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Ulster County, New York

AND INTERESTING INCIDENTS CONNECTED
WITH THEIR HISTORY.

An Historical Discourse delivered by
CHAPLAIN ROSWELL RANDALL HOES,
U. S. N., by invitation, before the
Board of Supervisors of Ulster County,
convened at the Court House on the
26th of November, 1918, to commem-
orate the Centenary of the erection
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KINGSTON, N. Y.
FREEMAN PUBLISHING COMPANY
1918

GIFT
Auction
APR 2, 1915



Mr. Chairman, Members of the Board of Supervisors, Daughters of the American Revolution, Ladies and Gentlemen:

It is well to commemorate, even in this unpretentious way, the centenary of the erection of this stately edifice. Standing as it does on historic ground, it is closely interlinked with the judicial, legal and civic life of our country, and silently encourages us to recall the scenes of which it has been a witness, as well as to tell the story of its predecessors. Let us, therefore, make the attempt.

Old Ulster is one of the original counties of the Province of New York, and came into being by an Act of the Provincial Legislature passed on the 1st of November, 1683. On the same day "An Act to settle Courts of Justice" was approved which established Town Courts, County Courts of Sessions and Courts of Oyer and Terminer. The earlier sessions of these courts were held in the "Town House" in Kingston, and the first reference to the existence of an edifice for the especial accommodation of the courts, in so far as a diligent search has disclosed, occurs on the 4th of March, 1688/9, when "the commonalty of the Corporation [of Kingston] met in the County House to elect new Trustees, a Constable and Assessors." By a singular coincidence, on the same date, a lot of ground on the west side of the present Wall street was conveyed by the Town Trustees to Teunis Elysse* [Van Benschoten] which is described as located "to ye South of ye County House," thus proving beyond question, in connection with other well established facts relating to the contiguous pieces of property, that this County House, or Courthouse, occupied the same site as its successors, including the present edifice. This is an important discovery because, as far as known, there is no recorded instrument by which this property was ever legally and formally conveyed to Ulster County or to its representative, the Board of Supervisors.

The next reference to the courthouse, thus far discovered, seems to be on the 15th of January, 1701/2, when the Justices of the Peace of Ulster County made an allowance of £6. to Lymen Cool [Cole] for "making the County house," or, as will presently appear, for "worke to ye County house;" and another, on the same day, of £3. to Jacobus Lamaetere [Delamater] "for Labour to the County house." It may readily be seen, therefore, from these items that the building was probably but a humble affair, and doubtless adapted only for temporary use. Be this as it may, two years later, on the 7th of January, 1702/3, at a meeting of the County

*Conveyances of Town Trustees, I. 115.

Board of Supervisors, "The Supervisors Chosen as aforesd upon the Motion of the Justices for sd County about Repaying the Court house and making the prison sufficient, it is Resolved that after the Justices have Inspected about ye monys due for ye County, and after they have Employed the mony due yt way, and what falls short upon View of ye Acct. they will take Care to order, that satisfaction shall be made by way of a taxe." This was signed by W. D'Meyer, Thomas Garton, Wessel TenBroeck, Jochem Schoonmaker, Mattys Ten Eyck and Abraham DuBois, supervisors respectively of Kingston, Marbletown, Foxhall, Mombackus, (now Rochester), Hurley and New Paltz. A little more than seven months later, on the 28th of August, 1703, it is recorded that, at a meeting of the Justices of the Peace of Ulster County, "It appears by ye Record that the County is Charged for Six pounds payd unto Symen Cool for worke to ye County house. The said Symen sayth that hee was agreed wth Coll: Jacob Rutse to Deliver four thousand singles [shingles] for £6.0.0 wch hee hes delivered to Coll: Rutse at Strand [now Rondout], and it appearing that Coll: Rutse hes disposed of part of said singles, It is Resolved that Coll: Rutse is to bee accountable for sd six pounds, and that other singles shall be procured for ye singling of ye County house and prison." On the 20th of the following October the Justices of the Peace "Agreed wth Thomas Van Steenberge & Teunis Tappen to make the singles for ye County house & prison at ye Rate of twelve shillings pr thousand providing their Owne Dyett;" and at the same time it was also "Agreed wth Liftennt Hendrick Schoonmaker to bring a hundred zeder bolts from the Strand to towne for ye wch hee is to have nine shillings."

Between three and four months later, on the 28th of January, 1703/4, at a meeting of the County Justices of the Peace, a charge of £24.0.1. was allowed "ffor Repaying ye County house & prison." Early in the following year, (8th of February, 1704/5), a county charge of £3.6.6. was allowed to Colonel Henry Beekman "ffor Rum, Cedar Wood & nayles to ye County house," and also fifteen shillings to Jacob Peers, [Persen], "for 3 days Worke upon the County house and dyett." At a meeting of the County Supervisors on the 24th of the same month it is recorded that "It appears by ye Acct. Computed by ye Supervisors the Last Yeaere that there was raised by a County Rate for Repaying the County house & prison the summe of twenty four pounds sixteene shillings and one penny and the Charge thereof amounts to thirty one pounds, four pence & three fardings besides what was allowed to Coll: Beekman the 8th day of this Instant, and upon View of ye particulars the Supervisors doe allow Every article mentioned as by ye acct. produced ffrom the treasurer John Cottyn doth appeare."

The only remaining reference to the courthouse, thus far discovered, before the aid of the Provincial Legislature was invoked, was the action of the County Court of Sessions, held on the 3d of September, 1707, when an indictment was presented by the grand jury against a negro named Pierro for a deadly assault upon Catrina, the wife of Hendrick Cortreght, [Kortright]. He plead guilty and threw himself upon the mercy of the court, which sentenced him to "bee publiqly Whipt upon yee naked back at Every Corner of ye towne of Kingstowne Tenn Strokes, and at ye County house likewise Tenn Strokes and yt the sd Pierro pay all cost and to Continue in Custody untill Such time ye sd cost bee payd." Poor Pierro, he doubtless deserved his fate, but the magistrates certainly were in no very merciful mood that day, and the slave's experience suggests that it is not always expedient to plead guilty and throw one's self upon the mercy of a court!

An Act of the Provincial Legislature, passed on the 21st of July, 1715, required the Justices of the Peace of Ulster County, or a majority of them, within forty days after the publication of the Act, to appoint by a majority vote "two able and Sufficient Freeholders of & Inhabiting in the said County to be Managers and Directors" for repairing the courthouse and prison, "now standing and being," within twelve months after the publication of the Act. In order to defray the "necessary charges" involved, the Act provided that such an amount of money as the Managers and Directors might deem necessary, not exceeding "Two hundred and fifty Ounces of good Mexico pillar or Sevill plate," (i e., silver), should be raised by county tax within the ensuing six months, and paid to the Managers and Directors.

To what extent the courthouse and jail were repaired does not appear, but the structure evidently failed to satisfy the necessary requirements of the county, and the portion of it devoted to the jail became in time so inadequate that the county sheriff in November, 1729, and November, 1730, protested to the Court of Sessions "against ye Comon Goal, as not being Sufficient;" and the same official took similar action before the Court of Common Pleas in May, 1730. The sheriff renewed this protest at a session of the latter court in November, 1731, and action was no longer deferred, for, at the same session, "The Justices present in Court on Behalf of The Inhabitants of this County Doe apply Themselves To ye members of ye Genl. Assembly Of This County praying that they make Application To ye Next Generall Assembly To Procure an Act of Genl. Assembly for building a new Court house & Goal for this County, and To Raise a Sum not Exceeding five hund. Pounds on ye Inhabitants of This

County for That Use and To have Leave To Sell ye Old Court house & Goal & Lot of Ground To be Applied for ye Use Above said."

