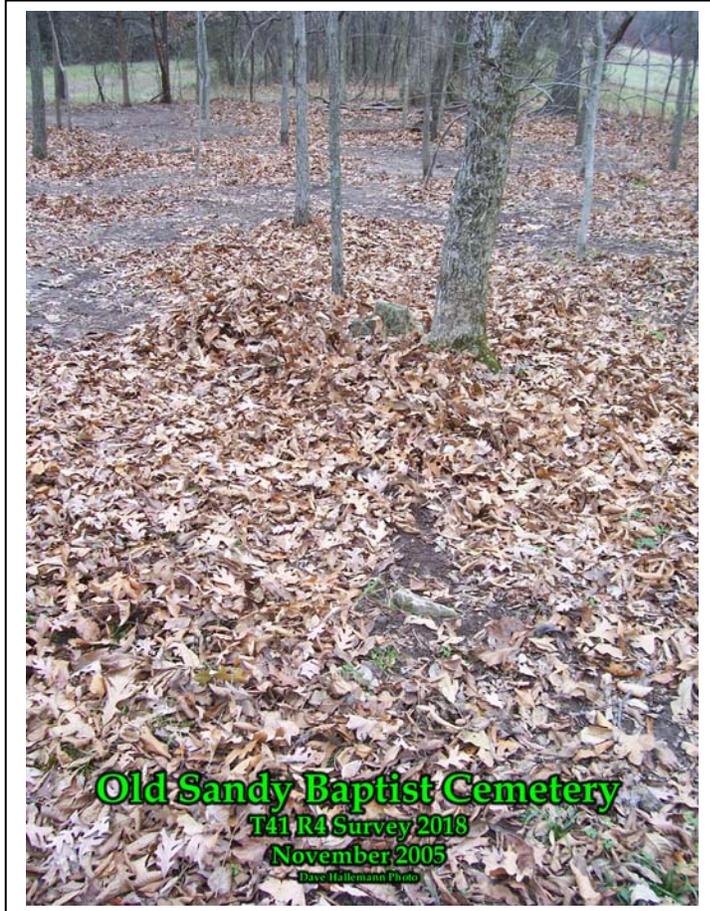


# Old Sandy Baptist Church Graveyard

By Dave Hallemann



This original church cemetery is located in T41 R4 Survey 2018 in what was at one time called the "Upper Sandy Settlement" off Highway 21.

It was visited in November 2005 by Dave Hallemann & Carole Goggin. It was previously visit by Lisa Gendron and Craig Fosterling in the 1980s but the name of the cemetery was unknown.

38° 17' 29" N / 90° 32' 37" E

The tract of land where the graveyard is located was an original Spanish Land Grant confirmed to Thomas Waters as Survey 2018.

Recorded in the *American State Papers* Vol. 3 Page 346

Thomas waters claims 800 arpents of land on Sandy Creek that was in his possession from 1804-1813 and he inhabited in 1803. The commission confirmed the validity of his claim and granted Waters 640 acres.

In 1819 Thomas Waters was living in Franklin County Kentucky as reflected in deed bearing date of 25<sup>th</sup> March 1819 wherein he revokes the power of attorney he granted Thomas Long in regards to having his land surveyed. This deed being recorded in Book A page 30.

On 16<sup>th</sup> April 1819, recorded in Book A Page 79, Thomas Waters still in Franklin County Kentucky appoints George Hammond (Collector of Jefferson County) his power of attorney to "...act in my name to attend to the surveying of a tract of land on the waters of Sandy Creek in the County of Jefferson, *Territory* of Missouri and obtain a patent for same for me and in my name..." Survey 2018 was laid out containing 640 acres and is now located along Highway 21 just south and west of Sandy Creek Covered Bridge.

The next three deeds all dated 16 April 1819 and being recorded in Book A pages 81-84, shows George Hammond purchasing 500 acres for \$2000.<sup>00</sup>; Isaac Ogle 40 acres in the southeast corner for \$200.<sup>00</sup>; and Benjamin Williams 100 acres in the northwest corner for \$500.<sup>00</sup>; all in Survey 2018, subject to Waters receiving Patent.

