

The Historical Society of the New York Courts
County Legal History

Dutchess County

Hon. Albert M. Rosenblatt

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I. County Origins

a. General Narrative

In 1609, while under commission from the Dutch and looking for an efficient trade route to the Far East, Henry Hudson discovered the river that bears his name. Captaining the ship *Halve Maen*, he sailed north, and in September of that year passed what would later be known as Dutchess County, on his east.¹

Dr. William T. (Chip) Reynolds Director, New Netherland Museum and Captain, Replica Ship Half Moon



The Halve Maen, circa 1609. By Tom Austin

emailed this writer that according to his calculations “Henry Hudson and the half moon passed what would become Poughkeepsie on September 15, 1609 when northbound and September 28 when southbound. Their anchorage on September 28 was close to the site of Poughkeepsie.”

At the time, and for untold centuries before that, Native American tribes inhabited both sides of the river.²

The region that would become Dutchess County was initially part of New Netherland, which the Dutch – under a patent that the

Dutch States General issued to the Dutch West India Company – settled in the 1620s, mostly around the areas that would later form New York City and Albany.

In 1664, New Netherland, including the Hudson River Valley territory, fell to a British naval force, and England would command the east coast of America from Nova Scotia to Carolinas. The Dutch briefly recaptured the territory in 1673 but in 1674 the English regained the Colony under the Treaty of Westminster.³

Thus, for a century after the Dutch, and until the Declaration of Independence in 1776, we were a British Colony. The region to become Dutchess County was part of a proprietary government of James, Duke of York, until 1685 when the Duke became King James II of England, and New York became a royal province, and so remained until the Revolution.



King James II, 1683. By Sir Godfrey Kneller

¹Smith, Philip H. *General History of Dutchess County* (Pawling, NY: 1877) at 23.

² Any treatment of the preexisting native American life in the region falls outside the scope of this work, but there are writings on the subject, e.g. Ruttenber, E.M. *History of the Tribes of Hudson’s River* (J. Munsell: 1872); Dunn, Shirley W. *The River Indians – Mohicans Making History* (Purple Mountain Press: 2009); Gehring, Charles T. and Starna, William A., "Dutch and Indians in the Hudson Valley: The Early Period" *The Hudson Valley Regional Review* 9.2 (Sept. 1992): 1-25; Funk, Robert. *Recent Contributions to Hudson Valley Prehistory* (Albany: University of the State of New York, 1976)

³ For the Dutch New Netherland period see generally Jacobs, Jaap. *New Netherland, A Dutch Colony in Seventeenth Century America* (New York: Cornell University Press, 2005); Benjamin, Vernon. *The History of the Hudson River Valley: From Wilderness to the Civil War* (New York: Overlook Press, 2014); Jacobs, Jaap and Roper, L.H. *The World of the Seventeenth-Century Hudson Valley* (New York: SUNY Press, 2014); Rosenblatt, A. and Rosenblatt, J. *Opening Statements: Law, Jurisprudence, and the Culture of Dutch New York* (New York: SUNY Press, 2014)

b. Legal Beginnings

The history of Dutchess County, as a political entity, begins in 1683, when the English divided New York colony into 12 counties, including Dutchess, which at the time, “had not a single European/non Native American pioneer.”¹

In addition to “The Dutchess’s County” the other eleven counties born as siblings in 1683 were: Albany, Cornwall, Dukes, Kings, New York, Orange, Queens, Richmond, Suffolk, Ulster, and Westchester.²



Robert Livingston. Attributed to Gilbert Stuart.

Farewell Nantucket and Martha’s Vineyard

These counties all remain in New York except for Cornwall and Dukes, which Massachusetts gained in 1691. Dukes County “to conteyne the Islands of Nantucket, Martins [now Martha’s] Vinyard, Elizabeth Island and no mans Land” (an island near Martha’s Vineyard).³

Dutchess was named for [Mary of Modena](#), Duchess of York, second wife of James, Duke of York.⁴

Within the dozen years from 1685 to 1697 the Crown granted 13 patents including the Rombout, Beekman, Oblong, Philipse, and Nine Partners—names well known in Dutchess County today, and so the settlements soon begun.⁵ The Philipse patent includes much of Putnam County, which was set off from Dutchess County in 1812.⁶

Settlement under Robert Livingston began at about that time, as his grant measured some 16 miles long and 24 broad.⁷ The Livingston family produced prominent members of the bench, bar, and government, including Chancellor [Robert Livingston \(1746-1813\)](#), one of the authors of New York’s first Constitution in 1777.

¹ McCracken, Henry N. *Old Dutchess Forever! New York* (Hastings House, 1926) at 16; Smith, James H. *History of Dutchess County* (New York: D. Mason & Co., 1882) at 55; Tatum, III, William P. “The Birth of a County: Establishing a Government in Dutchess, 1713- 1721” in *Dutchess County Historical Society 2013 Yearbook*, 5-16.

² Laws of the Colony of New York Vol 1, L. 1683, Ch. 4.

³ Laws of the Colony of New York, L. 1683, Ch. 4.

⁴ This brings us to a fundamental dilemma. How can a county be named Dutchess, after a Duchess? How did the letter “T” become so prominent a part of the county’s identity? Was it a tribute to the Dutch? An act of sheer negligence or misspelling? Or any one of a dozen other theories? This dispute has raged for generations and, as we have said in another context, the matter lies beyond the scope of this writing. For those interested in pursuing it, there is ample scholarship, although we caution that the dispute will likely go on forever, at least we hope so. (e.g. Mahan, Harold E. *Benson J. Lossing and Historical Writing in the United States* (Westport, CT: Greenwood Press, 1996) at 22, n2; “Lossing and Dutchess County” *Saturday Review of Books and Art, New York Times*, Sept. 30, 1899, p. BR653; “The “T” in Dutchess”, in McCracken, *supra*, at 24-27 (Invoking, no less, Dr. Samuel Johnson and William Cullen Bryant.) These are deep waters indeed.

⁵ See generally Smith, *supra* at 47 et seq.

⁶ See Smith, *supra* at 43.

⁷ Smith, *supra* at 57.



Robert Hunter, circa 1720.
Attributed to Sir Godfrey Kneller

Judge Hendrick Beekman served as Justice of the Peace for Ulster County (of which Dutchess had been a part) in 1684 and represented Ulster in the first elected Assembly under the King in 1691. In that same year the colonial Assembly created the Supreme Court of Judicature, granting it jurisdiction akin to England's King's Bench, Common Pleas, and Exchequer.

On October 23, 1713 Royal Governor Robert Hunter signed a bill allowing Dutchess County to form its own government and to "Elect a Supervisor, a Treasurer, assessors and Collectors"⁸ Dutchess was thus represented as a separate county in the General Assembly of the Province.⁹ After all, according to a 1714 census Dutchess had grown to inhabit about 445 people and warranted its own government. By 1723 Dutchess's population was 1,083, by 1737 it was 3,418, by 1746 it was 8,806, and by 1771 it had grown to 22,404.¹⁰ Leonard Lewis (1667-1730) was the first Dutchess County judge.

⁸ Laws of the Colony of New York, L. 1713, Ch. 271.

⁹ Smith, *supra* at 48.

¹⁰ See Smith at 101.

c. Timeline

- 1609 Sept. 17 – Henry Hudson sails past Poughkeepsie
- 1664 Under Dutch rule since the 1620s, New Netherland, a colony that included what would be known as Dutchess County (then unsettled by non-Native Americans) came under British rule, under the Duke of York. New Netherland becomes New York.
- 1673 The Dutch recapture the colony including what later became known as Dutchess County.
- 1674 The Dutch and English enter into the Treaty of Westminster under which the British secure the colony and rule for almost a century – until the American Revolution.
- 1683 Dutchess (The Dutchess’s County) becomes one of 12 colonies within New York. (L. 1683, Ch. 4) Dutchess County, with virtually no European settlers, is administered by Ulster County.
- 1691 By “An Act to Divide the Province and Dependence into Shires and Counties” authorities set the County’s boundaries. (L. 1691, Ch. 17)
- 1713 Dutchess forms its own government, with power to “Elect a Supervisor, a Treasurer, assessors and Collectors” (L. 1713, Ch. 271)
- 1715 An “Act for building a County-House and Prison” (L. 1715, Ch. 297)
- 1777 In New York’s first Constitution the drafters created an Assembly to consist of at least seventy members, to be chosen annually in the several counties, in proportions in which Dutchess was to have seven, New York: nine, Albany: ten, Westchester: six, Ulster: six, Suffolk: five, Queens: four, Kings: two, Richmond: two, Tryon (Montgomery): six, Charlotte (Washington): four, Cumberland (now in Vermont): three, and Gloucester(now in Vermont): two.
- 1781 Proclamation from Governor George Clinton requiring the Assembly and Senate to convene at Poughkeepsie to select delegates to the Continental Congress. After the British burned Kingston in 1777. Poughkeepsie served as New York’s state capitol. The State Senate met in Poughkeepsie, among other locations, in 1780, 1781, 1782, and 1788.
- 1788 At the Poughkeepsie courthouse, New York ratifies the Unites States Constitution.
- 1796 By L. 1796, Ch. 8, the New York State Legislature divides the state into seven districts with an assistant attorney general to serve in each. Dutchess was grouped with Orange and Ulster.
- 1801 By L. 1801, Ch. 146 the Legislature creates “district attorneys” with Dutchess grouped in a district with Rockland, Orange, Ulster, and Delaware Counties.
- 1812 Putnam County is split off from Dutchess.
- 1870 The legislature establishes four departments in the State;Dutchess County is in the second (L. 1870, Ch. 408)
- 1906 By Constitutional amendment taking effect January 1,1906, the Legislature creates the 9th judicial district , which includes Dutchess County
- 1944 The 1944 presidential election is the only one in which both major-party presidential candidates came from the same county – Dutchess County. Democrat Franklin D. Roosevelt (Hyde Park) defeated Republican Thomas E. Dewey (Pawling).