Accordingly, the first courthouse having outlived its usefulness, an Act of the Provincial Legislature was passed on the 14th of October of the following year, (1732), which, after reciting in its preamble the foregoing request and declaring that "the Court House and Goal in the County of Ulster is not only to Small, but much out of repair," empowered the Justices of the Peace, or a majority of them, to collect by taxation the necessary £500., "to the end so usefull and Publick a Designe may be promoted"—namely, the erection of a new courthouse and jail. In order that there might be no delay in building them, the Act provided that the money collected should be paid "from time to time" to a superintendent appointed by the Justices of the Court of General Sessions, and expended by him for material and labor. It also provided that this superintendent should give bonds for the proper disposition of the money coming into his hands, and authorized him to retain for his labors a sum not exceeding ten per cent of the funds collected for the purpose specified. The Justices of the Peace, moreover, were authorized to appoint a committee from their number to determine "how and in what manner the Goal and Court House aforesaid shall be made," as well as to examine and audit the various accounts for workmanship and materials, and to issue warrants to the superintendent for the expenditure of the funds in his hands. The Act also gave discretionary power to the Justices of the Peace to erect the new courthouse and jail on the site of the old one, or to sell the latter and the land on which it stood and to erect the new edifice on "a more Commodious Lott of Ground in Kingston." It may here be stated, by the way, that after mature deliberation the new courthouse was erected upon the site of the old one, where the present courthouse now stands.

This Act also contains a provision relating to an incident of a startling and sensational character—one, it is to be feared, in no way creditable to the county. "And whereas," reads the Act, "in the year one thousand seven hundred and thirty a negro man Called Jack being convicted of Burning a barne and a Barrack with wheat in the said County was Condemned to be burnt for the same, but the Justices not being able to procure an Executioner to performe the sentence at the rate Limited in an Act Entituled an Act for the more Effectual Preventing and punishing the Conspiracy and Insurrection of Negroes and other slaves, for the better regulating them and for repealing the Acts herein Mentioned relating thereto were obliged not only to hire one at a much greater price but Likewise to pay the price so agreed for and the same being as yet not

raised by the said County. BE it Enacted by the Authority aforesaid that the supervizers of the said County shall at their next meeting or at their first meeting thereafter raise and Levy together with the other necessary and Contingent annual Charge of the said County such sum of mony as has been Actually payd by the said Justices in and about the Execution of the Said Negroe, and order the same to be payd to the Justice or Justices who so Payd and advanced it as aforesaid." The only known data throwing additional light upon the horrible execution of this negro is contained in the manuscript of a gentleman,* many years deceased, who expended much time and patience in collecting incidents relating to the early annals of Ulster County. His exact words are here quoted, but upon what authority they are based diligent research fails to reveal. They are as follows: "About two o'clock in the morning of August 25, 1730, Jack, a negro belonging to Albert Pawling, set fire to the barn and barracks of Captain Richard Brodhead of Marbletown. He confessed the crime, saying, 'when he first came from Wawarsing he went to the cook-room of Richard Brodhead and fetched fire and tried to set the barn afre, but he missed that time, but the second time he took a brand from the house and burned the buildings.' He was burned 'To death and then to ashes' on the 29th of the same month at Marbletown by London, a negro slave of Johannis Low, who was executioner. The expense was twenty shillings."

The sentence of Jack, although so brutal and inhuman, was legally justified by an Act of the Provincial Legislature which provided that negroes guilty of such and certain other crimes should "suffer the pains of Death in such manner and with such circumstances as the aggravation or enormity of their Crimes in the Judgment of the Justices of those Courts aforesaid, or as in the judgment of Seven of the said Justices and freeholders they shall merit and require."

As though to stimulate the Justices to speedy action under the provisions of this law, the Sheriff, on the 8th of November, 1732, twenty-five days after its passage, protested to the Court of Common Pleas "against the Common Goal for the Insufficiency thereof;" and, meeting with no apparent success, renewed his protest before the same court at its following session, on the 2d of May, 1733. Action followed, after only a brief delay, and the Justices of the Peace at the next session of their court, held on the 7th of November of the same year, ordered that £200. be "Levied On the Inhabitants, freeholders & Sojourners In the

*Jonathan W. Hasbrouck. (See biographical sketch in "Olde Ulster, January, 1905).

County of Ulster," pursuant to the Act passed on the 14th of October, 1732, "To be Employed Towards furnishing Materials for the building of a Court House & Goal In sd County. Ordered that Jacob Ten Brook be appointed To be Mannager of Said buildings. Ordered that Coll: Abraham Gaasbeek Chambers, Coll: Wll. Ten Brook, Majr. Coenraedt Elmendorph, Mr. Cornelis De La Metre, [Delamater], Mr. Johannis Jansen, Mr. Christophel Tappen, Capt. Albert Pawling, Mr. Thomas Jansen, Capt. Zacharias Hofman, Mr. Moses De Puis, [Depew]; Or any five of them be a Committee for the Ordering & Directing the Said Jacob Ten Brook how & in What Manner the Goal & Court house afore Said Shall be made. Ordered that the Said Money be Collected So That it may be paid to the Said Managers, at or before the first Day of May Next."

There seems to be nothing to show whether these orders resulted in any speedy action; but in the following Spring, (8th of May, 1734), the County Sheriff, alert as ever, again "protests Against the Comon Goal its being Insufficient." The following month, (22d of June, 1734), an Act of the Provincial Legislature was passed "for the better Explaining and rendering Effectuall" the Act of the 14th of October, 1732, by the provisions of which it became "Lawfull for the said Justices of the Peace or the greater number of them at any time after the publication of this Act to raise levy and collect * * * a Sum not exceeding the sum of five hundred pounds according to the Assessment last made by the Assessors for the said County or on any assessment by the Assessors of said County to be made to be levied for the uses aforesaid."

But serious obstacles seemed to present themselves, and apparently the provisions of this law and its immediate predecessor were not executed. Meanwhile, time dragged along, and the vigilant sheriff in the Autumn of 1734, the Spring of 1735 and the Spring and Autumn of 1736, made his usual protests to the Court of General Sessions that the jail was "Insufficient." At the latter date, (4th of November, 1736), the court took the following action: "The Justices in Court have Issued their Warrants to the Respective Assessors in this County to Make An Assessment of all the Estates Real and Personall of All the freeholders Inhabitants Residents And Sojourners within their Respective Towns Mannors & Precincts, Returnable the first Day of December Next Ensueing. Whereas by Virtue of An Act of General Assembly passed in the Sixth Year of his present Majesties Reign Entituled An Act to Enable the Justices of the Peace in Ulster County to build a Court House and Goal for the Said County &c., the Justices were impowered to Raise a Sum not Exceeding 500 Pounds and Whereas about 200 Pounds is Already Raised,

Ordered that the Remainder of the 500 Pounds be Levied on the Said Assessment."

This action of the Justices was subsequently given an impetus by the Provincial Legislature, which, after protests from the Sheriff against the "insufficiency" of the jail, made to the Court of Sessions on the 6th of May and 4th of November, 1737, enacted a law, approved on the 16th of December of the same year, which afforded additional aid. Its preamble recited that the courthouse and jail were in course of erection, but that in consequence of "disputes" that had arisen "concerning the manner of Raising the money" hitherto authorized by law, only £200. had been collected. The Act empowered the Justices of the Peace, or a majority of them, to raise by taxation for the completion of the courthouse "So much money," not exceeding £78. over and above the £500. already authorized by the Legislature," as Shall appear to them already Lay'd out & unpaid." The Act provided, moreover, that £12. of this £78. should be used to defray the cost of the "Carriages for Five Great Guns which had been made by order of the Justices. In order to enforce the assessment and collection of this sum, the law provided that any assessor neglecting to fully perform his duties under the statute should be fined £5. and that in case of any refusal to pay the required assessment the amount should be collected by "Distress & Sale of the offenders goods."

