

STATE OF NEW YORK

7731

2017-2018 Regular Sessions

IN ASSEMBLY

May 11, 2017

Introduced by M. of A. FAHY -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the public buildings law, in relation to directing the office of general services to install and maintain a commemorative plaque in the Capitol honoring Samuel J. Abbott

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative findings. The legislature hereby finds that at
2 2:42 a.m., on March 29, 1911, Fire Box 324 was pulled, notifying the
3 City of Albany Fire Department of a fire at the State Capitol. Investi-
4 gators would later determine that the fire originated in the third-floor
5 Assembly Library, spreading quickly to the adjacent State Library,
6 before engulfing the building's fourth and fifth floors. According to
7 reports, the building, known at the time as "one of the most costly and
8 celebrated buildings constructed in 19th-century America", had been
9 burning without impediment for at least thirty minutes prior to the
10 alarm. Firefighters, operating with horse-drawn pumpers, found a roar-
11 ing inferno when they arrived on scene.

12 The mammoth fire burned so forcefully that it twisted metal framing in
13 the iconic skylight above the Great Western Staircase, sending the glass
14 panels raining down on the stairs below; the stairway's carved sandstone
15 filigree melted, and at the top of the "Million-Dollar Staircase",
16 prized archaeological objects, including the State's world-famous
17 Iroquois collection, were consumed by flames. When extinguished, the
18 fire had decimated the entire collection of the State Library, with more
19 than 800,000 books and manuscripts being lost.

20 According to the March 29, 1911 edition of the Albany Evening Journal,
21 at approximately 3 a.m., shortly after the fire alarm sounded at the
22 Capitol, Mr. Samuel J. Abbott, a 78-year-old watchman in the building,
23 "was seen by an orderly opening some windows".

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 Samuel J. Abbott was born in September 1833, one of at least five boys
2 and four girls born to William B. and Lucretia A. Abbott. William Abbott
3 had a stave and barrel factory where Samuel and his brother, Henry,
4 worked off-and-on as turners and coopers. During the Civil War, Samuel
5 Abbott served in Company E of the 12th New York State Volunteer Infantry
6 in the regiment that also was known as the Onondaga County Regiment, the
7 Independence Guard, and The Dozen. Mr. Abbott was recorded as holding
8 the ranks of Ensign, Second Lieutenant (May 13, 1861-August 2, 1861),
9 and First Lieutenant (August 2, 1861-September 19, 1861) and he was
10 later described in the [Albany Evening Journal](#) as having "an enviable war
11 record".

12 After the war, Samuel Abbott returned to the village of Salina, part
13 of present day Syracuse, where he resumed his work at his father's shop.
14 From 1867 through 1870, Mr. Abbott served as Postmaster at the Salina
15 Post Office. He married Jane "Jennie" Utting, the daughter of English
16 immigrants James and Sarah Utting, in 1867. According to the 1860
17 census, Jennie worked as a dressmaker. The couple was blessed with at
18 least five children, three of whom, Ellen "Nellie", born circa 1869,
19 George W., born circa 1876, and Mabel E., born circa 1880, lived to
20 adulthood.

21 Mr. and Mrs. Abbott were a noted couple in Syracuse. Samuel Abbott was
22 a member of Root Post and the Grand Army of the Republic, while Jennie
23 Abbott had been a prominent member of the Women's Relief Corps. In 1875,
24 Samuel Abbott started working in the Office of the Overseer of the Poor,
25 a position he held until 1894.

26 In 1895, Samuel J. Abbott took a job as a watchman in the State
27 Library at the Capitol in Albany. Following the passing of his wife,
28 Jennie, in January, 1911 Mr. Abbott moved in with life-long friends,
29 Mr. and Mrs. Thomas Behan, at 3 Washington Avenue. The [Albany Evening](#)
30 [Journal](#) later reported that Mr. Abbott's, "territory as watchman...
31 comprised three floors of the State Library; he was wont to leave home
32 about 9 p.m. each night, go to the library, lock himself in and remain
33 until 6 a.m. when he returned home".

34 When Mr. and Mrs. Behan, and, "several boarders were awakened by the
35 fire alarm and realized that the Capitol was on fire, they immediately
36 thought of the safety of Mr. Abbott; two of the men hustled right over
37 to the scene of the fire; one of them went into the building and asked
38 another watchman if he had seen Mr. Abbott and the answer was 'Oh, yes,
39 he's all right. I saw him opening windows.' but hour after hour went by
40 and he failed to appear". Two days later, on March 31st, Mr. Abbott's
41 partially burned body was found in a narrow passageway on the fourth
42 floor, his silver-handled cane a short distance away. In his pocket,
43 remained a key to a locked door just a few paces away through which he
44 might have escaped.

45 According the [Times Union](#), his funeral service, held at St. Peter's
46 Church in Albany on April 1, 1912, "was one of the most largely attended
47 funerals ever held in this church". The commanders of Albany's four
48 Grand Army of the Republic posts served as pallbearers. Governor John A.
49 Dix was in attendance, along with "representatives from every department
50 in the Capitol". In August 1912, the Legislature allocated \$280.16 for,
51 "George W. Abbott, son of the late Samuel J. Abbott, an employee of the
52 department of education, who lost his life in the Capitol fire, for
53 funeral and burial expenses, and other expenses incidental to the find-
54 ing of the body".

55 Samuel Abbott lost his life in service to the people of the state of
56 New York, yet his sacrifice has never been fully recognized at the Capi-

1 tol. His tragic passing, along with the lives lost in the Triangle
2 Shirtwaist Factory fire, together spurred a wave of workplace safety
3 laws, including the Sullivan-Hoey Fire Prevention Law. Now therefore,
4 the state commission on the restructuring of the Capitol and the office
5 of general services shall work in conjunction to install a memorial
6 plaque bearing the likeness of Samuel Abbott and appropriately describ-
7 ing Samuel Abbott's service and sacrifice to the citizens of the state
8 of New York while performing his official duties.

9 § 2. The public buildings law is amended by adding a new section 5-c
10 to read as follows:

11 § 5-c. Samuel J. Abbott commemorative plaque. There shall be installed
12 and maintained in the Capitol, a commemorative plaque honoring the
13 service and sacrifice of Samuel J. Abbott to the people of the state.
14 Such plaque shall bear the likeness of Samuel J. Abbott, include a
15 description of his service and sacrifice to the people of the state, and
16 be designed and placed in a manner as determined jointly by the commis-
17 sioner of general services and the commission on the restructuring of
18 the Capitol.

19 § 3. This act shall take effect immediately.