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FURNISHINGS PLAN FOR THE MAYOR'S COURT, OLD CITY HALL, PHILADELPHIA, PA

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FURNISHINGS PLAN FOR THE MAYOR'S COURT CHAMBER IN OLD CITY HALL, PHILADELPHIA, PA

Researched and written by:
Anne A. Verplanck, Assistant Curator
Independence National Historical Park
November, 1988

Doris D. Fanelli, Supervisory Museum Curator
John C. Milley, Chief of Museum Operations

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5. Print, Trial in Dublin, England.
6. Photograph, A.I.A. restoration of Mayor's Court, 1917.
7. Cartoon, "Cudgeling as by late Act in Congress..."
8. Print, English court chamber.

ADDENDA

Jury boxes (page 19)

The 1917 A.I.A. photograph of the Mayor's Court Chamber may indicate the location of the jury boxes on the east side of the chamber, parallel to the east wall (see Illustration 6, "F"). The bar separating trial participants from the public may be perpendicular to the jury box. The York, PA court chamber (Illustration 2) shows the jury and bar in corresponding locations. My thanks to INHP Historic Architect William Brookover for this observation.

Witness stand (page 21)

Witnesses likely waited within the bar. Illustration 3 shows witnesses in an area away from the public.

Curtains (pages 23-24)

A set of green curtains above and behind the judges' bench in the form of a canopy was noted in the Green Street Court House, Dublin, Ireland, in 1965. See Daniel Sharp, Furnishings Plan for the Supreme Court Chamber, Independence Hall (Philadelphia: Independence N. H. Park, 1979), ill. 5,6. This design may correspond with the reference to the rail for curtains for the elliptical circle. The design of the canopy appears similar to the presiding officer's canopy in the Senate Chamber in Congress Hall in Philadelphia. Furnishings Plan for the Second Floor of Congress Hall (Philadelphia, Independence N. H. Park, October, 1963), Part C, Sec. 3, 12. A curtain hung over the judges' bench in the Philadelphia Orphan's Court ca. 1895; Atwater Kent Museum photograph 49.20.6.17. The manufacture of a canopy in green baize fabric, based on the Green Street drawing, is recommended.

Seating furniture (page 31)

The chair of the tipstaff may have been elevated. The York County Courthouse scene (Illustration 2) shows the tipstaff in an apparently raised seat. Some Philadelphia courtrooms currently utilize raised seats for sheriffs; two chairs appear to have been made in the early twentieth century.

Lawyers awaiting trials may have been seated within the bar. Long benches are provided for the purpose in City Hall currently. The reconstructed c. 1850 Supreme Court chamber in the U.S. Capitol Building and the current Supreme Court chamber employ a second pair of tables for the lawyers in the upcoming trial. It is recommended that benches be placed within the bar on the north side of the Mayor's Court chamber.

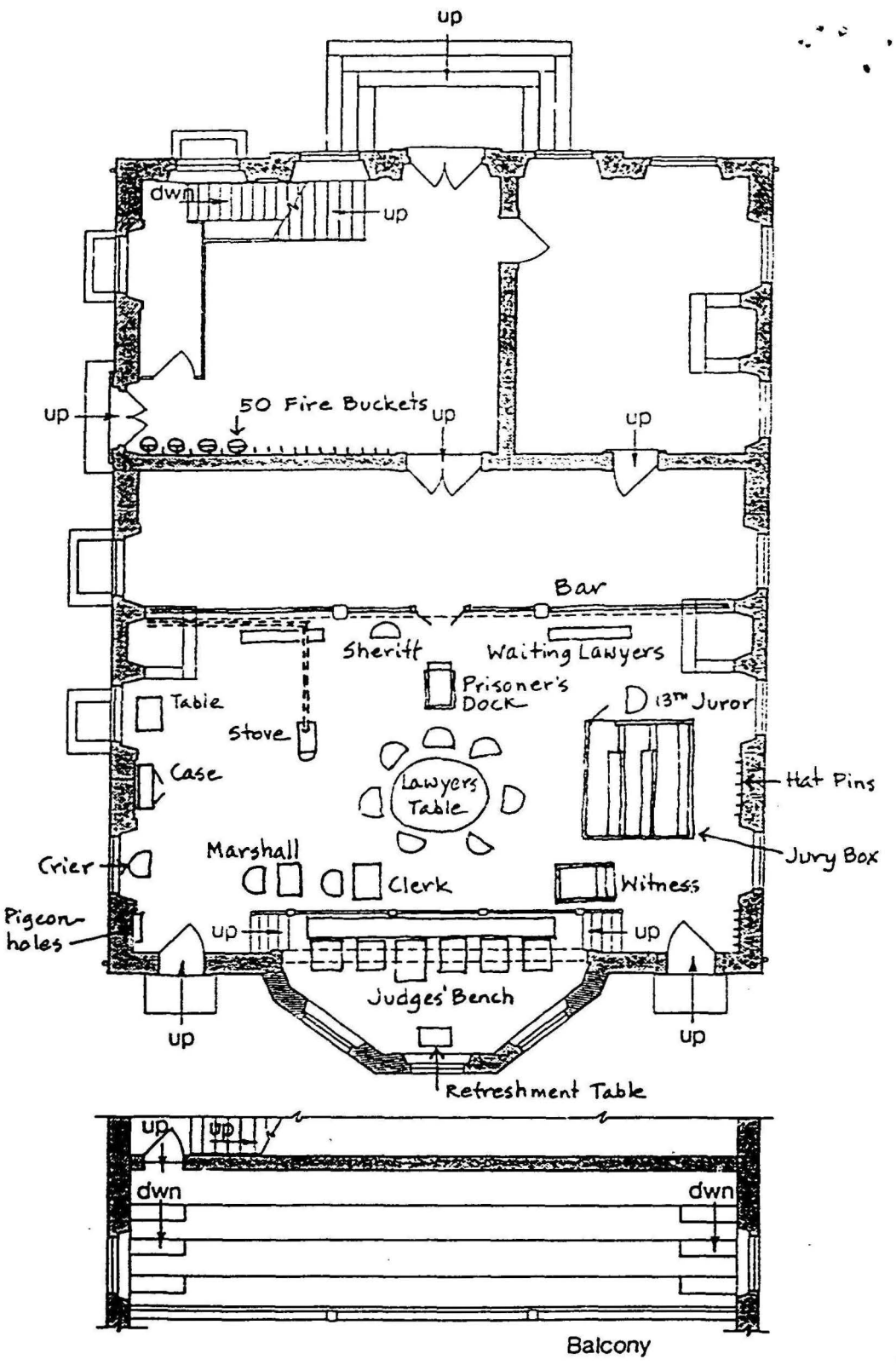
Note 73 (page 44)

While no bills for taking up or putting down stoves in Old City Hall were found, such bills were found for the State House and Congress Hall. See Charles Dorman, Furnishings Plan for the Assembly Room, Independence Hall (Philadelphia: Independence National Historical Park, 1970), 106-107 and Samuel Edgerton, Historic Structures Report, Part II, Congress Hall, Supplement 1 (Philadelphia: INHP, 1961), 13-14.

Architectural evidence suggests a hole for a stove pipe on the west side of the Mayor's Court. A photograph taken in 191? by the A.I.A. (INHP negative 157.1432) of the chimney breast on the west wall at the gallery face (notation "B") shows a sealed circular hole that may have held a stove pipe. My thanks to INHP Historic Architect Penelope H. Batcheler for locating and interpreting the photograph.

Diagram

The attached diagram is a conjectural representation of the Mayor's Court in Old City Hall. The locations of some of the participants could be reversed: the jury could have been on the east side of the chamber and the crier and others on the west side. The limitations of the existing evidence preclude determining precise locations for many of the participants.



SCHEMATIC FURNISHINGS PLAN
THE MAYOR'S COURT 1791-1800
OLD CITY HALL

Scale: 0 5 10 15 20 25 30 feet

N

1989

Anne Verplanck / PHB

INTRODUCTION

This report on the furnishings for the Mayor's Court in Old City Hall in intended to supplement the Furnishings Plan of 1959. In the early 1960s, a great deal of research was undertaken to aid in the restoration of the structure. While much of the research was incorporated into the Historic Structures Report for Old City Hall (Lee Nelson, 1970), many discoveries about the furnishings were not included. The History Card File in the library at Independence Historical Park (hereafter, INDE) contains extensive research notes that were the source for much of the documentation in this report. Microfilm copies of many records noted on the cards are available at INDE. Another important source is the Furnishings Plan for the Supreme Court Chamber, Independence Hall (Daniel Sharp, 1979). I have chosen not to repeat much of the background information on courts and their furnishings, as it is so thoroughly discussed in the Supreme Court Chamber plan.

There is also a large amount of documentary evidence for furnishings on the second floor of Old City Hall during this period. The History Card File at INDE contains references to venetian blinds, baize table cloths, desks, etc. Furnishing the second floor of Old City Hall is an option that should be considered when long-range plans are developed.

The quality of furnishings in the court chamber in Old City Hall is difficult to determine, as a number of courts--Mayor's, Supreme, Circuit, and District--met there. Were furnishings purchased for the "most important" court--the Supreme Court--and added to on an as-needed basis by the other courts? Or were furnishings acquired for the court with the greatest

needs (e.g. the largest number of justices)? Also, while extant records indicate that federal funds paid for some furnishings and services, the individual responsibilities of federal, state, and local governments are unclear. Independence National Historical Park has traditionally focused its interpretation--furnishings, exhibits, audio-visual programs, and staff--on the national activities (the Supreme Court, 1791-1800) in Old City Hall.

There is a lack of substantial documentation for all the courts, specifically their furnishings. The extent of the documentation for the federal, state, and local courts varies. The bulk of the information on the Supreme Court during the period 1791 to 1800 was found in the Rough and Smooth Minutes of the Court, Miscellaneous Records of the General Accounting Office, and period newspapers. Transcriptions and interpretation of many of these records can be found in Maeva Marcus and James Perry, The Documentary History of the Supreme Court, 1789-1800, Vol. 1 (Columbia University Press, 1985). Minutes of the U. S. District Court for the Eastern District of Pennsylvania, Philadelphia Common Council Minutes, General Accounting Office Records, and newspapers provide a limited amount of information on the District Court. Descriptions of cases being heard and the number of attendees--particularly judges--constitute most of the information in these sources. The records of the trial of John Fries provide some of the most specific information on furnishings and implacements, including location. Otherwise, the workings of the Circuit Court are not particularly well documented in their minutes, the G.A.O. records, newspapers, or manuscripts such as Mahlor Dickerson's diary. The Mayor's Court,

especially the participants and the types of cases, are documented in the Mayor's Court Docket Book, the Minute Book of Philadelphia City and County Commissioners, and newspapers. Some information on the chamber furnishings has been extrapolated from documentation for other courts in the United States, England, and Ireland.

The furnishings of the court chamber will reflect the combined needs--and documentation--of the courts that used the chamber. Although juries were not present for all trials, jury boxes were likely permanent fixtures. Old City Hall was intended to be used as a city building. The 16 July 1790 Philadelphia City Council Minutes note:

> ...The Committee have prepared a plan (and herewith produce it) for the inside of the Hall, which they judge will be proper in case the same should be finished merely for the use of the City, but should the Congress of the United States chuse it for their Sittings, some variations from this plan may be necessary, and the Committee are of opinion that the first opportunity should be taken of offering it to that honourable Body for their use, and if they accept it, that the necessary variations from the plan produced, may be made in the inside for their accommodation, in an advanced state of the work, and need not now be determined on...

The complexity of the construction and level of finish detail is comparable to that found in Congress Hall, a building intended for federal use. The parallels between the two buildings may be limited to the architecture.

It is difficult to determine the quality of the furnishings found in Old City Hall. Very few furnishings with a history of use in the building, limited documentary evidence, and rare public comment provide little evidence about the type of wood (mahogny vs. pine), the amount of ornamentation, or other characteristics that might indicate the quality of the furnishings. While the amount of surviving evidence is not an absolute

indicator of contemporary perception of the importance of a building or chamber, the marked contrast between the amount of evidence for Old City Hall and Congress Hall is notable. The City Council's comments noted above, the relatively short periods of occupancy by the Supreme Court, and the dearth of evidence suggest that few special efforts were made to accomodate the Supreme Court.

NOTES TO INTRODUCTION

[1]Minutes of City Council 1789-1793, 16 July 1790, 273. Cited in Lee Nelson, Old City Hall Historic Structure Report (Washington, DC: National Park Service, 1970), 6-7.

[2]Conversation with Penelope H. Batcheler and William Brookover, INHP Historic Architects, 1988.

I. PARTICIPANTS AND THEIR ROLES

The number and roles of participants in court proceedings are significant in determining the furnishings of the court chamber.

A. SUPREME COURT

The Supreme Court convened semi-annually, beginning the first Mondays in February and August. Issues included the payment of pre-Revolutionary debt to a British subject (Ware vs. Hylton), the constitutionality of a carriage tax, and whether an individual of a state could sue either the United States or any state (Chisholm vs. Georgia).

Justices

One chief Justice and five Associate Justices were appointed by the President and confirmed by the Senate. Frequently not all justices attended trials.

Attorney General

The Attorney General's duty was to "prosecute and conduct suits in the Supreme Court in which the United States was concerned."[1]

Counsellors and Attorneys

In order to practice law before the Supreme Court, one had to present documents certifying that one had practiced law in the highest court in one's state and provide either verbal or written character references. Only counsellors could plead cases before the Supreme Court. Attorneys were limited to filing motions and doing other paperwork. The plaintiff and defendants were generally represented by one to three counsellors.[2]

Jury

Juries were present at some sessions of the Supreme Court and appear to have varied in size.[3]

Date	Number of Jurors
4 Feb 1794	12
5 Feb 1795	12
7 Feb 1797	30-40
7 Aug 1797	12

Juries, called by the Marshall, were comprised of local men who were paid for their attendance.

