

TWENTY YEARS OF HISTORY ABOUT HISTORY



# JUDICIAL NOTICE

2003 ~ 2022



HISTORICAL SOCIETY *of the* NEW YORK COURTS









# Judicial Notice: Twenty Years of History About History

By Hon. Helen E. Freedman, Editor-in-Chief,  
with David L. Goodwin, Associate Editor, Style Editor

As part of its 20th anniversary celebrating New York’s courts and the rule of law, the Historical Society of the New York Courts proudly acknowledges the sixty-eight articles (and counting!) from the Society’s signature publication *Judicial Notice*. Originally conceived in 2003 by Court of Appeals Judges Judith S. Kaye and Albert M. Rosenblatt as a newsletter, the publication evolved into a scholarly journal under Chief Judge Kaye’s watchful eye. In 2009, Judge Rosenblatt and Society Executive Director Marilyn Marcus gave it the moniker *Judicial Notice*, and Judge Kaye contributed scholarly articles as discussed below. Henry M. “Hank” Greenberg, one of Judge Kaye’s former clerks and then-future president of the New York State Bar Association, served as Editor-in-Chief of the publication until 2015, when I (Justice Freedman) took over.

Across its seventeen past issues, available in full on the Society’s website and in legal databases, *Judicial Notice* shines a spotlight on New York’s rich legal history. It has featured luminaries of the New York Bar and Bench going back to the 18th century, significant events in New York’s legal and social history, landmark New York cases, the march from rejection and exclusion to acceptance and inclusion of women and minorities, and the functioning of our court system. Articles from *Judicial Notice* have been cited extensively in practice guides, law reviews, and bar journals across the country.

While each of the articles and stories published in *Judicial Notice* between 2003 and 2022 provides our readers with insight into the good and bad aspects of New York’s colorful legal history, we take this opportunity to highlight some recurring themes—and, of course, to invite you to revisit the wide-ranging scholarship we have featured over the years.





## Legal Luminaries: The Celebrated and the (Relatively) Unknown

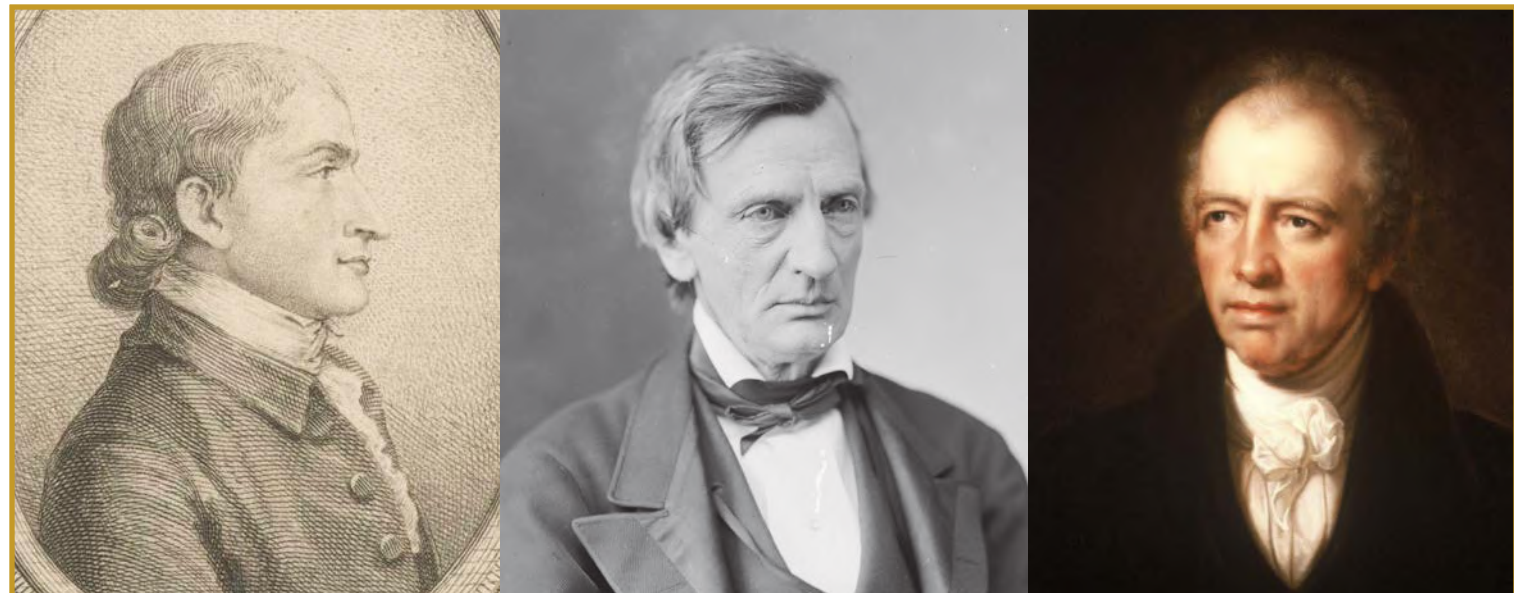
We start with the personalities, the people who shaped New York's legal history and, eventually, the nation's. First up are the repeat players—the titans of New York legal history. Three legal luminaries—John Jay, James Kent, and Benjamin N. Cardozo—have been featured in more than one article. In addition, some lesser-known luminaries make appearances in one or more articles.

