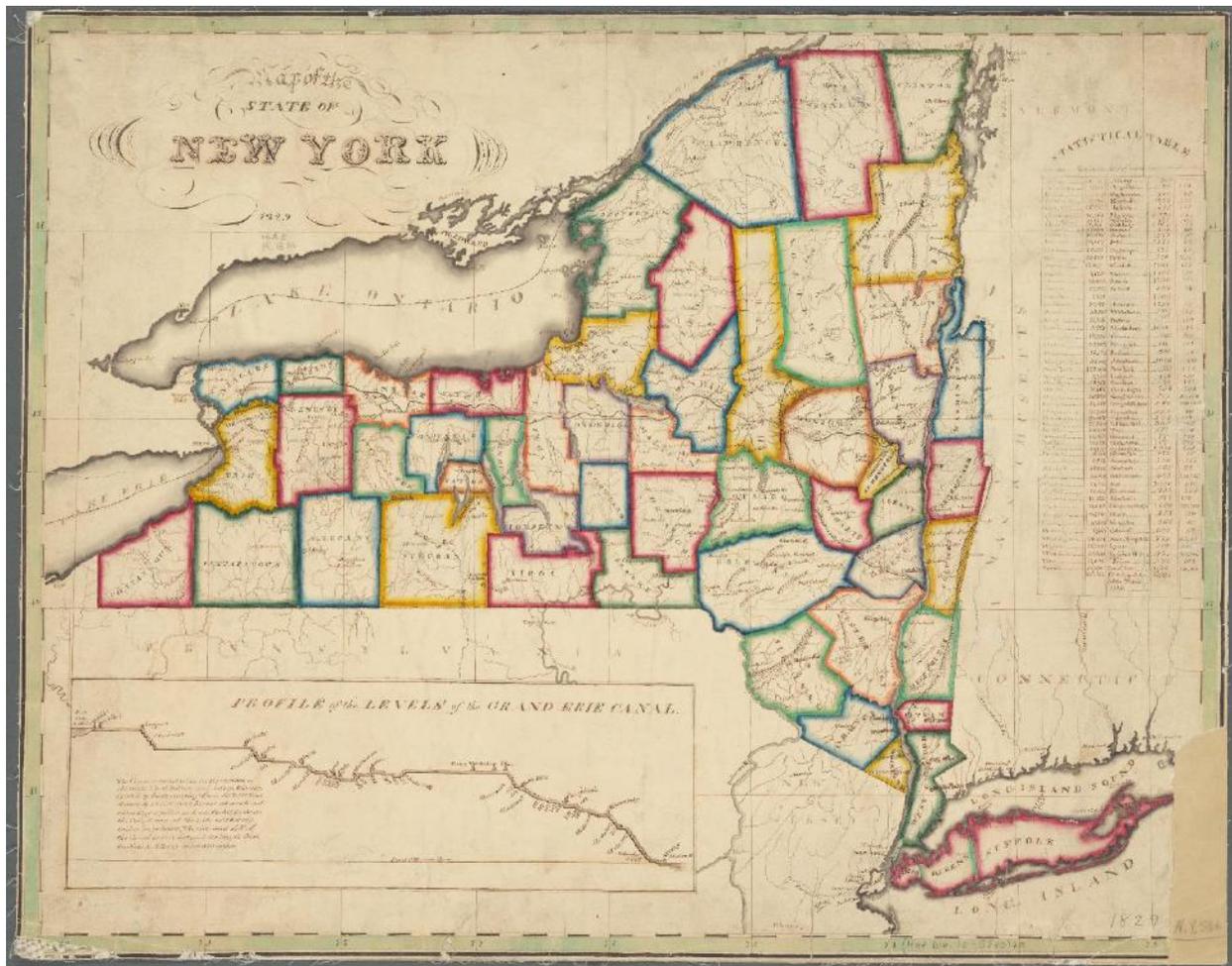




HISTORICAL SOCIETY
of the **NEW YORK COURTS**

History of Delaware County

Bench and Bar



Ray LaFever

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I. County Introductory Essay: Brief History of Delaware County¹

Created by an act of the state legislature on March 10, 1797, Delaware County was mainly wilderness well into the 18th century, mostly serving as hunting ground for the Mohawk tribes of the Iroquois confederation in the north and the Lenni-Lenape (Delaware) Indians in the south. The earliest known European visitors came in 1723. Surveyors came in the 1730s, but actual settlers do not appear to have come until the 1760s. A group of Dutch settlers came to what is now the Margaretville area around 1762. Settlers came to Sidney and Harpersfield around 1770. This flow of settlers was interrupted by the American Revolution when much of the population was driven out by hostile action. The pace of settlement picked up rapidly after the war's end when New York State encouraged settlement beyond the Hudson and Mohawk Valleys.

In the 1790 census, the area that became Delaware County had 2,507 people. By 1791, the northern part of the region was in Otsego County (created that year) while the southern part was in Ulster. Settlers began petitioning the state legislature to create a new county. The long journey to transact legal business in either Cooperstown or Kingston was one of the main arguments for creating a new county. The legislature requested petitions for or against the new county for the 1796 session and the following year, Delaware County came into being.

At its creation, there were six towns in Delaware County. Thirty years later, there were eighteen of them (the 19th came into being in the 1880s). The county seat was established in Delhi.

The first meeting of the county board of supervisors took place at Gideon Frisbee's tavern, outside the village of Delhi, on May 31, 1797. One of their first actions was the erection of a courthouse and jail: "it shall ... be lawful for the freeholders and inhabitants of the said County of Delaware to build ... a court house and gaol in the said County...and [it] shall not be erected at a greater distance than two miles from the mouth of the Little Delaware..."

Delaware County's geography and mountainous terrain made it difficult to transport goods and people, a situation that was not to change until the mid-nineteenth century. There were no canals and while there were the Delaware and Susquehanna Rivers, people coming up the Hudson had to trek over land. Several turnpikes were established, but the opening of the Erie Canal in 1825 left residents of the county feeling left out. Settlers had to rely on a far-reaching subsistence economy in which most important commodities were produced locally.

Men, women, and children shared equally in production for this economy. In addition to vegetables and grains, most households produced flax and wool, cut their own timber and in spring tapped the maple trees for their sap. Trees also provided the raw material for products such as potash and tannic acid. These isolated communities frequently had crafts people specializing in trades that farmers could not.

Delaware County became noted for its farming. In the county's early days, wheat and rye were grown, partially to pay the rents on the land, but the county's notoriously stony soil proved to be

¹ Much of the information in this section comes from Tim Duerden, *A History of Delaware County New York, 2007* and from a brief history written by Mr. Duerden for the Delaware County Historical Association website: [DCHA - Events \(dcha-ny.org\)](http://DCHA-Events(dcha-ny.org))

not suitable for grain. Starting in the 1860s, the most successful farming product of the county was butter. The landscape proved to be highly suitable for the grazing of cows.

Beyond the stony soil, another challenge facing the farmers was the lease system. These leases often lasted for decades or longer. Farmers in Delaware County were not the only ones under this landlord-tenant system. In the 1840s, an uprising against these rents started in the Helderbergs near Albany and moved south, a rebellion known as the “Anti-Rent War.” In 1844, anti-renters became active in the Delaware County, fighting against authorities who would try and sell the chattel of a farmer who was behind on his rent. The war reached its climax in August 1845 when a large group of men, dressed in disguise as “Calico Indians,” attempted to stop a sale of Moses Earle’s possessions in the Delaware County town of Andes. Shots rang out and undersheriff Osman Steele was killed. This led to a trial that received extensive coverage in the local, state and national press, convening in Delhi in the fall of 1845, with over 100 men under indictment.

Though farming was the main business in the county, other industries were making their mark. Acid factories flourished in the southern part of Delaware County and sawmills proliferated everywhere. Enormous rafts of floating timber were lashed together for transport southward along both branches of the Delaware to Trenton and Philadelphia. Cargoes of bluestone, wheat, potash, wool, and whiskey were often loaded onto the rafts for transport.

Delaware County continued to attract new migrants through the first quarter of the nineteenth century, but the transportation challenges hindered any large-scale migration. The construction of turnpikes helped, but population growth in the new county was slow. In 1800, the population stood at 10,000; some 60 years later it had reached 40,000, and it has continued to hover around this mark ever since.

The advent of rail service, however, proved a boon to the region’s dairy farmers. Large quantities of butter, milk, and other dairy products could be shipped in refrigerated cars rapidly and directly to urban markets. “Milk trains” departed early every morning bound for urban markets, and the dairy industry continued to be the mainstay of the local economy until well into the twentieth century.

Rail transportation, and later on, the automobile, provided the catalyst for a tourism industry in Delaware County. Local boarding houses and, later, large hotels provided summer accommodations for throngs of city-weary vacationers seeking the cool freshness of the mountains. Newcomers, many paying their first visit to Delaware County as tourists, have continued to settle in the region to this day.

Dairying was one of the county’s main agricultural activities during the first half of the 20th century, but as the century drew to its close, so did the production of milk. Creameries which had sprung up in the early part of the century closed, and the number of dairy farms is a fraction of what it was 100 years ago.

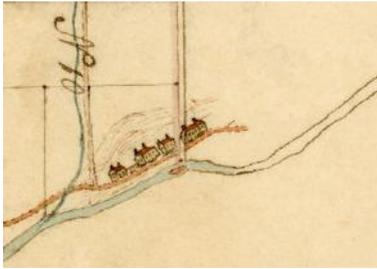
II. Timeline

March 10, 1797	Creation of Delaware County.
May 31, 1797	First meeting of the Delaware County Board of Supervisors.
October 3, 1797	First Jury impaneled at house of Gideon Frisbee.
1798	Construction of first courthouse.
June 16, 1814	Trial of James Graham for the murder of Hugh Cameron and Alexander McGillavrae.
July 29, 1814	Execution of James Graham for murder of Cameron and McGillavrae.
August 6, 1819	Execution of Nathan Foster by hanging for murder of his wife. Last such execution in Delaware County.
April 7, 1820	First courthouse destroyed by fire.
May 20, 1820	Proposals are received for construction of new courthouse.
June 22, 1820	<i>Delaware Gazette</i> reports that good progress is being made on the new courthouse and jail.
August 15, 1820	Special session is held at the courthouse for the purpose of hearing the Pensioners of the Army of the Revolution. ²
October 8, 1832	Revolutionary War pension claims heard by Court of Common Pleas.
Fall, 1845	Anti-Rent War trial.
November 1867	Board of Supervisors votes to erect a new courthouse.
March 1869	Ground is broken for new courthouse.
March 1869	Second courthouse building is sold.
May 1869	Second courthouse building is moved behind the courthouse square to become the Delhi Village Hall.
January 30, 1871	Third and current courthouse building is dedicated.

² *Delaware Gazette*, August 24, 1820, page 1.

- September 1881** Charles Evans Hughes arrives in Delhi to study law with Judge William Gleason.
- 1894** Addition built to courthouse.
- September 18, 1906** Soldier's Monument in Courthouse Square is dedicated, with presence of Lt. Governor M. Linn Bruce.
- 1926** Fireproof storage is constructed in the courthouse basement for the Surrogate's Court.
- March 14, 1941** William Roe convicted of manslaughter for the murder of Andrew DuBois.
- January 27, 1942** Charles Hastings convicted of second-degree murder in the death of Lydia Huggleboon.
- October 9, 1943** Leroy Luscomb convicted of the murder of his wife.
- 1947-1948** County Clerk's office is doubled in size.
- July 5, 1951** Cover of *Saturday Evening Post* is a painting by Stevan Dohanos of the Courthouse Square.
- July 10, 1996** New handicapped entrance to courthouse and county clerk's office is opened.

III. County Courthouses



The First Courthouse, Delhi, 1798-1799³

The site of this courthouse (and all the ones that followed) was created through the donation of land in November 1797 by George Fisher and Levi Baxter, essentially the area now known as Courthouse Square.

Alexander Leal, Sluman Wattles, and Elias Butler were appointed commissioners to oversee the construction of a courthouse. It was decided to build one building to serve as the courthouse, office of the county clerk, and the jail. \$1,200 was voted for its construction. An additional \$500 had to be approved to complete the building. The final cost came in over \$2,000. There is no drawing or description of this courthouse.

This courthouse lasted twenty-one years. In April 1820, Abraham Coon from Andes, was sent to the county jail after having been charged with and found guilty of stealing three yards of cotton cloth. He was sentenced to a brief prison term. Three days after going to jail, on April 7, 1820, the courthouse and jail caught fire and were completely destroyed. Coon died in the fire. It was believed that he had set a fire for warmth, but it got out of control.

