

The Old Order Changeth, Yielding Place to..

By JULIE GRIBBIN

The bones of Bayonne's founding fathers lie bleaching in the sun, and the waters of New York Bay lap greedily at the edges of all that remains of what was once the mansion and ancestral seat of one of the proudest families ever to spurn the old world to build a new one beyond the seas.

And what sun and water have left of the old Van Buskirk mansion and its neighboring burial ground on Constable Hook is pecked at by wind and rain. Just about ten more years and nothing whatever will be left at the spot where Bayonne began.



MORE THAN GHOSTS.—Nearby excavation, combined with winds and water, have swept away the soil that once decently covered bones of Bayonne's oldest families. Here are some of the bones which now lie about on the cemetery hill.

Wanted: Sand

First advancing industry of the motor age, then neglect, and finally bulldozers driven by men who wanted sand took away all that there had been. All except the burial plot, which now stands like a little plateau above the wasteland about it.

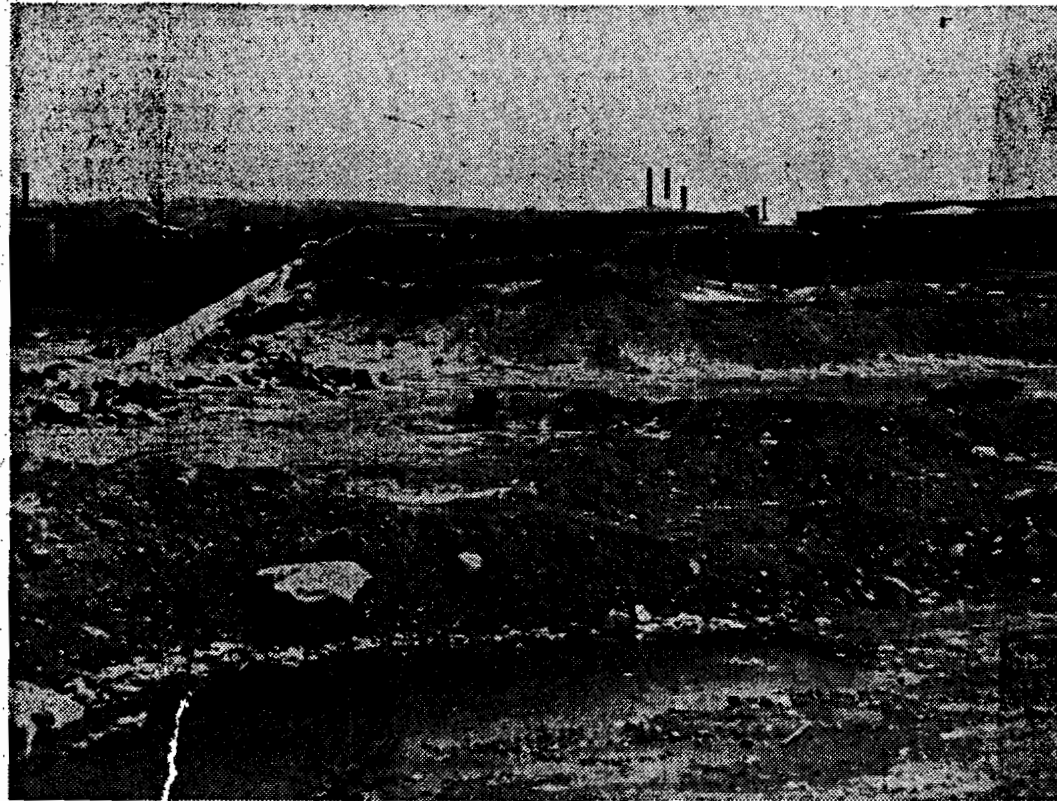
But it was not ever thus.

In 1696, when Dutch William of Orange sat on the throne of England that had just seen Congreve's "Love for Love", and when the New World reached out for the best that the Old had to offer, one Hans Harmense bought about 500 acres of land on Constable Hook.

So They Wed, and Built

Soon afterward old Hans' daughter, Tyntie was married to Pieter Van Boskerck, and on their half of the tract the young couple built the stone house that later came to be known as the Van Buskirk Mansion. It is still believed to have been the first house erected in Bayonne.

Stone masonry five feet above the ground supported the house. It is recalled by Royden Page Witcomb in his "First History of Bayonne", and the house itself was a frame and brick and massive joists and timbers.



Here is the site of the Van Buskirk Mansion in its present setting of oil tanks, shown from the garbage-dumps side. At left of mound are remnants of the old handmade-brick and brownstone

house, and along the right are poles marking the edge of the old cemetery. (Times Photos by Manger.)

Sprawled in easy grandeur on the rise overlooking New York Bay, before it for more than 200 years slipped the merchant shipping that made the port of New York the greatest in the world.

Then in 1905 the land was purchased by Standard Oil to make way for the march of civilization: for oil tanks.

And unless something happens

another decade will see the bones of Bayonne's earliest settlers back in the immemorial sea.

Yet desecration is not new to this ancient cemetery. Only 24 years ago, for instance, Aaron A. Melniker, now Bayonne City Attorney but then representing William E. Van Buskirk and other heirs, filed suit against Standard in an effort to prevent encroach-

ment on the old cemetery, and preserve access to it. John Van Buskirk, Jr., had sold the land almost 20 years before, and Standard was eliminating streets leading in to facilitate construction of tanks.

In Chancery the family won. James F. Fielder handed down the ruling—but in 1926 the case reached the Court of Errors and Appeals and there the judges

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 pany. Minturn, Jr., Dissenting

For the majority Justice Frank S. Katzenbach, Jr., held that the cemetery had been abandoned before the sale, and that the suit had been filed too late.

But Justice James F. Minturn, in a ranging dissent that has the character of a legal masterpiece, argued long and vehemently that man's last resting place is not idly desecrated:

"Like a solitary beacon," Justice Minturn wrote at the close of his long essay, "extending its welcome light in the midst of a troublous sea, like a restless oasis in the midst of a scorching desert; like an inviting hospice in the midst of Alpine snow and ice, such a refuge holds for the worn and weary and for the hard-bowed-down a consoling atmosphere of repose, of consolation and help, where high and low, rich and poor, the pampered and the outcast may within its placid portals linger to revive a loving memory, to indulge in ardent hope and amidst the solace and peace recall with satisfaction the graphic and eternal thought of Edmund Burke on the grave of his son: 'What shadows we are and what shadows we pursue.'"

Then 1943, with the United States in a great war and Bayonne in the thick of the home front fight. Barney Rubine bought the property from the oil company and began scraping off its sand. Last year he let what was left—the scarred earth and the little plateau where graves lie open to the sky—go back to the City of Bayonne for taxes.

In his book Witcomb says that the Van Buskirk family was founded in these parts by Lawrence Andriessen, who came here from Holstein, Denmark, in 1655 and assumed the name Van Bos Kerck.

In eight more years it will be 1955, and 300 years will have passed. So, too, will all trace of the site where white men first made their homes on what has become the peninsular of industry