Marshall

The Marshall called juries and saw that court chambers were cleaned, firewood was purchased, jurors were paid, and that the courts writs, bills, etc, were served. A Marshall, appointed for four years, served the Supreme, Circuit, and District courts. He had the power to appoint one or more deputies.[4]

Clerk

The clerk wrote the minutes of the cases and other court documents. Samuel Bayard was appointed clerk for most of the 1791 to 1800 period. Bayard was a member of the Philadelphia bar. His predecessors, immediate successors, and substitutes had similar training.[5]

Crier

The crier proclaimed the order of the court. Joseph Fox and

Charles Reinback likely served as criers. Joseph Fox was also paid for "cleaning the Court room making fires Ect [sic]."[6]

Tipstaves and Prisoners

A tipstaff (or sheriff) was likely not present at Supreme Court sessions, as no prisoners were tried. No documentary evidence for a tipstaff was found either in the minutes or records of payments.

Witnesses

Witnesses were present at some Supreme Court sessions.[7] Whether they sat in chairs within the bar or were called from outside the bar is unknown; the former seems more likely.

B. CIRCUIT COURT

The Circuit Court generally convened in April and October.[8] The role of the court was defined by the Judiciary Act of 1789 and can be summarized as follows:

> The circuit court, to consist of the district judge and two Supreme Court Justices, was to exercise original jurisdiction over diversity of citizenship cases in which more than $500 was in dispute, to have appellate jurisdiction over the district court's decisions, and to exercise original juristiction in important criminal cases. The Supreme Court Justices were to "ride circuit" twice a year...[9]

In 1793, Congress addressed the difficulties in riding circuit by permitting one Supreme Court Justice and one District Court judge to preside at sessions. Philadelphia Middle Circuit sessions were usually held twice a year in Old City Hall. Records of the trial of John Fries, held in April,

1799 and 1800, in Circuit Court, provide a large amount of information, as do the Senate impeachment proceedings of one of the justices--Samuel Chase-in 1805 in Washington, D.C. However, the large number of participants in and viewers of the Fries trial is likely atypical of Circuit Court trials.

Justices

See above, "Circuit Court."

Counsellors and Attorneys

One to three men generally represented the defendant at Circuit Court Trials.[10] The district attorney was assisted by Attorney General Jared Ingersoll during the 1800 Fries trial.[11] This assistance appears to be atypical.[12] One instance of a law student sitting at the bar table is documented.[13] During the 1800 Fries trial, nine attorneys, counsellors, and students(s) appear to have been at the bar table.[14]

District Attorney

A district attorney prosecuted each case. He appears, at least during the Fries trial, to have sat with the other attorneys.

Jury

Grand and petit juries participated in many Circuit Court sessions.[15] A grand jury's role is currently defined as examining "accusations against persons charged with crime and if the evidence warrants [making] formal charges on which the accused persons are later tried;" a petit jury's role is "a jury of twelve persons impaneled to try and to decide finally upon the facts at issue in cases for trial in court."[16]

Witnesses

Witnesses were presented at some Circuit Court sessions. The number of witnesses varied; records show that zero to four witnesses were likely the norm.[17] The ninety-eight witnesses at the 1799 Fries trial apparently testified at different times. In one instance, the counsel for Fries called four witnesses. An interpreter for German-speaking witnesses was present at the Fries trial and at least one other trial.[18]

Marshall

See Supreme Court.[19] William Nichols was the Marshall at the April, 1792, sessions. David Lenox was paid for his service as Marshall for both the Circuit and District Courts in 1794. A Deputy was also paid for his services during the Fries trial.[20]

Constable

Two constables were paid in 1794 for their Circuit Court service. As one was paid for four days attendance and one for twelve, they likely attended different trials.[21]

Clerk

Samuel Caldwell served as clerk for the Circuit and District Courts. His responsibilities were similar to those of the Supreme Court clerk.[22] Mr. Bond served as the assistant clerk of the court during the 1800 Fries trial.[23] As the Fries trial was a particularly large and lengthy one, and no other documentation for an assistant clerk was found, it is possible that an assistant clerk was only employed in that instance.

Crier

A crier would likely have been needed to help conduct the business of the court. Records show payments to Joseph Fox and Charles Reinback. Joseph Fox was paid for acquiring wood and candles and cleaning court rooms. As Joseph Fox served as crier for the Supreme and Mayor's courts, it is likely that he filled this role for the Circuit and District courts. Whether Charles Reinback served as a crier too is unclear.[24]

Prisoners

The Fries trial records provide one of the few mentions of prisoners. Frequent references to Fries' incarceration in the prisoner's box were found. Four other prisoners at the Fries trial were referred to once.[25]

C. DISTRICT COURT

The District Court convened the third Monday in February, May, August, and November in Philadelphia, often in City Hall. At least one trial was held in the Common Council chamber on the second floor,[26] and many were held in the Judge's office. A variety of cases was in the domain of the District Court, including numerous maritime trade and mariners' wage disputes.[27]

Justices

One justice presided at District Court trials.

District Attorney

See Circuit Court for responsibilities. A Deputy District Attorney may have prosecuted some cases.[28]

Counsellors and Attorneys

In order to practice before the District Court, attorneys and counsellors were required to have "been such for one year past in the Supreme Court of the States to which they respectively belong and that their private and professional character shall appear to be fair" and to take an oath.[29] Generally, one counsellor appears to have represented the "libellant" and one the "respondent."

Jury

Grand, petit, and transverse juries were present at some trials.[30]

Witnesses

Witnesses were present at many District Court trials.[31]

Marshall

See Supreme Court.[32]

Tipstaff

A tipstaff was present at some trials.[33]

Marshall

The Marshall was also responsible for the Circuit Court and had similar duties.[34]

Clerk

The Clerk for the District Court had similar responsibilities as the Supreme and Circuit Court clerks.[35]

Crier

One or two criers were employed by the District Court; see Circuit Court. A crier may have been the "officer Attending jury 2 days" in 1792.[36]

Prisoners

Occasional references to prisoners are found in the District Court minutes.[37]

D. MAYOR'S OR ALDERMAN'S COURT

The Mayor's Court convened quarterly at City Hall. The Mayor and two to ten Aldermen presided over cases such as larceny, assault and battery, running Tippling and Gaming houses, forgery, nuisances, riots, etc.[38] A Mayor's Court trial may be depicted in Figure 1.

Attorney General

Joseph McKean was paid for his attendance at the Mayor's Court in July, 1800. No other incidences of the Attorney General attending were found.[39]

Counsellors and Attorneys

Only one reference to counsellors' or attorneys' presence at Mayor's Court trials was found in the Docket Books.[40]

Jury

Grand and petit juries were present at most sessions of the Mayor's Court. Grand juries ranged in size from 14 to 27 jurors (most had 16 to 18); petit juries varied from 9 to 41 (most had 25 to 35) during the period.[41]

Tipstaff

A sheriff was present at most trials. At one trial, two constables were also in attendence.[42]

Clerk

Alexander Wilcocks was the recorder for the Mayor's Court.[43]

Crier

A crier was employed by the Mayor's Court.[44]

Prisoner

No references to prisoners were found in the Docket Books.

E. OTHER COURTS

A number of courts met at City Hall, some regularly, others occasionally. Where in the building they met is unclear.

Alderman's Court

The Alderman's Court met in City Hall twice a week. One reference is made to the "Alderman's Court Room."[45]

Special Sessions of the Peace[46]

Court of Oyer and terminer and General Gaol Delivery[47]

II. ARCHITECTURAL IMPLACEMENTS

Information on architectural implacements in the court chamber is limited and is extracted primarily from documentary sources. The descriptions of the Fries trial are among the most useful documents. Thomas Carpenter's The Two Trails of John Fries on an Indictment for Treason provides a contemporary description. Testimony given at the impeachment trial of Samuel Chase in Washington, DC, in 1805 describes the locations of some furnishings and implacements in the Mayor's Court. As Samuel Chase presided over the Fries trial in May, 1800, attorneys and others present at the Fries trial testified at Chase's trial. The Debates and Proceedings of the Congress of the United States (Eighth Congress, Second Session) contains their testimony.

There are a few useful graphic images. A sketch from John Krimmel's sketchbook (Illustration 1), ca. 1819-1820, may depict the chamber. While the image of the judge's bench parallels a contemporary description (discussed below), a doorway in the background[48] does not conform to the architectural evidence. A sketch of a court chamber in York, PA, where the Circuit Court also met (Illustration 2) provides additional evidence,[49] as do illustrations of English courts (Illustrations 3-5). The architectural restoration of the room by the A.I.A. (completed 1921-1922) left little physical evidence of architectural implacements or documentation thereof.[50]

A. JUDGES' BENCH

The location and size of the judges' bench, or raised platform, are well-documented. Illustration 1, sketched sometime in the first two decades of the nineteenth century, shows a bench, perhaps in the Mayor's Court. An 1821 insurance survey of Old City hall notes:

Judges' bench
Bar

> ...one of the rooms/occupied as the Mayors office--has a bar in the middle/of the floor, rased two steps, & finished with a circular/rail & turn,d banister, pannel'd below about 3 feet wide,/ & a platform at the/south and elevated about 4 feet--...[51]

The description of the bar, oddly, seems to correspond to the Krimmel sketch and the current reproduction of the bench. Limited architectural evidence supports the placement and configuration of the bench (see note 50).

The testimony in 1805 of attorneys and others present at the 1800, Fries trial provides additional evidence. Attorney Edward Tilghman noted that "...the court sat on the south side of the room..."[52] Another attorney, William Lewis, stated that he

> entered the court room when the judges were on the bench...Judge Chase handed, or threw down, to Mr. Caldwell, clerk of the court, one or more papers...[53]

Tables on the raised platform provided a writing surface for the judges (see illustration 2).

B. BAR

While the term "bar" is noted in contemporary documents describing the Fries trial, it is often difficult to determine what the term refers to. Some relevant definitions for the term "bar" are noted in the Oxford English Dictionary:[53]

> 18. A plea or objection of force sufficient to arrest entirely an action or claim at law.
>
> 19. An obstruction, obstacle; a barrier.
>
> III. A rail of barrier acquiring from its use a special technical significance; the space it encloses.

22. The barrier or wooden rail marking off the immediate precinct of the judges seat, at which the prisoners are stationed for arraignment, trial, or sentence.

23. This barrier, as the place at which all the business of the court was transacted, soon became synonymous with: court; esp. in phr. At (the) bar: in court, in open court. Trial at bar: a trail before the full court in which the action or indictment is brought;

b. A (particular) court of law, esp. in the phr. To practice at (such a) bar.

In the Inns of Court

24. A barrier or partition separating the seats of the benchers or readers from the rest of the hall, to which students, after they had attained a certain standing, were 'called' from the body of the hall, for the purpose of taking a principal part in the mootings or exercises of the house. Obs See Barrister. hence the phrases: To be called to the bar: to be admitted a barrister. To cast over the bar: to deprive of the status of a barrister, to disbar.

25. The whole body of barristers, or spec. the barristers practicing in a particular court, circuit, or country.

26. Abstractly (combining 23 and 24): Occupation as counsel, in a court of justice, the profession of a barrister.

Architectural evidence about the placement of the bar is limited and ambiguous (see note 50). A surviving photograph of the restoration in progress (Illustration 6, notation F) shows the "Line of railing corresponding to marks on pilaster. Do [sic] not show on corresponding west side." and notes "the worn floor on this [east] side of the [railing] line." It can be construed from this evidence that a bar was located along at least part of the east side of the chamber at some point in its history.

Pictorial evidence about the bar is also problematical. The Krimmel sketch (Illustration 1 and note 48) does not depict a bar. However, the sketch does not show portions of the chamber that other evidence suggests had a bar. The Lewis Miller sketch of the Court of Quarter Sessions and

Common Pleas in York, PA (Illustration 2 and note 49), shows a bar with two sections: one across the room and one perpendicular to the first along one side.

Documentary evidence suggests only a horizontal bar. The section above on the; judges' bench excerpts the 1821 insurance survey description of a bar in the middle of the floor and its form. A number of comments about the bar were recorded during the Chase trial. Alexander J. Dallas, an attorney at the 1800 Fries trial, commented on some of the implacements

> On the morning fixed for the trial, I entered the court room sometime after the court had been opened. Fries was standing in the prisoner's box, the jurors of the general panel appeared to be in the jury boxes, and the hall was crowded with citizens. On my entrance, I perceived Mr. Lewis & Mr. Tilghman engaged eagerly in conversation, and the gentlemen of the bar, generally, seemed to be much agitated. As soon as Mr. Lewis saw me, he hastened towards me on the outside of the bar... We entered the bar together...[55]

Attorney Tilghman similarly noted

> ...I looked round & saw Mr. Lewis walking from under the gallery, towards the bar: I stepped toward Mr. Lewis, and met him directly opposite the entrance to the prisoner's bar...[56]

William Lewis commented

> I went out of the bar to get somebody to go for him [Dallas] & while I was out of the bar, he entered the room. I briefly stated to him what had taken place, or some parts of it; but I believe, not the whole. We came forward, and we made some remarks, which I am unable to repeat.[57]

Until more conclusive evidence is found, the bar should remain as it is.

