The Old Graveyard Between Walnut, Chestnut, Lime and Cherry Streets, Lancaster

By JACOB HILL BYRNE, ESQ.

IT was the common custom of the farmers among the early settlers of German origin in Lancaster County, to locate and establish family burial lots or grave yards on the land which they took up and occupied as farms. One of the first things that each individual farmer did, upon entering into possession of the land, under a Warrant from the Land Office of the Proprietor, after building a barn to house his cattle and crops, and a house to shelter his family, was to set aside a small piece of ground as a place for the burial of members of his family.

This was made necessary by the conditions that existed a hundred and fifty and two hundred years ago. Today a man and woman may marry and start a family, with the reasonable expectation that all of their children will reach maturity and outlive their parents, and that no provision for the burial of any members of the family need be made for many years. But during the 18th Century, conditions of life were such that the mortality among children and infants was extremely heavy; and a man who married and settled on a farm, was almost certain to need a burial place within a few years.

There is no doubt that these early settlers brought this custom of establishing separate, private, family grave yards, from the land of their birth, from Switzerland and the Rhine Provinces, both those of the German Empire and those which had been seized by the Crown of France and annexed to that Kingdom about the time, or shortly before the time, of the great exodus from those countries to Pennsylvania. The custom was especially distinctive of the Mennonites and Dunkards, and probably arose from the conditions under which those people lived, and had lived for at least a century before their emigration to the New World.

Prior to the Reformation in the first quarter of the 16th Century, all of the people of Europe were communicants of the Roman Catholic Church, and, as such, after death, had to be buried in ground which had been consecrated according to the ritual and ceremonies of that Church. Consequently, all burials of those who died in good standing in the church, and in the odor of sanctity, were made in the grave yards attached to and surrounding the various parish churches. At the beginning of the Reformation, those who left the Roman Catholic Church in Switzerland, where

the Reformation slightly ante-dated the movement started by Luther in Germany, organized themselves into the Reformed Church, which rapidly spread down both banks of the Rhine into Holland; and the followers of Luther, organized the Lutheran Church, which spread rapidly over all parts of Germany and gained many adherents in the Rhine Provinces, side by side with the members of the Reformed Church.

At a later date, many of the inhabitants of Switzerland and the Rhine Provinces, who had, in the early days of the Reformation, left the Roman Catholic Church, became dissatisfied with what they considered the worldliness of the Lutheran and Reformed Churches, and disassociated themselves from the communion of those churches. This later movement again separated into two branches. Under the leadership of Menno Simon, a large number of people set up a religious body, first called Anabaptists among outsiders, in hostility and derision, and later known as Mennonites. Another part of this general movement, started farther North, along the Rhine, particularly in Westphalia, and became known as the Pietists. When a large number of these people, later on, emigrated to Pennsylvania and settled here, they became known as Dunkards, the name by which they are still commonly known among us.

Toleration was not a marked characteristic of the people of Europe in the 16th, 17th and 18th Centuries, in religion, politics or in any other phase of life. Consequently, it was not long before both Mennonites and Pietists aroused the hostility and antagonism of the older churches, and fell under the ban, not only of the Roman Catholic Church, but of the Lutheran and Reformed Churches as well. Both Mennonites and Pietists were persecuted by all of the other religions, Roman Catholic, Lutherans and Reformed. Especially after the Peace of Westphalia, in 1648, ended the long religious war, known as the Thirty Years War, the persecution was of a milder and more humane form. Mennonites and Pietists were no longer burned, hanged, drowned or beheaded. But they were frequently put to jail and oppressed in countless minor ways.

In addition, the great majority of those who followed the Mennonite and Pietist form of worship, were farmers, and among the poorest of the whole population. In all the wars of the 17th Century and the early years of the 18th Century, the Rhine country, from Switzerland to the Netherlands, was the stamping ground of all the contending armies. There were few years in which the houses, barns, crops and cattle of all the farmers of those provinces were not wholly or partially destroyed or carried off; and the whole agricultural population of the country was reduced to extreme poverty.

These three factors, opposition to all worldly display, religious persecution and poverty, combined to create a situation among the Mennonites and Pietists different from that of the other religions. The Roman Catholics, for centuries had had their formal places of worship, their churches, surrounded by burial grounds. One of the first things that the Lutheran and Reformed Churches did, was to build churches, where they did not take possession of Roman Catholic church buildings, in cases where practically the whole population of a community left the older faith. And generally, every Lutheran and Reformed Church had a grave yard connected with it.

