



HISTORICAL SOCIETY *of the* NEW YORK COURTS

History of Chenango County

Bench and Bar



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Table of Contents

<i>I. County Introduction</i>	3
Origins & History	3
<i>II. Timeline</i>	4
<i>III. County Courthouses</i>	5
The First Courthouse.....	5
The Second & Current Courthouse	6
<i>IV. The Bench</i>	8
County Court Judges.....	8
Circuit Court Judges	8
Surrogates.....	9
Special Judges.....	9
Biographies.....	10
<i>V. The Bar</i>	19
Early Attorneys.....	19
District Attorneys.....	20
Biographies.....	21
Women Attorneys	24
Bar Associations	27
<i>VI. County Trials</i>	48
General Interest.....	48
Notorious.....	50
Scholarly Interest.....	72
<i>VII. Images</i>	74
<i>VIII. County Resources</i>	76
Bibliography	76
Bibliography for <i>The Horning – North Afton Tragedy of 1894</i> :.....	77
Murder Trials Index.....	79
County Records.....	82
County Contacts	82

I. County Introduction

Origins & History¹

The origins of Chenango County begin with the Oneida-Iroquois, who occupied the area well before colonists arrived in America in the 1600s.

Following the surrender of the colony of New Netherlands in 1664, the English began to designate counties. In fact, the area that is now Chenango County was part of Albany County—a large territory encompassing much of the western part of the state. This remained as such until 1772, when, after a treaty with the Native Peoples, the western lands—including what is now Chenango County—were separated from Albany County to form Tyron County. Tyron County was later renamed Montgomery County.

After the American Revolution, two treaties—the first executed at Fort Herkimer in 1785 and the second at Fort Schuyler in 1786—procured the southern part of the county. Later, in 1788, Governor Clinton's purchase acquired the remaining part of the county, from the southern boundary of the Town of Norwich to Oneida Lake, and also included today's Madison County.

In 1798, Chenango County was formed from land in Herkimer and Tioga Counties and, until 1806, included Madison County. Upon the creation of Chenango County, the land was surveyed into 100 lots, which were then sold to speculators, who later sold the land to settlers.

At the time of Chenango County's creation, water was still the fastest form of transportation, especially if one wanted to travel south.² Given the success of the Erie Canal, which increased trade and settlement in other parts of the state, in 1834, the Chenango Canal Committee worked with the state legislature to approve a \$1 million bill to construct a similar canal between Utica and Binghamton through Chenango County. The hope was that the canal would connect the area to the coal mines of Pennsylvania and the Chesapeake Bay. The 97-mile canal was dug by hand and the project was led by John Jarvis.

¹ See CHENANGO COUNTY HISTORICAL SOCIETY, EXHIBIT DESCRIPTION (2020).

² See DIANE VAN SLYKE, CHENANGO CANAL REVIEW 1 (last accessed on Aug. 12, 2020).

II. Timeline

- 1777:** New York obtains its sovereignty and independence from Great Britain. New York then enacted its first State Constitution.
- 1785:** The first treaty at Fort Herkimer and a second treaty in 1786 at Fort Schuyler with the Oneida-Iroquois acquired the southern part of the County.
- 1788:** Governor George Clinton's purchase with the Oneida-Iroquois acquired the remaining part of the county, from the southern boundary of the Town of Norwich to Oneida Lake, and also included today's Madison County.
- 1789:** The state legislature directed Surveyor-General Simeon Dewitt to survey the lands obtained in the 1785 and 1788 treaties. Twenty townships were created, with lots of 250 acres each created within each township.³ The twenty townships included villages and towns still in existence today, including Smyrna, Sherburne, Norwich and New Berlin, to name a few.
- 1798:** Chenango County was established. Courts were alternately held in Hamilton and Oxford, which were called half-shire towns. The County Clerk's Office was in Oxford and remained there until 1814.
- 1806:** Madison County was split from Chenango County.
- 1809:** The first courthouse in Chenango County was erected.
- 1834:** Construction on the Chenango Canal begins.
- 1837:** The state legislature debates whether Norwich will remain the county seat, as Oxford had been the county seat from 1798 to 1806. Both houses ultimately voted to keep Norwich as the county seat.

The first courthouse is demolished and the second and current courthouse is constructed in its place.

³ See HIRAM C. CLARK, HISTORY OF CHENANGO COUNTY 23 (Thompson & Pratt 1850).

III. County Courthouses

The First Courthouse⁴

Norwich

1809

In 1807, county supervisors, recently empowered by the state legislature, sought a site for a county courthouse and jail. Peter B. and Polly Garnsey (later changed to Guernsey) donated two acres of land to the supervisors for purposes of erecting a courthouse. In local folklore, the land held by the Garnsey family originated with a land purchase made by Leonard M. Cutting. In 1792, Cutting, a speculator, purchased the land that comprised most of the City of Norwich. Cutting later returned to Albany and sold his land to another speculator. In 1803, the Garnsey family purchased the subject land from one of Cutting's buyers.

The courthouse was to be completed in the spring of 1809 and was constructed by Josiah Dickenson and George Saxton, at a final cost of approximately \$6,500. Although no renderings of the completed courthouse exist, historian Hiram C. Clark wrote that the building was made of wood, stood two stories high, and was cramped when spectators attended trials.⁵

Due to inadequate space, and several fires and breakouts from the jail below the courthouse, the public sought to replace the courthouse with a building that was both bigger and made of stone. While some residents wanted to keep the courthouse and other public buildings in Norwich, residents of Oxford wanted Chenango County's public buildings to be returned to Oxford. A fierce debate began in the area, with petitions circulating and experts attempting to determine the precise center of the county. In March 1837, the matter reached the legislature in Albany, with both houses voting to build the new courthouse in Norwich. To this day, Norwich remains the seat of the county.

In May 1837, the courthouse was sold at public auction for \$5.22 to William Randall in order to begin construction of the new courthouse.

⁴ For a discussion of the First Courthouse, see GIGI BAAS, HISTORICAL ANALYSIS: EARLY HISTORY OF CHENANGO COUNTY 2-3 (1980).

⁵ See HIRAM C. CLARK, HISTORY OF CHENANGO COUNTY 52 (Thompson & Pratt 1850).

The Second & Current Courthouse⁶

Norwich

1837

The current Chenango County Courthouse was constructed in 1837 and is located in the county seat of Norwich. It was constructed in the Greek Revival style and rests on West Park, a village greenspace. The building boasts classic Corinthian columns and massive stone steps leading to the front doors. The courthouse walls are made from West Hill stone and finished with limestone from nearby South Oxford.

The timber frame was constructed by Henry Phillips, with a final cost of \$334.89. Edmund Baker, Samuel Cole and Jacob Loomis were contracted to deliver stone from nearby

West Hill. However, upon the stone's arrival, the commissioners felt that the stone was not suitable, and instructed the workers to obtain the remaining stone from South Oxford. The final cost of the stone was \$1,062. The stone was then laid by Nathaniel Brooks and William Taylor, who charged 11 shillings per rock.

Finishing the building was a costly matter, with the expected costs exceeding the original estimates. The community desired a building that mirrored the prosperity seen in boom towns, like those that lined the Erie Canal, as the local Chenango Canal was under construction.⁷ Late in 1839, Theodore Daniels was hired to complete the courthouse and records from 1840 and 1841 indicate that its completion was imminent, as the county began to order chairs, tables, carpeting and wallpaper to finish and furnish the courthouse. The final cost for the courthouse was \$16,000, which exceeded the initial appropriation by \$9,000. Hiram C. Clark, in



⁶ For a discussion of the current courthouse and photos, see Gigi Baas, *Historical Analysis: Early History of Chenango County*, CHENANGO COUNTY COURT HOUSE 3-9 (1980). The above photo is of the County Courthouse circa 1870.

⁷ See PATRICIA E. EVANS, RECOGNITION OF THE 175TH ANNIVERSARY OF THE CHENANGO COUNTY COURTHOUSE (2012).

History of Chenango County, stated that it is "perhaps the most elegant of any structure of the kind in the State."⁸

Upon the courthouse dome stands Lady Justice holding her scales of justice. The original Lady Justice was seven feet tall and made of American white pine and carved by Charles Dodge, who often carved his works from the masts of ships in New York City shipyards.⁹ Abraham Thomas, a Norwich carpenter, travelled to New York City to collect the finished Lady Justice.

During extensive courthouse renovation in 1976, Lady Justice, severely damaged from the weather, was removed and underwent extensive restoration by the Cooperstown Graduate Program in Conservation of Historic and Artistic Works. Faye Wrubel volunteered to do the restoration work, removing rotten wood and paint, filling holes and carving a new left arm for the statue. Lady Justice was then placed in a glass case in the courthouse entryway, and a plastic replica now rests upon the dome. A second plastic replica, which was painted to look like the original Lady Justice, sits in the Board of Supervisors office.

⁸ See HIRAM C. CLARK, HISTORY OF CHENANGO COUNTY 55 (Thompson & Pratt 1850).

⁹ For a discussion of the Lady Justice, see PATRICIA E. EVANS, RECOGNITION OF THE 175TH ANNIVERSARY OF THE CHENANGO COUNTY COURTHOUSE (2012) and Faye Wrubel, *Conservation of a Seven-Foot Lady*, CHENANGO COUNTY COURTHOUSE 56-61 (1980).

IV. The Bench

County Court Judges¹⁰

Under the First State Constitution, the number of judges in each county differed. In 1818, the number was limited to five judges. At that time, judges were appointed by the Governor and had a term of five years. The State Constitution of 1846 provided for election of a County Judge for each county.

1800	Isaac Foote	1890	Albert F. Gladding
1807	Joel Thompson	1907	John Hill Hicks ¹¹
1814	Obadiah German	1908	Hubert C. Stratton
1819	James Clapp	1914	James P. Hill
1819	Uri Tracy	1924	Hubert C. Stratton ¹²
1823	John Tracy	1931	Hubert L. Brown
1833	Smith M. Purdy	1941	Frank W. Barnes
1838	Levi Bigelow	1958	Lynn N. Peterson
1843	Roswell Judson	1971	William J. Gordon
1847	Smith M. Purdy	1975	Thomas Vitanza ¹³
1851	Roswell Judson	1976	Irad S. Ingraham
1855	Dwight H. Clark	1986	Kevin M. Dowd
1863	Horace G. Prindle	2000	W. Howard Sullivan
1877	William F. Jenks	2013	Frank B. Revoir, Jr.

Circuit Court Judges¹⁴

The State Constitution of 1821 provided for eight Circuit Courts, which corresponded to the eight Senate Districts. The State Constitution of 1846 abolished these positions.

1831	Robert Monell	1846	Hiram Gray
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¹⁰ See PATRICIA E. EVANS, CHENANGO COUNTY JUDGES 7-17 (2012).

¹¹ Appointed to fill the remaining term of Hon. Albert F. Gladding.

¹² Appointed after Hon. James P. Hill was elected Supreme Court Justice.

¹³ Appointed by Gov. Hugh Carey following the death of Hon. William J. Gordon.

¹⁴ See PATRICIA E. EVANS, CHENANGO COUNTY JUDGES 6-7 (2012); JAMES H. SMITH, HISTORY OF CHENANGO AND MADISON COUNTIES, Vol. I, Chp. XIII (D. Mason & Co. 1880).

Surrogates¹⁵

From 1821 to 1846, surrogates were appointed by the Governor and the Senate. In 1846, the position was abolished, placing the surrogate duty on County Judges, except in counties with a population exceeding 40,000 people.

1798	John L. Mersereau	1820	John Randall
1811	John Birdsall	1821	John Tracy
1813	David Buttolph	1833	Smith M. Purdy
1815	John Tracy	1837	Samuel McKoon
1819	Nathan Chamberlin	1843	Roswell Judson

Special Judges¹⁶

The 1846 Constitution authorized the election of Special Judges, who would perform the duties of County Judge in the event of a vacancy or other such inability to act. In 1961, the legislature abolished the position.

1855	William N. Mason	1876	Stephen Holden
1860	Hamilton Phelps	1900	Henry H. Harrington
1863	Alfred Nichols	1904	Julien C. Scott
1864	Ransom McDonald	1908	Archie D. Gibbs
1864	William H. Hyde	1923	Nelson P. Bonney ¹⁷
1868	Oscar H. Curtis	1943	James W. Coleman
1872	Charles B. Sumner	1946	Glenn T. Carter

¹⁵ See JAMES H. SMITH, HISTORY OF CHENANGO AND MADISON COUNTIES, Vol. I, Chp. XIII (D. Mason & Co. 1880).

¹⁶ See *id.*

¹⁷ See BINGHAMTON PRESS, Feb. 18, 1948.

Biographies¹⁸

Isaac Foote, January 4, 1746 – February 27, 1842, was born in Connecticut and was appointed Justice of the Peace there. Following his time as a soldier in the Revolutionary War, he moved to Sherburne (now Smyrna).

Positions:

1797	Justice of the Peace, Sherburne
1798	First Judge of the Court of Common Pleas

Joel Thompson, October 3, 1760 – February 8, 1843, arrived from Dutchess County. Following his legal studies, he was admitted to the bar and practiced law in Duanesburg and Sherburne. After his service in the Revolutionary War, he served two terms in the New York State Assembly representing Chenango County. In 1799, he was Assistant Justice of the Court of Common Pleas for the county and, in 1807, he became Judge of Chenango County.

Uri Tracy, February 8, 1764 – July 21, 1838, graduated Yale College in 1789 and relocated from Connecticut to Oxford in 1791 to perform mission work. He was the first principal at the Oxford Academy. From 1802 to 1805, he served as the first postmaster in Oxford. He became a member of the State Assembly in 1803. In 1805, Tracy was elected to the Ninth Congress, serving until 1807, and then elected to the Eleventh and Twelfth Congresses, serving from 1809 to 1813.

Positions:

1794	First Sheriff of Chenango County
1801	Elected Chenango County Clerk
1819	First Judge of the Court of Common Pleas

Obadiah German, 1766 – September 22, 1841, moved to Norwich (now North Norwich) in 1792 from Dutchess County. In 1814, he was appointed First Judge of the Court of Common Pleas in the County. He served several terms in both the State Assembly and the U.S. Senate, and became speaker of the New York State Assembly in 1819.

¹⁸ See PATRICIA E. EVANS, CHENANGO COUNTY JUDGES 1-17 (2012).

John Tracy, October 26, 1783 – June 18, 1864, was originally from Connecticut and came to Oxford in 1805. He served as deputy clerk for Uri Tracy, a family relation. He commenced his legal studies with Stephen O. Runyon and was admitted as an attorney in Supreme Court in 1808.



Positions:

- 1815 Appointed Chenango County Surrogate
- 1823 Appointed First Judge of the Court of Common Pleas
- 1832 Elected Lieutenant Governor with William I. Marcy as Governor
- 1836 Presiding Officer of the Senate

Levi Bigelow, February 25, 1785 – October 5, 1868, was born in Vermont and became Judge of the Chenango County Court of Common Pleas in 1838.

James Clapp, December 1785 – January 8, 1854, came to Oxford in 1808 by way of New York City with his law partner, William M. Price. He was appointed First Judge of the Court of Common Pleas in 1819.

Robert Monell, 1786 – November 29, 1860, was born in Columbia County and was admitted to the bar in 1809. In 1811, he moved to Greene and practiced law in Chenango County. Following his membership in the State Assembly, he became the county's District Attorney in 1827. In 1831, he succeeded Samuel Nelson, Cooperstown, as Circuit Judge for the Sixth Circuit, and continued in the position until it was abolished by the 1846 State Constitution.

Smith M. Purdy, July 31, 1796 – March 28, 1870, was born near Salem, New York and came to Norwich to pursue law. In 1833, he was appointed First Judge of Chenango County and was elected County Judge in 1847 following the State Constitutional amendment requiring County Judges to be elected.



Roswell Judson, November 19, 1806 – 1891, was born in Delaware County and began his legal studies in Oneida County. In 1835, he was admitted to practice and then moved to the county, where he settled in Sherburne and opened the firm of Maynard and Judson. In 1843, he was appointed First Judge of the Court of Common Pleas in Chenango County, and later was elected County Judge and Surrogate in 1851.

Dwight Henry Clark, March 2, 1819 – April 17, 1874, was born in Plainfield, New York and completed his education at the Oxford Academy and Union College. He commenced his legal studies with James Clapp and, following two years in Michigan, he returned to Oxford.

Positions:

1851 Chenango County District Attorney
1855 Elected Chenango County Judge

Horace Prindle, January 6, 1828 – October 11, 1894, was born in Connecticut and later moved to Unadilla with his family in 1836. Following his education at Gilbertsville Academy, he entered the law office of Hon. Henry Bennett, New Berlin, to study law, while also teaching school. He then moved to Norwich and studied with Hon. Benjamin F. Rexford. In 1863, he was elected County Judge and Surrogate.



William Flint Jenks, August 29, 1831 – October 3, 1910, was born in Otsego County and, prior to commencing his legal studies, taught school. In 1853, he was admitted to the bar and practiced law in Allegheny County before going to New Berlin and later Norwich. In 1877, he was elected Judge of Chenango County.

David Lyman Follett, July 17, 1836 – July 5, 1899, was the son of English immigrants who settled in Sherburne. He studied at Cazenovia Seminary from 1853 through 1855, and then pursued legal studies with Rexford and Kingsley in Norwich. In January 1858, he was admitted to the bar in Binghamton and thereafter began practicing law in Norwich. He famously presided over the Felix McCann murder trial, discussed herein. Chenango County's Law Library is named in his honor.



Positions:

1874 Elected Justice, Supreme Court
1884 Appointed Associate Justice, General Term, Fourth Department
1889 Appointed Associate Judge, Court of Appeals, Second Division
1892 Appointed Associate Justice, General Term, First Department
1895 Appointed Associate Justice, Appellate Division, Fourth Department

Albert F. Gladding, December 9, 1842 – May 29, 1922, was born in Pharsalia. In 1866, he began his legal education in the office of Hon. David L. Follett and was admitted to the bar in 1869.

Positions:

1890 Chenango County Judge
1906 Elected Supreme Court Justice, Sixth Judicial District

George Washington Ray, February 3, 1844 – January 10, 1925, was born in Otselic. He attended Norwich Academy, but subsequently left to serve as a private in the Civil War. While with Company B., 90th Reg. New York Volunteer Infantry, Ray became a clerk for the First Division of the 19th Army Corps. After his service, he returned home to complete his studies at the Norwich Academy. In 1866, he began his legal education in the law office of Hon. S. Horace Prindle in Norwich. Upon his admission to the bar in 1867, he became associated with the firm of Prindle and Knapp. In 1902, he was appointed District Judge of the Northern District of New York.



John Hill Hicks, January 3, 1851 – January 7, 1923, was born in Oxford. He was educated in local schools, including the Norwich Academy. He studied law under Hon. David L. Follett and Hon. Edward B. Thomas. When Judge Thomas left the area to serve as general counsel for the New York Arcade Railroad Company in New York City, Hicks followed Thomas and remained in New York City for four years. Upon his return to the area, he settled in Norwich, and worked as the managing clerk in the law office of Howard D. Moving.



Positions:

1907 Appointed County Judge and Surrogate
1908 Special County Judge and Surrogate

Hubert C. Stratton, December 5, 1863 – May 17, 1946, was born in Oxford. He graduated Oxford Academy and Columbia Law School, and then returned to Oxford to begin his legal career. In 1908, he became County Court Judge and Surrogate. In 1924, he was appointed to County Court Judge and Surrogate when Hon. James P. Hill, discussed herein, was elected Supreme Court Justice.