JURY BOXES

Jury boxes were elements in the court chamber. Notes of the 1800 Fries trial mention that Charles Deshler, one of the jurors, was "inadvertently separated from his brethren by the crowd, in going out of

the jury box; that he did not know to what place the jury had adjourned..."[58] A.J. Dallas, one of the attorneys during the Fries trial, noted at the Chase trial that "the jurors of the general panel [sic] appeared to be in the jury boxes" [59] during the Fries trial. Attorney Edward Tilghman described the jury box for the Fries trial

> ...It is proper to state that the common jury as soon as the court is opened generally walk forward into the jury box, which holds 11, a chair being placed for the 12th - the other jurors take their seats behind those in another box, or remain in the hall of the court... The jury were not in a situation to have access to the bar table. After the paper lay for some time, several of the bar employed themselves in copying it. I have no recollection that one of the papers were [sic] handed into the jury box.[60]

The three descriptions of the jury's section during the Fries trial vary: Carpenter mentioned a jury box, Dallas jury boxes, and Tilghman spoke so generally that one is not sure if he described the jury box(es) at the Fries trial. However, Tilghman's testimony does address the range of needs for juries that attended the different courts met in the chamber. All three men spoke of jury boxes, rather than benches. No architectural or pictorial evidence was found.[61] The York County Courthouse (Illustration 2) may have had two fixed wood benches. Plans for contemporary court chambers and surviving ones in England, Ireland, and the United States show a range of forms -- rows of high-backed benches and boxes with rows of benches -- and locations -- all jurors' benches together in the center or at one side, or the grand jury on one side and the petit jury on the other.[62] It is recommended that two jury boxes -- with panelled sides and three benches roomy enough for four seated men -- be placed one behind the other. A Windsor side chair (see below, chairs) should be placed to one side of the front box. Illustrations 3 and 4 show two similar forms

for boxes to be used as models. The jury boxes can be placed near the center of either the east or west side, approximately parallel to the stairs to the judges' bench. While it is clear that the jury deliberated outside the court chamber, [63] it is not known whether the jurors met in the Old City Hall or elsewhere.

Prisoner's Box

A prisoner's box was another feature in the court chamber. The testimony at Samuel Chase's trial of a number of attorneys present at the 1800 Fries trial notes the presence of the box and hints at its location. William Lewis noted that he "entered the court room when the judges were on the bench, and, if I recollect rightly, the prisoner was in the bar..."[64] Alexander J. Dallas testified:

> On the morning fixed for the trial, I entered the court room sometime after the court had been opened. Fries was standing in the prisoner's box...[65]

Edward Tilghman commented that he:

> ...looked round & saw Mr. Lewis walking from under the gallery, towards the bar: I stepped toward Mr. Lewis and met him directly opposite the entrance into the prisoner's bar...[66]

William Rawle also noted the location of the prisoner's box, "Judge Chase...desiring the person's between him & the prisoner to stand aside, & addressing himself to John Fries..."[67] The prisoner's area is repeatedly referred to as a "prisoner's box," a term that implies that it was four-sided and could hold one person. Mr. Dallas stated that Fries stood in the box; it will thus not contain a chair. No architectural or pictorial evidence was found. One of the boxes in the lower right corner of Miller's

sketch of the York County Courthouse (Illustration 2) may be the prisoner's box. Plans and prints of contemporary English and Irish court chambers [68] show wood-panelled boxes for prisoner(s). Illustration 3 provides a model for the prisoner's box. It should be placed near the center of the east or west side of the room - whichever does not have the jury boxes - parallel to the stairs to the judges' bench.

Witness Stand

A raised area for the witnesses is a common feature of period court chambers.[69] No documentary, architectural, or pictorial evidence was found for a witness stand in the Mayor's Court. The witness stand was probably large enough for one person to testify while standing. Other witnesses - the numbers varied - may have waited within the bar or, more likely, outside it. A wood-panelled box, similar to those in the lower right of Miller's York County Courthouse sketch (Illustration 2), should be placed in the south third of the chamber, near the Marshall's or Sheriff's table.

III FURNISHINGS

Heating Devices

Heat in the court chamber was provided by a number of sources. The two fireplaces were probably the primary source of heat until 1794. The acquisition of a ten-plate stove was approved in January, 1794.[70] One of the two ten-plate stoves purchased in 1798 may have also been placed in the Mayor's Court.[71] It is likely that a fire was lit in one of the fireplaces if no second stove was purchased. Wool baize tablecloths may have helped keep the occupants warm. Lastly, "Six Stoves & Cups" were bought in 1793.[72] Footstoves with tin cups should be included in the installation.

There are a number of options for depicting the use of a ten-plate stove in the Mayor's Court chamber. One could depict one season year-round--for example, no stove but accoutrements (i.e. a hanger) show the chamber in summer;[73] or a stove and pipes portray the chamber in winter. One could instead follow the seasons by having a stove in the winter and removing all but the accoutrements in the summer. The other documented heating devices, footwarmers, should also follow whichever portrayal is chosen. A fiberglass casting of a period stove, blackened, would make furnishing by season more feasible.[74]

It is recommended that the Mayor's Court be furnished to show a winter session. Independence Hall and Congress Hall show few heating devices used during the period. It would be interesting to provide a contrast all year long to the warm weather images in the Assembly Room, by showing the court chamber equipped for winter use.

Window Hangings

Venetian blinds were probably purchased for both floors of Old City Hall. David Evans recorded the following on 22 August 1791; whether it applies to Congress Hall or Old City Hall is uncertain

The Mayor Alderman & Citizens of Phila[d] Dr

To making 9 Venetian Blinds at L4.10 p Blind	40/10/-
To 5 for Bow Windows Downstairs at L6p -	30/-/-
To Making rails for Curtains one for the Elliptic Circle & one for the Corporation Room	4/10/-
[17 Sept. 1791]	
Received of the Corporation on acct.	37/10/- [75]

As venetian blinds were present in the State House and Congress Hall during the period, it is probable that venetian blinds were used throughout Old City Hall. Reproduction wood blinds, painted green, have been hung throughout the building. The form of the slats for the demilunes is difficult to determine. Both louvered and fan-shaped forms survive.[76] It is recommended that slats in a fan-shaped form be used.

Curtains were probably used, at least partially as window treatments on both floors. The above quotations from Evans' Daybook may support the use of curtains. Curtains, similar to those in the Assembly Room in Independence Hall, were depicted in Miller's sketch of the York County Courthouse (Illustration 2). Careful examination of Krimmel's sketch, (Illustration 1) showed that the "window" is more likely a door; the lines around the top of the door or window are too indistinct to be deemed a curtain. Congress Hall, another public building on Independence Square, had curtains. Short dark green or black wool curtains, similar to those in period illustrations of court chambers (see illustration 4) and to those in Congress Hall (Illustration 7) should be retained from the previous installation.[77]

David Evans' record (above) indiates that a rail for curtains may have been hung from the elliptical piece above the judges platform. The form of the curtains is subject to conjecture. It is unclear whether the curtains were short, decorative ones or if they hung to the floor. The lack of heating devices in Old City Hall during the first years of occupancy and their apparent inadequacy (see clothing) suggest the need for a full curtain. Such a curtain would likely have been divided in the center with panels that could be moved along the rail. However, all other items related to warmth were purchased during the colder months (see heating devices). A long curtain drawn for warmth would block needed light, while a short, decorative one would not. The presiding officers' canopy in the Senate chamber of Congress Hall might be considered a precedent for a decorative curtain in a public building. Until more is known about the form of the curtain for the elliptic circle, it is recommended that none be reproduced.

Floor Coverings

No physical or documentary evidence has been found for carpeting in the Mayor's Court betwwen 1791 and 1800. Neither Krimmel's nor Miller's sketch shows floor coverings. A sampling of illustrations of contemporary court chambers shows no floor coverings.[78] Evidence for a slightly later carpet does exist:

> A letter was received from the City Commissioners informing Council, that they could not procure a Rag Carpet for the Mayors Court Room, as directed by the Mayor & c. and requesting the directions of Councils. Mr. Reynolds presented the following resolution, viz-Resolved by the Select and Common Councils, that the City Commissioners be and are hereby directed and authorized to procure so much good, durable, carpeting as may be sufficient to cover the floor of the Mayors Court Room, and to cause the same to be laid thereon, and that the expense of the same be charged to the contingent fund, The Select Council concurred.[79]

Unfortunately, it is not known whether the rag carpet was intended to replace an earlier, similar carpet or not. The carpet currently in the chamber is based on a reproduction of one shown in a portrait of John Phillips, painted by Joseph Steward about 1793, and on the presence of carpet in Congress Hall[80] (Illustration 7). It is recommended that when the current carpet wears out, it be removed and not replaced unless additional documentation is found.

Coats-of-Arms

Coats-of-arms for the courts that convened in the Mayor's Court chamber from 1791 to 1800 may have been hung. No physical or documentary evidence for a coat-of-arms in the court chamber of Old City Hall was found for the 1791-1800 period. Coats-of-arms hung in both earlier and later court chambers on Independence Square. The coat-of-arms of

Pennsylvania hung in the Supreme Court Chamber in Independence Hall, and perhaps was shipped to Lancaster when the District Court began to convene there in 1809; York had a similar one.[81] The Philadelphia coat-of-arms (S.N. 13.397 oil on canvas, 110"x 66"), painted by John A. Woodside (1781-1852), may have hung in the Mayor's Court after about 1816 or — more likely — in the Common Council chamber on the second floor.[82] In 1820, a silver-painted oar was made for the District Court Room.[83] While Krimmel's sketch shows no coat-of-arms, it depicts only part of a court chamber. If one surmises that coats-of-arms were displayed in the Mayor's Court between 1791 and 1800, there are questions that need to be addressed. Were there two coats-of-arms -- one city and one federal? There is no record of a United States seal displayed at Supreme Court sessions.[84] Where were they displayed? The common location for coats-of-arms seems to be behind and above the judges' bench. This position would not work in Old City Hall, given the presence of three windows. Coats-of-arms could be hung on the east or west wall, or both. One or two coats-of-arms could have been placed on the judges' bench, though none appear in this location in Krimmel's sketch. They could have been displayed on the walls above the steps to the judges' bench. It is recommended that until more is known about the number, dimensions, and location of the coats(s)-of-arms, that none be reproduced.

Figure of Justice

A carved figure of Justice was a fixture in some period court chambers.[85] The painted figure of Justice in Miller's sketch of the York chamber (Illustration 2) is shown hung above the Pennsylvania coat-of-arms. The surviving figure from York served as one of the models for reproducing the documented figure for the Supreme Court chamber in Independence Hall. Until additional documentation for the presence, placement, and size of a figure of Justice is found, it should not be reproduced.

Tables and desks

Many of those working in the court chamber needed writing surfaces to work on. The judges likely sat behind one long table, as they did in the York County Courthouse. The table is depicted in Illustration 2; it is currently displayed in the reconstructed courthouse. The tables now exhibited in the Mayor's Court should remain together to provide the illusion of one long table.

The counsellors and attorneys likely sat at one large table, centered in front of the judges' bench. There in a December, 1798, reference by a Portuguese visitor to an oval table for the lawyers:

> I went today to the Supreme Court...There was a little raised place where seated the four justices, wrapped in great capes and with their hats on their heads because of the cold. There was a table in front of them on which they wrote. On the floor in front of this place there was a circle of seats around an oval table, and here were seated the lawyers. One arose to speak...the attourneys all bare headed but the spectators with their hats on.[86]

While the month of observation indicates that the Pennsylvania Supreme Court is being described, this reference suggests what the table in the Mayor's Court may have looked like. Miller's sketch of the Court of

Tables and desks

Quarter Sessions and Court of Common Pleas, York, PA (Illustration 2) shows an essentially rectangular table, perhaps with rounded corners, centered and near the judges' bench. Two men present at the 1800 Fries trial mention a table for the bar in their testimony at the 1805 trial of Samuel Chase, Edward Tilghman stated:

> I do not recollect that Judge Chase said any more on the first day than what I have mentioned previous to his throwing a paper or papers on the table round which the bar usually sit...Mr. Dallas & Mr. Lewis had some conservation in my hearing, after which they came forward to the bar; the paper, as well as I can recollect, was then handed by Mr. Caldwell, the clerk of the court, to Mr. Lewis. Mr. Lewis cast his eye on the outside of the paper, & looked down, as if he was considering what to say...the court sat on the south of the room, and Mr. Lewis (I think) turned his face full to the Westward, when he used these expressions. The paper lay on the table a considerable time; after which some gentlemen of the bar took it up, & I for one copies it...The prisoner having been brought into court, his counsel had a good deal of conservation in my hearing...The jury were not in a situation to have access to the bar table. After the paper lay for some time, several of the bar employed themselves in copying it. I have no recollection that one of the papers were [sic] handed into the jury box.[87]

Another attorney, William Rawle, further described the arrangement the chamber:

> I think three [papers] were handed down or thrown [sic] down, as it were; my back was to the court, and whether this was done by Judge Chase or the clerk, I know not. I immediately took up the one intended for me & began to read it, but casting my eyes to the opposite side of the table, I saw Mr. Lewis with another copy before him, looking at it, apparently with great indignation, & then throwing it on the table.[88]

In the absence of definitive evidence for an oval table, the rectangular table installed in the Mayor's Court sound remain.

The slant-top desk for the clerk should be retained in the installation, as William Lewis noted that at the 1800 Fries trial:

> ...Judge Chase handed, or threw down to Mr. Caldwell, clerk of the court, one or more papers; but whether I saw them pass immediately from the hands of one to the other, I am not certain. Mr. Caldwell reached one of the papers towards me.[89]

The records of an earlier Circuit Court session mention a report being delivered "at the clerk's table."[90] It is unclear whether any of the documented tables correspond to the "Lock, table & c." purchased in 1792.[91]

Two small tables, one for the tipstaff and one for the marshall, should be displayed. Both men's responsibilities necessitated a writing surface. Miller's sketch of the York court chamber (Illustration 2) shows three tables or desks. As the presence of an assistant clerk and a deputy marshall was noted only during the Fries trial, their likely atypical participation will not be depicted.

Other tables were probably found in the chamber. The purchase of a jug and glasses (discussed below) indicates the use of a table for refreshments. The pembroke table between the windows on the east side of the room and a small table on the judges' bench will hold refreshment containers. The table on the west side of the room will be replaced by a case (see below).

Chairs

Chairs were needed for the judges, lawyers, and court staff. While the chairs were likely made ca. 1790 to 1800, the style or styles are subject to controversy and conjecture. Three large, red-upholstered, scalloped-backed armchairs (S.N.6.024, 6.025, 6.026) in the collection may have been used by the Supreme Court judges. While it is clear that these chairs were used in the buildings on Independence Square, it is not known which buildings and when.[92] One chair has a history of use by the Supreme Court.