1967 Voters approve the Dutchess County Charter, which divides the government into two branches: legislative and executive, and sets forth the details of administration of the Dutchess County government.

II. County Courthouses

The present courthouse on Market Street in Poughkeepsie is the County's fifth.

Author's Note: The dates of the first three courthouses are inexact and sometimes conflicting. I have relied on secondary sources, and would caution scholars to consult primary sources where possible.

The First Courthouse

Having begun its own government in 1713, as separate from Ulster County, the officials would have conducted legal business in a building that served as a court house, in Poughkeepsie.

On July 21, 1715 authorities had decreed the construction of a court house by 1717.¹ Henry Van de (sometimes van den) Bogart (sometimes Bogert) and Barendt Van Kleeck conveyed the deed to the land.² A well known right of reverter has it that the property will revert back to the Van de Bogert family if the property is not used, as least in part, as a jail, according to Platt's History of Poughkeepsie at page 20. Attorney Arthur L. Gellert has the ancient jailhouse key in his memorabilia collection.

There seems to have been delays, and it is difficult to discern exactly when the court house was built -- likely before 1720, and it is also difficult to pinpoint how long it lasted. According to former County Historian Joyce Ghee³ we do know that on December 17, 1743 authorities passed an act to "enlarge and Repair the old one," which the County did, in 1745.⁴ Ms. Ghee writes that when the 1714 Van Den Bogert deed of gift was filed in 1747 a second courthouse (or at least a newer model of the first) was already in place.⁵

The Second Courthouse

For convenience we will refer to this 1745 court house as the second court house, which lasted until 1785 when it was taken by fire.⁶ During the Revolutionary War, the State legislature met here after the British burned Kingston in 1777 making Poughkeepsie the de facto state capitol up through the US Constitutional Ratification Convention in 1788.

¹ L. 1715, Ch. 297; See Frank Hasbrouck, *History of Dutchess County Vol. 1* (Higginson Book Co., 1909), 65.

² Smith, *supra* at 336.

³ L. 1743, Ch. 756.

⁴ Platt, E. *The Eagle's History of Poughkeepsie from Earliest Settlements, 1683 to 1905* (1905), 19-21.

⁵ Ghee, J. *Half Way Up the Hudson* (Mount Pleasant, SC: Arcadia Publishing, 1997), 12; See also French, J.H. *Gazetteer of the State of New York* (Syracuse, NY: 1860), 268.

⁶ Smith, *supra* at 338. Ghee, *supra* at 12, dates the fire as April 1785.

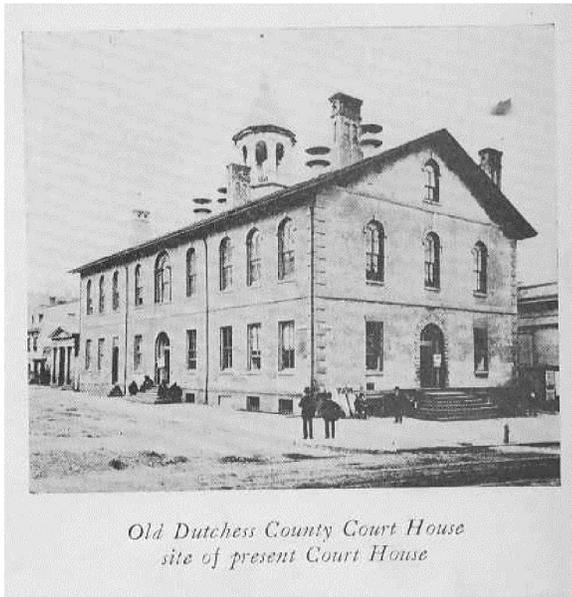


View of Poughkeepsie by Archibald Robertson, September 2, 1796. The Courthouse is in the center of the image.

The Third (The Ratification) Courthouse

An Act dated April 11, 1785 ordered reconstruction of the 1745 building.⁷ This was accomplished in 1785-1787 in time for one of the most important events in American history: New York's ratification of the United States Constitution, which took place there at the barely completed courthouse, in June-July 1788. Historian Martha Lamb described the Ratification in Poughkeepsie: "Thus turned the pivot in the history of the English-speaking race."⁸ Some, but not all, might think it an exaggeration.

This hallowed courthouse was consumed by fire on September 25, 1806.⁹



Courthouse 1809-1902

The Fourth Courthouse

By Act dated March 24, 1809 the authorities ordered the construction of the fourth courthouse, which was erected 1809-1811.¹⁰ It endured in its Victorian beauty, until replaced by the fifth and current courthouse, built 1902-1903. The 1809-1902 court house featured an oyster bar run by Matthew Vassar, who went on to found the college that bears his name.

⁷ Smith, *supra* at 102; Hasbrouck, *supra* at 66.

⁸ Lamb, M. *History of the City of New York*, Vol. 2, p. 321.

⁹ Hasbrouck, *supra* at 66; See also Ghee, *supra* at 14. According to Ms. Ghee, the 1792 drawing by Archibald Robertson (at the New York Historical Society) is the only image of the so-called Ratification Courthouse of 1788.

¹⁰ Hasbrouck, *supra* at 66.



1902-1903 (present) Courthouse at right

The fifth (current) Courthouse

Under the architectural design of William J. Beardsley, this courthouse sits on the same site as its predecessors, at the corner of Main and Market Streets in Poughkeepsie. The County celebrated the courthouse centennial in 2002-2003.

For further information, see generally “The Court House of Dutchess County – First, Second, Third, and Fourth Buildings, 1717- 1810” in *Dutchess County Historical Yearbook*, 1938, Vol 23 p. 74-98. See also “The Courthouse of Dutchess County, 1809-1901.” *Dutchess*

County Historical Society, 1939, Vol. 24 p. 69-74.

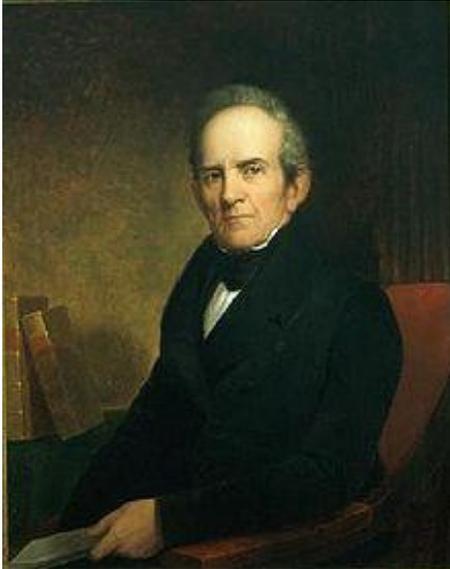
In a publication entitled *The Dutchess County Courthouse 100th Anniversary* (Dutchess Co Bar Assoc., 2002) there is a history of the courthouses with images of the first, second, third (artists or imaginings) fourth, and fifth courthouses¹¹

¹¹ For further information generally, see *Historic Courthouses of New York State* (H.A.Johnson, R.K.Andrist); Julia and Albert Rosenblatt. *Historic Courthouses of New York State* (Turner Press, 2006); For courthouses in USA see Richard Pare, *Court House*, New York, 1978.

III. The Bench and The Bar

a. Judges

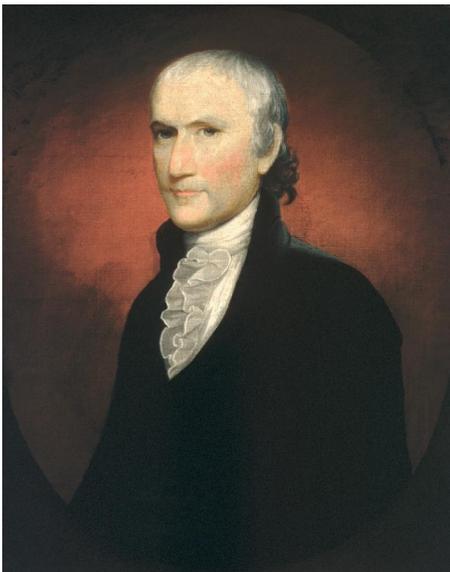
UNITED STATES SUPREME COURT



Smith Thompson, 1768-1843

Thompson, Smith (1768-1843) – of [Dutchess County](#), NY; [Justice of U.S. Supreme Court](#), 1823-43; candidate for [Governor of New York](#), 1828; state court judge in New York, 1802-14; [U.S. Secretary of the Navy](#), 1819-23. Buried in Poughkeepsie rural cemetery.

NEW YORK SUPREME COURT (Pre-1846)



Egbert Benson, 1746-1833

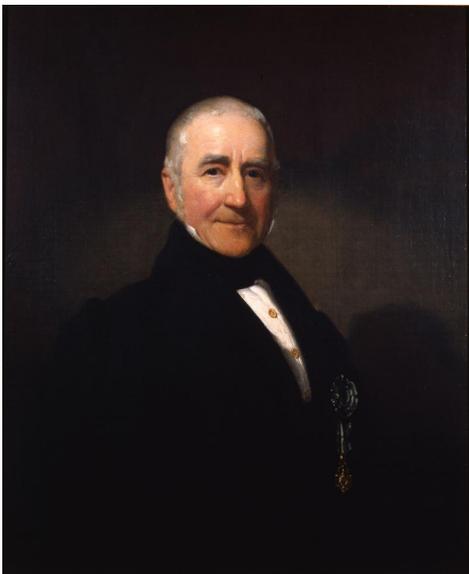
Benson, Egbert (1746-1833) – of Red Hook, NY; [New York State's first Attorney General](#), 1777-88; Member of [New York State Assembly](#) from Dutchess County, 1777-81, 1788; [Member, Continental Congress from New York](#), 1784-1788; Member, New York Constitutional Convention that Ratified the United states Constitution, 1788; [U.S. Representative from New York](#), 1789-93, 1813 (3rd District 1789-93, 2nd District 1813); [Justice of New York Supreme Court](#), 1794-1801; [Judge of U.S. Court of Appeals for the 2nd Circuit](#), 1801.