This likely is the only image of the first courthouse, from a survey map from the early nineteenth century. Image from Peters Collection, Delaware County Historical Association.



The Second Courthouse, Delhi, 1820

Four days after the first courthouse burned, the New York State Legislature on April 11, 1820 passed an act to loan to the county \$8,000 to build a new courthouse and jail. The loan was at six percent interest and was repayable in four years. Gideon Frisbee, Samuel Sherwood, and Oliver Peak were named Commissioners to oversee and superintend the contracts for the building. It was decided this time to erect two separate buildings, the courthouse and the jail.

Construction moved quickly. Proposals were received on May 20 and by June, the *Delaware Gazette* reported that the jail was ready for prisoners and the courthouse was “in a considerable state of forwardness.”

This courthouse was in use for fifty years. It was the site of the Anti-Rent War trials in 1845. Because there were over 100 men arrested, log “jails” were built on the lawn of the courthouse to house them all during the trials. The building was used for functions other than court related,

³ John Raitt, *Delaware County and the Three Courthouses*, 1991.

given that it was about the largest structure in the area. The courthouse saw a number of church services over the years, as well as funerals of several prominent citizens. Concerts and entertainments also took place, including lectures, singing and musical groups, a railroad convention, and 4th of July celebrations.

Discussions about replacing the second courthouse started around 1860. The discussion noted the “unsafe and dilapidated condition of the present Court House...” The resolution to create a committee for a new courthouse was voted down, however. Further discussion did not take place until after the Civil War. In December 1866, a resolution passed creating a committee to explore enlarging and repairing the building. The follow year, a resolution passed to build a new courthouse building.

The issue then became what to do with the old courthouse and jail. The courthouse building was purchased for \$605 for the Village of Delhi in April 1869. Within a month, the building was moved to the rear of the courthouse site. It became the Delhi Village Hall and continues to be used as such today.

Photograph of Delhi Village Hall, which was the old second courthouse, in 1939. The bell tower to the left was added after the building was moved back from the site of the current courthouse. Image by Bob Wyer, DCHA.



The Third Courthouse, Delhi, 1869-1871

This courthouse is a two and a half story red brick with a mansard slate roof. It has a four-story entrance tower and elaborate dormers. The ornate brick work is a unifying element of the courthouse. A decorative box cornice and frieze, pilastered columns and recessed semicircular and centre pointed window openings are examples of the outstanding masonry. The windows are slim semi-circular headed sash.⁴ Architect was Isaac G. Perry.

In November 1867, the Board of Supervisors had voted to build a new courthouse. At the same meeting, an offer came from the Town of Walton to build the new Courthouse in the Village of Walton. The Town of Delhi succeeded the following April to get an act through the State Legislature, allowing the town to help in the construction of courthouse in the Village of Delhi. They were allowed to levy and collect \$10,000 from town taxpayers.

The Board of Supervisors approved this at its November 1868 meeting. The Board levied taxes on county taxpayers for another \$10,000 in 1869 and again in 1870. Three commissioners were named to the project: Gabriel S. Mead of Walton, Charles Hathaway of Delhi, and William B. Dowie of Andes. The resolution stated the new courthouse would be of brick and stone construction.

⁴ National Register Nomination form for Delaware County Courthouse Square District (90PR04504), June 1973.

The commissioners hired Binghamton-based architect Isaac G. Perry. Perry designed the inebriate asylum in Binghamton in the 1850s. Later, Perry was hired to complete the New York State Capitol building, including the famous “million-dollar staircase.” He also designed several armories in New York State, including the one in Walton, as well as armories in Buffalo and Poughkeepsie. He designed courthouses in Orleans and Broome Counties. The commissioners also decided to hire a Superintendent of the Works, Robert Murray of Hamden.

Most of the work on the building was done by local craftsmen, carpenters, and laborers. Also involved were stone masons, tinsmiths, wheelwrights, blacksmiths, slaters, painters, and day laborers. Materials for the construction also came mainly from local vendors, including the bricks.

Construction wasn’t without its injuries. In April 1869, Judge Murray was leaving the soon to be moved old courthouse and had forgotten that the stairs had been removed. The resulting fall into the excavation led to a broken leg.⁵

The construction of this courthouse received much coverage in the local press. From the August 25, 1869 *Bloomville Mirror*: “The New Court House [in Delhi] is progressing finely and is visited very day by a crowd of loungers who view with evident emotion the place where they ‘will shortly lie.’” The same paper in its September 14, 1869 issue noted that “Brick-laying has been commenced on the new Court House. The brick are manufactured by S.H. White & Co., and said to be of excellent quality.”

The courthouse was dedicated on January 30, 1871 at 7 pm. The *Delaware Gazette* in its February 8, 1871 issue reported on the dedication, noting that “every foot of available space in the new Court House was completely filled by a highly intelligent audience of ladies and gentlemen... Many came, and left, because there was no room.” Several of local lawyers, judges and politicians spoke. Judge Gleason spoke about comparisons between the old and new courthouse, especially that the “old house was unfit for ladies to enter; that he always felt sorry for them when they came in...” Judge Wagner “spoke highly of the architecture and beauty of our new Temple of Justice...” Matthew Griffin, a lawyer from Griffin’s Corners (later to become Fleischmanns) “referred to the primitive days when he was a boy, said the first and second Court Houses, for their day and times, were equal to this, and that doubtless a century hence, when another Court House shall be built, that it will excel the present one as much as this does the one preceding it.” The *Gazette* reported “The great number of speeches rendered brevity necessary. The remarks were pointed and pithy, and were received with much favor.”

An annex was added to the building in 1894 to house the County Clerk’s office. In 1947, the clerk’s office was doubled in size.

The Courthouse building and the courthouse square received some national notoriety in 1951 when a painting of the square by Stevan Dohanos appeared on the cover of the *Saturday Evening Post*.

⁵ *Bloomville Mirror*, April 20, 1869, page 2, column 2 “Accident.”

The entrances to the courthouse and county clerk's office were combined into one handicapped entrance in 1996 to comply with the Americans with Disabilities Act.

This image dates from the early 1870s and is believed to be the oldest known image of the current courthouse. The old courthouse, now the village hall, can be seen behind the courthouse.

IV. The Bench

County Judge

Joshua H. Brett	1797-
Ebenezer Foote	1810-1816
Isaac Ogden	1816-1828
Ebenezer Foote	1828-1829
Jabez Bostwick	1830-1840
Charles Hathaway	1840-1844
Nelson K. Wheeler	1844-1847

Edwin D. Wagner	1867-1877
Isaac H. Maynard	1877-1883
Daniel T. Arbuckle	1883-1888
James R. Baumes	1888
Albert H. Sewell	1889-1899
John P. Grant	1900-1912
Lewis F. Raymond	1913-1918
Andrew J. McNaught	1919-1930
A. Lindsay O'Connor	1930-1943
Arthur F. Curtis	1944-1951
Walter L. Terry	1952-1971
Richard H. Farley	1971-1982
Robert L. Estes	1983-2002
Carl F. Becker	2003-2015
Richard D. Northup, Jr.	2016-

Surrogate

Anthony Marvine	1797-1811
John R. Gregory	1811-1813
Amos Douglass	1813-1815
Robert North	1815-1832
Colonel Amasa Parker	1832-1840
Charles Hathaway	1840-1844
Nelson K. Wheeler	1844-1847

Family Court Judge

This position was created in 1962. For counties outside of New York City, the position was included with that of County Judge and Surrogate. This continued until 2015, when it became a separate position.

County Judge and Surrogate

These positions were merged in 1847.

Edwin More	1847-1851
William Gleason	1851-1855
Jesse Palmer	1855-1859
William Gleason	1860-1863
William Murray	1863-1867

Walter L. Terry	1952-1971
Richard H. Farley	1971-1982
Robert L. Estes	1983-2002
Carl F. Becker	2003-2015
Gary Rosa	2016-

Judges

Daniel T. Arbuckle, 1836-1894

Positions: District Attorney, 1874-1877
County Judge and Surrogate, 1883-1889

Daniel Arbuckle was born in Delhi. He was educated at Delaware Academy and graduated from Union College. He started his study of law at the law office of Robert Parker. Since he also had a background in surveying, he became a partner of Judge Hathaway, who had responsibility for a number of large land holdings in the county. He was elected as District Attorney and later elected County Judge. His obituary noted that “the close attention that he gave to the duties of his office seriously undermined his strength and possibly was the cause of his last illness.”

James R. Baumes, 1839-1908

Positions: County Judge and Surrogate, 1889

James Baumes was born in Albany County and graduated from Albany Law School. He started his legal practice in Masonville until March 1885 when he came to Sidney. In October 1889, he was appointed County Judge by Governor Hill, replacing Judge Arbuckle, who had resigned. He only served a few months, losing the November election to Albert Sewell. Baumes was the first President of the Delaware County Bar Association. He was active in his community, serving on several boards and as president of the Village of Sidney.



Carl F. Becker

Positions: County Judge, Family Court Judge, and Surrogate,
2003-2015

Acting Supreme Court Justice, 2008-2015

Carl Becker graduated from Albany Law School and worked as a law clerk for Govern & McDowell in Stamford until 1974, when he became an associate and started as an assistant county attorney for Delaware County. He became a partner in 1979, and the firm name became Govern, McDowell & Becker. He also worked as the town attorney for Hobart, Stamford, and Kortright.

As County Court Judge, he developed Delaware County's first substance abuse treatment courts for adult non-violent offenders with substance abuse problems and for parents with substance abuse problems of children at risk or actually in foster care.

He advocated for and oversaw extensive state funded internal courthouse renovations to improve public access, comfort, and safety as well as to improve staff working conditions. In 2008, he was appointed Acting Supreme Court Justice and retained that position until retirement.

Additionally he led a lobbying effort that resulted in creation of a second county level judge for Delaware County by the New York State Legislature in 2014, to be elected in 2015 and take office in 2016.

Jabez Bostwick, 1778-1856

Position: County Judge, 1830-1840

Jabez Bostwick was a native of Connecticut, coming to what was then Otsego County with his parents when he was 12. He was Collector of Taxes for the United States around 1814. He also

was Sheriff, Member of the State Assembly and Examiner in Chancery, as well as “Side and First Judge of the Common Pleas Court.” He was on the Board of Delaware Academy at its founding in 1819 and served on the board until 1854.

Joshua H. Brett, c. 1750-1822

Position: County Judge, 1797

Not much is known about Joshua Brett’s early life, but he was one of the movers behind the creation of Delaware County. He was a Member of Assembly from what was then Otsego County in 1797 when the county was created. He was the first County Judge of Delaware County, likely holding that position until being elected to the State Senate in 1804. He held that position until 1812. Brett died ten years later in 1822 and is buried in Harpersfield.



Arthur F. Curtis, 1884-1951

Positions: County Judge and Surrogate, 1944-1951

Curtis was born and went to school in the Deposit area. He started practicing law with Austin Griffin. While they later dissolved their partnership, they continued to collaborate in writing several law books. He also wrote one on his own *Curtis on the New York State Law of Evidence*. He first ran for the county bench in 1930, losing to A. Lindsay O’Connor. When O’Connor was elevated to the Supreme Court, Governor Dewey appointed Curtis to fill the County Judge vacancy. He was elected to a full term in 1944 and re-elected in 1950. He passed away less than a month after starting his second full term.

Photograph by Bob Wyer, courtesy of the Delaware County Historical Association.

Amos Douglass, 1799-1858

Position: Surrogate, 1813-1815

Amos Douglass was a native of Vermont, but little else is known about him beyond his serving as Surrogate. He still was a lawyer in 1850, practicing mainly in Franklin, NY, and appears to have died around 1858.



Robert L. Estes

Positions: County Judge, Family Court Judge, and Surrogate, 1983-2002

Estes, a native of Walton, attended RPI and received his law degree from Albany Law School in 1971. He worked with Francis Paternoster in Walton in 1971, becoming a partner in 1974. In 1983, he was elected County Judge in 1983, serving for 20 years. He served on a number of local committees and was President of the Delaware County Bar Association.



Richard H. Farley, 1927-2004

Positions: District Attorney, 1958-1961
County Judge, Family Court Judge, and Surrogate, 1971-1982

Judge Farley came to Delhi in 1953 after briefly practicing law in Brooklyn. He was in partnership with Robert L. Bishop and later established his own practice. He was District Attorney for one term. Ten years later, he was appointed by Governor Rockefeller to fill the unexpired term of County Judge Walter Terry. Farley was elected for a full term the following year, serving for 10 years. He continued to practice law until the time of his death.

