

United States Department of the Interior  
National Park Service

137



National Register of Historic Places  
Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in *How to Complete the National Register of Historic Places Registration Form* (National Register Bulletin 16A). Complete each item by marking "x" in the appropriate box or by entering the information requested. If an item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. Place additional entries and narrative items on continuation sheets (NPS Form 10-900a). Use a typewriter, word processor, or computer, to complete all items.

1. Name of Property

historic name Newburgh Colored Burial Ground

other name/site number Colored Burying Ground; Colored Cemetery; Western Avenue Yard; Western Avenue Cemetery

2. Location

street & town Broadway & Robinson Avenue (NY Route 9W)  not for publication

city or town City of Newburgh  vicinity

state New York code NY county Orange code 067 071 zip code 12550

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this  nomination  request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property  meets  does not meet the National Register criteria. I recommend that this property be considered significant  nationally  statewide  locally. ( See continuation sheet for additional comments.)

Ronald Ruppert DBHPO 2/9/10  
Signature of certifying official/Title Date

State of Federal agency and bureau

In my opinion, the property  meets  does not meet the National Register criteria. ( See continuation sheet for additional comments.)

Signature of certifying official/Title Date

State of Federal agency and bureau

4. National Park Service Certification

I hereby certify that the property is:

entered in the National Register.

See continuation sheet.

determined eligible for the National Register

See continuation sheet.

determined not eligible for the National Register.

removed from the National Register.

other, (explain) \_\_\_\_\_

for  
Edson H. Beall 3-31-10  
Signature of the Keeper Date of Action



Newburgh Colored Burial Ground  
Name of Property

Orange County, New York  
County and State

**5. Classification**

Ownership of Property (check as many boxes as apply)	Category of Property (check only one box)	Number of Resources within Property (Do not include previously listed resources in the count.)		
		Contributing	Noncontributing	
<input type="checkbox"/> public-local	<input type="checkbox"/> district	0	1	Buildings
<input type="checkbox"/> private	<input type="checkbox"/> building(s)	1	0	Sites
<input type="checkbox"/> public-State	<input checked="" type="checkbox"/> site	0	1	Structures
<input checked="" type="checkbox"/> public-Federal	<input type="checkbox"/> structure	0	0	Objects
	<input type="checkbox"/> object	1	2	Total

**Name of related multiple property listing**

(Enter "N/A" if property is not part of a multiple property listing.)

N/A

**Number of contributing resources previously listed in the National Register**

N/A

**6. Function or Use**

**Historic Function**

(Enter categories from instructions)

FUNERARY: cemetery  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Current Function**

(Enter categories from instructions)

FUNERARY: cemetery  
GOVERNMENT: courthouse  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**7. Description**

**Architectural Classification**

(Enter categories from instructions)

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Materials**

(Enter categories from instructions)

foundation N/A  
walls N/A  
roof N/A  
other N/A

**Narrative Description**

(Describe the historic and current condition of the property on one or more continuation sheets.)

See Continuation Sheets-

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## 7. Narrative Description

### *Location & Setting*

Newburgh's onetime 19<sup>th</sup> century Colored Burial Ground is located on land which today forms the grounds of the City Courthouse, itself once the Broadway School, at the intersection of Broadway and Robinson Avenue in Orange County, New York. Recent excavation work and mapping of the cemetery has helped in large measure to establish its boundaries, and revealed over 100 graves on the west and northwest sides of the courthouse building. The possibility remains that additional graves are located further west of the site, beneath what is today Robinson Avenue, or Route 9W. Further exploratory work, underneath what is today a paved thoroughfare, will be required to establish whether or not this is the case. There are no above-ground physical features to mark this as a cemetery, so far as funerary art or other landscape or design features; any such features were presumably removed by the time the school was constructed, 1908-09. As for the character of the immediate setting, Robinson Avenue is largely defined in this area by residential properties of mid to later 19<sup>th</sup> century date, save for the gas station that is located immediately opposite the nominated property, on the northwest corner of Broadway and Robinson Avenue. Broadway, meanwhile, the primary east-west thoroughfare in Newburgh and the spine around which the city developed in the 19<sup>th</sup> century, is characterized largely by commercial properties, some of which date to the 19<sup>th</sup> century.

The site is dominated by the Neoclassical-inspired Newburgh City Courthouse, originally erected as the Broadway School and built to the designs of architect Frank Estabrook in the years 1908-09, subsequently expanded and modified to serve its current function. This temple-front building sits on a raised platform of land which requires poured-concrete retaining walls on the south and west elevations, Broadway and Robinson Avenue respectively, these forming a transition between the downward-sloping grade of the site and the sidewalks which front these streets. On the property's south, or primary side—this is the direction in which the building's monumental Ionic portico was oriented—a series of deciduous trees define the transition from the poured concrete sidewalk and the metered parking spaces beyond it. The concrete retaining wall on this side, meanwhile, is interrupted by two sets of stairs which lead upward to the front of the building, where a coursed ashlar wall defines additional stairs which lead upward to the portico and entrance doors. The east side of stairs from the sidewalk likewise connects with a walkway that leads to stairs that once accessed a walkway on the building's east side—this circulation pattern has been closed off by a chain link fence—while the west stairs provide access to walkway that aligns the west elevation, leading to the rear entrance and parking area. A cast-iron fence aligns this side of the property, interrupted by a single stair from the west sidewalk.

At street level on the west perimeter the retaining wall gives way to an asphalt-paved sidewalk that leads northward up Robinson Avenue, with utility poles aligned parallel to it, between the sidewalk and the curb. A break in the retaining wall provides for a set of steps that accesses the upper walkway adjacent to the building's west elevation. The north side of the parcel is occupied by a paved parking area and associated fencing, curbing and lighting.

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*The Cemetery*

The precise boundary of the Newburgh Colored Burial Ground at the time it no longer accepted remains is not precisely known—given the yard may extend beneath present-day Robinson Avenue—however its extent in relation to the current Courthouse parcel is well established. The most recent archaeological work at the site provided for a thorough understanding of the burial ground as it existed to the west and northwest of the courthouse building, and it is from this work that the site boundary was generated. Moving from the recessed portion of the west elevation of the original school, seven fairly well-ordered rows of graves were discovered, providing a glimpse of the original burial configuration, and likewise indicating burials were made in most instances on an east to west axis, with the deceased laid in graves with their feet to the east. One row of graves extended beyond the retaining wall on this side of the property, raising questions about just how far the cemetery extended, if at all, beneath Robinson Avenue. Rows of graves likewise extended northward, into the present-day parking area behind the facility. All remains from disturbed burials were removed from their graves, except those that are partially subsumed beneath the underpinnings of the courthouse building.