Ira H. Hyde, December 24, 1863 – August 9, 1933, was born in Pitcher, but arrived in Norwich as a child. He attended the Norwich Academy and completed his college and legal studies at Cornell. Upon his admission to the bar, he formed a partnership with William C. Moulton, and was later a village judge. In 1915, he became the acting judge for the City of Norwich.



Hubert L. Brown, May 15, 1870 – March 1958, was born in Preston. He was educated at the Oxford Academy and studied law in the office of Joel J. Bixby in Norwich. In 1895, he was admitted to the bar and formed a partnership with Bixby—the firm of Bixby and Brown—in Norwich. Brown later formed his own firm in 1901.

Positions:

1902	Chenango County District Attorney
1931	County Judge and Surrogate

James P. Hill, April 7, 1878 – June 9, 1950, was born in German and was educated in both the local public schools and Cincinnatus Academy in Cortland. He studied law at the office of Bixby and Brown in Norwich and was admitted to the bar in November 1901. He served as the Presiding Justice of the Third Department, serving from 1933 to 1948, which spanned both the Great Depression and World War II. His daughter, Janet Hill Gordon, is discussed herein.



Positions:

1908	Chenango County District Attorney
1914	Chenango County Judge and Surrogate
1924	Justice, Supreme Court, Sixth Judicial District
1927	Appointed Justice, Appellate Division, Third Department
1933	Appointed Presiding Justice, Appellate Division, Third Department

David F. Lee, Sr., January 19, 1885 – November 1, 1967, was born in Otselic. He graduated Norwich High School in 1903. He graduated Syracuse University Law College in 1907 and, after being admitted to the bar, he was connected with the offices of Edward W. Murphy. In the 1930s, Lee maintained offices in both Norwich and Binghamton, and, upon his death, he was a senior member of the firm Lee, Lee and Rappleyea. Throughout his life, Lee was very involved in politics, and even became the chairman of Chenango County's Democratic Party at the age of 24. In 1966, he was honored by the American Bar Association for his long and distinguished career.



Positions:

1917	Chenango County District Attorney
1925	Appointed Supreme Court Justice

Frank W. Barnes, June 1, 1887 – August 19, 1963, was born in North Norwich. He studied law at Yale and, in 1909, he was admitted to the bar. He opened his own practice in Norwich and went on to serve as Probation and Humane Officer for Chenango County and as the State Tax Attorney for the county.



Positions:

1926	Chenango County District Attorney
1940	Appointed County Attorney
1941	County Court Judge

Lynn N. Peterson, February 9, 1900 – June 23, 1987, was born in Norwich. He studied law at Syracuse School of Law and, upon his graduation, began a private practice in Norwich and also served as Norwich City Attorney. Upon his retirement from the bench, Peterson returned to private practice with the law offices of Hubert L. Brown in Norwich.



Positions:

1944	Chenango County District Attorney
1958	Chenango County Court Judge

William J. Gordon, circa 1910 – May 21, 1975, was born and raised in the Syracuse area. He was admitted to the bar in 1936 and practiced both criminal and civil law. In 1971, he became the Chenango County, Family and Surrogate's Court Judge. He worked closely with his wife, Janet Hill Gordon, discussed herein.



David F. Lee, Jr., September 19, 1919 – September 11, 1991, was born in Norwich and was the son of Hon. David F. Lee, Sr., discussed above. He was educated in schools in Binghamton and Norwich. He went on to graduate from Syracuse University and received his law degree from the University of Buffalo Law School. He served as a combat intelligence staff officer, with the rank of captain, in the 328th Fighter Squadron of the 352nd Fighter Group of the 8th Air Force. He served overseas, flying air offenses in Normandy, Central Europe and Rhineland, among other places.

After World War II, he practiced law with his father and brother in the firm of Lee and Lee. While on the bench, Lee conducted 40 naturalization terms and inducted more than 700 new citizens.

Positions:

1950	Chenango County District Attorney
1964	Elected Supreme Court Justice, Sixth Judicial District

Irad S. Ingraham, a graduate of Hamilton College and Albany Law School, worked as an attorney with Honeywell & Ingraham and as the Town Attorney for New Berlin.



Positions:

1962	Chenango County Assistant District Attorney
1971	Chenango County District Attorney
1976	Chenango County, Family & Surrogate's Court Judge
1985	Supreme Court Justice

Kevin M. Dowd, a graduate of SUNY Cortland and Marshall-Wythe School of Law, worked as a law clerk with Honeywell and Ingraham of New Berlin and later became an associate with the firm. He served as Village Municipal Attorney in New Berlin and Sherburne.



Positions:

1977	Chenango County Assistant District Attorney
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1980 Chenango County District Attorney
 1986 Chenango County, Family & Surrogate's Court Judge
 1999 Supreme Court Justice



W. Howard "Howie" Sullivan was born in Norwich. Upon his graduation from Norwich High School, he earned his BBA from LeMoyne College and his J.D. from Temple University School of Law. In 1972, he was admitted to the bar. He taught students as an Adjunct Professor at Binghamton University and at the State University of New York at Morrisville from 1975 to 1998.

Positions:

1971 City Court Judge
 1974 State of New York Tax Attorney
 2000 Chenango County, Family & Surrogate's Court Judge
 2008 Appointed Supervising Judge, Justice Courts, Sixth Judicial District

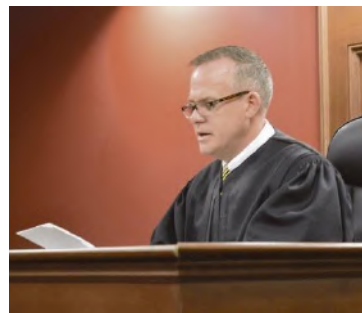
Elizabeth A. Garry graduated from Alfred University and Albany Law School, with honors. From 1990 to 1994, she served as the Confidential Law Clerk to Hon. Irad Ingraham, discussed above. Prior to being elected Supreme Court Justice, she worked in private practice with the Joyce Law Firm in central New York. She was a founding member of the Del-Chen-O Chapter of the Women's Bar Association of the State of New York, discussed below.



Positions:

2001 Elected Town Justice, Town of New Berlin
 2007 Supreme Court Justice, Sixth Judicial District
 2009 Appointed to the Appellate Division, Third Department
 2018 Appointed Presiding Justice of the Appellate Division, Third Department

Frank B. Revoir, Jr. was born in Norwich. Following his graduation from Norwich High School, he received his bachelor's degree in 1988 from Nazareth College of Rochester. In 1991, he earned his J.D. from Albany Law School and served as Law Clerk and Court Attorney for the County Court System from 1991 to 1996. Prior to his election to the bench, Judge Revoir maintained his own law practice in Norwich and served as an Assistant Chenango County Attorney for more than 16 years.



Positions:

2013 Chenango County, Family & Surrogate's Court Judge



Joseph A. McBride was born in the Bronx and raised in Rockland County. In 1977, he moved to Oxford to attend SUNY Oneonta where he graduated with a B.A. in Political Science. He graduated from the University at Buffalo School of Law in 1983, and, during his studies there, he interned with the Chenango County District Attorney's Office. From 1983 to 1988, he was a trial attorney with the Legal Aid Society,

Criminal Defense Division in New York City. After two years with the Public Defender's Office in Phoenix, Arizona, he opened up his own firm in Norwich. From 1990 to 2018, he was involved in every major criminal case in the county, either as District Attorney or as a criminal defense attorney.

Positions:

2000 Chenango County District Attorney

2019 Supreme Court Justice, Sixth Judicial District

V. The Bar

Early Attorneys¹⁹

The following attorneys were admitted to practice before the Court of Common Pleas.

1798	Peter B. Garnsey	1822	John Clapp
	Stephen O. Runyan	1829	Daniel S. Dickinson
1806	Henry VanDerlyn	1831	Samuel S. Randall
	James Birdsall	1832	Henry Bennett
1808	David Buttolph		Arba K. Maynard
	James Clapp		Samuel McKoon
	William M. Price	1833	Henry R. Mygatt
1809	Robert Monell		Asher G. Moses
	John Tracy		Benjamin F. Rexford
	James M. Gazlee	1834	Joseph Benedict
1810	Willard Welton		George M. Smith
1811	Simon Gager Throop		Samuel B. Garvin
	Lyman S. Rexford	1835	Roswell Judson
1812	Noah Ely		Philander B. Prindle
1813	Samuel Birdsall		Robert O. Reynolds
	Nathan Chamberlain		Daniel Gray
1815	Simeon S. Emmons	1836	John Wait
1816	Lot Clark		Isaac Bush
	John C. Clark	1837	Alonzo Johnson
1817	Hiram Carter		Erastus Foote
1818	Samuel Miles Tracy		Cyrus Strong Jr.
1819	John Birdsall	1839	Ira P. Barnes
1820	Charles A. Thorp		H.O. Southworth
1822	Addison C. Griswold		

¹⁹ See HIRAM C. CLARK, HISTORY OF CHENANGO COUNTY 61-63 (Thompson & Pratt 1850).

District Attorneys²⁰

1797	Thomas R. Gold ²¹	1881	George M. Tillson
1802	Nathan Williams	1884	George A. Haven
1811	Nicholas King	1887	George P. Pudney ²³
1815	Daniel Kellogg	1893	Wordsworth B. Matterson ²⁴
1816	Joseph L. Richardson	1902	Hubert L. Brown
1818	Simon G. Throop	1908	James P. Hill
1822	Lot Clark	1914	Millard C. Loomis
1823	John C. Clark	1917	David F. Lee, Sr.
1827	Robert Monell	1920	Ward N. Truesdell
1828	Lot Clark	1926	Frank W. Barnes
1836	John Clapp	1932	Glenn F. Carter
1841	George M. Smith	1938	Lester R. Mosher
1843	Robert O. Reynolds	1944	Lynn N. Peterson
1845	George M. Smith	1950	David F. Lee, Jr.
1847	James M. Banks	1956	Edward H. O'Connor
1851	Dwight H. Clark ²²	1962	Patrick J. Joyce
1854	Isaac S. Newton	1971	Irad S. Ingraham
1860	Elizur H. Prindle	1976	W. Howard Sullivan ²⁵
1863	Solomon Bundy	1977	John R. Marshall, Jr.
1866	Calvin T. Tefft	1980	Kevin M. Dowd
1869	Robert A. Stanton	1986	James E. Downey
1872	Calvin L. Tefft	2000	Joseph A. McBride
1875	David H. Knapp	2019	Michael D. Ferrarese
1878	John W. Church		

²⁰ See JAMES H. SMITH, HISTORY OF CHENANGO AND MADISON COUNTIES, Vol. I, Chp. XIII (D. Mason & Co. 1880); DISTRICT ATTORNEYS: CHENANGO COUNTY, HISTORICAL SOCIETY OF THE NEW YORK COURTS (last accessed Sept. 10, 2020).

²¹ Gold was the first and only Assistant Attorney General for the County (see id.).

²² Beginning in 1851, all of the District Attorneys are listed according to year they took office.

²³ See CHENANGO SEMI WEEKLY TELEGRAPH, Jan. 5, 1887, at 3.

²⁴ See CHENANGO UNION, Dec. 19, 1895.

²⁵ Appointed Chenango County District Attorney by Gov. Hugh Carey after Hon. Irad S. Ingraham was elected Chenango County, Family & Surrogate's Court Judge

Biographies

Daniel S. Dickinson²⁶ was born in Litchfield County, Connecticut, and moved to Guilford at the age of six. While saving funds to begin his legal studies, he was employed as a teacher. He later studied law with the firm of Clark and Clapp. In 1832, he moved to Binghamton, and soon after became a member of the State Senate and later became a United States Senator.

Joseph Benedict,²⁷ with fellow attorney Samuel Bostwick Garvin, opened an office in Utica following his time in Chenango County. He went on to write *Benedict's Treatise*.



Daniel B. Cushman, December 18, 1852 - March 1927, was born in Plymouth and graduated from the Norwich Academy. He went on to graduate from Yale in 1876 and completed his legal education at Columbia Law School. In 1880, he opened a law office in Norwich and went on to practice law with George W. Marvin. In 1882, he ran for District Attorney, but lost to George Havens. He had represented George White and was able to obtain an acquittal for his client.

²⁶ See HIRAM C. CLARK, HISTORY OF CHENANGO COUNTY 62 (Thompson & Pratt 1850).

²⁷ See *id.*

Jonathan Holdeen (Holden),²⁸ September 16, 1881 - June 14, 1967, was born in

Sherburne and graduated from Sherburne High School.²⁹ In 1901, he graduated Colgate University and then worked alongside his father—attorney Stephen Holden—before being admitted to the bar in 1903. He lived in Dutchess County, where he practiced law and accumulated significant real estate holdings. In the 1960s, following the death of his wife, he returned to Sherburne. Holdeen became interested in the Estate of Benjamin Franklin, which not only provided for Franklin's children, but also created long-term philanthropic bequests. This was surprising given the modesty of Franklin's estate. A frugal man despite his wealth, Holdeen set out to create similar bequests, "set[ting] aside a total of \$2.8 million in varying sums and at different times, stipulating that the income from the investments be allowed to accumulate." After a certain period—either 500 years or 1,000 years depending on the trust—the state of Pennsylvania, where the trusts were created, would receive the principal and accumulated income to "pay for the necessary expenses of government," namely taxes. Prior to his death, the courts validated the trusts created by Holdeen, even after speculation that the six trusts—started in 1945 with \$180,000—would potentially "grow[] to an amount beyond human comprehension." A witness testified at trial that the principal would grow to \$9,988,380,000,000,000.³⁰ Unfortunately, Holdeen's vision was never realized, as challenges to the trust came following his death in 1967. The Internal Revenue Service and the Unitarian Universalist Church made attempts to challenge the construction and management of the trusts. Ultimately, the courts decided that the trusts may stand, but must make annual payments to the beneficiaries, thus preventing reinvestment of the interest payments.



²⁸ Special thanks to Henry Drexler, who so kindly provided newspaper articles and photos concerning Jonathan Holdeen.

²⁹ See RAJA MYLAVAGANAM, THE HOLDEEN FUNDS (last accessed Aug. 13, 2020). See also L. Stuart Ditzen, *A Visionary's Scheme to Kill Taxes Withers*, INQUIRER (Feb. 21, 1994); *The Jonathan Holden Trust Story*, LAPHAM'S QUARTERLY (Sept. 23, 2011).

³⁰ Louis P. Augustini, *Can Millionaire Buy the Future*, Sherburne News (no date available). The above photo was captured by Louis P. Augustini.

Warren M. Anderson, October 16, 1915 - June 1, 2007, was born in Bainbridge. He attended Colgate University and Albany Law School. Following his time in the Judge Advocate General's Corps with the U.S. Army, he served as the Assistant County Attorney in Broome County and later joined the firm of Hinman, Howard & Kattell. From 1953 to 1989, he was a member of the State Senate, eventually becoming Temporary President and Majority Leader. During his time as Temporary President, he twice served as Lieutenant Governor. Interstate 88, which runs from the Southern Tier to the Capital District, was named after Anderson, who lobbied for its creation.

Clarence D. Rappleyea, Jr., November 2, 1933 - September 4, 2016, was born in Norwich. He graduated from Norwich High School and received his B.A. from SUNY Albany. Prior to beginning his legal studies, he taught at the South New Berlin schools. In 1962, he graduated Cornell University School of Law, and was admitted to the bar in 1964. He practiced law in Norwich and served as City Attorney there. He was elected to the State Assembly and served for more than 22 years, ultimately becoming the Minority Leader in 1983. Later in his career, he was appointed by Governor Pataki to serve as Trustee of the New York Power Authority and later served as a Board Member Emeritus of the Government Law Center at Albany Law School.

Women Attorneys

Meta L. Cowles, circa 1858 - July 4, 1935

*By Nancy Bromley*³¹

The following excerpt was in *The New York Herald*, published on October 29, 1893:

There are many persons of both sexes who look upon a lady engaged in any one of the learned professions as being out of her place. They hold to the idea that the home is the proper province of woman. But this view is confined almost exclusively to those of narrow ideas.



Who was this woman they refer to, and what was her profession? She was Meta L. Cowles, the first woman in the Fourth Judicial district to practice the profession of law.

Meta was the fourth child of Edward G. and Emily (Atwater) Cowles. Meta's father was a successful farmer and horse trainer in Greene. Other siblings were Arthur, William and Cora. As a young child growing up in Greene, Meta was inquisitive and an excellent student. In high school, she was described as being quiet and unostentatious in demeanor. She graduated from "The Lady's Academy" in Binghamton with high honors.

At the age of eighteen Meta had an unfortunate accident, where she fell on the ice and injured her spine. During the weeks of her recuperation, she borrowed law books from Marshall F. Porter, a lawyer in Greene, whose office was above the Juliand bank. Once she was able to walk again, Meta became a clerk in Porter's office, where she continued her study of law. In November 1892, she was the first woman to seek admission to the bar from this judicial district. She was one of seven applicants, the other six were males. She passed her examinations at Syracuse with flying colors and was admitted to practice in the United States District and Circuit Courts by Judge Coze, being the first woman practitioner in the United States court in this judicial district. Certainly she was the first female lawyer in Greene, where she was associated with Mr. Porter for many years and then removed to Cortland to continue her practice.

An article in the *Oswego Daily Palladian*, July 21, 1894 attests to her ability as a lawyer:

Miss Meta L. Cowles of Greene, NY, appeared as the attorney in a case at the court in Delhi, NY. It was the first time a lady lawyer ever argued a case in that city. She succeeded in carrying her motion. The progress in this part of the country is very remarkable and encouraging. Many are willing women should vote on the license question in the towns, but not yet for rulers. But quietly the work goes on and the complete triumph cannot be far away.

³¹ Thank you to Nancy Bromley for submitting this article, and accompanying photos, on Meta Cowles.

Astoundingly, Meta was also perhaps the first female in the state of New York to hold an appointive office, as town clerk in the Village of Greene. *The Weekly Auburnian*, circa 1892-1894, reported as follows:

Miss Meta L. Cowles of Greene, Chenango County, N.Y. was admitted to the bar last November and holds an appointive office which is probable no woman in the state ever held-She was appointed town clerk by the board of trustees, who are leading business men. The general sentiment expressed is that town affairs are now conducted in the most satisfactory manner.

Meta was described as being of medium stature, weighing about 125 pounds, with large expressive gray eyes and jet-black hair.

Meta died on July 4, 1935 at the home of her sister Mrs. Cora Welch in Cortland, at the age of 77. Cause of death was a tumor on the brain.



Janet Hill Gordon,³² January 11, 1915 – September 17, 1990, was born in Manhattan. She graduated Syracuse University and completed her legal studies at Brooklyn Law School. In 1940, she was admitted to the bar, becoming the youngest woman to be admitted. In 1944, she

became the first female County Attorney in the state. She was elected to the Assembly, representing Chenango County, and served eleven years before being elected to the Senate in 1959. During her time in the Assembly, she initiated legislation on a number of issues, including causes of divorce, children and farming. She was a member of several committees and chaired the Legislative Committee on Matrimonial and Family Affairs, and the Law Revision Committee. She practiced law in Norwich. She was the daughter of Hon. James P. Hill and married to Hon. William J. Gordon, both discussed above.