Photograph by Bob Wyer, courtesy of the Delaware County Historical Association.



Ebenezer Foote, 1756-1829

Position: County Judge 1810-1816; 1828-1829

Foote was one of the founders of Delaware County. Born in Connecticut, he saw service in the American Revolution at the Battle of Bunker Hill. He served in the State Legislature for Ulster County in 1796. In 1798, he was elected the first supervisor for the Town of Delhi. He was president of the first Board of Trustees for the newly created Delaware Academy in 1819. Among his many offices, Foote was Judge of the Court of Common Pleas and for four years served in the State Senate.

At the time of his death at the age of 73, he was into his second term as a County Judge. He was buried in Delhi, NY. His epitaph read: "In memory of Ebenezer Foote, Esq. who died December 28, 1829 in his 75 year. He was a man of spotless integrity, unwearied diligence, and perseverance, and by his own intellectual powers and moral worth, he arose to an enviable distinction in society and has left many memorials of honorable fame as a legacy to his posterity. Cherish the memory of the Wise, the Great, and the Good!"

Image from the Delaware County Historical Association.



William Gleason, 1819-1894

Positions: County Judge and Surrogate, 1851-1855;
1860-1863

Gleason served two non-consecutive terms as County Judge and Surrogate. Born in Roxbury, he attended local schools and the Prattsville and Delaware Academics. He studied law in Hobart with Jude Levinus Munson and was admitted to the bar in 1843. He spent a few years practicing law in Hobart before moving to Delhi. He served in the State Assembly in 1850 before becoming a judge.

Gleason continued his practice of law after his term as County Judge ended. Charles Evans Hughes began his practice of law in Gleason's Delhi office in 1881.

Image from the Delaware County Historical Association.

John P. Grant, 1853-1932

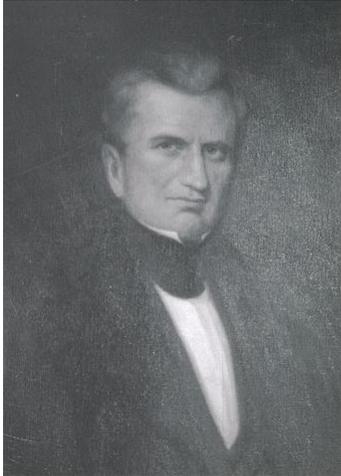
Positions: District Attorney, 1889-1892
County Judge and Surrogate, 1900-1912

A native of Stamford, Grant was Delaware County District Attorney before being appointed by Governor Theodore Roosevelt to fill the position of County Judge and Surrogate. He was elected to the post twice, his term ending in 1912. He died at his home in Stamford twenty years after retiring.

John R. Gregory

Position: Surrogate, 1811-1813

Little is known about John R. Gregory other than that he was Surrogate for the county. He is believed to have come from Stamford.



Charles Hathaway, 1796-1876

Positions: County Judge and Surrogate, 1840-1844

Charles Hathaway was born in Hudson, NY and came to Delaware County with his parents when he was a child. The family settled in Walton. Hathaway moved to Delhi where he lived for almost 50 years. He started his law practice in Delhi, for a time as partner of Charles A. Foote.

In 1840, he was appointed by Governor Seward as County Judge and Surrogate for Delaware County. It was during his time as Surrogate that all state surrogates were required to submit detailed reports of the fees they charged. This was in response to reports of outrageous charges by several in the state. Judge Hathaway was highly commended for the quality and accuracy of his record keeping.

He was one of the building commissioners during the construction of the third Delaware County courthouse in 1871.

Image from the Delaware County Historical Association.

Anthony Marvine, 1764-1810

Position: Surrogate, 1797-1810

Little is known about Anthony Marvine beyond his time as the first Surrogate of Delaware County. He also was clerk of the first Board of Supervisors. A native of Orange County, it appears he died in office in 1810. He is buried in Locust Hill Cemetery in Hobart.



Isaac H. Maynard, 1838-1896

Positions: County Judge and Surrogate, 1877-1883
Associate Judge of the Court of Appeals, 1892

Isaac Maynard was a native of Bovina, grandson of one of the town's first settlers. He graduated from Amherst College in 1862, then studied law in Delhi. He was admitted to the bar in 1865 and was active in local and state politics for several years, serving in the State Assembly in 1876 and 1877. During his term as County Judge and Surrogate, he ran unsuccessfully for Secretary of State of New York. He was appointed First Deputy New York Attorney General in 1886 and later Second Comptroller of the Treasury. He

came back to New York after the end of the first Cleveland administration.

It was while he was Deputy New York Attorney General that he became embroiled in an electoral fraud case in Dutchess County in the 1891 general election. While the Republican senatorial candidate won, 31 votes were contested. The county board threw the votes out. The case went up through the court system. The New York Supreme Court ordered the votes to be included and that the corrected results be mailed to Albany. Maynard managed to retrieve the corrected result from the Comptroller's Office and the Democratic candidate was declared elected. This tipped the balance in the New York State Senate. The story of this case came out within a few months, damaging Maynard's reputation.

Maynard returned to the bench in 1892 when he was appointed to the New York Court of Appeals to fill a vacancy on the Court. He was re-appointed to the Court of Appeals in 1893, but lost heavily when he ran for a full term that fall. He continued practicing law in Albany, and it was there that he unexpectedly died at the Kenmore Hotel in Albany in 1896.

Image from Munsell's History of Delaware County, 1880.



Andrew J. McNaught, 1873-1943

Positons: County Judge and Surrogate, 1919-1930

Justice of the NYS Supreme Court, 1930-1943

McNaught was born in Andes, NY. He attended Delaware Academy and the Andes Collegiate institute and started his study of law in 1894 in the law office of Crosby & Palmer in Delhi. He continued his studies at the Albany Law School and was admitted to the bar in 1898. Having started his practice for a brief time in Andes, he moved to Stamford and formed a partnership with John P. Grant. First elected in 1918 as the County Judge, he was elected to the State Supreme Court in 1930, serving in this position until his death in 1943.

One of the cases which brought widespread attention was his ruling that party names elected by independent candidates for public office be placed upon the ballots. This ruling, handed down Nov. 30, 1931, less than a year after he had ascended to the bench, was the first on the construction of Section 249 of the Election law and established a precedent.

Photograph by Bob Wyer, courtesy of the Delaware County Historical Association.

Edwin More, 1822-1899

Positions: County Judge and Surrogate, 1847-1851

Edwin More was born in Roxbury, a relative of Jay Gould. Educated at Delaware Academy, he studied law in Catskill and started his practice in Delhi. He was elected the first County Judge of Delaware County. He moved to New York City in 1854 to continue his law practice. About 30 years later, he moved to Michigan to reside with his son, dying there in 1899. He was buried in Delhi.



Carl J. Mugglin

Positions: District Attorney, 1964-1967
Justice of the NYS Supreme Court, 1985-2007

Mugglin is a native of Walton, NY. He graduated from the College of Business Administration and the College of Law at Syracuse University. In 1962, he was admitted to the bar. Mugglin practiced law and served as Judge Terry's law secretary. He served one term as Delaware County District Attorney. In 1985, he was elected as a Supreme Court Justice for the Sixth Judicial District. Mugglin served as a Justice of the Appellate Division, Third Department from 1999 until his retirement from the bench in 2007.



William Murray, 1820-1887

Positions: District Attorney, 1850-1853
County Judge and Surrogate, 1863-1867
Justice of the NYS Supreme Court, 1868-1887

William Murray attended Delaware Academy in Delhi and then began his study of law at the office of Samuel Gordon. He was admitted to the bar in 1848. After his terms as District Attorney and later County Judge, he was appointed by the governor to the Supreme Court bench in 1867 and was elected to a full term in 1869. He was re-elected again in 1877 for a fourteen year term. Health problems prompted him to retire from the bench before the end of his term and only a few weeks before his death.

Image from Munsell's History of Delaware County, 1880.

Robert North, 1759-1837

Position: Surrogate, 1815-1832

Robert North, a native of Long Island, emigrated to Walton in 1785 and started the farm on which he would live for more than half a century. He was Town Clerk and Town Supervisor for the Town of Walton as well as Surrogate. North died in Walton five years after the close of his term as judge.

Richard D. Northrup, Jr.

Positions: District Attorney, 1996-2016
County Judge, Surrogate, and Family Court Judge, 2016-

Northrup, a native of Walton, graduated from SUNY Brockport. He began his law career as an assistant public defender in Greene County in 1984, following his graduation from Albany Law School. He came to Walton two years later, becoming a partner in the firm of Eaton, Griffith, DeGroat & Northrup. He joined the Delaware County District Attorney's office in 1992. He was appointed District Attorney in 1996 when Paul Eaton resigned from the position. He was elected to a full term that November and held the position until he was elected County Judge.

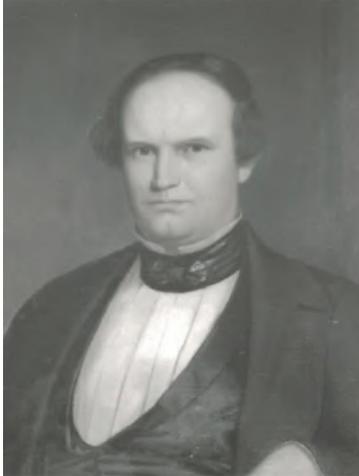


A. Lindsay O'Connor, 1881-1968

Positions: District Attorney, 1919-1928
County Judge and Surrogate, 1930-1943
Justice of the NYS Supreme Court, 1944-1951

O'Connor was born in Davenport, Delaware County, attending public school there. He graduated cum laude from New York University, then attended Albany Law School. Admitted to the bar in 1905, he joined his father and brother in the law firm of O'Connor and O'Connor in Hobart. In 1919, O'Connor was elected District Attorney and re-elected in 1922. He was elected County Judge in 1930, holding this post until 1943, when Governor Dewy appointed him to fill out the term of the late Judge McNaught on the State Supreme Court. He was elected to the position and held it until 1951.

O'Connor was active in the community, serving as President of the Village of Hobart, President of the Delaware County Bar Association, President and Treasurer of the Federation of Bar Associations of the Sixth District, Member of the State Bar Nominating Committee, Director of two area banks and member of the Board of Directors of the International Business Machines Corporation from 1945 to 1951. He was also a member of the Board of Trustees of Syracuse University for five years.



Isaac Ogden, 1773-1850

Position: County Judge, 1816-1828

Ogden was born in Morristown, NJ and came to Delaware County, probably as a child. He held several offices in the county, including member of the New York Senate as well as First Judge of the Court of Common Pleas. He retired to his farm in Walton later in life where he passed away at the age of 81.

Image from the Delaware County Historical Association.

Jesse Palmer, 1804-1872

Positions: County Judge and Surrogate, 1855-1859

Jesse Palmer spent most of his life in Delhi. He served in the New York State Assesmbly in 1844. As well as serving as County Judge, he was Judge of the Court of Conciliation, a court established as an experiment. He continued his law practice after his term as County Judge. His death in 1872 was unexpected, and his funeral in Delhi was well attended.

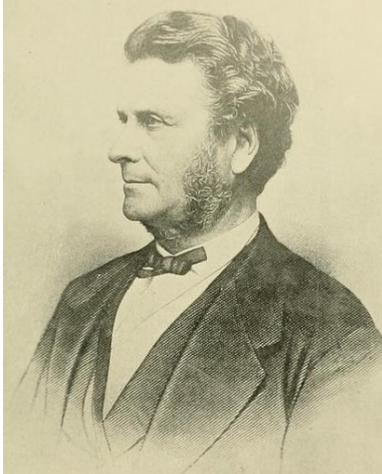


Colonel Amasa Parker, 1784-1855

Position: Surrogate, 1832-1840

Colonel Amasa Parker (often called Colonel to avoid confusion with his nephew, Amasa J. Parker) was born in Litchfield County, Connecticut. He graduated from Yale and studied law in Litchfield and later in Kinderhook. Parker came to Delhi in 1812 and formed a partnership with Samuel Sherwood. After Sherwood left the partnership, the Colonel brought in his nephew Amasa and in 1844 his son Robert. He served nine years as County Surrogate. Colonel Parker continued in the practice of law until retiring at the age of 70.

Image from the Delaware County Historical Association.