It and a similar one have been placed in the Mayor's Court. A third chair is located in the Senate chamber in Congress Hall. These three chairs have a strong stylistic and structural resemblance to one another and to the Senate chairs made by Thomas Affleck. The three chairs are thus attributed to Affleck and dated 1790 or 1793, as is a fourth chair in the collection of the Henry Ford Museum, Dearborn, Michigan. The American Philosophical Society's records indicate that at one time it had one of two chairs used by Bushrod Washington (an associate justice of the Supreme Court from 1798 to 1829).[93]

The number of chairs on the judges' bench is also uncertain. The number of justices varied with each of the courts -- Mayor's, District, Circuit, and Supreme. It is unclear whether chairs, like other furnishings, were purchased for the Supreme Court and adapted to other courts' needs. Based on the choices explained earlier in this report, six chairs -- one for each Supreme Court justice -- should be placed on the platform. The two scallop-backed chairs from the period should remain on the platform, as should four reproductions of the Affleck Senate chairs. When the upholstery on the six chairs deteriorates, it is recommended that they be reupholstered with red leather of the quality used on the chairs in the Senate chamber. Should additional documentation for the presence of scallop-backed armchairs in the court chamber during the period appear, it is recommended that the four reproductions of Senate chairs be replaced with reproductions of the scallop-backed chairs. Of course, should any period chairs that match the scallop-backed chairs become available, the Park should attempt to acquire them.

Windsor chairs would likely have been placed in the court chamber both around the lawyers' table and in other locations. Windsor chairs were used in numerous other court chambers in the Delaware Valley.[94] There is one Windsor chair that is branded "CITY AND COUNTY of PH" and "I. HENZEY."[95] Hornor notes that John Letchworth was the "maker of the Windsors for the new City Hall.[96] It is unclear whether the long-term denizens of the court--clerks, sheriffs, etc.-- might have had chairs with upholstered seats and backs. Windsor chairs that date from ca. 1791 to 1805 have been placed in the room around the lawyers' table. Some chairs placed for use by court staff are upholstered, others are not. Additional Windsor chairs from this period that become available should be acquired for this chamber.

Other Furniture

It seems very likely that new furniture was purchased for Old City upon its completion. The continued use of the other buildings on Independence Square implies that little furniture would have been available to furnish a third building. In August, 1792, the City paid for furniture for Old City Hall:

> John Dunlap's account for printing and John Davis' [an upholsterer] Account for Furniture for the City Hall were read and referred to the Committee of Accounts.[97]

Whether the furniture was intended for the first or second floor of the building is unknown. Also, was the furniture that was upholstered old or new? This reference does indicate, however, that some furniture in Old City Hall was upholstered. Another ambiguous reference to furniture was made a year later:

Clock
Screw press
cases

> The Mayor was requested to procure three dozen of Chairs and proper tables for the purpose of accomodating therewith the Grand and Traverse Jury Rooms.[98]

As these room names are not used elsewhere for Old City Hall, the State House, or Congress Hall, this reference is problematic.

Clock

A clock may have been in the Mayor's Court. None of the illustrations of English, Irish, or American court chamber interiors sampled[99] show clocks. While Miller's sketch of the York court chamber (Illustration 2) shows no clock, a clock with a history of use there survives.[100] Until additional documentation if found, no clock will be displayed in this chamber.

Screw Press

A number of items that were purchased for the courts may have been located in the court chamber or in an office. A screw press was purchased in December, 1792, for the use of the Supreme Court and a "strong table for a Seal Press" was bought in January, 1793. A "Seal of District Court" and "screw for ditto" was purchased in 1791.[101]

Cases

Three cases were purchased for holding papers. A "paper case with drawers and doors for the high court office" was purchased for the Supreme Court.[102] This bill illustrates the presence of an office as well as one of its accoutrements. The placement of "Two Paper Cases and Pidgeon [sic] Holes for keeping Records and Papers"[103] is unclear. Some of the large volume of paper produced by the court may have been stored in the court chamber. A tall locked cabinet should be reproduced and placed between the two windows behind the clerk's desk on the west side of the room. A series

of pigeon holes should be hung behind the door on the same side of the room. Reproduction papers and boxes currently stored on the pembroke table on the west side should be placed in the open case and in the pigeon holes.

Books

Specific reference books that were used in the court chamber are known. These include:

Carolina Laws (2 copies) [104]
Laws of the United States (3 copies) [105]
Journals of Congress, 1774-1789 [106]
Laws of the First Session [Pennsylvania], 1791 [107]
Laws of other States [108]

The chamber would likely contain:[109]

The Holy Bible, 1750-1800 edition
Charles Viner, A General Abridgement of Law and Equity...England, 1746-1758.
An exact collection of the debates of the House of Commons... on London.
Sir William Blackstone, Commentaries on the Laws of England Philadelphia, 1772.
An Institute of the Laws of England
Second Part of the Institutes of the Laws of England
General Abridgement of the Common Law
Acts of the General Assembly

Books and pamphlets on Philadelphia laws would also be appropriate.

Table Coverings

It is likely that most tables in the court chamber were covered with green cloth. First, green baize was a typical table covering in public chambers.[110] Second, there is an ambiguous but useful reference in 1805, "Desks to be covered with new green cloth in City Hall."[111] "New green cloth" infers that green cloth may have been used in Old City Hall before 1805. The word "desk" and the source imply that the green cloth may have covered desks on the second floor of the building, where the Select

Council met. However, the term "desks" could be used less specifically to refer to tables and other furniture in the building. Also, this motion by the Select Council does not specify where in the building the covered tables were. Even if this motion refers only to desks on the second floor of Old City Hall, it is likely that the tables in the Mayor's Court were covered with green baize cloth, probably before this reference.

Miscellaneous Items

A wide range of small items was scattered around the court chamber. A "Jug and glasses" were purchased in 1792 for $1. There are numerous records of stationery and related purchases, such as a ream of foolscap (16" x 13" paper) and 100 quills. Inkwells, ink pots, sanders, wafers, etc. would also have been found in the chamber. A "box for drawing lots for jurors" is another item that -- along with small folder pieces of paper-- belongs in the chamber.[112]

Lawyers' bags

Green wool lawyers' bags would have likely been found in a working court chamber. The bags, closed with drawstrings, would have been used to carry briefs and other legal papers.[113] Illustration 8 shows a lawyers' bag in the foreground of a print of an English court.

Seals

Instruments to apply the courts' official seals on documents would likely have been placed on the clerk's desk. Evidence for the Supreme Court seal exists:

> Ordered, that the Seal of this Court shall be the Arms of the United States, engraved on a circular piece of Steel the Size of a Dollar, with these words in the margin "The Seal of the Supreme Court of the United States" - And that the Seals of the Circuit Courts, shall be the Arms of the United States engraven on circular pieces of Silver of the size of half a dollar, with these words in the margin - Vizt. In the upper part "the Seal of the circuit Court" in the lower part of the name of the District for which it is intended.
>
> Ordered, that the Clerk of this Court cause the before mentioned Seals to be made accordingly, and when done that he convey those for the Circuit Courts to the District Clerks respectively.[114]

The Circuit, Supreme, District, and Mayor's courts would likely have had their own individual seal. The clerk of each court probably retained custody of his court's seal. Since worn seals were probably destroyed, only impressions on period court documents remain.

Lighting Devices

Sunlight and candlelight were the means of illuminating the court chamber in Old City Hall. The presence of venetian blinds and probably curtains underscores the ability and intent to control exterior light and temperature, as well as a desire, perhaps, to decorate the room. The number of candles in use likely varied with the season as well as the time of day.

The courts, inclusively, met at all times of day and throughout the year. Below is a partial list of documented meeting times for various courts:

Court	Date	Time	
Mayor's	17 Dec 1792	Convened	10:00 a.m.[115]
Supreme	6 Feb 1793	Convened	11:00 a.m.[116]
Circuit	27-28 July 1793	Adjourned	8:45 - 9:30 p.m.
		Convened	9:30 - 10:30 p.m.
		Adjourned	10:30 - 11:00 p.m.

Court	Date	Time
Circuit	27-28 July 1793	Convened 11:00 p.m. - 12:00 a.m.
		Convened 6:00 a.m.[117]
Supreme	15 Apr 1794	Adjourned ca. 8:00 p.m.[118]
Supreme	22 Aug 1795	Adjourned until 7:00 p.m.[119]
District	17 May 1797	Adjourned until 9:00 p.m.[120]
Circuit	9 May 1799	Convened 9:00 a.m. - 1:00 p.m.
		Adjourned 1:00 p.m. - 4:00 p.m.
		Convened 4:00 p.m.
		Adjourned [no time noted]
		Verdict 10:00 p.m.[121]
Supreme	ca. 11 May 1799	Adjourned 8:00 p.m. to 10:00 p.m.[122]
Circuit	2 May 1800	Adjourned 8:00 p.m.[123]

The evidence suggests that trials in the Mayor's Court were frequently held at night, at least in part. Work by candlelight in Old City Hall is further illustrated by a statement made about a meeting held there early in October, 1793:

> ...Mr. Smith said that then the [next] meeting would not take place till six o'clock which would throw us into candlelight...[felt by all to be undesirable]...As there were only two candles in the hall, it was impossible to take notes of this discussion. We have therefore trusted to memory alone, and the wanted indulgence of the public...[124]

In summary, trials and meetings were conducted at night as well as during the day. Candles and their accoutrements should therefore be included in the furnishings of the room.

Candlesticks, candles, and snuffers were purchased for the court chamber during the period. Candles were frequently purchased for the Supreme, District, and Circuit Courts.[125] One account is particularly illustrative:

Clement Biddle Esq. for the use of the Circuit Court of the United States.

Bought of James Stokes

1793	April 15	- 1 pr.	Brass Candlesticks		1..5..0
----	"	-----2	----------	19/6	1..19..0
----------		-2 lbs	Candles	13[d]	0..2..2
---------	24	2 pr	Snuffers------	6/	0..12..0
----------		1	----------		0..3..9
----------		2	Candle Sticks	20/6	2..1..0
					L 6..2..11

Received payment in full
James Stokes[126]

Documentary evidence is thus provided for the presence of brass and other candlesticks, candles, and snuffers.

During the darker hours of winter days, when additional light is needed for visitors to see the room, reproduction, electrified candles could be placed on the tables. The electrified candles could be placed out of sight behind the tables at times when daylight is sufficient. Candlesticks and a box of candles placed on a shelf or table at the side would convey that courts met during the evening in summer, too.

Fire buckets

Fire buckets were purchased and hung in Old City Hall during the Supreme Court's occupancy. On 25 July 1792, the Philadelphia City Council resolved that

> ...a committee...procure One hundred fire Buckets well made and painted, inscribed City of Philadelphia, of which shall be kept at the City Hall fifty, and fifty at the Old Court House in Market Street.[127]

Fire buckets were still in place in 1797, as someone reported in the Porcupine Gazette that he ran "to the City Hall for the fire buckets..."[128] The first floor hall is the most probable location for the fire buckets.

Clothing

An observer in 1798 of the Pennsylvania Supreme Court commented on the "four justices, wrapped in their great capes and with their hats on their heads because of the cold."[129] A black wool cape and hat should be placed on the judges' bench.

The Supreme Court justices wore robes during their tenure in Philadelphia. The color of the robes is difficult to determine. One period description refers to "salmon-covered robes," while another notes Bushrod Washington's "black Sattin robe." John Jay's surviving robe at the Smithsonian Institution's National Museum of American History is predominantly black, with white and salmon-colored decoration (mostly near the neck and on the sleeves). A portrait of William Paterson (ca. 1800-1805, owned by the Supreme Court) depicts him wearing a black robe with white-and salmon-colored decoration. It is possible that the period description referred to the salmon-colored decorations, rather than the entire robe. A full-length robe of black cotton should be made and placed, face down, over the back of one of the justice's chairs.

NOTES

[1]Maeva Marcus and James R. Perry, eds., The Documentary History of the Supreme Court of the United States, 1789-1900, 2 vols. (New York: Columbia University Press, 1985), 1:173. From the Federal Judiciary Act of 1789.

[2]Ibid., 1:177,189. Aurora 10 Mar 1796. Dunlap's American Daily Advertiser 19 Feb 1793, cited in History Note Card File, Independence National Historical Park (hereafter, HNCF-INDE). 2,3 Aug 1791 Smooth Minutes, Supreme Court, National Archives, Record group 267, microfilm, INDE.

[3]3 Feb 1794, 6 Feb 1797, 7 Aug 1797 Smooth Minutes, Supreme Court in Marcus and Perry, 1:22, 234, 283, 291.

[4]6 Feb 1797 Smooth Minutes, Supreme Court. Miscellaneous Treasury records of the General Accounting Office, National Archives, Record Group 217, Account #5164. Microfilm, INDE. The Debates and Proceedings of the Congress of the United States, microfilm reel at INDE. No record of payment to deputies for the Supreme Court was found.

[5]Marcus and Perry, 1:157-168.

[6]Miscellaneous Treasury Records of the G.A.O., Accounts 5164, 6494, 6793. Marcus and Perry 1:175. Account 4887, HNCF-INDE.

[7]5 Feb 1795 Smooth Minutes, Supreme Court. John Dunlap and David Hall were witnesses for the case Oswald vs. New York. Marcus and Perry 1:234.

[8]Philadelphia City Directory, 1799.

[9]Marcus and Perry, 1:1-2.

[10]Francis Wharton, State Trials of the United States during the Administrations of Washington and Adams (Philadelphia: T.K. and P.G. Collins, 1849), 90,97,178.

[11]Thomas Carpenter, The Two trials of John Fries on an Indictment for Treason (Philadelphia: William W. Woodward, 1800), 178. INHP catalog #3445. Philadelphia City Directory, 1799.

[12]Wharton, 71, 91, 169.

[13]The Debates and Proceedings of the Congress of the United States. Eighth Congress, Second Session (Washington, DC: Gales and Seaton, 1852), 185-186. Attorney General Rawle included William Biddle, "a student in my office," among the list of people who made copies of a document at the 1800 Fries trial.

[14]Ibid., 107, 177-178, 184-186. This figure includes the District Attorney.

