

AN ARCHAEOLOGICAL INVESTIGATION TO LOCATE AN UNMARKED CEMETERY AT THE PROPOSED CHAMBERLAIN WOODS OFFICE PARK, JEFFERSON COUNTY, KENTUCKY

By

M. Jay Stottman



**Letter Report
Kentucky Archaeological Survey
Western Kentucky University
February 2021**

**AN ARCHAEOLOGICAL INVESTIGATION TO LOCATE AN
UNMARKED CEMETERY AT THE PROPOSED CHAMBERLAIN
WOODS OFFICE PARK, JEFFERSON COUNTY, KENTUCKY**

By

M. Jay Stottman

Report Prepared for:

BTM Engineering, Inc.
3001 Taylor Springs Drive
Louisville, KY 40220

Contact:

Chris Brown
(502) 459-8402

Letter Report Submitted by:

Kentucky Archaeological Survey
Western Kentucky University
1906 College Heights Blvd. #61029
Bowling Green, KY 42101-1029

February 2021

M. Jay Stottman
Principal Investigator

INTRODUCTION

At the request of BTM Engineering, on the 29th of January 2021, the Kentucky Archaeological Survey (KAS) conducted an archaeological investigation of a property located at 8720 Wolf Pen Branch Road near Prospect, Jefferson County, Kentucky (Figure 1). The purpose of the study was to determine if a reported unmarked cemetery would be impacted by the proposed development of the property. This work was conducted in part to fulfill Metro Louisville Development Code requirements regarding inactive cemeteries (LDC 4.4.6) as part of the rezoning process. Since cemeteries are protected in Kentucky (KRS 381.755), any proposed disturbance would require the identification of graves, and if present the development of a plan for either their preservation, or the removal and reinternment of the human remains in another cemetery. If a cemetery was found, the plan would need to be developed in consultation with the Kentucky Heritage Council and Metro Louisville Historic Preservation Office.

The project area is located within a 33.79-acre property owned by McMahan Holding, LLC that is proposed for development. It is located within portions of Lots 1 and 4 of the development. These lots, which encompass 14.42 acres, are bounded by Wolf Pen Branch Road on the north, Chamberlain Lane on the east, Interstate 71 on the south, and Wolf Pen Branch on the west (Figure 2). The project area consists primarily of fallow agricultural land currently covered in long grass and a large home constructed in the 1980s with associated driveway, parking area, a chicken coop, and mowed yard. A house and detached garage constructed ca. 1930s to 1940s is located at the northeast corner of Lot 4 at the intersection of Chamberlain Lane and Wolf Pen Branch Road, but it is not included in the project area (Figure 3). The topography consists of dissected upland, including a broad flat ridge that encompasses most of the northern and eastern portion of the property. The western and southern portions slope towards Wolf Pen Branch to the west (Figure 3).

The project area was defined as the area most likely to contain the unmarked cemetery based on a description from oral tradition (Chamberlain 1994). It is approximately 6.4 acres in size and occupies most of Lot 4 and just a small portion of the northern boundary of Lot 4, encompassing most of the hilltop along Wolf Pen Branch Road and the extant 1980s house (Figure 3).

The proposed development plan preserves the 3.88-acre Lot 4 in the northeast corner of the property, containing the extant houses, as residential zoning. The ca. 1930s to 1940s house and garage are proposed to be demolished. The 1980s house will not be affected by the proposed development (Figures 2 and 3). The remainder of the project area (Lot 1) is proposed to be developed with an office building, parking lots, access road, and detention basin. Although most of the project area will not be impacted by the proposed development, a small portion will be impacted by a proposed road and a detention basin (Figure 3).