The first Chief Justice of New York and the United States, John Jay has been the subject of no fewer than five articles in *Judicial Notice*. In *Judicial Notice* 5, Walter Stahr, attorney and author of a 2017 book on Jay, provides insight into how Judge Jay's wisdom and guidance provided an auspicious beginning to our post-Revolutionary War court system in *John Jay as New York's First Chief Justice*. Justice Mark C. Dillon, associate justice of the Appellate Division, Second Department, examines a different aspect of Jay's jurisprudence in *Chief Justice John Jay: When all Judges were Originalists*, focusing on the Jay approach to "originalism," published in *Judicial Notice* 15. In the same issue, attorney Paul D. Rheingold tells us about *John Jay: Practicing Lawyer for Seven Years*, delving into his early years as a lawyer and how they may have influenced his later work as Chief

Justice of two courts, Governor of New York, and diplomat. And the late Judge Judith Kaye, ever aware of Jay's portrait peering down on her in the hall of the Court of Appeals, provided two Jay articles: the first, a full biographical sketch in *Judicial Notice* 8 (*Kaye on Jay: New York's First Chief – The Family Man*) and the second in *Judicial Notice* 11 focusing more on Jay's lasting legacy (*Kaye on Jay: Revisited*).

Chancellor James Kent, professor of law at Columbia University in the late 18th century, judge in the Supreme Judicature Court in the early 19th century, and head of the Court of Chancery in New York from 1814 to 1823, has been called the American Blackstone for his important role in transforming American law from a ragged upstart into a learned profession. Appropriately, then-New York State Reporter Gary D. Spivey, in

*Two Centuries of Court Reporting* from *Judicial Notice* 2, emphasizes Kent's promotion of court reporting as a means of recording cases, and how Kent advanced principles that would become the touchstone of American jurisprudence. Hon. Robert S. Smith, former associate judge of the Court of Appeals, gives a provocative and amusing account of Chancellor Kent's role in the development of New York law in *Kent, the Father of American Jurisprudence*, published in *Judicial Notice* 13. From *Judicial Notice* 11, attorney Craig A. Landy's "*Jacobin Winds*", about the residency requirement for the practice of law, features Chancellor Kent as one of its chief proponents. And in his role as a legal and political opponent of President Martin Van Buren, Kent is mentioned several times in Justice Helen E. Freedman's Van Buren article (*Martin Van Buren: Accomplished Lawyer*



John Jay<sup>1</sup>

William Evarts<sup>2</sup>

James Kent<sup>3</sup>

and Politician) in *Judicial Notice* 12. As an aside, Society Trustees and staff, together with some of the Chancellor's descendants, participated in the restoration of the Chancellor's gravestone in Beacon, New York in 2016.

Chief Judge Benjamin Cardozo is known to every law student for his landmark decisions advancing New York and national jurisprudence. Chief Judge Judith Kaye, who often joked about storing her red shoes under, and her nail polish in, the drawers of Chief Judge Cardozo's desk, writes a heart-warming biography of Cardozo in *Judicial Notice* 6 (*Featured Biography: Benjamin Cardozo*), highlighting his many contributions to the law and his humanity. And Harvard Law Professor Andrew L. Kaufman revisits Cardozo's signature jurisprudential work in *Judicial Notice* 8's *Forward to the Nature of the Judicial Process*.

While *Judicial Notice* has paid homage to New York's titans, a

number of other lawyers significant to New York's legal history, but less well known today, have also appeared in its pages. William M. Evarts, longest serving President of the New York City Bar Association, defense counsel for President Andrew Johnson, and former United States Attorney General, appears in author and retired lawyer John D. Gordan III's *Judicial Notice* 15 article on the prosecution of William S. Fullerton (*An All-Star Criminal Trial in the Gilded Age*). Evarts appears in *Battle in Brooklyn: The Cross-examination of Rev. Henry Ward Beecher at the Trial of the Century*—published in *Judicial Notice* 13 and written by historian and retired lawyer Michael Aaron Green—as Beecher's defense counsel in the adultery case brought against the prominent Pastor by Theodore Tilton. Evarts is also front and center in lawyer and *Legal Landmarks* author Robert Pigott's article on Evarts's real estate interests (*Forgotten Lawyer-Statesman and Second Avenue Fixture*), also from *Judicial*

*Notice* 13. And George Wickersham, named partner in a prominent New York firm and one-time Attorney General of the United States, is featured in attorney and biographer John Oller's article in *Judicial Notice* 15 (*The Scourge of Wall Street*).