**8. Significance**

**Applicable National Register Criteria**

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

- A Property is associated with events that have made a significant contribution to the broad patterns of our history.
- B Property is associated with the lives of persons significant in our past.
- C Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- D Property has yielded, or is likely to yield, information important in prehistory or history.

**Criteria Considerations**

(Mark "x" in all the boxes that apply.)

Property is:

- A owned by a religious institution or used for religious purposes.
- B removed from its original location.
- C a birthplace or grave.
- D a cemetery.
- E a reconstructed building, object, or structure.
- F a commemorative property.
- G less than 50 years of age or achieved significance within the past 50 years.

**Narrative Statement of Significance**

(Explain the significance of the property on one or more continuation sheets.)

**9. Major Bibliographical References**

**Bibliography**

(Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

**Previous documentation on file (NPS):**

- preliminary determination of individual listing (36 CFR 67) has been requested
- previously listed in the National Register
- previously determined eligible by the National Register
- designated a National Historic Landmark
- recorded by Historic American Buildings Survey # \_\_\_\_\_
- recorded by Historic American Engineering Record # \_\_\_\_\_

**Areas of Significance**

(enter categories from instructions)

ARCHAEOLOGY: Historic—Non-aboriginal  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Period of Significance**

c. 1832- c. 1867  
\_\_\_\_\_  
\_\_\_\_\_

**Significant Dates**

c. 1832; 1866; 1867  
\_\_\_\_\_  
\_\_\_\_\_

**Significant Persons**

(Complete if Criterion B is marked above)  
N/A  
\_\_\_\_\_

**Cultural Affiliation**

N/A  
\_\_\_\_\_  
\_\_\_\_\_

**Architect/Builder**

N/A  
\_\_\_\_\_  
\_\_\_\_\_

**Primary location of additional data:**

- State Historic Preservation Office
- Other State agency
- Federal agency
- Local government
- University
- Other Name of repository: \_\_\_\_\_

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## 8. Narrative Statement of Significance

### *Abstract*

The Newburgh Colored Burial Ground—this name being chosen as it relates to early references to the property in 19<sup>th</sup> century records—is locally significant under National Register Criterion D for its potential to yield information regarding this site’s use by this community’s African-American population, and possibly other segments of the population as well. The site, otherwise known in the 19<sup>th</sup> century as the Western Avenue Yard, is likewise significant for its potential to yield important information about those populations, including data on health, disease, and diet as well as information on social organization and status. While a dearth of documentary information has failed to yield precise information regarding the site’s establishment for the purpose of interments, it appears the cemetery was active from c. 1832 to c. 1867, at a time when this area remained somewhat isolated from development to the east towards the Hudson River and Newburgh’s waterfront. As late as 1864, the *Farm Map of the Town of Newburgh*<sup>1</sup> depicts the lot as at the edge of the developed area of Newburgh, directly adjacent to a large farm parcel associated with a member of the Hasbrouck family. By the 1870s the land immediately to the east and north of the cemetery had been developed in association with an oilcloth factory operated by the Gearn family, and it was likewise in this decade that Robinson Avenue was constructed to the immediate west. As early as 1869 it appears that pedestrian and wagon traffic had begun to erode graves within the cemetery, exposing some remains, and again in 1873 during construction of Robinson Avenue, which required the removal of remains in the roadbed for interment at the Alms House Cemetery near Snake Hill. In 1905, surveying was underway for construction of a new elementary school, with the related demolition of the oil cloth factory, and remains were again encountered and interred at Woodlawn Cemetery, as they were in 1908, as construction of the Broadway School progressed. In more recent times, in 2008 and by some accounts during the 1980s, remains were again encountered. Historical, archaeological and anthropological analysis remain ongoing in an attempt to better define the nature of the cemetery, its extent, its period of usage, and issues relating to the socio-economic background of those interred here and likewise the episodes of disturbance recorded in the third quarter of the 19<sup>th</sup> century at various times in the 20<sup>th</sup> century.

### *Overview: Early Settlement & Development of Newburgh; Newburgh’s 19<sup>th</sup> Century African-American Population*

The initial European settlement of what would develop as Newburgh was made by refugees from the German Palatinate in the first quarter of the 18<sup>th</sup> century. In the winter of 1708-09 a group of 53 refugees from the war-ravaged Rhine Valley in Germany settled here, led by Lutheran Reverend Joshua Kockerthal, and subsequently received from the English a land patent in excess of two thousand acres, entitled the “Palatine Parish by the Quassaick,” named for the stream that forms the southern boundary of the city. During the 1730s the initial German settlement grew with the arrival of new settlers, including those with Scots-English, Dutch, and French Huguenot origins, coinciding with a decline in the Lutheran congregation.

By 1743 the increased influence of the Scots-English settlers had led to the re-christening of the city as “Newburgh,” while confrontations between the Lutherans and English ministers in 1744 and 1747 signaled the demise of the Quassaick Lutheran church. Corresponding with the decline of German influence was a period of commercial expansion initiated by Alexander Colden, son of prominent Orange County figure

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<sup>1</sup> Michael Hughes, *Farm Map of the Town of Newburgh, Orange County, New York* (Philadelphia: Michael Hughes, 1864).

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Cadwallader Colden. The younger Colden, recognizing the tremendous economic potential of a river landing, petitioned Governor George Clarke for water rights and the privilege of operating a ferry from Newburgh east across the Hudson River, gaining approval soon after. In 1751 Colden and others again petitioned Clarke, this time requesting permission to rent the former Palatine glebe land to support a minister and a schoolmaster. In 1752, under direction of the governor, the attorney general prepared a patent conveying the land to the Church of England.

By the mid-18<sup>th</sup> century the settlement had developed as a prominent river landing on the Hudson River, roughly mid-way between New York City and Albany. Shipbuilding, the production of nautical stores and lumber, and a small but significant river trade all contributed to the rise of the Newburgh waterfront. Numerous mills were established in the vicinity of the settlement, particularly along the Quassaick Creek that forms a natural boundary between Newburgh and New Windsor.