Great bodies, the High Sheriff of the County alone excepted, moved slowly in those days, and in the Spring of 1738 the latter official presented his now customary protest to the Court of Common Pleas against the condition of the jail that formed a part of the courthouse; and in the first week of the following May, (1739), the Court of General Sessions "Ordered that Captn. Edward Whitaker, Majr. Johannis Hardenbergh, Gerradus [Gerardus] Hardenbergh, Wessel Brodhead, Anthony Sleght, James Stringham, Peter Conteyne, [Cantine], Abraham Haasbrook and Johannis Vernoy Esqrs. or any five of them, [all Justices of the Peace], be a Committee pursuant to an Act of the General Assembly Entituled an Act to enable the Justices of the Peace in Ulster County to build a Court House and Goal for Said County &c.," passed on the 14th of October, 1732. At the next meeting of the same court it was "Ordered that Mr. Jacob Ten Broeck," who had been appointed "manager" of construction of the courthouse and jail by the Legislative Act of 1732, "the first Tuesday in June Next be Accomptable with the Justices yt was appointed Yesterday to be Committee or any five of them as to what Sum of Money he had laid out towards building the Court House and Goal in sd County." In the Spring of 1740 and of the following year,

and on the 3d of November, 1742 the Sheriff renewed his protests against the condition of the jail before the Court of General Sessions, and at the meeting of the same court, held on the following day, "By order of This Court Mr. Tobias Van Buren, Abraham [Van] Steenbergh, Tunis Swart & Marinus Chambers, Carpentr. have This Day Viewed The Court house and Goals To Compute The Charges what the finishing The Same will amount To who all agreed That It was Necessary To Lay out for materials & workmanship the Sum of one hundred and fifty pounds. Ordered the Supervisors of This County be Desired To Raise That Sum for the use afore said and That they appoint Some person or persons To procure The Necessary materials and Workman [sic] To finish The Same or Leave The Directions To the Justices of This Court or the major part of Them To Employ Such person or persons To find the said materials afore said and That the Clerk of the peace Serve The Supervisors with a Copy of This order." This action was followed eighteen months later, (3d of May, 1744), by the stereotyped protest of the Sheriff before the Court of General Sessions against the condition of the jail, which was repeated before the Court of Common Pleas on the 10th of the following year, when the "Court Orders the high Sheriff if he finds any Insufficiency in the Goals to order it to be Mended, and that he must Charge the County for the same."

The various amounts hitherto authorized by the Provincial Legislature proved, after all, insufficient for their required purposes, and, either through indifference, neglect, inability, or, let us hope, some better cause, the completion of the courthouse and jail dragged along on its usual uncertain course until the 29th of November, 1745, when an Act of the Provincial Legislature was passed which gave the undertaking more impetus. After relating the Acts referring to previous appropriations, it authorized the County Supervisors to collect by tax as large a sum of money as, in their judgment, had been "already laid out & Expended & unpaid towards the Building the said Court House & Goal," not to exceed £100. Penalties were also prescribed for assessors neglecting their duties and for parties refusing to pay their assessments, similar to those prescribed in the Legislative Act of the 6th of May, 1737. Nearly a year again passed and, on the 18th of September, 1746, the faithful Sheriff, still refusing to be suppressed in the prosecution of his discouraging task, again protested against the condition of the jail to the Court of General Sessions, and repeated his action to the same court in May and September 1747, May 1748, September 1749 and May 1750.

But, alas, other troubles impended! The course of the Ulster County courthouses and jails, like "true love," was destined never to "run smooth." "Accident by fire" caused the part of the courthouse devoted to the jail to become "insufficient for the Safekeeping of prisoners." Accordingly, an Act of the Provincial Legislature, passed on the 24th of November 1750, empowered the Justices of the Peace of the county to require the Supervisors to raise by taxation a sum not exceeding £100., or as much of it as the Justices might deem necessary, for its restoration; and any Supervisor, Assessor or Collector refusing, neglecting or delaying to perform his prescribed duties under the provisions of the law was to be fined forty shillings for each offense and vacate his office.

Fifteen years passed and the courthouse and jail faced additional troubles, for alterations and repairs had become necessary, and additional money to defray the expense was required. Recourse was accordingly made to the Provincial Legislature which, in an Act passed on the 23d of December 1765, stated that "the County House and Goals are in want of Repair," that the Justices of the Peace of the county had ordered the courthouse to be "altered and completed," and that these same Justices "stand Engaged for the payment of what is or shall be Expended by altering and Compleating the same, in Expectation that the charge thereof shall be Defrayed by the said County." The Act then required the Supervisors to order a sum not exceeding £100, "over and above the Annual County Charge," to be raised by taxation and paid by the county treasurer into "the Hands of such Person or Persons as the Justices of the Peace for said County or the Major part of them shall appoint as managers," who were empowered therewith to repair, alter and complete the county building.*

It is evident that the edifice of which we are speaking was totally inadequate to the requirements of the county. No farsighted policy had been adopted in its construction, and it proved a constant source of expense and annoyance. It is not at all surprising, therefore, that in a little more than seven years after the legislative enactment just described there was a repetition of the same old troubles. The Provincial Legislature again, and as usual, came to the relief of the County, and in an Act, passed on the 6th of February 1773, after stating that "the Court

*It may be inferred from this Act and other sources of information that at the time the County Building was divided into three parts—(1), the courtroom proper; (2), the room or rooms used for other county purposes; and, (3), the different apartments of the jail—the latter doubtless being located in the basement or cellar, as it certainly was at a later period. All of these several parts were apparently in various stages of construction or repair either simultaneously or at different times.

House and Goal in Kingston * * are not only inconvenient, but greatly out of repair," authorized the Justices of the Peace and the Board of Supervisors to meet on the first Tuesday in the following May at the courthouse, and required them at that time to decide "upon the Manner in which the said Court-House and Goal shall be altered and repaired and to compute the amount of the Charge and Expence that may attend the same," not to exceed £400., to be raised by a county tax. By the provisions of this Act Dirck Wynkoop, junior, Johannes Slegt, Abraham Low, John Beekman and John Eimendorph, or any three of them, were appointed commissioners to receive the funds raised by taxation from the county treasurer "for directing, manageing and inspecting the said Repairs, and for laying out the Money to be expended for that purpose." In case the proceeds of this tax should prove greater than necessary for its specified purposes, it was provided in the Act that the excess should be repaid to the county treasurer and be expended by the Supervisors as they should deem "most expedient."

The money authorized by this Act still proving insufficient to complete the courthouse and jail, the Provincial Legislature again placed itself in the breach, and by an Act, passed on the 1st of April 1775, required the Supervisors "at their next annual Meeting for raising the contingent Charges of the said County "to raise by taxation an additional sum, not exceeding £400., to be paid to the county treasurer and by him conveyed to the commissioners named in the Act of 1773, or any three of them, who should expend it in completing the courthouse and jail and in refunding money advanced by the commissioners for the same purpose, as well as to defray the cost of "digging and making a Well near the said Court House, and making such other useful and necessary Repairs" as the commissioners might deem "convenient and proper."