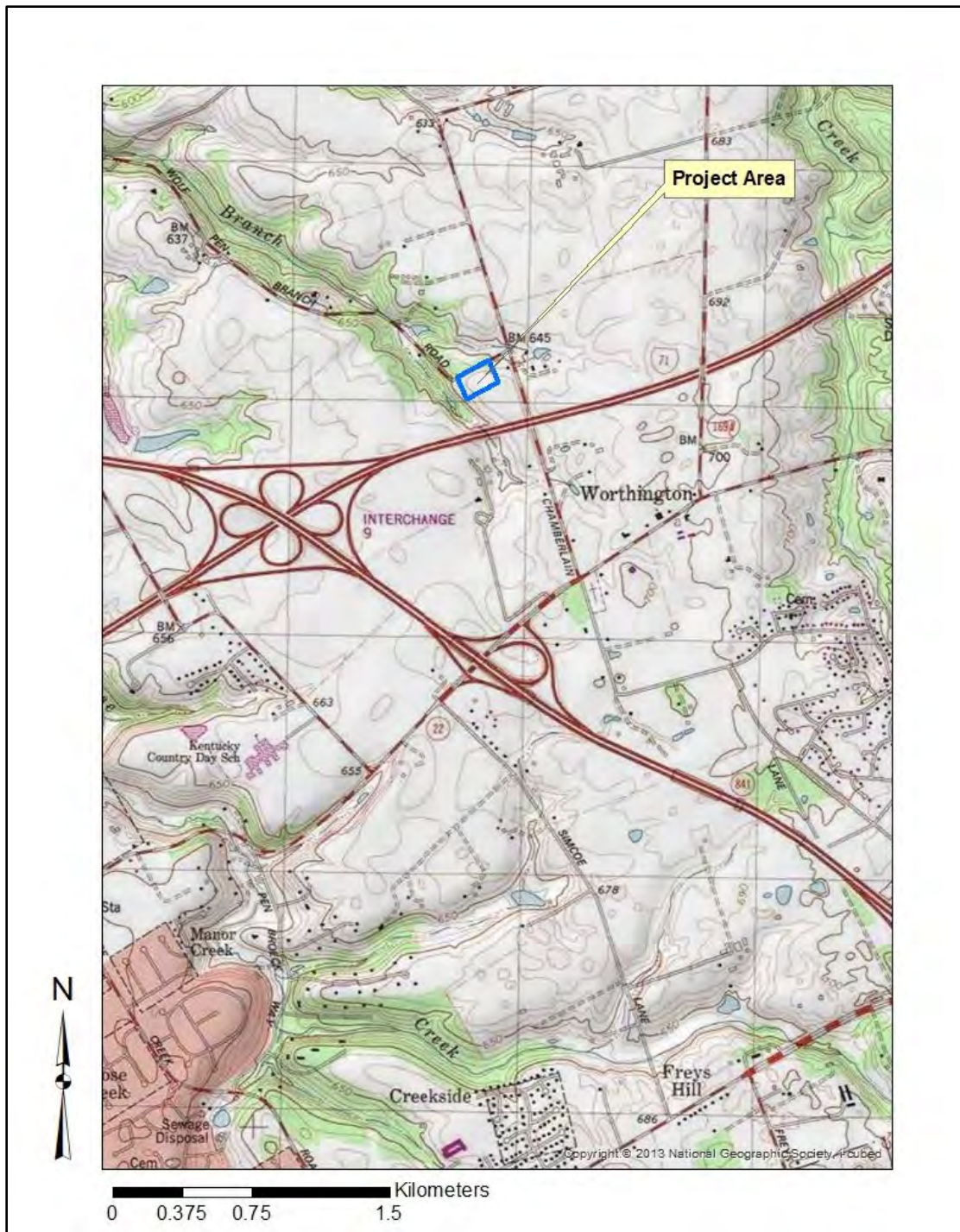


Figure 1. The Location of the Project Area on the U.S.G.S. Topographic Map (Anchorage Quad. 1981).

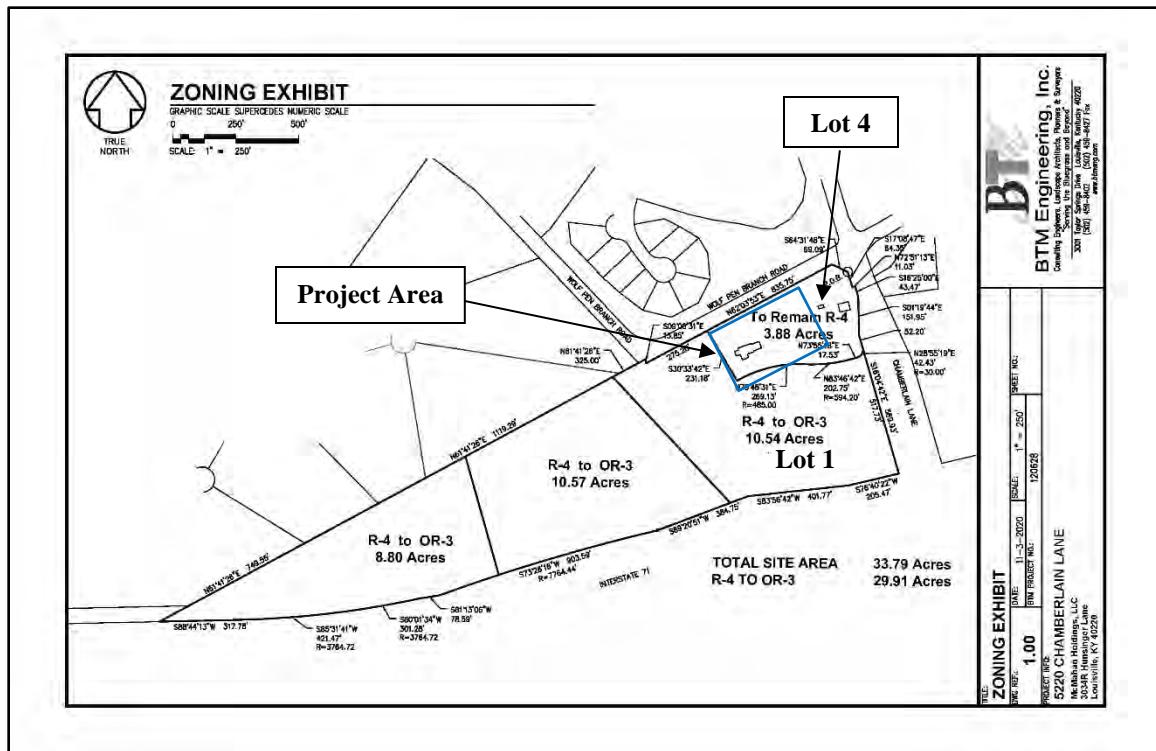


Figure 2. Proposed Zoning Map Showing the Project Area and Lots 1 and 4 (BTM Engineering).

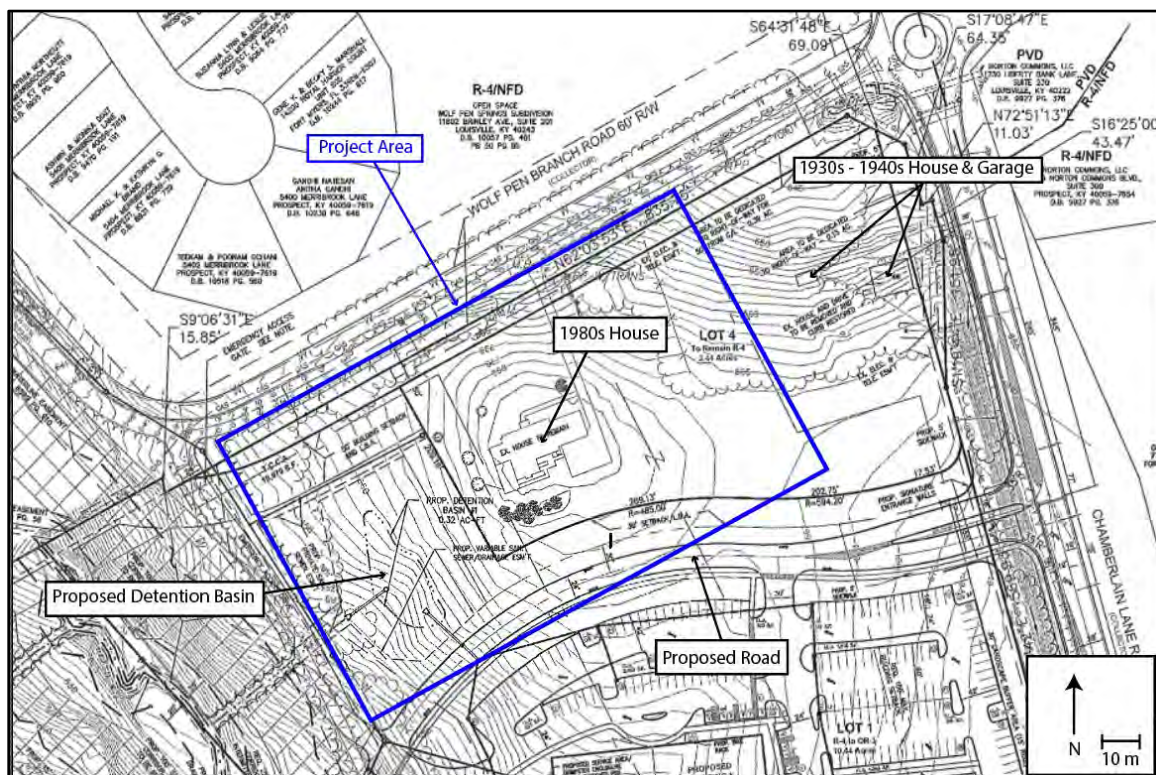


Figure 3. Proposed Development Plan Showing the Location of the Project Area (BTM Engineering).