With the coming of the American Revolution, Newburgh gained a position of great strategic significance, especially during the English occupation of New York City. The Hudson River ferry proved a critical link between New England and New York and by extension the Middle Atlantic colonies and the South. Docks, storehouses, and barracks were erected here to facilitate and protect communications and the transport of military goods and personnel across the river—a large Continental army depot was located to the east near present-day Fishkill. The population of the village likewise swelled with the arrival of refugees from New York City and the continued quartering of troops in and around the settlement. By 1782 the main body of the Continental Army was encamped in the vicinity, with Washington making his headquarters in the Hasbrouck house in Newburgh. Although the hamlet survived the war largely unscathed, the effect of the English blockade of New York City had temporarily crippled the local shipbuilding and shipping trades.

The rise of Newburgh as a commercial hub of statewide distinction commenced in 1801 with the incorporation of the Newburgh-Cochecton Turnpike Company, which constructed a road linking Newburgh and the Hudson River with the upper reaches of the Delaware River. Prior to the completion of the Erie Canal, this road functioned as one of the primary links to the county's interior and served as a favored route of westward bound settlers from the lower New England states. Later extended further west and augmented by the completion of other routes, the turnpike provided Newburgh with a substantial stimulus for increased growth. Although the completion of the Erie Canal in 1825 and the Delaware & Hudson Canal in 1828 diminished the importance of Newburgh as a center of inland trade, the village continued to experience significant growth and economic diversification. The completion of the New York & Erie Railroad in the 1850s would again create challenges for Newburgh's economy.

By the end of the first quarter of the 19<sup>th</sup> century, Newburgh sustained a modest free black community. An 1822 census of the Newburgh indicates the population of that village numbered 3,078 persons, of which 148 were "colored"—144 untaxed and 4 taxed.<sup>2</sup> Most of what is known of the village and town of Newburgh's black population has been gleaned from Federal census records, limiting to some extent our understanding of the community but nevertheless offering some measure of social and economic comparison.

<sup>2</sup> Samuel Eager, *An Outline History of Orange County* (Newburgh: S.T. Callahan, 1846-47), 228.

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*Newburgh's Colored Burial Ground*

Precise beginning and end dates for this parcel's use as a place of interment for African-American and potentially other segments of the population are not known, and likewise the exact nature of the cemetery—whether it was associated with a local black church, operated as a free black cemetery, or perhaps a segregated almshouse cemetery—remains unclear at this time. Newburgh had a small but active black community in the first half of the 19<sup>th</sup> century, and two churches which served the religious needs of African-Americans were located nearby, however neither has retained death or funeral records that are capable of providing any insights into the cemetery. In a similar vein local civic groups such as the Lincoln League of Colored Citizens, which may well have advocated for the care of remains when exposed in the 1870s and 1900s, also fail to maintain records pertinent to this site. Church histories also fail to reference the management or ownership of the cemetery, and the A.M.E. Zion church—perhaps the most likely group so far as a direct relationship with the burying ground—lost track of its records in the 1960s, and these have yet to be located.<sup>3</sup>

Census data suggests that Newburgh in this era sustained a black population sufficient to operate a cemetery in private ownership, similar to one that was operated across the Hudson River in Beacon. This data likewise indicates a number of poor black citizens requiring alms, suggesting the burial ground could likewise have been a segregated cemetery for the poor.<sup>4</sup> Newburgh's earliest alms cemetery, at the foot of present-day Rogers Place, was by all indications segregated as early as 1814, as one contemporary map shows sections for "Negroes, Strangers, Whites." Saint Patrick's Cemetery, located immediately west of the Colored Cemetery across Robinson Avenue, was established in 1847.<sup>5</sup> Parish records indicate that few parish members were buried in the "poor grounds," calling into question whether the "poor grounds" relates to a section of their own cemetery, an almshouse cemetery, or possibly the nominated cemetery. A few extant 19<sup>th</sup> century city burial records indicate that interments were still being made at the Colored Burial Ground in the mid-1860s, known otherwise as the "Western Avenue Yard." These included the burials of Mary Jane Johnson, on October 19, 1866; Dianna Payne, October 20, 1866; Jane Richardson, October 22, 1866; and Jane Hart, April 1867. It was not until 1866 that burial permits were required as per state health law, and as such municipal death records failed to reference burial places prior to this date.<sup>6</sup> Onetime Newburgh city historian Helen Gearn, whose family lived nearby and operated the oil cloth factory to the east of the cemetery in the 19<sup>th</sup> century, described the nominated cemetery as "an old Indian burying ground," a reference only furthering the lack of clarity so far as the site's early history and use.<sup>7</sup> It is likewise possible, given the presumed date of c. 1832 for the first use of this site as a burial yard, that the site bears a direct relationship with the Asian Cholera pandemic which was well underway in New York by the early 1830s.

Historian Christina Ziegler-McPherson, in a report prepared in association with the recent archaeological investigations at the site, contrasted Anglo-American building practices with those of African American burial sites:

<sup>3</sup> Mary McTamanev, Newburgh City Historian, "Preliminary Western Avenue Cemetery History."

<sup>4</sup> Ibid

<sup>5</sup> Ibid

<sup>6</sup> Ibid

<sup>7</sup> Ibid

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In Anglo-American practices, graves were marked with a head stone, which identified the dead person's name and dates of birth and death; the body was aligned east-west with the feet of the interred oriented to the east; the wife of a deceased individual was buried to the left of her husband; and graves were arranged in rows and columns in a relatively uniform fashion.