Notes

[15]Grand and petit jurors for Circuit Court sessions, not necessarily held in Philadelphia, were paid on at least two occasions in 1794. Miscellaneous Treasury Records of the G.A.O., Accounts 5164, 5898. Grand juries were present at the 11 Apr 1792 and 16 Apr 1799 sessions in Philadelphia. Sixteen Grand Jurors attended the 1792 session. April, 1792 Minutes of the Circuit Court, National Archives, Record Group 21, Microfilm, INDE. 16 April 1799 entry, Mahlor Dickerson diary, 1782-1801, New Jersey Historical Society, Microfilm at INDE. At a 17 Apr 1800 Philadelphia trial, the jury was composed of 12 men, including one chosen from the bystanders. April 1800 Minutes of Circuit Court, Microfilm, INDE.

[16]Webster's New Collegiate Dictionary (Springfield, MA: G.C. Morriam & Co., 1977), 500,857.

[17]Wharton, 77, 94, 189.

[18]Wharton, 495-525, 548-553. 2-4 May 1799 entries, Mahlor Dickerson diaries. Payments: Misc. Treasury Records, Account 5898(1794), Microfilm, INDE. Interpreter: Ibid., Carpenter, 18.

[19]Misc. Treasury Records of the G.A.O., Account 5164, microfilm, INDE; 10,665 (HNCF-INDE).

[20]Apr 1792 Minutes of the Circuit Court. Miscellaneous Treasure Records of the G.A.O., Accounts 5898 (1794, Microfilm. INDE); 10,818 (1799) HNCF-INDE. It is unclear whether a Deputy District Attourney or a Deputy Marshall was paid; see note 25.

[21]Misc. Treasury Records of the G.A.O., Account 5898, microfilm, INDE.

[22]Ibid., Accounts 5164, 5898, Microfilm INDE. Carpenter, 22. Marcus and Perry, 1:157.

[23]Debates and Proceedings of the Congress, 192.

[24]See note 6 for Supreme Court Misc. Treasury Records of the G.A.O., Acct. #5898; #3365, payment to unnamed cryer (microfilm, INDE). The only Joseph Fox in the Philadelphia City Directory is listed as a house carpenter in 1793, 1794, and 1799; none listed in 1796. Charles Reinback is not listed in 1793, 1794, 1796, and 1799 directories.

[25]Debates and Proceedings of Congress, 166, 174, 177-178. Carpenter, 196. Pennsylvania District Marshall William Nichols lists the "Amount of Contingent Expenses for the Circuit & District Courts during the aforesaid period [30 Mar-May, 1799]," including the pay of his "Deputy, Constables, and the Maintenance of Prisoners." Misc. Treasury Records of the G.A.O., Account 10,818. (HNCF-INDE).

[26]Philadelphia City Directory, 1799. Compilation of locations by Historian David Kimball from Records of the District Court for the Eastern District of Pennsylvania, National Archives, Record Group 21, Microfilm and HNCF-INDE.

14 Nov 1799 Minutes of the Common Council, Mss. Philadelphia City Archives, p. 60; HNCF-INDE.

[27]20 Feb 1792, 11 Feb 1794 Records of the District Court for the Eastern District of Pa; 1792 (HNCF), 1794 microfilm at INDE.

[28]Ibid., 10 May 1791. Misc. Treasury Records of the G.A.O., Account 4164(1793), microfilm, INDE. William Rawle is mentioned once as a Deputy District Attorney and more frequently as the District Attorney.

[29]11 Feb and 20 May 1794 Records of the District Court of PA, microfilm, INDE.

[30]Ibid., 18 and 19 Aug. 1794, microfilm; 8 Aug. 1791, 1 Aug. 1796, 17 May 1792, HNCF-INDE. Misc. Treasury Records of the G.A.O., Account 3347, microfilm, INDE.

[31]Records of the U.S. District Court for the Eastern District of PA. On 23 May 1794, depositions of three witnesses were taken; on 19 Aug. 1794, two witnesses for the prosecution and six for the defense were present. Microfilm, INDE.

[32]Ibid. for presence at District Court trials, see 11 Feb and 6 June 1794, Microfilm. For payments to Marshall, see 10 May 1791, 24 Dec 1792 (HNCF-INDE).

[33]Ibid., 10 May 1791.

[34]Ibid., 10 May 1791. Misc. Treasury Records of the G.A.O., Accounts 4164, 5164, 10,665, 10,818. Microfilm, INDE.

[35]Samuel Caldwell was paid for service as Clerk for the District and Circuit Courts. Misc. Treasury Records of the G.A.O., Accounts 4164 (1793), 5164 (1794). Account 10,818 (1799) provides another reference to a clerk being paid, microfilm, INDE.

[36]Ibid., Account 3347, microfilm, INDE.

[37]19 Aug 1794, Records of the U.S. District Court for the Eastern District of PA, microfilm, INDE.

[38]17 June 1793, 11 Nov 1799, 7 Apr 1800 Mayor's Court Docket Books, Philadelphia City Archives.

[39]Minute Book of the Philadelphia City and County Commissioners, INDE microfilm 390, v. 2, n.p.

[40]18 Dec 1794 Mayor's Court Books, Philadelphia City Archives.

[41]Ibid., 24 Sept. 1792, 3 Apr. 1797, 19 Dec. 1791, 3 Apr. 1797.

[42]Ibid., 17 July 1800.

[43]Ibid., see note 41.

[44]Ibid., 15 June 1795, 1 June 1797.

[45]Philadelphia City Directory, 1796, 1797. 23 Sept 1791, Dunlap's American Daily Advertiser (HNCF-INDE). A notice in Poulson's Daily Advertiser on 29 Oct. 1805 reads "The Mayor's Office is now opened at the City Hall, in the room in which the Alderman's Court was formerly held." (HNCF-INDE).

[46]26 Sept. 1791 Mayor's Court Docket Book

[47]8 Jan. 1798 Porcupine Gazette (HNCF-INDE).

[48]John Krimmel's sketchbooks, now at Winterthur Museum, were produced over an extended period of time and in a number of locations. In the Furnishings Plan for the Supreme Court Chamber, Independence Hall (Independence National Historical Park, 1979), Daniel Sharp dated the sketch 1809 to 1821 and believed it to be "almost certainly" of the Mayor's Court. One researcher at Winterthur dated the sketch ca. 1819-1820. Sketchbook #7 has no dated drawings, but includes some studies for paintings dating from 1814 to 1820. Milo Naeve John Lewis Krimmel: An Artist in Federal America (Newark, DE: University of Delaware Press, 1987), 180, 185. I found the illustration perplexing. A door may be depicted the background, perpendicular to the judges' bench. A man seems to lean on the right jamb. There are some lines near the lintel that are too indistinct to be construed as curtains. The door is placed where one of the windows actually is in the room, and it is the only opening in the wall depicted. The changes in the room configuration between 1813 and 1821 did not occur in the area possibly depicted. Lee Nelson, Historic Structure Report, Old City Hall, Architectural Data Section (Independence N.H. Park, 1970), Part II, 11. While the court depicted is likely a Pennsylvania one, it is uncertain whether it is the Mayor's Court.

[49]Lewis Miller's sketch of the Court of Quarter Sessions and Court of Common Pleas in York, Pennsylvania is also problematical. The sketch, dated 1802, is part of a sketchbook in the Historical Society of York County. As Miller (1796-1882) was five years old in 1801, the sketch was likely done later. The sketch may be based in part upon the recollections of others. 1987 telephone conservation with Gail Dennis, Curator, Historical Society of York County. Miller may have used the court chamber--adapted or not -- as the basis for the sketch in whatever year he drew it. The chamber was renovated in 1814-1815 and the building torn down in 1841. Miller may have been very familiar with the building, as a notation on another sketch states he did carpentry work there.

> Lewis Miller Carpenter/working...At the trade for/Thirty Years, in South Duke Street, York, p.a./done work for the Citizens, and County-/Commissioners-at/the Court house Jail/poor house and county/office and Bridghes. [sic]/and for the _ Borough/at market house&&2.../for the lutheran [sic]/congregation at the/houses and church/[lists about 100 names of individuals].

Lewis Miller, Sketches and Chronicles (York, Pa: The Historical Society of York County, 1966), 9,100. Lastly, a number of artifacts depicted in Miller's sketch survive: the judges' bench, Pennsylvania coat-of-arms (1796), and figure of Justice (1796). These and a fourth artifact (a clock) are displayed in the chamber depicted the period 1777-1778 in the reconstructed court house. Helen M. Gotwalt, Crucible of a New Nation: First York County Court House 1754-1841 (York, PA: York County Bicentennial Commission, 1977), 2, 7, 11, 13, 129-130.

[50]Nelson, Recommendations Section, 18-19. An annotated photograph of the A.I.A. project (copy neg. no. 157.1431, INDE) was examined (Illustration 6). Notations such as: "original holes to receive rostrum framings"; "pilaster originally existed at this level. (Painted Surface). Marks of railing show here. Also on west pilaster."; and "Line of railing corresponding to marks on the pilaster. Do not show on corresponding west rail." imply that architectural evidence was used to determine placement of the judges' bench. The present judges' bench, constructed in the 1920s, differs from that in the Krimmel sketch.

[51]Contributionship Survey Book, 1795-1825, Survey #4045, 29 Dec 1821, 368-369. Survey microfilm reel 9, INDE reel 22.

[52]The Debates and Proceedings of the Congress of The United States, 178.

[53]Ibid., 166.

[54]Sharp, 19-21.

[55]The Debates and Proceedings of the Congress of the United States, 173-174.

[56]Ibid, 177-178.

[57]Ibid, 167.

[58]Carpenter, 179.

[59]The Debates and Proceedings of the Congress of the United States, 173-174.

[60]Ibid, 182-183. There were twelve petit jurymen at portions the 1800 Fries trial, as well as a grand jury. Carpenter, 178. Wharton, 458.

[61]Nelson, 18-19. AIA photo (see note 50) shows only a portion of the room. 1987 discussion with INDE Historic Architect P.H. Batcheler.

[62]Sharp, Illustrations 1, 4, 5, 6, 7, 9, 10, 30, 31, 32, 36, 40, 41.

[63]Carpenter, 175, 199.

[64]The Debates and Proceedings of the Congress of the United States, 166. Also, 107, 174.

[65]Ibid, 173. Dallas commented on a juror, "...his going into the box with this partial mind, deprived the prisoner of that chance which the law determines he shall have. It is necessary that every jury enter this box free from malice." Carpenter, Appendix 2, 14.

[66]Ibid, 177-178.

[67]Ibid, 187. Wharton, 623.

[68]Sharp, Illustrations 1, 4, 6, 9, 22, 31.

[69]Ibid, Illustrations 1, 5, 6, 10.

[70]6 Jan 1794 Minutes of the Corporation, Common Council, Book 1, Vol. 2, Philadelphia City Archives (INDE-HNCF). This reference also notes the purchase of open stoves for other chambers in Old City Hall. On 31 Oct 1791 Hilary Baker was paid for chimney plates for the building. As "chimney plates" is an unclear term that could not be found in standard reference books, one cannot be sure if they were used in conjunction with stoves or not. Nelson, 71, refers to several ten-plate stoves being installed in the Mayor's Court in 1794. This researcher found documentation for only one; records on Old City Hall in INDE Historic Architect's Office, Archives, History Card File, as well as other reports, were checked. As the documentation is clear for only one stove, it is recommended that a second one not be installed unless more evidence is found. Baker was a "prosperous iron monger who became a city councilman and later mayor of Philadelphia." He also supplied stoves and chimney backs for Congress Hall in 1790 as well as the State House. Baker did business with the Cornwall Furnace, Lebanon Co., PA (wholesale purchase of five ten-plate stoves on 22 Oct. 1790); Berkshire Furnace, Berks Co., PA; and Atsion Furnace, Burlington Co., NJ, and likely other furnaces. Samuel Edgerton, Historic Structures Report, Congress Hall, Part II, Chapter III - Architectural Data Section, Supplement 1: "Restoration of Original Heating Apparatus" (INDE, 1961), Sec. III, 5-7, 33.

[71]4 Dec. 1797 Minutes of the Select Council, Philadelphia City Archives (INDE-HNCF): approved additional stove for Council Chamber. 23 Mar. 1798: requested that Henry Schively be paid "...twenty nine pounds fifteen shillings in full for two ten plate Stove pipes & c." In 1803, the city sold "an Old Stove & Pipe & Plate which had been in the Watch Room at the Old Court House." 17 May 1803 City Treasurer Cash Accounts, Philadelphia City Archives (HNCF-INDE).

[72]20 Feb. 1793 Misc Treasury Records of the G.A.O., microfilm at INDE. Clement Biddle bought of Joseph Fox for £ 10...10..0. Fox was also paid for supplying equipment (a sweeping brush) and services (sawing and hauling wood).

[74]INDE Historic Architect P.H. Batcheler suggested a fiberglass stove as a lightweight, more portable, and easier to maintain alternative to a cast-iron stove. An extant cast-iron ten-plate stove at Bridgton

Presbyterian Church in Bridgton, NJ could serve as the model. It is pictured in Philip B. Wallace, Colonial Churches and Meeting Houses (New York: Architectural Book Publishing Co., Inc, 1931), 200-201. A stove in the INDE collection (#8011), made ca. 1780 to 1790, could be used if a new base was fabricated.

[75]22 Aug. 1791 entry, David Evans Daybook, V.II, Historical Society of Pennsylvania. The Aldermen met in the Corporation Room (second floor, south room) in Congress Hall before Old City Hall was completed; the South room on the second floor of Old City Hall bore the same name. As Evans lists blinds for the "New Court house" on 18 June 1790, but lists blinds for Congress in Senate Chamber and Committee Rooms and "Down Stairs in the house of Representatives" on 9 Dec. 1790, he probably would have used the newer terms for chambers on 22 Aug. 1791 if he referred to Congress Hall. Evans supplied and repaired blinds for Congress Hall and to a lesser extent, the State House, during the period. Furnishings Plan for Second Floor, Congress Hall, Part C (INDE, 1963), 70. Historic Structures Report, Congress Hall, Part II, Architectural Data Section (INDE, 1960), 19. Nelson, 8.