The focus of the archaeological investigations was on the portions of the project area that will be impacted by the proposed road and detention basin. These investigations included excavating a series of trenches across the areas proposed to be impacted to determine if any graves are located there. Archival research included the examination of deeds, probate records, censuses, and local histories to establish a chain of title for the property and find references to or descriptions of the cemetery.

Based on the results of this study, there is no evidence of a cemetery within the portions of the project area that will be impacted by the proposed road and detention basin. This is based on an absence of grave shafts in any of the trenches excavated. Though no graves were found in the examined portion of the project area, it is possible that some are located elsewhere in portions of the project area that will not be impacted by the proposed development. The results of this study have determined that no graves or cemetery will be affected by the development as proposed.

BACKGROUND

PREVIOUS ARCHAEOLOGICAL INVESTIGATIONS

The project area has been the subject of an archaeological investigation previously. A surface survey of plowed fields on the VonAllmen farm was conducted in the early 1970s by the University of Louisville. Four Native American open habitation sites (15Jf271A, 15Jf271B, 15Jf279, and 15Jf280) were recorded as part of that survey (Granger et al. 1973). One of these, 15Jf279 is located within the project area, encompassing most of the hilltop on which the extant house sits (Figure 4). It contained a moderate amount of lithic debitage along with projectile points and pottery dating from the Late Archaic and Early Woodland periods. In 2014, an archaeological survey conducted along Chamberlain Lane on the south side of Interstate 71 identified a historic house site (15Jf870) (Davies 2015).

PROPERTY AREA HISTORY

The property containing the project area was part of a 1,400-acre tract owned by John Floyd. Floyd was part of a crew that surveyed Jefferson County in 1774 at the direction of Col. William Preston, Fincastle County Virginia surveyor. Also on Floyd's crew was Hancock Taylor, James Douglas, Isaac Hite, and James Knox. During the survey they laid out tracts for assignees in Virginia, including military grants for service in the French and Indian War. They also laid out tracts for themselves and William Preston, some of whom later became early settlers in the Falls of the Ohio region after the Revolution. Unfortunately, this was not the case for Hancock Taylor who was killed by Indians near the fort at Harrodsburg shortly after the surveys had been completed (Hammon 1973). Several years later, Taylor's brother Col. Richard Taylor arrived in Louisville with his wife Sara Dabney Strother Taylor and children from Orange County Virginia in 1783 to claim lands granted to him for his service in the Revolution.

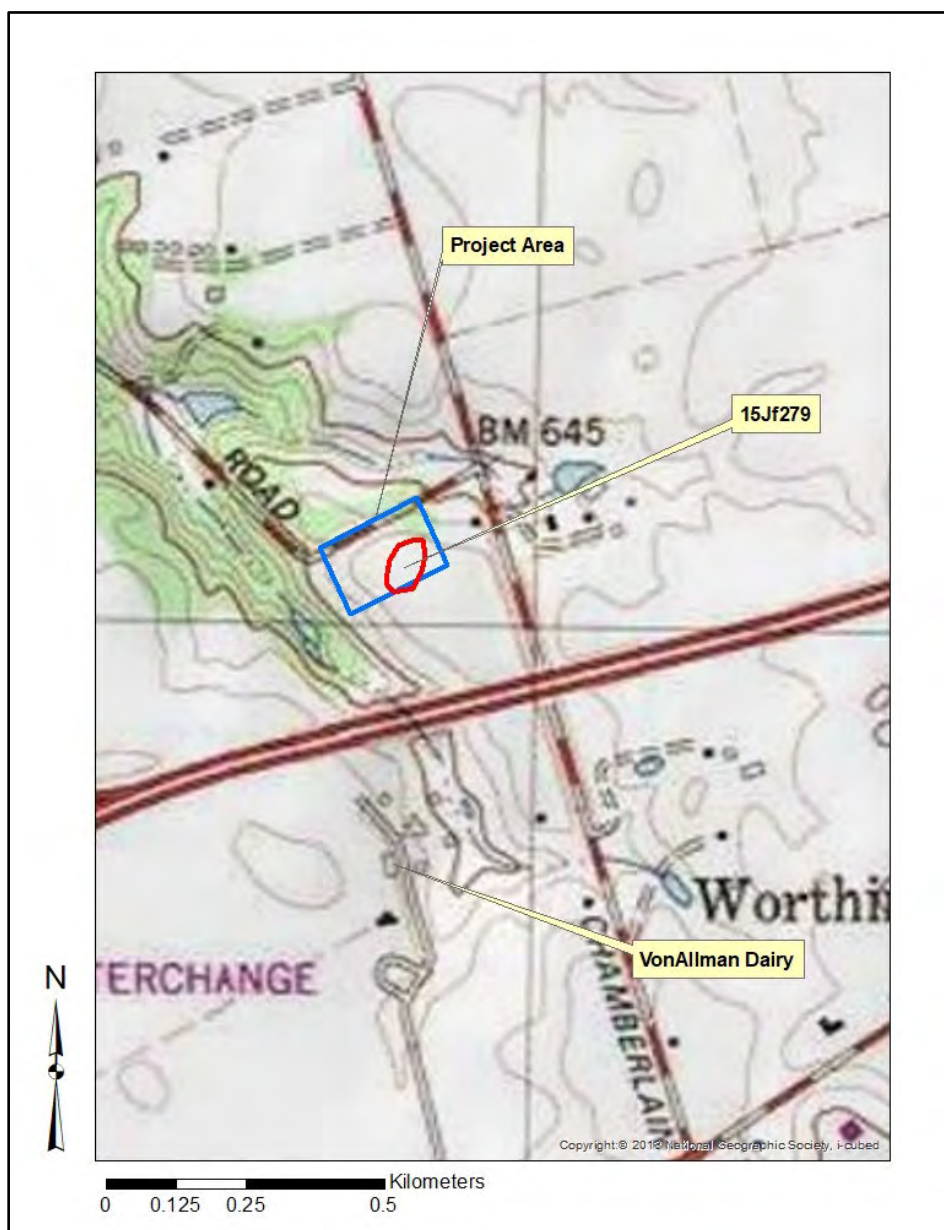


Figure 4. The Location of Recorded Archaeological Sites Near the Project Area.

