

1st New York State Legislature

The **1st New York State Legislature**, consisting of the New York State Senate and the New York State Assembly, met from September 9, 1777, to June 30, 1778, during the first year of George Clinton's governorship, first at Kingston and later at Poughkeepsie.

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Background

The 4th Provincial Congress of the Colony of New York convened at White Plains on July 9, 1776, and declared the independence of the State of New York. The next day the delegates re-convened as the "Convention of Representatives of the State of New-York" and on August 1 a committee was appointed to prepare a State Constitution. The New York Constitution was adopted by the Convention on April 20, 1777, and went into force immediately, without ratification by popular vote.

Apportionment and election

The State Senators were elected on general tickets in the senatorial districts, and were then divided into four classes. Six senators each drew lots for a term of 1, 2, 3 or 4 years and, beginning at the following election in April 1778, every year one fourth of the State Senate seats came up for election to a four-year term.^[1]

1st New York State Legislature

← State 2nd →
 Constitutional
 Convention



Senate House, Kingston, the place of the first session of the State Senate (2007)

Overview

Jurisdiction New York, United States

Term September 9, 1777 – June 30, 1778

Senate

Members 24

President vacant

Temporary President Pierre Van

Cortlandt

Assembly

Members 70 (de facto 65)

Speaker Walter Livingston

Sessions

1st September 1, 1777 – October 7, 1778

2nd January 5, 1778 – April 4, 1778

3rd June 22, 1778 – June 30, 1778

Assemblymen were elected countywide on general tickets to a one-year term, the whole assembly being renewed annually.

On May 8, 1777, the Constitutional Convention appointed the senators from the Southern District, and the assemblymen from Kings, New York, Queens, Richmond and Suffolk counties—the area which was under British control—and determined that these appointees serve in the Legislature until elections could be held in those areas, presumably after the end of the American Revolutionary War. Vacancies among the appointed members in the Senate should be filled by the Assembly, and vacancies in the Assembly by the Senate.

Sessions

The State Legislature met in Kingston, the seat of Ulster County. The State Senate met first on September 9, 1777, at the home of Abraham Van Gaasbeck, now known as Senate House, the Assembly met first on the next day at the Bogardus Tavern.^[2] At the approach of the British army, the State Legislature dispersed on October 7, and reconvened in Poughkeepsie on January 5, 1778, possibly at a house now known as Clinton House.^[3]



Clinton House, one of the buildings used by the State government during sessions at Poughkeepsie

State Senate

Districts

- The Southern District (9 seats) consisted of Kings, New York, Queens, Richmond, Suffolk and Westchester counties.
- The Middle District (6 seats) consisted of Dutchess, Orange and Ulster counties.
- The Eastern District (3 seats) consisted of Charlotte, Cumberland and Gloucester counties.^[4]
- The Western District (6 seats) consisted of Albany and Tryon counties.

Note: There are now 62 counties in the State of New York. The counties which are not mentioned in this list had not yet been established, or sufficiently organized, the area being included in one or more of the abovementioned counties. In 1784, Charlotte Co. was renamed Washington Co., and Tryon Co. was renamed Montgomery Co.

Senators

The asterisk (*) denotes members of the Constitutional Convention who continued as members of the Legislature.