*Judicial Notice* has profiled several other familiar and unfamiliar names. Elihu Root, Secretary of State, Senator and Nobel Prize winner, is featured in Robert Pigott's *Judicial Notice* 15 article *Elihu Root: Nobel Peace Prize Recipient and Manhattan Real Estate Pioneer*, while Nathan Sanford, U.S. Attorney and Senator, is the subject of history professor Ann Sandford's *Nathan Sanford and his Contributions to New York State Law* in *Judicial Notice* 13. Court of Appeals Judges Stanley H. Fuld and Irving Lehman are the subject of the late Judge Jack B. Weinstein's *The Honorable Stanley H. Fuld* and Hank Greenberg's *The Election of Chief Judge Irving Lehman*, from *Judicial Notice* 2 and 6 respectively.



## Women Join the Crowd

It probably has not escaped your notice that the aforementioned titans of New York legal history all are male, reflecting the gender (im)balance of the profession through the mid-to-late 20th century. On the flip side, *Judicial Notice* has charted the increasing acceptance of women in the law across a number of articles.

In *Judicial Notice* 3's *Women Jurors in Tompkins County*, Tompkins County Historian Carol Kammen tells how the Tompkins County Bar Association first considered advocating that women be allowed to serve as jurors in 1936. Prior to that, women were excluded from jury service in New York despite the enactment of women's suffrage laws. In 1937, the state legislature enacted a law permitting women to serve as jurors, but women could still be excused just by virtue of their gender until 1975. A United States Supreme Court decision requiring jurors to be chosen from a cross section of society led to a legislative change as a cross section of society included women.

In *Judicial Notice* 9, Maria T. Vullo, adjunct professor of law at Fordham and former Superintendent of the New York State Department of Financial Services, gives a riveting account of the prosecution

of Margaret Sanger for bringing birth control clinics to poor women in New York City (*People v. Sanger & the Birth of Family Planning in America*). For doing that, Sanger spent a month in jail (as did her sister), and her conviction was affirmed all the way up to the Court of Appeals by a bench that included Benjamin Cardozo.

*Judicial Notice* 12 recounts stories about the first women to break barriers by entering the previously all-male world of New York law. Featured are the first woman to be admitted to the New York State Bar, the first woman to serve as a District Attorney in New York, and the first woman to be admitted to the Supreme Court of the United States. Appellate Division, Fourth Department Justice Erin M. Peradotto describes Belva Ann Lockwood's efforts to be admitted to practice before the United States Supreme Court in 1879

(*Breaking Convention*), and Chautauqua County Historian Michelle Henry recounts Kate Stoneman's challenges to practice in the courts of New York in 1885 (*Raising the Bar for Women*). Both Stoneman and Lockwood needed legislative intervention from all-male legislatures to achieve the right to practice the profession for which they were well qualified. Michael B. Powers details the story of Charlotte Smallwood-Cook's election as District Attorney of Wyoming County in 1950—the first woman to hold such an office in New York State (appropriately, *New York's First Woman Elected District Attorney*). And retired Judge Richard Dollinger tells stories about some of the men whose foresight helped women achieve property rights and positions, ultimately leading to the famous Seneca Falls Convention (*Judicial Intervention: The Judges Who Paved the Road to Seneca Falls in 1848*).



Women Jurors<sup>4</sup>



Kate Stoneman<sup>5</sup>



Dolores Denman<sup>6</sup>

*Judicial Notice* 16 features three women who left indelible marks on New York jurisprudence—one at the end of the 19th century, one at the end of the 20th century, and one in the beginning of the 21st century. Former Chief Supreme Court Clerk John F. Werner and his former Deputy Clerk Robert C. Meade, Jr., highlight Rebecca Salome Foster (*The Tombs Angel: An Exemplary Life of Service*), who had the ear of many New York City judges despite not being a trained

lawyer as she both defended impoverished individuals in criminal proceedings and provided them with sustenance and a path to rehabilitation. Retired Court of Appeals Judge Eugene M. Fahey and Dr. Gordon W. Lyon tell the story of the first woman to hold the position of Presiding Justice of the Appellate Division: Honorable M. Dolores Denman, whose name is emblazoned on a major state courthouse (*The Judicial Career of Justice M. Dolores Denman*). And

St. Johns Law Professor John Q. Barrett finds a “local angle” on the late United States Supreme Court Justice Ruth Bader Ginsburg, charting the New York practice of the woman who has recently become an icon in the pantheon of American jurisprudence and has been immortalized in a statue in the borough of her birthplace (*Ruth Bader Ginsburg Litigating Against Gender Discrimination ... and Remembering One Such New York Case*).