Amasa J. Parker, 1807-1890

Positions: District Attorney, 1833-1836
Justice of the NYS Supreme Court, 1846

Amasa J. Parker was born in Connecticut, the son of a Congregational clergyman. The family moved to Greene County, NY where Amasa started his study of Latin. In 1823, when only 16, Amasa became the principal of the Hudson Academy. After graduating from Union College he commenced the study of law. He moved to Delhi in 1827 when he picked up his study of law in the offices of his uncle, Col. Amasa Parker. After his admission to the bar, he became a partner of his uncle.

Over the next fifteen years, while working with his uncle, he also a Regent of the University of the State of New York (1835) and a member of Congress (1837-1839). He moved to Albany when appointed to the office of Circuit Judge of the Third Circuit.

He was involved with two trials connected with the Anti-Rent Wars. He presided over the trial of Dr. Boughton (“Big Thunder”) in the spring of 1845 in Hudson. In the fall of 1845, he was back in Delhi to preside over the trial of the over 200 people indicted for crimes connected with the killing of Under Sheriff Osman Steele.

He was elected to the State Supreme Court for the Third Judicial District in 1846. He continued to be active in the Albany area and ran twice for governor in 1856 and 1858. He was the co-founder of the Albany Law School. Long-time Albany Mayor Erastus Corning is one of Parker's great-grandchildren.

Image from Delaware County, New York; History of the Century, 1797-1897.



Lewis F. Raymond, 1852-1931

Positions: District Attorney, 1911-1912
County Judge and Surrogate, 1913-1918

Raymond was born in Hamden, receiving his education from the local one-room school and from the Delaware Literary Institute in Franklin. He taught for several years in local schools and later studied law with the firm of Mayham & Krum in Schoharie and with Robert T. Johnson of Franklin. After being admitted to the bar in Saratoga in 1879, he started his law practice in Franklin. He was Delaware County District Attorney and was elected County Judge and Surrogate in 1912, the same office held by his grandfather Jabez Bostwick.

Judge Raymond died at his home in Franklin in 1931 from heart disease.

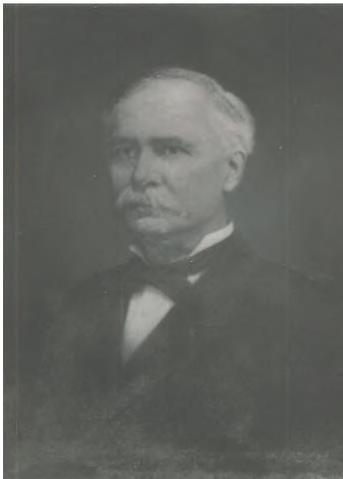
Image from the Delaware County Historical Association.



Gary A. Rosa

Position: Family Court Judge, 2016-

Rosa, a native of Delaware County, was elected the first Family Court judge in Delaware County, when the position was created in 2016. A graduate of Albany Law School, he was the town justice for the Town of Middletown since 1992. He continued his practice while town justice until his election in 2016 as Family Court Judge. Rosa also is Drug Treatment Court Judge.



Albert H. Sewell, 1847-1924

Positions: County Judge and Surrogate, 1889-1899
Justice of the Supreme Court, 1899-1918

Sewell was a Delaware County native, born in Hamden in 1847. He graduated from Walton Academy and studied at Union College before entering Cornell University. He earned degrees from Cornell and from the Albany Law School in 1873. After being admitted to the bar, he started his practice in Walton. He continued practicing law until his election as a county judge in 1889. After ten years in this position, he was named by Governor Theodore Roosevelt to the Supreme Court for the sixth district. He was elected to the position later that year. He served on the Appellate Division from 1900-1901. Returning to trial work, he came back to the Appellate Division in 1907. He retired from the bench at the mandatory retirement age in 1917, though he continued to serve as an official referee until 1924, the year of his death.

Image from the Delaware County Historical Association.



Walter L. Terry, 1909-1978

Positions: County Judge, Family Court Judge, and Surrogate,
1952-1971

Justice of the NYS Supreme Court, 1972-1978

Terry was a native of Walton. He graduated from Colgate University in 1931 and Brooklyn Law School in 1935. After graduating, he opened a law office in Walton. He became County Judge and Surrogate in 1951. In 1962, the State passed legislation that added the position of Family Court Judge to that of County Judge and Surrogate. Terry was the first judge in Delaware County to hold all three positions, which he did until his election to the Surpeme Court in 1972. He was in this position at the time of his death in 1978. He served as president of the New York State Association of Surrogate Court Judges and was Delaware County Citizen of the Year in 1975 and 1976.

Photograph by Bob Wyer, courtesy of the Delaware County Historical Association.

Edwin D. Wagner, 1834-1922

Positions: County Judge and Surrogate, 1867-1877

Born in Norwich, NY, Wagner headed west briefly, living in Illinois before coming back east to attend law school in Albany. After graduation, he opened his practice in Downsville. After serving as County Judge, he settled in Delhi until his death. In 1872, he accompanied the Republican candidate for President Horace Greeley around the county as he campaigned. Wagner unsuccessfully tried to get the nomination for a congressional seat.

He did not run for office again but was active as a trial lawyer for many years. His last court appearance was in the murder trial of Harvey Montgomery in 1902, where his assisted the District Attorney and summed up the case for the prosecution.

Nelson K. Wheeler, 1807-1880

Positions: District Attorney, 1839-1842

County Judge and Surrogate, 1844-1847

County Attorney, 1845

Nelson K. Wheeler was a native of Hancock, NY. Admitted to the bar at the age of 21, he filled several offices in his legal career, including District Attorney, County Judge and Surrogate, and County Attorney. He also was a member of the New York State Assembly in 1843 and again in 1863.

During one of the gaps in his many offices, he traveled west with Samuel J. Tilden and William B. Ogden to get involved with railroads. He came back east to settle in Westchester County. He served as a police justice in New York City for 10 years. At the time of his death, he was on his farm in Deposit, NY.

V. The Bar

District Attorney

William H. Elting	1818-1821	Samuel H. Fancher	1883-1889
John B. Spencer	1821-1823	John P. Grant	1889-1892
Selah R. Hobbie	1823-1827	William F. White	1892-1898
Noadiah Johnson	1827-1833	George A. Fisher	1898-1904
Amasa J. Parker	1822-1836	Alexander Neisch	1904-1910
Samuel Gordon	1836-1839	Lewis F. Raymond	1911-1912
Nelson K. Wheeler	1839-1842	Edward E. Conlon	1913
Jonas A. Hughston	1842-1845	Hamilton J. Hewitt	1913-1919
Truman H. Wheeler	1845-1847	A. Lindsay O'Connor	1919-1928
Amasa J. TenBroeck	1847-1850	Robert B. Craft	1928-1937
William Murray	1850-1853	Gleason B. Speenburg	1937-1958
Robert Parker	1853-1856	Francis R. Paternoster	1958
John Grant	1856-1859	Richard H. Farley	1958-1961
George W. Clark	1859-1862	Robert J. McKeegan	1961-1964
Reuben H. Root	1862-1865	Carl Mugglin	1964-1967
Ferris Jacobs, Jr.	1865-1868	Palmer J. Kennedy	1967-1973
Harvey F. Davidson	1868-1871	Malcolm Hughes	1973-1991
Ferris Jacobs, Jr.	1871-1874	Paul Eaton, Jr.	1992-1996
Daniel T. Arbuckle	1874-1877	Richard Northrup	1996-2016
Abram C. Crosby	1878-1880	John L. Hubbard	2017-
Jonas M. Preston	1880-1883		

Prominent Attorneys

George W. Clark, 1821-1877

Position: District Attorney, 1859-1862

George Clark was born in Albany County, NY. He was only 14 when he entered Union College, graduating when he was 18. After studying law with his uncle, he was admitted to the bar when he was 21. He moved to the Town of Middletown in Delaware County in 1849 and worked with his father and brothers in the tanning business while also working as a lawyer. After his term as District Attorney, during which he moved to Delhi, he formed a partnership with Samuel Gordon. He continued his practice on his own and was still active at the time of his unexpected death at the age of 56.

Edward E. Conlon, 1861-1932

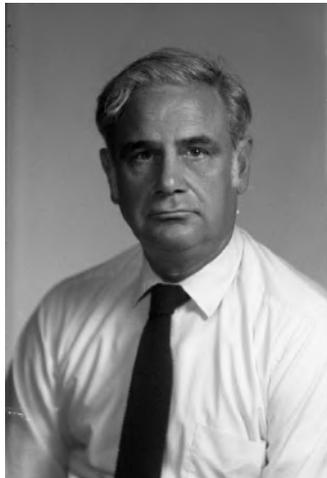
Position: District Attorney, 1913

Edward Conlon grew up in the Downsville area. He was appointed District Attorney in 1913 to fill a vacancy but lost the November election to Hamilton Hewitt. He continued his law practice in Downsville until he took his own life in 1932.

Robert B. Craft, 1876-1938

Position: District Attorney, 1828-1937

Robert Craft was born near Roxbury. He graduated from Cazenovia Seminary, New York University and Albany Law School. Admitted to the bar in 1904, he practiced law in Schenectady until 1910. He returned to Roxbury, partnering with Ralph S. Ives. He served two terms as District Attorney. He declined to run for a third term and died less than a year after leaving office.



John Crocker, 1915-2010

Crocker was a prominent lawyer in Delhi and active in his community. He was born in Wayne County and graduated as valedictorian of Macedon High School. He graduated from Brown University in 1937 with honors in history. In 1941, he enlisted in the Army and served in Europe during World War II. After the war, he attended Cornell Law School, where he graduated in 1947. He started his law career as a law assistant in the office of Governor Thomas E. Dewey. During the Korean War, he was recalled to active service, serving as a military lawyer in the Judge Advocate Generals Corps. From 1955 to 1993, he practiced law in the firm of Rushmore, Mason, Marcus and Crocker. Crocker was active in retirement,

serving as a trustee of the Cannon Free Library and was a life member of the Delaware County Historical Association. In 1997, he wrote *Tales of the Courthouse Square*.

Photograph by Bob Wyer, courtesy of the Delaware County Historical Association.

Abram C. Crosby, 1847-1899

Position: District Attorney, 1878-1880

Crosby was born in Roxbury and attended the Delaware Literary Institute in Franklin. After graduating from Cornell, he became surrogate's clerk under Judge Wagner. He began his practice after being admitted to the bar in 1872, going into partnership with Jonas M. Preston. He

was defeated in his first run for District Attorney, but three years later was elected to the position. In later years, he was elected to the State Constitutional Convention and was involved with the celebration of the Delaware County Centennial in 1897 while continuing his law practice. Though in poor health, his death at the age of 52 came as a surprise to the community.

Image from the Delaware County Historical Association.

Harvey F. Davidson, 1833-1895

Position: District Attorney, 1868-1871

Harvey Davidson was born in the Town of Colchester and was educated in the local schools and at Delaware Academy. He read law with his uncle, the late Judge Murray, and in 1849 was admitted to the bar to practice law. Davidson was Justice of the Peace in Delhi and was active in recruiting soldiers during the Civil War.

He continued to be active in law after his term as District Attorney, being a member of the law firm of Youmans & Davidson. He was supervisor for the Town of Delhi from 1886-1888 and again became Justice of the Peace, a position he held at the time of his death in 1895.



Lynn E. Dreyfus, 1916-1953

Position: County Attorney, 1948-1953

Dreyfus was born and grew up in Delhi, NY, attending Delaware Academy before attending Hamilton College and later Cornell University. He was admitted to the bar in 1940. He served in World War II in the Aleutian Islands. After his discharge, he entered into a law partnership with Hamilton Hewitt. He was County Attorney at the time of his death from polio, leaving his wife and three young children.

Photograph by Bob Wyer, courtesy of the Delaware County Historical Association.

Paul F. Eaton, Jr.

Position: District Attorney, 1991-1996

Paul F. Eaton, Jr. was the son of prominent local attorney Paul F. Eaton, Sr. He graduated from Albany Law School in 1972 and was admitted to the bar a year later. As well as serving as District Attorney, Eaton was a member of the Committee on Professional Standards for the 3rd Judicial Department.



Paul F. Eaton, Sr., 1909-2008

Paul F. Eaton, Sr. was born in Hudson NY. He graduated from Catholic University of America in Washington, DC. In 1932, he received his law degree from the Albany Law School. He took a position in Walton in the office of William Connor. In 1938, he started his own practice in Walton.