Duer, William A. (1780-1858) – of Rhinebeck; Justice, Supreme Court of New York State, 1823- 1829; President Columbia University, 1829-1842.



James Kent, 1763-1847

Kent, James (1763-1847) – of Poughkeepsie, [Dutchess County](#), NY; [Justice of New York Supreme Court](#), 1798, Chief Justice, 1804; [Chancellor of New York](#), 1814; Member of [New York State Assembly](#), 1790-91, 1792-93, 1796-97 (Dutchess County); [Author](#) of Commentaries on American Law, the [first](#) comprehensive treatment of the subject; Buried in Beacon, NY.

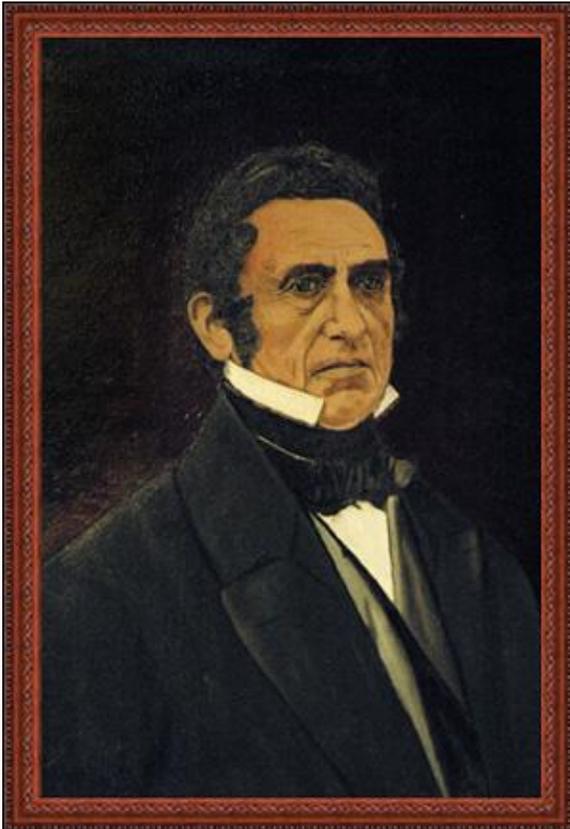


Morgan Lewis, 1754-1844

Lewis, Morgan (1754-1844) – of Rhinebeck, NY; [Governor of New York](#), 1804-07; [New York State Attorney general](#), 1791-92; member of [New York State Assembly](#) Dutchess County, 1791-92; [Justice of New York Supreme Court](#), 1792-1801; Member of [New York State Senate](#) Middle District, 1811-14; General in the U.S. Army during the War of 1812.

Radcliff, Jacob (1764-1844) – Member, New York State Assembly, representing Dutchess County, 1795; Assistant Attorney General, 1796; Justice, New York Supreme Court, 1798-1804; Mayor of New York City, 1810-1811, 1815-1818.

NEW YORK COURT OF APPEALS



Charles Herman Ruggles, 1789-1865

Ruggles, Charles Herman (1789-1865) – of Poughkeepsie; [Chief Judge of New York Court of Appeals](#), 1851-53; [U.S. Representative from New York](#) 7th District, 1821-23; [Delegate, to New York State Constitutional Convention](#) and Chairman of Judiciary Committee, 1846; [Judge of New York Court of Appeals](#), 1847-55.



Rosenblatt, Albert (1936-) – of La Grange/Pleasant Valley, NY; Judge, Court of Appeals, 1999-2006; Justice, Appellate Division Second Department 1989-1999; New York State Chief Administrative Judge, 1987-1989; Justice of the New York Supreme Court, 9th J.D., 1981-1998; County Judge, 1976-1981; District Attorney, 1969-1975.

SUPREME COURT, APPELLATE DIVISION

Aldrich, Raymond E. (1888-1947) – of Poughkeepsie, NY; [Justice of New York Supreme Court](#) 9th J.D., 1934-47; Appellate Division, 2nd Department, 1944-1947.

Barnard, Joseph Folger (1823-1903) – Born in Nantucket, 1823, attended Old Dutchess Academy in Poughkeepsie, followed by graduation from Yale College in 1841; Elected, New York Supreme Court, 1863; re-elected 1871 and 1885; Presiding Justice General Term Second Department (Predecessor to Appellate Division) 1888-1893; His full sized portrait is over the bench in the Dutchess County Courthouse ceremonial Courtroom second floor; The Barnard Memorial Library bears his name.

Dillon, Mark (1959-) Justice of Supreme Court 9th J.D., 1999- present; Appellate Division, 2d Department, 2005-present; County Court, Westchester County, 1997.

Hawkins, Joseph (1916-1978) – of Poughkeepsie; Justice of the Supreme Court, 9th J.D., 1964-1978; Appellate Division, 1976-1978.

Jaycox, Walter Husted (1863-1927) – Born in Wassaic, NY; [Suffolk County District Attorney](#), 1893-99; [Suffolk County Judge](#), 1902-05; [Justice of New York Supreme Court](#) 2nd District, 1905-1922; Appellate Division, 1922-1927.

Marlow, George D. (1941-) – Dutchess County Family Court, 1984-1992; County Court, Dutchess County, 1993-1999; Supreme Court Justice 9th J.D., 2000-2009; Appellate Division, First Department, 2001-2008; Chair, NYS Advisory Comm. on Judicial Ethics, 1996-present.

Rosenblatt, Albert, M. (1936-) – See under Court of Appeals, above.

STATE COURT JUDGES

Bockee, Abraham (1784-1865) – Born in Shekomeko, Dutchess County; Member, [New York State Assembly](#), 1819-20; [U.S. Representative from New York](#) 5th District, 1829-31, 1833-37; Member [New York State Senate](#) 2nd District, 1842-45; served as Senator on the New York Court for the Trial of Impeachments and Correction of Errors , 1842-1845; County Court, Dutchess County, 1846.

Dean, Gilbert (1819-1870) – of Pleasant Valley; [U.S. Representative from New York](#), 1851-54 (8th District, 1851-53, 12th District, 1853-54); [Justice of New York Supreme Court](#), 2nd District, 1854-55; Ex-officio service on the New York Court of Appeals, 1855; Member, New York State Assembly, 1863.

Gildersleeve, Henry Alger (1840- 1923) – Born in Clinton, [Dutchess County](#), NY; Colonel in the Union Army during the Civil War; Judge of General Sessions, New York, 1876-89; Superior Court Judge, New York, 1891-95; [Justice of New York Supreme Court](#) 1st District, 1896-1909.

Mack, John E. (1874-1958) – of Poughkeepsie; [Justice of New York Supreme Court](#) 9th District, 1930; delegate to Democratic National Convention from New York, [1940](#), [1944](#); Nominated Franklin D. Roosevelt for President of the United States, 1932, 1936.

Platt, Jonas (1769-1834) – Born in Wappingers; Member, New York State Assembly, 1796; [U.S. Representative from New York](#) 9th District, 1799-1801; Member, [New York State Senate](#), (Western District) 1810-12; Candidate for [Governor of New York](#), 1810; [Justice, New York Supreme Court](#) of Judicature, 1814-23; Wrote *Gibbons v. Ogden* for the Court for the Trial of Impeachments and Correction of Errors, 1820; Member, New York State Constitutional Convention, 1821.

Platt, Zephaniah (1735-1807) – Of Poughkeepsie Platt family, founders of Plattsburgh, NY; Member, Provincial Congress, 1775-1777; Member of [New York State Senate](#) Middle District, 1777-83; County Judge, Dutchess County, 1781-1795; Delegate, Continental Congress, 1784; [Delegate, New York Convention to Ratify U.S. constitution](#), 1788.

Westbrook, Theodoric Romeyn (1821-1885) – Born in Fishkill, NY; [U.S. Representative from New York](#) 11th District, 1853-55; Justice, New York Supreme Court, 3rd J.D., 1873-1885.