[76]Extensive research on venetian blinds undertaken in the 1960s is summarized in Ruth M. Knapp's "Materials on Venetian Blinds" (Unpublished paper, INDE, 1961). The report and other materials are in a folder on venetian blinds in the INDE Museum Office. Extant early nineteenth century blinds in Philadelphia and the Delaware Valley, pictorial sources, and documentary sources were studied. No conclusions about the form of the slats for demilunes in buildings in the Park were included in the report. While detailed drawings were done for demilune blinds with louvered slats, only fan-shaped ones were made. Historic Architect P.H. Batcheler suggested (1987) that the lower louvered slats would need to be very long for use in a building such as Old City Hall. Both historic and modern long wood slats would likely warp or break. The demilune blinds remaining from the A.I.A.'s restorations on Independence Square were thus the likely models for the 1960s reproductions. Local surviving demilune blinds are fan-shaped (Christ Church, Philadelphia, 1820s ?)and louvered (Bridgton Presbyterian Church, Bridgton, NJ, INDE acc. 726; for smaller window, no vertical piece). New England examples also vary: fan-shaped (Customs House, Salem, MA, exterior, ca. 1819-1820; Faneuil Hall, Boston, late 18th-early 19th century) and louvered (Lindenwold, Kinderhook, NY, exterior, with vertical piece, ca. 1810-1830?).

[77]Sharp, illustrations 34, 35, 36. Furnishing Plan for Second Floor, Congress Hall, Part D (INDE, 1965), 30-32, 34, Illustration 8 (from Fiske and Marie Kimball, "Jefferson's Curtains at Monticello," The Magazine Antiques, Oct. 1947, 266-268. Furnishing Plan for First Floor, Congress Hall, Part D, (INDE, 1961), 40-41).

[78]Sharp, Illustrations 29, 32, 34, 35, 36, 38, 39, 40.

[79]6 Dec. 1806 Minutes of the Common Council. Philadelphia City Archives (INDE-HNCF).

[80]The painting, owned by Dartmouth College, is pictured in Harold Peterson, American Interiors (New York: Scribners, 1971), plate 10. Furnishings Plan for Congress Hall, First Floor, Part C, 7-8; Part D, 42-44.

[81]Sharp, 73-104. York had a Pennsylvania coat-of-arms and a figure of Justice painted in 1796; both survive and are shown in Miller's sketch (Illustration 2). Gotwalt, 4-5. No documentary or graphic record of a seal or other symbol being displayed in Supreme Court meeting places has been found. 20 Jan 1988 communication from Mr. James Ketchum, Curator, U.S. Senate, who relayed U.S. Supreme Court historian Dr. Maeva Marcus' findings.

[82]See S.N. 13.397 file at INDE and Sharp, 89-104. Philadelphia: Three Centuries of American Art (Philadelphia, PA: Philadelphia Museum of Art, 1976), 307-308.

[83]Misc. Treasury Accounts of the G.A.O., Account 41, 751, R.G. 217, National Archives, INDE-HNCF.

[84]Telephone conversation with Diane Scravillo, Office of the Curator, Supreme Court of the United States.

[85]Sharp, 105-115.

[86]Robert C. Smith, "A Portugese Naturalist in Philadelphia, 1799," Pennsylvania Magazine of History and Biography (1954), 71-106. This reference also served as the documentation for the selection of an oval table for the Supreme Court Chamber in Independence Hall.

[87]The Debates and Proceedings of the Congress of the United States, 177-178, 183. Chase mentioned that attourney William Lewis "laid it down on the table before him," 108.

[88]Ibid, 184-185.

[89]Ibid., 166. Edward Tilghnan testified similarly, 178.

[90]Wharton, 201.

[91]Misc. Treasury Records of the G.A.O., #3344 (Feb 1792), $2.37, microfilm at INDE.

[92]For a detailed analysis of these chairs, see Appendix 3 of the Furnishings Plan for the Second Floor of Congress Hall, Part D, pp. 157-161; a summary is found in Sharp, Furnishings Plan for the Supreme Court Chamber of Independence Hall, pp. 150-153. William Horner's Blue Book (Washington, DC: Highland House, 1935, 1977), p. 185, states that the chairs were made for the Supreme Court by Thomas Affleck and depicts two of INDE's chairs and one now at the Henry Ford Museum, Dearborn, Michigan, (at that time in the collection of Mr. and Mrs. Charles B. Lewis).

Notes

[93]According to Mr. Murphy Smith of APS, in a telephone conversation on 28 Apr 1987, Bushrod Washington gave a chair to each of his two nephews. One chair was left with a Rev. Allis for safekeeping during the Civil War. Both nephews died during the war. Rev. Allis donated the chair to APS. His upcoming book on APS' artifact collections will include a description of the history of the Bushrod Washington chair. APS has a second chair of this style that was donated in 1946. Mr. Smith says it appears to have been made relatively recently. The location of the second chair with a Bushrod Washington history is unknown. In January 1798, six arm chairs for the judges of the Court of Common Pleas were purchased from Anthony Steel for $45.00. If local judges sat in arm chairs that costly, upholstered arm chairs for the Supreme Court justices are probable. 4 Jan. 1798 Minute Book of Phila. City and County Commissioners, Public Records Office, Harrisburg, PA (HNCF-INDE).

[94]Sharp, 145. York County chamber (Illustration 2).

[95]12 Jan. 1988 communication from collector Stanley P. Sax, Birmingham, MI. The chair has a history of descent from Joseph Smith, a Philadelphia alderman, justice of the peace and clerk of Pennsylvania Supreme Court, and use in Independence Hall. The Pennsylvania State Assembly paid Henzey £ 61.5.0 for chairs on 13 Apr. 1791. Disbursements, Reg. Gen, 1790-1791, PA State Archives, Harrisburg, PA; Journal of the Senate of PA, 1790, 267; Report, Committee & Accounts 13 Apr. 1791, Folder 8, Box 9, McAllister Miss., HSP (HNCF-INDE). Independence N.H. Park has used these references to document the presence of windsor chairs in Congress Hall. Sax's bow back side chair was likely made c. 1790. A history of use of the chair on Independence Square is a safer assumption than an association with a specific building, although the brand "CITY AND CO. OF PH" suggests use on the second floor of Old City Hall.

[96]Horner, Blue Book, p. 185. Letchworth was active from 1785 to 1808. Philadelphia City Directories. A windsor chair with a history of use in Old City Hall formerly loaned to the City Collection (S.N.6.032) is owned by the Historical Society of Pennsylvania. According to S.N.6.032 catalog card: "One of a set used by the Committee of Safety of PA during the Revolution and was later by the early Philadelphia City Council." It was made well after 1800. The chair is likely the one referred to by Wilfred Jordan (Independence Hall Curator, 1922) in his statement "The chair and the inkstand on the desk are original they were used by the old City Council prior to 1800 in the Council chamber Old City Hall, I have secured these for exhibition purposes." City Hall Committee of Records, Independence Hall Papers, Curators files, 1922. INDE Historian M. Yoelson noted (HNCF-INDE) in 1954 that the chair and inkstand were shown in City Negative #18452 (taken 8 Feb. 1922; transferred from INDE to Philadelphia City Archives). Negative #18452 shows the post-1800 windsor chair and a round pewter inkwell that broadens slightly at the base and has numerous incised lines. The photo is labelled "original chair & inkstand used by City Councils." Negative #18451 (at INDE) shows the same chair.

Notes

[97]Minutes of City Council, 1783-1793. Photostat, Philadelphia City Archives, original at Historical Society of Pennsylvania, 40 (HNCF-INDE). John Davis is listed as an upholsterer in the 1791 and 1792 Philadelphia City Directories.

[98]5 Aug. 1793 Minutes of Common Council Phila. City Archives (INDE-HNCF).

[99]Sharp, Illustrations 27-41.

[100]The narrow rectangular case appears to be about six feet high. It was made by Godfrey Lenhardt, a York, PA clockmaker who was active 1779-1819. Gotwalt, 13. Brooks Palmer, The Book of American Clocks (NY: MacMillan, 1959), 232.

[101]Misc. Treasury Records of the G.A.O., #4887 (HNCF-INDE). The table was purchased from Samuel Williams for £1...10..0; the press table was bought from John Dorsey for £6. Whether the seal was purchased was purchased for York or Philadelphia, PA is unclear, #1833-1834 (HNCF-INDE). For an example of the impression the seal made and the mechanism for making it, see Richard Patterson, and Richardson Dougall, The Eagle and The Shield: A History of the Great Seal of the United States (Washington, DC: GPO, 1976), 469, 472. 475-476.

[102]Misc. Treasury Records of the G.A.O., #4887 (HNCF-INDE). The paper case was purchased from Lesley Eastburn for £ 5-7-6 in April, 1793.

[103]Misc. Treasury Records of the G.A.O., #5164 (28 Feb 1794), $24, microfilm, INDE.

[104]Waste Book of Robert Aitken, Library Company of Philadelphia, Col. 19. (HNCF-INDE).

[105]Misc. Treasury Records of the G.A.O., Acct #4164 (1793, microfilm, INDE), #4887 (1793, HNCF-INDE). 23 Feb 1799 letter James Hillhouse, Philadelphia to Simeon Baldwin, New Haven, Baldwin Collection, Yale University (and INDE microfilm), "I have applied to the Secretary of State on the subject of sending the laws of the U.S. to the clerks of the Circuit Court..."

[106]27 Feb. 1796 Smooth Minutes of the Supreme Court of the U.S. (microfilm, INDE). The court ordered that "...the clerk of this Court request the Secretary of State to grant for the use of this Court a set of the Journals of Congress of the United States up to the time of the new government; or, if that cannot be done, to permit them to be brought up to Court from time to time during the Session thereof, the Clerk returning them the end of every session." INDE Historian Emeritus David Kimball believes the relevant journals would be from 1774 to 1789.

Notes

[107]Warrants and Receipt Book, 1790-1793. Records of Secretary of the Commonwealth, RG 26, Dept. of State, PA State Archives, Harrisburg, PA (HNCF-INDE).

[108]3 Feb 1796 Rough Minutes of the Supreme Court of the U.S. (HNCF-INDE). "The Attorney General of the United States proposed for the consideration of the Court, that the Clerk of this Court should purchase for the use of this Court the Laws of the several States." Several books of Pennsylvania laws and papers were sent in a box to the Clerk of the Mayor's Court on 22 Aug. 1800 from Lancaster. Folder, Aug. 15-31, 1800, Exec. Corr. Box 23, Secretary of the Commonwealth of PA, PA State Archives (HNCF-INDE).

[109]Sharp, 164-168. During the Fries trial, cases were quoted from State Trials, Cook, Keyling, Hale, and Holt. Carpenter, Appendix 2, 13 and Wharton, 628.

[110]Sharp, 157-158.

[111]7 Aug 1805 Minutes of Select Council, Philadelphia City Archives (HNCF-INDE), 145, 148.

[112]Misc. Treasury Records of the G.A.O., #3447 for jug and glasses, $26.61 for Stationary; #5164, Marshall reimbursed for stationary (1794). #4887 for foolscap at $2.50 and quills at $1.00 in April, and $15.75 for stationary in December, 1793 from Thomas Dobson; #6793, $12.62 to William Young for stationary (1795); #1833-1834 for box (HNCF-INDE).

[113]Sharp, 169-170.

[114]Smooth Minutes of the Supreme Court of the U.S. Date on mss. is 3 Feb. 1789, later corrected to 3 Feb. 1790; discrepancy also noted on note card. (HNCF-INDE)

[115]13 Dec. 1792 Dunlap's American Daily Advertise. See INDE History Card File for frequent references to Mayor's Court meeting 10 a.m. to 1 p.m.

[116]Minutes of U.S. Supreme Court (HNCF-INDE).

[117]Minutes of Circuit Court (HNCF-INDE).

[118]Library of Congress, Personal Papers, Vol. J, Folder Jay, John (HNCF-INDE).

[119]Smooth Minutes of the U.S. Supreme Court, (HNCF-INDE).

[120]Minutes of the U.S. District Court for Eastern District of PA, (HNCF-INDE).

Notes

[121]Mahlor Dickerson Diary (1782-1801), New Jersey Historical Society, Microfilm, INDE.

[122]James Iredell to Hannah Iredell, 11 May 1799. North Carolina State Archives, Raleigh, NC. Charles E. Johnson Collection, P.C. 235, Folder 1799 (HNCF-INDE).

[123]Minutes of the Circuit Court (HNCF-INDE).

[124]3 Oct 1794 Philadelphia Gazette (HNCF-INDE). Meeting was held to discuss severing communication with Baltimore because of its epidemic.

[125]Records of City purchases of candles, etc. were not found. Numerous records of purchases for federal courts are found in the Misc. Treasury Accounts of the G.A.O. #4164, 4 June 1793, "J. Fox's Account for Wood & Candles, "$4.21, Microfilm, INDE. #1833-1834, 10 Dec. 1791, $6.42 for candles; #4487, 20 Dec. 1793, "Candlesticks, Candles, &c., "$16.30; #5958 (June 1794), "Joseph Messon for a box spermaceti candles (few used)," $15.33 (HNCF-INDE).

[126]Ibid, #4887, April 1793 (HNCF-INDE).

[127]Minutes of City Council, 456-457 (HNCF-INDE). Later that year, Alexander Carlisle was paid for "Pins &c. to hang the fire Buckets amounting to £ 1...15...5," 460.

[128]7 Oct. 1787 Porcupine Gazette (HNCF-INDE).

[129]Smith, 71-106.

[130]Salmon-colored robe, 9 Feb 1793 Dunlap's American Daily Advertiser; black satin robe, 28 Apr 1799 letter from Elizabeth Powell to Bushrod Washington, Mount Vernon Memorial Library (HNCF-INDE). Paterson, pastel on paper attributed to James Sharples, U.S. Supreme Court. See INDE Museum Office reference file, "Supreme Court."