## Bending Towards Justice: New York's Civil Rights Battles

In 1902, New York was the first state to face squarely the question of whether the common law should recognize a right of privacy. The answer was given by New York's highest court in a landmark decision, which ended a long and widespread public debate, provoked legislative reaction, and was cited by its author as one of his finest moments. In 1902, New York was the first state to face squarely the question of whether the common law should recognize a right of privacy. The answer was given by New York's highest court in a landmark decision, which ended a long and widespread public debate, provoked legislative reaction, and was cited by its author as one of his finest moments.

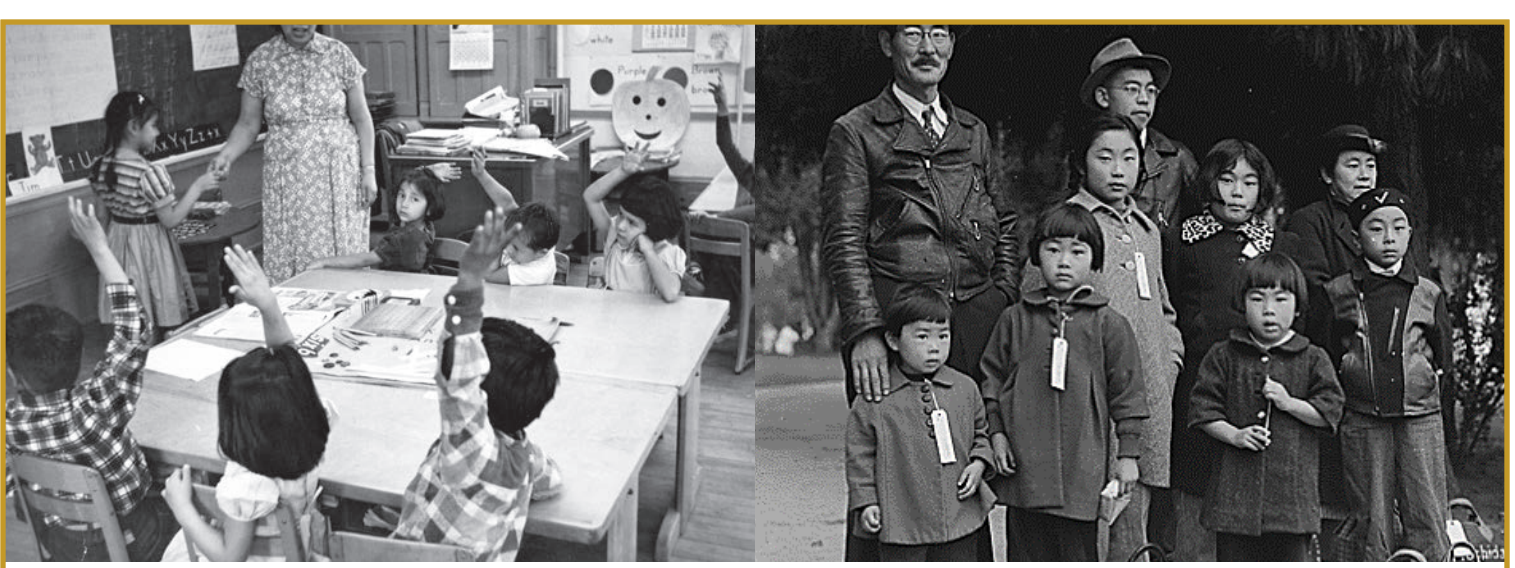
Increasing awareness of discrimination against minorities in our society, simply based on prejudice and fear of the other, has been the theme of several *Judicial Notice* articles, as has the ebb and flow of the long, painful, and ongoing struggle to secure meaningful civil rights. In *Judicial Notice* 4, John Gordan gives a full account of the *Lemmon Slave Case*, involving eight enslaved people brought to New York by a Virginia family in 1852. The trial court ordered the enslaved people freed, as slavery had long been abolished in New York. Although the enslaved people were removed and the family compensated, the case was appealed on the ground that the enslaved people had not been fully manumitted or emancipated. While it was proceeding, the infamous *Dred Scott* decision was handed down by the United States Supreme Court. The New York high court decided, by a split decision, that it was not bound by *Dred Scott*, as New York's strong jurisprudence in opposition to slavery overcame any restrictions imposed by the United States Constitution's Commerce Clause. (As an aside, John Jay's grandson and prominent attorney William Evarts were involved in this important case on the side of the formerly enslaved people.)

The Society now has a traveling exhibit telling the story of the *Lemmon Slave Case* that is currently on tour across the state to 45 courthouses over a 90-week period. The exhibit features eight text panels accompanied by images and a ten-minute video narrated by James Earl Jones, showing how state courts interpreted state law to free enslaved people brought into New York. Work is in progress to develop an audio featurette that will tell the story from the perspective of Emmeline, the oldest of the eight enslaved Lemmons, who put her faith in the New York Courts. Additionally, Judge Albert Rosenblatt's book on the case, under contract with SUNY Press, will soon be available.