SUPREME COURT JUSTICES, 9TH JUDICIAL DISTRICT

The Ninth Judicial District is composed of the counties of Westchester, Dutchess, Orange, Rockland, and Putnam. The following were Dutchess County Resident Supreme Court Justices.

| | | | |
|-----------|--|--------------|--|
| 1906-1930 | Joseph Morschauser | 1982-1999 | Albert M. Rosenblatt |
| 1930 | John E. Mack | | (Appellate Division 1989 - 1999) |
| 1934-1947 | Raymond E. Aldrich (Appellate Division 1944-1947) | 1984-2002 | Ralph A. Beisner |
| 1948-1955 | J. Gordon Flannery | 1992-2000 | Judith Hillery |
| 1965-1978 | Joseph F. Hawkins (Appellate Division 1976-1978) | 2000-present | Mark C. Dillon (Appellate Division 2005-present) |
| 1966-1971 | Leonard L. Supple | 2000-2008 | George D. Marlow (Appellate Division 2001-2008) |
| 1969-1975 | W. Vincent Grady | 2003-present | James V. |
| 1976-1997 | Joseph Giudice | Brands | |
| 1978-1981 | Joseph D. Quinn | 2003-present | Christine A. Sproat |
| | | 2013-present | Maria G. Rosa |

COUNTY COURT JUDGES

| | | | |
|------|---------------|------|------------------|
| 1716 | Leonard Lewis | 1749 | Martinus Hoffman |
| 1739 | Jacob Terboss | 1755 | Jacob Terboss |

| | | | |
|-----------|--|--------------|----------------------|
| 1769 | Beverly Robinson | 1966-1975 | Joseph Giudice |
| 1778 | Ephraim Paine | 1970-1982 | Raymond E. Aldrich |
| 1781 | Zephaniah Platt | 1976-1981 | Albert M. Rosenblatt |
| 1795 | David Brooks | 1982 | Bernard Kessler |
| 1807 | John Johnstone | 1983-1991 | Judith Hillery |
| 1817 | James Emott | 1985-1992 | John R. King |
| 1823 | Marturin Livingston | 1993-2010 | Thomas J. Dolan |
| 1828 | Daniel C. Ver Planck | 1993-1999 | George D. Marlow |
| 1830 | Edmund H. Pendleton | 2000-2010 | Gerald V. Hayes |
| 1840 | Joseph I. Jackson | 2011-present | Peter Forman |
| 1845 | Seward Barculo | 2011-present | Stephen Greller |
| 1846 | Abraham Bockee | | |
| 1846 | John Rowley ¹ | | |
| 1847 | John Rowley | | |
| 1851 | Egbert Q. Eldridge | | |
| 1855 | Homer A. Nelson | | |
| 1859 | Homer A. Nelson | | |
| 1863 | Charles Wheaton ² | | |
| 1866 | Allard Anthony | | |
| 1872 | Henry M. Taylor | | |
| 1878 | Benjamin Platt Carpenter | | |
| 1884 | Daniel W. Guernsey | | |
| 1890 | Daniel W. Guernsey | | |
| 1896 | Samuel K. Phillips | | |
| 1902 | Samuel K. Phillips | | |
| 1908-1913 | Frank Hasbrouck | | |
| 1914-1930 | Charles W.H. Arnold | | |
| 1931-1947 | J. Gordon Flannery (Children's Court, 1931) | | |
| 1948-1965 | John R. Schwartz | | |
| 1966-1968 | Raymond C. Baratta | | |

¹ Office made elective in 1846

² Appointed after Nelson resigned

SURROGATES

| | | | |
|------|----------------------|--------------|--|
| 1778 | Gilbert Livingston | 1884 | Horace D. Hufcut |
| 1785 | Anthony Hoffman | 1884 | Daniel W. Guernsey (County Judge Acting Surrogate) |
| 1787 | Gilbert Livingston | | |
| 1804 | James Tallmadge, Jr. | 1890 | Cyrenus P. Dorland |
| 1810 | Thomas J. Oakley | 1896 | Cyrenus P. Dorland |
| 1811 | George Bloom | 1902 | Willet E. Hoysradt |
| 1813 | Philo Ruggles | 1908 | Charles (Collins?) A. Hopkins |
| 1815 | Derrick B. Stockholm | 1914-1942 | Daniel J. Gleason |
| 1819 | John Brush | 1927 | Charles W.H. Arnold |
| 1821 | Ebenezer Nye | 1942 | John R. Schwartz, Jr. (District Attorney Acting Surrogate) |
| 1828 | James Hooker | 1941-1942 | J. Gordon Flannery |
| 1840 | Robert Wilkinson | 1942 | Edward V. Mack |
| 1844 | Virgil D. Bonesteel | 1942-1943 | Stanley M. Vincent |
| 1847 | John P. H. Tallman | 1943 | Frederick S. Quinterro |
| 1855 | Edgar Thorn | 1951 | W. Vincent Grady |
| 1860 | Peter Dorland | 1970 | Raymond C. Baratta |
| 1866 | Milton A. Fowler | 1983 | James D. Benson |
| 1872 | Peter Dorland | 1993 | George G. Bernhard |
| 1878 | Collins Sheldon | 1999-present | James D. Pagones |

FAMILY COURT JUDGES

| | | | |
|------|---|-----------|----------------------|
| 1961 | Joseph Giudice (Children's Court) | 1964-1966 | Joseph Giudice |
| 1962 | New York voters approved a State Constitutional amendment creating the Family Court (NY Const. Art. IV, Sec 13) | 1966-1969 | Raymond E. Aldrich |
| | | 1969-1978 | John R. Heilman, Jr. |
| | | 1972-1992 | George D. Bernhard |
| | | 1979-1982 | Judith Hillery |

| | | | |
|-----------|------------------|--------------|-----------------------|
| 1984-1992 | George D. Marlow | 2003-2013 | Valentino T. Sammarco |
| 1989-2008 | Damian J. Amodeo | 2009-present | Joan S. Posner |
| 1993-1998 | James D. Pagones | 2012-present | Denise M. Watson |
| 1994-2002 | James V. Brands | 2014-present | Joseph Egitto |
| 1999-2010 | Peter M. Forman | | |

b. Attorneys and District Attorneys

PRESIDENT AND GOVERNORS



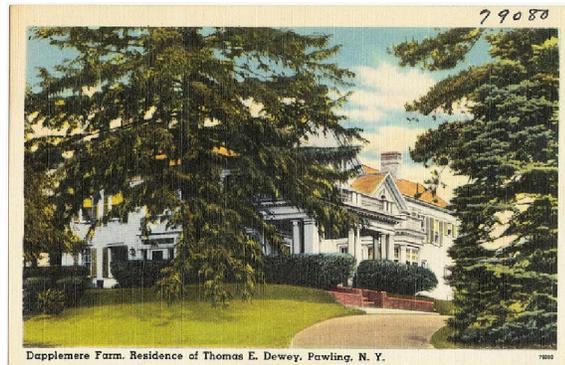
Roosevelt, Franklin Delano (1882-1945) – Born in Hyde Park, NY; [Governor of New York](#), 1929-33; [President of the United States](#), 1933-45.



Franklin D. Roosevelt, 1882-1945 & the Roosevelt Estate, Hyde Park, NY



Dewey, Thomas E. (1902-1971) – Of Pawling, NY; Governor of New York, 1943-1954; Republican Presidential candidate 1944, 1948.



Thomas E. Dewey, 1902-1971 & Dapplemere Farm, the Dewey Residence in Pawling

Lewis, Morgan (1754-1844) – Of Rhinebeck, NY; [Governor of New York](#), 1804-07); See under Supreme Court.

ATTORNEYS

Bailey, Theodorus (1758-1828) – Born near Fishkill, NY; [U.S. Senator from New York](#), 1803-04; Postmaster, New York City, 1804-28; [U.S. Representative from New York](#) 5th District, 1793-97, 1799-1801, 1801-03; Member, [New York State Assembly](#) from Dutchess County, 1801-02.

Brush, Henry (1778-1855) – Born in [Dutchess County](#), NY June, [1778](#); [Justice of Ohio State Supreme Court](#), 1830-31.

Carpenter, Benjamin Platt (1837-1921) – Born in Stanford, [Dutchess County](#), NY; [Dutchess County District Attorney](#), 1858; [Delegate to New York State Constitutional Convention](#), 1867-68; Delegate, Republican National Convention from New York, [1868](#), [1872](#), [1884](#); Member [New York State Senate](#) 11th District, 1876-77; [Dutchess County Judge](#), 1878-83; [New York Republican State Chair](#), 1881-82; Candidate for [Lieutenant Governor of New York](#), 1882; [Governor of Montana Territory](#), 1884- 1885.

Chanler, Lewis Stuyvesant (1869-1942) – Of Barrytown, [Dutchess County](#), NY; [Lieutenant Governor of New York](#), 1907-08; candidate for [Governor of New York](#), 1908; Member, [New York State Assembly](#) from Dutchess County 2nd District, 1910-12.

Coffin, Owen Vincent (1836-1921) – Born in Union Vale, [Dutchess County](#), NY; [Governor of Connecticut](#), 1895-97; [Mayor of Middletown, Conn.](#), 1872-73.

Corliss, Guy Carleton Haynes (b. 1858) – Born in Poughkeepsie, [Dutchess County](#), NY; [Justice of North Dakota Supreme Court](#), 1889-98; [Dean](#), Law School, University of North Dakota, 1899-1902.

Drake, John Reuben (1782-1857) – Born in Pleasant Valley, NY; County Judge, Broome County, 1815-23; Court of Common Pleas, Tioga County, 1833-1838; [U.S. Representative from New York](#) 15th District, 1817-19; Member, New York State Assembly, 1834.

Emmet, William Colville (1836-1901) – Born in [Dutchess County](#), NY; U.S. Charge d'Affaires to [Turkey](#), 1885; U.S. Consul in [Smyrna](#), 1886-93; [Aix-la-Chapelle](#), 1893-97.

Emott, James (1771-1850) – Born in Poughkeepsie, NY [March 9, 1771](#); [U.S. Representative from New York](#) 4th District, 1809-13; Member, [New York State Assembly](#), Albany: 1803-04, Dutchess: 1813-15, 1816-17.

Eno, Stephen (1764-1854) – practiced law in Pine Plains, opening an office there in 1815, followed by his son William Eno (1800-1874) and grandsons William Stewart Eno (1827-1902) and Frank Eno (1845-1933). The Eno law office is one of the oldest free standing professional buildings in New York State and beyond. The office is occasionally open to the public.