During World War II, he was the Chief Enforcement Office for the U.S. Office of Price Administration in Binghamton. He returned to his practice in Walton after the war. His law practice continued into his 90s. While a majority of his practice consisted of office work, Paul won some substantial victories in the courtroom. One of his most noted cases concerned the Town of Colchester's lawsuit against the City of New York to enforce the City's obligations to maintain the roads around the Pepacton Reservoir. Eaton was active in his community, serving as village police justice and later mayor for the Village of Walton.

Eaton was 98 at the time of his death at his home in Walton.

Photograph by Bob Wyer, courtesy of the Delaware County Historical Association.

William H. Elting

Position: District Attorney, 1818-1821

Not much is known about William Elting beyond his one term as District Attorney. He moved to New York City sometime after his time as D.A., continuing his law practice there. His wife, a Delhi native, died there in 1841.

Samuel H. Fancher, 1849-1918

Position: District Attorney, 1883-1889

Fancher was born in Walton and attended local schools there. He attended Albany Law School and was admitted to the bar in 1872. Fancher was an active attorney before and after his time as Delaware County District Attorney. In 1914, he was elected delegate to the New York State Constitutional Convention. In later life, he was associated in practice with his son, Samuel Fancher, Jr.

Samuel H. Fancher, Jr., 1886-1948

Position: County Attorney, 1916-1948

Samuel Fancher, Jr., was born in Walton, the son of Samuel H. Fancher, Delaware County District Attorney. He graduated from Walton High School and received his bachelor of arts degree from Yale. In 1912, he graduated with honor from the Yale Law School, where he was a classmate of Ohio Senator Robert Taft. He was County Attorney at the time of his death, having held the position for over 30 years. He also was law agent for the New York, Ontario and Western Railroad.



Mabel Fenton, 1890-1960

Position: First Woman Lawyer in Delaware County

Mabel Danining was born in Catskill. She spent most of her childhood in Margaretville, graduating from the local high school in 1909 and from the teacher's training class a year later. She married attorney Andrew Fenton in 1912, starting her legal career as secretary for her husband. He felt that she should consider becoming a lawyer herself, so she entered the Albany Law School in the autumn of 1921 and was admitted to the bar in 1924. She became a law partner of her husband under the name of Fenton and Fenton. Mr. Fenton died in 1944. Mrs. Fenton continued the practice of law until shortly before her

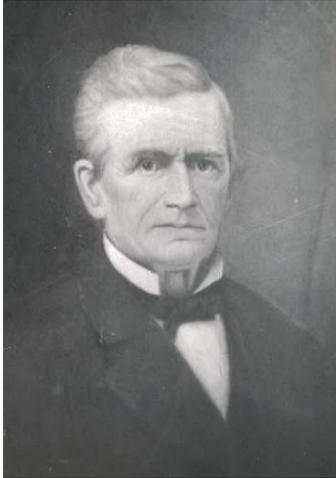
death at the age of 70.

Image from the Delaware County Historical Association.

George A. Fisher, 1850-1922

Position: District Attorney, 1898-1904

George Fisher was born in Franklin, NY. As a young adult, he went to Kansas to teach. He came back to New York and studied law in the office of Judge Wagner. After his admission to the bar in 1876, he partnered with Wagner. He served two terms as District Attorney. He ran for County Judge but was defeated. In 1909, he was appointed fourth deputy state attorney general. After two years he came back to resume his practice in Delhi. He went back to Albany when he was appointed the third deputy attorney general, later becoming the second deputy. He was holding this position when ill health forced him to resign in 1921.



Samuel Gordon, 1802-1873

Position: District Attorney, 1836-1839

Samuel Gordon was born in Wattle’s Ferry, NY. He studied law with Erastus Root in Delhi and was admitted to the bar in 1829. Gordon was active in local, state and national politics, starting as Town Supervisor in the Town of Delhi. He served in the New York State Assembly before being elected District Attorney. He was elected twice to the United States House of Representatives, in 1841 and again in 1845, one term each time. Concurrent with his time in Congress, Gordon was admitted as an attorney and counsellor of the Supreme Court of the United States. During the Civil War, he served as provost marshal for the nineteenth district of New York.

He was 71 at his death at his home in Delhi.

Image from the Delaware County Historical Association.

John Grant, 1829-1869

Position: District Attorney, 1856-1859

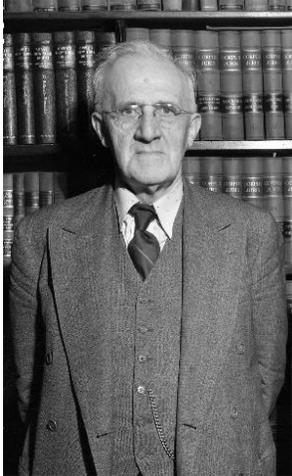
John Grant was a native of Delaware County from the Town of Middletown. As well as being a lawyer, he was active in lumbering and farming, owning several saw mills and tracts of lumber land. He served one term as District Attorney. He was a member of the 1867 State Constitutional Convention. He died unexpectedly from typhoid fever in 1869.



Matthew Griffin, 1810-1903

Matthew Griffin came from Fishkill in Dutchess County. When he was 25 years old, he opened a store and was extensively engaged in business. He was interested in law and in 1851 was admitted to the bar. Griffin continued his business interests while also practicing law in his locality. In the 1870s, he served three years in the State Assembly. Griffin lived to old age, surviving all his adult children, and died in Griffin Corners, named in his honor, in 1903 when he was 93 years old (it is now the village of

Fleischmanns). His extensive diary, covering from the 1840s to 1860s, includes his thoughts during the Anti-Rent War in 1845. The diary is now at the Delaware County Historical Association.



Hamilton J. Hewitt, 1873-1953

Position: District Attorney, 1913-1919

Hamilton Hewitt was a native of Bovina. He graduated from Delaware Academy in 1894 and from Albany Law School in 1898. Hewitt settled in Delhi where he lived for the rest of his life and was a noted local attorney. As well as serving as District Attorney, he was the village attorney for Delhi and was active in the community. He a law partner of Lynn Dreyfus and had been working in his office the day of his death from a heart attack.

Photograph by Bob Wyer, courtesy of the Delaware County Historical Association.

Selah R. Hobbie, 1797-1854

Position: District Attorney, 1823-1827

Selah Hobbie was born in Newburgh, NY. He began his practice of law in Delhi and served one term as District Attorney. After his term, he went to Congress for one term. When Andrew Jackson became President he was appointed the second assistant postmaster-general. He became first assistant in 1836. He was serving in this position at his death in Washington, DC.

John L. Hubbard

Position: District Attorney, 2017-

John Hubbard, born in Stamford, attended Gordon College and the New England School of Law. He practiced law with McDowell & Becker before becoming District Attorney.



Charles Evans Hughes, 1862-1948

In September 1881, a young man arrived at the O&W railroad station in Delhi to start his stint as a teacher at Delaware Academy. The school's principal, when picking up Hughes, was surprised at his youth (Hughes was only 19) and was wary of hiring him. Hughes pleaded his case and he was allowed to teach for a trial period and was quite successful. He taught Latin, Greek, Algebra, and Geometry.

Hughes used his afternoons to study law at the offices of William Gleason, located on the Courthouse Square in Delhi. He also attended trials at the courthouse.

At the end of the school term in June 1882, Hughes decided to continue his study at Columbia Law School. The school and the community were sorry to see him go. The local newspaper, the *Delaware Gazette*, noted that “although he has been in the Academy only a year and taught only part of the day, yet he has won a very high place in the esteem of all the students. It will be difficult to fill his place.”

Hughes went on to a stellar career. He served as the 36th Governor of New York and was appointed as an Associate Justice to the Supreme Court in 1910. He stepped down in 1916 to run against Woodrow Wilson as President of the United States, losing narrowly to the incumbent. He was Secretary of State in the Harding Administration and in 1930 was appointed by President Hoover as the 11th Chief Justice of the United States. He retired from the bench in 1941.

Malcolm Hughes

Position: District Attorney, 1973-1991

Hughes, a native of Little Falls, NY, graduated from Albany Law School and was admitted to the bar in 1965. In 1966, he became assistant district attorney under Carl Mugglin and later Palmer J. Kennedy. Hughes served five terms as District Attorney. In 1991, he received an award from the New York State Bar Association for outstanding prosecution.



Jonas A. Hughston, 1808-1862

Position: District Attorney, 1842-1845

Jonas Hughston was born in Sidney, NY. Admitted to the bar in 1839, he practiced law in Delhi. A decade after his service as District Attorney, he was elected to Congress, serving one term. In 1861, President Lincoln appointed Hughston Marshal of the U.S. Consular Court in Shanghai, China. He died there only a few months after arriving in the country.

Image from the Delaware County Historical Association.



Harold E. Hyzer, 1903-1975

Position: County Attorney, 1953-1965

Hyzer was born in Liberty, NY and came to Franklin in 1919, helping his father with his feed business. He graduated from Franklin High School. After working with his father for five years, he took two years of pre-law at Hartwick. In 1933, he graduated from Albany Law School and was admitted to the bar a year later. Hyzer continued the practice of law after stepping down as County Attorney until his retirement in 1968.

Photograph by Bob Wyer, courtesy of the Delaware County Historical Association.



Ferris Jacobs, Jr., 1836-1886

Position: District Attorney, 1865-1868; 1871-1874

Ferris Jacobs was born in Delhi, son of Ferris Jacobs, one of the village's leading doctors. He went to school at Delaware Academy and later at the Delaware Literary Institute in Franklin. He graduated from Williams College and entered the office of George Northrup of Philadelphia. In the fall of 1857, he returned to Delhi to continue the study of law at the office of Parker & Gleason. After his admission to the bar in 1859, he became a surrogate's clerk for Judge Gleason. He enlisted in the 3rd NY Calvary during the Civil War and was elected Captain. He had an active record during the war, serving in several campaigns and

finished the war as a brigadier-general.

Returning from the war he was elected District Attorney, serving two non-consecutive terms. In 1877, he unsuccessfully ran for County Judge. He was elected to Congress in 1880, serving for one term. He died in 1886 in the Bloomingdale Asylum, where he had been taken two years before due to mental deterioration.

Image from the Delaware County Historical Association.

Noahdiah Johnson, 1795-1839

Position: District Attorney, 1827-1833

Noadiah Johnson was a native of Connecticut, moving to Delaware County in 1817. He studied law and started practicing in Delhi after his admission to the bar. He had a varied career. After

his term as District Attorney, he continued his practice while being one of the publishers of the *Delaware Gazette*. He was elected to the twenty-third session of Congress. At the time of his death in Albany, NY, he was serving as a member of the New York State Senate.



Palmer J. Kennedy, 1918-1994

Position: District Attorney, 1967-1973

Palmer Kennedy was born in Weehawken, NJ. He graduated from St. Peter's College in 1940 and from the Georgetown University School of Law. During World War II, he served in the Navy. Kennedy practiced law in Delhi for many years. Before becoming District Attorney, he had served as assistant district attorney under District Attorney McKeegan. He retired from his practice in 1986 and moved to Mountville, Pennsylvania a year before his death.

Photograph by Bob Wyer, courtesy of the Delaware County

Historical Association.

Elsie Logwin, 1908-1989

Elsie Potozsky was born in Delaware County, the daughter of a Russian father and Polish mother. After graduating from Margaretville High School, where she was class valedictorian, she attended and graduated from the Brooklyn Law School. She married Stanley J. Logwin in 1941 in Arkville. She practiced law for over 50 years, starting with Arthur Curtis, a Delhi lawyer, and was involved with the Delaware County Bar Association, serving as Vice-President.



Robert J. McKeegan, 1922-2015

Position: District Attorney, 1961-1964

McKeegan was born in New Rochelle, NY and grew up in Pelham. He attended Colgate University and enlisted in the U.S. Army in World War II, serving in Europe. He graduated from Albany Law School in 1948 and started working in White Plains in a law firm that same year. In 1954, he came to Delhi to live with his family, starting a law practice there. He continued his law practice after his term as District Attorney. McKeegan also was past President of the Delaware County Bar Association.

Photograph by Bob Wyer, courtesy of the Delaware County Historical Association.

Alexander Neisch, 1877-1958

Position: District Attorney, 1904-1910

Alexander Neisch was born in Walton. Though he served as District Attorney for six years, his longest tenure was as the Walton town clerk for 32 years. His obituary in the *Walton Reporter* noted that he “was a gentleman of the old school who extended the courtesies of a day gone by to all who came to him for assistance.”