Next in Book A Page 646 George Hammond and his wife Eliza sell on 2<sup>nd</sup> March 1820 their 500 acres to Henry Cook for \$1000.<sup>00</sup>, "...whom George Hammond purchased from Thomas Waters and being on the waters of Sandy Creek..."

The first clue I came across was a mention of the Old Settlers report on landmarks in the Missouri Historical Review, 1907a, (2) Pages 140-146. In the article it relates the following;

"The Baptist also in 1836 built a log house for worship on the western side of US Survey 2018, on Sandy, in what was then known as the 'Upper Sandy Settlement.' Aaron Cook made a deed conveying one acre to the church for church purposes and a *graveyard*. This house has long since vanished. The congregation abandoned this building in 1840, and built a house lower down on the Sandy, at or near its present site of their church."

With this information I was able to locate a deed recorded in Book D Page 78-79, on 5<sup>th</sup> day of March 1836, from Aaron Cook and his wife Nancy, to James Hensley and John Harrington all of Jefferson County, "...this day for the consideration of 1 cent,...together with the respect they have for the worship of God...convey to the said James Hensley and John Harrington trustees of the Sandy Baptist Meeting House and for the use of the Sandy Baptist Church...on the waters of Sandy Creek and about one mile *west* of Sandy Mines, containing one acre. And including a house lately built by said trustees for a meeting house, also the spring near said house, which acre of land is *off* the northwest corner of the 100 acres of land owned or *claimed* by said Cook and where he now resides, to which 100 acres of land claimed by said Cook is a part of six hundred and forty acres of land confirmed to one Thomas Waters by the late Board of Commissioners for the adjustment of land claims in the late Territory of Missouri..." Remember this deed was in 1836 as the Old Settlers state.

There must have been a problem with the deeds or possibly the early deeds were not recorded after Waters received his Patent, as recorded in Book E page 205, at the December 10<sup>th</sup> session of the county court for 1839, in a lawsuit brought by Henry Cook against Thomas Waters, Theodore Lebeaune and heirs of George Hammond, deceased. The defendants *did not show up* and the court decrees "...that the right, title, and interest of 500 acres, being the same in complainant's Bill of Complaint mentioned, be divested *out* of defendants and same be vested *in* complainant (Cook) and complainant recover from said defendants his cost and charges...containing 500 acres..."

On March 6, 1840 per writ recorded April 8<sup>th</sup>, 1840, from the County Court the Sheriff sells the remaining 140 acres of Survey 2018, owned by Waters, on the court house steps to satisfy Henry Cook's claim for cost in the above lawsuit, to Thomas Byrd of Washington County for \$12.<sup>00</sup>, as recorded in Book E Page 254.

There are about 9 tracts in Survey 2018. And wanting to be as accurate as humanly possible of this very important chapter in our counties heritage, we tracked all nine parcels on aerial photos and topographical maps. As these deeds were written in "metes and bounds" it was very difficult to follow the land descriptions. The deeds mention a spring, however there are at least 5 that I knew of in Survey 2018 so we had to eliminate all these tracts. Next the deeds mentioning the cemetery we thought read "*IN the NW corner*" were actually "*OFF the NW corner.*" This is a big difference and an error on my part. We kept coming back to the "Hartwein Tract."

Here we side tracked to the NEW Sandy Baptist Church as it is today. I stopped and talked to the pastor and a few of the "elderly" men visiting there and they had never heard of a church over in "Survey 2018." The new church's history relates Fleming Hensley giving "1 acre, for...the benefit accruing to his family from a school house in the neighborhood, for \$1.<sup>00</sup>...1 acre square of land in the SW corner of Survey 1980 confirmed to John Litton...Dated 31 December 1847 *recorded 1854...*" to the Trustees of School District 7 Township 41..." as verified in Book M Page 118.