Among African American burial sites, several different practices have been noted: the presence of surface offerings left on the grave, such as pottery, last used or favorite objects of the deceased, pipes, lamps, seashells and vehicle effigies; "bottle trees," hanging glass shards and bottles from the branches of trees in and around the cemetery; the location of the cemetery near waterways; trees or other plants planted or transplanted on or near the graves; and graves in family clusters spread throughout the cemetery with grave orientations not always being east-west. . . In Newburgh, however, none of these African American burial traditions have been found.<sup>8</sup>

Among the earliest-known primary documents citing this location as a cemetery is a map prepared in June 1869 by City Surveyor Charles Caldwell, which indicated a "Colored Burial Ground" at this location. This map and other survey materials were prepared by Caldwell in advance of the construction of Robinson Avenue.<sup>9</sup> No official municipal or other 19<sup>th</sup> century maps, outside of this survey sheet prepared during field work by Caldwell, note this location as a burying ground. Deed research has likewise failed to provide for a complete chain of title and to definitively ascribe ownership to the parcel during its use as a cemetery during the second quarter of the 19<sup>th</sup> century—and possibly earlier and later. Records indicate this land was originally part of Lot #4 granted to Newburgh's early Palatine settlers in 1713, a parcel stretching from the Hudson River to present-day West Street. By 1873 the parcel was in city ownership, though under what circumstances it was acquired, whether purchase or default, is not known.

The plans to construct Robinson Avenue were necessitating consideration of how to deal with the cemetery property at the municipal level. In December 1872 a presentation made to the City Council noted the burial yard was in what was termed "disgraceful condition," suggesting it had fallen into disuse and was not being actively maintained, and consideration was being made about the best manner in which to deal with remains interred there. In March 1873 a resolution was made by the City Council to refer the matter to the city attorney, and to confer with the Board of the Alms House Commissioners regarding the disposition of the property and the proper way in which to deal with the burials. In May 1873 the city attorney reported he had conferred with the attorney for the Alms House Commissioners and decided that the best course of action was to have the property sold by the City under the assessment made against the same for the grading of Robinson Avenue. Such arrangement could then be made as would secure the removal of the remains from the grounds to the Alms House cemetery.<sup>10</sup>

The former burial ground again emerged as an issue in association with the further physical development of Newburgh in the early 20<sup>th</sup> century, in association with plans for the construction of a new elementary school, and shortly prior to the demolition of the former oil cloth manufacturing complex. The following account was offered in the July 3, 1908 edition of *The Newburgh Democrat & Register Newspaper*, and references these developments:

<sup>8</sup> Christina A. Ziegler-McPherson, Historical Section in Newburgh African American Cemetery Report, Landmark Archaeology, 3.

<sup>9</sup> Charles Caldwell, "Commissioner's Map of Western Avenue," June 1869. Newburgh City Engineer's Office Records.

<sup>10</sup>McTamoney, "Cemetery History."

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*Unearthing Bones of Departed Ones  
In Excavating For New School House—Colored Grave Yard  
Prior to Transfer of Bodies to Woodlawn Cemetery*

It was a grewsome [sic] sight that was observed at the grounds now being excavated for the foundation of the new Grammar School Building, on Broadway at the corner of Robinson Avenue, last evening by a Democratic representative.

There was a procession of boys marching to the unmusical melody furnished by the beating of a tin pan with a stick. At the front and head was the leader, bearing aloft on a piece of pine scantling what had at one time been the skull of a human being.

When the oil cloth factory was removed from the site on which excavation is now in progress two or three years, in clearing up the debris and grading down the grounds to make the place look presentable, a number of human bones were found, hence it was not surprising that since the men had been excavating to a general depth over a tract of ground that other bones should be found by laborers. It was one of the skulls thus unearthed that the boy had taken from the box into which pieces were thrown and with the general disregard boys have for things of a serious character had started in to head a parade with it.

The ground now being dug up, it is said was at one time the site of a colored people's burying ground. Years ago, when the factory was about to be located in Newburgh, at a time when the wave of improvement set in on the Avenue as Broadway was then designated, arrangements were perfected for the transfer of all bodies in the cemetery, so far as could be learned to a section of Woodlawn Cemetery, which is recognized and known today as the colored people's section, and therein are interred many colored people who have been a great credit to their race in the City of Newburgh. It is probable all the bones that can be collected at the site of the old burying ground, as cemeteries were known half a century ago, will be placed in a box and decently interred in a grave at Woodlawn.

Yesterday there was unearthed a box containing the remains of a person who had been buried with his boots and work clothes on. As soon as the air struck the remains everything except the boots crumbled to dust. Last evening there was another box partially exposed to view at the grounds. This will doubtless be unearthed this morning during the day. The bodies that were left in the ground after the general transfer of remains to Woodlawn were those of persons whose graves had not been marked and consequently no investigation was made as to their whereabouts.<sup>11</sup>

Meanwhile, that same day, *The Newburgh Daily Journal* offered its own account:

Workmen engaged in excavating for the new Grammar School building on the lot at the northeast corner of Broadway and Robinson Avenue on Thursday afternoon dug up the bones of some human beings. In some cases coffins were also found but about other remains there were none, indicating that the bodies were probably interred without covering.

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<sup>11</sup>Ibid

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It is said that this lot was once a colored burying ground and that when the old oil cloth factory was built there, some of the bodies were removed to Woodlawn Cemetery. Others which were not marked, it is said, were not touched.

The discovery of bones resulted in a grewsome [sic] procession on Broadway at night. Some boys gained possession of skulls and suspending them on sticks paraded through the streets beating tin pans for marching "music."

Work is progressing rapidly on the lot. A big gang of laborers employed by John Convery Sons is actively engaged in excavating, and it is expected that work on the foundation will begin next Wednesday.<sup>12</sup>

*Criterion D Justification: Research potential*

Full reports on the archaeology of the Newburgh Colored Burial Ground site are anticipated, as is an analysis of the human remains at this time being prepared by Dr. Kenneth Nystrom of the State University of New York at New Paltz. Once these are complete, historians and others will have new information regarding Newburgh's 19<sup>th</sup> century African-American population, including socio-economic information and potential information regarding historic migration patterns, in addition to information relating to methods of interment, possibly indicative of cultural and religious practices. Further analysis can also provide significant information useful in exploring historical issues such as how the cemetery was treated, abandoned, and eventually in large measure buried under the Broadway School and Robinson Avenue. As noted by Douglas Mackey, archaeologist with the New York State Historic Preservation Office, this type of information can be useful in assessing questions of status and how the larger Newburgh society viewed and treated people of color—both at the time the cemetery was in use and in subsequent periods of the city's history, and right up to the recent courthouse project—providing a diachronic analysis of issues pertaining to race, class, and social status.