Marion Palmer, 1866-1915

Marion Palmer was born just outside of Hobart and attended school at Delaware Academy when Charles Evans Hughes was on the faculty. He graduated from Amherst College and studied law in Delhi with Abraham Crosby. After he was admitted to the bar, he entered into a partnership with Mr. Crosby. As well as practicing law, Palmer was supervisor for the Town of Delhi for several years and at the time of his death was chairman of the Delaware County Board of Supervisors.

Image from the Delaware County Historical Association.

Robert Parker, 1818-1867

Position: District Attorney, 1853-1856

Robert Parker was a native of Delaware County, the son of Colonel Amasa Parker. He went into the practice of law with his father, continuing the practice after the elder Parker’s death in 1855. The *Delaware Gazette* noted on reporting his death that “He was a man of superior ability, and was generally esteemed as an honest and faithful lawyer, and an upright man.”



Francis R. Paternoster, 1912-1997

Position: District Attorney, 1958

Paternoster was born in Downsville, graduating from Downsville High School in 1930. He graduated from Cornell Law School in 1936 and was admitted to the bar in 1937. Francis was a World War II vet, seeing action in Europe. He moved his law practice from Downsville to Walton in the 1950s. He was appointed by Governor Harriman to serve as District Attorney in the spring of 1958 to fill a vacancy in the position. He was defeated in the election that fall for a full term. He was 84 at the time of his death at his home in Walton.

Photograph by Bob Wyer, courtesy of the Delaware County

Historical Association.

Jonas M. Preston, 1843-1919

Position: District Attorney, 1880-1883

Jonas Preston was native to Roxbury, NY where he received his education before going to Delhi to study law. He established a law office there and was clerk of the Surrogate's Court for four years. The governor appointed him to a committee tasked with revising the State Constitution. After his term as District Attorney, he became postmaster of Delhi and held this position for many years.

Reuben H. Root, 1835-1889

Position: District Attorney, 1862-1865

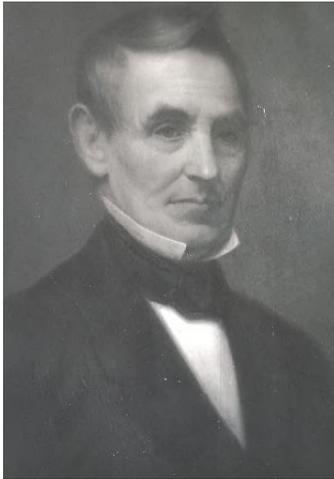
Reuben Root likely grew up in Otsego County, coming to Delaware County in the 1850s. After being admitted to the bar, he formed a partnership with Fletcher Palmer in Deposit in 1854. Root served one term as District Attorney. He moved to Binghamton after his term and then to Norwich, continuing to practice law in both places.



John T. Shaw, 1844-1924

John T. Shaw was a prominent lawyer in Delhi, where he was born. He attended Delaware Academy and studied law in the office of William M. Johnson in Andes. He went to Iowa for a year and returned to Andes. In 1869, he was admitted to the bar and opened an office in Margaretville. Two years later, he came to Delhi where he practiced the rest of his life. His obituary noted that “due to his perseverance and energy he built up a lucrative practice and at one time or another had practiced in all the courts of the state.”

Image from the Delaware County Historical Association.



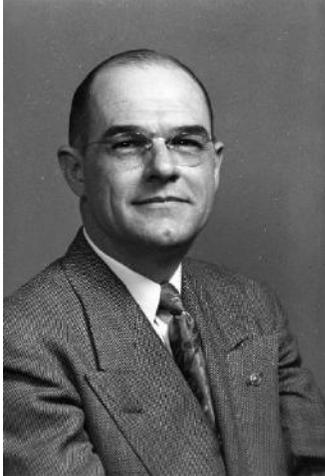
Samuel Sherwood, 1779-1862

Sherwood was one of the pioneer lawyers of the county. He was born in what is now Washington County and spent some of his childhood in Cayuga County. He came to what is now Delaware County in 1799. He was already an experienced lawyer, having tried suits before justices before he was eighteen. He settled in Delhi where he established his law practice about a mile south of Delhi in what is now called Sherwoods. He was appointed to take the Delaware County census in 1800.

Sherwood was elected to Congress in 1812 as a Federalist, serving one term. His law practice continued in the county until 1830. He was the prosecuting attorney in the trial of James Graham for the murder of Cameron and McGillivray.

Sherwood moved to New York City in 1830 to establish his legal practice there, though he continued keeping his home in Delhi. He appeared for the prosecution in the anti-rent trials in Delhi in 1845. He died in New York City in 1862 and is buried in Delhi. He is an ancestor of Robert E. Sherwood, Pulitzer Prize winning playwright and author.

Image from the Delaware County Historical Association.



Gleason B. Speenburg, 1907-1971
Position: District Attorney, 1937-1958

Gleason Speenburg was District Attorney for 21 years, except for a three year period during World War II when he was a captain in the Army. He resigned as District Attorney in 1958 after pleading guilty that same year to income tax evasion.

Photograph by Bob Wyer, courtesy of the Delaware County Historical Association.

John B. Spencer

Position: District Attorney, 1821-1823

John Spencer was an early lawyer in the Town of Stamford. He served a term as supervisor for the town before becoming District Attorney. It appears he left Delaware County not long after his term ended.

Amasa J. TenBroeck, 1826-1852

Position: District Attorney, 1847-1850

Amasa J. TenBroeck was only 21 when he became District Attorney, serving one term in that office. He died of cancer two years later at the age of 26.

Truman H. Wheeler, 1814-1863

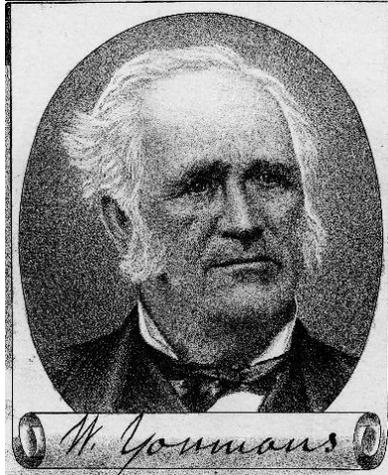
Position: District Attorney, 1845-1847

Truman H. Wheeler was a native of Deposit and spent his early years there. He started his practice of law not long after graduating with honors from Union College. Nine years after finishing his term as District Attorney, he moved his family to Chicago, but after three years he came back to Deposit. At the time of his death, he was judge of the "Tribunal of Conciliation."

William F. White, 1850-1921

Position: District Attorney, 1892-1898

White was born in Franklin, son of a minister. He was admitted to the bar in 1874 and opened an office in Downsville in 1875. After a few years in Downsville, he moved his office to Walton and formed the partnership of Fancher & White. He died in Walton after an illness of more than two years.



William Youmans, 1820-1896

Youmans came to Delhi during the anti-rent trials in the 1840's. He studied law with Samuel Gordon, who had an office on the south side of Courthouse Square in Delhi. He was admitted to the bar in 1849. He was noted as a colorful and flamboyant advocate and was actively practicing law until a few days before his death. His obituary in the *Walton Reporter* noted that Youmans "was one of the first lawyers on matters pertaining to land titles and real estate law in the state. He has done more than any other man in this county to settle disputed questions of titles as to real estate." His son George and grandson Frederick were also prominent Delhi lawyers.

Image from Munsell's History of Delaware County, 1880.

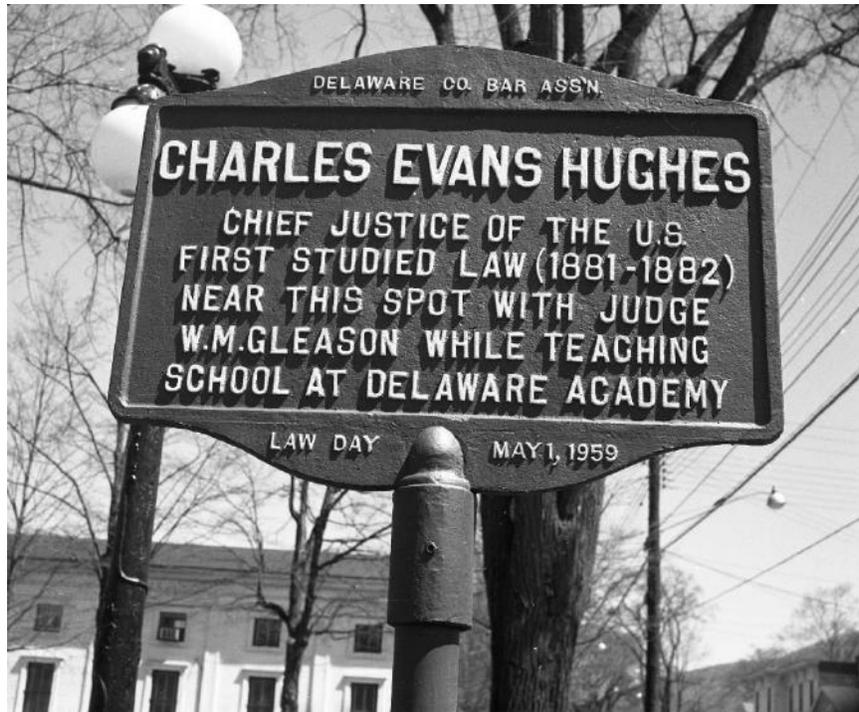
Charles Evans Hughes Historic Marker Dedication

On May 4, 1959, a historic marker was dedicated to Charles Evans Hughes to note his time in Delhi studying law with Judge W.M. Gleason. The marker was sponsored by the Delaware County Bar Association. The ceremony took place on the courthouse square and was reported in the May 7, 1959 *Walton Reporter*.



Left to Right: Francis R. Paternoster, Bar Association President; Justice Floyd Anders of the Supreme Court from Binghamton; C. Addison Keeler, Binghamton, State Bar Association President; County Judge Walter L. Terry; Principal R.R. DeGelleke, Delaware Academy, Delhi; and Robert McKeegan, prime mover behind the project.

Photograph by Bob Wyer, courtesy of the Delaware County Historical Association. Identifications came from the Walton Reporter article.



The plaque was made at the Walton-East Branch Foundry in Walton.



Images of the marker and of the dedication ceremony taken by Bob Wyer, courtesy of the Delaware County Historical Association.

VI. County Trials

People v. James Graham, June 16, 1814: Notorious Murder Trial

The first murder trial in Delaware County happened in the June of 1814. On July 24, 1813, James Graham, Hugh Cameron, and Alexander McGillivray were helping new settler Joseph Kellogg build a barn on his homestead. Shortly after sunset, the three men headed out together in seemingly amicable circumstances, but the alarm was sounded the next morning when Cameron and McGillivray never came home. Graham was found at home and said he had left the two men arguing with each other. The bodies of the two men were later found on the trail near Graham's home, both men having been clubbed to death.

The coroner Oliver Peake was contacted and a jury of inquest was convened at the site where the bodies were found. The murder weapon was found to be an ironwood handspike. They adjourned to a nearby tavern to discuss what they had found and quickly became suspicious of Graham. They searched his house and found blood stained clothing.

Graham was arrested and put in the county jail. He managed to escape the jail in September but was found hiding in a haymow and was returned to jail and put in forty pound leg irons.

Graham was brought to court on June 15, 1814 for his trial. He pled not guilty. He was defended by Erastus Root, assisted by Mr. Douglass, who was assigned to defend him. Several witnesses were called by the prosecution, providing a strong case against Graham, while Root was unable to produce evidence that someone else committed the murder. The jury only deliberated twenty-five minutes and came back with a verdict of guilty.

On June 20, Graham was sentenced to be hanged on July 29, 1814. The hanging brought in so many people that many could not find any lodging.

People v. Nathan Foster, February 26, 1819: Notorious Murder Trial

Five years after the trial and execution of James Graham, Delaware County saw another sensational murder trial, that of Nathan Foster for poisoning his wife.

On January 28, 1819, while Nathan was home alone with his wife Ellen, she became violently ill and died 18 hours later, with no doctor called until shortly before her death. Neighbors were suspicious, enough that an autopsy was ordered. Arsenic was discovered in her stomach.

Evidence pointed to her husband, who had purchased arsenic the previous fall to kill rats. Nathan was quickly arrested. He pled not guilty and had as his defense team Erastus Root, Samuel Sherwood, Colonel Amasa Parker and John Sudam. The prosecution's team was equally impressive and included New York's Attorney General, and later eighth President of the United States, Martin Van Buren.