Next we visited the NEW Cemetery next to the old brick church and the earliest date we could find on a monument was 1849. This is born out in the Old Settlers Reports as "they abandoned this building (old) in **1840**" and Goodspeed's History "...the Church was organized by Rev. Thomas Donahue about 1835. About the same time a log building (old) costing \$200.<sup>00</sup>, was erected for a church edifice and used until about **1843.**" Locating the deed for this "New Church" tract we learn, "Fleming Hensley and his wife Jane sell for \$1.<sup>00</sup> to the Ephraim Beckett and William Hensley, Senior Deacons in Sandy Church...for use of Baptist Church...1 acre in SW corner of Survey 1980...bounded by 1 acre deed by said Fleming Hensley to School District #1 T41...being the parcel of ground whereon the **Sandy Baptist Church now stands...**" Said deed being recorded in Book N Page 295 recorded on 11<sup>th</sup> October **1856.** (*note; I drove past the Sandy Baptist Church and the sign over the door of the brick Church reads "ESTABLISHED in 1824."*)

Going back to Survey 2018, Recorded in Book E Page 317, on 5<sup>th</sup> February 1840, we find Henry Cook and wife Milly, conveying to James Hensley, for \$130.<sup>00</sup>, 50 acre tract of land. (*This tract is where the old cemetery is located, although there is no mention of the cemetery on this deed.*)

The next deed was recorded on 6<sup>th</sup> May 1872, recorded in Book 5 Page 280; James Hensley Sr. and his wife Sarah of Jefferson County sell to Judith Huskey his daughter and her husband Stephen, for \$1.<sup>00</sup> together with love and affection, the 50 acre tract along with the adjoining 40 acre parcel. Again with no mention of the cemetery.

Finally on 2<sup>nd</sup> August 1873, as recorded in Book 5 Page 521, Stephen Huskey and Judith his wife sell the 90 acre tract to Louis Hartwein, (*a Probate Judge of Jefferson County*), for \$1000.<sup>00</sup>, "All that portion of land bounded and described (see deed from Henry Cook and wife bearing date the 5<sup>th</sup> of February A. D. 1840 which has a full

description of the piece of land herein mentioned, it being a part of Thomas Waters Survey on Sandy Creek) said piece of land herein conveyed supposed to contain 50 acres more or less, ALSO forty acres of land conveyed by Adam Wilson to Hensley by deed bearing date 7<sup>th</sup> May 1849, for full description, (see said deed last mentioned) also on Sandy Creek and also a part of the Thomas Waters Survey and adjoining the first described tract of 50 acres. *It is hereby expressly understood that 2 acres out of the first described tract of 50 acres is reserved by parties of the first part which 2 acres is to include the present graveyard situated on said tract known as the Baptist Church Graveyard.*"

With this deed we can assign an "official" name to this cemetery as the *Old Sandy Baptist Graveyard*.

Recapping in:

1819...Thomas Waters is confirmed 640 acres which becomes Survey 2018.

1820...Thomas Waters sells to George Hammond 500 acres of the 640.

1835...according to *Goodspeed* on Page 454, "The Sandy Baptist Church was organized by Rev. Thomas Donahue about the year 1835, with James Frazier and wife, John Herrington, Mrs. William Aeyde, Fleming Hensley and wife, and James Hensley and wife as constituting members. **About the same time a log building costing \$200<sup>00</sup> was erected for a church edifice, and used as such until 1843...**" Continuing on Page 448, "The first school taught on the Sandy, probably the first one taught in the county, was taught about 1806-1807 by Benjamin Johnston, brother of Judge Johnston, in a little log hut *NEAR* the James Hensley farm (*this is the Lynch Tract on the atlas', also Goodspeed wrote this history in 1888 after James Hensley had passed. Waters was on this tract as early as 1803 so this time period is confirmed.*) Spelling and first reader were the only things taught; later writing, arithmetic and geography. Built of round poles, very small and low with one square windows and one door, both with clapboard shutters, earthen floor and seats were 3-legged stools." (*Here I believe the histories of Old and New Sandy Baptist are merged into one history. It is my belief that the first building costing \$200 was the "...meeting house lately built..." mentioned in the original cemetery deed from Cook to the Trustees. The \$600 frame building may have been replaced by the brick building on the current site.*)

1836...Aaron Cook sells to the trustees of Sandy Baptist Church 1 acre for meeting house "...lately built..." and the spring.