And now, after all these vexatious delays and annoyances, that old courthouse was yet to face its greatest and fatal trial. Far more important matters than county interests were now appearing above the horizon—and of such transcendent importance as to demand the devotion and, in many cases, the lives of the sons of old Ulster. Only eighteen days after the passage of the Act of the Provincial Legislature just described the shot at Lexington was "heard round the world," followed in a little less than two months by the carnage at Bunker Hill. What cared, then, the patriots of this county whether or not their Temple of Justice was completed, when their liberties were at stake and their lives about to be imperilled by an invading foe?

And yet in the brief remaining period during which the old edifice was to survive, it was destined to witness stirring events. Early in the conflict it figured conspicuously and proved itself of signal service to the Continental cause. The jail in its basement was desired for the incarceration of disaffected and disloyal persons, far removed as it was from the doubtful and sinister influences of New York City, then in possession of the British; and the Provincial Congress of New York, accordingly, on the 21st of December 1775, "Resolved with the consent of the members of Ulster county now present, That Ulster county jail or such part thereof as may be necessary, be used and taken as the jail of this Congress, and for the confinement of any such prisoners as may be ordered to be confined by this Congress or their Committee of Safety, that such prisoners as shall be there confined, shall be confined at their own expense respectively, but if they are unable to pay the expense, then that they be confined at the public expense of this Colony." As might have been expected, Ulster county through its representatives complied with this request with its usual patriotic spirit, and its jail at once became the state-prison of the Province of New York, but intended not so much for criminals as for persons inimical to the Continental cause and whose liberty threatened to jeopardize it. Here were confined both prominent and obscure tories and British military prisoners; but its quarters at length were so over-crowded that it became necessary to establish, in addition to it, what was known as the "Fleet Prison" on board of one or more vessels in Rondout creek.

But the old courthouse was to have still greater dignity conferred upon it. In the winter of 1776-1777 the New York Committee of Safety, then holding its sessions in Fishkill, deeming that village "too small to afford proper accommodations for the Convention and those who have business with the public," determined to move to a larger place. New York City was in the hands of the enemy, and Albany was too far removed from the scenes of civil and military activity. James Duane of New York and Robert Yates of Albany were, accordingly, selected to visit Kingston and Poughkeepsie with a view of making preliminary arrangements for the removal of the Committee of Safety to one or the other of these villages.* On the 31st of January, 1777, they reported to the Committee of Safety "in substance that they had conferred with the committee of Kingston, in Ulster county, and find that if the Convention should move to that place fifty members may obtain good accommo-

*The Secretary of the Committee of Safety was ordered to pay Messrs. Duane and Yates £6.14.1. to reimburse them the expenses attending their journey to Kingston, in Ulster county, by order of this Committee. (Journal of Committee of Safety, 7th of Feb., 1777).

dations. That the price will be twenty shillings per week. That the court house, or a large room in the said building will be convenient for the Convention to meet in. That they had also inquired of several gentlemen at Poughkeepsie, and find that at least thirty members may be accommodated in that neighbourhood; and that the gentlemen there informed them that the Episcopal church would be the most convenient place in Poughkeepsie in which the Convention could assemble." Unsuccessful efforts having been made to secure the selection of other places, Kingston won the prize, and, as will presently be seen, was destined to become the first Capital of the Empire State. The Committee of Safety convened in the courthouse in Kingston on the 19th of February, 1777. and was succeeded on the 6th of March by the Provincial Convention which the same day ordered the committee selected to prepare "a system of a form of government." or constitution, to report on the 12th instant. This committee had been appointed on the 1st of August, 1776, and consisted of thirteen members, among whom were John Jay, its chairman, Gouverneur Morris, Robert R. Livingston, and Colonel Charles DeWitt of Ulster county.

This report was duly presented to the Convention on the 12th of March, 1777, and its consideration commenced at the courthouse on the following day; but had proceeded for only a few days when its deliberations were interrupted by the necessity of paying some attention to the personal comfort, and even the physical safety, of its members. This arose from the fact that the old jail in the basement of the courthouse was congested with prisoners and that sickness prevailed among them. Its sanitary facilities, moreover, were sadly defective and the offensive odors arising therefrom had become so intolerable that at a session of the Convention, held at the courthouse on the 18th of March, a resolution offered by Gouverneur Morris was adopted "that the members be permitted to smoke in the Convention Chamber, to prevent bad effects from the disagreeable effluvia arising from the jail below." Perhaps, as an additional incentive, Morris had in mind the thought, afterward so tersely expressed by Bulwer Lytton, that "the man who smokes thinks like a sage and acts like a Samaritan." However that may be, Morris could not carry through his resolution with unanimity. Four of the delegates from Westchester, six from Albany and four from Ulster voted in favor; while three from Tryon (now Montgomery county) and eight from New York opposed it, and the delegates from Dutchess and Orange were "divided." Finally the endurance of the delegates reached its limit, and they adjourned to the tavern of Evert Bogardus, an old stone structure, from a time before the memory of any now living in this com-

munity can reach, called the "Constitution House," occupying the site of the present residence of Mr. Myron Teller on the northwest corner of Fair street and Maiden Lane.*

The consideration of the proposed State Constitution was continued with the care and earnestness that its importance demanded, and, having been concluded on Sunday, the 20th of April, 1777, was adopted the same day with only one dissenting vote. The Convention at the same session appointed a committee consisting of Robert R. Livingston, soon to become the first Chancellor of the new State; Gouverneur Morris, subsequently our first minister to France; John Jay, about to be elected Chief Justice of the Supreme Court of our State, and three others, "to prepare and report a plan for organizing and establishing the government agreed to by this Convention." It also ordered three thousand copies of the Constitution to be printed at Fishkill, that it be "published" at the courthouse at 11 o'clock in the morning of the 22nd of April, and that the inhabitants of Kingston be notified accordingly. The adoption of this organic law, fraught with mighty possibilities most of which have been realized, added singular lustre to this locality, and filled the hearts of its people with unwonted pride, happily ignorant as they were that in less than six months their joy would be changed into mourning by the ruthless destruction of every dwelling but one in their now distinguished village.

Before the blow fell, however, the old courthouse was to witness another incident of equally historic interest. On the 9th of July, 1777, the Council of Safety officially declared that "George Clinton, Esquire, is duly elected Governor of this State." His duties in the field at that time required his closest attention, but the Council of Safety, in an official communication of the same day, presented its congratulations and requested him to repair to Kingston "with all convenient speed" to take the oath of office. The exigencies attending his military operations, however, forbade his immediate compliance with this request, which was repeated in a resolution passed on the 21st of July; and nine days later, on the 30th instant, he appeared before the Council of Safety and took the oath of allegiance to the State, together with his oath of office.