District	Senators	Term drawn	Notes
Southern	<u>Isaac Roosevelt</u> *	1 year	appointed by Constitutional Convention
	<u>John Morin Scott</u> *	1 year	appointed by Constitutional Convention; elected to the <u>Council of Appointment</u> ; from March 13, 1778, also <u>Secretary of State of New York</u>
	<u>Dr. John Jones</u>	2 years	appointed by Constitutional Convention; resigned on February 26, 1778, due to ill health
	<u>Richard Morris</u>		on March 4, 1778, appointed by the State Assembly, in place of Jones
	<u>Jonathan Lawrence</u> *	2 years	appointed by Constitutional Convention
	<u>Lewis Morris</u> *	2 years	appointed by Constitutional Convention
	<u>William Floyd</u>	3 years	appointed by Constitutional Convention
	<u>William Smith</u> *	3 years	appointed by Constitutional Convention
	<u>Pierre Van Cortlandt</u> *	3 years	appointed by Constitutional Convention; elected Temporary President of the State Senate; then elected Lt. Gov. to fill vacancy, ^[5] and took office on June 30, 1778
	<u>Philip Livingston</u> *	4 years	appointed by Constitutional Convention; died June 12, 1778
Middle	<u>Henry Wisner</u> *	1 year	
	<u>Jonathan Landon</u> *	2 years	
	<u>Zephaniah Platt</u> *	2 years	
	<u>Arthur Parks</u> *	3 years	
	<u>Levi Pawling</u>	4 years	
	<u>Jesse Woodhull</u>	4 years	elected to the <u>Council of Appointment</u>
Eastern	<u>William Duer</u> *	1 year	
	<u>John Williams</u> *	3 years	
	<u>Alexander Webster</u> *	4 years	elected to the <u>Council of Appointment</u>
Western	<u>Isaac Paris</u> *	1 year	
	<u>Abraham Yates Jr.</u> *	1 year	elected to the <u>Council of Appointment</u>
	<u>Dirck W. Ten Broeck</u>	2 years	
	<u>Anthony Van Schaick</u>	3 years	
	<u>Jellis Fonda</u>	4 years	
	<u>Rinier Mynderse</u>	4 years	

Employees

- Clerk: Robert Benson
- Sergeant-at-Arms: Stephen Hendrickson, elected March 11, 1778
- Doorkeeper and Messenger: Victor Bicker

State Assembly

Districts

- The City and County of Albany (10 seats)
- Charlotte County (4 seats)
- Cumberland County (3 seats)
- Dutchess County (7 seats)
- Gloucester County (2 seats)
- Kings County (2 seats)
- The City and County of New York (9 seats)
- Orange County (4 seats)
- Queens County (4 seats)
- Richmond County (2 seats)
- Suffolk County (5 seats)
- Tryon County (6 seats)
- Ulster County (6 seats)
- Westchester County (6 seats)

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Assemblymen

The asterisk (*) denotes members of the Constitutional Convention who continued as members of the Legislature.

District	Assemblymen	Notes
<u>Albany</u>	<u>Jacob Cuyler</u> *	resigned September 30, 1777
	<u>John Cuyler Jr.</u>	
	<u>James Gordon</u>	
	<u>Walter Livingston</u>	elected <u>Speaker</u>
	<u>Stephen J. Schuyler</u>	
	<u>John Tayler</u> *	
	<u>Killian Van Rensselaer</u>	
	<u>Robert Van Rensselaer</u> *	
	<u>Peter Vrooman</u>	
	<u>William B. Whiting</u>	
<u>Charlotte</u>	<u>John Barns</u>	
	<u>Ebenezer Clarke</u>	
	<u>John Rowan</u>	
	<u>Ebenezer Russell</u>	
<u>Cumberland</u>	none	No election returns from these counties ^[6]
<u>Gloucester</u>		
<u>Dutchess</u>	<u>Egbert Benson</u>	also <u>New York State Attorney General</u>
	<u>Dirck Brinckerhoff</u>	
	<u>Anthony Hoffman</u> *	
	<u>Gilbert Livingston</u> *	
	<u>Andrew Moorhouse</u>	
	<u>John Schenck</u> *	
	<u>Jacobus Swartwout</u>	
<u>Kings</u>	<u>William Boerum</u>	appointed by Constitutional Convention
	<u>Henry Williams</u>	appointed by Constitutional Convention
<u>New York</u>	<u>Evert Bancker</u> *	appointed by Constitutional Convention
	<u>Abraham Brasher</u> *	appointed by Constitutional Convention
	<u>Daniel Dunscomb</u> *	appointed by Constitutional Convention
	<u>Robert Harpur</u> *	appointed by Constitutional Convention
	<u>Frederick Jay</u>	appointed by Constitutional Convention
	<u>Abraham P. Lott</u> *	appointed by Constitutional Convention
	<u>Henry Rutgers</u>	appointed by Constitutional Convention; resigned on February 16, 1778
	<u>John Berrien</u>	appointed by the State Senate, in place of Rutgers

