

In Watertown, Rumored Skeleton Lurks Not in Closet but in Cellar

By JANICE BATTISTA

WATERTOWN—State law has it that if you're buying a house, the seller must tell you whether the roof leaks, the septic system has failed or termites are gnawing through the wood. But if there's an old farmhand buried in the basement, sellers can remain mum.

That's what a family is learning after purchasing an 18th-century farmhouse on Nova Scotia Hill Road that is rumored to be the final resting place of one Levi Peck.

Pall to Wall

Town officials were notified this week that Peck, said to have been a worker on the farm, died one winter day in the early 1800's and was buried in the cellar because the frozen ground outdoors could not be opened for a grave. Town officials, the town historian and the director of a local funeral home are now trying to determine if Peck is indeed embedded in the ground, or just his tombstone.

"It was not unheard of back then to use old, discarded tombstones in your foundation wall," Town Manager Charles O'Connor said. "That may or may not be the case here."

Last month, Pedro Francisco and his cousin Armando Rodriguez, who live in Prospect, bought the 1750 farmhouse on 23 acres for \$234,900 from Alice Zuraitis, a widow. The new owners have applied for a permit to demolish the weather-beaten structure and plan to seek the town's approval to build a 10- or 12-lot subdivision on the land, across from Veteran's Park, said Christina Francisco, Mr. Francisco's wife.

Historical Value

A town ordinance requires a 60-day delay in the demolition of properties that are at least 75 years old, to allow interested parties time to inspect them

for historical value. The town historian, Florence Crowell, and Hobart Van Deusen, an avid preservationist, are the only residents who have registered to be notified of such demolitions. They investigated the exterior of the property last week and concluded there was no reason to oppose the demolition, Mrs. Crowell said. "As far as I'm concerned, it was done," the historian explained on Tuesday.

But then she got a call from Susan Zuraitis, a member of the large Zuraitis

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Watertown House May Include a Grave

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family, informing her that a farmhand was buried in the basement beneath a tombstone marked "R.I.P." and has remained there ever since.

"When she told me, I thought, you've got to be kidding me, this is unreal," Mrs. Crowell recalled. She and Mr. Van Deusen decided to notify the town manager and the building inspector, Richard Fusco, of the news. The information was then passed on to the new owners, who expressed shock.

"There's a rumor going around that there's a dead body there," Mrs. Francisco said. "We're pretty upset, because we were not told prior to closing."

The family has hired funeral director Carol Hickcox to investigate whether the cellar is an actual burial site. "If there's something there, we would like to take care of it right away," Mrs. Francisco said.

Mrs. Hickcox, a town native, said she had looked into the matter a few years ago at the request of the Zuraitises' children when the property was placed on the market. Her conclusion, then and now, is that there was no burial there. The marker, she believes, was brought inside for some reason and eventually became incorporated into the cement floor.

"I've seen the stone, it's an old stone, but I don't believe it's a burial site," she said. First of all, the date of death engraved on the tombstone is May 26,

1809, which would have been a fine time of year for an outdoor burial, but not an indoor one.

"It wasn't uncommon to bury in the cellars in the winter, but usually the body would be moved come spring," Mrs. Hickcox said. "If it was January, I'd go with the whole thing, but a May burial? It would have been much easier for people to bury this person in the open than bury him in the house."

The marker is also beneath the main supports of the house in a very tiny basement, which would not have been a

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—Carol Hickcox, funeral director

practical or convenient place to dig a grave, she continued.

In addition, she said, it was once a common practice to replace old state markers with fancier stones. Family members would then keep the old stone. "My feeling in this case is that's what we have here," Mrs. Hickcox said. "It's just a stone that's been in this basement forever."

Without digging under the house, however, the only way to prove Mr. Peck isn't there is to find out where he is buried. And that's not easy. "I know

the new owners are anxious to resolve the situation," Mrs. Hickcox said. "They want to do what's right, and if we can't prove one way or another where this man is, they may go through with a disinterment."

Mrs. Crowell said she has checked the town's records of births deaths and marriages from 1780 to 1950 but found no mention of a Levi Peck. She plans to continue searching records and contacting potential descendants to try to learn more about the mysterious man. "I have come upon some weird things in Watertown," she said, "but this is the weirdest."

The farm had been in Alice Zuraitis' family for a century or more. The octogenarian and her husband, Joseph, lived in the house and operated the farm for decades. The property is the setting of much legend and lore, including reports of supernatural visitations.

Real-estate laws in Connecticut do not require sellers or their agents to disclose facts about a house that might give potential buyers the heebie-jeebies.

In legal terms, any fact or circumstance that may have a psychological impact on the buyer is not a material fact that must be disclosed, according to the statute, called "An Act Concerning Psychologically Impacted Properties."

"A material fact is if the roof leaks,

or if there's toxic waste buried there. It's something that legitimately affects the value of the property or the person's ability to use the property for the use they intended," said Christopher Ashe, manager of Coldwell Banker Breidice & Dean in Torrington and an instructor in real-estate courses.

What need not be disclosed is, for example, whether there was a homicide, suicide or felony committed at the site, or whether the prior occupants had HIV. The bill "has also been used to apply to ghosts," Mr. Ashe said.

State Representative Arthur O'Neill, a Southbury attorney who handles estate

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law, said the bill is primarily used for situations such as murders or crimes that scare people, and not necessarily for a grave. Sellers are required to sign a title insurance affidavit to disclose a number of items that would not appear in a title search, he said, such as whether a cemetery or family burial ground is on the site.

But that doesn't mean information about Levi Peck would have had to be revealed in this case, he said. "It's not altogether clear whether one grave constitutes a burial ground," Mr. O'Neill said.