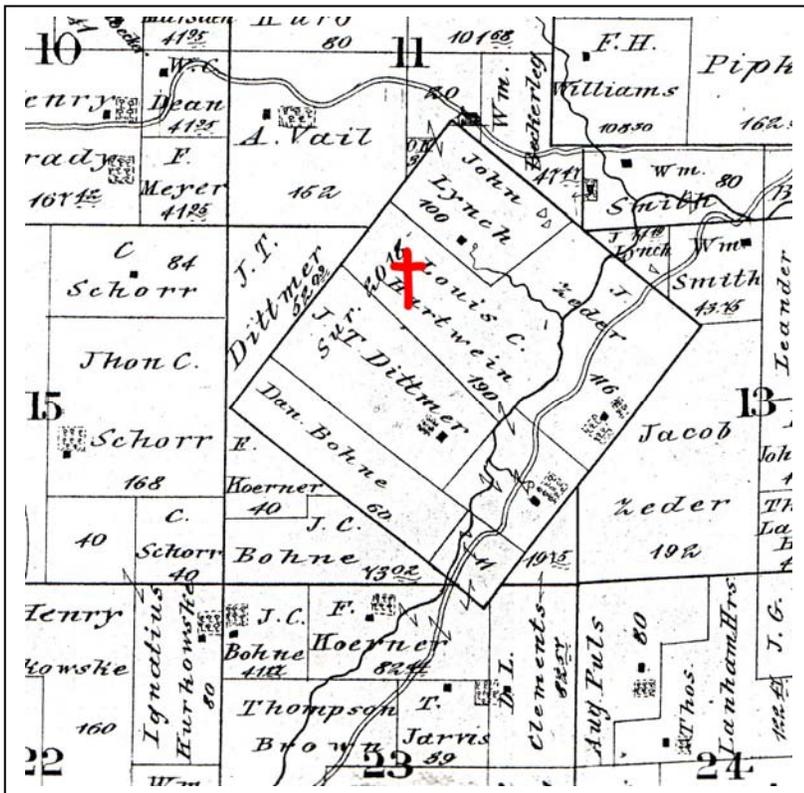
1840...The court divest interest out of the plaintiff's of the lawsuit, who own land in Survey 2018, this *may* also have been be the interest of the Church thus the reason for the move, and grants Henry Cook 500 acres and orders the remaining 140 acres sold by sheriff on the courthouse steps, to pay Henry Cook's cost, with Thomas Byrd being highest bidder for \$12. (*The court may have ordered Isaac Ogles' 40 acres and Benjamin William's 100 acres to be put back into Waters name. This is unclear.*)

1840...Henry Cook and wife Milly sell the 50 acre tract to James Hensley.

1872...James Hensley sells the 50 acres to his daughter Judith Huskey and her husband Stephen.

1873...James Hensley dies.

1873...Stephen and Judith Huskey sell the 50 acre tract to Louis Hartwein, reserving 2 acres to include the present cemetery known as the *Baptist Church Graveyard*".