At the trial which started on June 30, 1819, neighbors testified hearing him complain about his wife. One witness reported that he said to her "if old Ellen was well in heaven, if she would

marry him.” After two days of witness testimony concerning the couple’s relationship and the arsenic, the defense spent almost three hours summarizing their defense. The prosecution, including Mr. Elting and Mr. Van Buren, spent another three hours summarizing the prosecution's case. The Justice spent over an hour giving the charge to the jury. At 4:00 am on July 2, the jury received the case. In less than half an hour they returned a guilty verdict.

The next day Nathan Foster, still protesting his innocence, was sentenced to hang, a sentence carried out on August 6.

Revolutionary War Pension Claims, May 1, 1820: General Interest Trial

In 1818, the federal government passed an act to provide pensions to Revolutionary War soldiers. This was the first federal service pension law. The process was for the veteran to make a declaration under oath before any judge, describing his service, the unit in which he served, etc. In Delaware County, this often happened at the county level.

For veterans in Delaware County, there was a delay when the first courthouse burned down in April 1820. By the fall, however, claims were being presented to the Court of Oyer and Terminer. The paperwork then was sent to the Secretary of War for the final decision. There were several changes to the law over the next decade.

In June 1832, the United States Congress passed a law that supplement the previous ones for providing pensions for military services during the American Revolution. That fall, over 100 veterans from Delaware County flooded Delhi to present their claims to the Court of Common Pleas. The *Delaware Gazette* reported that “the village was literally thronged with those veteran soldiers, who had collected the scattered evidences of their ancient services, and came to receive the pittance provided to cheer and comfort the last days of their earthly existence.” A group of citizens arranged to entertain the veterans as they awaited their turn in court. At noon, they were summoned by the courthouse bell and marched in line to a local hotel to be served lunch.

The number of claims nationwide under this new act, over 12,000, led to delays in the final decision for a number of veterans.

***Jerusha Foote v. Harry Newell*, July 6, 1821: Notorious Trial**

In 1816, not long after arriving in Hobart as a school teacher, Harry Newell began paying court to Jerusha Foote, the daughter of Peter Foote, one of the early settlers of Stamford. He left the area after one school term but came back two years later and renewed his courting of Jerusha. In December 1820, it became obvious that she was going to have a child. Her relatives prevailed upon Newell to do the right thing and marry Jerusha. He finally agreed, with January 7, 1821 set as the wedding date.

A few days before the wedding, however, Newell recanted and said he would not marry Jerusha because of unfavorable stories about her virtue.

Jerusha went to court, bringing against Newell a breach of promise suit and requesting \$5,000 in damages. The plaintiff had Erastus Root and his partner Levinus Monson as counsel. Samuel Sherwood represented the defendant.

Jerusha's brother testified for his sister while the defense called no witnesses. The jury took only a few minutes to return a verdict for Jerusha of \$3,000.

The somewhat surprising end to this story is that it appears Harry changed his mind again and married Jerusha. Jerusha had a daughter in 1821, followed by at least one son before she died in 1837. Harry remarried, dying in 1875.

Anti-Rent Trials, September 1, 1845: Scholarly Trial

New York's antiquated landowner system led to a revolt by tenant farmers, starting in the Helderbergs in 1843 outside Albany and gravitating south to the Catskills. Things heated up in 1844 in Delaware County as farmers began to refuse paying rent. To collect this rent, land agents would request a sheriff sale of a farmer's personal possessions in an attempt to collect the back rent. Farmers created organizations and, disguised as "Calico Indians" would try to prevent such sales from taking place. On August 7, 1845, these attempts reached a climax at the sale in Andes of Moses Earle's possessions. Two hundred Calico Indians showed up, as did the sheriff and constables, including Undersheriff Osman Steele. A volley of gunfire led to the fatal shooting of Steele, who died a few hours after receiving his wounds.

The Indians scattered and meetings were held condemning the killing of Steele. Governor Wright declared the county to be in a state of insurrection and officials started the task of arresting as many of the farmers who were at the sale in disguise as possible. So many arrests were made that log jails had to be built in front of the courthouse. Amasa S. Parker, who had left the county a few years before to become a judge, came back to Delhi to preside over the trial.

The trials received wide coverage in newspapers around New York State and beyond.

Many of the indictments were for riot and being disguised and armed. There were indictments for conspiracy, assault, and battery as well as for murder. Ultimately, eighty-four persons were convicted or confessed and were sentenced to varying lengths of time. Two men, John Van Steenburg and Edward O'Connor, were convicted of murder and sentenced to be hanged, though no evidence was presented that either man fired any shots. Days before their scheduled hanging, Governor Wright commuted their sentences to life in prison. Within two years, all the prisoners were pardoned by the new governor.

***Norwood Browne v. Mary Monson*, March 25, 1868: General Interest Trial**

The publisher of the *Delaware Express* Norwood Browne went to court to recover thirteen years of subscription payments from Mary Monson. She claimed that the statute of limitations meant

Browne could only recover the last six years of payments. Judge Parker ruled that the contract between the paper and the subscriber was a continuing contract and that the defendant was liable for the entire thirteen years of the subscription. Browne was awarded \$72.08 plus costs. Several newspapers in New York State reported this case.

People v. Harvey O. Montgomery, June 2, 1902: Notorious Murder Trial

In the early hours of March 30, 1901, Amelia Brown Montgomery was killed by a shot from a rifle. How she came to be shot was not clear, but the person who fired the shot was Harvey O. Montgomery, her husband. He had roused the household in the small hours and announced that he had “about killed my wife.” They found her unconscious and breathing heavily. The doctor was sent for, but she was dead by the time he got there.

Harvey claimed the shooting of his wife was by accident, though he had two versions of how it happened. He said he had been aroused thinking someone was stealing his pigs. In one version, he said he tripped as he grabbed his rifle causing it to go off. In another version, he said he fainted, causing the gun to fire.

The autopsy showed that the muzzle of the rifle was very close to Amelia’s head, blackening her face with powder.

Harvey was indicted for murder in the first degree in May 1901. The trial did not start, however, until June 1902. His attorney Charles O’Connor claimed that the indictment should be dismissed because it was insufficient and improper. The judge took several months to consider then deny the motion. The case was put over for a second time when Montgomery’s lawyers said that several of their witnesses could not travel in the blizzard conditions at the time.

By the time the case finally started, Harvey had exhausted his funds. O’Connor asked the court to assign him counsel for his defense. The judge Justice Forbes assigned the O’Connor firm to defend him.

The case was heard before Justice Albert Sewell. It took several days to get a jury empaneled. They were placed under guard of the sheriff deputies and slept in the Grand Jury room.

District Attorney Fisher appeared for the people. He tried to establish a motive for Harvey killing his wife -- that the marriage was a “mercenary marriage,” undertaken to get the considerable property she owned. She kept it in her name, however. The prosecution also pointed out that he would have inherited her property on her death anyway. A further motive was introduced that Harvey was enamored of a woman named Harriet Wood, who was considered to be a woman of ill repute. The prosecution went into some detail painting Harriet in a poor light.

The defense presented the death of Mrs. Montgomery as an unfortunate accident due to the defendant having a seizure. Several witnesses were presented who testified about Harvey having headaches and seizures, including a doctor. Harvey was examined in jail twice and the doctor

noted evidence of a fracture across the top of his head. He further reported hardening of the arteries and Bright's disease.

The case went to the jury on June 18. It took nine hours to return a guilty verdict for murder in the first degree. Montgomery continued to claim his innocence when he was sentenced on June 23 to be executed in the electric chair in Auburn prison.

His lawyers filed an appeal to the New York Court of Appeals immediately after the sentencing. It wasn't until October 1903 the the court reversed the judgement and ordered a new trial, based on the evidence presented on the character of Harriett Wood. She was neither a party nor a witness. Proof of her reputation for unchastity served no purpose other than to inflame the jury.

The case was retried in Cooperstown on March 28, 1904. The jury came back with a verdict of guilty of murder in the second degree. Harvey was sentenced to life in Auburn prison, still maintaining his innocence, stating "I am guilty of no crime." Harvey died three years later in Auburn prison.

***Sniffin K. Bellows v. Russell Raynor*, May 13, 1910: General Interest Trial**

Sniffin K. Bellows of Roxbury was chagrined to have a delivery of his milk to the local creamery rejected by the New York City Board of Health. Bellows sued an official of the board Russell Ranyor for \$1,000 in damages. The courtroom was filled with local farmers very interested in the case's outcome and were thus disappointed when the justice of the Supreme Court ruled for the Board of Health. The judge ruled that the Board had the right and authority to restrict the sale of milk that does not meet its requirements. The case went on to the Appellate Division and when that was done, the Court of Appeals confirmed the original verdict.

***People v. James Fink*, January 1, 1940: Notorious Murder Trial**

On January 14, 1940, James Fink, a hired man working for the Teed family of Masonville, was playing cards with the family. After having been teased by Frank Teed about losing the game, Fink lost his temper and struck Teed with a hammer as they were starting to do their afternoon chores. Thinking he had killed Mr. Teed, Fink panicked and went into the house to get a shotgun. He killed Mrs. Teed as she was taking a nap, then chased down Teed's daughter Ruth, age 27, to kill her. Before he could do that, he saw that Frank Teed had come to and was coming after him with an ax. Fink killed him as he entered the house and then ran outside to track down Ruth and kill her in the orchard. He brought her body back into the house and then went on to do his chores. Leaving the farm in Ruth Teed's car, he connected up with his friend Aubrey Scrum in Deposit. At some point, he told Scrum what he had done. Scrum suggested burning the house, so Fink went back to the scene early the next day and burned down the Teed house before heading off with Scrum. They were caught the next day in Reading, Pennsylvania.

Originally pleading not guilty to first-degree murder Fink was examined by an "alienist," a doctor specializing in mental health. He determined that Fink, probably due to a childhood brain

injury, had the IQ of a 10 year old. In February, Fink changed his plea and pled guilty to second-degree murder. He was sentenced to 70 years in Attica. Scrum was ultimately exonerated of any involvement in the murder, spending a year at a reformatory for his involvement in suggesting the arson. Fink spent 32 years in Attica. He unsuccessfully tried to get the sentenced reduced in 1968, claiming that pre-trial publicity hurt his case and caused him to change his plea to guilty. In 1972, after having saved the life of a prison guard during the Attica riots in September 1971, he was paroled by the governor. He died in 2005. Scrum died in 2006.

People v. William Roe, March 1, 1941: Notorious Murder Trial

On the night of November 22, 1940, William Roe, a 21 year old farmhand from Grand Gorge, killed Andrew DuBois. The assault was triggered by Roe feeling that DuBois was taking familiarities with Roe's mother.

The night began in DuBois's trailer where they started drinking. They argued and Roe struck him with his fist. DuBois fell to the ground but stood up quickly and that seemed to be the end of it. They then went for a ride on DuBois's car, with Roe driving. He drove to a lonely spot and faked an accident. To be sure DuBois was dead, Roe hit him with a wine bottle.

When DuBois was found the next morning, it was quickly realized that it was no accident. The car had been turned off and the lights were not on. Roe was quickly tracked down when it was realized he had been with DuBois the night before and quickly taken into custody. By mid-afternoon, he confessed to the crime and was arraigned before Town Justice Cronk. He wrote out a lengthy confession describing the evening and the crime.

Roe was indicted for manslaughter instead of first degree murder and sentenced to 10-15 years at Attica.

People v. Charles Hastings, June 1, 1941: Notorious Murder Trial

Charles Hastings, a Franklin farmhand, was accused of the murder of his girlfriend Lydia Huggleboon from Pennsylvania. After several days of arguments, in which Miss Huggleboon said she was going back to old boyfriend, Hastings struck her in the barn and knocked her unconscious. Possibly believing he had killed her, he set her and the barn on fire. After the trial had started, Hastings decided to plea guilty to second degree murder and was sentenced to 20 years to life at Attica prison.

People v. Leroy Luscomb, October 9, 1943: Notorious Murder Trial

Leroy Luscomb of Corbett was convicted in October 1943 of the first degree murder of his wife Ella May. She was shot to death on April 21, 1943 at the home of her parents in Corbett where she had gone after leaving her husband. During the trial, there was some disagreement as to what caused the shotgun to fire. The defendant claimed Ella and her father were trying to wrestle it

away from him. Ella's father claimed no one was touching it other than the defendant and that he willfully fired it at her.