Farrington, Walter J. (b. 1829) – of Fishkill, NY; Born in Lagrangeville, [Dutchess County](#), NY; Prohibition candidate for [Chief Judge of New York Court of Appeals](#), 1892;; Prohibition candidate for [New York State Attorney General](#), 1873; Prohibition candidate for [U.S. Representative from New York](#), 1874 (13th District), 1886 (16th District); Prohibition candidate for [Judge of New York Court of Appeals](#), 1884, 1889; Prohibition candidate for [New York State Senate](#) 16th District, 1893; Candidate for [Justice of New York Supreme Court](#), 1896 (Prohibition, 2nd District), 1915 (9th District).

Fish, Hamilton, Jr. (1926-1996) – Of Millbrook, [Dutchess County](#); [U.S. Representative from New York](#), 1969-95 (28th District, 1969-73, 25th District, 1973-83, 21st District, 1983-93, 19th District, 1993-95); Delegate, Republican National Convention from New York.

Forrestal, James Vincent (1892-1949) – Of Beacon, [Dutchess County](#), NY; [U.S. Secretary of the Navy](#), 1944-47; [U.S. Secretary of Defense](#), 1947-49.



John J. Gartland, Jr., 1914-2003

John J. Gartland, Jr. (1914-2003) – Of Poughkeepsie; NY attorney, partner, Corbally, Gartland, and Rappleyea; President, McCann Foundation, a civic philanthropic organization; co-trustee, Cuneen-Hackett Foundation; Chairman, Board of Trustees, Marist College, 1972-1974; Trustee, St. Francis Hospital, 1965-1982, Chairman, 1971-1973; Major, US Army Air Corp , 1942, 1945; Law Secretary to Federal SDNY Judge Edward A. Conger, 1939-1942. His firm evolved from the firm of Hackett and Williams, founded in 1876, with members James L. Williams and John T. Hackett, and later, City Judge Charles J. Corbally.

German, Obadiah (1766-1842) – Born in Amenia, NY; [U.S. Senator from New York](#), 1809-15.

Greene, Thurston (1907- 2009) – Of Millbrook; After his graduation from Williams College and Harvard Law School he was the first lawyer hired by Thomas E. Dewey for his corruption prosecution team in 1935, and its last surviving member at age 101; United States Air force, WWII; Author, *The Language of the Constitution*, 1991.

Herrick, Samuel (1779-1852) – Born in Amenia, NY; [U.S. Attorney for Ohio](#), 1810-18, 1829-30; [U.S. Representative from Ohio](#) 4th District, 1817-21; Presidential Elector for Ohio, [1828](#).

Johnson, Jeh (1957-) – Current head of the [United States Secretary of Homeland Security](#); [General Counsel of the Department of Defense](#), 2009-2012, during the first Obama Administration; Graduate of [Morehouse College](#) (B.A.) and [Columbia Law School](#) (J.D.); grandson of [sociologist](#) and [Fisk University](#) president [Dr. Charles S. Johnson](#); Raised in Wappinger Falls, NY.

Ketcham, John Henry (1832-1906) – Of Dover Plains, NY; Member, [New York State Assembly](#) from Dutchess County 1st District, 1856-57; Member of [New York State Senate](#) 11th District, 1860-61; General, Union Army during the Civil War; [U.S. Representative from New York](#), 1865-73, 1877-93,

1897-1906 (12th District, 1865-73, 13th District, 1877-85, 16th District, 1885-93, 18th District, 1897-1903, 21st District, 1903-06); Delegate, Republican National Convention from New York, [1876](#), [1896](#).

Latimer, George (b. 1935) – Born in Poughkeepsie, NY; [Mayor of St. Paul, Minn.](#), 1976-90.

LeRoy, Daniel (1775-1858) – Born in Poughkeepsie, NY; [U.S. Attorney for Michigan](#), 1826-34; [Michigan State Attorney General](#), 1836-37.

Livingston, Gilbert (1742-1806) – Delegate, Constitutional Ratification Convention, 1788; New York Provincial Congress, 1775; Member, New York State Assembly, 1777-1778, 1788-1789; Anti-Slavery Manumission Society, 1787; Surrogate, Dutchess County, 1787-1785; 1787-1794.

Livingston, Peter Robert (1766-1847) – Born in Rhinebeck, NY; [Lieutenant Governor of New York](#), 1828; Member of [New York State Senate](#), 1815-22, 1826-29 (Southern District, 1815-22, 2nd District, 1826-29); Member, [New York State Assembly](#) from Dutchess County, 1823; [Speaker, New York State Assembly](#), 1823; Delegate, Whig National Convention from New York, 1839 (Convention Vice-President).

Nelson, Homer Augustus (1829-1891) – Of Poughkeepsie, NY; [Secretary of State of New York](#), 1868-71; [Dutchess County Judge](#), 1855-62; [U.S. Representative from New York](#) 12th District, 1863-65; [Delegate, New York State Constitutional Convention](#), 1867; Member, [New York State Senate](#) 15th District, 1882-83.

Oakley, Thomas Jackson (1783-1857) – Of Poughkeepsie, NY; Surrogate, Dutchess County, 1810-1811; [New York State Attorney General](#), 1819-21; Superior Court Judge, New York City, 1828-57, Chief Judge, 1847-1857; [U.S. Representative from New York](#), 1813-15, 1827-28 (4th District, 1813-15, 5th District, 1827-28); Member of [New York State Assembly](#) from Dutchess County, 1815-16.

Ostertag, Robert L. – Partner, Ostertag O’Leary Barrett and Faulkner Guernsey Butts Ostertag & O’Leary, Esqs. (Formerly Guernsey, Butts & Walsh), Poughkeepsie, New York, 1960 – 1995; President,

New York State Bar Association, 1991-1992; New York Lawyers Deskbook, Chairman, Editorial Board, NY State Bar Association, 1989; U.S. Air Force, Bangor, Maine, Judge Advocate, 1956 – 1958; Chief Counsel's Office, Internal Revenue Service, Washington, D.C., 1958-1960.

Pendleton, Nathaniel (1756-1821) United States District Judge, District of Georgia, 1789-1796; Law practice in Dutchess County (possibly also County Judge); died in Hyde Park. In 1804 he served as a "second" to Alexander Hamilton in his duel with Aaron Burr.

Quitman, John Anthony (1799-1858) – Born in Rhinebeck, NY; [Governor of Mississippi](#), 1835-36, 1850-51; State Court Judge in Mississippi, 1838; General in the U.S. Army during the Mexican War; candidate for Democratic nomination for Vice President, [1848](#), [1856](#); Presumed to have been [deliberately poisoned](#) at a banquet during the inauguration of President [James Buchanan](#), in Washington, DC.

Rolison, Jay P. Jr. (1929-2007) – Member, New York State Senate, 1967-1990; Assistant majority leader, 1985; Of Counsel, McCabe and Mack.

Saland, Stephen M. (1943-) – Member, New York State Senate, 1991-2012 (41st District); New York State Assembly, 1980-1990 (99th District); Of Counsel, Gellert, Klein & MacLeod.

Schell, Augustus (1812-1884) – Born in Rhinebeck, NY; [New York Democratic State Chair](#), 1853-55; Delegate, Democratic National Convention from New York, [1856](#), [1860](#), [1876 \(speaker\)](#); U.S. Collector of Customs, 1857-61; candidate for Mayor of New York City, 1878.

Smith, Melancton (1744-1798) – Of Charlotte Precinct [Dutchess County](#), NY; Continental Army Revolutionary War; [Delegate, Continental Congress from New York](#), 1785-87; [Delegate, New York Convention to Ratify U.S. Constitution](#) from Dutchess County, 1788; member of [New York State Assembly](#) from New York County, 1791-92.

Tallmadge, James, Jr. (1778-1853) – Born in Stanford, [Dutchess County](#), NY; [President](#) of New York University, 1830-46; [Lieutenant Governor of New York](#), 1828; [U.S. Representative from New York](#) 4th

District, 1817-19; [Delegate, New York State Constitutional Convention](#), 1821; Member, [New York State Assembly](#) from Dutchess County, 1824; [Delegate, New York State Constitutional Convention](#), 1846.

Tendy, William M. (1954-2014) – Of Hyde Park, NY; son of Anna Appignani and William Tendy, Sr., (d.1986) who had been Acting US Attorney for the Southern District of NY; Assistant District Attorney, NY County 1979-1983; noted Dutchess County trial attorney, most particularly for his defense, in 1998, of a 38 year old Black Jamaican immigrant, saving him from the death penalty. Presiding at the trial, Judge George D. Marlow later called Tendy’s summation the most brilliant and moving he had ever heard. (See “Public Lives: Lawyer Wins Battle of his Client’s Life,” *NY Times*, Aug. 5, 1998).

Van Tuyl, Jennifer – Dutchess County’s first female assistant district attorney (1971-1976); Attorney, Village of Cold Spring, 1977-1985, Town of East Fishkill, 1982–; Town of Fishkill Planning Board, 1984-1988; President, Dutchess County Bar Assoc. 1987; Member, New York State Advisory Committee on Land Use Statutes; Chair, Committee on Growth Management.in Governor's Commission on Coastal Resources.