Richard Taylor established a farm, called Springfield, along what is now Brownsboro Road near the Watterson Expressway. He added new lands to his military grants, eventually amassing over 8,000 acres of land in Jefferson County. Part of his landholding included a 1,000-acre tract along Harrod's Creek that he and his brother William Taylor purchased from the heirs of John Floyd, sons George and John Floyd around 1800 (Deed Book 9:518). Unfortunately, the original survey of this tract overlapped or interfered with a tract owned John Lawson. When the interference was brought to Richard and William Taylor's attention, they attempted to pay John Lawson for a clear title to the land in 1815 (Deed Book P:196). To make matters even worse, a 525-

acre property they purchased from Abraham and Isaac Hite also interfered with Lawson's tract (Deed Book I:228). The Jefferson Circuit Court resolved the disputes in 1819. At that time Richard and William Taylor gained title to 786 acres of the land along Harrod's Creek. As part of the settlement, the terms for dividing the property amongst Richard and William Taylor were described. Richard received the 336 acres that included the project area, and William received the remaining 450 acres (Chamberlain 1994).

Richard and Sarah Dabney Strother Taylor had nine children, eight of whom survived into adulthood, including Hancock, William Dabney Strother, Zachary, George, Elizabeth, Joseph, Sarah, and Emily. Taylor benefited greatly from his vast landholdings and the 20 people he enslaved to work his plantation. His impact on the landscape of eastern Jefferson County is still visible today in the old Springfield plantation house and the family cemetery that became a national cemetery. His son Zachary Taylor was elected President of the United States in 1849 and is buried in the cemetery (Kleber 2001).

One of Richard's other sons is relevant to the project area. William Dabney Strother Taylor acquired 277 acres of his father's land along Wolf Pen Branch in 1829 from his brother Hancock and his wife Hannah after their father's death that same year (Deed Book CC:462). Oral tradition suggests he was responsible for naming the tributary of Harrod's Creek on this property Wolf Pen Branch. Taylor was known to have built pens or traps along the hillside of the stream that ran across his property to capture the wolves that often attacked farmer's livestock (Chamberlain 1994).

William Dabney Strother Taylor, known as W.D.S., was born in 1805. He married Jane P. Barbour, the daughter of P.D. Barbour a wealthy farmer and neighbor, several months after his father's death in 1829. Later that year, he acquired the aforementioned property and a number of his father's enslaved people, including one named Sam (Chamberlain 1994). W.D.S. and Jane Taylor established their plantation called "Egypt" on this property. It was located along the Brownsboro Turnpike in what would become the community of Worthington. According to oral tradition, while clearing timber from the land, W.D.S. and Sam described the dark dense forest as black as "Egypt," hence the name of the plantation (Chamberlain 1994). W.D.S. acquired additional properties in the area bringing his landholdings to nearly 700 acres by 1837 (Deed Books NN:490; 50:240). He also invested heavily in his work force, enslaving 16 people in 1830 and 20 in 1840 (U.S. Census).

Taylor's plantation included a main house, agricultural outbuildings, and slave houses. The main house and outbuilding complex was located near the middle of the property and accessed from a drive to the Brownsboro Turnpike. The 1858 map of Jefferson County shows Taylor's property and Chamberlain Lane along the east boundary and Wolf Pen Branch Road along part of the north boundary of his land (Figure 5). Although the maps do not show any slave houses, according to the 1860 Census W.D.S. Taylor enslaved 18 people that year and he had four slave houses on his plantation. By 1870, the Census indicated that W.D.S. Taylor had retired from farming and lived with his son Hancock Taylor who had assumed operation of the farm.

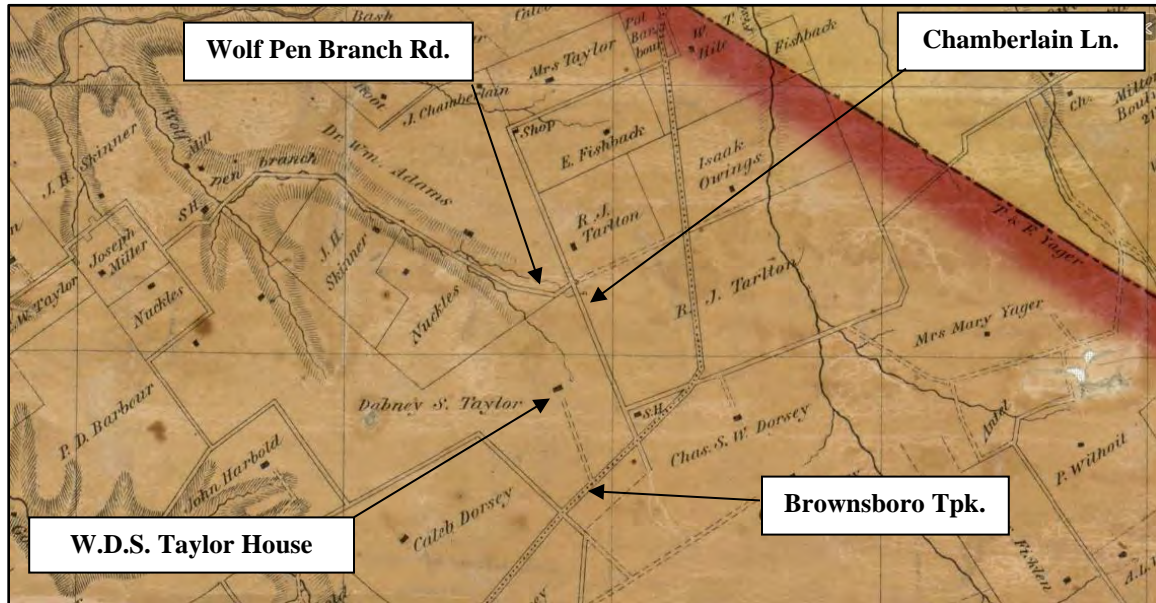


Figure 5. 1858 Map of Jefferson County (Bergmann 1858).