FURNITURE

Clerk's desk. Mid-eighteenth century, English (INDE 10348). Need to acquire late eighteenth century one, preferably made in U.S.
Sheriff's table. Reproduction (INDE 10561)
Marshall's table. Reproduction (no #)
Refreshment table. For water, etc. Reproduction (INDE 10562)
Pembroke table. Late eighteenth century (INDE 11621)
Lawyers' table. Reproduction (no #)
Judges' table (3). Reproduction (no #)
Windsor side chairs. Philadelphia, ca. 1791-1800 (INDE 11998, 1092, 8266, 11101).
Windsor arm chairs, Philadelphia, ca. 1791-1800 (INDE 8561, #11824, 1096, 8741).
Upholstered arm chairs. Scallop-backed, ca. 1790-1793. (INDE 11830/S.N. 6.024, INDE 11832/S.N.6.026).
Upholstered arm chairs. Congress Hall type, Reproduction (10398-10398).
Case. Reproduction.
Jury boxes (2). Reproduction.
Prisoners' box. Reproduction.
Witness stand. Reproduction.
Pigeon holes. Reproduction.

METALS

Andirons. 2 pairs. American, ca. 1791-1800 (INDE 13750, 13751).
Inkstands. Pewter. American or English, late eighteenth century or reproduction (INDE 8844, 10649, 13752, 6710, no # (2)).
Ink wells. Pewter. American or English, late eighteenth century or reproduction (INDE 13502, 6697, 13501).
Candlesticks. Brass or hogscraper. English or American, late eighteenth century or reproduction (INDE 6193, 4354, 4386; 3 reproduction).
Snuffer. Late eighteenth century.
Tobacco boxes (2). Late eighteenth century.
Ten-plate stove. Ca. 1794, or reproduction.

BOOKS

See book list in text. All books listed need to be acquired, as ones in installation were removed from Todd House law library.

OTHER

Footwarmers (6). Late eighteenth or nineteenth century. Tin and wood (INDE 10669, 12147, 10681, 13510). Need to acquire 3, one to replace 13510.
Walking sticks (2). Late eighteenth or nineteenth century. (INDE 13745/S.N.24.068 to be used in interim.
Ballot box. Late eighteenth or nineteenth century, wood (INDE 8077).
Sander. Late eighteenth or nineteenth century, wood (INDE 6710).

Document box. Late eighteenth century, Philadelphia or Delaware Valley (INDE 11939).
Pipes. Reproduction (no #).
Papers and pamphlets. Reproduction (no #).
Box, cardboard storage. Reproduction (no #).
Quills. Reproduction (no #).
Curtains. Reproduction (no #).
Venetian blinds. Reproduction (no #). Fan-shaped demilunes need to be made.
Tablecloths (5). Reproduction, green wool baize (no #).
Lawyers' bags (4). Reproduction (no #).
Tipstave. Reproduction.
Candle box. Late eighteenth or nineteenth century or reproduction.
Fire buckets (50). Reproduction. Marked "City of Philadelphia."
Screwpress.

Clothing

Judges' robe. Black cotton, reproduction.
Cape. Black wool, reproduction.
Hat.

Ceramics and glass

Jug. Stoneware, American, late eighteenth or nineteenth century (INDE 3797).
Pitchers (2) American or English, late eighteenth century, earthenware (INDE 13746; 13744/S.N.27.114) should be replaced with earlier one.
Tumblers (5). glass. English or American, late eighteenth century (INDE 13360, 10964, 13747, 13748, 13749).
Bottle Glass. American, late eighteenth or nineteenth century (INDE 7111).

SELECTED BIBLIOGRAPHY

A. Primary Sources

Aurora, 1791-1800.

Carpenter, Thomas. The Two Trials of John Fries (Philadelphia: William Woodward, 1800).

Contributionship Survey Book 1795-1825, Survey #4045 29 Dec 1821. Microfilm at Independence National Historical Park (INDE).

Mahlor Dickerson Diaries, New Jersey Historical Society.

Dunlap's American Daily Advertiser, 1791-1800.

David Evans Daybook 1774-1812, Historical Society of Pennsylvania.

Mayor's Court Docker Book #1791-1800, Philadelphia City Archives.

Minutes of the Circuit Court 1791-1800, National Archives. Microfilm at INDE.

Minutes of the Corporation, Common Council 1791-1800. Philadelphia City Archives.

Minutes of the Select Council 1791-1800. Philadelphia City Archives.

Minutes of the Supreme Court (Rough and Smouth) 1791-1800, National Archives. Microfilm at INDE.

Miscellaneous Treasury Records of the General Accounting Office 1751-1800, National Archives. Microfilm at INDE.

James McHenry, Philadelphia to Uriah Tracy 10 May 1799. Inde #7733. One letter in correspondence related to Fries trials, #7724-7742.

Philadelphia City Directories 1791-1800.

Records of the Circuit Court of the Eastern District of Pennsylvania, 1791-1800, National Archives. Microfilm at INDE.

B. Secondary Sources

Davis, William. The Fries Rebellion. Doylestown, PA: n.p., 1899; reprint ed., New York: Arno Press, 1969.

Debates and Proceedings in the Congress of the United States. Washington, DC, 1831-56. 8th Congress, Second Session.

Bibliography

Elsmere, Jane Shaffer. "The Trial of John Fries." Pennsylvania Magazine of History and Biography Vol. CIII #4 (October 1979).

Gotwalt, Helen. Crucible of a New Nation: First York County Court House 1754-1841. York, PA: York County Bicentennial Commission, 1977.

Haw, James et al. Stormy Patriot: The Life of Samuel Chase. Baltimore, MD: Maryland Historical Society, 1980.

Horner, William Macpherson, Jr. Blue Book of Philadelphia: William Penn to George Washington. Philadelphia: n.p., 1935.

McKee, Griffith. The Life and Correspondence of James Iredell. New York: D. Appleton & Co., 1857; reprinted., New York: Peter Smith, 1949.

Marcus, Maeva, and Perry, James R. The Documentary History of the Supreme Court of the United States, 1789-1800, Vols. 1 and 2. New York: Columbia University Press, 1985.

Lewis Miller: Sketches and Chronicles. York, PA: The Historical Society of York County, 1966.

Presser, Stephen. Studies in the History of the United States Courts of the Third District. Washington, DC: U.S. Government Printing Office, 1982.

Wallace, Philip B. Colonial Churches and Meeting Houses. New York: Architectural Book Publishing Co., Inc., 1931.

Wharton, Francis. State Trials of the United States During the Administrations of Washington and Adams. Philadelphia: T.K. and P.G. Collins, 1849; reprinted., New York, 1970.

Independence National Historical Park Research Reports

Colburn, Robert. Furnishings Plan for the Second Floor of Congress Hall, Parts A-C, TS., 1963.

Dorman, Charles. Furnishings Plan for the Assembly Room, Independence Hall, Parts C-F, TS., 1970.

Edgerton, Samuel Y. Historic Structures Report, Part II, on Congress Hall, Chapter III, Architectural Data Section, Supplement No. 1, Restoration of Original Heating Apparatus. TS., 1961.

Kimball, David A., Hanson, Frederick, and Matzkin, Ruth K. Furnishings Plan for The First Floor of Congress Hall, Parts A-E, TS., 1961.

Bibliography

Matzkin, Ruth K. Materials on Venetian Blinds, TS., 1961.

Milley, John C. Furnishings Plan for the Second Floor of Congress Hall, Part D., TS., 1963.

Nelson, Lee. Historic Structure Report, Old City Hall, Architectural Data Section, TS., 1970.

Sharp, Daniel. Furnishings Plan for the Supreme Court Chamber, Independence Hall, TS., 1979.

Historic Structures Report, Congress Hall, Part II, Architectural Data Section, TS., 1960.

Furnishings Plan for the First Floor, Old City Hall, TS., 1959.

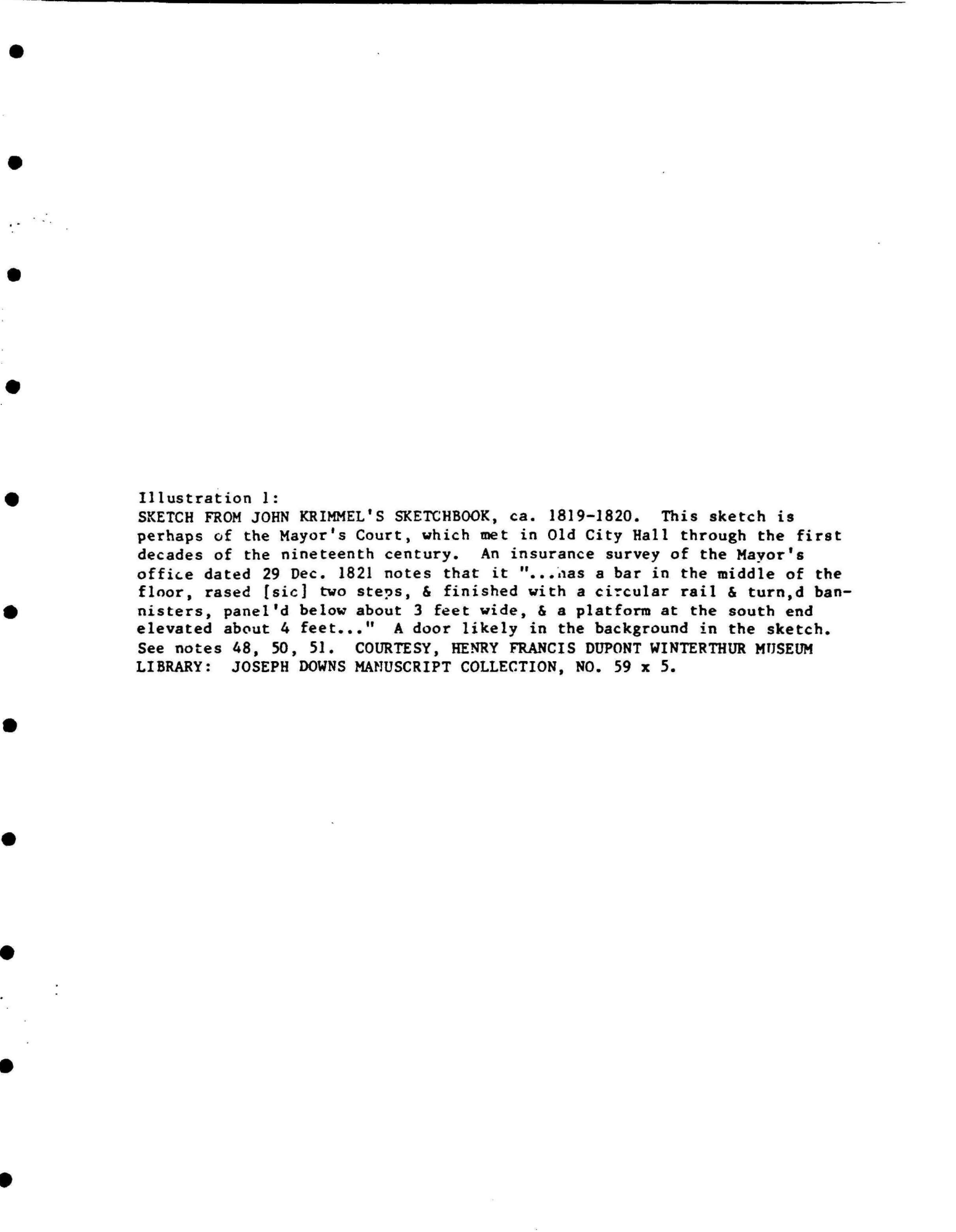


Illustration 1:
SKETCH FROM JOHN KRIMMEL'S SKETCHBOOK, ca. 1819-1820. This sketch is perhaps of the Mayor's Court, which met in Old City Hall through the first decades of the nineteenth century. An insurance survey of the Mayor's office dated 29 Dec. 1821 notes that it "...has a bar in the middle of the floor, rased [sic] two steps, & finished with a circular rail & turn,d bannisters, panel'd below about 3 feet wide, & a platform at the south end elevated about 4 feet..." A door likely in the background in the sketch. See notes 48, 50, 51. COURTESY, HENRY FRANCIS DUPONT WINTERTHUR MUSEUM LIBRARY: JOSEPH DOWNS MANUSCRIPT COLLECTION, NO. 59 x 5.