Photos: Courtesy of the Chenango County Historical Society



LAST OFFICIAL ACT—Supreme Court Justice James P. Hill in his last official act of 41 years of public service Friday afternoon in Supreme Court Chambers, Norwich, swears in his daughter, Mrs. Janet Hill Gordon, for her second term as member of Assembly from Chenango County. He was presiding justice of the Appellate Division, Third Department, before his retirement Friday.

³² See JANET HILL GORDON, *LAWMAKERS: WOMEN OF THE NEW YORK STATE LEGISLATURE*, NEW YORK STATE LEGISLATIVE WOMEN'S CAUCUS (2017).



Marion K. Singer³³ was a graduate of New York University. In 1936, she graduated New York University Law School and was the second highest in her class. She moved to Greene where she and her husband, Sidney H. Singer, established the firm of Singer and Singer, which later became Singer, Singer and Larkin. She became part of the Chenango County Bar Association in 1946, and later served as its president.³⁴ Later on in life, she went on to become the Police Court Judge in Greene. She passed away in 2002.

Photo: Marion Singer with her husband Sidney Singer. The photo is courtesy of Nancy Bromley.

³³ See PRESS & SUN BULLETIN, Mar. 26, 2002.

³⁴ See CHENANGO TELEGRAPH, Sept. 20, 1946.

Bar Associations

Chenango County Bar Association

Below is a brief history of the Chenango County Bar Association, including officers elected, resolutions passed and events held. This is not an exhaustive list and more information can be found through the Digitized Newspaper Archives maintained by the Guernsey Memorial Library and the Sherburne Public Library.

1879 The following were elected to office:³⁵

President: Hon. W.F. Jenks

Vice President: R. A. Stanton

Secretary: W. R. Mygatt

Treasurer: A.F. Gladding

Executive Committee: E.J. Arnold, C.H. Stanton, O.H. Curtis, S. Holden and Elliot Danforth

Committee on Admissions and Grievances: J. W. Glover, E.H. Prindle, O.F. Matteson, C.W. Brown and I.S. Newton

1904 A request was sent to Hon. George W. Ray which sought the creation of a Bar Association for Chenango County.³⁶ It appeared that the recent death of Judge Harrington was one of the motivating factors. Many attorneys supported the creation of the association, including Henry R. Follett, Hubert L. Brown, Nelson P. Bonney, James P. Hill and Albert F. Gladding. It is unclear why the group needed to be created, as there is evidence of a Chenango County Bar Association in 1879, as discussed above. In December 1904, the association's by-laws and constitution were adopted. The first meeting was held in the chambers of the County Judge.³⁷

The following were elected to office:

President: Hon. Albert F. Gladding

Vice President: Hon. Charles A. Fuller

Secretary and Treasurer: Henry R. Follett

1912 In January, a special meeting of the Bar Association was held to pass resolutions following the death of Supreme Court Justice Henry B. Coman. Hon. John H. Hicks was elected chairman of the meeting and Henry R. Follett was elected secretary. James P. Hill offered resolutions speaking to Judge Coman's character and dedication.³⁸

³⁵ See CHENANGO UNION, Dec. 25, 1879, at 3.

³⁶ See THE NORWICH SUN, Sept. 7, 1904, at 6.

³⁷ See THE NORWICH SUN, Dec. 5, 1904, at 6.

³⁸ See CHENANGO TELEGRAPH, Jan. 16, 1912, at 2.

In June, the association met in Surrogate's Chambers to discuss the judicial recall. The State Bar Association requested the meeting. A resolution condemning the recall was presented and adopted without any opposition. Charles H. Fuller was chairman of the meeting, while Henry R. Follett acted as secretary. A committee was formed—Follett, Eugene Clinton and Hon. H.C. Stratton—to discuss the concerns of judicial procedure and prepare a statement on the matter.³⁹

1913 Members attended the funeral of member George Abraham Thomas. Among the pallbearers were James P. Hill, John H. Hicks and Daniel B. Cushman.⁴⁰

1916 In January, the association met following the death of Willie B. Leach, who was a longtime member of the organization. The association passed a resolution marking the passing of Leach and his dedication and commitment to the law.⁴¹

In November, a meeting was held in the chambers of Hon. James. P. Hill following the death of Hon. Charles A. Fuller.⁴² Judge Stratton offered a resolution commending Judge Fuller's service during the Civil War, where he was severely injured during the Battle of Gettysburg. It was noted that Judge Fuller was active in the community.

A memorial meeting was later held to pay respects to Howard D. Newton.⁴³ Daniel B. Cushman spoke about Newton, noting that he was "an able and distinguished lawyer," as well as a successful businessman.

1921 Members of the association opposed the Civil Practice Act, which was set to go into effect in April 1922.⁴⁴

1922 A special meeting was held following the death of County Judge Albert F. Gladding, who was the sitting president of the association.⁴⁵

1923 In January, the association mourned the deaths of Hon. John H. Hicks and Hon. T.R. Tuthill.⁴⁶

³⁹ See CHENANGO TELEGRAPH, June 14, 1912, at 2.

⁴⁰ See THE NORWICH SUN, Sept. 6, 1913, at 1.

⁴¹ See THE NORWICH SUN, Jan. 20, 1916, at 3.

⁴² See CHENANGO TELEGRAPH, Nov. 10, 1916, at 2.

⁴³ See THE NORWICH SUN, Nov. 28, 1916, at 3.

⁴⁴ See CHENANGO TELEGRAPH, Jan. 18, 1921, at 1.

⁴⁵ See THE NORWICH SUN, June 1, 1922, at 5.

⁴⁶ See CHENANGO TELEGRAPH, Jan. 12, 1923, at 4.

In December, Hon. James P. Hill, the newly elected Supreme Court Justice for the Sixth Judicial District, was honored by the organization with a dinner at the Hotel Norwich. More than a hundred people attended, including members, and friends and associates of Judge Hill. Hon. Hubert C. Stratton presided as toastmaster, with many others speaking or writing letters about Judge Hill, including Hon. George W. Ray.⁴⁷

1926 The following were elected to office:⁴⁸

President: Ward N. Truesdell

Vice President: Vernon D. Stratton

Secretary: Glenn F. Carter

Treasurer: J.S. Flanagan

Committee to secure consent of Follett Law Library: Hon. H.C. Stratton and William H. Sullivan

1927 In March, the association met following the death of member Daniel B. Cushman, who was "loyal to his client and cause." He often championed the "development of agriculture" and "the welfare of the farmer."⁴⁹

In December, the association also paid final respects to Hon. William H. Sullivan, who served as Justice for the Town of Norwich prior to Norwich's incorporation as a City.⁵⁰

1928 Hon. Stephen Callaghan and Hon. Edward Lazanskey, both of Brooklyn, spoke at the August 1928 meeting of the association.⁵¹

1929 In January 1929, Hon. H.C. Stratton, B.W. Mosher, Binghamton, and Hon. George Champlin, Cortland, were named to the Committee on Law Reform. Hubert L. Brown was appointed a member of the Executive Committee. Hon. David F. Lee was placed on the Committee on Candidates for Judicial Office.⁵²

In June 1929, the association met to discuss whether to form a district association among the various bar associations in the sixth judicial district.⁵³

⁴⁷ See THE NORWICH SUN, Dec. 3, 1923, at 1.

⁴⁸ See THE NORWICH SUN, Apr. 20, 1926, at 1.

⁴⁹ See THE NORWICH SUN, Mar. 7, 1927, at 7.

⁵⁰ See THE NORWICH SUN, Dec. 9, 1927, at 1.

⁵¹ See THE NORWICH SUN, Aug. 6, 1928, at 5.

⁵² See THE NORWICH SUN, Jan. 22, 1929, at 4.

⁵³ See THE NORWICH SUN, Jun. 24, 1929, at 6.

1930 The following were elected to office:⁵⁴

President: Arthur W. Morse
 Vice President: Harry J. Mosher
 Secretary: Glenn F. Carter
 Treasurer: Joseph M. Forsythe

The association voted to join the Federation of Bar Associations of the Sixth District. Hon. H.C. Stratton was appointed representative, while Hubert L. Brown was appointed as an alternate. The group also passed a resolution asking these representatives to inquire about banks and trust companies practicing law and empowered them to take whatever action necessary. The group carried another motion regarding the publication of legal notices in real estate sales and other legal proceedings. The motion sought to change the statute from six weeks to three weeks. Judge Stratton, Hon. N.P. Bonney and E.H. O'Connor were appointed to a committee to draft the amendments.

In April, President Morse arranged a meeting held at The Chenango, where Hon. James P. Hill spoke about the courthouse and the county's judicial history.⁵⁵



Photo: THE NORWICH SUN, Apr. 18, 1930, at 7.

In July, members attended the funeral of William R. Loomis, who was one of the original members of the association.⁵⁶

1931 The following were elected to office:⁵⁷

President: H. J. Mosher
 Vice President: Charles D. Clinton
 Secretary: Glenn F. Carter
 Treasurer: Joseph M. Forsythe

⁵⁴ See THE NORWICH SUN, Jan. 14, 1930, at 5.

⁵⁵ See THE NORWICH SUN, Apr. 18, 1930, at 7.

⁵⁶ See THE NORWICH SUN, July 8, 1930, at 5.

⁵⁷ See THE NORWICH SUN, Jan. 5, 1931, at 8.

Executive Committee: Frank W. Barnes, I.D. Tillman, D.L. Atkyns, James S. Flanagan and Hon. Hubert L. Brown

Legislative Committee: H.J. Mosher, Hon. Hubert C. Stratton and Hon. Hubert L. Brown

In January, the association adopted a resolution honoring the service of Hon. Hubert C. Stratton, County Judge and Surrogate.⁵⁸

In April, the association planned a dinner to honor Hon. Andrew J. McNaught, Delhi, and Hon. Riley Heath, Ithaca, as well as County Judge Hubert L. Brown.⁵⁹

In October, Arthur W. Morse and Irving D. Tillman were named delegates to attend the Bar Federation of the Sixth Judicial District meeting in Ithaca.⁶⁰

1932 The association held its annual meeting in the chambers of Hon. Hubert L. Brown.

The following were elected to office:⁶¹

President: Charles D. Clinton

Vice President: Frank W. Barnes

Secretary: Glenn F. Carter

Treasurer: Joseph M. Forsythe

Executive Committee: Harry J. Mosher, James S. Flanagan, Frank W. Barnes, I.D. Tillman and D.L. Atkyns

Delegate to Bar Federation of Sixth Judicial District: James S. Flanagan; Hon. Hubert L. Brown, Alternate

The group discussed "ambulance chasing among lawyers," ultimately passing a resolution stating that "when a complaint was made of the misconduct of any member or ambulance chasing, the president of the association shall appoint a committee of three to investigate and report back to the association."

In August, the group held its annual dinner and meeting. Many judges and attorneys from the surrounding counties, as well as officials from the state and American Legion joined the dinner. The distinguished speaker of the evening was Col. William J. Donovan, United States Commissioner, and he was introduced by James S. Flanagan.⁶²

⁵⁸ See THE NORWICH SUN, Jan. 6, 1931, at 4.

⁵⁹ See THE NORWICH SUN, April 3, 1931, at 5.

⁶⁰ See THE NORWICH SUN, Oct. 7, 1931, at 5.

⁶¹ See THE NORWICH SUN, Jan. 11, 1932, at 5.

⁶² See THE NORWICH SUN, Aug. 15, 1932.

1933 The annual meeting was held in the Surrogate's Court Chambers.⁶³

The following were elected to office:

President: Frank W. Barnes

Vice President: Irving D. Tillman

Secretary: Hon. Theodore C. Bonney, City Court Judge

Treasurer: Hon. Joseph M. Forsythe

Executive Committee: James S. Flanagan and Charles D. Clinton

Delegate to Bar Federation of the Sixth Judicial District: Charles D. Clinton; Irving D. Tillman, Alternate

At the meeting, a resolution was passed requesting the board of supervisors to install a ventilation system in the court room.

In May, the group mourned the loss of Hon. Julien Scott, member of the organization and Special County Judge. Judge Scott practiced law in the county for 30 years and represented the county in both the Assembly and in state offices.⁶⁴

In August, the association passed a resolution honoring the life of Ira H. Hyde, a member of the bar who served as Acting City Judge, Justice of the Peace and Recorder for Norwich.⁶⁵

1934 The following were elected to office:⁶⁶

President: Irving D. Tillman

Vice President: George P. Pudney

Secretary: Hon. Theodore C. Bonney, City Court Judge

Treasurer: Hon. Joseph M. Forsythe

Executive Committee: Charles D. Clinton

Delegates to State Bar: Hon. Nelson P. Bonney

Delegate to Bar Federation of the Sixth Judicial District: Hon. Hubert L. Brown; Judge Bonney, Alternate

Newspapers reporting on the meeting indicated that the Bar Association opposed passage of the "Merrill Plan" and similar legislation which would levy a sales tax on professional services.

In March, the association requested that Assemblyman Irving M. Ives introduce a bill to amend the Surrogate's Court Act. The bill sought to allow certain individuals—infants and those deemed incompetent—to

⁶³ See CHENANGO TELEGRAPH, Jan. 10, 1933, at 4.

⁶⁴ See THE NORWICH SUN, May 22, 1933, at 5.

⁶⁵ See THE NORWICH SUN, Aug. 15, 1933, at 5.

⁶⁶ See CHENANGO TELEGRAPH, Jan. 23, 1934, at 8.

receive settlement funds through a guardian or committee after proper security had been filed. The bill eventually passed the Assembly.⁶⁷

The association later met to pass a resolution supporting the appointment of Frederick E. Crane to replace Hon. Cuthbert Pound upon his retirement as Chief Judge of the Court of Appeals.⁶⁸

1935 The annual meeting was held at The Chenango, with the following elected to office:⁶⁹

President: George P. Pudney

Vice President: Hon. Nelson P. Bonney

Secretary: Hon. Theodore C. Bonney, City Court Judge

Treasurer: Hon. Joseph M. Forsythe

Executive Committee: D.L. Atkyns

Delegate to State Bar: James S. Flanagan

Delegate to Bar Federation of the Sixth Judicial District: Hon. Hubert L. Brown; Irving D. Tillman, Alternate

Don S. Whitney was elected to membership and Theodore C. Bonney and J. Richard Marshall were appointed to keep track of legislation in Albany of interest to the association.

James S. Flanagan discussed the proposed bill introduced in the Assembly that would create the state workmen's compensation insurance fund.

Flanagan stated such bill "would cause the legal fraternity and the physicians to lose business and that all compensation cases would be taken care of by the state," as opposed to the courts. The association opposed the legislation.

In September, the association, along with other members of the community, met to hear Assemblyman E.B. Jenks, Whitney Point. Jenks spoke about the trial of Bruno Richard Hauptmann, who was convicted of murder in the first degree following the death of the Lindbergh Baby. Jenks discussed the circumstantial evidence used in the trial.⁷⁰

⁶⁷ See THE NORWICH SUN, Mar. 15, 1934, at 5.

⁶⁸ See CHENANGO TELEGRAPH, Mar. 30, 1934, at 5.

⁶⁹ See THE NORWICH SUN, Jan. 16, 1935, at 5.

⁷⁰ See THE NORWICH SUN, Sept. 20, 1935, at 5.

1936 In February, the association met to discuss pending legislation that would allow women to serve as jurors. Nine of the ten present members opposed the legislation. There was also proposed legislation to remove the State Attorney General and use a department of law, with the head of it being appointed by the governor. This is modeled after the federal government. All members disapproved of this amendment.⁷¹

In August, the association held its summer meeting at the Canasawacta Inn. The speaker was Justice Rowland L. Davis, Cortland, member of the Appellate Division, Second Department. President Nelson P. Bonney introduced the speaker, and many members were in attendance, including Hon. James P. Hill, Presiding Justice of the Appellate Division, Third Department, and former Supreme Court Justice David F. Lee.⁷²

1937 The bar association opposed President Roosevelt's plan to change the number of justices on the U.S. Supreme Court.⁷³

1938 The following were elected to office at a meeting at the Canasawacta Inn:⁷⁴
 President: Duane L. ATKYNS
 Vice President: Percy J. Thomas
 Secretary: Neal C. Wallace
 Treasurer: Joseph M. Forsythe
 Delegate to State Bar: Hon. Nelson P. Bonney
 Delegate to Bar Federation of the Sixth Judicial District: Hon. Hubert L. Brown

In March, the association met in the chambers of Hon. Hubert L. Brown. The group discussed three bills. The first bill "would abolish the legal distinction between real and personal property in paying debts out of a legacy." The second would prohibit advertisements indicating that a person is qualified to act as a trustee, executor or administrator of an estate. The third bill would prohibit advertisements in the state that related to divorce services.⁷⁵

⁷¹ See THE NORWICH SUN, Feb. 3, 1936, at 5.

⁷² See THE NORWICH SUN, Aug. 3, 1936, at 5.

⁷³ See CHENANGO TELEGRAPH, Feb. 19, 1937, at 4.

⁷⁴ See THE NORWICH SUN, Jan. 16, 1938, at 5.

⁷⁵ See THE NORWICH SUN, Mar. 15, 1938, at 4.

1939 The following were elected to office at a meeting at The Chenango:⁷⁶

President: Percy J. Thomas

Vice President: Joseph M. Forsythe

Secretary: Neal M. Wallace

Treasurer: J. Richard Marshall

Justice E. W. Personius, who was holding a term of Supreme Court in the county at the time, was the main speaker.

In April, the association met following the death James S. Flanagan, who was an "active and enthusiastic" member of the association, even serving as president. The group met to discuss attending his funeral.⁷⁷

1940 The following were elected to office:⁷⁸

President: Hon. Joseph M. Forsythe

Vice President: Theodore C. Bonney

Secretary: Neal C. Wallace

Treasurer: J. Richard Marshall

Grievance Committee: Arthur W. Morse, David F. Lee and George M. Skinner

Nominating Committee: C. Vernon Stratton, Harry Mosher and Duane L. Atkins

Delegates to State Bar: Percy J. Thomas; Hon. Nelson P. Bonney, Alternate

Delegate to Bar Federation of the Sixth Judicial District: Lynn N.

Peterson; James M. Coleman, Alternate

Hon. Hubert L. Brown nominated Thomas H. Ivory for membership.

In December, the association held a dinner at The Chenango to honor retiring County Court Judge Hubert L. Brown. The chief address was made by Hon. James P. Hill and included an address by the newly elected County Court Judge Frank W. Barnes.⁷⁹

The association lost two of its oldest members in 1940, including James H. Throop⁸⁰ and George F. Pudney.⁸¹

⁷⁶ See THE NORWICH SUN, Jan. 24, 1939, at 4.

⁷⁷ See THE NORWICH SUN, Apr. 3, 1939.

⁷⁸ See CHENANGO TELEGRAPH, Jan. 9, 1940, at 5.

⁷⁹ See THE NORWICH SUN, Aug. 7, 1940, at 5.

⁸⁰ See THE NORWICH SUN, Aug. 7, 1940, at 5.

⁸¹ See THE NORWICH SUN, Sept. 5, 1940, at 5.