In 1876, W.D.S. Taylor gave 175 acres of his farm to his youngest son, William Dabney Strother Taylor, known as D.S. Taylor (Deed Book 204:298). The 1879 map of Jefferson County shows his property being 175 acres (Figure 6). It also shows that his father still owned 120 acres adjacent to the property. Shortly after the publication of that map Taylor received another 50 acres from his father, giving him a total of 225 acres of his father's farm including the project area (Deed Book 229:258).

By 1880, D.S. Taylor owned and farmed 225 acres of his father's old plantation. His household included his wife Jessie, son William Dabney Strother, his father, and two in-laws, according to the Census. The Census also indicates that African-American servants Perry and Mary Fishback along with their two teenage daughters Zina and Lucy also lived on the property. The elder W.D.S. Taylor died in 1891 at the age of 84 and was buried in the Taylor-Chamberlain cemetery, before being relocated to the Taylor family lot within Zachary Taylor National Cemetery (Chamberlain 1994). D.S. Taylor continued to farm his property throughout the 1890s and early 1900s. During that time, various African-American families rented two tenant houses on the property and likely worked the farm either as paid labor or sharecroppers, which was common for African-American farmers at the time (U.S. Census 1900; 1910). These houses are shown on the 1905 U.S.G.S. topographic map along Wolf Pen Branch near Wolf Pen Branch Road and the project area (Figure 7).

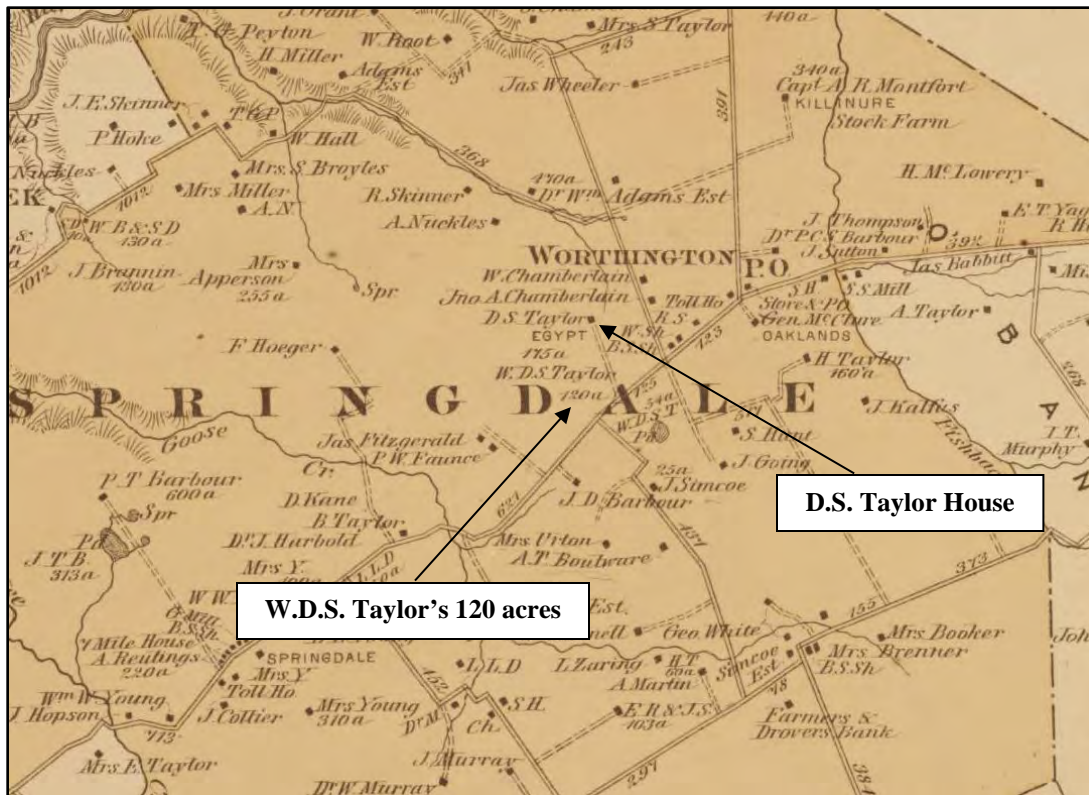


Figure 6. 1879 Atlas of Jefferson County (Beers and Lanagan 1879).

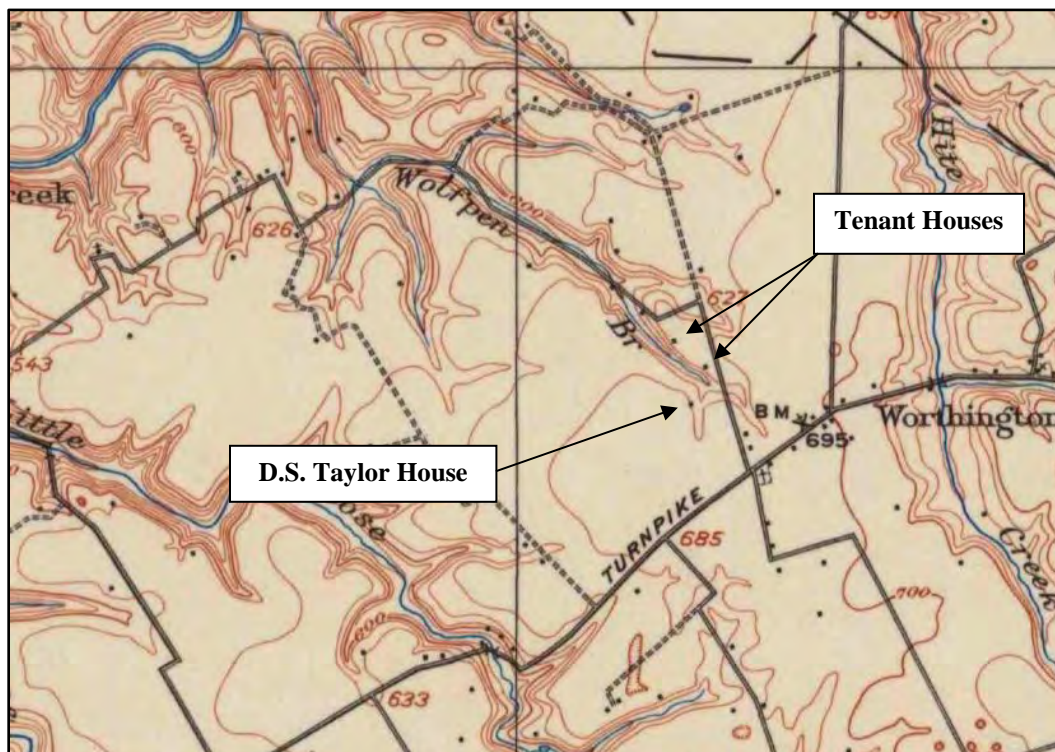


Figure 7. 1905 U.S.G.S. Topographic Map (Prospect Quad.).