The first research theme that ongoing analysis of the site will address concerns the socio-economic background of those interred in this cemetery in the 19<sup>th</sup> century. Physical artifacts already recovered from the site, and inventoried by archaeologists, include clothing, jewelry, and a large quantity of coffin-related hardware, among other items.<sup>13</sup> Another research theme that current and continued analysis might successfully address concerns the methods of interment here, and how it may relate to cultural or religious practices.

Likewise of significant interest so far as what this site can provide relates to historical issues of how the cemetery was treated, abandoned, and eventually in large measure buried under the Broadway School and to a lesser extent Robinson Avenue, which might help questions of social status and how the larger Newburgh society viewed and treated people of color, providing a diachronic analysis of issues pertaining to race, class, and social status. The site has a long history of disturbance, and was by all indications in a semi-forlorn state in 1872, when its condition was referenced as being "disgraceful." The creation of Robinson Avenue and the later construction of Broadway School were clearly deemed necessary for the continuing development of

<sup>12</sup>Ibid

<sup>13</sup>Artifact inventory produced by Landmark Archaeology, Inc.

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Newburgh's transportation infrastructure and educational system, far more important than the retention of the cemetery by all indications.

Although the quoted newspaper accounts and city records suggests that many remains were removed in the late 19<sup>th</sup> to early 20<sup>th</sup> century, the recent archaeological investigations suggest that those removal efforts were far from thorough. Investigations in 2008 identified at least 110 sets of remains, many found in neatly arranged, adjacent rows, suggesting that no attempt was made to remove remains from the areas examined by that study. Additionally, a number of remains were found extending directly under the foundations and its underlying gravel fill. The presence of the fill, directly overlaying bones, suggests the builders were aware that remains were present, but made no effort to remove them. These situations indicate a lack of concern and respect for those interred at the cemetery by the early 20<sup>th</sup> century workers and provides an avenue for research to help determine if this reflects general attitudes towards the deceased, or if it reflects the attitude toward the particular population known to have been buried here.

Dr. Kenneth Nystrom, Biological Anthropologist at the State University of New York at New Paltz, has suggested the following potential avenues for research utilizing this population; the following is paraphrased from a research proposal prepared by Dr. Nystrom and submitted to the City of the Newburgh and the State Historic Preservation Office in October 2009.

**I. Civic Engagement and Education**

The Newburgh African Cemetery represents a physical manifestation of the African Diaspora, which has been called one of the most significant demographic, cultural, and economic events in world history. It was a key component of British colonial structure and was thus integral to the development of the Americas. This alone would make the cemetery and its occupants significant as it provides primary evidence on what life was like for Africans during this period in North American history. More specifically, the cemetery and its occupants allow us to explore what life was like in the Northern States for Africans, which is relatively little understood.

Given the unique nature of the cemetery, with the wealth of historical, archaeological, and biological information available, there are also opportunities to involve students in experiential learning. Interested undergraduate students from the Black Studies and Anthropology Departments at SUNY New Paltz can assist in compiling and analyzing the information.

**II. Interdisciplinary Bio-cultural Approach**

Any research will be framed within a bio-cultural perspective where human biology is interpreted within a historical and socio-cultural framework. Local residents and historians have begun to gather a considerable amount of information regarding the history of enslaved Africans in New York. When considered in conjunction with the archaeological and biological data, a unique opportunity exists to understand the lives of those buried in the cemetery.

**III. Potential Research Foci**

Physiological responses and adaptation to enslavement.

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Broadly, we may be able to assess the physical quality of life. Information can be generated regarding fertility and mortality rates and how they may have changed through time. We can also consider health and disease patterns. Closely related to this, we can consider how nutritional inadequacies and exposure to parasites may have influenced overall health. Previous research has documented that enslaved Africans suffered high trauma rates; thus we will be able to directly compare the Newburgh individuals to these previous studies. Did the conditions experienced by enslaved Africans change with time? With comparative samples from the Manhattan African Burial Ground, the New York State Museum, and Philadelphia it may be possible to determine how enslavement affected the African populations. This cemetery is also important because it is one of the few skeletal samples from the Northern states and thus can provide a considerable amount of information on the institution of slavery.

Populational and geographic origins

Where are the individuals buried at the cemetery from? Were they born in North America or were they African-born? This may be accomplished using craniometric and DNA analyses. We are fortunate that some comparative data exists from the Manhattan African Burial Ground and at the State Museum. A recent article on the Schuyler Flats skeletal collection examined mitochondrial DNA and found greater than expected diversity.

Residential mobility and Political Economy

It is also possible to track the movement of peoples across the landscape using stable isotopes, such as strontium. Incorporated into the enamel during childhood and throughout life into the skeleton, the isotopic signatures of these two tissues provide information on the geographic origin of birth and during the last few decades of life respectively. Thus, it is possible to identify those individuals that may have been brought into the Newburgh area during adulthood. This could provide insights into the political economy of post-manumission New York and such movement.

It has been documented that the institution of slavery affected African-American family structure. By documenting the diversity of sex-specific strontium isotope signatures, analysis of this sample could also provide an understanding of how the African-American family may have attempted to reconstitute itself after the end of slavery. Do we see a greater number of individuals being born and ultimately staying in the region following manumission? Or do we see a large proportion of the strontium signatures indicating non-local birth?

Dietary Reconstruction

Bone chemistry can also be used to reconstruct diet. Isotopic reconstruction of diet can provide data on diversity and quality of diet which can then be compared to data on dental health. Access to resources is also intimately tied to political economy and as such, it may be possible to discuss changes in sociopolitical status of manumitted African Americans living in Newburgh relative to roughly contemporaneous populations from Philadelphia and further how diet changed through time relative to the individuals interred at the New York City African Burial Ground.

Cultural continuity and change.

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A key feature of enslavement was the suppression of African culture. What features of the mortuary behavior and religious beliefs of those buried in the cemetery point towards the continuation of African cultural traditions, and what features point towards the ethnogenesis of an African-American identity?

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**9. Major Bibliographical References**

Caldwell, Charles. "Commissioner's Map of Western Avenue." June 1869.

Eager, Samuel. *An Outline History of Orange County*. Newburgh: S.T. Callahan, 1846-47.

Hughes, Michael. *Farm Map of the Town of Newburgh, Orange County, New York*. Philadelphia: Michael Hughes, 1864.