The inauguration of Clinton took place in front of the courthouse at 6 o'clock in the evening of the same day, and the ceremonies attending

*For a reason now unknown, the Council of Safety adjourned on the afternoon of the 11th of October, 1777. "to meet again this evening at Elmendorf Tavern," the stone house still standing on the south-east corner of Fair Street and Maiden Lane, diagonally opposite the Constitution House." It doubtless continued there through its last session in Kingston, October 15th, the day previous to the burning of the village; at all events, it was convened there at the latter date.

it, although unpretentious, were as dignified as became the significance of the occasion. By order of the Provincial Convention, the military companies of Captain Evert Bogardus and Captain John Elmendorph, "properly armed and accoutered," were paraded on the spot, and, amid the joyful acclaim of the assembled crowds, a proclamation signed by Pierre Van Certiantdt, President of the Council of Safety, was read declaring George Clinton "Governor, General and Commander-in-Chief of all the Militia, and Admiral of the Navy of this State, to whom the good People of this State are to pay all due Obedience, according to the Laws and Constitution thereof." One may easily imagine the enthusiasm that pervaded the community that evening. Its inhabitants not only had been liberated from the yoke of British injustice, but they now witnessed in their already historic village the last act in the drama that sealed the sovereignty of their State. What wonder, then, that they rejoiced!*

Upon the character and career of this truly great man and son of Ulster county we cannot now enlarge. As a General in our War of Independence, seven times elected Governor of this State, and Vice-President under both Jefferson and Madison, his record has become an essential part of our state and national life. His earthly remains repose in yonder churchyard, but his sturdy traits of character, his unselfish patriotism, his indomitable courage, his keen sagacity, his unflinching energy, and his wide influence for good in every sphere of his life and activity, remain not only as a stimulating memory and influence, but also as one of the most valuable legacies bequeathed to our beloved country and state and county.

Another historic incident connected with the last pre-revolutionary courthouse is of too great interest to be ignored. On the 3rd of May, 1777, two weeks lacking a day after the adoption of the Constitution, the Provincial Convention, sitting in Kingston, elected the Hon. John Jay Chief Justice of the Supreme Court of the State. This court came into being during the colonial period, but was recognized in the State Constitution, recently adopted, and held its first session under the new regime on the 9th of September, 1777. On that occasion the Chief Justice delivered in the courthouse his first charge to the grand jury, which has

*On the exterior of the front wall of the present courthouse, near the door, is a large bronze tablet, erected by the "Colonial Dames of America," and unveiled and dedicated on the 15th of October, 1898, bearing the following inscription: "The Society of the Colonial Dames of America place this Tablet to mark the spot whereon was set in motion the Commonwealth of the State of New York on the thirtieth day of July in the year of our Lord one thousand seven hundred and seventy-seven by the Inauguration as Governor in the presence of the Council of State of Major General George Clinton of Ulster, seven times Governor of New York and twice Vice President of the United States." A picture of this tablet faces page 210 of Vol. II of *Olde Ulster*.

happily survived to this day and is crowded with patriotic utterances, one of which is such a compact expression of the spirit of modern democracy now asserting itself so conspicuously throughout the world that it seems appropriate to repeat it. "Blessed be God," he said, "the time will now never arrive when the prince of a country of another quarter of the globe will command your obedience, and hold you in vassalage. His consent has ceased to be necessary to enable you to enact laws essential to your welfare; nor will you in future be subject to the imperious sway of rulers instructed to sacrifice your happiness whenever it might be inconsistent with the ambitious views of their royal master." This "Charge" was printed in pamphlet form the same year in Kingston by John Holt, "Printer of the State of New York."

The most cruel incident connected with that notable courthouse was now impending, for in less than three months after Clinton's inauguration it was a hideous wreck. The people of Ulster paid most dearly for their patriotism at the hands of British vengeance on the 16th of October, 1777, when, under the orders of Major General John Vaughan, the village of Kingston, the Capital of the State and one of the conspicuous strongholds of Revolutionary endeavor and accomplishment, fell a prey to the merciless flames. It was a pitiful sight that greeted the eye on the eve of that October day. The gorgeous tints of autumn were painting the foliage on the neighboring hills, unmindful of the torch and flame, but nearer by the colors were of a dark and dismal shade. The strong stone walls of those once happy homes were still standing, but their roofs and interiors with such of their possessions as they could not carry away, had become food for the flames, while their streets were deserted and their inhabitants in flight. Over in the old graveyard the remains of the ancient Dutch Church with its massive tower told the sad tale of the day, while just across the street the bare and smoking walls of the courthouse bore silent testimony to the avenging hand of the invading foe.

The destruction of the courthouse and jail was naturally a severe financial blow to the county, impoverished as it was by the vicissitudes of war, but then as now sturdy and resolute men lived in Ulster county, and in less than six months they took definite action to rebuild it; not, however, until the Council of Safety, in a spirit of thrift and economy, employed honest means to save an honest penny. On the 6th of December, 1777, that body "Resolved, that Cornelius Duboys is hereby authorized to gather, collect and secure all the iron and nails in the ruins of the court

house and jail of Ulster County.* lately consumed by fire, and which may be collected without further breaking of the walls; and that he render a true and perfect inventory thereof to the supervisors of the County of Ulster, at their next meeting, who are hereby directed and required to order a sum of money to be raised, in addition to the other necessary and contingent charges of the county, sufficient to pay the said Cornelius Duboys for his trouble, labour and expenses in the premises."†

The county had become impoverished by the war to such a degree that it was wholly out of the question to rebuild the courthouse and jail by taxation. On the 17th of February, 1778, Governor Clinton wrote to Andries DeWitt, Chairman of the Committee of Safety and Observation of Kingston: "I have already suggested to sundry Members of the Legislature the Propriety of rebuilding the Court House & Goal at public Expence & I have Reason to hope it will be done." The Legislature, however, adopted a different course, and granted relief by an Act passed on the 3d of April, 1778, which will doubtless seem highly sensational to those who are not aware that it was entirely in accord with the custom of the times. The preamble of the Act declared that "the court-house and gaols in the county of Ulster were destroyed by the enemy on the sixteenth of October last;" and the Act provided that "the judges of the inferior court of common pleas and the supervisors of the county of Ulster may by way of lottery raise a sum not exceeding two thousand pounds to be applied towards re-building the court-house and gaols of the said county any law of this State to the contrary notwithstanding."

Private lotteries were forbidden in the Province or State of New York by laws passed in 1721, '47, '72, '74 and '83, and both private and public lotteries were outlawed in 1833. The raising of money in this manner, however, for public improvements and religious, educational and benevolent enterprises was frequently authorized by legislative act from 1746 until the close of the first third of the last century. Mention may be made, for example, of a lottery in behalf of the fortifications of New York City in 1746; King's College, (now Columbia University), in New York in 1746, '48, '53 and '56; the war debt of Albany in 1758; the city hall in New York in 1762; the Federal Building in New York for the

*"An account of Cornelius DuBoys, amounting to twenty shillings, for collecting the parts of a stove belonging to or used by the late Convention of this State, from the ruins of the court house and goal at Kingston, and transforming the same to Hurley, was exhibited for payment. Ordered, That the Treasurer of this State pay to the said Cornelius Duboys, or his order, the said sum of twenty shillings, and take his receipt for the same." (Minutes of Council of Safety, 12 Dec., 1777).

†The old jail must have been temporarily repaired with much speed, for Abraham Middagh, under sentence of death for disloyalty to the Colonial cause, addressed a letter to the Council of Safety, from the Kingston jail, on the 2d of December, 1777—between six and seven weeks after the burning of the village. (Calendar of N. Y. Revolutionary Papers, II., 312).

accommodation of the United States Congress in 1790; the opening and improvement of state roads in 1797 and '98; the improvement of the navigation of Hudson river in 1800, '01 and '10; the Regents of the University of the State of New York in 1801; Union College in 1805, '07, '13 and '14; the Orphan Asylum Society of New York in 1809; and of Asbury African Church in New York City, Hamilton College, and the College of Physicians and Surgeons in New York City in 1814.

