

TOWN OF MALTA, SARATOGA COUNTY, N.Y.

HISTORICAL SKETCHES

Third in a series of articles by the Town Historian distributed to the residents of Malta in observance of the 175th anniversary year of the formation of the Town by act of the New York State Legislature on March 3, 1802.

Please note: In the rush to meet a deadline, two typographical errors were made in the second of these articles. Persons who are filing the series are urged to make these corrections: page 8 - Robert Hemphill is the correct spelling rather than Hemple. The latter form was used incorrectly by Sylvester in his History of Saratoga County. Page 9 - the location of Dean Chase's tavern should read northeast (instead of northwest) corner of Route 9 and Malta Avenue.

HISTORICAL MARKERS

This article will digress from the earlier pattern of tracing the history of the town in order to describe the historical markers located within its boundaries. The New York State program of erecting markers to commemorate historic sites and structures - now discontinued - had by-passed Malta. Accordingly, several years ago the town undertook its own program of research, marker purchase and placement at several locations within the town. Persons, particularly newer residents, might wish to make a little tour of these sites before the snow becomes too deep.

The observance of the Civil War Centennial was the occasion for the earliest marker to be erected in the town. Malta is the birth-

place of the first Union officer to die in that bloody war, a young colonel named Elmer E. Ellsworth who became a national hero overnight when he was killed at the age of 24 on May 24, 1861, in Alexandria, Virginia. His death became a rallying cry in the North; volunteers rushed to army recruiting centers to enlist. The marker commemorating Ellsworth's birthplace is located at Dunning Street, or Malta Corners as it is now known, at the intersection of Routes 9 and 67. It bears the following inscription:

Col. Elmer E. Ellsworth
Born Nearby April 11, 1837.
Commanded Fire Zouaves.
First Union Officer To Die
In Civil War. "Mourned
As A Son" By Abraham Lincoln.

The parents of Elmer Ellsworth were Ephraim D. Ellsworth and the former Phebe Denton. Nathaniel Bartlett Sylvester, noted Troy historian, writes about Ellsworth's birthplace in his History of Saratoga County published in 1878 while Ellsworth's parents were still living.

"Dunning Street was the birthplace of Colonel Elmer E. Ellsworth. His father was a tailor, and worked his trade over the store opposite the present Rogers Hotel. He was married to Miss Denton in this village. Mr. Ellsworth and his wife boarded at the Rogers tavern, and there Elmer was born."

The store to which Sylvester refers was on the northwest corner of Dunning Street at the intersection of Routes 9 and 67, across from what was in Sylvester's time the Rogers Hotel on the southwest corner where Dunster's now stands.

When Elmer was a very young child his parents moved to Mechanicville where he attended school. In his late teens Ellsworth left home for Illinois. There he had a brief but brilliant career as a drillmaster of volunteer companies, studied law in Lincoln's Springfield office, and accompanied Lincoln as his personal bodyguard on the trip to Washington for the inauguration. When war broke out Ellsworth recruited a regiment of volunteers from the New York City Fire Department. They became known as the Fire Zouaves after adopting the system of military tactics and the brilliantly colored uniforms of the French Zouaves of Crimean War fame. Ellsworth's regiment, after training outside Washington, was ordered to cross the Potomac and occupy Alexandria on May 24, 1861. The assault was made with no resistance from the rebel troops who had evacuated the town a few hours before. Ellsworth dashed to the roof-top of an hotel to pull down a huge Secessionist flag and was killed at close range by the irate hotel proprietor. His body was taken to the East Room of the White House for the official funeral attended by President Lincoln, members of the first family, and many government officials. Private services were held in New York City for family and friends; burial was in Mechanicville. An impressive twenty-five foot, granite monument marks the grave in the Hudson View Cemetery.

In placing a marker commemorating the birthplace of Malta's most famous Civil War hero, town officials had the support and cooperation of the Saratoga County Board of Supervisors and the New York Civil War Centennial Commission. The dedication ceremony was held on the 4th of July, 1962, in the 125th year of Ellsworth's birth. A festive occasion, it was the primary event in Malta of the Civil War Centennial. Chairs were set up on the old parade ground to accomodate the crowd of

about 300 persons. Among them were state, county, and town officials, and the mayors of Mechanicville and Saratoga Springs, many of whom participated in the program. The Ballston Spa Volunteer Fire Department Band provided music for the event. The Ellsworth Zouaves of the Col. Elmer E. Ellsworth Post, V.F.W., Mechanicville, gave a colorful drill exhibition in their red and blue uniforms similar to those worn by Ellsworth's regiment. The thirty-four star flag which draped the marker for the unveiling ceremony had been carried by the first New York artillery regiment to leave for the conflict. It was on loan from the New York State Museum at Albany. A commemorative booklet published especially for the occasion by the New York Civil War Centennial Commission was presented to everyone in attendance. It contains a biographical account of Colonel Ellsworth and a copy of the letter which President Lincoln wrote to Mr. and Mrs. Ellsworth on the death of their son. A number of copies of the booklet are still available and may be obtained without charge by contacting the Town Historian.