In an article in *Judicial Notice* 12, Craig Landy recounts the story of emancipation of enslaved people in New York State, years before the Emancipation Proclamation and 13th Amendment to the United States Constitution effected change nationwide (*"When Men Amongst Us, Shall Cease to be Slaves": The Bicentennial of New York's 1817 Final Act of Emancipation*).

In *Judicial Notice* 11, Judge Denny Chin of the U.S. Court of Appeals for the Second Circuit and Crowell partner Kathy Hirata Chin explore the disquieting history of

the treatment of Asian Americans by American courts, including the United States Supreme Court (*Asian-Americans and the Law*). They focus on four specific cases of overt discrimination against Asian-Americans: the *Lewd Chinese Women* case, the prosecution of Tokyo Rose, the prosecution of the Hart Mountain draft resisters (interned Japanese who resisted the World War II draft while their families were interned), and the prosecution of the murderers of Vincent Chin in 1982. The article's description of the treatment of Japanese Americans during and after World War II is just another reminder of the recency



Pauline Seneca<sup>7</sup>

Mochida Family<sup>8</sup>

of legalized discrimination. The Chins end up on a positive note by applauding the recent progress of Asian Americans as part of the fabric of American society.

*Judicial Notice* 14 holds a special place of distinction as our issue devoted to legal and social treatment of Native Americans. Hon. Carrie Garrow, Chief Judge of the Saint Regis Mohawk Tribal Court and former Executive Director of the Center for Indigenous Law, Governance, and Citizenship at Syracuse University College of Law, elaborates upon the history of New York's attempt to deprive Native Americans of the sovereignty over tribal lands that United States treaties had guaranteed (*New York's Quest for Jurisdiction over Indian Lands*). She describes the transfer of civil and criminal jurisdiction from tribal to state courts and the wholesale attempt to obliterate Six Nations culture by forcing its members to assimilate into the Euro-American mainstream. Danielle J. Mayberry, Judicial Law Clerk of the Saint Regis Mohawk Tribal Court, tackles assimilation

from a different angle, describing the deliberate removal of large numbers of Indian children from their homes for placement outside of tribal homes, thus depriving the children both of their rightful cultural heritage and the stability necessary for personal achievement (*The Origins and Evolution of the Indian Child Welfare Act*). In 1978, the United States Congress, by passing the Indian Child Welfare Act (ICWA, the constitutionality of which is currently before the U.S. Supreme Court), recognized the importance of keeping children within their tribal homes, and the Bureau of Indian Affairs issued regulations designed to enforce the Act's provisions in state and federal courts throughout the country. Dr. Lori V. Quigley, then-Vice President of Academic Affairs at Medaille College, provides considerable detail about the maltreatment of Indian children, who were forced into asylums or "boarding schools" beginning in the 19th century and lasting well into the 20th century (*Thomas Indian School: Social Experiment*

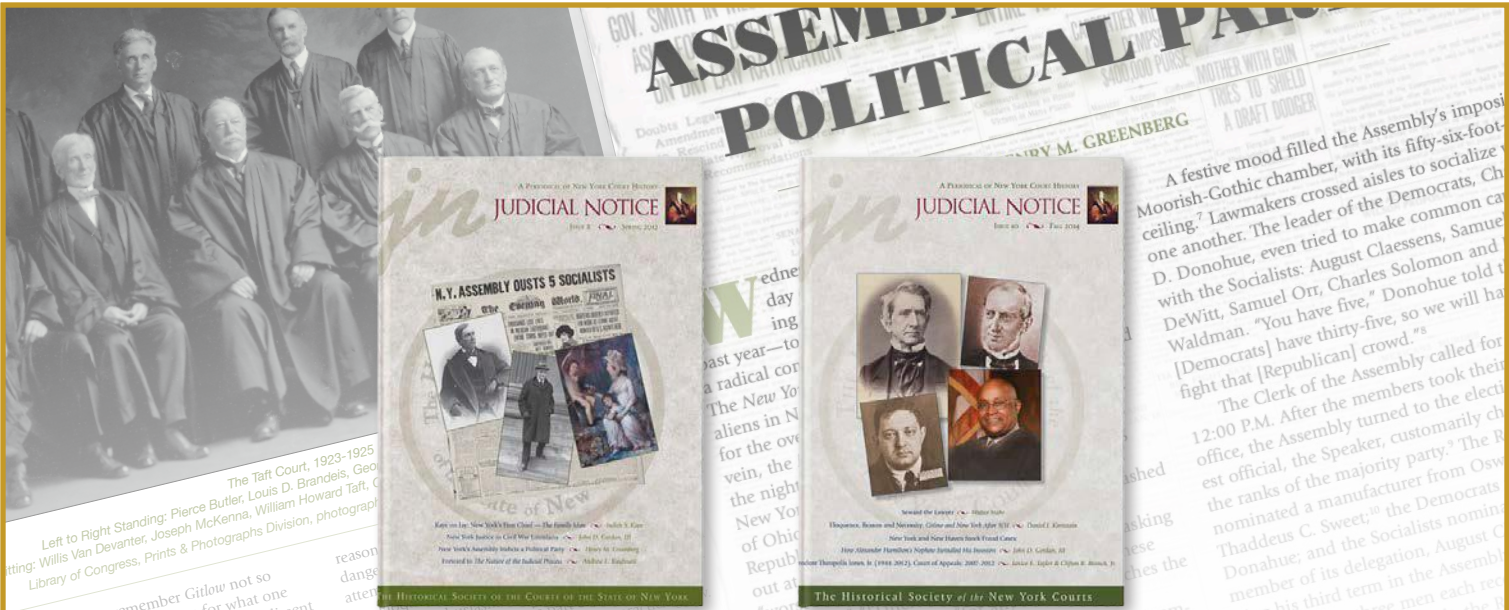
*Resulting in Traumatic Effects*). Dr. Quigley's own mother had been placed into one such institution in 1942. Revelations about these institutions was one precipitating factor in passage of ICWA. The legal future for Native New York citizens looks brighter as retired First Department Justice Marcy L. Kahn's article describes her role working together with Tribal Nation representatives to establish the New York Federal-State-Tribal Courts and the Indian Nations Justice Forum (*New York State's Recent Judicial Collaboration with Indigenous Partners: The Story of New York's Federal-State-Tribal Courts and Indian Nations Justice Forum*). The Forum sponsored Listening Conferences in the early 21st century in which attendees shared cultural experiences. The Conferences have been responsible for legislation pursuant to which the tribal and state courts work together so that state courts recognize tribal court rulings and tribal members accused of crimes are provided with access to bail.