1941 The following were elected to office:⁸²

President: Hon. Theodore C. Bonney, former City Court Judge

Vice President: Minnie L. Seeley

Secretary: Thomas H. Ivory

Treasurer: J. Richard Marshall

Delegate to State Bar: David F. Lee, Sr.; James W. Coleman, Alternate

Delegate to the Bar Federation of the Sixth Judicial District: William J.

Gordon; Stuart MacMackin, Alternate

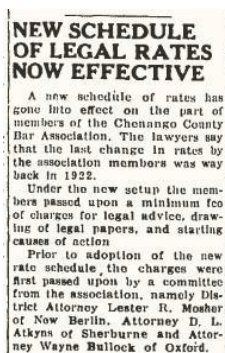
Grievance Committee: Irving D. Tillman, Harry J. Mosher and Charles D. Clinton

Nominating Committee: Lynn N. Peterson, George M. Skinner and Edward H. O'Connor

July marked the passing of long-time member and immediate past president Hon. Joseph M. Forsythe.⁸³ Many members attended Judge Forsythe's funeral.⁸⁴

In August, the association hosted the annual meeting of the Federation of Bar Associations of the Sixth Judicial District at the Canasawacta Inn. The President of the Federation at the time was David F. Lee, Sr.⁸⁵

1943



The following were elected to office:⁸⁶

President: Lynn N. Peterson

Vice President: Hon. J. William Kepner, City Court Judge

Secretary: Charles D. Clinton

Treasurer: C. Vernon Stratton

Members discussed potential amendments to the Civil Practice Act that would allow cases involving infants to be settled in County Court as opposed to Supreme Court when the matter does not exceed \$3,000. The association also discussed a new schedule of fees for attorneys to charge in the county.

In April, the association was successful in securing a new schedule of legal rates for the county. The new schedule set a minimum charge for legal advice, the creation of legal documents and commencing new causes of actions. The previous rate increase was in 1922.⁸⁷

Photo: CHENANGO TELEGRAPH, Apr. 1, 1943, at 1.

⁸² See CHENANGO TELEGRAPH, Jan. 21, 1941, at 5.

⁸³ See CHENANGO TELEGRAPH, July 18, 1941, at 8.

⁸⁴ See CHENANGO TELEGRAPH, July 22, 1941, at 8.

⁸⁵ See CHENANGO TELEGRAPH, Aug. 26, 1941, at 4.

⁸⁶ See CHENANGO TELEGRAPH, Feb. 5, 1943, at 5.

⁸⁷ See CHENANGO TELEGRAPH, Apr. 1, 1943, at 1.

1945 The following were elected to office:⁸⁸

President: Hon. J. William Kepner, City Court Judge

Vice President: C. Vernon Stratton

Secretary: Charles D. Clinton

Treasurer: Wayne Bullock

Grievance Committee: David F. Lee, Sr., Frank W. Barnes and Charles D. Clinton

Legislative Committee: Lynn N. Peterson, Janet Hill-Gordon and Hubert L. Brown

Nominating Committee: Wayne Bullock, D.L. Atkyns and Minnie L. Seeley

In April, visiting Justice Bertram L. Newman, Elmira, was honored by a luncheon at The Chenango.⁸⁹

In June, the association mourned the loss of member V.D. Stratton, who had practiced law for more than 50 years.⁹⁰

In September, two new members were admitted to the association: John Heliker and Edward Rowe.⁹¹

1946 The following were elected to office:⁹²

President: C. Vernon Stratton

Vice President: Renfroe Jackson

Secretary: William J. Gordon

Treasurer: Wayne Bullock

Delegates to State Bar: Hon. J. William Kepner and Hon. David F. Lee, Sr.

Delegates to the Bar Federation of the Sixth Judicial District: C. Vernon Stratton and David F. Lee, Jr.

Sidney Singer was elected a member of the association.

In September, Marion Kaye Singer, discussed above, joined the association, becoming the third woman to do so. The other women members were Janet Hill Gordon and Minnie Seeley.⁹³

⁸⁸ See THE NORWICH SUN, Feb. 14, 1945, at 5.

⁸⁹ See CHENANGO TELEGRAPH, Apr. 6, 1945, at 1.

⁹⁰ See THE NORWICH SUN, Aug. 22, 1945, at 5.

⁹¹ See THE NORWICH SUN, Sept. 6, 1945, at 5.

⁹² See CHENANGO TELEGRAPH, Jan. 11, 1946, at 4.

⁹³ See THE NORWICH SUN, Sept. 16, 1946, at 5.

1948 The following were elected to office:⁹⁴

President: J. Richard Marshall

Vice President: George Skinner

Secretary: Charles Gallagher

Treasurer: Wayne Bullock

Grievance Committee: David F. Lee, Sr., Hubert L. Brown and Charles Clinton

Legislative Committee: Janet Hill Gordon, C. Vernon Stratton and J. William Kepner

Delegates to State Bar: David F. Lee, Sr., James W. Coleman

Delegates to the Bar Federation of the Sixth Judicial District: James Honeywell and Renfroe Jackson

1949 In March, the association voted to support Assemblywoman Janet Hill Gordon's resolution for a study of divorce and marriage laws. The study was set to cost \$40,000. At the same meeting, Lynn N. Peterson and Hon. Frank W. Barnes were appointed to study proposed state legislation, while David F. Lee, Sr. and Charles Gallagher were named as delegates to the State Bar. George M. Skinner was appointed delegate to the Bar Federation of the Sixth Judicial District; James W. Honeywell was named alternate.⁹⁵

1950 The following were elected to office:⁹⁶

President: James W. Honeywell

Vice President: Edward H. O'Connor

Secretary: Charles Gallagher

Treasurer: Renfroe Jackson

Delegate to State Bar: Hon. David F. Lee, Sr.; Lynn N. Peterson, Alternate

Delegate to the Bar Federation of the Sixth Judicial District: George M. Skinner; J. Richard Marshall, Alternate

The event was held at the Hotel Chenango. Guests included Hon. A. Lindsay O'Connor, Hobart, and retired Presiding Justice James P. Hill.

1951 The following were elected to office:⁹⁷

President: Edward H. O'Connor, Jr.

Vice President: David F. Lee, Jr.

Secretary: Charles Gallagher

Treasurer: Renfroe Jackson

Delegate to State Bar: James W. Coleman; Charles W. Gallagher, Alternate

⁹⁴ See THE NORWICH SUN, Jan. 5, 1948, at 5.

⁹⁵ See THE NORWICH SUN, Mar. 2, 1949, at 5.

⁹⁶ See THE NORWICH SUN, Jan. 10, 1950, at 4.

⁹⁷ See THE NORWICH SUN, Jan. 8, 1951, at 5.

Delegate to the Bar Federation of the Sixth Judicial District: Edward J. Lee; Albert De Clue, Alternate
 Nominating Committee: Irving D. Tillman, Hon. David F. Lee, Sr. and C. V. Stratton
 Guests included Hon. A. Lindsay O'Connor, Hobart, and court stenographer Kennard Woolsey. The event was held at Hotel Chenango.

In April, the association held a dinner welcoming Justice Daniel J. McAvoy, Binghamton, to the county for the April Term of Supreme Court.⁹⁸

1952 The following were elected to office at a meeting held at the Elks Club:⁹⁹

President: David F. Lee, Jr.
 Vice President: James W. Coleman
 Secretary: Charles Gallagher
 Treasurer: Renfroe Jackson
 Delegate to State Bar: David F. Lee, Jr.; George W. Skinner, Alternate
 Delegate to the Bar Federation of the Sixth Judicial District: Albert De Clue; J. Richard Marshall, Alternate
 Nominating Committee: Lynn N. Peterson, Chairman

1953 The association issued a statement marking the passing of longtime member Edwin F. Verreau. The association president James W. Coleman read the statement before the April 1953 term of Supreme Court.¹⁰⁰

In September, the association held a joint meeting with the Chenango County Medical Society to hear William Martin speak. Martin was a prominent New York City attorney who represented the New York State Medical Society and spoke about the relationship between the law and medicine.¹⁰¹

1954 The following officers were elected to office:¹⁰²

President: Wayne A. Bullock
 Vice President: Albert S. De Clue
 Secretary: Charles Gallagher
 Treasurer: Renfroe Jackson
 Grievance Committee: David F. Lee, Sr., Chairman; Edward H. O'Connor, Sr. and Irving D. Tillman

⁹⁸ See THE NORWICH SUN, Apr. 2, 1951, at 4.

⁹⁹ See THE NORWICH SUN, Jan. 23, 1952, at 5.

¹⁰⁰ See THE NORWICH SUN, Apr. 6, 1953, at 5.

¹⁰¹ See THE NORWICH SUN, Sept. 5, 1953, at 5.

¹⁰² See THE NORWICH SUN, Feb. 1, 1954, at 5.

Public Relations Committee: Paul Dohl, Chairman; David F. Lee, Sr., C. Vernon Stratton, Edward J. Lee, Fred A. Rosekrans and Joseph P. Reynolds

The association passed resolutions following the passing of member Irving D. Tillman.¹⁰³ Tillman was an attorney in Norwich and had previously served as the County Clerk.

1960 The following officers were elected to office:¹⁰⁴

President: Charles Gallagher

Vice President: Fred A. Rosekrans

Secretary: Reid Dunshee

Treasurer: Renfroe Jackson

Grievance Committee: David F. Lee, Jr.; Edward J. Lee, Alternate

Delegate to the Bar Federation of the Sixth Judicial District: Albert De Clue; Edward Nelson, Alternate

Many members attended a talk by Dr. A.R. Crane, pathology professor at the University of Pennsylvania. Dr. Crane spoke on the emergence of Impartial Medical Testimony, which sought to provide litigants with impartial specialists following an injury.¹⁰⁵

1961 The following officers were elected:¹⁰⁶

President: Fred A. Rosekrans

Vice President: Richard Q. Devine

Secretary: Reid Dunshee

Treasurer: Renfroe Jackson

Delegate to the New York State Bar Association: Charles Gallagher; C. Vernon Stratton, Alternate

Delegate to the Bar Federation of the Sixth Judicial District: George Skinner; Patrick Joyce, Alternate

1962 The following officers were elected at a meeting held at the Elks Club in Norwich:¹⁰⁷

President: Richard Q. Devine

Vice President: Darwin H. Craig

Secretary: Reid Dunshee

Delegate to the State Convention: David Lee, Jr.

Delegate to the Judicial Convention: George Skinner

¹⁰³ See THE NORWICH SUN, Sept. 7, 1954, at 5.

¹⁰⁴ See THE NORWICH SUN, Mar. 15, 1960, at 1.

¹⁰⁵ See THE NORWICH SUN, Mar. 9, 1960, at 5.

¹⁰⁶ See SHERBURNE NEWS, Mar. 16, 1961, at 7.

¹⁰⁷ See SHERBURNE NEWS, Mar. 8, 1962, at 2.

The group passed a resolution pending before the legislature that would fix the salary of county judges. Copies of the resolution were sent to State Senator Janel Hill Gordon and Assemblyman Guy Marvin.

In July, the organization mourned the loss of past president Hon. James W. Coleman, who served as City Attorney and Special County Judge.¹⁰⁸

1963 The following officers were elected at the annual meeting held at the Elks Lodge in Norwich:¹⁰⁹

President: James A. Haynes, Jr.

Vice President: Alfred Wasser

Secretary: Charles W. Shorter

Treasurer: Renfroe Jackson

At the meeting, the association approved a gift of a court robe to Chenango County Judge Lynn N. Peterson and also renewed support a study of minimal legal rates in Chenango, Delaware and Otsego counties.

1964 The following officers were elected at a meeting held at the Elks Lodge in Norwich:¹¹⁰

President: Edward S. Nelson

Vice President: Charles W. Shorter

Secretary: Irad S. Ingraham

Treasurer: Renfroe Jackson

Delegates to the New York State Bar Association: David F. Lee, Jr. and James A. Haynes, Jr.

Delegates to the Bar Federation of the Sixth Judicial District: Thomas A. Vitanza, Reed Dunshee and Albert S. De Clue

Guests of the dinner included Hon. Joseph P. Molineri, Supreme Court Justice, Oneonta, County Clerk John P. McGuire, and Sheriff Joseph J. Benenati, Jr.

The organization prepared for the upcoming Law Day. William Denman, Bainbridge, was the chairman of the Law Day Committee, which also included Thomas Vitanza, Edward Nelson and Charles Shorter.¹¹¹

¹⁰⁸ See SHERBURNE NEWS, July 12, 1962, at 4.

¹⁰⁹ See BINGHAMTON PRESS, Feb. 5, 1963, at 5.

¹¹⁰ See BINGHAMTON PRESS, Jan. 29, 1964, at 3.

¹¹¹ See SHERBURNE NEWS, Feb. 13, 1964, at 2.

1965 The following officers were elected at a meeting held at the Elks Lodge in Norwich:¹¹²

President: Joseph Posefsky

Vice President: Charles W. Shorter

Secretary: Irad S. Ingraham

1966 In May, the association honored Norwich Junior High School teacher Stanford J. Gibson with the annual Liberty Bell Award as part of its Law Day celebration. The ceremony took place in the Chenango County Courthouse and was presented by Clarence Rappleyea, a former student of Gibson. Gibson taught at the middle school for 19 years, teaching general and earth science.¹¹³

In November, the association, along with officers and directors of The National Bank and Trust Company of Norwich met to hear an address by Hon. John M. Keane, Surrogate of Broome County. Judge Keane discussed the various changes in the laws of estates, trusts and procedures in Surrogate's Court. At the event, Norwich City Court Judge J. William Kepner also spoke how these new laws apply to the procedures in City Court.¹¹⁴

1967 The following officers were elected at the annual meeting:¹¹⁵

President: Bernard J. Schulte

Vice President: Janet Hill Gordon

Secretary: Irad S. Ingraham

Treasurer: Renfro Jackson

Delegates to the New York State Bar Association: Edward J. Lee and Joseph Pozefsky

Delegates to the Bar Federation of the Sixth Judicial District: Charles W. Shorter and Albert S. De Clue

At the meeting, new attorneys—Ronald Bullock, Oxford, and Peter Groeschel, Norwich—were admitted to membership. The association also discussed the need for new and updated lists of prospective jurors and Law Day plans.

In May, the association honored William Worth, senior agent of the Chenango County Extension Service, with the Liberty Bell Award.¹¹⁶

¹¹² See BINGHAMTON PRESS, Jan. 8, 1965, at 5.

¹¹³ See BINGHAMTON PRESS, May 3, 1966, at 5-A.

¹¹⁴ See SHERBURNE NEWS, Dec. 1, 1966, at 4.

¹¹⁵ See BINGHAMTON PRESS, Jan. 6, 1967, at 5-A.

¹¹⁶ See BINGHAMTON PRESS, May 4, 1967, at 5-A.

- 1968** Charles Shorter, association member, and George Raymond, Norwich banker, presented a panel discussion on Wills, Estates and Trusts, which was held at the Norwich Senior High School Auditorium.¹¹⁷

In March, the organization mourned the loss of member Theodore Barrett Lull. As an attorney, Lull served as the Branch Manager of the General Accident Insurance Company in Syracuse.¹¹⁸

In April, the association and Supreme Court Justice Daniel J. McAvoy honored Hon. David F. Lee, Sr., who passed away in 1967. Clarence Rappleyea, Jr., president of the association, presented a portrait of the jurist.¹¹⁹

- 1970** At a naturalization ceremony held at the Chenango County Courthouse, association president Marian K. Singer introduced guest speaker Jeanne Gibson.¹²⁰

- 1971** Thomas A. Vitanza was elected president of the association.¹²¹

- 1972** Clarence D. Rappleyea, Jr., was elected president of the association.¹²²

- 1973** The following officers were elected at a meeting held at the Canasawacta Country Club:¹²³

President: Joseph P. Reynolds

Vice President: Irad S. Ingraham

Secretary-Treasurer: James A. Haynes

- 1975** As part of Law Day, members of the association offered free consultations to interested members of the public. The program sought to educate and inform the public on their legal rights.¹²⁴

The group held a Continuing Legal Education Event on title insurance at the Chenango Inn, Norwich. The speaker was John C. McGuire of Monroe Abstract and Title Insurance Company of Syracuse.¹²⁵

¹¹⁷ See SHERBURNE NEWS, Feb. 8, 1968, at 5.

¹¹⁸ See SHERBURNE NEWS, Mar. 7, 1968, at 3.

¹¹⁹ See BINGHAMTON PRESS, Apr. 16, 1968, at 5-A.

¹²⁰ See THE REVIEW-TIMES, July 29, 1970, at 1.

¹²¹ See THE NEW BERLIN GAZETTE, Jan. 7, 1971, at 7.

¹²² See REPUBLICAN-GAZETTE, Feb. 24, 1972, at 1.

¹²³ See SHERBURNE NEWS, Jan. 11, 1973, at 3.

¹²⁴ See SHERBURNE NEWS, Apr. 24, 1975 at 3.

¹²⁵ See SHERBURNE NEWS, Nov. 27, 1975, at 3.

- 1976** The association sponsored an event called "Law Everyone Should Know" at the Sherburne-Earlville High School. The first night of the event covered real estate transactions and settling a decedent's estate. The second night of the event covered family law, including custody, alimony and support, and criminal law, including rights following an arrest.¹²⁶
- 1977** The association honored Hon. Edward S. Nelson, City Court Judge, upon his retirement from the bench. President of the association, District Attorney, John R. Marshall, Jr., extended thanks to Judge Nelson for his service to the community, as well as his compassion and understanding in the courtroom.¹²⁷
- 1978** The following officers were elected:¹²⁸
 President: Ronald Bullock
 Vice President: James Taylor
 Secretary: Thomas Emerson
 Treasurer: James Haynes
- 1979** The following officers were elected:¹²⁹
 President: James Taylor
 Vice President: W. Howard Sullivan
 Secretary: Thomas Emerson
 Treasurer: James Haynes
- 1980** The association hosted the 49th Annual Meeting of the Federation of the Bar Associations of the Sixth Judicial District. The speaker was Alexander Forger, president of the New York State Bar Association.¹³⁰
- 1981** The association sponsored a high school Mock Trial Tournament, which was organized by the Law Day-Liberty Bell Committee.¹³¹
- 1982** Association president Peter J. McBride and District Attorney Kevin Dowd welcomed new U.S. citizens, who took their naturalization oaths at a ceremony at the Chenango County Courthouse. Hon. David F. Lee, Jr. performed the ceremony.¹³²

¹²⁶ See SHERBURNE NEWS, June 10, 1976, at 1.

¹²⁷ See THE EVENING SUN, Dec. 30, 1977, at 3.

¹²⁸ See THE EVENING SUN, Jan. 20, 1978, at 4.

¹²⁹ See THE EVENING SUN, Jan. 25, 1979, at 2.

¹³⁰ See THE EVENING SUN, Oct. 3, 1980, at 1.

¹³¹ See THE EVENING SUN, Apr. 9, 1981, at 1.

¹³² See SHERBURNE NEWS, July 16, 1982, at 1.

