



# NORTH GREENBUSH NOTES

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## Justices of the Peace

We've had "J.P.'s" since the founding of the old town of Greenbush in 1792. John E. Van

Alen, our first congressman was also our first Justice of the Peace. At this time, the J.P.s were appointed by the Governor. Later, the county board of supervisors made the appointments. Finally in 1826 towns elected their justices.

We don't have names of our earliest justices or the cases they handled.

When North Greenbush was formed in 1855, one of the justices was Abram Witbeck who became our first Supervisor. Another justice was Henry Frazee. We know quite a bit about him and he was quite a character. Born in New Jersey in 1783, Frazee settled in Wynantskill in the early 1800's and was justice of the peace from 1816 until his death in 1876-50 years. This is a record that probably will never be surpassed, although I did have hopes for former Justice Ray Elliot.

In those days, a justice was often the guy in town who took care of all the legal business. If you had a will to draw up or a case to plead, he was your man. I suspect that Frazee's legal training was minimal at best and that he made it up as he went along. I developed a glimpse of him from the 1871 minutes of the County Board of Supervisors.

Evidentially, justices often kept a portion of fines collected in criminal cases.

Frazee protested in a letter that he didn't do this:

“Gents”-he called the Supervisors. “I have seen a notice in the press regarding fines collected in criminal cases. I have not collected for fines a single dollar and above the legal costs chargeable.” He ends the letter by saying that he lives among a quiet, peaceable, honest, law abiding people (Wynantskill). “Very little criminal business is done here except the parties that come from Troy...” I guess he didn’t think too highly of the big city.

Later justices weren’t as flamboyant. They tended to be well respected town inhabitants. Until 1970, justices were members of the town board. State law changed the classification of our town to “first class suburban” and the town court system was separated from the town board. Today our justices are attorneys and probably will never be as charismatic as Judge Frazee.