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:

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

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

According to the March 29, 1911 edition of the **Albany Evening Journal**, at approximately 3 a.m., shortly after the fire alarm sounded at the Capitol, Mr. Samuel J. Abbott, a 78-year-old watchman in the building, "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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Samuel J. Abbott was born in September 1833, one of at least five boys and four girls born to William B. and Lucretia A. Abbott. William Abbott had a stave and barrel factory where Samuel and his brother, Henry, worked off-and-on as turners and coopers. During the Civil War, Samuel Abbott served in Company E of the 12th New York State Volunteer Infantry in the regiment that also was known as the Onondaga County Regiment, the Independence Guard, and The Dozen. Mr. Abbott was recorded as holding the ranks of Ensign, Second Lieutenant (May 13, 1861-August 2, 1861), and First Lieutenant (August 2, 1861-September 19, 1861) and he was later described in the **Albany Evening Journal** as having "an enviable war record".

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

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

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

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

According the **Times Union**, his funeral service, held at St. Peter's Church in Albany on April 1, 1912, "was one of the most largely attended funerals ever held in this church". The commanders of Albany's four Grand Army of the Republic posts served as pallbearers. Governor John A. Dix was in attendance, along with "representatives from every department in the Capitol". In August 1912, the Legislature allocated $280.16 for, "George W. Abbott, son of the late Samuel J. Abbott, an employee of the department of education, who lost his life in the Capitol fire, for funeral and burial expenses, and other expenses incidental to the finding of the body".

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

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

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

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

§ 3. This act shall take effect immediately.