- 1985** The association sponsored students from Bainbridge-Guilford, New Berlin, Oxford and Sherburne-Earlville Central Schools in the county rounds of the Statewide Mock Trial Competition.¹³³
- 2004** In January, the association mourned the loss of member Patrick J. Joyce, who was Chenango County District Attorney and later worked as a criminal defense attorney. Later in his career, Joyce focused on personal injury cases and represented plaintiffs.¹³⁴
- 2007** The association awarded William D. Excell, Earlville, the 2007 Liberty Bell during the National Law Day Celebration held at the Chenango County Courthouse. Excell had recently retired from his position as police chief of the Village of Sherburne, holding the position for 22 years. Hon. W. Howard Sullivan and Hon. Kevin M. Dowd presided over the ceremony.¹³⁵
- 2009** The association awarded Alton B. "Coach" Doyle the 2009 Liberty Bell during the 51st National Law Day Celebration. Doyle, a teacher and coach in Oxford, was honored for his community service and outstanding citizenship over 60 years. Hon. W. Howard Sullivan and Hon. Elizabeth Garry presided over the ceremony.¹³⁶

¹³³ See SHERBURNE NEWS, Mar. 28, 1985, at 5.

¹³⁴ See SHERBURNE NEWS, Jan. 22, 2004, at 7.

¹³⁵ See SHERBURNE NEWS, May 3, 2007, at 1.

¹³⁶ See SHERBURNE NEWS, May 7, 2009, at 1.

Del-Chen-O Chapter of the Women's Bar Association of the State of New York

By Kathleen Campbell, Esq.

During the spring of 2015, Presiding Justice Elizabeth Garry contacted me to discuss WBASNY and to assess interest in joining WBASNY and/or creating a new chapter of WBASNY in our area. Judge Garry was a member of the Capital District and the Finger Lakes Chapters of WBASNY. Women attorneys from Chenango, Delaware and Otsego counties had been gathering informally for many years. After this conversation, we explored the interest in forming a new chapter of WBASNY with other women attorneys throughout the three counties.

An informational meeting was held on May 20, 2015 at Stella Luna Restaurant in Oneonta. Deirdre Hay and Elizabeth Peck of the Finger Lakes Bar Association traveled from Ithaca to meet with our prospective members. They founded the Finger Lakes Chapter a few years earlier. During the meeting, they shared the benefits of membership with our prospective members. It was clear that there was interest following that meeting.

Over the coming months, Presiding Justice Garry and I continued to spread the word and garner more interest. I attended WBASNY meetings in New York City as a guest and learned more about WBASNY's mission and the good work the organization was doing. The mission of WBASNY and Del-Chen-O is to promote the advancement of the status of women in society and of women in the legal profession; to promote the fair and equal administration of justice; and to act as a unified voice for its members with respect to issues of statewide, national and international significance to women generally and to women attorneys in particular.

In March 2016, WBASNY Executive Director Linda Chiaverini and then-WBASNY President Andrea Composto traveled to Afton to meet with potential members of the newly forming Del-Chen-O chapter. They spoke to the attendees, answered questions and inspired excitement.

Shortly thereafter, in June 2016, Del-Chen-O was officially formed. The first official officer induction was held at the Foothills Performing Arts Center in Oneonta on June 9, 2016 and the Hon. Molly Fitzgerald administered the oath of office to the officers. The inaugural officers were Kathleen S. Campbell, President; Renee Albaugh, Vice President; Larisa Obolensky, Treasurer; Norene Palmer, Secretary; and Laura Parker, WBASNY Delegate. Presiding Justice Garry served as the CLE coordinator, Hon. Nettie Jean Scarzafava was the judicial screening chairperson, Beth Westfall was the awards chairperson, Sarah Cowen was the nominations chairperson and Susan Lettis was the legislative chairperson.

Since its inception, Del-Chen-O has focused on honoring members for their contributions to the legal community and their leadership at an annual dinner celebration. In October 2016, at the first annual dinner, the decided to honor one woman attorney from each of the three counties. The October 2016 first annual dinner honoring Nancy Deming, MaryJo Long and Patricia Pantaleoni was held at The Silo Restaurant in Greene. In 2017, Del-Chen-O honored Nettie Jean Scarzafava at the Oneonta Holiday Inn Ballroom. In 2018, the group honored Beth Wesfall at the Sidney Golf and Country Club. In 2019, Catherine Murphy was honored at Gabriella's Manor in Greene.

Del-Chen-O has been an active chapter since its creation holding multiple CLE events each year, reading to schoolchildren for Read Across America, donating comfort backpacks full of personal care items to foster children in need, holding food drives, holding voter registration drives, honoring members for their legal and community contributions, donating money to food banks in all three counties, and most recently awarding \$1,000 scholarship to a graduating senior who completed the New Visions Law and Government program. Currently, the chapter has challenged itself in an ongoing project to write and deliver 1,000 greeting cards to nursing homes in the three counties to be distributed by the nursing home staff.

VI. County Trials

Thank you very much to Kathryn Greene, Senior Clerk of Local History at the Guernsey Memorial Library, for creating indexes of the trials held in Chenango County. The indexes pre-1960s are available in the County Resources section, below. The indexes from post-1960s are available at the Guernsey Memorial Library. While many trials are discussed in this section, they are certainly abbreviated discussions and there is a significant amount of information, including testimony and evidence, contained in the newspaper articles referenced in the indexes.

General Interest

Rufus Hill¹³⁷

1808 – Meeting House in North Norwich, New York

Believed to be the earliest murder trial recorded in the county, Hill was accused of murdering a child. Through his attorneys Platt and Gold, he claimed that the killing was accidental. Hon. Joseph C. Yates presided over the trial, while the People were represented by District Attorney Nathan Williams. Hill was found guilty and was sentenced to death, but was never executed due to a disaffirmance of the verdict by the Governor.

Russell Cady¹³⁸

1846

Together with his mother, Nancy Cady, Russell was tried for the murder of his uncle—his mother's brother—George Manwarren, Jr. The pair was accused of kicking and striking Manwarren. Although Russell was found guilty, and subsequently sentenced to death in November 1847 by Hon. George Mason, a stay of proceeding was obtained by his Attorney Ralcom. In a second trial, Russell was acquitted. Nancy never faced trial.

Robert Maynard¹³⁹

1847 – The First County Courthouse

Maynard was accused of murdering his wife. Following a trial, which included "one of the most eloquent pleas ever heard in the old Court House" by District Attorney George M. Smith, Maynard was convicted of manslaughter in the second degree and sentenced to seven years in prison.¹⁴⁰ Hon. Charles Mason presided.

¹³⁷ See JAMES H. SMITH, HISTORY OF CHENANGO AND MADISON COUNTIES VOL. 1 CHP. XIV (D. Mason & Co. 1880); *Crime in Chenango County*, CHENANGO SEMI-WEEKLY TELEGRAPH, Mar. 26, 1879, at 2.

¹³⁸ See MORNING SUN, Jan. 22, 1896 at 2; *Crime in Chenango County*, CHENANGO SEMI-WEEKLY TELEGRAPH, Mar. 26, 1879, at 2.

¹³⁹ See JAMES H. SMITH, HISTORY OF CHENANGO AND MADISON COUNTIES VOL. 1 CHP. XIV (D. Mason & Co. 1880); *Crime in Chenango County*, CHENANGO SEMI-WEEKLY TELEGRAPH, Mar. 26, 1879, at 2.

¹⁴⁰ See *Crime in Chenango County*, CHENANGO SEMI-WEEKLY TELEGRAPH, Mar. 26, 1879, at 2.

William Brushell¹⁴¹*1877 – The Second & Current County Courthouse*

Following an exchange of words with the victim John Donovan, Brushell carried his shot gun down Broad Street in Norwich and confessed that he shot and killed Donovan. Brushell was accused of murder and was represented in his trial by George W. Ray and Hon. E.H. Prindle. Following a jury trial, Brushell was convicted of manslaughter in the fourth degree and sentenced to two years and three months in state prison.

Fred D. Jackson¹⁴²*1879*

Jackson was accused of murdering his mother, Silvia P. Jackson. Jackson told investigators that his mother had fallen down the cellar steps. However, the People asserted that Jackson had a lawsuit pending and could postpone the matter if his mother indemnified him. However, when his mother refused to sign the papers, Jackson struck her in the head, causing her to fall down the steps. Judge Martin and Justices Anthony and Powell presided. The People were represented by District Attorney John W. Church. James W. Glover and Hon E.H. Prindle represented Jackson. Following his conviction for second degree murder, Jackson was given a life sentence and placed in Auburn State Prison.

Florence Callahan*1910*

Callahan, of Guilford, was accused of murdering her six-month-old son, John. Following John's death, she was brought to Binghamton State Hospital and placed under the care of nurse Hallie M. Hill, of Norwich, who had been deputized. *The Norwich Sun* noted that Hill "is probably the only woman deputy outside of the immediate family of the sheriff that has ever been named" in Chenango County.¹⁴³ Following her time in the state hospital, Callahan was brought to the county jail, where she was determined to be of "unsound mind." Judge Stratton appointed the commission that reviewed Callahan's mental state.¹⁴⁴

¹⁴¹ See id.

¹⁴² See CHENANGO SEMI WEEKLY TELEGRAPH, Feb. 19, 1879, at 3; CHENANGO UNION, Nov. 27, 1879, at 3; CHENANGO UNION, Nov. 20, 1879, at 1-2.

¹⁴³ THE NORWICH SUN, Oct. 3, 1910, at 1.

¹⁴⁴ See CHENANGO TELEGRAPH, Oct. 28, 1910, at 2.

Notorious

General David Thomas¹⁴⁵

1812 – The First Courthouse

Thomas, Washington County, was the State Treasurer and was indicted for attempting to bribe a state senator. Thomas Addis Emmet, the Attorney General, prosecuted Thomas, while Thomas was represented by Foote of Albany and Elisha Williams of Hudson. Hon. William P. Van Ness presided. While the trial ended favorably for Thomas, many highly regarded Attorney General Emmet and his prosecution of the matter.

George Dennison¹⁴⁶

1833 – The now Old Presbyterian Church

On September 30, 1832, George Dennison, 28 years old, was accused of murdering his friend, Reuben Gregory, 19 years old. By all accounts, Dennison was "cut off" at a local tavern owned by Reuben's father. Enraged, Dennison retrieved his gun, travelled to the Gregory home and fired it, believing he was shooting Reuben's father. Dennison said he intended "to pepper old Gregory's legs." However, Reuben, wearing his father's telltale hat and sitting near the woodshed—as his father so often did—was killed. Judge Monell presided over the trial. The People were represented by District Attorney John Clapp, while Dennison was represented by Abial Cook, Henry Van Derlyn and S.S. Randall. Following his conviction, Dennison attempted to overturn his sentence. After Governor Marcy refused to interfere, Dennison was executed on March 19, 1833.

Lavinia Larch

1864

Larch was accused of shooting George W. Harkins, a young man posted in the area with the Invalid Corps. Upon her arrest, Larch stated that she shot Harkins, but did so accidentally. Testimony and the coroner's inquest supported her story, indicating that Larch, Harkins and others were discussing revolvers. Upon being handed a revolver, Larch jokingly pointed it at Harkins, with the gun going off by accident. The jury concluded that Larch's "inexcusable carelessness" caused Harkins death.¹⁴⁷ However, rumors persisted that Harkins was actually killed over a card game, with the true killer remaining at large.

¹⁴⁵ JAMES H. SMITH, HISTORY OF CHENANGO AND MADISON COUNTIES VOL. 1 CHP. XIII (D. Mason & Co. 1880).

¹⁴⁶ See ANTI-MASONIC TELEGRAPH, Mar. 20, 1833, at 1; ANTI-MASONIC TELEGRAPH, Oct. 3, 1832, at 3; *Crime in Chenango County*, CHENANGO SEMI-WEEKLY TELEGRAPH, Mar. 26, 1879, at 2.

¹⁴⁷ See *Crime in Chenango County*, CHENANGO SEMI-WEEKLY TELEGRAPH, Mar. 26, 1879, at 2.

John P. Hall¹⁴⁸

1874

Hall was accused of murdering Sarah M. Fitch of Norwich while spending the holidays with his wife's family in Guilford. Hall brought an axe into the kitchen, intending to warm it by the stove in preparation for splitting logs. Hall then attacked Fitch with the axe. After Fitch's death, Hall was arrested and declared insane. He was placed in the care of the state and died soon after.

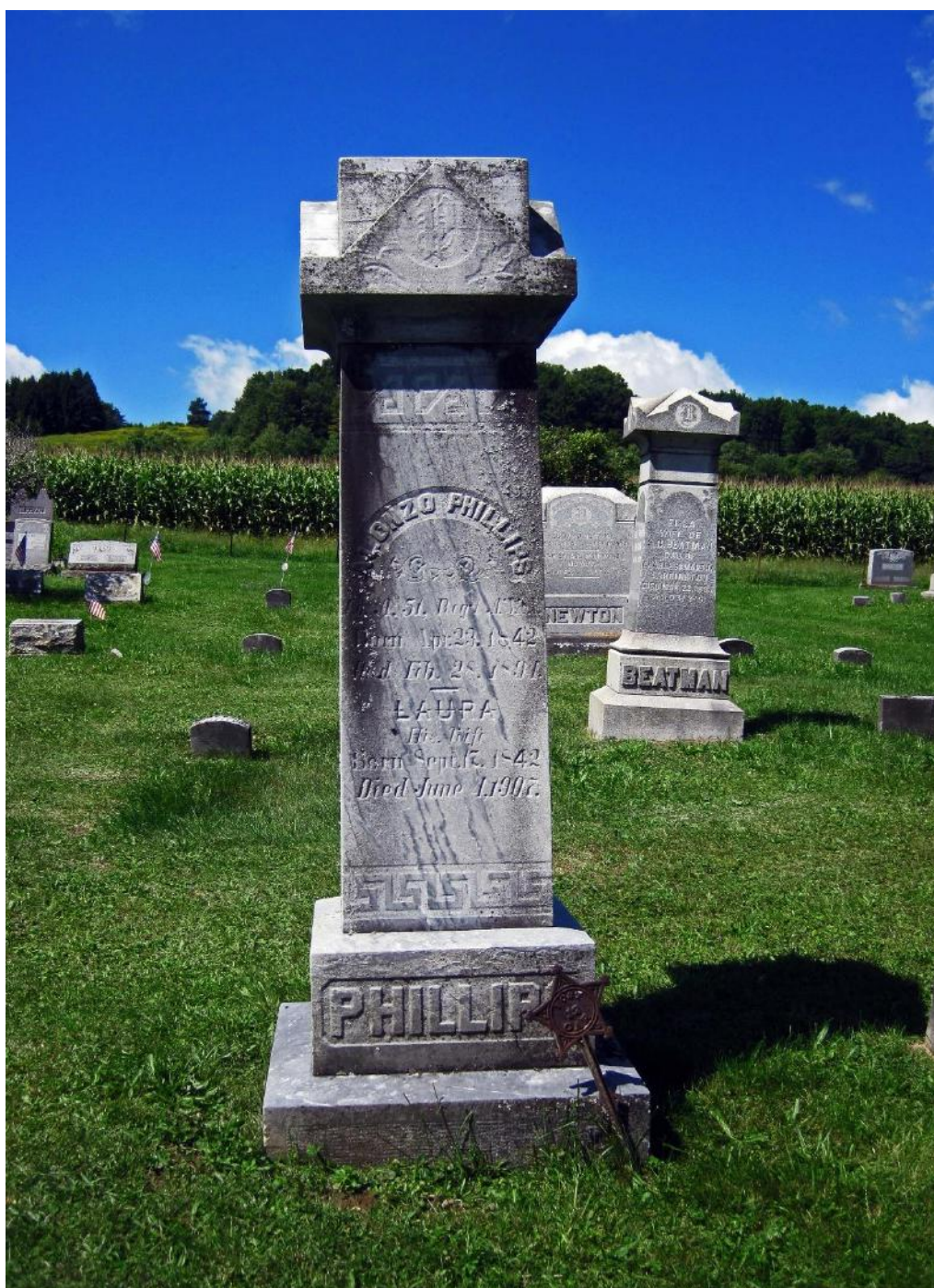
Felix McCann¹⁴⁹1878 – *The Second & Current County Courthouse*

Felix McCann and John M. Hatch were neighbors who feuded often. Hatch had allegedly entered McCann's property and shot and killed chickens. After arriving home, McCann was informed of Hatch's actions, prompting him to shoot and kill Hatch. Hatch's wife provided details of the scene, where she saw McCann carrying his gun back to his property. The trial was presided over by Hon. David Lyman Follett. Hon. Stephen Holden and Hon. E.H. Prindle represented Hatch, while D.L. Atkyns and J.W. Church represented the People. McCann received a reprieve following his murder conviction. However, in 1879, he was executed. Interestingly, in the 46 years since the county's last execution, there is a development and reform of the law that contrasted with the county's last execution.



¹⁴⁸ See *Crime in Chenango County*, CHENANGO SEMI-WEEKLY TELEGRAPH, Mar. 26, 1879, at 2; CHENANGO TELEGRAPH, Dec 31, 1874.

¹⁴⁹ See JAMES H. SMITH, HISTORY OF CHENANGO AND MADISON COUNTIES VOL. 1 CHP. XIV (D. Mason & Co. 1880); CHENANGO UNION, Apr. 3, 1879, at 3. The photo was taken from Gigi Baas, *Historical Analysis: Early History of Chenango County*, CHENANGO COUNTY COURT HOUSE 5 (1980). The photo is believed to have been taken during the execution of Felix McCann in 1879.



Alonzo Phillips, Co. A 51 Regt. NYSV, Born Apr. 23, 1842, Died Feb. 28, 1894
Laura, His Wife, Born Sept. 17, 1842, Died June 4, 1907

The Horning—North Afton Tragedy of 1894

By Sharon M. Donahe¹⁵⁰

It was close to midnight on the 27 February 1894 when the usual peace and tranquility of the North Afton countryside was shattered by a tragedy which left one man dead, a bride of just one week arrested for murder, and the unwelcome attention of the outside world focused on the small community of North Afton. What began as a "serenade" or "shivaree" to a newly married couple went tragically awry. As a result, the lives of many within the community would never again be the same.

The practice of "serenading" a newly married couple is known by a variety of names of which "shivaree" is the one that's most commonly recognized. The North Afton tragedy of 1894 was consistently referred to as a "horning" in the media and court documents and is therefore being used for this write up.

The horning tradition goes back at least 700 years into the Middle Ages. It reportedly started as a French folk custom, originally intended as a mark of disfavor, for example, if the neighbors thought a widow or widower had remarried too soon or there was some objection to one of the marriage partners. From that start it evolved into a celebration of a new marriage. In America the custom was most prevalent through the 1800s with each locale putting its own special twist to the custom.¹⁵¹

The horning tradition was that a group of family and friends would call on the newlyweds, frequently shortly after they had gone to bed at a timing calculated to be inconvenient. The group would surround the house and at a given signal start creating a loud racket by whooping and hollering, ringing bells, beating on pots and pans, setting off firecrackers, shooting guns, etc., generally making loud nuisances of themselves. Traditionally there was an expectation that the newlyweds would come out, greet the merry makers and provide food and drink (preferably of the alcohol variety), and this could result in a party that went on all night long. Not unexpectedly there might be bit of a bawdy undertone to the festivities. This hazing of a newlywed couple was intended as just good fun at their expense.

¹⁵⁰ See *The Horning - North Afton Tragedy of 1894* in NORTH AFTON CEMETERY, AFTON, CHENANGO COUNTY, NEW YORK 290-305 (Norwich, NY 2017). Special thanks to Sharon M. Donahe for allowing republication of this article. The bibliography is located in the County Resources section, below.

¹⁵¹ Elizabeth Lane, "Good Times: Shivaree," unusualhistoricals.blogspot.com.

