

BY: M. of A. Smullen

COMMEMORATING the 250th Anniversary of the Fulton
County Courthouse

WHEREAS, It is the sense of this Legislative Body to commend the efforts of those individuals and organizations which seek to bring recognition to historical places within the State of New York, and in doing so, help to ensure that the complete history of our State and Nation is preserved and shared with present generations of citizens; and

WHEREAS, Attendant to such concern, and in full accord with its long-standing traditions, this Legislative Body is justly proud to commemorate the 250th Anniversary of the Fulton County Courthouse, the oldest existing courthouse in the State of New York and one of the oldest in the Nation still being used as a Courthouse today; and

WHEREAS, On May 9, 1769, a bill was introduced in the Provincial Assembly to create a new county out of the westernmost part of Albany County; in a letter dated November 28, 1771, Guy Johnson suggested to his uncle (and father-in-law), Sir William Johnson, that the courthouse for the new county be located in Johnstown, New York; and

WHEREAS, On March 12, 1772, Tryon County was created and Johnstown was designated as the county seat where the King's Court was to be held; and

WHEREAS, Under the direction of Sir William Johnson, construction began on the courthouse, and it was only partially finished when, on September 8, 1772, the first Court of General Sessions to be held West of Albany was convened and six cases were presided over by Judges Guy Johnson, John Butler, and Peter Conyne, and Assistant Judges Sir John Johnson, Daniel Claus, John Wells and Jelles Fonda; and

WHEREAS, On February 6, 1773, the Colonial Legislature directed that the sum of 1,600 pounds be levied on the freeholders and inhabitants of Tryon County for the completion of the courthouse and the erection of a jail; a little over two years later, the residents were once again taxed to complete the structures; and

WHEREAS, Sir John Johnson made his last appearance at the courthouse in the town named for him on March 12, 1776, when he served as one of the three presiding judges, before he and 170 tenants and friends left for St. Regis in Canada amidst revolutionary undertones; and

WHEREAS, On October 25, 1781, the courthouse came under fire during the Battle of Johnstown, one of the important battles of the Revolution fought in New York State; the Loyalist forces were eventually driven back to Canada; and

WHEREAS, On April 2, 1784, the county lost its Loyalist designation of Tryon and was officially renamed Montgomery County after a

Revolutionary War hero, General Richard Montgomery, who was killed during the storming of Quebec, in 1775; and

WHEREAS, Eight years later, county supervisors ordered two large and two small stoves to be purchased for the courthouse, that the lots be completely fenced and that a row of elms or willows be planted in front of the building; and

WHEREAS, On October 26, 1807, town meetings in the courthouse were prohibited, and on October 30, 1810, the supervisors forbade the future holding of school in the building; and

WHEREAS, After slaves were publicly sold in front of the courthouse, the county sheriff was directed to refuse further use of the property for any meeting to discuss or lecture on slavery in November of 1836; and

WHEREAS, On October 6, 1826, the sheriff was directed to purchase and install a bell in the courthouse; the original bell placed there in 1772, is still housed in the belfry of this old structure and was rung at the surrender of Cornwallis at Yorktown, during the news of the signing of the Declaration of Independence and our U.S. Constitution, the same as the Liberty Bell in Philadelphia and recently, when all the bells across the Nation were rung during the 200th Celebration of the U.S. Constitution; and

WHEREAS, The opening of the Erie Canal in 1825, and the Utica and Schenectady Railroad in 1836 redirected traffic from the old state road through Johnstown, leaving the county seat off the beaten path; an influential group of citizens in the southern part of Montgomery County succeeded in getting the county seat moved to Fonda in May of 1836; and

WHEREAS, On March 14, 1837, the building situated in the village of Johnstown, heretofore known as the courthouse, jail, and clerk's office of the county of Montgomery was sold at public auction to the highest bidder; and

WHEREAS, However, the dissatisfaction of the people living in the northern part of old Montgomery County was such that a new county, named Fulton after Robert Fulton, who improved the invention of the steam engine, was formed by the State Legislature on April 18, 1838; and

WHEREAS, The new county was authorized to hold the Court of Common Pleas and General Sessions of the Peace in the old courthouse in the village of Johnstown, and the re-purchase of the old courthouse, jail, and clerk's office in the village of Johnstown, formerly used as the courthouse, jail, and clerk's office of the county of Montgomery; and

WHEREAS, Today, with the exception of 13 months, the courthouse has been in continual use as the seat of justice in the area for 250 years; and

WHEREAS, Many famous trials were held throughout the courthouse's storied history; in the spring of 1812, Alexander Sheldon, a former Speaker of the State Assembly, had charged that one Solomon Southwick of

the Town of Charleston had attempted to bribe him to vote in favor of incorporating the Bank of America in New York City; Solomon retained Aaron Burr as well as three other lawyers to defend him, and he was successfully acquitted of the charge; and

WHEREAS, This Legislative Body is pleased to have this opportunity to express its highest admiration for the Fulton County Historian Office, and for all of the individuals who have worked to bring proper attention to a place and time which merits recognition in the grand panorama of the history of our State and Nation; now, therefore, be it

RESOLVED, That this Legislative Body pause in its deliberations to commemorate the 250th Anniversary of the Fulton County Courthouse; and be it further

RESOLVED, That a copy of this Resolution, suitably engrossed, be transmitted to Samantha Hall-Saladino, Fulton County Historian.