This courthouse lottery was organized by Joseph Gasherie, Cornelius E. Wynkoop, Christopher Tappen, Daniel Graham and John Nicholson, who were appointed by the judges and supervisors of the county to act as its managers. Its "scheme" contemplated the raising of £2,000., exclusive of expenses, "for re-building the court-house in Kingston, Ulster county," and was first published in John Holt's "New-York Journal, and the General Advertiser" of the 25th of May, 1778. It provided for the sale of 8,334 tickets, 5,552 of which were to be blanks, at \$5. each; and the prizes ranged from one of \$2,000. to 2,642 of \$10. each. These prizes were subject to a deduction of fifteen percent on each successful ticket for expenses, and the drawing was duly announced to take place on the first Tuesday in September, 1778. Circumstances, however, compelled a postponement, and the drawing was finally made on the first Tuesday of the following December, the list of "Fortunate Numbers" being published in Holt's "New-York Journal, and the General Advertiser" of the 1st of February, 1779, and filled two of its columns.

Although the law by virtue of which this money was raised provided that it should be expended for rebuilding both the courthouse and jail, it would seem that in the first instance it was devoted exclusively to the rebuilding of the courthouse proper. It was evidently not yet even decided whether the jail should be located in the courthouse proper or be a detached building, and it seems that the matter was still undetermined when an application was made to the Legislature for assistance. An Act was passed on the 26th of March, 1781, whose preamble reiterated the statement that "the goal in the county of Ulster was destroyed by the enemy," and which required the supervisors to raise by taxation a sum not exceeding £300. for building it. It provided that the supervisors and the justices of the peace of the county should select the most "convenient" place for its location, as well as determine its dimensions, "and of what materials the same should be built," and it was also stipulated that use might be made of "such and so many of the materials remaining of the old gaol as can be applied to the building and finishing the gaol to be built in pursuance of this act." The jail was finally located in the south

end of the courthouse. It may be stated, by the way, that by an Act of the Legislature, passed on the 30th of March, 1778, the sheriff was authorized to make use of the several jails of Orange, Dutchess and Albany counties, until the Ulster county jail should be erected.

Additional money was required, and on the 6th of April, 1782, the Board of Town Trustees took the initiative and directed Andries DeWitt, junior, and Christopher Tappen, in consultation with John Addison, principal of Kingston Academy, to prepare a petition to the State Legislature craving additional aid. It accomplished its purpose, and an Act, passed on the 6th of April, 1782, the preamble of which once more declared that "the court house and gaol in the county of Ulster was destroyed by the enemy," required the supervisors to levy a tax not exceeding £200. for "rebuilding the court house and gaol." It also required the supervisors and justices of the county to "meet at the house of Ann Dubois [DuBois], in the precinct of New Paltz," for the purpose of appointing three persons as trustees to receive the proceeds of the tax and "to superintend the rebuilding of the said court house and gaol." These trustees, moreover, were authorized "to make use of such and so many of the materials remaining of the old gaol as can be applied to the rebuilding of the said court house and gaol." A subordinate preamble of the Act stated that "the inhabitants of Kingston and its vicinity have procured a quantity of timber for the purpose of rebuilding the said court house and gaol," and its use was authorized, with the proviso, however, that "the same shall not be charged to the county."

What remained of the walls of the courthouse and jail after their destruction by the British was finally restored and rebuilt and served its purpose for about thirty-five years. One of Kingston's most honored citizens and lawyers* who well remembered the structure thus describes it: "It contained family rooms on the first floor, court-room on the second floor. The Judges' bench was against the rear wall of the building, and behind it was a large frame containing the coat-of-arms of the State. The bar was directly in front of the judges' bench, with grand jury benches on one side and the petit jury benches on the other. An aisle led from the entrance along the jury benches and bar to the north wall; from that aisle back to the front of the building were the seats of the spectators rising one above the other as you proceeded back, so that the rear bench came within seven or eight feet of the ceiling. There were two jury-rooms on the same floor with the court-room. The jail and dungeons were in the south end of the building. The Court House was set back

*The late Hon. Marius Schoonmaker, on page 372 of his History of Kingston.

from the street about the same distance as the present one." Another authority† states that this courthouse was "disfigured by a great red kitchen on the north side, in front of which was a well used generally by the people, and making a sloppy, unhealthy spot."‡

With the passing of the years and increase of the business, wealth, population and political and material importance of the county, the courthouse that rose from the ashes of the Revolutionary period was deemed wholly inadequate, and a movement was accordingly launched to secure a new one. As an aid to this project, a meeting of the inhabitants of the town of Kingston was convened on the 1st of November, 1815, at the Kingston Coffee House, now the old Kingston Hotel on Crown street. to "take into consideration the propriety of erecting Public Buildings for a Court House, fire-proof Clerk's Office, &c." The chairman of the meeting was Col. Tjerck DeWitt, and Abraham Myer, a Kingston lawyer and county surrogate, was its secretary. At this meeting Peter Marius Groen, Thomas Van Gaasbeek, Severyn Bruyn, John Sudam, Abraham B. Hasbrouck, Benjamin Ostrander and Benjamin I. Moore were appointed a committee "to deliberate on the business of the meeting," and to report on the following Saturday. This was the initial step that resulted in the erection of the present edifice. At the adjourned meeting held on the 4th of November, this committee reported "that the present Gaol and Court House are not sufficient for the purposes intended by law, being insufficient for the safe-keeping of Prisoners, and very inconvenient for the public purposes to which such building ought to be appropriated." This committee, accordingly, recommended the Board of Supervisors to petition the legislature for authority to raise \$10,000 with which to erect upon the same site a new courthouse and jail with such public offices as might be necessary. It recommended, moreover, that the proposed Act should name the commissioners and authorize the supervisors to raise such a sum of money to erect the proposed edifice as both the committee and the supervisors should deem necessary to "complete the same substantially and beneficially for the County." This meeting of citizens recommended that Thomas Van Gaasbeek, John Sudam, Peter Marius Groen, Abraham Hoffman and Benjamin Ostrander be a committee to consult with the

†The late Gen. George H. Sharpe, based on recollections of his father-in-law, the late Hon. A. Bruyn Hasbrouck.

‡Attached to the front of this courthouse was a wooden tablet, bearing the inscription: "KINGSTON BURNED BY BRITISH CRUELTY OCTOBER 16, 1777." It disappeared with the demolition of the old courthouse in 1817, and is believed to have been destroyed. At the meeting of the Ulster Historical Society, (which long ago ceased to exist), held on the 17th of October, 1859, Reuben Bernard, General Joseph S. Smith and Major Peter Van Gaasbeek were appointed a committee to search for this historic relic. At the next meeting of the society held on the 20th of March, 1860, General Smith, on behalf of the committee, reported that "so far he had not been able to find any trace of it." (Collections of Ulster Historical Society, pp. 19, 73).

Board of Supervisors in regard to certain details of the project. The action of this meeting was presented to the Board of Supervisors at its annual session held four days later, (November 8th), and its consideration was postponed until the 23rd instant in order "to consider upon the subjects themselves more maturely" and "to ascertain as far as possible the sense of the freeholders of the county on this interesting subject."