Primary Players

The Groom, Duncan C. Parker, was a North Afton farmer who had lived in the general area his entire life. He was born in Union Valley (West Bainbridge) about 1831 the son of Horace and Elizabeth (Herrick) Parker.¹⁵² Prior to living in North Afton, he had resided in Coventry, Chenango County, New York for a number of years. He married three times and was widowed twice. His first wife was Eliza -?- (parentage unknown). She died suddenly and unexpectedly 18 December 1890,¹⁵³ after a marriage of at least 30 years.

Mrs. Duncan Parker: In Coventryville, Dec. 18, 1890. Mrs. Eliza Parker, wife of Duncan Parker died very suddenly. Apparently in usual health she was playing and singing at the organ when she stopped and complained of not feeling well. No one was present but her husband and in spite of his frantic efforts to give her relief, she died in a few moments.¹⁵⁴

This traumatic event was the first in a series of difficult circumstances that would ultimately impact Duncan Parker's health and shorten his life. Following Eliza's death, Duncan married Almira (Root) Gibbs, the widow of John D. Gibbs and daughter of Thomas and Betsey (Moore) Root.¹⁵⁵ They had been married only a short time when, on 17 February 1893, Almira, died of heart failure following an illness of several weeks, marking the second time in 26 months that Duncan was widowed.

Mrs. Almira A. Parker, wife of Duncan Parker, of North Afton, who has been ill for several weeks, died at her home Friday afternoon, aged 55 years. A prayer was offered at the house Saturday by Rev. C.D. Shepard, after which the body was taken to Guilford for burial, funeral services being held at that place Monday. Deceased was a sister of Mrs. Geo. Taylor, of Bainbridge.¹⁵⁶

Following his second wife's death, Duncan sought to hire a housekeeper for his home. This position was filled by Miss Florence Bond who started working for Duncan on 9 June 1893. Although they both came from families resident in the area for many years, they had no acquaintance prior to Florence coming to work for Duncan. While some newspaper accounts of the time characterized Duncan Parker as "eccentric" and a "little queer," there is no evidence that he was disliked by his neighbors or that he bore any malice towards any of them prior to the night of the horning party.

¹⁵² Marriage record, Town Clerk, Afton, NY, #116, Duncan C. Parker / Florence Bond.

¹⁵³ Death Notice, *Oxford Times*, Oxford, NY, Dec. 30, 1890.

¹⁵⁴ O.P. Judd, *History of the town of Coventry* (The Oxford Review, Oxford, NY, 1912) p 92.

¹⁵⁵ Thomas Gray, et al, *From the Hills of North Guilford* (2009) p 63.

¹⁵⁶ *Afton Enterprise*, Feb. 23, 1893.

The Bride. Florence Bond, was born in December 1855¹⁵⁷ in Susquehanna, Pennsylvania, the only child of Daniel and Harriet (Landers) Bond. Through her mother she was connected to the Landers family who were among the earliest settlers of Afton, Chenango County, New York. Her father worked for the railroad, and was killed in a job related accident in 1876 when Florence was 20 years of age.



Florence I. (Bond) Parker¹⁵⁸

A trackman named [Daniel] Bond, in the employ of the Delaware & Hudson Canal Company, was struck and fatally injured a short distance east of Afton, by the engine of a train which left Binghamton at 4:30 on Monday morning. Bond was one of a gang at work on the track, and while the rest of the men moved clear of the rails he miscalculated the approach of the train. He was standing outside the track, bending over, and in the act of drawing a spike when the front of the engine struck him. He was thrown into the ditch alongside the track, and survived in a state of unconsciousness of about an hour. His body was taken to his home, half a mile distant. The deceased was about fifty years of age.¹⁵⁹

With the tragic death of her father, the support of both Florence and her mother became her responsibility. She would work all her adult life, following many different occupations (e.g. dressmaking, housekeeping, millinery, stenography, typewriting, sales, etc.). Prior to her association with Duncan Parker she had not resided in Afton for at least ten years, traveling extensively in the west and as far away as California. She was a very strong, independent woman and as events would show, not the least bit reluctant to put up a vigorous defense when thought necessary. The indicators are that she was a woman ahead of her time, self-supporting and independent, who chose to define herself differently than the majority of women of her time and was disliked by some for that reason alone

....Mrs. Parker....has borne a good reputation, though not generally liked. She is inclined to out-door recreations, and is said to be an adept in the use of firearms....¹⁶⁰

¹⁵⁷ 1860 (Windsor, Broome Co., NY), 1870 (Bainbridge, Chenango Co., NY) 1900 (Afton, Chenango Co., NY) Federal Censuses, 1865 (Sanford, Broome Co.) NYS census.

¹⁵⁸ *Morning Telegram*, Elmira, NY, Nov. 1894.

¹⁵⁹ *Chenango Union*, Norwich, NY, June 1, 1876.

¹⁶⁰ *Oxford Times*, Oxford, NY, Mar. 6, 1894.

The Victim, Alonzo Phillips, was born in April 1842, probably in or near Guilford, Chenango County, New York the son of Owen and Diadama (Phillips) Phillips. He was a veteran of the Civil War having served as a private in Company A, 51st Regiment, New York State Volunteers. In August 1862 at Manassas he was wounded in battle when he was shot in the left wrist with a musket ball. This resulted in a disability discharge and the loss of the free use of his left arm for the rest of his life.¹⁶¹ On 12 August 1864 he married Laura Beatman the daughter of William and Julia (Davidson) Beatman, and they were the parents of one daughter (Alta). Evidence supports that Alonzo was a very popular, highly respected member of the Afton community with a wide circle of friends. He served as deputy sheriff of Afton and also served many terms as town constable. At the time of the horning incident, he was 52 years of age.

The Horning Party: Following are the names of the 28 men identified in the court records as being members of the North Afton horning party.

Leroy Beatman	John Hunt
Seymour Beatman	Guy Ingersoll
Joe Bodley	Charles Jones
Henry Briggs	George McDonald
Clifford Carrington	Alonzo Phillips
Henry Christian	Asa B. Pixley
George Demoree	Charles Rivers
Will Derby	John Rose
George Devoe	Ben Schermerhorn
Merton Easton	Victor Scott
Mitchell Fisher	John (Jack) Wicks
Floyd Grover	Hubbard Williams
George Higley	DeWitt Woods
George L. Hunt	Marquis D. Wrench

The men of the North Afton horning party present a representative profile of the residents of the surrounding area, ranging in age from late teens to late fifties. The youngest was Joe Bodley who was 18 years of age, and the eldest Leroy Beatman, 57. Almost all were from Afton with most being engaged in farming. But other occupations were also represented. Joe Bodley and Charles Rivers were barbers. Henry Briggs and Will Derby were store clerks. Clifford Carrington had a grocery store in the village of Afton. George Demoree was a tinner, Asa Pixley a miller, and Hubbard Williams (aka Harry Lucky) a blacksmith. John Rose worked for the village livery and was assigned by his employer to drive a wagon load of men from Afton village to North Afton the night of the horning. Once there he decided to stay and join the horning party. Seymour and Leroy Beatman were the brothers-in-law of the victim. Evidence supports that George Hunt, a close neighbor of the Parkers, was a

¹⁶¹ Veteran pension application, Alonzo Phillips, Application 36950, 1863 Nov. 28, National Archives, Washington, DC; Veteran's widow pension application, Laura Phillips, application 597357, 1894 June 15, National Archives, Washington, DC.

primary instigator of the event, going about town in the days prior, recruiting participants for a horning party.

The Marriage

In the winter following Florence's employment by Duncan Parker, there came a point when the subject of marriage arose. One speculation as to what led to their marriage was neighborhood talk about the inappropriateness of an unmarried man and woman living together under the same roof. The marriage would then have been for the purpose of putting such gossip to rest. However, there is evidence that in the months that Florence worked for Duncan Parker, he came to be very dependent upon her. It's also evident that Duncan Parker was a man who preferred being married, as during his widowhoods he frequently discussed such a possibility with his neighbors, family and friends, and he did marry very quickly after being widowed both times. Florence's proximity during the period of his second widowhood would have made her an obvious choice if she proved willing which, as it turned out, she did. It's possible that there was affection between them. But it's more probable that Florence agreed to marry Duncan in exchange for the rights to his North Afton farm, as indicated in the following:

This Indenture, made this 20th day of February in the year of our Lord one thousand eight hundred and ninety four between Dunkin C. Parker of Afton, Chenango County, and State of New York, of the first part, and Florence Bond of the same place of the second part. Witnesseth, that the said party of the first part, in consideration of the sum of one dollar to him duly paid, and in consideration of the second party marrying him has sold, and by these presents does grant and covey to the said party of the second part, her heirs and assigns, all that tract or parcel of land, situate in the town of Afton, County of Chenango and State aforesaid.... ¹⁶²

While there may have been some level of affection between them, in all likelihood this was not a love match. What Florence would have gotten out of their marriage was security not previously available to her and a home of her own, which she had never had before. What Duncan got was his preferred status as a married man, companionship, and a helpmate to take responsibility for the care of him and his home.

Duncan C. Parker and Florence Bond were married in a private ceremony at the Afton Presbyterian Parsonage on Tuesday evening, 20 February 1894 in Afton.¹⁶³ The only ones present were the minister and the minister's mother and brother. No family members or friends were in attendance.

¹⁶² Chenango County NY Deeds, Book 193, page 398.

¹⁶³ Marriage record, Town Clerk, Afton, Chenango Co., NY, #116.

The Horning

In the days leading up to the marriage, rumors were about that such an event was intended, and the idea of holding a horning for the newlyweds began to take root. At the time of their marriage, Florence was 38 years old and Duncan 62, making him 24 years her senior. The fact that Duncan married a woman more than twenty years younger than he most likely contributed to the interest in having some fun at his expense. It was reported that Duncan had been alerted to the possibility that "the boys" (as they were referred to) would visit and hold a horning to serenade him if he married again. His response is reported to have been that he would welcome them, treat them well and provide cigars and something to drink. In the subsequent trial, Duncan denied ever having said this. However, from what is known of Duncan Parker, the statement seems typical of something that he might have said. He was an uncomplicated man who liked to be liked, and so left to his own devices would probably have been accommodating. Florence was also alerted to the plans for a horning. However, she was adamantly opposed from the start, saying "the boys" would most definitely not be welcome and reportedly said that someone might get hurt if they came. It's possible that Florence's strongly expressed opposition was sufficiently intimidating that it resulted in a modification of Duncan's memory as to what he had said about welcoming the horning party.

The night of the horning, the men met at the home of George and Eliza Hunt which was within viewing distance of the Parker house.¹⁶⁴ They began arriving at about 10 PM. Not unexpectedly the group was in a very festive mood. Exactly what transpired at the Hunts was debated during the subsequent trial. The defense attempted to show that the men were drinking, resulting in rowdy behavior. In contrast, members of the horning party consistently maintained that nothing out of line occurred during the time spent at the Hunts while waiting for events to begin. They maintained that no one was loud or boisterous, language was not offensive, and the gathering was sober. The latter point was contradicted to some degree by the admission of a couple of the horners to having taken drinks from a five quart pail of hard cider found on the Hunt's porch. They said it wasn't sweet cider and it wasn't vinegar. So it's probable that it had a bit of a buzz to it. The homeowner, George Hunt, maintained that he hadn't a clue as to how a bucket of hard cider wound up on his porch. It was considered highly probable that others also drank the hard cider, although this was never confessed to by the other horners. A disbelief in the complete sobriety of the gathering is reflected in the following tongue-in-cheek newspaper headline: "Man Admits Drinking Cider at Hunt's—All the Others, Not a Smell."¹⁶⁵

There were no women in the horning party, but that doesn't mean there was no interest among the ladies. For example, a couple of the wives came with their husbands and went to stay for the duration at the McDonald house directly across the road from the Parkers which had a good view of events (i.e. Mrs. Martha Jones, Mrs. Anna Easton). Eliza Hunt, at whose home the horners met, would sit at an open

¹⁶⁴ Located on Chenango County Route 17, South of the North Afton Church.

¹⁶⁵ *Chenango Semi-Weekly Telegraph*, Norwich, NY, Nov. 28, 1894.

window with her daughter in the bitter cold and watch the whole thing. As a result of their interest, all of these women would be subpoenaed to appear at the subsequent trial to testify about what they had witnessed.

At about 11:30 PM the horning party left the Hunt home, walking in twos towards the Parker residence. When the group approached the Parker house, they started blowing horns, ringing sleigh bells and cow bells, firing guns, etc., making all manner of noise to alert the inhabitants of the house that they were there. In the Parker house were Duncan and Florence and Florence's mother, Harriet Bond. At the start, the horners noisily marched back and forth in front of the Parker house, not entering the yard, and calling for Duncan to come outside and show himself. Duncan however was not in the least bit inclined to come outside and "greet" the horning party. Instead, it was Florence who came out and told the horners to have all the fun they wanted but to stay in the road, keep out of the yard and let the house alone. Some of the men apparently didn't care for what they perceived as Florence's interference, and when Duncan failed to appear, became more aggressive. Some of the men entered the yard and began throwing stones, pounding on the walls, setting off firecrackers, etc. They also fired off guns, and the sound of one led the inhabitants of the house to believe that the horners had a cannon with them because the detonation was so loud. There was no cannon, but they did have a large gun with a loud detonation. Those in the house testified to hearing the horners calling Duncan and Florence "vile" names, singing obscene songs, and making threats, e.g. calling out to grab Florence and lynch her when she came outside or that they were going to tar and feather the inhabitants of the house.

As the pandemonium increased, those within the house turned to Florence to get the horners to stop. She repeatedly went outside to appeal to the men to get out of the yard and off the premises. It's evident that Florence's demands did not sit well with some of the horners who took great exception to a woman taking charge, and retaliated by increasing the intensity of their activities. As the situation escalated, those within the house came to feel that they were under siege and at significant risk. When Florence's verbal requests failed to achieve the desired result, she turned to firearms. This was only intended as a scare tactic with no intention to hurt anyone. She sought to scare the horners by shooting a revolver into the air several times out the back door of the house. Instead of the desired result, this only caused some of the horners to increase their determination to get the inhabitants out of the house. The stone throwing became more intense, window blinds and glass windows were broken and wooden clubs were used to beat against the side of the house, leaving visible damage. At the height of the incident, some of the horners decided to "smoke them out, " and someone climbed onto the roof and stuffed straw into the chimney. At the same time, the back door was barricaded so the inhabitants would not be able to escape out the back of the house. As to the threats of tarring and feathering, afterwards it was discovered that someone had invaded the chicken roost and cut all the tail feathers off the chickens. The feathers were found the next day scattered about the yard.

After Florence had fired the revolver with no effect, she overheard some of the men say that because she only had a small pistol, she couldn't possibly hurt anybody. That's when she brought out a 32-caliber rifle. She fired the rifle out the door into the air a couple of times to show them that she had something which indeed could do some serious damage. Once again, the horners responded by further intensifying their activities and storming the front door to the effect that those inside thought they were going to break in. Then there was a loud report of a gun on the front porch which broke all the glass in the parlor window. Florence then went out one last time and admonished the horners, probably quite forcefully, to keep out of the yard or there would be consequences. This had no effect—the assault continued.

It was at this time as Duncan was looking out one of the windows, that a large rock came through it and struck him in the chest. Duncan, injured and by that time, terribly frightened, called out that he was hit. At this point Florence's mother was nearly hysterical. It had reached a point where those in the house felt they were in imminent danger of bodily harm. Florence's mother appealed to her to do something before the horners tore the house down. And that was the final push that resulted in Florence going to one of the windows, kneeling down and firing the rifle one last time. All previous shots had been into the air. But this time she aimed, shooting a slight distance away from a man she saw lighting firecrackers near the house, her purpose being to scare him away.

Outside, Alonzo Phillips was on the south side of the house ringing a cowbell. Whether he was inside or outside the yard at the time he was shot would be debated, but where he fell was outside the yard. Evidence supports that he was not among those who were aggressively storming the house. At the time, George McDonald was a short distance away ringing a string of sleigh bells. Immediately after the shot was fired from the house, Phillips dropped his cowbell, grabbed himself where he was shot and cried out "I am shot and the ball is going down my pant leg." He then took two or three steps towards McDonald who rushed forward to catch him as he collapsed. Instantly the cry went up "Phillips is hurt" and the noise which had prevailed for the previous hour suddenly ceased. The time was after midnight, approximately one hour after the horning had begun.

The Death of Alonzo Phillips

The injured man was carried to the home of George MacDonald directly across the way from the Parker home. He was placed on the floor in the front room and made as comfortable as possible. George Hunt was sent to get a doctor, and about daylight physicians Dr. R.D.L. Evans and Dr. Philetus Hayes arrived. At that time Alonzo was conscious and in "great agony," yet sufficiently alert to inform the doctors that he had been shot. The doctors each examined the wound, concluding there was nothing which could be done other than to make him as comfortable as possible. Alonzo died about 7:30 AM, about seven hours after having been shot. The bullet was found to have entered the center of his chest just below the breastbone and to have passed completely through his body, exiting about four inches lower than the point of entry, four inches to the right of the spinal column. The bullet which did the damage was found in the deceased's underclothing by the undertaker (Charles H. Emmons) during preparations for burial.

Alonzo's wife, Laura (Beatman) Phillips, was immediately notified of her husband's shooting, and brought to the McDonald house. She stayed with her husband through the night and was with him when he died the following morning.

Shortly following Alonzo Phillips' death, an inquest was held which was presided over by coroner Dr. Philetus Hayes. The participating jury included William H. Hinman, Clarence Bowers, M.J. Morgan, Palmer Bowers, and C.H. Whitney. The verdict given was as follows:

that the deceased came to his death by a gunshot wound, and that said gun was in the hands of Mrs. Florence I. Parker when fired

The Horning House

The following drawing of the Parker House in North Afton where the Horning tragedy occurred was drawn the day following the incident. The window marked "2" is the window from which the fatal shot was fired. The designation "3" indicates the location where Alonzo Phillips fell.¹⁶⁶



¹⁶⁶ *Chenango Semi-Weekly Telegraph*, Norwich, NY, Mar. 3, 1894.

Arrest and Indictment

A warrant was issued for Florence's arrest, and she was taken into custody by Deputy Sheriff Abel Bevier of Bainbridge and transported to the jail in Norwich where she was incarcerated for two days. She was released on \$2,500 bail, a significant sum for the times, and she and her husband returned to their home in North Afton.



The drawing to the left was published in the local news and is of Florence returning to Afton by train after being released from jail two days after her arrest.¹⁶⁷ The news of her anticipated return had spread throughout the community, and as a result, quite a large crowd had gathered at the Afton train station to witness her return. The following was written about this in the local news.

Anxious faces and curious glances watched Mrs. Parker alight from the car, followed by her husband, Duncan Parker, and other friends. They were gazed upon by a crowd of puzzled people, little knowing what to think... She seemed in good spirits, but her husband showed signs of troubled care and grief, as if this notoriety of his name and person was too much for him. This woman, who forty-eight

hours previous was passed unnoticed beyond the conventional salute, was now the object of pity or hate, by a thronging crowd, as the case may be, and the center of deep and unabated interest.¹⁶⁸

A couple of weeks later she went before the grand jury and was indicted for manslaughter in the second degree for the shooting (unlawful killing of a human being without malice and without the intent to kill).¹⁶⁹ The punishment, if convicted, was imprisonment for not less than one year and not more than fifteen years, or a fine of \$1,000, or both.

