

The Revised Statutes Of New York

by Lynne Belluscio

Last week, Doug Hill brought in several boxes of books that he found in his house. The books that really caught my eye were two volumes of the *Revised Statutes of New York State* published in 1829.

Ordinarily I wouldn't have paid the two leather-bound books much attention, but Doug said, "Open them up. They're signed by Jacob LeRoy." "Oh my, they are!" As it turns out, the two books are the only objects that we know for sure, belonged to the man who lived in LeRoy House. We have a desk that was shipped to LeRoy by a descendent and it is supposed to be Jacob LeRoy's desk. We have some candle holders that supposedly came from the house. We have a bed that supposedly came from the house, but in truth, that's it. Now we have these books and there is no doubt that Jacob had these books while he lived in LeRoy.

They were probably an important part of his library and provided him help with a handy reference to the laws of New York. When he left LeRoy in 1837, the books would have been outdated and there was no reason to take them to New York City, so they were left here. And for some unknown reason, someone decided to keep them.

It is interesting to note, that in 1829, LeRoy was not yet a village. On page 86 in the first volume are the six procedures needed to create a county, city, village or town. It was necessary to publish notice and furnish a map. Then the map had to be verified by the oath of a surveyor. If the application was granted, the map had to be filed with the surveyor-general. The applicants had to post a notice of the town-meeting and a notice was to be read at the town-meeting prior to the election of the officers.

Obviously, in 1829, there were unusual laws and regulations by the standards of today. For example Quakers could decline the election or appointment to the office of assessor. Slavery had



been outlawed in New York in 1827, but in 1829 it was still legal for people who owned slaves to travel to New York and the slaves would not be freed. There was a \$10 bounty on wolves. The head, ears and skin had to be turned in to the town justice who had to verify that the wolf had been killed. The justice then sent the verification to the town supervisor and he in turn appeared before the county board of supervisors. Once they were satisfied that the wolf had been killed, they instructed the county treasurer to pay the bounty. The treasurer had to submit a report to the state treasurer for reimbursement. If anyone submitted false information to collect the bounty they could be fined up to \$1000 or imprisoned up to two years. This was serious business in 1829!

I also discovered a law concerning "The prevention and punishment of immorality and disorderly practices." The first article, Section 1 states that "No person shall exhibit or perform for gain or profit any puppet-show and wire or rope-dance, or any other idle show, acts or feats which common showmen, mountebanks or jugglers usually practice or perform . . ." Section 2 prohibited the exhibition of any painting, animal or other natural or artificial curiosity in any town, unless permission was obtained in writing from two justices of the peace in town.

In 1829, the two state senators were elected by the New

York State Legislature, not the people of the state. If the senator resigned then under Article four, Section 22 it stated that another senator had to be elected within ten days of the State Legislature receiving notice of the vacancy. The State Assembly and the State Senate was to each nominate a candidate for the Senate position. If the nominee from each house was the same, then the nominee was notified. However if the nominees were different, an election was held with both the Senate and the Assembly members voting.

Copies of the resolutions of the Senate and the Assembly was delivered to the person elected senator. Sometime in the last 180 years, New York statutes changed giving the Governor the power to select the new Senator.

Thumbing through the statutes I discovered some other curious laws. For example it was illegal to deposit salted or pickled beef, pork or fish, except smoked beef and fish, in the Southern section of New York City between the

months of May and October.

It was illegal to ship potash out of state unless it was inspected. The exception was shipment to Upper and Lower Canada or shipment down the Susquehanna or Allegany Rivers. Chapter XX, included the laws for indigent persons, beggars and vagrants, the safe keeping and care of lunatics, the care of habitual drunkards, the support of bastards.

Since Jacob had upgraded the flour mill in LeRoy and was shipping flour east on the Erie Canal, he probably was well acquainted with the laws concerning the inspection of flour. New York State Law required that flour casks be of two sizes: one of 196 pounds with staves of 27 inches long and each barrel head 16 1/2 inches in diameter. The other cask had to contain 98 pounds with staves 22 inches long and each head 14 inches in diameter. Indian meal (corn meal) could be shipped in hogsheads which could contain 800 pounds. There were 30 laws on the books affecting the shipment and inspection of flour.

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