But the Mennonites and Pietists did not, for many years, build places of worship, meeting houses or churches, with their adjoining grave yards, and the great majority of the adherents of those religions were too poor and unorganized to join in purchasing and laying out and establishing community burial grounds. As a consequence, the custom grew up among them of establishing private family grave yards, each family burying its dead on its own ground.

When the Mennonites and Pietists, or Dunkards, came to Pennsylvania, starting to settle here in the first few years of the 18th Century, and keeping up the immigration for about fifty years, almost all of them were farmers. They did not settle in the towns. They took up land in the country and continued to farm. And they continued the custom of locating and establishing their family grave yards on their own farms.

There were many of these private family burial grounds throughout Lancaster County. Particularly in the sections of the county where the Mennonites and Dunkards were heavily in the majority, almost every farm had its small lot set aside for the burial of the dead. Many of these burial grounds are still kept up with great care, though few of them continue to be used for new burials. In many wills and deeds, provisions are found for the preservation and care of these grave yards, so as to ensure their proper maintenance for all time. But many, also, have fallen into a sad state of neglect, and a few have been obliterated entirely.

There were two of these family grave yards originally located on farms which, in the middle of the 18th Century, lay close to the town of Lancaster, and the sites of which are now within the limits of the City of Lancaster. And both of these have been wiped out; one by a great public improvement, the other by neglect. The one of these was the Nissly Family Grave Yard, the original site of which is now near the center of the city. The other was the Musser Family Grave Yard, which was located, probably, on the West side of the Old Factory Road, about half way between the point where

that road turned from a South East direction to a direction almost due South, and the point where the road crossed the Conestoga Creek at the bridge known for many years as the Old Factory Bridge, leading now to the entrance to Williamson Park.

By a Patent from the Proprietaries, dated June 23, 1747, recorded in Patent Book A, Vol. 13, Page 226, now kept in the Department of Internal Affairs at Harrisburg, Jacob Nissly acquired title to a tract of one hundred and fifty acres of land, by the name of Jacob Nutt. The significance of this substitution of the surname Nutt for Nissly, or of Nissly for Nutt, was explained to the writer some years ago, but he is frank to admit that he has forgotten what it was. This tract of land extended Northeastward along the North west side of the New Holland Road for a considerable distance—just how far, the writer has never taken the time and trouble to determine, but probably to the neighborhood of what is now the main line of the Pennsylvania Railroad.

The only part of the original tract that interests us particularly, was a wedge-shape piece that extended Southwest from where the Southwest line of the Lancaster Cemetery is now located, from the street that was formerly called Cemetery Street, but is now officially known as East Lemon Street, to a line located about the middle of the half square between Cherry and Lime Streets and East Chestnut and East Walnut Streets. The West corner of this wedge touched the East side of Cherry Street at a point about 189 feet South of East Walnut Street; and the South corner was at a point about equidistant from the four streets, Cherry, Lime, Chestnut and Walnut. At that time, the New Holland Road ran the whole way into Lime Street, as it continued to do, after it was converted into a Turnpike Road, owned by a private Turnpike Road Company, until the building of the Pennsylvania Railroad cut through it and moved the terminus back to Walnut Street.

Following the usual custom, soon after settling on this tract of land, Jacob Nissly established a burial ground on his farm. For many years, members of the Nissly Family and local antiquarians were interested in determining the location of this Grave Yard, but without success, because many years ago it was wiped out by the excavation of the deep cut through which the Pennsylvania Railroad was built into the heart of the city at North Queen and Chestnut Streets. But descriptions found in the course of examining titles have definitely established its location. It was at the South corner of the above mentioned wedge.

The first mention of the Nissly Grave Yard is in the Deed from Jacob Nissly and wife to Sebastion Graff, dated June 12, 1776, recorded in Record Book R, Page 113, for a tract of 120 acres and 100 perches of land, part of the original tract of 150

acres. In this Deed is the following clause:—Saving and excepting out of this present grant, a certain piece of ground (part of the first above described tract) called the Grave Yard, as the same is now enclosed, which hath heretofore been used and appropriated and is to be, remain and continue as and for a burial place, under the direction of the descendants and heirs of said Jacob Nissly, deceased. By the effect of this clause, title to the grave yard did not pass to Sebastian Graff, but remained in Jacob Nissly.

