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## The Church and the Law

*By Maria Byrne*

*Interpreter, St. Paul's Church National Historic Site*

Open the doors of Saint Paul's Church. Look inside, and you may well be struck at its resemblance to a courtroom. This is not surprising, since the church took its turn as one of the lower courts in Westchester County in the late 18<sup>th</sup> Century.

It was not the first court on this ground. The colonial period of the late 17<sup>th</sup> Century was a time of limited transportation, and Eastchester was at the crossroads of southern Westchester County, making it a logical location for a courthouse. In the beginning, court was held in various houses. But by 1700, a small, square wooden building had been built, and was known as the Church at Eastchester; it not only served as their religious meeting house on Sundays, but as a court of sessions that met once a month on weekdays. Not unusual in this period, legal actions were commonly held in public buildings, since separate courthouses were not yet being built.

This town court was at the lowest rung of the court system, and was presided over by a justice of the peace with limited civil -- as opposed to criminal -- actions. Like the higher courts, it followed English Common Law; in fact, no colony followed its procedure more closely than New York. Common Law, today and yesterday, consists of doctrines established by precedents handed down by higher courts, and sometimes integrated with statute, or codified, law.

During the Revolutionary War, the small meetinghouse was disassembled by soldiers who used the scraps as firewood. After the war, life returned to relative normalcy. Between 1787 and 1790, the people of Eastchester completed the stone and brick church building that now stands, and again used it for a courtroom on weekdays for a year and a half. But now the court was one of higher jurisdiction.

In this second tier were the two principal county courts, the court of General Sessions (criminal), and the court of Common Pleas. The latter had jurisdiction over all civil actions, both local and transitory, involving any amount of debt or damage; it also had limited appellate jurisdiction. St. Paul's, then still known as the Church at Eastchester, was a court of Common Pleas. One of the two sites in Westchester County, it alternated sessions with Bedford twice a year, one of which was the 1<sup>st</sup> Tuesday in June, and the other the 1<sup>st</sup> Tuesday in December.

On record in the Court Minute Book of 1787 are names well-known in this area, such as Pell and Guyon (Guion), and cases read not unlike those on the front pages of today's tabloids and on local TV news: assault, extortion, rape, grand larceny, and horse stealing, the latter of which carried a sentence of death. Luther Kennicut, a patriot spy who had

brought news of the impending British raid to Poundridge during the Revolution, seems to have afterwards run afoul of the law on a perjury charge; and a judge, no less, was found guilty of extortion.

But a judge with an unsullied gavel also appears in official accounts. He was Stephen Ward, an ardent patriot during the war who was in charge of obtaining supplies for the army and seizing Loyalist property. Ward had been proscribed by the Loyalist Party and a price put upon his head after the British surprised an American foraging party stationed at his Eastchester house in 1777. Later elected Town Supervisor, he was appointed to the Bench in 1784, and served for many years as first judge. His tall marble gravestone is located directly behind the church.

But best known of all who practiced law at the Eastchester Church was Aaron Burr. Burr, a Continental army officer, 3<sup>rd</sup> vice-president, conspirator and politician is perhaps best known for his shot that killed Alexander Hamilton. He appeared at least once here before the bar; a subpoena summoning a witness for the defense, signed by him on May 28, 1787, is still preserved in the archives at Saint Paul's Church National Historic Site.