The Five Socialists<sup>9</sup>

Benjamin Gitlow<sup>10</sup>



## Justice Challenged

Many *Judicial Notice* articles have recounted interesting events in New York’s legal history, not all of which historians look upon with pride. Two articles portray governmental suppression of speech during the early 1920s. For example, in *Judicial Notice 8’s New York’s Assembly Indicts a Political Party*, Hank Greenberg describes a challenge to our democratic institutions 100 years before the attack on the United States Capitol. In 1920, near the time of the Bolshevik Revolution in Russia, and during the period known as the “Red Scare” because of the prosecution of numbers of individuals thought to be Communists by Attorney General A. Mitchell Palmer, five Socialists were elected to the New York Assembly from New York City districts in which resided many Jewish and Russian immigrants. They were neither radical Socialists nor Communists. Nevertheless, the New York State Assembly took it upon itself, led by Republican Assembly Speaker Sweet, to expel these individuals—not for any misdeeds, but merely for being Socialists. Charles Evans Hughes, the former Governor of the State, Secretary of State, and Supreme Court Justice, rose to their defense, as did many other illustrious members of the New York bar, but all to no avail. The ouster remained. Four went on to have distinguished legal careers and the fifth became a successful businessman.

During that same “Red Scare” period, Benjamin Gitlow, also a Socialist who had been elected to the New York Assembly in 1917, was arrested for publishing a pamphlet, the *Left Wing Manifesto*, which advocated Revolutionary Socialism. As lawyer and author Daniel J. Kornstein eloquently tells it in *Eloquence, Reason, and Necessity: Gitlow and New York After 9/11* from *Judicial Notice 10*, Gitlow was convicted of criminal anarchy, a statute passed in response to the

assassination of President William McKinley some two decades earlier. Although represented by Clarence Darrow, Gitlow was convicted of criminal anarchy, timed just after the expulsion of the five Assembly members. The conviction was upheld all the way to the United States Supreme Court, with Judge Cuthbert Pound writing a dissent in the New York Court of Appeals that was joined in 1922 by Justice Cardozo and with Justices Holmes and Brandeis dissenting

in the Supreme Court. Gitlow was represented by ACLU lawyers on his appeals. Governor Alfred E. Smith pardoned Gitlow after the Supreme Court upheld his conviction. Kornstein opines that the case was in effect overruled by the United States Supreme Court’s 1969 decision *Brandenburg v. Ohio* but warns us that difficult times or cataclysmic events can lead courts and governmental bodies to make troublesome decisions.



New York County Courthouse<sup>11</sup>





## Interesting Cases

In addition to the cases discussed in the preceding sections, a number of *Judicial Notice* authors have revisited trials of historical interest to New Yorkers. Three cases involve defamation or sedition. All the way back in *Judicial Notice* 1, Judge Stewart F. Hancock, Jr., gives an account of *Barnes v. Roosevelt*, a libel lawsuit brought against former President and Governor Theodore Roosevelt by William Barnes for telling former Secretary of State Elihu Root at the 1914 New York State Republican Convention that Barnes was a corrupt political boss.