McTamaney, Mary. "Preliminary Western Avenue Cemetery History." 2009.

Ziegler-McPherson, Christina A. Historical Section in "Newburgh African American Cemetery Report," *Landmark Archaeology*, 2009.

Newburgh Colored Burial Ground  
Name of Property

Orange County, New York  
County and State

## 10. Geographical Data

Acreage of Property Less than one acre

### UTM References

(Place additional boundaries of the property on a continuation sheet.)

1 18 581700 4594860  
Zone Easting Northing

2  
Zone Easting Northing

3  
Zone Easting Northing

4  
Zone Easting Northing

See continuation sheet

### Verbal Boundary Description

(Describe the boundaries of the property on a continuation sheet.)

### Boundary Justification

(Explain why the boundaries were selected on a continuation sheet.)

## 11. Form Prepared By

name/title William E. Krattinger & Douglas Mackey  
organization NYS OPRHP, Field Services Bureau date October 2009  
street & number Peebles Island State Park telephone (518) 237-8643 ext. 3265  
city or town Waterford state NY zip code 12866

### Additional Documentation

Submit the following items with the completed form:

#### Continuation Sheets

#### Maps

A **USGS map** (7.5 or 15 minute series) indicating the property's location.

A **Sketch map** for historic districts and properties having large acreage or numerous resources.

#### Photographs

Representative **black & white** photographs of the property.

### Additional items

(Check with the SHPO or FPO for any additional items)

### Property Owner

(Complete this item at the request of SHPO or FPO.)

name/title City of Newburgh, c/o Richard F. Herbek, Acting City Manager  
street & number 83 Broadway telephone (845) 569-7301  
city or town Newburgh state NY zip code 12550

**Paperwork Reduction Act Statement:** This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listings. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C. 470 *et seq.*).

**Estimated Burden Statement:** Public reporting burden for this form is estimated to average 18.1 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Chief, Administrative Services Division, National Park Service, P.O. Box 37127, Washington, DC 20013-7127; and the Office of Management and Budget, Paperwork Reductions Projects (1024-0018), Washington, DC 20503.

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**10. Geographical Data**

*Verbal Boundary Description*

The boundary for the National Register of Historic Places nomination is shown on the enclosed tax map, the site indicated by black outline and noted as the “Newburgh Colored Burial Ground Boundary.”

*Boundary Justification*

The boundary has been carefully considered and drawn, combining site information derived from recent on-site excavation work, in addition to primary historic map sources, notably the June 1869 survey map drawn by Charles Caldwell, City Surveyor. The Caldwell map, along with zone mapping generated in association with the archeological and excavation work, was geo-referenced with existing tax parcel data to form the nomination boundary as presented here. As such this boundary is a composite of identified primary source material and map data recently compiled as archaeological excavations were undertaken. The northern boundary exists within the present-day parking lot at the north side of the courthouse facility; the eastern boundary is largely contained beneath the footprint of the court building; the southern boundary is the same as that for the tax parcel; while the western boundary is partially within the Robinson Avenue right-of-way. All of the land included within the boundary—less than one acre in total extent—is historically associated with the cited period of significance for the burial ground.

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**Photographs**

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**Photographs**

Contact: William E. Krattinger; images 2008 & August 2009

1. Looking east from the approximate location of the southwest boundary of the nomination; view showing Broadway sidewalk, retaining wall, and [background left] the south-facing façade of the City Courthouse.
2. Looking north from southwest area within nomination boundary up Robinson Avenue; extensive excavations were undertaken in the grassy area of the middle ground northward.
3. Looking north from rear of courthouse to current parking area; northern boundary is located south of the retaining wall and chain-link fence in middle ground.
4. View showing excavation work underway along building's western perimeter.
5. Detail view, coins recovered from one burial site; were contained in a leather strap.

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Appendix

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Additional Research Questions

Derrick J. Marcucci  
Landmark Archaeology, Inc.  
5 February 2010

*Newburgh Colored Burial Ground as a Contested and Re-appropriated Sacred Landscape*

Historical evidence does not exist, or it has not been found, that provides information regarding the genesis of the Newburgh Colored Burial Ground. Without the benefit of historic documentation, we can only speculate why this 0.5-acre parcel became the burial ground for Newburgh's African American population between circa 1830-1869. However, what is clear is that the land comprising the Newburgh Colored Burial Ground has been intensely contested throughout most of its existence. Historic texts indicate that human remains were disturbed when Robinson Avenue was constructed in 1869 and when Broadway School was constructed in 1908. More recent disturbances are also known. These disturbances date to the latter part of the twentieth century; they are a result of sidewalk installation on the west side of Robinson Avenue and installation of gas pipes into the Broadway School building circa 1980. The cemetery was substantially damaged again in the spring of 2008, when excavations related to renovating the Broadway School House to a City courthouse encountered human remains; archaeologists subsequently disinterred over 100 graves. Currently the proposed reconstruction of Robinson Avenue encroach into the western one-half of the cemetery lands where historic maps indicate that more graves may exist below existing concrete surfaces. Modern economic interests continue to threaten to supplant the cemetery. The contestation of the lands comprising the Newburgh Colored Burial Ground provide a framework in which to discuss issues related to socioeconomic, capitalism and urbanism, racial categories, inter-racial relations, and social status.

*Spatial Organization of the Newburgh Colored Burial Ground*

In the absence of grave markers, and church and death records, spatial data will be an important dimension allowing exploration of several different avenues of research related to identifying the underlying principles that created the structure and organization of the cemetery. Spatial data were collected throughout fieldwork that documented the precise location of each interment. The data have been entered into a GIS, and when used in conjunction with temporally sensitive artifacts and other burial data, will allow exploration of variables related to where individuals were buried and how the cemetery is organized. For example, were burials simply positioned in rows that are chronologically organized, or were burials positioned by social status, sex or age? It is anticipated that exploration of spatial relationships also will be useful in identifying familial burials, burials that may reflect epidemic deaths, and how the cemetery expanded through time.