DISTRICT ATTORNEYS

| | | | |
|-------------------|-------------------------------|------|-----------------------------|
| 1796 ¹ | Jacob Radcliff | 1849 | Thomas C. Campbell |
| 1801 | Smith Thompson | 1855 | Silas Wodell |
| 1810 | Randall S. Street | 1858 | Benjamin Platt Carpenter |
| 1813 | Randall S. Street | 1860 | Allard Anthony ³ |
| 1815 | George Bloom | 1865 | Allard Anthony |
| 1818 | George Bloom | 1868 | William I. Thorn |
| 1819 | Philo Riggles | 1871 | Tristram Coffin |
| 1821 | Francis A. Livingston | 1874 | James L. Williams |
| 1826 | Stephen Cleveland | 1877 | William R. Woodin |
| 1836 | George A. Schufeldt | 1880 | William R. Woodin |
| 1843 | E. M. Swift | 1883 | John Hackett |
| 1845 | William Eno | 1886 | John Hackett |
| 1847 | Joseph T. Lee | 1889 | Martin Heermance |
| 1849 | James Emott, Jr. ² | 1892 | Horace D. Hufcut |

¹ List of Pre-1930 names taken largely from Hasbrouck, 77.

² Appointed after Lee deceased.

³ Appointed after Carpenter resigned, elected in 1861.

| | | | |
|------|-------------------|--------------|----------------------|
| 1895 | George Wood | 1931 | John R. Schwartz, Jr |
| 1898 | George Wood | 1945 | Ely L. Gellert |
| 1901 | William R. Lee | 1947 | W. Vincent Grady |
| 1904 | William R. Lee | 1951 | Raymond C. Baratta |
| 1907 | John E. Mack | 1967 | John R. Heilman Jr. |
| 1912 | Edward A. Conger | 1969 | Albert M. Rosenblatt |
| 1916 | Raymond Aldrich | 1976 | John R. King |
| 1922 | Allen S. Reynolds | 1984-present | William V. Grady |

c. Dutchess County Bar Association

PRESIDENTS

| | | | |
|-----------|---------------------|------|--------------------|
| 1919-1927 | Frank B. Lown | 1956 | Earl Hawley |
| 1928 | Frank Hasbrouck | 1957 | Charles O'Donnell |
| 1929 | Frederick Barnard | 1958 | Arthur Halpin |
| 1930 | George Overocker | 1959 | James Aspbury |
| 1931 | John J. Mylod | 1960 | Frederick Heaney |
| 1932 | CWH Arnold | 1961 | Lloyd Rosenthal |
| 1933 | Ralph A. Butts | 1962 | R. Donald Slee |
| 1934 | Elijah T. Russell | 1963 | Ely Gellert |
| 1935 | Charles A. Hopkins | 1964 | W. Vincent Grady |
| 1936 | Joseph A. Daughton | 1965 | Nathaniel Rubin |
| 1937 | Harry C. Barker | 1966 | John A. Reed |
| 1938 | Edward C. Conger | 1967 | John J. Mulvey |
| 1939 | John B. Grubb | 1968 | Charles Butts |
| 1940 | Raymond Guernsey | 1969 | Edward J. Kovacs |
| 1941 | Everett H. Travis | 1970 | John Palisi |
| | James E. Carroll | 1971 | Joseph H. Gellert |
| 1942 | J. Gordon Flannery | 1972 | William J. Walsh |
| 1943 | John R. Schwartz | 1973 | Robert J. Marvin |
| 1944 | Charles J. Corbally | 1974 | Joseph C. McCabe |
| 1945 | Gauis C. Bolin, Sr. | 1975 | Herman A. Levine |
| 1946 | Leonard Supple | 1976 | Peter C. McGinnis |
| 1947 | William Mulvey | 1977 | Milton M. Haven |
| 1948 | Robert W. Doughty | 1978 | John B. Garrity |
| 1949 | Archibald Mackennan | 1979 | Edward Rosen |
| 1950 | Alexander Dow | 1980 | Harold L. Mangold |
| 1951 | John B. VanDeWater | 1981 | John A. Wolf |
| 1952 | William Duggan | 1982 | Charlotte M. Frank |
| 1953 | Joseph A. McCabe | 1983 | Arthur Gellert |
| 1954 | Benson Frost | 1984 | Robert Ostertag |
| 1955 | David McCullough | 1985 | Jack Economou |

| | | | |
|------|-----------------------|------|--------------------------|
| 1986 | Hon. Damian J. Amodeo | 2001 | Hon. Maria Rosa |
| 1987 | Jennifer L. Van Tuyl | 2002 | Lance Portman |
| 1988 | J. Joseph McGowan | 2003 | Hon. Christine A. Sproat |
| 1989 | John Gifford | 2004 | Marty Rutberg |
| 1990 | Paul Banner | 2005 | Kyle Barnett |
| 1991 | Hon. George Marlow | 2006 | Bryan Schneider |
| 1992 | Lou Lewis | 2007 | Brian Morgan |
| 1993 | Paul Goldstein | 2008 | Richard Fiorile |
| 1994 | Chester Gordon | 2009 | Maura Barrett |
| 1995 | Frank Redl | 2010 | Hon. Peter M. Forman |
| 1996 | Donald Brown | 2011 | Rebecca Valk |
| 1997 | Jessica Vinall | 2012 | Daniel McCabe |
| 1998 | Michael Kranis | 2013 | Hon. Jonah Triebwasser |
| 1999 | Fred Schaeffer | 2014 | Hon. Frank M. Mora |
| 2000 | John Basso | | |

Pictures of Bar Presidents from 1919 to 1989 appear in the "Dutchess County Bar Association 70th Anniversary" publication

EXECUTIVE DIRECTORS

Marie Meehan Komisar (1981-1999)

Heidi Bourbeau (1995-2003)

Janna DeVito Whearty (2004-present)

For many years, before the executive directorship, Poughkeepsie attorney Herbert Davis, in his position as Bar Secretary, managed a great deal of the day-to-day operations of the Associations.

BAR ASSOCIATION RESOURCES

American Bar Association. *State and Local Bar Associations, December 1, 1929*. Listing Dutchess County bar officers.

Corbally Gartland & Rappleyea One Hundred Year History (Private publication)

Corning, A., Emsley, J. and Jewell, W. *Southeastern New York, A History of the Counties of Ulster, Dutchess, Orange, Rockland, and Putnam* (Lewis Historical Publishing: New York, NY, 1946). Contains a chapter entitled "Dutchess Political Life" describing the Dutchess County bar.

Dutchess County Bar Association. *70th Anniversary (1989) publication*

- 36 pages, of bar history and pictures

- Picture of lawyer's row buildings, 1885
- Picture of minutes of first meeting of the County bar, 1919
- Pictures of 1935 constitution and by-laws; 1936 annual meeting
- Pictures of 1938 picnic and roll of attorneys c. 1946
- Pictures of Dutchess County Bar Presidents, 1919-1989
- List of 50 year members in 1989. The originals of these documents were destroyed in a fire several years ago.

The Dutchess County Bar Association. "The Dutchess County Bar Association 1919-2002," in *The Dutchess County Courthouse 100th Anniversary* (2002).

The Dutchess County Bar Association. *75th Anniversary (1919-1994)*, 16 pp.

Dutchess County Bar Association Group Photographs at the Dutchess County Courthouse

- For 1900, 1924, 1948, 1969, 1977, 1981, 1997, 2003 and 2009.
- These bar group photos are virtually the only source of bar membership for the years before 1994 when the Bar Association records were consumed in a fire.

Lown, F. "The Bench and Bar of Dutchess County," in *History of Dutchess County New York, Vol. 2*, by Hasbrouck, F. (Poughkeepsie, NY: S.A. Mathieu, 1909), 498-527.

Marshall, N. *McCabe and Mack, The Early History of a Dutchess County Law Firm*. Available at <http://www.mccm.com/history/>

Poughkeepsie New Yorker, May 24, 1959 issue. With bar history.

Taylor, C.J. *Eminent Members of the Bench and Bar of New York*. (San Francisco: Knight-Counihan, 1943), 54.

The 100th Anniversary publication of the Dutchess County Bar Association (2002) offers this:

1919 The Birth of the Bar Association

One winter's day in late December 1919, lawyers of Dutchess County gathered to put the final touches on the documents that would formally create a county Bar Association.

Around them, America was changing, a country being pulled by both the past and the future. A great war had just been won; an uneasy peace was just beginning. Prohibition was about to become the law of the land. Coal miners and cops walked picket lines. The Harvard football team was in Pasadena for the Rose Bowl. Lenin was in Moscow consolidating a revolution. And the new heavyweight champion of the world was a young puncher named Jack Dempsey.

The new Bar Association's roster that day contained the names of 128 lawyers. Only one of them – Anna G. Dayley – was a woman. Gains C. Bolan Sr. was the only black attorney. Twenty-five years later, at the end of another war, he would become president of the organization.

To read through that roster is to understand how much the legal profession mirrored America's transition. Men like Frank B. Lown and Stephen G. Guernsey were born in rural Dutchess County and came to Poughkeepsie to learn the law by working as clerks for established attorneys. A growing number of the others had come to the profession by way of college and law school, Henry T. Hackett had attended Harvard College and New York University Law School before joining his father's firm. William L. Gellert graduated in the class of 1895 at Cornell's law school.

In many ways, the very idea of forming a local association was part of a larger movement afoot in the country: the "professionalization" of certain occupations by establishing uniform standards of conduct and the establishment of entrance requirements. Under the Dutchess County Bar Association's first constitution and bylaws, membership was not automatic for attorneys. Membership required the approval of the Committee on Admissions – two "No" votes and he was out of consideration – as well as the approval of 80 percent of the Association's voting members.

Not surprisingly, the grievance procedure for adjudicating complaints against Association members takes up two of the eight pages of the bylaws.

The early 1900s was also a time of growth for the legal profession nationwide. According to UCLA legal historian Richard Abel, with the number of lawyers climbing steadily until the onset of the Depression, it was a growth fueled in large part by the arrival of immigrants, first into public schools and then into the profession.