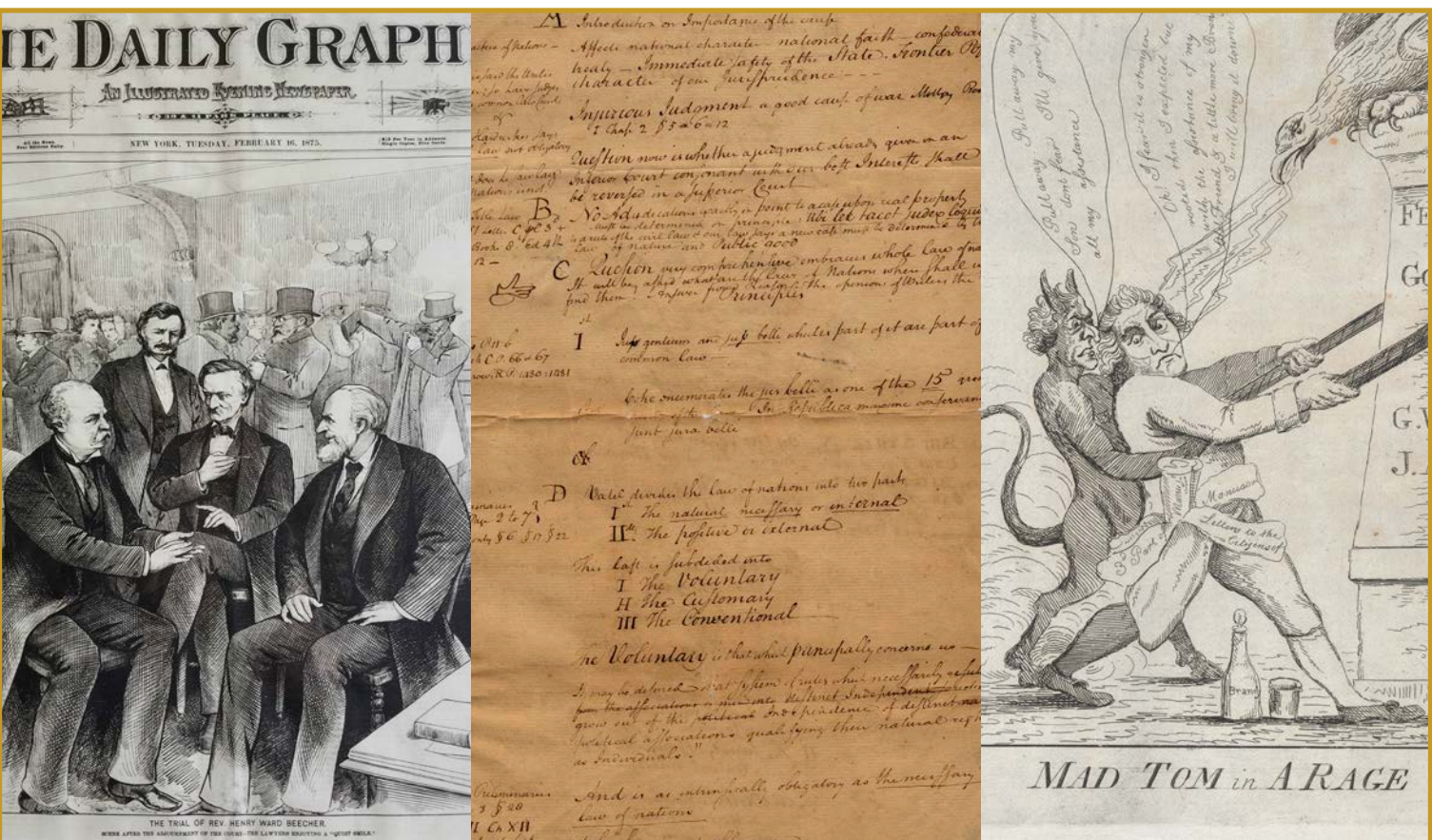
In *Judicial Notice 2's The Price of Vanity – or the Lawyer with the Ears of an Ass*, John Gordan recounts the 1817 criminal prosecution of Francis Mezzara for portraying Counselor and Attorney Arnold A. Palmer with the ears of an ass. The matter began as a fee dispute, but it seems the counselor's sense of humor had its limits.

In *Judicial Notice* 7, then-Chief New York Court of Appeals Court Attorney Paul McGrath gives a comprehensive review of *People v. Croswell*, the legendary sedition prosecution of the editor of the Federalist publication *The Wasp*. Although the Jeffersonians condemned the Federalists for enacting laws against sedition, they

were eager to use the laws when their Republican ox was gored. In *People v. Croswell*, Harry Croswell was convicted of violating New York's Sedition Law by accusing Jefferson of paying James Callendar to publish attacks on George Washington, and by publishing Callendar's allegations that Thomas Jefferson called Washington a traitor, robber, and perjurer. Croswell also quoted Callendar as saying that Jefferson had fathered five children with an enslaved person. Since Croswell did not deny the publications, Judge Morgan Lewis rejected any defenses and directed a verdict of conviction. On appeal, Alexander Hamilton argued eloquently for a reversal or remand, offering both failure

to prove intent on Croswell's part and the truth of the allegedly "seditious" statements as a defense. The reviewing court voted 2-2, with future Chancellor James Kent siding with Croswell and Hamilton. The next year, the New York legislature changed the law of sedition to make both absence of intent and truth viable defenses.