*Mortuary Practices*

The beginnings of the cemetery in the early 1830s mark the transition from slavery to freedom for Newburgh's African American people. Though most African American individuals and families continued to have limited economic opportunities in comparison to the larger white Newburgh population, the life-span of the cemetery, (ca. 1830 to 1869) coincides with a period when they had

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potential for increased access to goods, services, education, and property ownership, beginning in the 1850s. Most archaeologists agree that human emotion, and social, economic and belief systems are variables that create differences in the manner in which the dead are treated and that mortuary practices are how people unite and reproduce the conditions of their own lives. Assuming that cemeteries and contents are structured, then it becomes possible to examine some of the organizational features that underlie and operated in that associated community. Does variation in mortuary behavior reflect changes in the prevailing socioeconomic conditions of Newburgh's African American population?

Property Name *Newburgh Colored Cemetery*  
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Additional Mapping

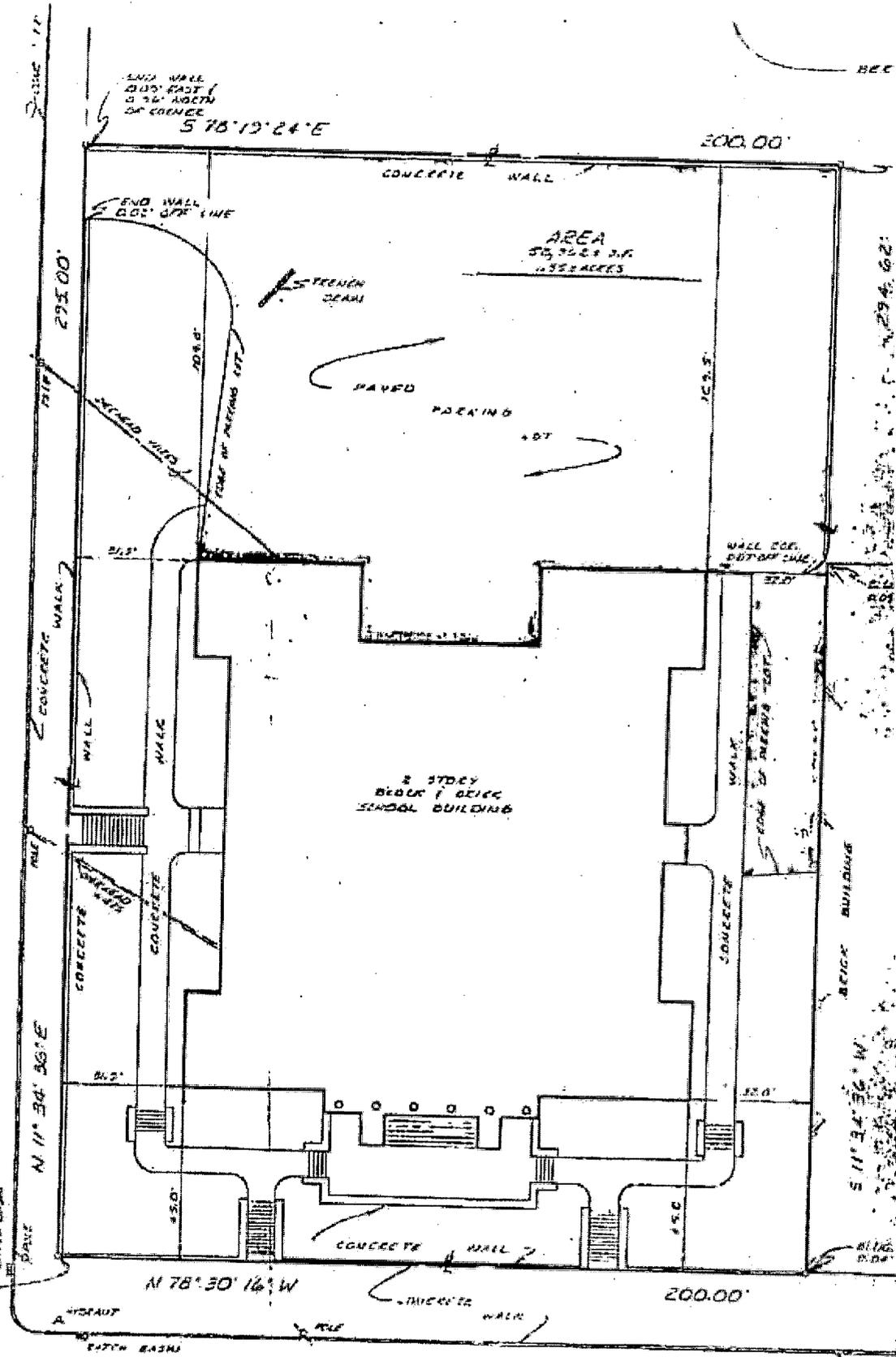
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*Additional Mapping*

1. Survey map of Broadway School, c. 1985, prior to expansion of building's north elevation to accommodate Addition made for the building's current role as the city courthouse.
2. Map generated by Landmark Archaeology, Inc., to establish zones for excavation purposes.
3. Aerial view of property with burial location map superimposed; courtesy of Landmark Archaeology, Inc.
4. Survey map by city engineer Charles Caldwell, June 1869, which shows parameters of cemetery as then identified.



ROBINSON AVENUE  
(N.Y.S. ROUTE 9W)



WALL 60\"/>

		SURVEY FOR THE <b>CITY OF NEWBURGH</b>	
CLASSO CREVALLE CIVIL ENGINEER 100 WEST 100th STREET NEW YORK, N.Y. 10025		CITY OF NEWBURGH ORANGE COUNTY - NEW YORK	
DATE 1/27/80	DESCRIPTION BOUNDARY/LOCATION SURVEY	DRAWN BY J. COUG.	CHECKED BY J. COUG.
SCALE 1" = 50'	DATE 1 APRIL 1980	JOB NO. 065-37	

