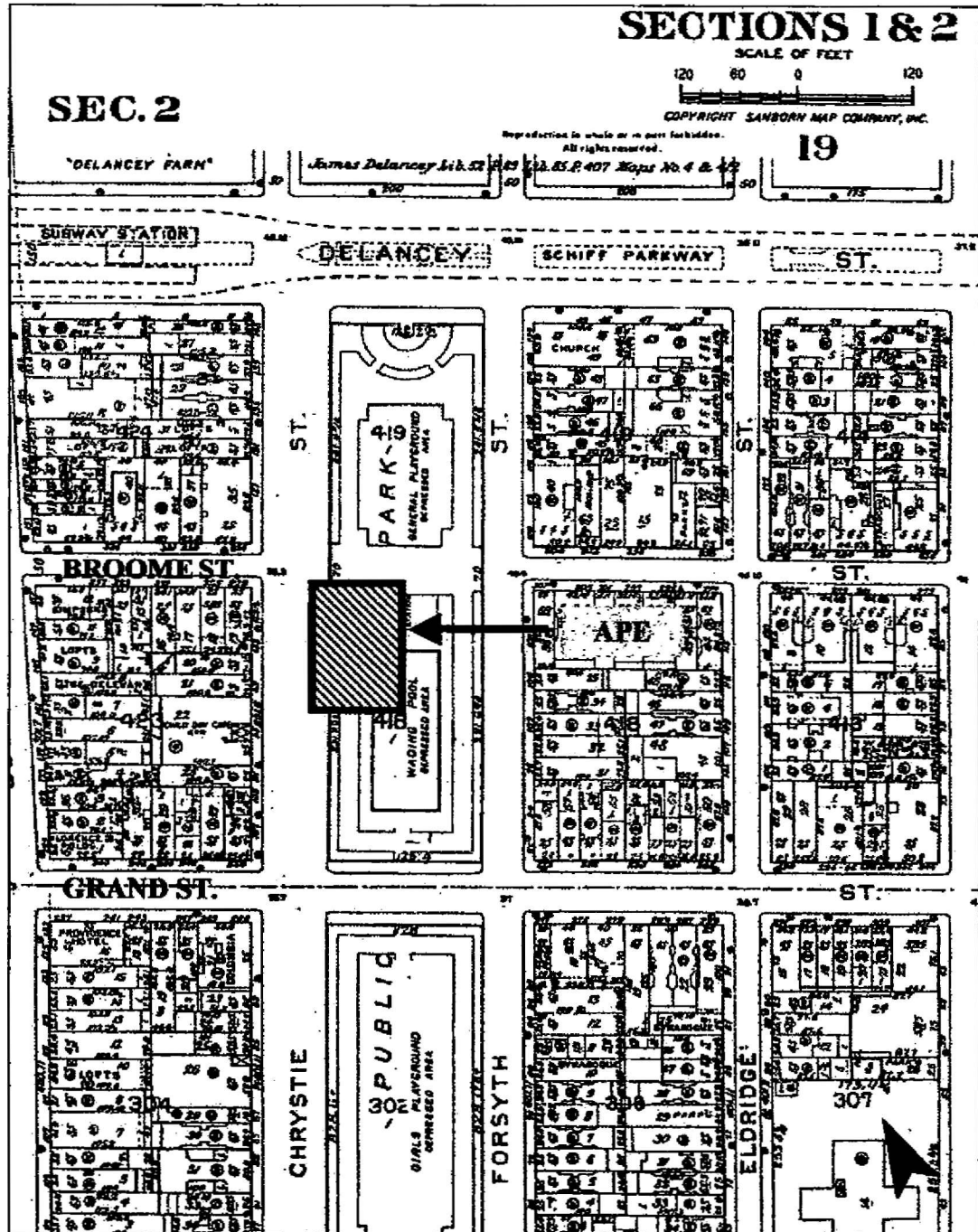
**FIGURE 8**

*Atlas of the City of New York, Borough of Manhattan.  
From actual surveys and official plans. Bromley 1934.  
St. Stephen's APE, Chrystie Street between Broome and Grand Streets.*