Vincent diGennaro, born in Italy in 1900, and now the oldest member of the Association, recalls being one of the few professionals of Italian descent in the Mid-Hudson region when he began his practice in 1925. The son of a tailor with a shop on Raymond Avenue, diGennaro arrived in America at age 14. He was promptly placed in the first grade because he did not speak English. Eleven years later, he graduated from the Fordham University Law School.

But as much as the profession expanded, the differences with today's practice of law remain striking. In 1920, the U.S. had 122,519 lawyers, or one for every 863 people. At present, there is one for every 415, with the head count topping 725,000.

A Legacy of Law: From Chancellor Kent to The Law Mill:

The man the members of the new Bar Association chose to be their first president was uniquely qualified to understand the changing face of the lawyer's life. When he assumed his duties as Association president, Frank B. Lown was 70 years old. He had practiced law in Dutchess County courtrooms for more than 40 years. Ten years earlier, he had written a brief history of the county's legal profession.

"Time marches rapidly," he wrote, "and the lawyers of one generation, except they be of remarkable ability and achievement, are forgotten by the next."

Lown had begun his legal education in the Poughkeepsie firm of Nelson and Baker in 1870. In those days before Holmes, Hand, and Cardozo, no American legal authority carried as much weight.

d. Women Attorneys

Anna G.W. Daley (1868-1945) – the first woman attorney in Dutchess County. She was admitted to practice at age 37, in 1905. She was a graduate of St. Mary’s School, Poughkeepsie High School, and Eastman College (See generally *The Dutchess County Courthouse 100th Anniversary*, (2002), 9; *Poughkeepsie Knights of Columbus Fraternal News*, Apr. 26, 1902; and Dec. 1905; *Poughkeepsie Sunday Courier*, Sept. 14, 1924.)

Gov. Alfred E. Smith endorsed her for the State Assembly in 1924,¹ but she was defeated along with every other Democratic party candidate.²

History of the Mid-Hudson Women’s Bar Association

Article by Lisa Rubenstein and Juliana Maugeri

A HERSTORY

If you ask any female attorney who was admitted to practice in the 1970s or early 1980s, she is likely to tell you a story of disrespectful judges and male colleagues. She may tell you about the humiliating experience of being asked at a calendar call if she was really an attorney. She may even describe the uncomfortable experience of having male attorneys fill the courtroom to listen to her argue a motion. You may laugh, but female attorneys were a rarity in Dutchess, Ulster, Putnam and surrounding counties and were the object of curiosity and often, disapproval.

Statewide, there were no committees on gender bias in the courts, no recourse for sexual harassment, and few women Judges. Many female attorneys believed that local bar associations failed to address their particular problems and concerns. Therefore, these women sought the support and community of other female attorneys. As women throughout New York began, in 1980, to organize the Women’s Bar Association of the State of New York, female attorneys in Dutchess and Ulster counties also found strength in numbers.

Efforts locally began with informal meetings at individual homes to compare notes, to discuss concerns and to get support from other women facing similar issues in the legal profession. One of the participants described these meetings as “consciousness-raising.” Eventually, the group coalesced into a larger, more organized force, and in 1982 the Mid-Hudson Women’s Bar Association was born as a chapter of the Women’s Bar Association of the State of New York. The first formal meeting and election of officers took place on July 15, 1982 at Elizabeth Shequine’s farm in Millbrook, New York. Elizabeth Shequine (now a Town Justice) was elected the first president of the Board of Directors. Forty-eight men and women counted themselves as members that first year.

¹ *Poughkeepsie Sunday Courier*, Nov 2, 1924.

² *Poughkeepsie New Yorker*, Obituary, January 23, 1945; Rosenblatt, A. "Pioneering Attorney Drew Little Attention" *Poughkeepsie Journal*, Nov. 14, 1999.

The purpose of the Women's Bar Association and, in turn, the Mid-Hudson Chapter, was to network, to organize and to advance the status of women. The Mid-Hudson Chapter's Board of Directors included a delegate to the Women's Bar Association of the State of New York so that a local voice could be heard at the state level. Although some Mid-Hudson members were involved only on the local level, many members became involved with the state organization, which gained significant input on legislation in Albany and has used its efforts to increase the number of women in the judiciary.

Throughout its 30-year existence, the Mid-Hudson Women's Bar Association has continued to be a group of attorneys dedicated to networking, supporting and mentoring other women. Members were interested and concerned not only about their own professional status but also about the treatment of women in general. Our Chapter's members supported, with financial and legal assistance, organizations such as Grace Smith House, Inc. and The Transitions Program of the Junior League, a program designed to help divorced women.

More recently, our chapter has continued to serve the community and women in general; participating in breast cancer awareness events such as Making Strides of the Hudson Valley and hosting of heart health educational programming. We have sponsored "Attire to Aspire" Dress for Success programs, which is a program to collect donated professional clothing for disadvantaged women re-entering the work force. Our chapter has also awarded scholarships to law students, donated money to women-oriented charities and co-hosted a Law Day Legal Clinic for the local community. The Chapter has also sponsored numerous continuing education programs on topics such as real estate, matrimonial law, criminal law, bankruptcy, ethics, elder law and domestic violence.

The annual Judges' Cocktail Party was a well-attended event in the 1980s. The party was designed to provide an opportunity for members to meet Judges on an informal basis. The Judges' Cocktail Party has now transformed into a Bench Meets Bar Dinner, a well-attended annual staple of the organization.

The Mid-Hudson Chapter of the Women's Bar Association has also awarded, on an occasional basis, The Sojourner Truth Award, to a person who has promoted and furthered the interests of women in the legal profession or who has furthered issues of importance to all women. This award has been presented in past years to long time members Karen Peters, now the first presiding female Justice in the Appellate Division, Third Department; to founding member Judith Reichler (formerly a Town Justice) for her role in drafting the Child Support Standards Act, which re-defined child support in New York State; and to founding member and first president of our chapter, Justice Elizabeth Shequine.

As the Mid-Hudson Women's Bar Association celebrates its 30th Anniversary with more than 100 members, the organization continues to have a lively agenda based on local and statewide issues of concern. As the years pass, there is frequent re-examination of the original purpose and current role of our Chapter. The Mid-Hudson Women's Bar Association remains a place where women lawyers are welcome to meet and support each other, to discuss issues concerning all women and to use our influence to effect

legislative and judicial change. While stories of disrespectful colleagues and discrimination are less frequent than 30 years ago, we believe there is still a need for our unique voice.

For more information, please visit our website @ www.mhwba.org or “like us” (Mid-Hudson Women’s Bar Association) on Facebook.

e. African American Attorneys

Jane Matilda Bolin LL.B. (1908 –2007) – America’s first African-American woman to become a judge. Born and raised in Poughkeepsie, she was the first [African-American](#) woman to graduate from [Yale Law School](#), the first to join the [New York City Bar Association](#), and the first to join the [New York City Law Department](#). She became the first black woman to serve as a judge in the United States when she was sworn into the bench of the [New York City Domestic Relations Court](#) in 1939.

Bolin was educated at high school in Poughkeepsie, and was one of two black students in her class at [Wellesley College](#) in [Massachusetts](#). She was the first African-American woman to receive a law degree from Yale in 1931 and passed the New York state bar examination in 1932. She practiced with her father, Gaius Bolin, in Poughkeepsie for a short period, and then with her first husband, Ralph E. Mizelle. (See *New York Times* Obituary, January 10, 2007; see also, McLoed, J. *Daughter of the Empire State, The Life of Judge Jane Bolin* (University of Illinois Press: 2011).)

Gaius Charles Bolin (1864-) – First African-American attorney in Dutchess County; President of the Dutchess County Bar Association. Pictured in the 1924 Dutchess County Bar Association composite. Father of Judge Jane Bolin, above. Graduated from Poughkeepsie High School 1889, and the first African American graduate of Williams College. After working as an associate in the law office of Poughkeepsie attorney Fred Ackerman, Bolin opened his own practice at 46-48 Market St. in Poughkeepsie. His son, Gaius C. Bolin, Jr was also a Poughkeepsie attorney.

f. Current Judiciary (2015)

Supreme Court: James V. Brands
Christine A. Sproat
Maria G. Rosa

County Court: Peter M. Forman
Stephen L. Greller

Surrogate's Court: James D. Pagones

Family Court: Joan A. Posner
Denise M. Watson
Joseph Egitto

City Court:

| | |
|---------------|---------------------------------------|
| Poughkeepsie: | Katherine A. Moloney Frank M. Mora |
| Beacon: | Timothy G. Pagones Rebecca Mensch |

Town and Village Justices: (alphabetical)

R. Wren Abrams, Town of Dover
Christi J. Acker, Town of Pine Plains
Bruce M. Aubin, Town of Washington, Village of Millbrook
Paul L. Banner, Town of Poughkeepsie
Paul Caltagirone, Town of Pleasant Valley
Raymond C. Chase, Jr., Village of Wappingers Falls

Francis G. Christensen, Town of Milan
Howard F. Clark, Village of Tivoli
John D. Crodelle, Town of North East
Taren Cummings, Village of Pawling
David E. Daniels, Jr., Town of Pawling
James Devine, Town of Amenia
Harold D. Epstein, Town of Fishkill

Robert D. Ferris, Town of Beekman
John Fusco, Town of Dover
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Michael Hayes, Town of LaGrange
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Robert J. Rahemba, Town of Fishkill
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William Sanchez, Town & Village of Rhinebeck
David A. Sears, Town of Pleasant Valley
Barbara Seelbach, Town of Clinton
Elizabeth K. Shequine, Town of Washington &
Village of Millbrook
Dennis Smith, Town of Stanford
David L. Steinberg, Town of Hyde Park
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Russell D. Tompkins, Town of Clinton
Jonah Triebwasser, Town & Village of Red Hook
Frank T. Weber, Jr., Town of Stanford
Carl S. Wolfson, Town of Wappinger
Gayle Zelazny, Town of Pawling

IV. Cases and Trials of Note

Phoenis Constr. Co v. The Poughkeepsie, 212 US 558 (1908) affg 162 F. 494 (1908)

A construction company brought an action against a steamer for damages caused to certain borings in connection with test holes being made in a river for the purpose of locating an aqueduct. The court dismissed the case for want of admiralty jurisdiction, concluding that the damaged items were structures connected with the shore and immediately concerned commerce upon land. The structures were not aids to navigation in the maritime sense, but extensions of the shore and aids to commerce on land as such. The project was not suggestive of maritime affairs. It was supplying water to a city, and the mere fact of the means being carried under the bed of a river, with extensions through the river to the surface, did not create any maritime right. The court's admiralty jurisdiction had not been extended by the United States Supreme Court as argued by the company, and the court rejected its theory that admiralty court jurisdiction could be extended to any claim for damages by any ship. The United States Supreme Court affirmed the dismissal., without opinion, citing [Cleveland Terminal & Valley Railroad Company v. Cleveland Steamship Company, 208 U.S. 316](#); [The Troy, 208 U.S. 321](#).