In 1911, D.S. Taylor sold the entire 226.95-acre farm to W.L. Martin for one dollar (Figure 8) (Deed Book 733:188). It is not known why he sold it for a price usually used to transfer property to family members, but it is possible that there was some connection between Taylor and Martin beyond the transaction of property. Martin demolished the old Taylor house and replaced it with a new Craftsman Bungalow style home. He likely kept and continued to rent the old tenant houses. Martin sold the house and property to John L. Gray of the Gray-VonAllmen Sanitary Milk Company in 1919 (Deed Book 910:385).

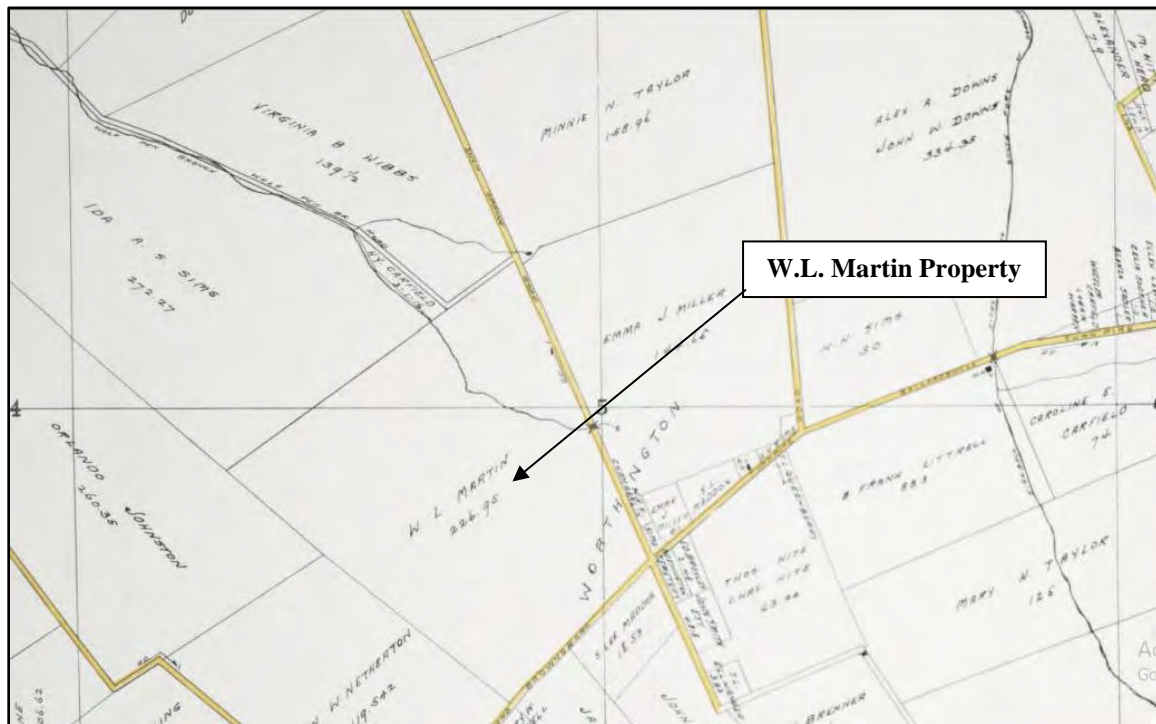


Figure 8. 1913 Jefferson County Plat Map (Louisville Abstract and Title Co. 1913).

Gray purchased the property on behalf of the dairy he operated with Emil Von VonAllmen. VonAllmen and his wife Arminta were natives of Switzerland and had moved to Louisville like many other European immigrants during the period. They and their two children moved from their rented home in Louisville into the residence on the property and began converting it into a dairy farm. They built dairy barns and a bottling house, and most likely demolished the old tenant houses and replaced them with at least six new houses mainly laid out along Chamberlain Lane, most of which were concentrated at its intersection with Wolf Pen Branch Road near the project area and rented out to various African-American and European immigrant farm hands (Figure 9). Most of these changes to the property were likely made from the 1920s to around 1940. By this time, VonAllmen had bought out Gray and renamed the dairy the VonAllmen Dairy Farm Corporation. From 1948 to 1952 the company acquired additional land in the area. The 1951 U.S.G.S. topographic map shows that the dairy operation and construction of new residences had been completed by that time (Figure 9).

A major change to the property occurred in 1965, when the Commonwealth of Kentucky began acquiring property and easements for Interstate 71 and the Jefferson Freeway (Gene Snyder Freeway) which divided the farm into several parcels and effectively bisecting the main part of the farm (Deed Books 3953:131; 3961:69). Members of the VonAllmen family continued to live on the property into the 1970s. It was sold out of the VonAllmen family in 1973 and became a sod farm until the tract south of Interstate 71 was developed as Brownsboro Crossing. The VonAllmen house is still standing within the development.

Figure 9. 1951 U.S.G.S. Topographic Map (Anchorage Quad.).

Because it is believed that cemeteries could be located on the property, and within the project area specifically, an attempt was made to identify the source of this belief and examine archival records for any other references to cemeteries associated with the property. The belief that a cemetery for the people enslaved by Taylor and his neighbor to the east R.L. Tarleton is present within the project area is derived from a history of the Harrod's Creek area and the Chamberlain family written by historian Russell Edward Chamberlain (1994). Prior to writing his book, Chamberlain had collected oral tradition and histories from Worthington area residents since the 1950s. Chamberlain references

two cemeteries that had been located on the W.D.S. Taylor farm within a footnote for a section about Irish laborers working on area roads who died from a cholera epidemic. The footnote reads:

This burying ground was on the hillside, midway between the Dairy Barn of the VonAllmen farm and Interstate 74[71] (Highway to Cincinnati). When VonAllmen bought the property from Martin, they disposed of the grave markers and leveled the ground there. Many of the Taylor and Tarleton slaves were buried in a cemetery off the south side of Wolf Pen Branch Road at the top of a hill between Chamberlain Land and the first turn of this road. This property has been developed (1989) and the cemetery is now under the front yard of one of the fine new residences there (Chamberlain 1994:176).