In connection with the record of these proceedings, in the "Ulster Plebeian" of the 14th of November, 1815, was a communication which says in part: "All, we presume, will agree in the necessity of a more competent building than the present as a court-house and gaol. It is well known that the gaol has been repeatedly presented as unsafe by the Grand Jury of Ulster. This alone would be sufficient to satisfy the public that an appropriation of money for building a new court-house and gaol was necessary—no one will believe that the Grand Jury, under their oaths, and acting from an inspection of the prison, would present it as unfit and unsafe, unless they were fully convinced as to the fact. It is equally well known, that with the most careful keepers, the gaol is easily broken and criminals escape; and the money annually appropriated for repairs and for bounties in retaking the felons, is thus thrown away. The Court-House itself is inconvenient—there is no Jury Room with a fire place in it. There is none in the Court Room itself; and all Jurors who attend at the December term, feel the extreme inconvenience of the present building. The gaoler is also so situated, that it will be soon impossible to procure any one to inhabit the court-house. The gaols open into the hall, which communicates with the Dwelling room. It is needless to say, that in Summer the room can scarcely be used, and this is getting worse every year. There is another subject of great importance. There is no county in the State where papers of such consequences are deposited as in our Clerk's office, in which they have not a fire proof Office. It is proposed for the public convenience to connect the Clerk's Office with the court-house. All persons are interested in preserving these records; and it may be added, that a county of such substantial wealth as Ulster ought in her public business to display a taste which would combine security with beauty and durability. These remarks are thrown out that the citizens of Ulster may consider of the same, so that the Supervisors shall in some measure ascertain the opinions of the respective towns before their next meeting. And it is but just to remark, that what is now proposed, must at all events be done in a few years: Why then postpone the re-building of a Court-House and Gaol, while other objects of a public nature meet immediate attention?"

The state legislature responded favorably to the requirements of the situation, and by the provisions of an Act, passed on the 12th of April, 1816, the supervisors were required at their next annual meeting "to raise the sum of one mill on the dollar * * for the purpose of building a court-house and gaol in the village of Kingston, in said county, and a fire proof clerk's office." The Act also required the county supervisors "annually thereafter, to raise such further sum of money, not exceeding in the whole the sum of twenty-five thousand dollars, as shall be requisite to complete the said buildings, not less in any one year than one mill on the dollar, nor exceeding two mills on the dollar, in any one year."

This Act constituted Jacob Ten Broeck, John Beekman and James Cockburn commissioners "to superintend the said buildings," each of whom was to be paid two dollars and fifty cents for every day's "actual attendance" upon the duties of his office. They were authorized, moreover, to receive and disburse the money raised by taxation for the erection of the courthouse and its adjuncts,* to render an account to the Supervisors of all monies received and disbursed by them, and to deposit their joint and several bonds with the county treasurer in the penal sum of ten thousand dollars for the "due performance and expenditure of all monies which shall or may come to their or either of their hands." The Supervisors on their part were authorized by this Act, in case of death, removal or delinquency of any or all the commissioners, to fill the vacancy or vacancies thus occasioned. The Act also made it lawful for the commissioners, "by and with the advice and consent of a committee of three persons, to be appointed by the board of Supervisors of the said county, or the major part of them, to contract for the erection of the said buildings, in the whole or in part, and upon such terms as to them shall seem fit and proper: And the said court-house, gaol and fire proof clerk's office shall be built on the lot on which the present court-house and gaol are situated, according to such plan as shall have been previously agreed upon by the board of supervisors." This Act, moreover, placed it within the discretion of the Supervisors to postpone for one year the "raising, assessing, levying and collecting the tax to be raised for the before mentioned purposes;" and also conferred upon the sheriff authority "to use the court-house and gaol of the county of Dutchess, for the safe keeping of felons and other prisoners" of Ulster county; and when so used the former should be regarded as the jail of Ulster county, and its sheriff be liable for all escapes of its prisoners.

*The courthouse, jail and county clerk's office were embraced in one building.

An Act of the Legislature, passed on the 15th of April of the following year, (1817), repealed the provision of the former law which authorized the commissioners, with the advice and consent of the committee of three, to contract for the erection of the proposed courthouse and its adjuncts, and also revoked the authority of the Supervisors "to appoint commissioners in the place and stead of the commissioners named in the said act." This authority was, by this new Act, vested in "the person administering the government of this state;" and the appointment of any commissioner hitherto made by the Supervisors was revoked. A few weeks later, early in June, 1817, the work of demolishing the old courthouse was commenced,† and on the 5th of the same month the prisoners were removed to the Dutchess County jail in Poughkeepsie.‡

It was not long, however, before the same old story was repeated. Additional money was required, and an Act of the Legislature, passed on the 31st of March, 1818, empowered the supervisors to borrow a sum, not exceeding twelve thousand dollars, for the purpose of completing the courthouse and its adjuncts, and "to raise from time to time such sums of money, as shall be necessary to pay off the principal and interest accruing on such loan." The Act also repealed all previous legislation relating to the appointment and removal of the commissioners and their compensation, and provided that "hereafter, the power of appointing and removing the commissioners to superintend the building of the said court-house, gaol and fireproof clerk's office * * shall be exclusively vested in the supervisors," who should determine, at their annual meeting, the compensation the commissioners should receive. The Sheriff, moreover, was empowered by this Act to use the Greene county jail for the confinement of prisoners, "in the same manner as is provided in the acts hereby amended for using the gaol of the county of Dutchess."

The courthouse and its adjuncts were sufficiently finished in 1818 to accommodate the courts, but still more money was needed to complete them, and the demand was met by the Legislature in an Act, passed on the 28th of January, 1820, empowering the supervisors to borrow for this purpose a sum not exceeding ten thousand dollars, and requiring them at the next annual meeting, and yearly thereafter, to raise a sum not

†The building was removed by Jacob Ten Broeck. (Hon. A. Bruyn Hasbrouck, in "Collections of Ulster Historical Society," 1859, page 19).

‡During at least a portion of the time, and probably the whole time, after the demolition of the old courthouse, the courts were held in the tavern of William Dewaal, the large stone house still standing on the south side of North Front street, between Crown and Green streets; and the office of the county clerk was located in the residence of the deputy county clerk, Christopher Tappen, brother-in-law of Gen. George Clinton, on the south-west corner of Wall and North Front streets. ("Ulster Plebeian," Nov. 29, 1817, and Feb. 21, 1818).

exceeding two mills on the dollar in any one year, to discharge the principal and interest of the debt. In case such a loan should not be effected before their next annual meeting, the supervisors were required by this Act to raise a sum not exceeding ten thousand dollars "in the manner hereinbefore directed and prescribed."

Such Mr. Chairman, is the story of our old courthouses, as far as it can be pieced together from various sources of authentic information. As to the present edifice, none of us, of course, can remember its birth, but some of us easily recall it in its maturity, while thousands of others have viewed it with admiration in its dignified old age. It stands on honored ground, hallowed by colonial, revolutionary and later associations, and commands today our respect and veneration, not only in view of these significant reminders of other times but also as a monument and promise of legal, civil and political stability. Its walls have re-echoed with the voices of famous statesmen and orators, of eminent jurists and lawyers. During our Civil War, when it was the chief place of public assembly, it rang with the eloquence of men, irrespective of political creed, whose one chief thought was the preservation of the Union; and before and since that period it has witnessed the heated but honest rivalries of staunch political foes. You, gentlemen, forming as you do the legislature of this county, are the custodians and guardians of this venerable edifice. Well may you and your successors protect its every stone from desecration or destruction, for no more modern structure can appropriately take its place, except perhaps in the matter of interior convenience which may easily be remedied. The expenditure of unlimited wealth might doubtless result in a structure appealing more keenly to the commonplace and utilitarian atmosphere of the day, but no outpouring of treasure can produce an edifice which could command the approval and admiration of posterity to such a degree as the grand old temple of law and justice in which we are now assembled, which for quiet and unaffected dignity and harmonious architectural lines is probably excelled by no other building, used for similar purposes, in the whole of the Empire State. Thus it stands before us, the witness of honest days' labor performed by honest hands, a monument of impressive endurance. It presents no apology for its existence, but appeals to you and your successors for watchful protection; and if you and those who shall follow you are true to your responsible trust, the close of another century will see it still facing yonder hallowed graveyard where your Revolutionary sires repose, with its substantial walls unaffected by the ravages of time, a memorial to the discriminating taste and enlightened judgment of this historic county. It is true that we may not, under all circum-

stances, feel ourselves obliged to regard every monument of the past with veneration, simply because it bears the stamp of antiquity; but when one presents itself that is a constant reminder of memorable deeds and noble endeavors, we may well pause before we permit a careless indifference to encompass its destruction. It would seem difficult to believe that this can ever occur in the case of the venerable edifice where we are now gathered, for there is certainly too much sentiment and common sense in Ulster County to permit such an historic monument as this to perish.

