

# Brown Slave Cemetery

By Dave Hallemann



This unique cemetery with its beautiful bluff view is located in T43 R3 S14 Survey 1897 Lot 11.

This cemetery was located by Dave Hallemann and Carole Goggin in October 2007.

38° 27' 50" N / 90° 39' 14" E

What makes it unique is that there is no other cemetery set aside in Jefferson County for slaves, as far as I can determine.

The cemetery is reserved for the slaves of James S. Brown, Peter M. Brown, and Frances H. Brown, and their descendants.

This tract of land was first entered into record as Original Land Survey 1897 issued to Louis Courtois containing 7056 arpents or 6002.5 acres, situated on the Meramec River. Original land surveys were "Spanish or French Land Grants" that were confirmed by the U. S. Commissions.

A deed transferring the land from Louis Courtois to August Chouteau was not located. Due to the very early date it was probably filed in St. Louis.

11<sup>th</sup> July 1836 the commissioners appointed by the court to partition the lands of the late August Chouteau to sell Lot 11 of Survey 1897, containing 274.<sup>80</sup> acres, on the courthouse steps to John Lack, highest bidder for \$716.<sup>43</sup>, recorded in Book E Page 180.

Lack purchased from the commissioners, Frederick Hyatt, John Howdershell, and Louis Yosti, the tract that was sold by order of the Court after petition of the widow of August Chouteau. Then just 4 years later on 4<sup>th</sup> April 1840 John Lack and Martha his wife, of St. Charles, sell to Burl B. Adams, of Franklin County for \$1237.<sup>50</sup>, Lot 11 of Survey 1897 containing 274.<sup>80</sup> acres. Deed being recorded in Book E Page 370.

5<sup>th</sup> August 1845, Burl B. Adams and his wife Harriet of Montgomery County transfer the track, for "love and affection to their son, Beverly T. Adams, the 274.80 acre Lot 11." Transfer recorded in Book H at Page 219.

Again no deed could be found transferring the land from Beverly Adams.

*In July 1887, three months after the cemetery is excepted out, Wm. Fay buys the land from Joseph A. Brown. (see exception deed below) On January 15<sup>th</sup>, 1912 Sarah Fay, wife of William Fay, files a law suit to "perfect title" against unknown heirs of Louis Courtois, August Chouteau, and Beverly Adams. This **could** have been due to the missing transactions. Court finds in favor of Fay.*

11<sup>th</sup> July 1860, sold on the courthouse steps by the Sheriff of Jefferson County per court order from Louis Roberts to Peter Brown, highest bidder, for \$1099.<sup>20</sup>, "...Lot 11 of Survey 1897..." recorded in Book Q Page 412.

On November 17<sup>th</sup>, 1870, Peter M. Brown, sells the tract with others to Michael Forestel for \$19,743.<sup>85</sup>, Michael Forestel show up as being the owner on the 1876 Atlas. Transaction being recorded in Book 2 Page 389.

On the same date, November 17<sup>th</sup>, 1870, Michael Forestel and wife Catherine, of St. Louis County, execute a deed of Trust to Peter M. Brown, of St. Louis County, using as collateral all the tracks bought, payable over a 10 year period. Item 3 was the target tract, Lot 11. Recorded in Trust Deed Book 3 Page 401.

On 4<sup>th</sup> May 1878, as per deed of trust, after Michael Forestel "...defaults on many of the notes and has not paid taxes for many years..." the land is sold on the courthouse steps in St. Louis, Peter M. Brown being the highest bidder for \$5000.<sup>00</sup>, regains possession of the tract. Transaction recorded in Book 13 Page 168.

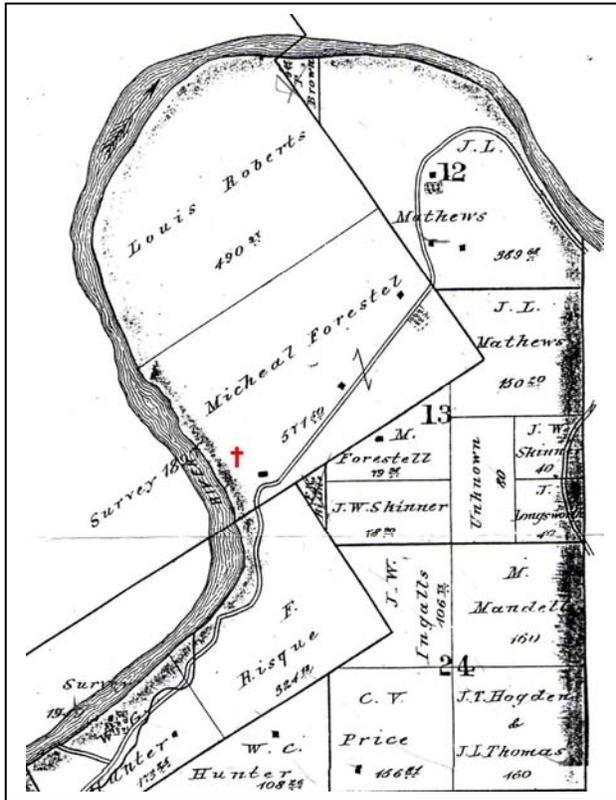
Peter M. Brown passes away on January 30<sup>th</sup>, 1884 and is buried in the family cemetery located on James S. Brown's land.

Finally in deed recorded in Book 29 at Page 472, dated 20<sup>th</sup> April 1887, James S. Brown of Eureka, St. Louis County, and Francis H. Brown of Labadie, Franklin County Mo., deed to Joseph A. Brown and Henrietta M. Brown of Eureka, children of James S. Brown, as Trustees, to have and their successor in trust, for the use and purpose herein mentioned...for and in consideration of \$1.<sup>00</sup>...their right, title, and interest, in and to a certain cemetery or burial ground and lot in Jefferson County and State of Missouri to wit;

"A lot or piece of ground containing ¼ acre, more or less, including the present burial ground on the bluff on the west part of the farm of the late Peter M. Brown, commencing at a stone for the NW corner and running one hundred feet southwardly to a stone making the west line; thence eastwardly fifty feet to a stone making the south line; thence northwardly one hundred feet to a stone making the east line; thence westwardly fifty feet to a stone the place of beginning making the north line. ...to be used for a burying ground or cemetery only and only for colored persons to be interred therein who formerly were the slaves of James S. Brown or Peter M. Brown or Frances H. Brown or the descendants of such colored persons or those related or connected with such colored persons, by marriage and none other, the said burying ground or cemetery to be under the control of and management of said trustees or their successors forever, and an easement or roadway to and from said burial ground over the adjoining lands owned by the parties of the first part is likewise granted and their successors in this trust, from some convenient point on the county road running through said farm so as to be as little injury to said farm as possible..."

With this deed we can put an "official" name of **BROWN SLAVE CEMETERY** to this site.

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1876 Micheal Forestel Owns the tract



1898 it is now owned by Wm. Fay

Peter M. Brown owned the land and excepted out the cemetery between these two time periods in 1887.

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