The Trial

The trial of Florence Parker for manslaughter in the death of Alonzo Phillips began nine months later, running from November 19-24, 1894. The case was held in the Chenango County Court House in Norwich and tried before Judge Albert F. Gladding. The case would be one of the longest and most costly criminal trials in the history of

¹⁶⁷ Collection of the Chenango County Historical Society Research Center, original source and date unknown.

¹⁶⁸ *Ibid.*

¹⁶⁹ *Chenango Semi-Weekly Telegraph*, Mar. 17, 1894.

the county up to that time. Defending Florence were two highly respected attorneys: John W. Church of Norwich and George A. Haven of Afton. Attorneys for the Prosecution were Chenango County District Attorney Wordsworth B. Matterson of Bainbridge and the Hon. George W. Ray of Norwich. In addition to being a lawyer, George W. Ray was also a politician and earned his "Honorable" designation by his election to the United States Congress as a representative from New York. He served five terms, including consecutive terms from 1891-1902. Therefore, at the time of the trial, he was also a sitting member of Congress. The District Attorney can therefore be seen to bringing in some rather powerful assistance towards the goal of convicting Florence Parker.

The trial was the sensation of its time, drawing capacity attendance, with many arriving a couple of hours before sessions were to begin to insure a seat in the courtroom. The trial was comprehensively covered by area newspapers with press stenographers on hand to take down testimony verbatim for publication in their next edition.

Due to the intensity of emotion regarding the events, it was felt that a jury of twelve could not be seated from a normal panel of 35 potential jurors. Therefore an extra panel of 50 potential jurors was drawn. After two days the jury was in place. Members were as follows:

Name	Occupation	Residence
Daniel W. Wheeler	Farmer	Greene
Leroy Golden	Farmer	West Edmeston
Edward L. Wheelock	Farmer	Pitcher
William Wylie	Farmer	Coventry
Frank Page	Farmer	Page Brook
Joseph T. Hoban	Farmer	Oxford
DeWayne Brown	Farmer	Pharsalia
Harvey D. Brown	Farmer	Sherburne
Lawson G. Dalrymple	Merchant	North Norwich
Lafayette Johnson	Farmer	South Otselic
George F. Wells	Farmer	Smithville
Orlando A. Mervin	Farmer	Sherburne

Understandably, no one from Afton was selected for the jury. Also nearby Bainbridge, which had one resident among the horners (Henry Christian) was not represented.

The Prosecution: The topline case for the prosecution was that those who took part in the horning went there at the invitation of Duncan Parker. It was also claimed that the men were threatened by Mrs. Parker who said that it would be dangerous for anyone to visit their home in a horning party. As to the actions of the horning party, the prosecution maintained that the horners stayed in the road and were never in the yard and that they made no attack upon the house which would justify the defendant using deadly force.

The Defense: The defense maintained that at the time of the shooting the horners were engaged in a riot. Mrs. Parker was therefore justified in doing anything to protect her home and the residents therein. In addition, it was claimed that Mrs. Parker did not shoot Alonzo Phillips, but rather he was a victim of what today would be called friendly fire—meaning he was shot by one of the horners. While the horners did have guns, it was insisted that no one had a rifle such as that which shot and killed Alonzo Phillips. Today forensics would quickly answer this question as they had both the bullet and the gun. But such technology was not available in 1894 and attempts to introduce evidence regarding this allegation was not permitted by Judge Gladding.

Testimony

The version of events offered by members of the horning party was considerably different from that of those inside the house. The members of the horning party consistently maintained that the noise was not excessive, loud or foul language was not used, no improper comments were made, no one threw projectiles at the house, and no one did any damage to the property. The horners were purported to be gentlemanly and polite throughout the incident. However, upon cross examination, each member of the horning party acknowledged that they were fully aware that they could be criminally liable for what happened and that they could spend time in state prison if it was proven that they entered the yard or injured the property in any way. So the horners, as a group, consistently resisted confessing to anything which would have established criminal liability. Each maintained that it was too dark to see such activities as the throwing of stones, the use of clubs, or straw being put in the chimney. Also there was too much noise, so no one heard Florence's demands for them to leave the property. And, of course, no one confessed to throwing stones, beating against the house, making crude comments or threats or any of the other activities that the defense alleged. Nor would they identify anyone in their group who may have done so. Such testimony was disputed, at least in part, by physical evidence testified to by three men who visited the Parker house the morning following the horning: N.E. Barton, editor of the local newspaper (*Afton Enterprise*), Abe Bevier the arresting officer and Clarence Dixon, a neighbor who had not participated in the horning. They testified to seeing physical evidence consistent with the testimony of those who were in the house. A newspaper report described the condition of the Parker house and yard on the following day as follows:

The yard and highway was a sight indeed—stones and sticks, poles, fragments of giant crackers, loose powder and various missiles were strewn about in thick profusion; the rear door which opened outward was barricaded with rails, the house battered, and the wing chimney filled with straw....¹⁷⁰

From this evidence it is reasonable to conclude that the vandalism claimed by the defense did occur. A general disbelief in the full truth of the horners' testimony was

¹⁷⁰ *Chenango Union*, Norwich, NY, Mar. 8, 1894.

reflected in one headline of the day which said—"False Testimony Somewhere, and Lots of It."¹⁷¹

Throughout the trial Florence Parker was described as being very calm and self-assured, speaking clearly and definitively about what had happened, and making a very good impression. Her story could not be shaken, despite vigorous cross examination by prosecution attorney, George W. Ray. During her testimony Florence acknowledged that she was fond of shooting, had a revolver and was a good shot. She admitted that she had carried a revolver for many years and slept with one under her pillow. She said that she had fired a pistol and rifle a good many times and had practiced rifle shooting, establishing that she could hit a target if she so desired. It was at this point there came one of the more dramatic events of the trial when George W. Ray approached Florence and asked:

Q: "Do you swear here that you never shot and killed a man prior to February last?"

A: "Not intentionally."

Q: "Now, how many different men have you fired at that you can now remember of, with a loaded firearm, since you were twenty years of age"

A: "Never but one, and that was a burglar."¹⁷²

She went on to testify that in 1882 she was living in a boarding house in Syracuse, New York. Among her fellow boarders were a Mr. and Mrs. Isaac Everson with whom she was good friends. Mr. Everson was an express agent and frequently handled large sums of money. Once, when he was called away from home on business, he left about \$1,500 in the charge of his wife. Mrs. Everson asked Florence to stay with her as her husband had left a revolver for protection and she knew Florence was adept in the use of firearms. The money was in a bureau drawer. In the middle of the night Florence awoke to find three men in the room, with one rummaging through the bureau. At this point Florence pulled the revolver and fired at the man at the bureau, wounding him. All three men then fled, but the one that was shot collapsed in front of the boarding house and died some time later. At the time, Florence was questioned but never charged.

This information was shocking and caused great excitement in the courtroom. An investigator was immediately hired by the local news media to search available Syracuse news reports and official records. This was done with the knowledge of Florence and her attorneys. However, nothing about the incident could be found. The Eversons and the boarding house landlady were tracked down and denied any knowledge about the incident as described by Florence.^{173 174}

Mr. Everson was an express messenger,...messengers are compelled to turn over to the company all money on the arrival of the train. Mr. Everson says

¹⁷¹ *Chenango Semi-Weekly Telegraph*, Norwich, NY, Nov. 28, 1894.

¹⁷² *Chenango Union*, Norwich, NY, Jan. 3, 1895.

¹⁷³ *Evening Herald*, Syracuse, NY, Dec. 27, 1894.

¹⁷⁴ *Chenango Union*, Norwich, NY, Jan. 3, 1895.

too, that he never owned a revolver but that he carried one as a messenger. It belonged to the express company and was left on the train at the end of his trip....¹⁷⁵

Therefore, according to Mr. Everson, it was absurd to say that he ever had either express company money or a revolver in his possession in his home. Such denial is very peculiar. Why in the world would Florence have confessed to such an incident if it had never happened? It didn't benefit her case, raising a question about her credibility. If there really was no documentation that the incident ever happened, how did the prosecution come to possess this information?

It's possible that Mr. Everson was covering himself because he was breaking rules about keeping express company money in his possession rather than turning it over to the company as required. This could have cost him his job and impacted his ability to get another job. It could also be as sinister as he being a participant in a plot to rob his employer, as it does seem unusual that the three burglars knew exactly where to look for the money. The landlady perhaps didn't want it publicized that such an incident had occurred in her establishment, since such notoriety could discourage acquiring suitable boarders and negatively impact her income. It could also be as simple as the Eversons and the landlady not wanting to get involved and have their names associated with such a high-profile court case. Information regarding the outcome of the investigation was never introduced into testimony as it was considered outside the scope of the trial. So the public was left to draw their own conclusions.¹⁷⁶

The point of Mr. Ray's challenge was clearly to discredit Florence and break her composure, thereby creating doubt as to her veracity and trustworthiness. But despite her initial discomposure at Ray's challenge, her testimony remained unshaken.

Summations: The summation for the defense was given by John W. Church and was described as one of the most powerful and eloquent appeals ever delivered in Chenango county. He began as follows:

....in this case; when that howling mob began to fear the blazing fires of public indignation they sought to escape the consequences of their crime by building a counter fire. They secured an indictment by excluding from the grand jury room every witness of the defendant. As is sometimes the case the innocent has been persecuted and it is the guilty who are the accusers.....

After reviewing the facts in the case from the defense's perspective, he went on to say:

This poor woman whom the world has not used too kindly, thrown by fate upon the world to earn her own support and that of her aged mother, has been exposed to the jibes and jeers of the mob who caused her misery. If there is justice in the world then these should stand in the prison dock and Florence

¹⁷⁵ *Evening Herald*, Syracuse, NY, Dec. 27, 1894.

¹⁷⁶ *Afton Enterprise*, Afton, NY, Jan. 3, 1895.

Parker should be their accuser... When a howling, drunken mob attacks a house, have not its occupants the divine right to defend it?¹⁷⁷

George W. Ray then rose to give the summation for the prosecution, and his speech was described as no less eloquent or forceful than that given by the defense. After reviewing the history of the case and the evidence from the prosecution's perspective he said:

While the defense referred to the defendant as "This poor woman," the prosecution has this to say—Who is this defendant? A wanderer upon the face of the earth, an adventuress who leaving her home in her youth has been engaged in almost every branch of business, has traveled all over the country, and who returned to her old home to Afton to marry this man Parker. And the day she became his wife, she became the owner of his farm. And now she stands before you with her hands dripping with the blood of two men who have met their death at her hands.¹⁷⁸

The above represent just the flavor of the two summations, each of which took about an hour and a half to deliver.

The Verdict: After deliberating 21 hours, the jury reported what was called a "Scotch Verdict," known today as a hung jury. Seven men were on the side of acquittal and five men on the side of conviction. Towards the end of their deliberations the jury inquired as to whether there was an option to convict on a lesser charge than that in the indictment (2nd degree manslaughter). Upon being informed this was not an option, they declared themselves deadlocked.¹⁷⁹

Lawsuit

Florence Parker was never retried. She went free, but remained under the cloud of not being absolved of the charges that had been made against her. It's speculated that this may have been because the cost of a retrial would have been excessive, plus the fact that there was significant doubt that a unanimous verdict could ever be obtained. Instead, Duncan Parker initiated a lawsuit against the men of the horning party for \$5,000 as payment for damages done to the property. This trial began in May 1896 with the same players, with the exception that the District Attorney did not participate. The focus of the second trial was on the vandalism perpetrated against the property during the incident. The evidence with regards to damage done to the property and the actions of the horners was much the same as that presented in the previous trial.

Again the jury deliberated all night long before coming in with a verdict. Three defendants were found not guilty, as it was proven that although they initially joined the horning party, they took no part in the trespass activities.¹⁸⁰ All of the rest were

¹⁷⁷ *Chenango Union*, Norwich, NY, Dec. 6, 1894.

¹⁷⁸ *Ibid.*

¹⁷⁹ *Chenango Semi-Weekly Telegraph*, Norwich, NY, Dec. 1, 1894.

¹⁸⁰ Not Guilty: Guy Ingersoll, Henry Christian, Merton Easton.

found guilty.¹⁸¹ Damages were assessed in the amount of \$35 plus the horners became responsible for all court costs (\$600).^{182 183}

The jury in the Afton horning case after being out eighteen hours brought in a verdict of \$35 against the several defendants. This will hardly keep the plaintiff in liniment. ¹⁸⁴

So while the Parkers won the case against the horners, they were given only a token award.

Aftermath

Throughout the second trial, it was very apparent that Duncan Parker was seriously ill. He had to be carried into the courtroom and was described as being feeble, emaciated and unrecognizable from the man who had appeared in the first trial two years earlier. He would die 21 June 1896,¹⁸⁵ shortly following the end of the second trial. Following his death, an autopsy was performed. This does seem unusual until it's recalled that during the horning Duncan claimed to have been seriously injured when a large stone came through the window and struck him in the chest. Since then he had claimed to not being well and attributing his declining health to being struck by the stone. So the question was probably did he die as the result of that injury or of another cause. If the injury was the cause of his decline and demise, then it seems that there might have been more serious charges brought against the horners. The autopsy would prove that Duncan died of liver cancer, putting a more sinister cause to rest. There is a monument for Duncan and his first wife, Eliza, in Coventry's Union Cemetery (Chenango County, New York). It's therefore probable that he was buried there next to his first wife.

Except for Alonzo Phillips who tragically died in the incident, Duncan Parker was the most tragic victim of the events. All he wanted was to get married, live a peaceful life on his farm and be content in the friendship of his neighbors. Instead he found himself in the middle of a situation not of his making, completely out of his control, and from which he could not escape. The stress and anxiety it caused him would seriously impact his health, and most certainly hastened his death.

Although Florence pulled the trigger, she was also a victim. She was not the instigator of the events and was attempting to protect her property. Although her choice to use firearms in an attempt to scare the horners away was unfortunate and ill advised, it was not all that unusual for the times when having a household gun was normal for hunting and protection. Florence's perspective was not the same as

¹⁸¹ Guilty: Clifford Carrington, Floyd Grover, Henry Briggs, George Demoree, Hubbard Williams, Joe Bodley, George Devoe, John Rose, Asa B. Pixley, George Higley, Charles Jones, George McDonald, George L. Hunt, Seymour Beatman, Leroy Beatman, Marquis D. Wrench, Ben Schermehorn, DeWitt Woods, Charles Rivers, Jack Wicks, Victor Scott.

¹⁸² *Chenango Union*, Norwich, NY, May 21, 1896.

¹⁸³ *Afton Enterprise*, Afton, NY, May 21, 1896.

¹⁸⁴ *Afton Enterprise*, Afton, NY, May 28, 1896.

¹⁸⁵ *Afton Enterprise*, Afton, NY, June 25, 1896.

most women of her time who would have acquiesced to a man's rules and expectations. She was capable of taking care of herself and not inclined to sit back and leave control to someone else. However, in this case, those characteristics were her downfall, as some of the men of the horning party obviously took great exception to a woman assuming control instead of her husband. While the men displayed no chivalry and increasingly outrageous conduct, Florence relied too much on intimidation by attempting to scare the horners away with gunfire. Intimidation and a show of skill in the use of guns had quite probably worked well for her in other situations, but in this circumstance it only served to contribute to the escalation of the incident way out of control to its tragic conclusion.

The security Florence achieved with her marriage to Duncan Parker was very short lived. She was widowed after only two years marriage. On May 1, 1897, approximately a year after the death of her husband, she sold the North Afton farm for \$2,200 to her lawyer, George Haven. \$1,000 of this was subject to a mortgage taken out on the farm around the time of the trial, most likely to defray her legal expenses. After selling the farm she went to live in the village of Afton where she remained for a number of years, living first with her mother, until her mother's death in 1914, and then living alone.¹⁸⁶

While the vast majority of those outside the Afton community were sympathetic to Florence and deplored the actions of the horners, within Afton there were many who felt she should have been convicted. This probably had a lot to do with the high popularity of Alonzo Phillips. His death was a major shock and was greatly lamented throughout the community. She, on the other hand, wasn't well known and because she defined herself differently than other women of her time, was the subject of suspicion and dislike. This resulted in her being ostracized and the target of severe criticism long after the incident. The amazing thing is that instead of going elsewhere to make a fresh start, she stayed in Afton, despite all the negativity that existed against her in that community. She stayed until May 22, 1922 when she became an inmate of the Chenango County Poor House in Preston. Documentation indicates that she had become ill and no longer able to work to support herself. She had no immediate family and apparently no one else willing to help her. Hence she was declared destitute and taken to live in the County Poor House. Nine months later on 4 March 1923, she would die there at the age of 67.¹⁸⁷ She was buried in Afton's Eastside Cemetery,¹⁸⁸ as were her parents. All of their graves are unmarked.

It took many years for the memory of that night to fade away, and some probably lived in its shadow for the rest of their lives, particularly Florence, the men of the horning party, and the family of Alonzo Phillips. In many ways Afton, and especially

¹⁸⁶ Mrs. Harriet Bond Obituary, *Afton Enterprise*, Afton, NY, July 30, 1914.

¹⁸⁷ Records of the Chenango County Home, Preston, NY, Record Number 1434, Chenango County Historical Society Research Center.

¹⁸⁸ "Afton: The body of Mrs. Florence Parker, a former resident of Afton was brought to this village for burial Tuesday. After a short service by the Rev. William Lathrup the burial was made in the East Side cemetery." *Norwich Sun*, Norwich, NY, Mar. 13, 1923.

the hamlet of North Afton, would never again be the same. But one thing was clear, when everything was finally brought to rest, the horning tradition in Chenango County was no longer viewed as a harmless, celebratory event.

The Mumbulos¹⁸⁹

1930

Ralph and Edna Mumbulo of Erie, Pennsylvania, were held in the Chenango County Jail following the death of Ralph's daughter from his first marriage. His daughter—Hilda—was 11 years old at the time and she was to inherit significant property from her late mother's estate. It was alleged that her father and stepmother murdered her to inherit the property and an insurance policy. The couple was apprehended in Chenango County while visiting relatives following the crime. Ralph had spent significant time in the county during his first marriage. As it was believed the crime was committed in Pennsylvania, the Pennsylvania Governor sought to extradite the couple to face charges there. However, New York Governor Roosevelt refused to sign the extradition papers. Defense counsel Ward N. Truesdell and Percy J. Thomas of New Berlin successfully secured a writ of habeas corpus from Supreme Court Justice Kellogg. The couple was extradited to Pennsylvania where Ralph was not convicted. However, Edna was found guilty of second-degree murder and sentenced to 10 to 20 years in prison.

Lewis & Lorinda Cole¹⁹⁰

1930

Lewis Cole, Smyrna, was accused of shooting and killing Herbert Hicks, who was believed to be the lover of Lewis' wife, Lorinda. The People, represented by District Attorney Frank W. Barnes, alleged that Lewis was aware of Hicks' relationship with his wife. Lewis was represented by Ward N. Truesdell and averred that he shot at Hicks, but he only intended to scare him. Lewis was arraigned on second degree murder charges. Following a trial, presided by Hon. H. C. Stratton, Lewis was acquitted. Lewis filed third degree assault charges against Lorinda, alleging that she attacked him following the death of Hicks. Glenn F. Carter represented Lorinda, and she later pled guilty to the charges before Justice Daniel Butts in Smyrna. Lorinda was later found guilty of adultery charges and Lewis sought to have her found incompetent. Edwin Verreau and David F. Lee provided counsel during these subsequent charges.