**FIGURE 9**

*Building "C" Plan, Block 418,  
Part of Lots-10, 11 & 12 Chrystie-Forsyth-Park. 1934.  
Source: AKRF, Inc.*



**FIGURE 10**

Areas of Potential Sensitivity for Burials.  
*Insurance Maps. Sanborn 2001.*

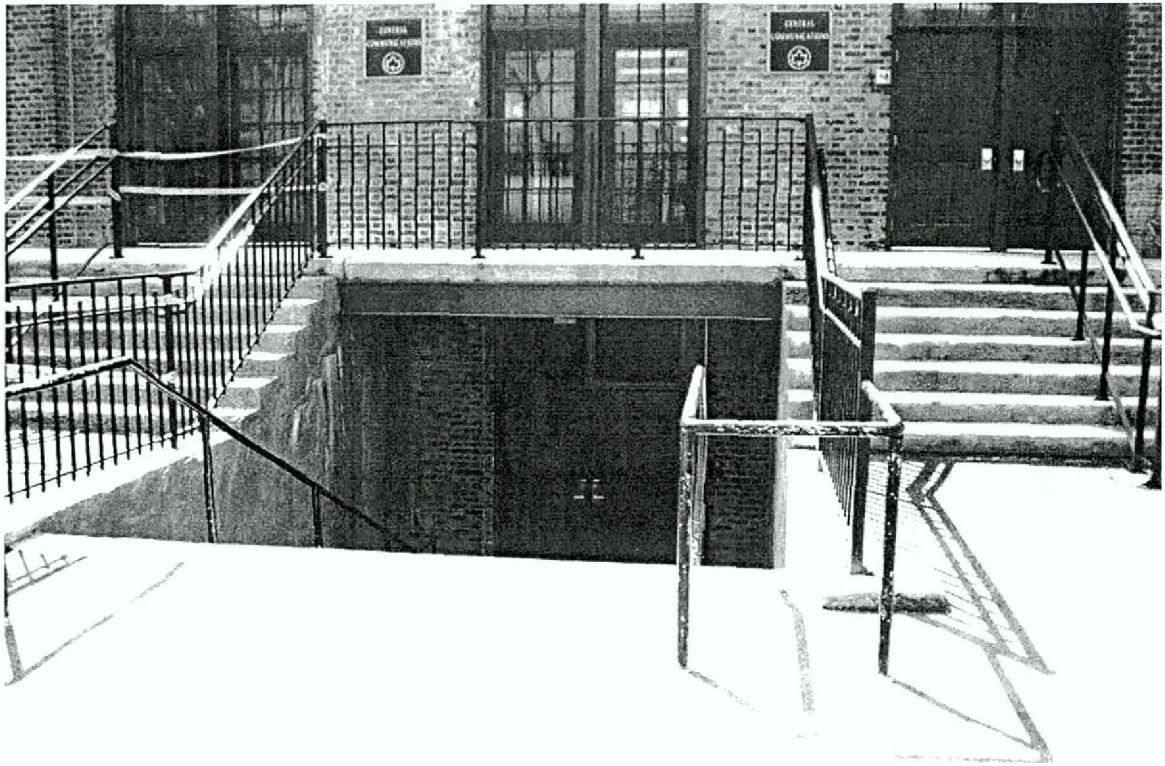
Approximate Scale: 1/2 inch = 50 feet



## PHOTOGRAPH 1

Photograph of Comfort Station, "Central Communications" building, for New York City Parks Department, looking south. Located at Broome Street between Chrystie and Forsyth Streets.





## PHOTOGRAPH 2

Photograph of stairs to basement of Comfort Station, "Central Communications" building  
for New York City Parks Department, looking south.  
Located on Broome Street between Chrystie and Forsyth Streets.