	<u>Jacobus Van Zandt</u> *	appointed by Constitutional Convention
	<u>Peter P. Van Zandt</u> *	appointed by Constitutional Convention
<u>Orange</u>	<u>Jeremiah Clark</u> *	
	<u>John Hathorn</u>	
	<u>Theunis Cuyper</u>	
	<u>Roeluf Van Houten</u>	
<u>Queens</u>	<u>Benjamin Birdsall</u>	appointed by Constitutional Convention
	<u>Benjamin Coe</u>	appointed by Constitutional Convention
	<u>Philip Edsall</u>	appointed by Constitutional Convention
	<u>Daniel Lawrence</u>	appointed by Constitutional Convention
<u>Richmond</u>	<u>Abraham Jones</u>	appointed by Constitutional Convention; seat declared vacant on June 8, 1778, for "being with the enemy"
	<u>Joshua Mersereau</u>	appointed by Constitutional Convention
<u>Suffolk</u>	<u>David Gelston</u> *	appointed by Constitutional Convention
	<u>Ezra L'Hommedieu</u> *	appointed by Constitutional Convention
	<u>Burnet Miller</u> *	appointed by Constitutional Convention
	<u>Thomas Tredwell</u> *	appointed by Constitutional Convention
	<u>Thomas Wickes</u>	appointed by Constitutional Convention
<u>Tryon</u>	<u>Samuel Clyde</u>	
	<u>Michael Edie</u>	
	<u>Jacob G. Klock</u>	
	<u>Jacob Snell</u>	
	<u>Abraham Van Horne</u>	
	<u>Johannes Veeder</u>	
<u>Ulster</u>	<u>John Cantine</u>	
	<u>Johannes G. Hardenbergh</u> *	
	<u>Matthew Rea</u> *	
	<u>Cornelius C. Schoonmaker</u>	
	<u>Johannis Snyder</u>	
	<u>Henry Wisner Jr.</u> *	
<u>Westchester</u>	<u>Thaddeus Crane</u>	
	<u>Samuel Drake</u>	
	<u>Robert Graham</u>	
	<u>Israel Honeywell Jr.</u>	

	<u>Zebediah Mills</u> *	
	<u>Gouverneur Morris</u> *	

Employees

- Clerk: John McKesson
- Sergeant-at-Arms: Thomas Pettit
- Doorkeeper: Richard Ten Eyck

Notes

1. The same system of rotative renewal, though with three classes and 6-year terms, was adopted by the United States Constitution in 1789 for the United States Senate, and has been in use there ever since. Rotative renewal of the New York State Senate was abolished by the State Constitution of 1846, and State Senators have served two-year terms since 1848-49, except 1896-98 (a three-year term, to move the elections to even-numbered years), 1965 and 1966 (two one-year terms due to redistricting).
2. Photo of the historical marker of the site (<https://www.flickr.com/photos/wallyg/1070248167/>) at Flickr
3. Clinton House (<http://nysparks.state.ny.us/historic-sites/1/details.aspx>) at NY State Office of Parks, Recreation & Historic Preservation
4. All three senators from the Eastern District in this Legislature came from Charlotte County; see note for Assembly.
5. At the New York gubernatorial election, 1777, George Clinton was elected at the same time Governor and Lieutenant Governor. On June 30, 1777, he took office as Governor, and at the same time formally resigned the lieutenant governorship, leaving a vacancy. Van Cortlandt was elected Temporary President in this Legislature, and took office as Lt. Gov. at the beginning of the next legislative year.
6. Cumberland and Gloucester counties seceded from the Province of New York in January 1777, and became part of the Vermont Republic, while the Constitutional Convention was still debating the new Constitution. The New York Constitution was approved in April 1777, not recognizing the secession. Neither county did file any election returns with the Committee of Safety (the governing body of the State of New York between the adjournment of the Constitutional Convention and the inauguration of Gov. George Clinton) in 1777, and nobody claimed the seats.

Sources

- *The New York Civil List* (<https://books.google.com/books?id=E3sFAAAAQAAJ&pg=PA110>) compiled by Franklin Benjamin Hough (Weed, Parsons and Co., 1858) [see pg. 48-52 for Constitutional Convention; pg. 108 for Senate districts; pg. 110 for senators; pg. 148f for Assembly districts; pg. 157 for assemblymen]

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