This Jacob Nissly was a grandson of the first Jacob Nissly. The first Jacob Nissly had died intestate, leaving to survive him seven children, Henry Nissly, Jacob Nissly, Martin Nissly, Frena, wife of Abraham Witmore or Whitmore, Mary, wife of Jacob Brubaker, Ann, wife of Valentine Metzler, and Elizabeth Nissly, who was then a minor, and who died in her minority, unmarried and without issue. At that time, the law of primogeniture was still in force in Pennsylvania, and the land would have descended to Henry Nissly, the eldest son. But he refused to accept it, and by Partition Proceedings in the Orphans' Court, in 1752, the farm was awarded to Jacob Nissly, the second son. The second Jacob Nissly died leaving a will, in which he devised the farm to his two children, Jacob Nissly, the third, and Barbara Beam, wife of Jacob Beam.

The next formal mention of the Grave Yard is in a Deed from Jacob Beam and Barbara Beam, his wife, to Sebastian Graff, dated April 3, 1779, recorded in Record Book R, Page 626, by which the Grantors conveyed to Sebastian Graff the right, title and interest of said Barbara Beam in the tract of 120 acres and 100 perches. This Deed contains the same clause as that found in the Deed from Jacob Nissly and wife to Sebastian Graff, reserving and excepting out of the conveyance, the grave yard for the use of and under the direction of the descendants and heirs of the first Jacob Nissly.

This is the last formal mention of the Nissly Grave Yard. The subsequent references to it are indirect. Sebastion Graff's Executors conveyed the whole wedge-shaped piece, containing 7 acres, to George Ross, by deed dated July 17, 1792, recorded in Record Book P P, Page 340. In this Deed the description of the land conveyed is very general and sketchy, and no mention is made of the Grave Yard. But by Deed dated March 12, 1794, recorded in Record Book Q Q, Page 492, George Ross and wife conveyed a piece of 148 perches to Jacob Long, the father of the late Judge Henry G. Long. In this Deed, the land conveyed is described, in part, as Beginning at a post, and from thence extending by land of late James Hamilton, deceased, South 51° East, 6.8 perches to a post; thence by Mennonists Burial Ground, North, 44¾° East, 4.7 perches to a post; and South, 51° East, 4.7 perches to a post.

It will be observed that here the Grave Yard is referred to, not as the Nissly Grave Yard, but as the Mennonists (or Mennonite) Burial Ground.

In other deeds for adjoining properties, the Grave Yard was referred to several times as the Indian Burial Ground or Grave Yard. This designation was due to the fact that the bodies of the last remnant of the Conestoga Indians, who were massacred in the yard of the Lancaster County Jail, at Prince and West King Streets, by the Paxtang Boys, in 1763, were buried in this Grave Yard.

The description in the Deed from George Ross and wife to Jacob Long, above mentioned, shows that the Grave Yard was a square, each side being 4.7 perches, or 77.55 feet, in length. Its exact location is fairly well determined by the descriptions of the adjoining lots laid out by James Hamilton and William Hamilton. On the North side of Chestnut Street, between Cherry Street and Lime Street, the Hamiltons laid out two lots, designated as Lot O and Lot P, and they left an alley between the lots, which extended from Chestnut Street to the Grave Yard. According to the descriptions of these two lots, the distance from Cherry Street to the West side of the alley leading to the Grave Yard, was 130 feet; and the distance from Lime Street to the East side of the alley, was 165 feet. The width of the alley is not given. From Chestnut Street to the point of the South corner of the Grave Yard, along the East side of the alley, was 82 feet, 6 inches; and to a point on the Southwest line of the Grave Yard, along the West side of the alley, was 99 feet.

The writer has made no attempt to determine on the ground, from these measurements, just where the Grave Yard was actually located, but, from a general knowledge of the neighborhood, is inclined to think that, when the Pennsylvania Railroad was built about 1836 or 1837, the deep cut, which extends from Duke Street to Plum Street, was carried through this Grave Yard and wiped out most, if not all, of it. What became of the bones of the early Nisslys and of their Indian brothers, the writer does not know, but probably they were carried off in the carts of the excavators, and like "Dead Caesar turned to clay, is used to stop the wind away."

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