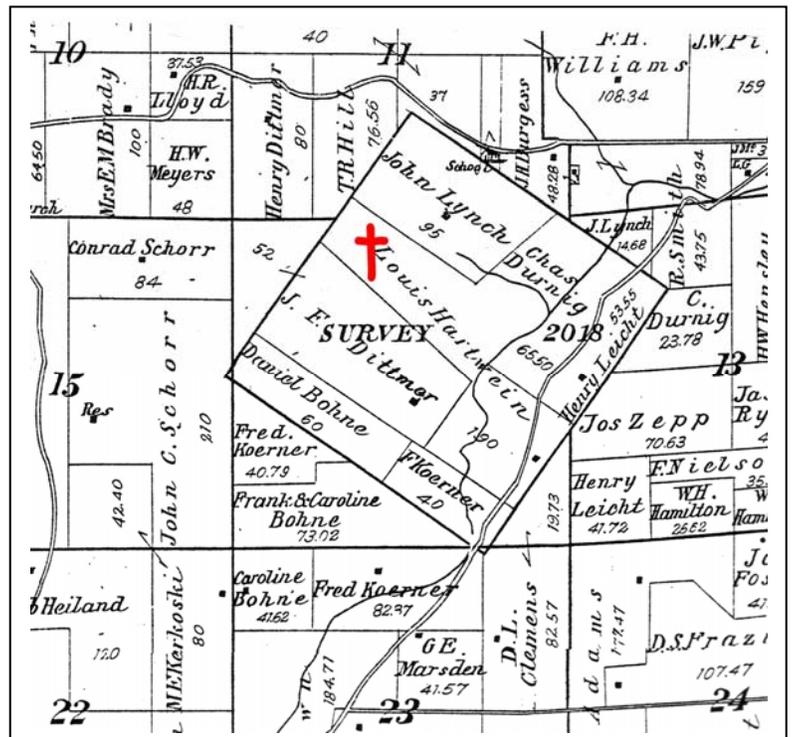


The 1876 Historic Atlas shows the farm in the possession of the Louis C. Hartwein. The land west of Sandy Creek comprises 90 acres and on the east side 100 acres with his house, spring, and orchard.

The cross I added to the photo in the approximate location of the cemetery.

The James Hensley Tract was to the north where the Lynch 100 acres are shown, Hensley having died in 1873.

The 1898 the Standard Atlas shows Louis Hartwein is still in possession of the tract. As before have I added the cross to show the approximate location of this cemetery.





As can be seen in these two photos, all that remains of this cemetery are a few field stones to mark the graves.



Carole Goggin and I contacted the present owner of this tract and we met with her. She guided us to the location of the cemetery. She related that when she first moved to the property an unknown lady that was out walking informed her not to build a house on this part of the property as there was a cemetery there. She was going to get the monuments and move them somewhere but stated that they were already gone. When I asked Lisa Gendron what she could tell me about the 1980s recording she related, "...the people at the old farm house told us someone had previously removed the stones that had been there...don't know why or where they went." It would seem there were monuments at this location at one time and which have removed. I would hope they were taken to the NEW cemetery on Sandy Church Road, but this I can not prove.

James Hensley died about 1873. As he was such a well know person in the county and a veteran of the war of 1812, the James Hensley farm is mentioned many times in documents "...the James Hensley farm...the farm where James Hensley died...etc" as a reference.

Jefferson Democrat  
Hillsboro, Jefferson County, Missouri

FRIDAY, 19 MAY 1876

Mrs. Sarah HENSLEY, widow of James HENSLEY (who died about two years ago, aged 91), died on Thursday of last week, at the residence of her grandson, Stephen W. HUSKEY, on Dry Creek. She was 87 years old, and was a resident of this county for many years. She leaves a great number of descendants. She was buried **near her old home on Sandy**, last Friday. (This cemetery is just across the creek on the next hill from the farm, about 300 yards.)

As to who is buried in this cemetery is lost to history. Many mysteries remain. It is *my* opinion that James Hensley and his wife Sarah are here.

Old Sandy Baptist Cemetery was located on the James Hensley's farm, which was in the possession of his daughter at the time of his death; he was a trustee of the old church; and Sarah was buried NEAR her old farm per her obituary. Again, this I cannot prove, I can only make mention for future researchers.

I would like to thank Carole Goggin for the many hours she donated helping research Survey 2018.

*Copyright © 2006 by Dave Hallemann  
This article may not be used for commercial purposes, may be distributed in any form as long as there is no fee charged, and the author is given credit.*