This reference seems to be the sole source for the belief that a cemetery is located within the project area. No other reference to either of these cemeteries could be found during an examination of deeds and probate records, however, these types of sources typically only make reference to cemeteries if they are specifically exempted from a property, used as a landmark in the survey call out, or part of a directive within a will. The fact that the cemeteries are not mentioned in these records is not unusual, especially since Taylor family members are not buried there. The Taylor family members are buried at the Taylor-Chamberlain cemetery and the Taylor family plot within Zachary Taylor National Cemetery.

The fact that there are no references to these cemeteries other than in Chamberlain (1994) does not mean that the cemeteries are not present on the property. As stated in the footnote, VonAllmen removed the grave markers and leveled the area where the Irish laborers were buried, which is not an unusual activity. Farmers with no connection to those buried in a cemetery have often reclaimed cemeteries for farming and grazing. VonAllmen likely reclaimed the Irish laborer cemetery and the Taylor and Tarleton slave cemetery during the development of the dairy farm in the 1930s and 1940s. Thus, the descriptions of the cemetery locations are probably firsthand accounts and do indicate a good possibility that they are present in the general areas described. This coupled with the fact that both Taylor and Tarleton had enslaved a large number of people, up to 20 each, for a long period of time, it is likely that some of these people died during their enslavement and were buried on the property. It can be concluded that there is a high probability that these cemeteries do exist and were at least visible on the landscape possibly as late as 1940. Unfortunately, the exact location of these cemeteries is unknown.

The Taylor and Tarleton slave cemetery is the most pertinent to this study, since it may have been located in the project area. Based on Chamberlain's (1994) description, the cemetery was located on the hilltop on the southside of Wolf Pen Branch Road. It is Chamberlain's assertion that the cemetery is specifically located in the front yard of the extant 1980s house. However, we must consider that the cemetery could be anywhere on the hilltop along Wolf Pen Branch Road, leading to the expanded definition of the project area (Figures 2 and 3).

ARCHAEOLOGICAL INVESTIGATIONS

Although most of the project area will not be disturbed by the proposed development, two areas will be impacted. A road will be construction at the south edge of the area and a detention basin will be dug on the west side of the project area (Figure 10). The investigation of these two areas consisted of the excavation of trenches to look for grave shafts associated with the reported unmarked cemetery.

Three trenches (Trenches 1-3) were excavated with a Linkbelt 145 excavator under the supervision of a KAS archaeologist. Trenches 1 and 2 were excavated from east to west at the south edge of the area of probable cemetery location to investigate the area that will be impacted by the proposed road (Figure 11). Trench 3 was placed just west of the existing house. It was excavated from north to south bisecting the proposed location of a detention basin (Figures 10 and 12). The excavated trenches were 1.8 m wide and ranged in length from 60 to 90 m.

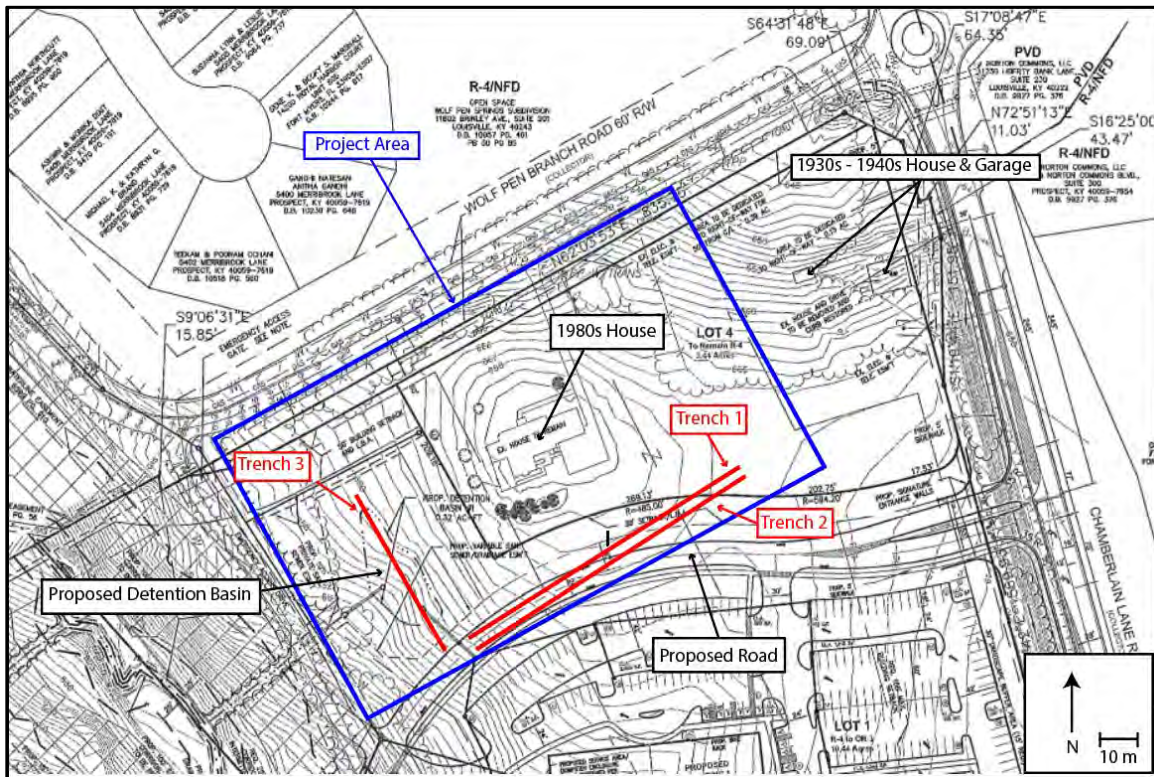


Figure 10. The Location of Trenches Excavated within the Project Area.