The case got national notoriety when the *NY Daily News* ran a photograph taken by Delhi photographer Bob Wyer showing Luscomb sitting with his head in his hands while the body of his wife can be seen behind him.

When he was convicted, the sentence carried the mandatory death sentence. In 1944, Governor Dewey commuted the sentence to life in prison. In 1957, Luscomb filed a writ of error in the Otsego County Supreme Court claiming technicalities in his 1943 trial. This was denied, but in 1960, Leroy was freed by order of Governor Rockefeller, after a recommendation from the State Parole Board. Luscomb died in 1992 at the age of 81.

People v. Wesley Howard, January 30, 1972: Notorious Murder Trial

In January 1972, Wesley M. Howard was arrested for the bathtub death of his wife. He signed a confession but later denied it. The judge, while instructing the jury about to deliberate on a verdict, said that the jury must be convinced that she died because of a criminal act. The defense claimed that she died of a heart attack and that there was no water in her lungs. The jury agreed, acquitting Howard of the murder.

VII. County Resources

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The History of Delaware County, New York (W.W. Mussell & Co, publishers, 1880)

John E. Raitt, Delaware County and the Three Courthouses (1991)

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Available from NYS Historic Newspapers: [Delaware County, New York - NYS Historic Newspapers](#)

- Bloomville mirror. volume (Bloomville, N.Y.) 1851-1871
- Catskill Mountain news. (Margaretville, N.Y.) 1902-current
- Delaware gazette. (Delhi, N.Y.) 1819-1915
- Stamford and Bloomville mirror. volume (Stamford, N.Y.) 1871-1874

Available online from the William B. Ogden Free Library, Walton, NY:

[William B. Ogden Library: \(advantage-preservation.com\)](#)

- Walton Reporter (1885-2011)
- Walton Chronicle (1869-1898)
- Delaware Register and Review (1995-1999)
- Walton Blade (1856-1857)
- Walton Journal (1857-1859)
- Walton Times (1900-1900)

Available on-line from the Sidney Memorial Library: [Digital Archives of the Sidney Memorial Library: \(advantage-preservation.com\)](http://Digital Archives of the Sidney Memorial Library: (advantage-preservation.com))

- Tri Town News (1968-2010)
- Sidney Record (1882-1948)
- Sidney Enterprise (1913-1948)
- The Sidney Record and Bainbridge News (1959-1967)
- Sidney Record – Enterprise (1948-1959)

County Records

Delaware County Clerk's Office, 3 Court St, Delhi, NY 13753

Phone: (607) 746-2123

Information on records available at the County Clerk's Office is at

www.co.delaware.ny.us/departments/clerk/hrec.htm

- Court records – these include indices, books of minutes and the actual case files. The case files are organized by year, then in chronological order by each court.
 - Court of Common Pleas (1797-1847) was for civil cases. There are 6 volumes of minutes plus the case files.
 - Court of General Sessions (1797-1895) was a criminal court. There are 6 volumes of minutes, plus the case files. When it ceased operations in 1895, cases were carried over to the County Court.
 - Court of Oyer and Terminer (1803-1895) was a criminal court. Included are records related to the Anti-Rent War (1844-1846). There are few records from 1797-1803. There are four volumes of minutes plus the case files. This court ceased operation in 1895 and cases were carried over to the County Court.
 - County Court (1847-present)
 - Supreme Court (1847-present)
 - Transcripts of some records related to the Anti-Rent War, including the shooting of Undersheriff Osman Steele, have been created from testimonies, grand jury report, indictments, recognizances and records of conviction the Courts of Oyer and Terminer and General Sessions. The full case files for the trials for the murder of Steele no longer exist. Abstracts of the indictments are at <https://www.dcnhistory.org/antirent.html>
- Naturalizations (1810 to present). Abstracts of these were created through 1870. Index available at <https://www.dcnhistory.org/naturali.html>
- Census records – Federal: 1850, 1860, 1870, 1880, State: 1855, 1865, 1875, 1892, 1915, 1925
- Marriage records (1908 - 1931). Index available at <https://www.dcnhistory.org/marriageslinda.html>
- Proceedings of the Board of Supervisors from the early 19th century to date. Some 19th century volumes are transcribed and available at <https://www.dcnhistory.org/miscdatapage.html>
- Land Records, including deed and mortgage libers and the relevant indexes (1797-present)

Delaware County Historical Association, 46549 State Highway 10, Delhi, NY 13753
Phone: (607) 746-3849 E-mail: dcha@delhi.net
Information on doing research at the historical association may be found at: [DCHA Archives \(dcha-ny.org\)](http://DCHA Archives (dcha-ny.org))

County Contacts

Town and Village Clerks and Local Government Historians

Delaware County Historian
Gabrielle Pierce
1 Court House Square, Ste. 6
Delhi, NY 13753
(607) 746-8660 (Mon-Fri 9-5 PM, except
holidays or research visitations)

Andes Town Clerk
Kimberly A. Tosi
115 Delaware Avenue
Andes, NY 13731
(845) 676-4791
andestownclerk@gmail.com

Bovina Town Historian
Ray LaFever,
2319 County Highway 6
Bovina Center, NY 13740
(607) 832-4609

Bovina Town Clerk
Catherine Hewitt
PO Box 6
Bovina Center, NY 13740
(607) 832-4302 or 4415

Colchester Town Historian
Kay H. Parisi-Hampel

Colchester Town Clerk
Julie B. Townsend
26669 State Highway 206
Downsville, NY 13755
(607) 363-7303
clarksoffice88@yahoo.com

Davenport Town Historian
Alvina Teter
12227 Swart Hollow Road
Oneonta, NY 13820
(607) 432-3319

Davenport Town Clerk
Linda J. Adam
PO Box 88
Davenport Center, NY 13751
(607) 278-5600

Delhi Town Historian
Marianne Greenfield
3 Franklin Street
Delhi, NY 13753
(607) 267-2708

Delhi Town Clerk
Elsa I. Schmitz
5 Elm Street
Delhi, NY 13753
(607) 746-3737
townclerk@townofdelhi.org

Delhi Village Historian
Gabrielle Pierce

Delhi Village Clerk
Kimberly Cairns
PO Box 328
Delhi, NY 13753
(607) 746-2258
villageclerk@delhitel.net

Deposit Town Historian
John O'Connor
79 Pine Street
Deposit, NY 13754
(607) 467-5516

Deposit Town Clerk
Beverly S. Hartz
3 Elm Street
Deposit, NY 13754
(607) 467-2433
deposittownclerk@gmail.com

Deposit Village Historian
John O'Connor
79 Pine Street
Deposit, NY 13754
(607) 467-5516

Deposit Village Clerk
Karen Budine
61 Front Street
Deposit, NY 13754
(607) 467-2492

Fleischmanns Village Clerk
Patricia Berghammer
PO Box 339
1017 Main Street
Fleischmanns, NY 12430
(845) 254-5514
village39@catskill.net

Franklin Town Historian
Lora Foster-Cave
PO Box 254
Franklin, NY 13775
(607) 829-3797

Franklin Town Clerk
Sonja Johns
PO Box 63
554 Main Street
Franklin, NY 13775
townfranklin@stny.rr.com

Village Historian
Lora Foster-Cave
PO Box 254
Franklin, NY 13775
(607) 829-3797

Franklin Village Clerk
Paula Niebanck
PO Box 886
Franklin, NY 13775
(607) 829-6776
voffranklin@delhi.net

Hamden Town Historian
Loretta Foster
1400 MacDonald Road
Hamden, NY 13782
(607) 865-7892

Hamden Town Clerk
Dennise Yeary
350 County Highway 2
DeLancey, NY 13752
(607) 746-6660

Hancock-Chehocton Historical Association
50 Center Street
Hancock, NY 13783

Hancock Town Clerk
Ann L. Green
661 West Main Street
Hancock, NY 13783
(607) 637-3651
clerk@hancock.net

Hancock Village Clerk
Phyllis Falsetta
85 East Front Street
Hancock, NY 13783
(607) 637-5341
voh@hancock.net

Harpersfield Town Historian
Dwayne Hill
387 Shaver Road
Harpersfield, NY 13786

Harpersfield Town Clerk
Linda E. Goss
35399 State Highway 23
Harpersfield, NY 13786
(607) 652-5060
tohclerk@gmail.com

Hobart Village Historian
James G. Meagley
53 Gaslight Trail
Williamsville, NY 14221
(717) 843-3945

Hobart Village Clerk
Kellee Estus
PO Box 53
Hobart, NY 13788
(607) 538-9700
hobartvillage@aol.com

Kortright Town Historian
Nancy Haynes
3702 Roberts Road
East Meredith, NY 13757
(607) 278-6401

Kortright Town Clerk
Kristin Craft
PO Box 6
Bloomville, NY 13739
(607) 538-9313
kortrightclerk@hotmail.com

Margaretville Village Clerk
Karen McMurray
PO Box 228
Margaretville, NY 12455
(845) 586-4418

Masonville Town Historian
Penny Hager
14232 State Highway 8
Masonville, NY 13804
(607) 265-3545

Masonville Town Clerk
Linda Bourn
PO Box 275
Masonville, NY 13804
(607) 265-4010, ext. 5
lindaramsey1022@yahoo.com

Meredith Town Historian
Frank Waterman
1475 Frank Hafele Road
Delhi, NY 13753
(607) 746-8083

Meredith Town Clerk
Liliane Briscoe
PO Box 116
Meridale, NY 13806
(607) 746-2431
tomclerk@delhi.net

Middletown Town Historian
Leonard Utter
3947 Millbrook Road
Margaretville, NY 12455
(845) 586-4789

Middletown Town Clerk
Patricia F. Kelly
Town Hall
42339 State Highway 28
Margaretville, NY 12455
Mailing Address: PO Box 557
Margaretville, NY 12455
(845) 586-4566
middtwnclerk@gmail.com

Roxbury Town Historian
Anthony Liberatore
PO Box 189
Roxbury, NY 12474
(607) 326-7957
wildthymefarm@gmail.com

Roxbury Town Clerk
Diane Pickett
PO Box 189
Roxbury, NY 12474
(607) 326-7641
townclerk@roxburyny.com

Sidney Historical Society
Civic Center
PO Box 2217
Sidney, NY 13838
(Wednesdays 4-6 PM and Thursdays 9-11:30 AM)

Sidney Town Clerk
Sheila R. Paul
44 Grand Street, Ste. 1
Sidney, NY 13838
(607) 561-2334
clerk@townofsidney.com

Sidney Village Clerk
Sheena N. Dorsey
21 Liberty Street
Sidney, NY 13838
(607) 561-2323
sdorsey@villageofsidney.org

Stamford Town Historian
Kelly Chien
60 Church Street
Hobart, NY 13788
kelly@stamford-ny.com

Stamford Town Clerk
Diane S. Grant
101 Maple Avenue
PO Box M
Hobart, NY 13788
(607) 538-9421
townclerk@townofstamford.ny.us

Stamford Village Historian
Karen Cuccilnello
(518) 287-1945
karenc@midtel.net

Stamford Village Clerk
Jamison Hanway
84 Main Street
Stamford, NY 12167
(607) 652-6671, ext. 1
clerk@stamfordny.com

Tompkins Town Historian
Lynne VanValkeburg
308 Alger Road
Sidney Center, NY 13839
(607) 865-3176
ivan227@hotmail.com

Tompkins Town Clerk
Michelle Phoenix
Town Highway Building
PO Box 139
Trout Creek, NY 13847
(607) 865-5694
townclerk.tompkins@gmail.com

Walton Town Historian
Walton Historical Society, Attn: Terry
Rogers
9 Townsend Street
Walton, NY 13856
(607) 865-5895

Walton Town Clerk
Ronda Williams
129 North Street
Walton, NY 13856
(607) 865-5766
waltonclerk@stny.rr.com

Walton Village Clerk
Jody Brown
21 North Street
PO Box 29
Walton, NY 13856
(607) 865-4358
vcclerk@stny.rr.com

Walton Village Historian
Walton Historical Society
9 Townsend Street
Walton, NY 13865
(607) 865-5895

This list is from the Delaware County Genealogy site and is regularly updated at [County and Town Historians - Delaware County NY Genealogy and History Site \(dcnyhistory.org\)](http://CountyandTownHistorians-DelawareCountyNYGenealogyandHistorySite(dcnhistory.org))

Information about the Delaware County Bar Association is located at: [Delaware County Bar Association \(hancock.net\)](http://DelawareCountyBarAssociation(hancock.net)).