¹⁸⁹ See CHENANGO TELEGRAPH, Aug. 15, 1930, at 4; THE NORWICH SUN, Apr. 10, 1930, at 1; THE NORWICH SUN, Apr. 8, 1930, at 5.

¹⁹⁰ See THE NORWICH SUN, Jan. 15, 1931, at 5; THE NORWICH SUN, Jan. 7, 1931, at 5; THE NORWICH SUN, Dec. 3, 1930, at 5; THE NORWICH SUN, Dec. 1, 1930, at 5; CHENANGO TELEGRAPH, Sept. 26, 1930, at 4; THE NORWICH SUN, Sept. 2, 1930, at 3; THE NORWICH SUN, Aug. 29, 1930, at 5; THE NORWICH SUN, Aug. 25, 1930, at 1.

Scholarly Interest

Dan Foote¹⁹¹

1846 – The Second & Current County Courthouse

Foote of was accused of murdering his wife, Sarah. There was some suggestion that Sarah was poisoned by her husband, as her mouth was discolored by blue dye when she was found. A jury convicted Dan of manslaughter in the first degree, interestingly on the same day Russell Cady was convicted in his first trial, as discussed above, and was sentenced to a life in prison on October 23, 1847. Like Cady, Foote was granted a new trial. His counsel, Hon. Henry Bennett, delayed the appeal until "all the witnesses were dead." At the new trial, Foote was acquitted.

Matthew Brady¹⁹²

1876 – The Second & Current County Courthouse

William Jones, proprietor of a hotel in Earlville, was standing on the porch of the hotel, when Brady approached him, drew a revolver and shot Jones in the chest. The following day, Brady entered a local shop, announced that he shot Jones and provided the weapon as proof. After his arrest, Brady claimed that he and Jones had a long-standing grudge and that Jones had tricked him once on a visit to the hotel by throwing water on him. Judge Mason presided and Brady's attorney, George W. Ray, obtained a commission of lunacy, and provided the court with alleged evidence of Brady's "lunacy." Newspapers indicated that both Ray and the District Attorney arranged travel to Canada to investigate accounts of Brady's mental state. The commission declared Brady insane, and he was placed in the Utica Insane Asylum.

Dr. Asa W. Jaynes¹⁹³

1883

Dr. Jaynes of Sherburne was arrested and charged with the attempted murder of his mother, Olivia Jaynes, by administering poison. The motive was believed to be inheritance of certain real estate held by his mother, which would pass to Dr. Jaynes and his siblings. He was brought before Justice Kutschbach for examination. The People were represented by District Attorney George M. Tillson and Jaynes was represented by H.G. Prindle and D.L. Atkyns. While out on a \$500 bond, Jaynes fled to Mexico. In June 1883, the Grand Jury returned four indictments against Jaynes, with his mother posting \$1,000 bond for her son.

¹⁹¹ See *Crime in Chenango County*, CHENANGO SEMI-WEEKLY TELEGRAPH, Mar. 26, 1879, at 2.

¹⁹² See CHENANGO SEMI-WEEKLY TELEGRAPH, Jan. 3, 1877, at 3; CHENANGO UNION, Nov. 30, 1876, at 2; CHENANGO UNION, July 13, 1876, at 3.

¹⁹³ See CHENANGO UNION, June 7, 1883, at 3; CHENANGO UNION, Apr. 5, 1883, at 3; CHENANGO UNION, Mar. 29, 1883, at 3.

James Conklin¹⁹⁴*1919 – The Second & Current County Courthouse*

Conklin was accused of murdering Horace Woodward during a robbery of Woodward's home in North Afton. Conklin and his accomplice, Lucy Lewis, were hiding out from authorities after stealing automobiles. After successfully robbing Woodward's home the night before, the pair sought to repeat the act. However, Conklin contended that Woodward's death was an accident. He told investigators that Woodward stepped toward him, with Conklin taking a step back and ultimately slipping on the stoop, causing him to pull the trigger of the rifle he aimed at Woodward. Justice Rowland L. Davis of Cortland presided over this special term of court. District Attorney David F. Lee, Sr. prosecuted the case, while Conklin was represented by Hubert C. Stratton. The jury convicted Conklin of second-degree murder, and he was sentenced to life at Auburn State Prison.

Frances Collins¹⁹⁵*1922 – The Second & Current County Courthouse*

Frances of Greene was accused of shooting her husband, Nicholas. Frances claimed that she shot her husband in self-defense during a dispute, after he shot a gun at her five times, but the pistol he used failed to discharge the rounds. The couple had been separated and living apart at the time of the incident. The People were represented by District Attorney Truesdell, while Frances was represented by David Lee, Sr. Justice A. L. Kellogg presided. Frances claimed that her husband threatened to kill her on numerous occasions and had even removed her from the house, threatening her if she returned. She was acquitted.

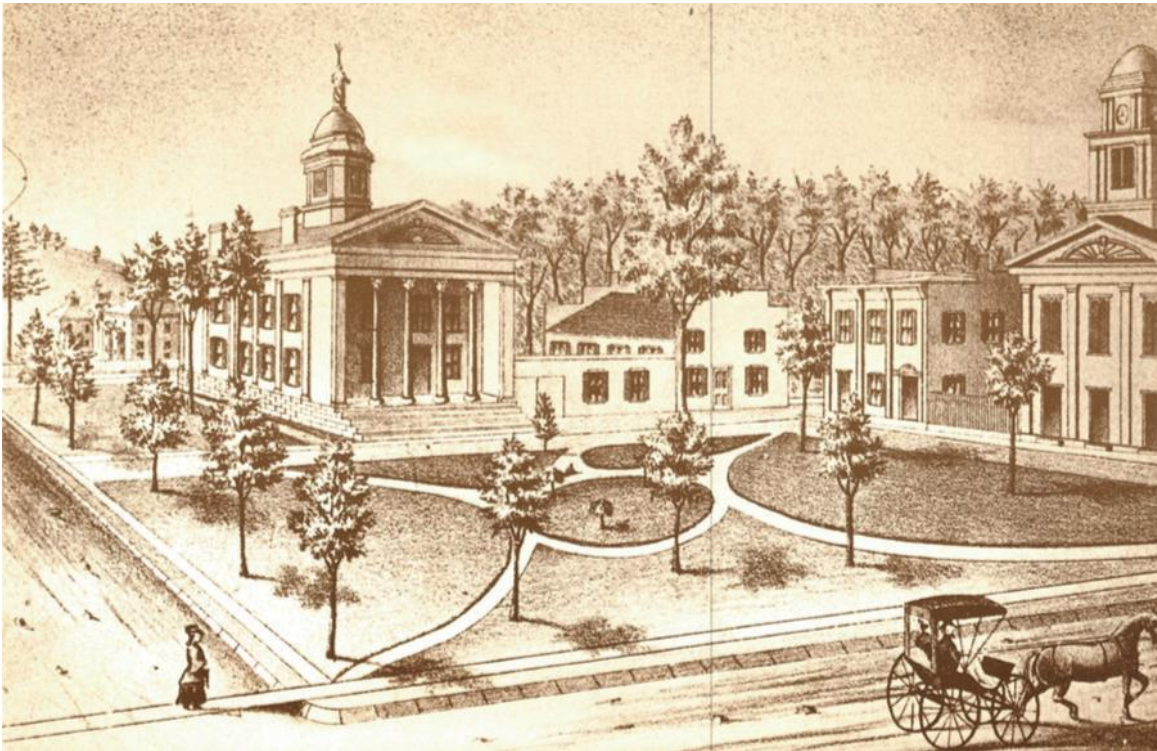
¹⁹⁴ See THE NORWICH SUN, Jan. 24, 1919; THE NORWICH SUN, Jan. 18, 1919, at 8; THE NORWICH SUN, Jan. 22, 1919, at 6.

¹⁹⁵ See CHENANGO TELEGRAPH, Feb. 1, 1923; CHENANGO TELEGRAPH, Dec. 5, 1922; CHENANGO TELEGRAPH, Apr. 21, 1922.

VII. Images



Photo: Gigi Baas, *Historical Analysis: Early History of Chenango County*, CHENANGO COUNTY COURT HOUSE 7 (1980). This photo has been retouched and depicts the county in the early 20th century.



Sketch taken from: JAMES H. SMITH, HISTORY OF CHENANGO AND MADISON COUNTIES (D. Mason & Co. 1880).

VIII. County Resources

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Newspaper articles can be accessed as follows:

All Norwich newspapers: <http://norwich.advantage-preservation.com>.

BINGHAMTON PRESS, THE NEW BERLIN GAZETTE and DERUYTER GLEAN: <https://fultonhistory.com/Fulton.html>

SHERBURNE NEWS: <http://sherburneny.advantage-preservation.com/>

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1. "Tragedy!, Alonzo Phillips Killed at a 'Horning,' A Bride of only a Week Fired the Fatal Shot, Never in the History of the Inhabitants of North Afton has There Been Such an Excitement as at the Present Time Pervades That Community and Also This Village," *Afton Enterprise*, Afton, NY, March 1, 1894.
2. "Murder in Afton, Alonzo Phillips Fatally Shot by Mrs. Florence Parker," *The Chenango Union*, Norwich, NY, March 1, 1894.
3. "Killed One Man, An Afton Woman Repulses a Crowd," *Chenango Semi-Weekly Telegraph*, Norwich, NY, March 3, 1894.
4. "The Afton Tragedy, Mrs. Duncan Parker Released on Bail," *Chenango Union*, Norwich, NY, March 8, 1894.
5. "Mrs. Duncan Parker Released on Bail Last Friday and Returns to Her Home and Friends," article in the collection of the Chenango County Historical Society Research Center, original source and date unknown.
6. "The Last Court of Sessions," *Chenango Semi-Weekly Telegraph*, Norwich, NY, November 14, 1894
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8. "The Celebrated Afton 'Horning' Case," *Chenango Semi-Weekly Telegraph*, Norwich, NY, November 17, 1894.
9. "The Parker Case, A Jury Secured and Evidence Being Taken –Mrs. Parker Attentive to the Case," *Chenango Union*, November 22, 1894.
10. "The Parker Horning Case, Both Sides Making a Great Fight," *The Telegraph*, Norwich, NY, November 24, 1894.
11. "The Parker Horning Case," *Chenango Semi-Weekly Telegraph*, Norwich, NY, November 28, 1894.
12. "The Parker Case, Testimony Continued," *Chenango Union*, November 29, 1894.
13. "Norwich Murder Trial, Florence I. Parker, Who killed at a Charivari," *Morning Telegram*, Elmira, NY, November 1894.
14. "Judge Gladding's Charge," *Chenango Semi-Weekly Telegraph*, December 5, 1894.
15. "Á Scotch Verdict, The Jury in the Celebrated Parker Horning Case Disagree, after 22 Hours Deliberation, \$3,000 or more Expenses to the county" *Chenango Semi-Weekly Telegraph*, December 1, 1894.

16. "The Jury Disagrees," *Chenango Union*, December 6, 1894.
17. "She Killed a Man Here, So Declares Mrs. Parker Who Shot One of a Norwich 'Horning' party," *Evening Herald*, Syracuse, NY, December 27, 1894.
18. "The Parker Case, More About that Syracuse Shooting Affair," *Chenango Union*, Norwich, NY, January 3, 1895.
19. "Jury Secured Monday, The Trial will Occupy most of the Week," *Afton Enterprise*, Afton, NY, May 14, 1896.
20. Supreme Court, Duncan C. Parker agst Clifford Carrington and others, Summons and copy of Complaint, Collection of the Chenango County Historical Society.
21. "The Parker-Carrington Trial Progressing Rapidly," *Chenango Semi-Weekly Telegraph*, Norwich, NY, May 16, 1896.
22. "The Famous Horning Case Ended—The Jury after Being Out All Night Find a Verdict of \$35," *Chenango Semi-Weekly Telegraph*, May 20, 1896

Murder Trials Index

Thank you very much to Kathryn Greene, Senior Clerk of Local History at the Guernsey Memorial Library, for creating indexes of murder trials held in Chenango County. While many of the cases are discussed above, they are certainly abbreviated discussions of the cases and there is a significant amount of information, including testimony and evidence, contained in the newspaper articles discussing these cases. The indexes covering events the 1960s through present are available at the Guernsey Memorial Library.

George Dennison (M) – Reuben Gregory (V) – Judge Monell (didn't notice anyone for Defense or representative for public). Papers: Anti-Masonic Telegraph – October 3, 1832 and March 20, 1833; Chenango Semi-Weekly Telegraph – Mar. 26, 1879.

James P. Donnelly (M) – Albert Moses (V) – nothing listed in article for Judge or attorneys. Newspaper: Chenango Union, Wed. Jan. 13, 1858.

John P Hall (M) – Sarah M. Fitch – December 26/27 1874 – Justice Dickenson. Newspaper: Chenango Telegraph- Thursday, Dec. 31, 1874.

July 6, 1876 – Mathew Brady (M) – William Jones (V) – District Attorney Knapp. Newspaper: Chenango Telegraph -Extra – "Murder in Earlville" – Taken to Norwich.

Dec. 3, 1879 – Felix McCann (M) – J.M. Hatch (V) – Judge D. Follett w/ Justice T.D Anthony and W.W. Powell – District Attorney J.W. Church and D. L. Atkins Esq. for the people – Hon. E. H. Prindle and Stephen Holden Esq. for the prisoner.

Feb. 15, 1879 – Fred D. Jackson (M) – Silvia P. Jackson (V) – Judge Martin & Justices Anthony & Powell – District Attorney Church assisted by McGregory Bundy, of Oxford for public and James Gover of Oxford & E. H. Prindle for defendant. Newspapers: Chenango Union Extra Nov. 18, 1879 and Nov. 17, 1879.

Dr. Asa W. Jaynes (Attempt to kill) – Olive Jaynes (V) – Justice Kutschback – District Attorney Tillson for the people – H. G. Prindle & D. L. Atkins for Jaynes. Newspapers: Chenango Union – Mar. 29, 1883 and Apr. 5, 1883.

Florence Callahan (M) - Child – John Callahan (V) – d. Monday, Sept. 26, 1910 – Attorney Hubert L. Brown – Chenango Telegraph Oct. 11, 1910 says she was to be sent to Binghamton State Hospital to be institutionalized – Commission in Lunacy by Judge Stratton. Chenango Telegraph, p1 Friday, Oct. 21, 1910 said her moving was postponed due to her health. Oct. 28, 1910 she was sent to Binghamton Hospital.

Nov. 1900 – Austin Hamilton murdered – Chenango Semi-Weekly Telegraph Nov. 21, 1900 – District Attorney Matterson.

Sept. 13, 1903 – Frank C. Gale (M) – Tracy H. Barrows (V) taken before Justice of the Peace S. W. Church – D.V. Stratton of Oxford appeared for defendant – District Attorney Hubert L. Brown, for the people. Jan. 12, 1904 – Justice Nathan L. Miller & also H.C. & V.D. Stratton for defendant. Feb. 3, 1904 – Murder Trial Begins.

1919 – James Conklin (m) – Horace Woodward (v) Trial held in Norwich – Justice Rowland L. Davis of Cortland presided (special term of court) – District Attorney David F. Lee prosecutor – (Norwich Sun Jan. 18, 1919 & Jan. 20, 1919).

1922 – Frances Collins (m) – Nicholas Collins (v) – District Attorney Truesdell – Attorney David F. Lee (for Frances Collins).

1930 – (July) Edna Mumbulo (m) – Hilda Mumbulo – Justice A. L. Kellogg – Attorney Ward N. Truesdell – Attorney Percy J. Thomas.

1930 – (Aug.) Lewis Cole (m) – Herbert Hicks (v) – Judge H. C. Stratton – Attorney Ward N. Truesdell (for Cole) – District Attorney Barnes – (Mrs. Lorinda Cole was taken before Justice Daniel Butts for third degree assault preferred by her husband, Lewis Cole)

1931 – (July) – Joseph DeGear (m) – Florence DeGear (v) – Justice Riley H. Heath of Ithaca Prosecutor District Attorney Frank Barnes 1/ Attorney Theodore Bonney Assisting, Judge David Lee and Attorney E. F. Verreau (for defendant).

1931 – (Sept.) – Mose Johnson (m) – Mary Everetts (v) 7 yrs old – Attorney Edwin F. Verreau retained by Mrs. Hagan – District Attorney Frank Barnes (worked on case) Judge J. Bonney.

1952 – Henry (Harry) Dennison (m) – Mildred Bennett Dennison (v) – District Attorney David Lee, Jr. – Judge Frank W. Barnes – Attorney Joseph Pozesky (assigned by court).

1958 – Mar. – William Harrison Battle (alias John Horne) (m) – Daisy Harris (v) – Attorney Edward H. O'Connor (involved in questioning) – Acting City Judge Whitney – Attorney Edward Nelson (for Horne) – appeared before Supreme Court Justice Howard A. Zeller.

1958 – (Sept.) – Keith Lee Osborne (m) – Edward R. Titsworth (v) d. Aug. 6, 1956 – Supreme Court Justice Daniel J. McAvoy (of Binghamton) – Attorney David F. Lee, Jr. (appointed for Osborne) – Attorney O'Connor.

1959 – (Nov.) – Frank A. Dillenbeck & Rilla Frances Sabin (m) – Edith (Edie) Jean Tucker (d. Nov. 8) – County Judge Lynn N. Peterson, Attorney David Lee, Jr. (representing Dillenbeck) – Attorney Joseph Pozesky (rep. Sabin) – From Binghamton Press Bureau. Feb. 14, 1959.

1959 – (Aug.) – Clarence G. Wight (accused) – John Clark (v) – Justice of the Peace Stanley Peckham – Defending Attorney Joseph Pozesky – District Attorney Edward H. O'Connor, Jr.

County Records

The following records are available at the Chenango County Clerk's Office:

- **County Deeds, Mortgages & Lis Pendens:**
Deeds & Mortgages from 1798 to present
Survey Maps from 1810 to present (maps not mandatory in all cases)
County Atlas for 1855, 1863 and 1875
- **Military Records:**
The County has military discharges on record from about 1865 to present.
However, military discharges are a sealed record for 100 years and are open only to the named veteran or to the New York State Department of Veteran's Affairs, 4434 CR 32, Oxford, NY 13838. Phone number: (607) 843-3299
- **Census Records:**
NYS Officers & Men of NYS Volunteer Regiments, Vol. II, Regiments 39 to 67
State & Federal Census Books: 1850, 1855, 1860, 1875, 1905, 1915 and 1925
- **Naturalization Records:** from 1859 through 1980s. Broome County now handles all local naturalizations.
- **Birth, Death and Marriage Records:** Maintained by the local registrars of vital statistics.
- **Oaths of Office:** many of the more current oaths are available online
- **Court Minutes:**
Circuit Court: 1798-1835; 1885-1894
Common Rule Book: 1832-1836
Court of Common Pleas: 1836-1842
Supreme Court: 1847-1853
Court of Oyer's and Terminer: 1847-1858
Circuit Supreme Court: 1853-1857
Circuit and County Court: 1871-1873
Entrees of Judgment: 1873-1874

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