In *Judicial Notice* 9, Daniel A. Weinstein, former Court of Claims judge, demonstrates that the case of *Rutgers v. Waddington* (1784), which predated *Marbury v. Madison* by a number of years, advanced the power of courts to declare ill-conceived legislative enactments to be against the law of nations, or as the concept of



## Beecher Trial<sup>13</sup>

Hamilton Notes<sup>14</sup>

## Mad Tom in a Rage<sup>15</sup>

Judicial review evolved, to be unconstitutional (*Rutgers v. Waddington: Alexander Hamilton & the Birth Pangs of Judicial Review*). Alexander Hamilton seemingly envisioned that such power resided in the judicial branch in Federalist 22 and Federalist 78.

As previously mentioned in an earlier section, Michael Aaron Green describes the famous 1875 adultery case in which Theodore Tilton sued Henry Ward Beecher, Pastor of Plymouth Church in Brooklyn for “criminal conversation” or seduction of Tilton’s wife Elizabeth in *Judicial Notice* 13. William Fullerton, known for his brilliant cross-examinations, dazzled the spectators and historians but not all the jurors when he

cross-examined Beecher. Beecher was represented by none other than William Evarts and John Shearman. Counsel ferried across from Manhattan to Brooklyn each day for the six-month trial that yielded no definitive verdict, but provided considerable entertainment for spectators and fodder for the press.

Evarts and Fullerton had been adversaries before the Tilton/Beecher case. In another article published in *Judicial Notice* 15, John Gordan regales the reader with machinations involved in the 1870 prosecution of the William Fullerton, who was not only an accomplished trial lawyer, but had served as an interim Judge of the New York Court of Appeals. William Evarts, in his capacity as Pres-

ident Andrew Johnson's Attorney General, indicted and prosecuted Fullerton for alleged participation in a scheme to avoid or redirect taxes imposed on whiskey in the aftermath of the Civil War when funds were desperately needed to rebuild the country. The trial took several turns as Gordan recounts, and the matter was resolved in an unanticipated manner.

These are just a few of the articles portraying New York's legal, political, and social history that *Judicial Notice* has been privileged to publish. All articles are available online and are easily accessible for those interested in New York's rich legal history to enjoy.

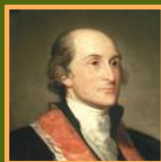


## Endnotes

1. 'John Jay, by B.B.E,' one of the earliest known portraits of Jay, by an artist now known by only his initials. The Miriam and Ira D. Wallach Division of Art, Prints and Photographs: Print Collection, The New York Public Library.
2. United States Attorney General William M. Evarts, c. 1870. Brady-Handy photograph collection, Library of Congress, Prints & Photographs Division, LC-DIG-cwpbh-05065.
3. Portrait of Chancellor James Kent by Rembrandt Peale. Court of Appeals Collection. Courtesy of the Historical Society of the New York Courts.
4. Studies in Expression: When Women Are Jurors. Library of Congress, Prints & Photographs Division, LC-DIG-ppmsca-03059.
5. Portrait of Kate Stoneman. Courtesy of the Jamestown City Historian's Office.
6. Justice Denman. Courtesy of the Appellate Division, Fourth Department.
7. Pauline Seneca teaches a classroom of first graders at the Thomas Indian School. Courtesy of New York State Archives, NYSA\_A1913-77\_63.
8. The Mochida Family Awaiting Evacuation. NARA, ID# 537505.
9. The Five Social Assemblymen. Left to right, standing: Samuel Orr, Samuel DeWitt; sitting: Charles Solomon, August Claessens, Louis Waldman. Charles Solomon Photographs, Tamiment Library, New York University.
10. Benjamin Gitlow, *Revolutionary Radicalism: Its History, Purpose and Tactics*, Part I, Volume I (Albany: J.B. Lyon Company, 1920), p. 680.
11. The Appellate Term, First Department is located in rooms 401 (Clerk's Office) and 408 (Courtroom) inside the New York County Supreme Court building at 60 Centre Street. Courtesy of the Historical Society of the New York Courts.
12. New York's first Children's Court part in Manhattan, c. 1902. Courtesy of the Prof. Merrill Sobie.
13. A quiet conference between opposing counsel at the Beecher trial. The Daily Graphic, February 6, 1875, p. 360-361.
14. First page of Hamilton's notes from the case *Rutgers v. Waddington*. Special Collections, Hamilton College.
15. Mad Tom in a Rage. The Metropolitan Museum of Art, The Elisha Wittelsey Collection, The Elisha Whittelsey Fund, 1853.







## HISTORICAL SOCIETY *of the* NEW YORK COURTS

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