BROADWAY

October 1, 2008 Draft

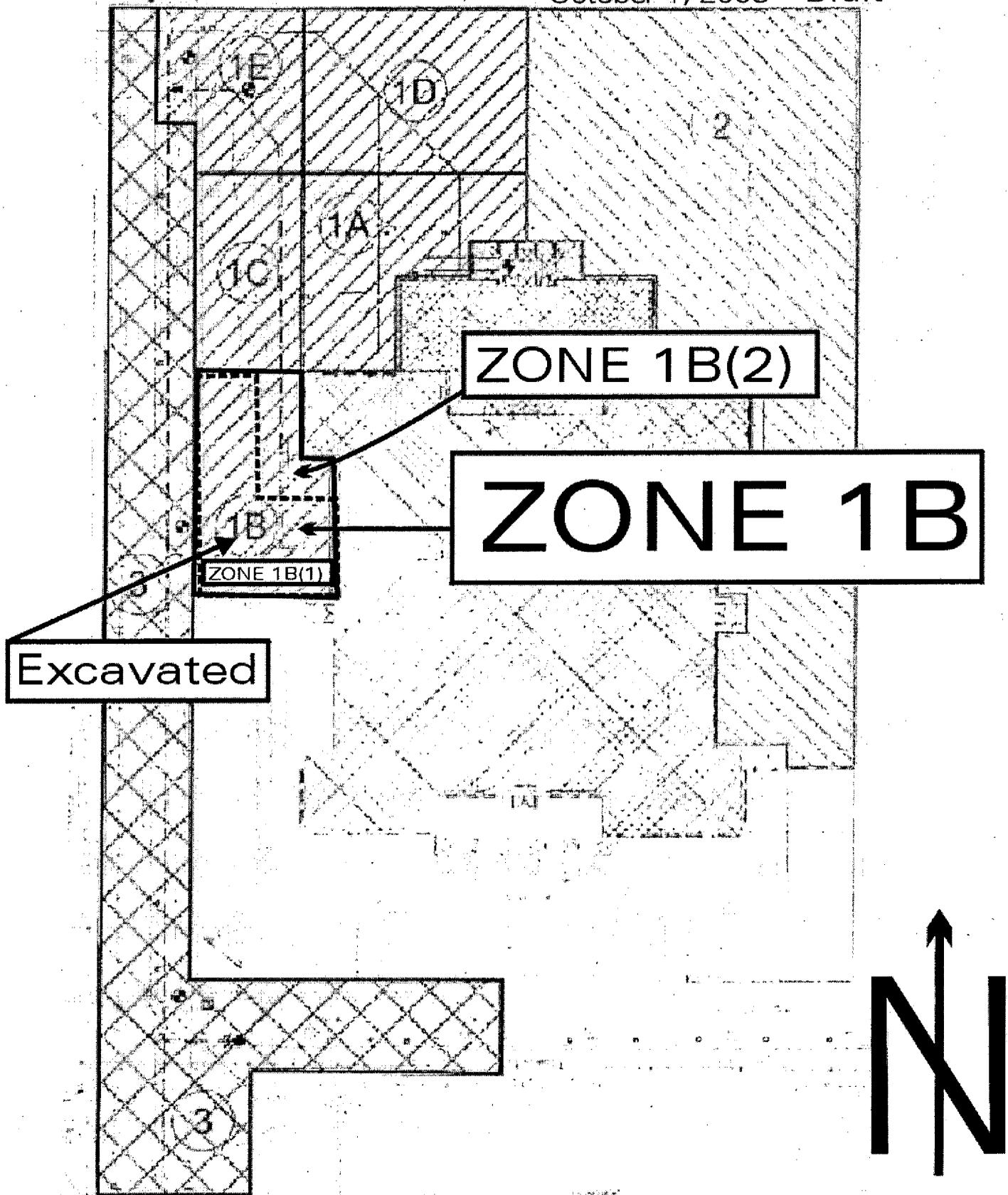


FIGURE 1





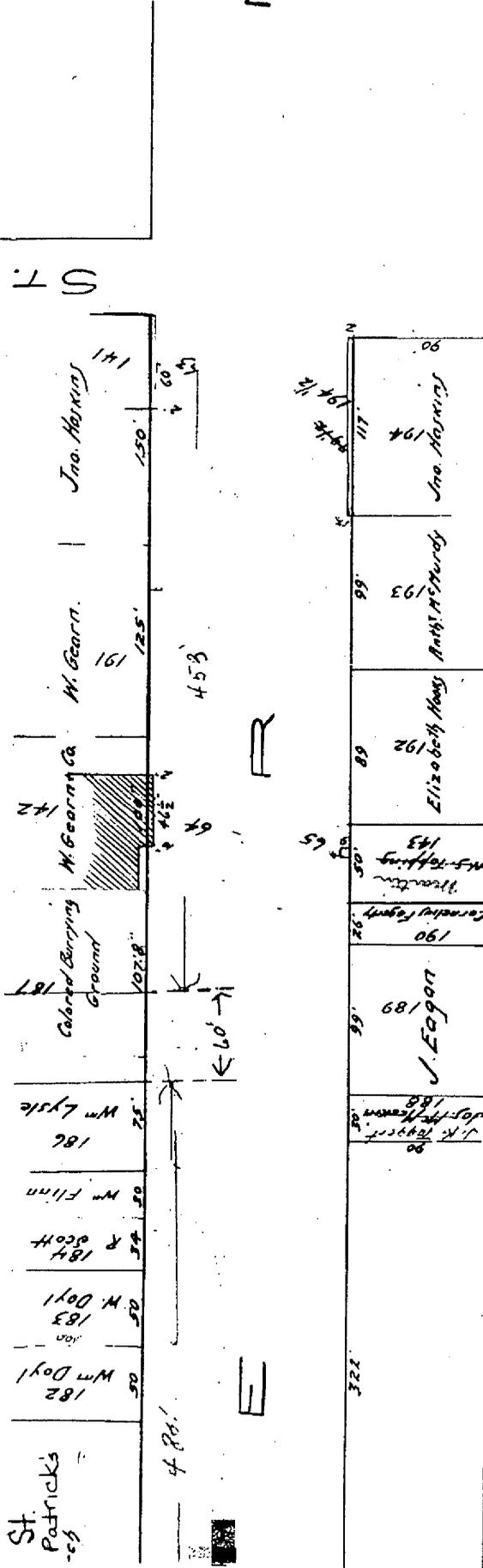
COMMISSIONER'S

See Chapter 10 } for Original  
Map 13 }

WESTERN AVENUE (in large Envelope - flat)

June 1869

Robinson Avenue  
Charles Caldwell  
City Surveyor



FROM THE RECORDS  
OF THE NEWBURGH  
CITY ENGINEER'S OFFICE





HEWLETT  
BEACON  
BRIDGE  
↑



PARKING  
280-290

MAZDA  
BYK-5975  
VAIL ENGINE DEALERS





AT  
977