The second marker to be placed in Malta is standing in an open field along East Line Road about $1\frac{1}{2}$ miles south of Route 67. It marks the site that on May 10, 1791, the first session of court was held in the newly created County of Saratoga. The marker, erected in the 175th anniversary year of the first court, is inscribed as follows:

Site Of First Court
Saratoga County, May 10, 1791.
Courts Of Common Pleas And
General Sessions, Held In The
Residence Of Samuel Clark,
Later First Supervisor Of Malta.

The activities of the day are recorded in The Bench and Bar of

Saratoga County by E.R.Mann, published in 1876. According to that account it was a quiet day in court, the activities being primarily of an organizational nature. The Court of Common Pleas was presided over by Judge John Thompson with four other judges and three associate justices. The first order of business was the admission of sixteen attorneys to the practice of law in the new county. Among them was Joseph C. Yates who later became governor of New York State. The Court of General Sessions, also held on that day, was presided over by Judge James Gordon with nine justices of the peace in attendance. Its jurisdiction covered minor criminal offenses. The organization of the court with the selection of a grand jury was the principal activity. No cases were tried on that first day. The Ballston Journal of August 14, 1941, contains an article on early court proceedings in Saratoga County. The article offers as proof of the location of the first court session at Samuel Clark's residence some bills which were presented to the Board of Supervisors in 1792 and 1793. Among them are bills for the use of Clark's house and for the candles which were burned, an item of considerable expense at that time. Also presented and approved were bills for liquor from Smith's Tavern across East Line Road from the Clark residence. They apparently had three martini lunches or the equivalent in those days too.

The various courts of Saratoga County continued to be held at private residences until the completion in 1796 of the first county court house on the Middle Line Road in the Town of Ballston. It was entirely appropriate that the home of Samuel Clark, a justice of the peace and prominent citizen, should have been selected for the first court sessions. One of the early settlers of the town, Clark had purchased a large tract of land on the Malta side of East Line Road where he es-

tablished a farm and built his stately home. Only traces of the house's foundation remain, it having been razed in 1906. Samuel Clark and his large family are listed in The First Census of the United States, 1790. It is recorded there that he owned two slaves; he was one of only a few slave-holders in the town. In addition to farming, Clark operated a grist mill on the creek running through his property. Reference to this mill is made in early highway papers of the town. The creek is the outlet of Ballston Lake and runs east to Round Lake.

Samuel Clark had a distinguished career in public service. As a justice of the peace he was appointed an assistant justice of the Court of Common Pleas in 1791, serving for fifteen years in that capacity. In 1792 as the presidential elector from Saratoga County he is on record as having voted for George Washington. He served also as county treasurer that year. Other offices that he held were superintendent of highways for the county in 1797 and Judge of the Court of Common Pleas in 1803. He was a member of the State Assembly from 1797 - 1800 and again in 1803 and in 1805. In 1802 Samuel Clark was chosen the first supervisor in the newly formed Town of Malta and served for two years. Having been active in the militia of the county he was appointed Brigadier-General of the Brigade of the County of Saratoga in 1804. This was the 9th Brigade and was made up of six regiments. Clark had earlier served in the Revolution. The records indicate that he was commissioned a Lieutenant at White Plains by George Washington; a Captain at Poughkeepsie in 1778, and a Major the following year by Governor George Clinton. This remarkable man lived until the age of 83. He died on February 17, 1823, and was buried in the East Line Union Cemetery at Armstrong's Corners, the junction of East Line Road and Round Lake Road.

About one hundred persons gathered on a sparkling October day in

1966 at the site of the first court for the unveiling ceremony of the marker. The late Raymond Weed, 50th Supervisor of Malta, unveiled the marker. The principal address entitled "Courts and the Constitution" was given by the Honorable Michael E. Sweeney of Saratoga Springs, at that time Justice of the New York State Supreme Court and now Associate Justice of the Appellate Division. Justice Sweeney observed that the year 1791, when the first court in Saratoga County was established, was also the year of the adoption of the Bill of Rights, the first ten amendments to the United States Constitution. He noted the amazement expressed that the Constitution has been amended only an additional fourteen times since then, considering the changes that have taken place in the country in the past 175 years. He stated:

"Obviously, the framers of the Constitution could not have foreseen these many changes or the impact they would have on our laws and way of life in years to come.

"These men, however, were men of wisdom and foresight and while undoubtedly did not anticipate the various changes, knew that there would be many. Wisely, they drafted a brief, unequivocal document in general terms.

"A society so organized under a written constitution had to provide a means of authoritative interpretation of the document to meet the exigencies of life. It was to the courts that this task properly fell. Consequently, it has been the courts that have given the Constitution its elasticity by appropriate interpretation to cope with the unforeseen problems which arose to plague the nation through the years. - - - ."

In commenting on the differences of opinion regarding court decisions, Justice Sweeney stated:

"These decisions are not always received with unanimity of approbation by the public. This, however, is as it should be. - - - For in a government by the people, the expression of disagreement is one means of changing the present law to conform to that which the people desire. - - - With this privilege and right to disagree, however, comes a stronger corresponding obligation to accept and obey the decisions of the court and the acts of the legislature so long as they remain the law - - - ."