***Crown v. William Prendergast*¹**

BACKGROUND

The manorial system of land tenure, first introduced to New York by the Dutch, was continued under English rule. Patents to huge tracts of land were granted to a few powerful colonists who in turn granted leases that provided for a perpetual rent to the farmers who worked the land. Failure to pay the rent resulted in ejection from the property. Also, without freehold title, many farmers could not meet the property qualifications to vote in elections and serve on juries. Although Dutchess County was subject to the Philipse patent, the farmers leased their lands from the Wappinger Indians. In 1765, the Philipse family went to court and successfully enforced their claim against the Wappingers. Immediately, their representatives imposed manorial leases on tenant farmers. This was met with strong resistance. The farmers rallied behind Wappinger Sachem Daniel Nimhan, who appealed the case to the Court of Chancery. No attorney could be found to represent the Sachem, and the court was comprised of men who owned large landed estates. When the Court of Chancery rejected the appeal, the Philipse estate brought fifteen actions to eject tenant farmers from their holdings. In November 1765, the local farmers met and agreed to reinstate the dispossessed tenants by force, if necessary. A governmental proclamation issued on April 30, 1766, offered a reward for the seizure of specifically named leaders of the farmers movement, including William Prendergast. By the end of June, 1766, the movement involved approximately 1,700 tenant farmers, armed with firearms. They were known as "levelers," because they believed that their equitable claim to the land should be recognized and their leases converted into fee simple titles. On June 20th, the Governor's Council sent the Twenty-eight Regiment to disperse the crowd and arrest the leaders. William Prendergast was detained on a charge of treason and taken to a New York prison.

¹ The following is taken verbatim (with thanks to Frances Murray) from the Historical Society of the New York Courts' website.

THE TRIAL

In July, the Court of Assizes sat in Dutchess County under military guard. The bench was comprised of [Chief Judge Daniel Horsmanden](#), and associate justices Johns Watts, William Walton, Oliver De Lancey, Joseph Reade, [William Smith](#), [Whitehead Hicks](#), and John Morin Scott. All were among the landed gentry of the colony and [Justice Robert R. Livingston](#) was present in court although not sitting. On Wednesday, August 6, 1766, William Prendergast, a "sober, honest, and industrious Farmer much beloved by his neighbors," was indicted on a charge of High Treason. The jury trial lasted twenty-four hours and was widely followed. Prendergast, assisted by his wife, Mehitabel Wing, conducted his own defense. It is reported that "she never failed to make every remark that might tend to extenuate the offence, and put his conduct in the most favorable point of View; not suffering one Circumstance that could be collected from the Evidence, or thought of in his Favour to escape the Notice of the Court and Jury." The prosecuting attorney sought (but failed) to remove her "lest she might too much influence the Jury" by "her very Looks." The jury returned a verdict of "guilty" with a recommendation of mercy, but the court sentenced Prendergast to be hung, drawn and quartered.

AFTERMATH

Mehitabel Wing immediately appealed to Governor Harry Moore who, on September 1, 1766, granted a reprieve until the King's pleasure might be known. Prendergast later received a royal pardon and was able to return to his farm. Decades later, the anti-rent movement would again become a force in New York politics.

SOURCES

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Benjamin, V. *The History of the Hudson River Valley*. (New York: Overlook press, 2014), 129 et seq.

Steven A. Pagones v. Alton H. Maddox, Jr., C. Vernon Mason, Al Sharpton, and Tawana Brawley

At the conclusion of the defamation trial in the Tawana Brawley case in July, 1998, the jury awarded Steven A. Pagones \$345,000 in damages against Rev. Al Sharpton, C. Vernon Mason, Alton H. Maddox, Jr., and Ms. Brawley never appeared in the action.

The jury found that they defamed Pagones, a former prosecutor, by falsely accusing him of abducting and raping Brawley, a black teen-ager.

Pagones also sued Ms. Brawley, who never appeared at the trial; her damages were later set by the judge, Barrett Hickman.

In 1988, a grand jury ruled that Ms. Brawley's story was a hoax and specifically exonerated Mr. Pagones. The New York Times reported on October 7, 1998: "Concluding a seven-month investigation, a New York State grand jury reported an avalanche of evidence yesterday that Tawana Brawley had

fabricated her tale of abduction and sexual assault in the hands of a gang of racist white men last year.”²

The panel, in a 170-page report, released minutely detailed medical, scientific and eyewitness evidence that the black teen-ager had concocted the degrading condition in which she was found in Wappingers Falls, NY, on Nov. 28 by smearing herself with feces, writing racial slurs on her body and faking a traumatized daze.

In October of 1998, awarding damages against the non-appearing Brawley Judge Hickman wrote:

A countervailing consideration is the sense that on a continuing basis, Brawley may well have been subject to manipulation by her parents and her advisors who have used her for their own purposes. Tawana Brawley appears caught up in her own fiction and unwilling or unable to recognize the grief and hurt she caused those she wrongly accused, especially the Crist family, who the Court hopes has found solace in the verdict of the jury after all their suffering.

In establishing the amount of damages, the Court believes it would be inappropriate for the reasons noted to award a huge sum. On the other hand, Brawley is the one person most responsible for the false charges; therefore, the Court believes she should be held at least as accountable as Mr. Mason, the defendant held most responsible by the jury. Accordingly, the Court makes a punitive award in the amount of One Hundred Eighty Thousand Dollars (\$180,000.00) against Brawley in favor of Pagones.

At the end of the trial this Court stated "Let us hope after 10½ years, the Tawana Brawley matter is finally laid to rest and we can move forward at last to promote healing and racial harmony."

Unfortunately, the continuing rhetoric by Brawley and her supporters refusing to accept the verdict does nothing to further racial harmony. In fact, in this particular case it is a disservice to the African American community since it diminishes credibility and may adversely affect other viable complaints. This Court recognizes that it is perfectly proper in appropriate circumstances to speak out against any legitimate racial injustice. In this case, the injustice was against those wrongfully accused of heinous crimes that never occurred. The jury did justice by righting that wrong. Brawley and her supporters have no right to claim that justice was not accomplished by this jury.

² McFadden, R. "Brawley Made up Story of Assault, Grand Jury Finds," *N.Y. Times*, Oct. 7, 1988.

V. County Resources

a. Bibliography

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Dutchess County, NY - Its People, History and Culture Book Collection on CD. The Dutchess County, New York Histories book collection is a group of 16 books that detail the history of Dutchess County - primarily in the 19th and early 20th centuries. Includes:

- Ackert, A. "Dutchess County in Colonial Days." (1898)
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Smith, P. *General History of Dutchess County from 1609 to 1876 Inclusive*. (1877).

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Two Hundred and Fifty Years: Commemorating the Two Hundred and Fiftieth Anniversary of the Founding of the City of Poughkeepsie. (New York, 1937).

Wahlberg, H. *In Their Own Words, Telling Dutchess County* (Dutchess County Historical Society).

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b. County legal records and their location

Court records are maintained under the aegis of the Dutchess County Clerk, Brad Kendall (above)

Earliest court records date from 1721. There are some 118 boxes of records covering the period 1721-1894, commencing with the Dutchess County Court of Common Pleas, replaced by County Court under the Constitution of 1846) (See "The Organization of a Court of Common Pleas in Dutchess County," *Dutchess County Historical Society Yearbook*, Vol. 12. (1927), 30-32.)

The records of the Dutchess County Court of Common Pleas are stored at the County Records Center at 170 Washington St. in Poughkeepsie Access is through the County Clerk by appointment. These early records consist largely of judgments, debt actions, bail certificates, arrest warrants, and the like. Because Dutchess County was administered by Ulster County until 1713 Dutchess County has no court records dating before 1713, and there are no known records in Dutchess County covering the period 1713 to 1721. Researchers should consult early Ulster County records for possible documentation of Dutchess County matters during the period that Dutchess County was administered by Ulster County.

c. County history contacts

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Marist College Library

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Brad Kendall, County Clerk

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Dutchess County Surrogate's Court

10 Market Street, Poughkeepsie NY 12601

County Clerk's Office

The Dutchess County Clerk, Brad Kendall, is custodian of all county filings. The chronologies are far too long to list, but the subjects on file are available from the County Clerk's office.