ADDENDA
TO HISTORICAL ADDRESS OF
CHAPLAIN HOES

I.

Copy of Proclamation read at the Inauguration of George Clinton as the first Governor of the State of New York in front of the Court House, in Kingston, on the 30th of July, 1777.

IN COUNCIL OF SAFETY

for the

STATE OF NEW YORK,

July 30, 1777.

A PROCLAMATION.

Whereas, his Excellency, GEORGE CLINTON, ESQ., has been duly elected Governor of the State of New York, and hath this Day qualified himself for the Execution of his Office, by taking in this Council the Oaths required by the Constitution of this State, to enable him to exercise his said Office; this Council doth therefore, hereby in the Name and by the Authority of the good People of this State, Proclaim and Declare the said George Clinton, Esq., Governor, General and Commander-in-Chief of all the Militia, and Admiral of the Navy of this State, to whom the good People of this State are to pay all due Obedience, according to the Laws and Constitution thereof.

By order of the Council of Safety,

PIERRE VAN CORTLANDT, President.

GOD SAVE THE PEOPLE.

KINGSTON: Printed by JOHN HOLT, Printer to the STATE OF NEW YORK.

(See "Olde Ulster," 1905, page 184, and "Collections of the Ulster Historical Society," page 66.)

II.

Congratulatory letter of the Minister, Elders and Deacons of the Old Dutch Church of Kingston to George Clinton upon the occasion of his inauguration as Governor of the State of New York, in Kingston, on the 30th of July, 1777, together with the Governor's reply.

To his Excellency George Clinton Esq., Governor, General and Commander in Chief of all the Militia, and Admiral of the Navy of the State of New York:

May it please your Excellency:

At the commencement of the new constitution and at the very hour of your inauguration, the Minister, Elders and Deacons of the Reformed Dutch Church of Kingston, in consistory assembled, beg leave to congratulate your Excellency upon the highest Honors the Subject of a free State can possess and to assure you of the part they bear in the public happiness on this Occasion.

From the beginning of the present war, the consistory and people of Kingston have been uniformly attached to the cause of America, and justify upon the Soundest Principles of Religion and morality, the glorious revolution of a free and oppressed country. Convinced of the unrighteous designs of Great Britain upon their civil and religious priviledges they chose, without hesitation, rather to suffer with a brave people for a Season, than to enjoy the luxuries and friendship of a wicked and cruel nation.

With an inflexible perseverance which they trust the greatest adversity and persecution will never change, they profess anew to your Excellency their Interest in the Continental union and Loyalty to the State of New-York.

While the constitution is preserved inviolate, and the Rulers Steer by that conspicuous Beacon, the people have the fairest prospects of happiness, unanimity and Success, with you they chuse [to] launch, that future pilots may form a precedent from your vigilance, impartiality and firmness, and the System obtain an establishment that Shall last for ages; for as nothing can be more agreable to the conscious patriot than the approbation of his country, so nothing can more promote the general good than placing confidence in established characters & raising merit to distinguished power.

Take then, with the acclamations and fullest confidence of the public. Take Sir, the government into your hands and let the unsolicited voice of a whole State prevail upon you to enter upon this arduous task.

All ranks in placing you at their Head, have pledged their lives and fortunes to support and defend you in this exalted Station, and the consistory of Kingston cheerfully unite in the implicit Stipulation and promise you their prayers.

As a reformation in morals and the prevallance of virtue is the immediate object of the consistory of Kingston, they esteem themselves especially happy in having cause to believe, that religious Liberty (without which all other priviledges are not worth enjoying), will be Strenuously Supported by your Excellency, and they congratulate themselves and the State, that God has given them a governor who understands and therefore loves the Christian Religion. and who in his administration will prove a terror to evil doers and an example and patron to them that that do well.

Signed by order of the Reverend Consistory,

G. J. L. DOLL, praeses, [president].

(Public Papers of George Clinton, II, 161-163.)

[REPLY]

Gentlemen:

While I receive with the highest Pleasure this Testimony of Esteem from your respectable Body and acknowledge with Gratitude the Honor which the Suffrages of a free People have conferred upon me; I cannot but express apprehensions of my Inability to answer the Expectations which they are pleased to form of me. It shall however be my earnest Endeavor by a sedulous attention to the important Duties of my Office, to meet their approbation and I rely firmly on Divine Providence and the Prayers which you offer to put up in my Behalf, to render my Services effectual in promoting the happiness of the People committed to my Charge.

I agree with you Gentlemen in thinking that the Constitution gives the fairest Promises of Happiness. I shall study to preserve inviolate and thereby secure to the People those Civil and religious Liberties which it has with the utmost Liberality and Wisdom been attentive to establish and guard. And as unjust Suspicions and Fondness for Novelty have been ruinous to many States you justly observe that a Confidence in established Characters and the Promotion of tried Merit must contribute

to the General Welfare. By this salutary Principle therefore I wish to be governed in the Part I have to take in the Distribution of Public Offices.

Gentlemen, I cannot dismiss you without giving my public Testimony of the Patriotism of the Consistory and People of Kingston who in Imitation of their brave ancestors have shewn themselves worthy of the inestimable Privileges they enjoy by the Spirit and alacrity they have early and uniformly manifested in their Defence. May it please the Supreme Ruler of all Events to Crown them with equal Glory and Success. (Public Papers of George Clinton, II., 175, 176).

III.

Alterations and Improvements made to the Courthouse in 1897.

At a meeting of the Supervisors, Dec. 15, 1896, the following resolutions were passed:

Resolved, That there be appointed a committee of five in which the chairman shall be included, who shall have full power to receive proposals for enlarging the present Court House according to the plans and specifications submitted to the board at the annual session of 1895, and award the contract to the lowest responsible bidder who shall enter a contract for the faithful performance of the same, in a sum not to exceed twenty-five thousand dollars for such extension. Be it further

Resolved, That said committee shall consult with the different county officers interested, as to their requirements, conforming to their suggestions in endeavoring to meet the requirements of the different offices. Be it also

Resolved, That said committee shall have charge of the work of said enlarging and extension, and shall see to the faithful carrying out of the contract, and it is also provided that in the alterations heretofore mentioned they shall not change or deface in any manner the architectural lines of the front or ends of the present Court House. (These resolutions were carried by a vote of 22 yeas against 1 nay).

At the same meeting Eugene F. Patten, Harcourt J. Pratt, William H. Kolts, William Fowler and John D. Fratsher, Chairman of the Board of Supervisors, were appointed a committee "to receive bids for extension

to the Court House, and superintend the erection thereof," pursuant to the above resolutions.

The contract was awarded May 3, 1897, and provided that the extension should be fully completed by October 15, 1897. Owing to unavoidable delays, it was not completed by that time, and an extension was granted to February 1, 1898. The original contract was for \$21,887, and the extra work cost was \$4,539, making the total outlay \$26,426. The architect was Mr. Andrew F. Mason of Kingston.

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