In closing Justice Sweeney stated:

"Mindful of the fact that under our Constitution, its benefits, its privileges and its protection extend to all people, regardless of race, color or creed and regardless of their ideas on social or economic problems. With this in mind we should ask ourselves - Are we really loyal to the freedom expressed in the Constitution? Do we really believe in free speech, even for those with whom we disagree? Do we really believe in government by the people or just by a certain class of people? To answer these questions requires a knowledge of the historical struggle that has existed during the past one hundred seventy-five years in this country to give all human beings a place to live, worship and prosper according to their wishes and abilities. This the courts have echoed many times by their decisions.

"It is most fitting, therefore, for us to meet here today in grateful commemoration of the first court in Saratoga County and dwell with appreciation on the part played in the development of the laws of our nation by our courts."

Two identical markers were placed by the Town of Malta at Round Lake in 1968 to commemorate the one-hundredth anniversary of that community.

One of these was erected in Rowe Park near the approach from the Northway; the other, at the Route 9 entrance to Round Lake Village. The latter marker has since disappeared from its site. The remaining one bears the following inscription:

ROUND LAKE
Established By Round Lake
Camp Meeting Association
Of The Methodist Episcopal
Church Of The Troy Conference.
Chartered May 5, 1868 By The
State Legislature. First Camp
Meeting September 1-10, 1868.

The establishment of the Round Lake Association had its origin in the great religious revival movement that swept the country following the Civil War. Outdoor gatherings and camp meetings became popular at which preachers could address large numbers of people at a time. As the story goes, Joseph Hillman, a prominent Methodist layman and Troy financier, caught up in the evangelistic spirit of the times, inspired a group of fellow laymen to assist him in looking for a suitable camp meeting site for the use of Troy Conference. Their search ended in 1867 when they found the piece of land now occupied by the Village of Round Lake. The group was strongly attracted by the beauty of the woods and lake and by the convenience of the railroad which ran nearby. Trustees were selected and plans made for the purchase of the property. On May 5, 1868, by act of the New York State Legislature the group was chartered as The Round Lake Camp Meeting Association of the Methodist Episcopal Church of the Troy Conference. Hillman served as its first president. The name of the organization was subsequently shortened to The

Round Lake Association.

The Association experienced a rapid development following the first camp meeting which was held in September of 1868 with 8,000 in attendance. Just ten years later in his History of Saratoga County Sylvester referred to the community as a "celebrated summer resort and camp-meeting ground". He gave this glowing description:

"The grounds contain about two hundred acres, mostly gravelly loam, entirely free from malarious tendencies. In the midst of these grounds is a beautiful wood, containing over forty varieties of stately trees. Ample shade is thus provided, while the pines, hemlocks, and cedars give to the atmosphere that balsamic invigorating odor that renders the Adirondacks the Bethesda of America. It is unquestionably one of the healthiest localities in the country. Many cottages have been erected, and the number is rapidly increasing. All of them are neat, commodious structures, and many of them are considered models of elegance and beauty.

"In addition to these are a telegraph- and express-office, a post-office, a book- and news-store, and many other buildings. In the very centre of the city, among the trees, is a preaching-stand, surrounded by well-arranged, comfortable seats for thousands of hearers. A large, elegant hotel, with all modern improvements, has just been completed. The whole ground is artistically laid out into broad streets and avenues - - -

"Nature has made this one of the most beautiful and healthful, and the association have spared neither labor nor expense to make it one of the most instructive and attractive Christian resorts in America."

The history of this community can not be covered adequately in this article.

Perhaps at some future time an entire article will be devoted to Round Lake, contributed by the Village Historian.

A marker unveiling ceremony was one of many events scheduled for the week-long celebration of the Round Lake Association Centennial, August 11-17, 1968. The program was held in Rowe Park on the afternoon of opening day. The singing of early camp meeting hymns was featured. Officiating in the unveiling and giving the principal address was Earle M. Cooper, Albany attorney and member of the Board of Trustees of Troy Methodist Conference.

The two most recently erected markers commemorate the bicentennials of the purchase of land in the town by the pioneer settlers William Marvin and Michael Dunning. Both markers are located on Route 67 between Dunning Street and East Line; the Dunning marker, just east of the Northway; the Marvin plaque, about a mile west. The inscriptions are:

MARVIN HOMESTEAD

Home Of William Marvin And
Susanna (Wright) Marvin,
His Wife, Pioneer Settlers
In Town Of Malta. Land
Purchased April 2, 1772.
House Built Circa 1790.

DUNNING FARM SITE

Michael Dunning, 1725-1812
Pioneer Settler. Purchased
1127 Acres April 28, 1773.
Laid Out Common Or Parade
At Dunning Street. Militia
Captain In The Revolution

Separate articles on the Marvin and Dunning families will be written at some future date.

Research is now in progress for the next historical marker which will be placed in Maltaville. Persons who have old records, letters, deeds or any other information relating to the history of Maltaville are asked to contact the Town Historian, 885-5296.

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