Figure 11. Photograph of Trench 1 Looking Northeast.



Figure 12. Photograph of Trench 3 Looking North.

The typical intact stratigraphy encountered in eastern and central portions of Trenches 1 and 2 consisted of a 28 to 30 cm thick slightly mottled dark gray brown silt clay loam plowzone, an 18 to 20 cm thick medium brown silt clay transitional zone, a 20 to 30 cm thick yellow brown silt clay subsoil, and a red brown silt clay subsoil that was identified at around 70 cm below the surface (Figure 13). In the western portion of both trenches where the slope is greater, the transitional zone was not present and the red brown subsoil was identified at 50 cm. Trench 3 exhibited a similar soil profile, except that the yellow brown and red brown subsoils were thinner being identified between 45 and 65 cm below the surface. As with the western portion of Trenches 1 and 2 this is due to the slope in this area. Bedrock was encountered within the red brown subsoil at the south end of Trench 3.

Within each trench the plowzone was removed first to look for grave shafts. If present, they would have been distinguished from the underlying transitional zone by mottled soil within a rectangular shaped area. The grave shaft would have extended into the underlying subsoil. To make sure that the shafts had not been missed, the trenches were taken down further. With the removal of the transitional zone and the yellow brown subsoil, there was still no evidence of a grave shaft. Though no grave shafts were found, several anomalies that required further investigation were noted. They were primarily associated with Trench 1, with just a couple being identified in Trench 2, and none being present in Trench 3.



Figure 13. Photograph Showing the Soil Profile in Trench 2.

The investigated anomalies consisted of mottled gray brown and yellow brown silt clay loam. They ranged from 50 to 150 cm in size and were amorphous in shape. The Trench 1 anomalies were cleaned with a trowel and then explored with a shovel or the excavator and were found to have been formed by trees and rodent burrows. According to Chamberlain (1994) the property was known to have large dense timber when W.D.S. Taylor and the people he enslaved cleared the land in the 1830s.

Although Trenches 1 and 2 were excavated through a portion of previously recorded Site 15Jf279, no artifacts were observed within the back dirt nor were any subplowzone cultural features identified.

A surface survey of the sloped wooded area at the west end of the project area just east of a gravel access road and Wolf Pen Branch was conducted to see if there was any evidence of the cemetery on the surface in this area. Upon examination, the area appeared highly disturbed as there were old push piles and a fair amount of trash dumping observed. The area was widely covered with Vinca Vine, a plant commonly used in cemeteries and as an ornamental ground cover around homes. This plant was not isolated to any one area, as it was prevalent throughout most areas along the gravel road, Wolf Pen Branch Road, and Chamberlain Lane. Unfortunately, the presence of this plant does not help identify the location of the cemetery and its wide distribution is likely a result of disturbances that occurred in the area, such as the demolition of tenant houses, construction of houses, removal of grave markers, and land grading that can spread this plant.

Two areas of limestone also were observed during the survey of the wooded area. They consist of a pile of stone and an area of scattered stones, both of which appear to be fragments of dressed building stone (Figure 14). These were clearly not associated with any formal or field stone grave markers. They were most likely associated with a tenant house that was shown on the 1905 map as being located in the vicinity of the project area (Figure 6). There was no evidence on the surface of a cemetery being located within this area.

CONCLUSIONS AND RECOMMENDATIONS

Based on the results of this study, there is no evidence to suggest that a cemetery is located in the portions of the project area to be impacted by the proposed development. If present, the most likely location for the cemetery is the front yard of the extant house at top of the hill along Wolf Pen Branch Road (Chamberlain 1994) or in the wooded area along the road to the northeast. It appears that much of archaeological site 15Jf279 was likely destroyed by the construction of the house in the 1980s. Although Trenches 1 and 2 were excavated within a portion of the site's reported location, no artifacts or features were identified. If any portions of Site 15Jf279 remain intact, they are likely located in the yard and woods east of the house. Stone fragments likely associated with a late 1800s to early 1900s tenant house were identified within a highly disturbed area along the western edge

of the project area. Due to the extensive disturbance of this area, it is unlikely that any significant archaeological remains of this structure are intact.

The purpose of the archaeological investigations was to determine if the proposed development will affect an unmarked cemetery reported to be within the project area. The investigation of the portion of the project area to be impacted by the proposed development found no evidence of graves or a cemetery, thus no graves or a cemetery will be impacted by the proposed development. It is recommended that the development as proposed can proceed. Should the proposed development plan change to which other portions of the project area will be impacted or additional information come to light that suggests graves or a cemetery will be impacted, it is recommended that the property owner or developer work with the Metro Louisville Historic Preservation Officer and the Kentucky Heritage Council to determine the nature and extent of additional archaeological work that may be needed.



Figure 14. Aerial Photograph Showing the Location of Stone Identified during Surface Survey.

REFERENCES CITED

Beers, D. G., and J. Lanagan

1879 *Atlas of Jefferson and Oldham Counties Kentucky*. Beers and Lanagan, Philadelphia, Pennsylvania.

Bergmann, G.T.

1858 *Map of Jefferson County, Kentucky*. Korff Brothers, New York.

Chamberlain, Russell Edward

1994 *Early Harrod's Creek Settlements and the Kentucky Branch of the Chamberlain Family*. Self-Published, Louisville.

Davies, Gavin R.

2015 *A Cultural Resource Survey for the Proposed Chamberlain Lane Transitional Care and Rehabilitation Center in Jefferson County, Kentucky*. Cultural Resource Analysts Inc., Lexington.

Granger, Joseph E., Betty McGraw, and Donald Janzen

1973 *A Reconnaissance and Evaluation of "Known" Prehistoric Sites in the Falls of the Ohio Region*. University of Louisville Archaeological Survey, Louisville.

Hammon, Neil O.

1964 The Fincastle Surveyors at the Falls of the Ohio, 1774. *The Filson Club Quarterly* 47(1):14-28.

Jefferson County

1800- Deeds, Probate, and Marriage Records on file at the Metro Louisville Archives,
1970 Archives.

Kleber, John (editor)

2001 *The Encyclopedia of Louisville*. University Press of Kentucky. Lexington.

Louisville Title and Loan Association

1913 Property Map of Jefferson County, Kentucky. On file, Metro Louisville Archives, Louisville.

U.S. Census

1810- Population and Slave Schedules of the U.S. Census. Accessed from Ancestry.com.
1930