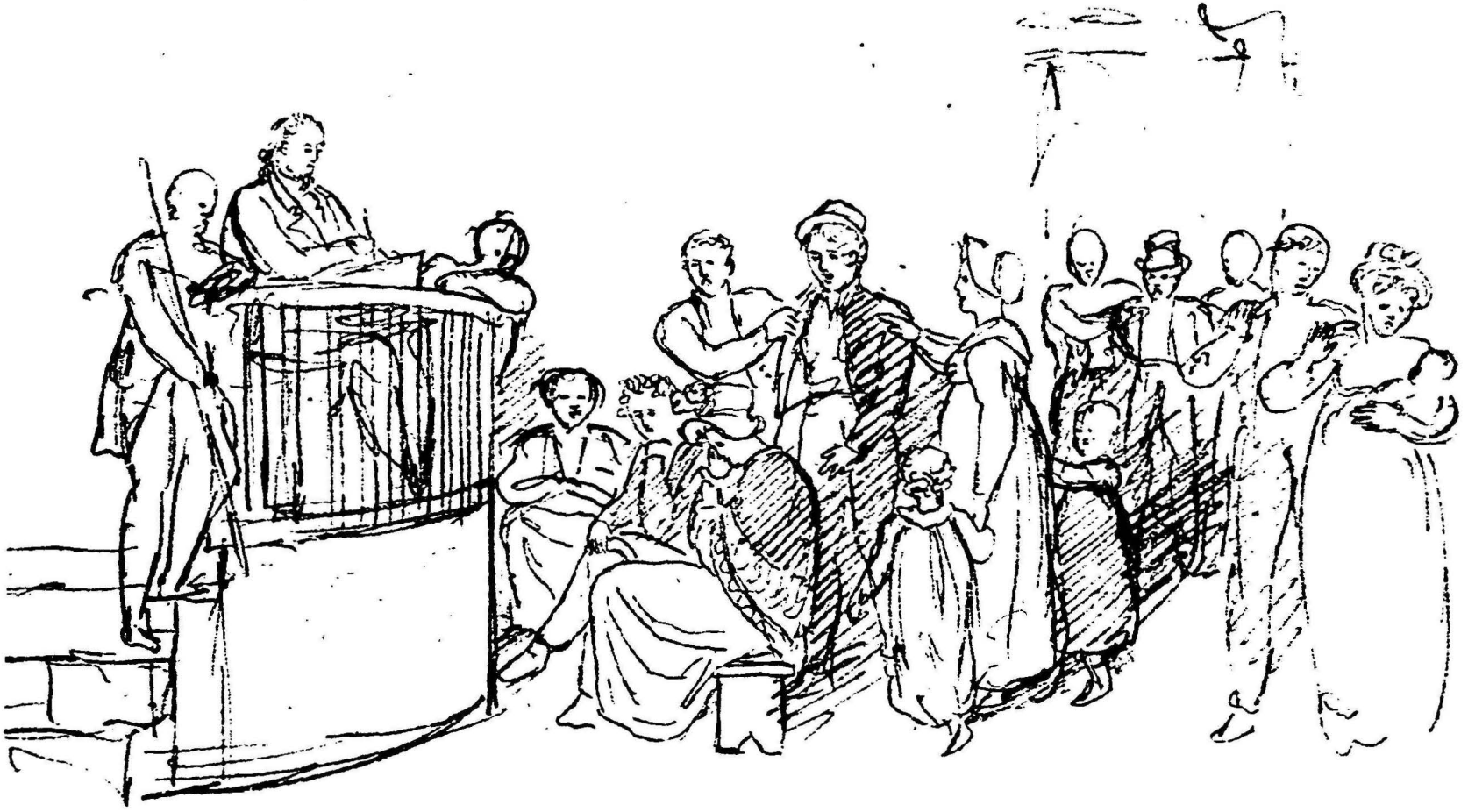
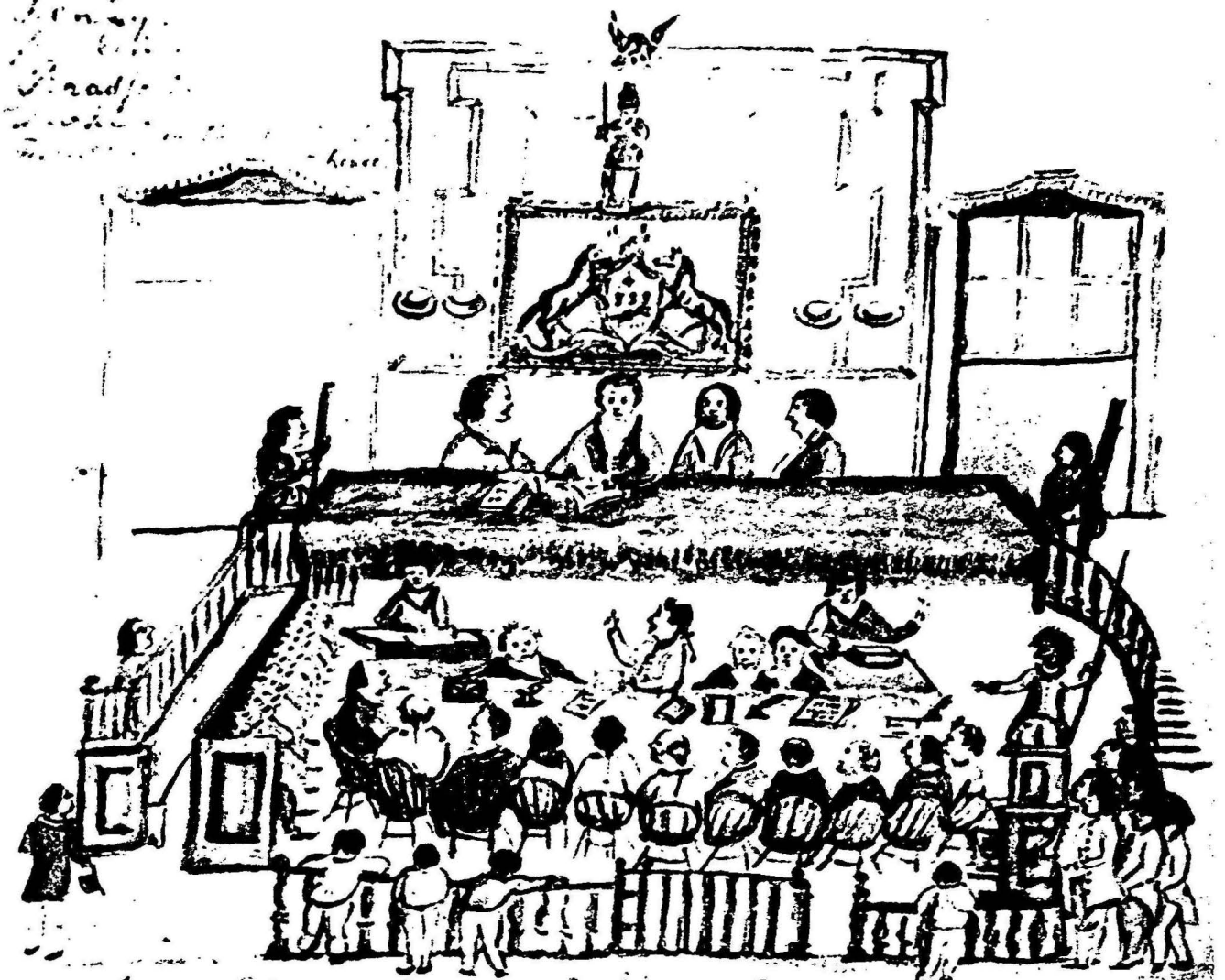


Illustration 2:
SKETCH: COURT OF QUARTER SESSIONS AND COMMON PLEAS, YORK, PENNSYLVANIA. Pennsylvania German folk artist Lewis Miller (1796-1882) likely executed the sketch after 1801. While Miller's sketch provides a rare glimpse of an early court house interior, it is problematical. Miller was five years old in 1801. The court house, built from 1754 to 1756, was torn down in 1841. In 1796 the spectators' gallery was renovated, the arms of the state of Pennsylvania and a figure of justice were added, and some tables and chairs were purchased. Other renovations were made in 1793 and 1814 and 1815. The dates of other drawings by Lewis and the assessment of local historians suggests that Lewis combined the recollections of "old timers" with existing structures to portray places and events. Lewis' sketch is in keeping with the surviving arms, figure of justice, and judges' bench. It should be noted that in the colored sketch, the judges' bench is covered with green cloth and that the coat-of-arms is strikingly similar to one in the Supreme Court Chamber in Independence Hall. HISTORICAL SOCIETY OF YORK COUNTY, INDE Negative #4551.



Judge. Henry. Rudisell. Robinson. Glasgow. Sheriff —
nicholas Gelpcke. Court Crier. William Norris. Clerk of Court. Charles.
handly. Attendants of law. Bowie. Ruff. Kelly. Clark. Smith.
montgomery Caesar. Chassat. Duncan. Lucas. Hockens. Stroman
Burnside. Barber. Constable. Negro. Associate Judge Hostetter.
George Harris. Winkel. Jacob F. Wentz Judge Franklin. Shirkey.

Illustration 3:
PRINT: INTERIOR OF THE CROWN COURT OF HARTFORD, ENGLAND. COURTESY OF THE FREE LIBRARY OF PHILADELPHIA, RARE BOOK DEPARTMENT, CARSON COLLECTION. INDE Negative #3803.

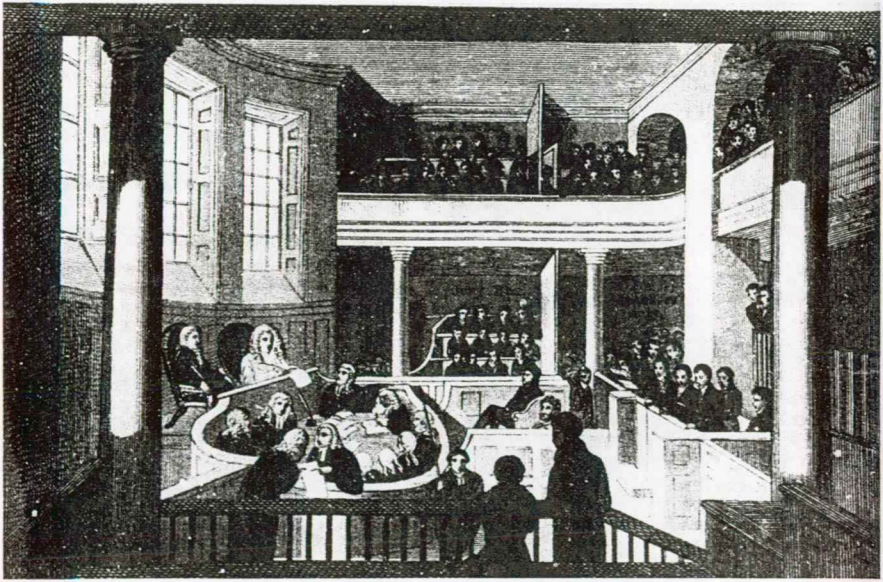


Illustration 4:
PRINT: "OLD BAILEY", BY ROWLANDSON & PUGIN. From, The Microcosm of London or London in Miniature, Volume II, (London, 1800), page 211. COURTESY OF THE FREE LIBRARY OF PHILADELPHIA, RARE BOOK DEPARTMENT, CARSON COLLECTION. INHP NEG. NO. 3805.

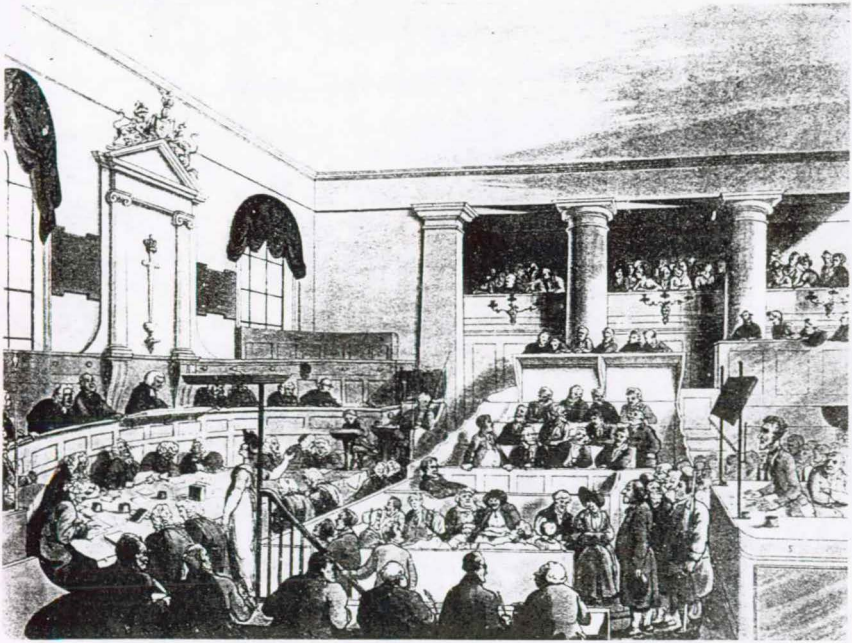


Illustration 5:
PRINT OF A TRIAL IN DUBLIN, IRELAND. September 20, 1803. The two figures on either side of the prisoner (standing and talking) are probably the crier (on the near side) and a witness (standing on the far side). FROM A BROADSIDE PRINTED AND PUBLISHED BY J. SHEA. NATIONAL LIBRARY OF IRELAND, PHOTOGRAPHIC DEPARTMENT.

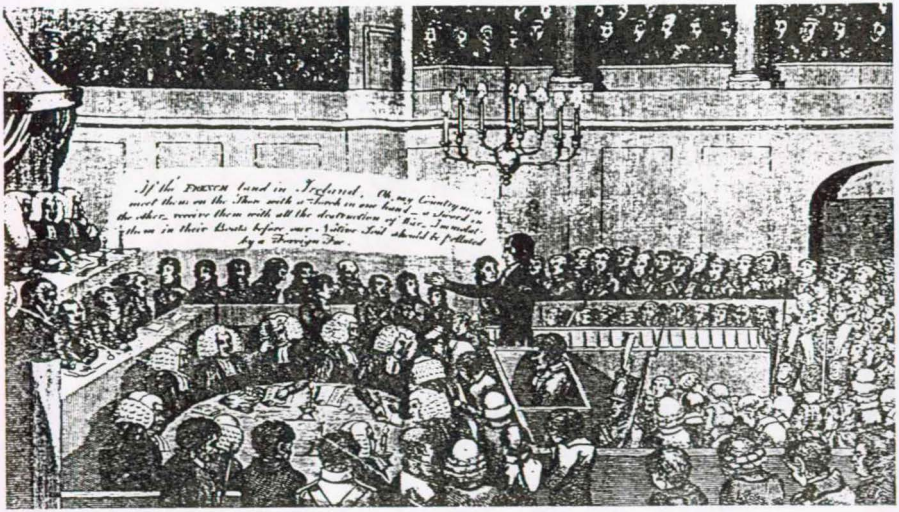

If the French land in Ireland, Oh my Country men meet them on the Shore with a Sword in one hand & a Sword in the other, receive them with all the destruction of Fire & Sword in them in their Breasts before our Native Soil should be polluted by a Foreign Foe.

Illustration 6:
ANNOTATED PHOTOGRAPH OF THE A.I.A. RESTORATION OF THE MAYOR'S COURT, 1917. Notations such as "original holes to receive rostrum framing;" "pilaster originally existed at this level. (Painted surface) Marks of railing show here. Also on west pilaster."; and "Line of railing corresponding to marks on the pilaster do not show on corresponding west rail.." imply that architectural evidence was used to determine the placement of the judges' bench. Copy Neg. 157.1431, INDE.

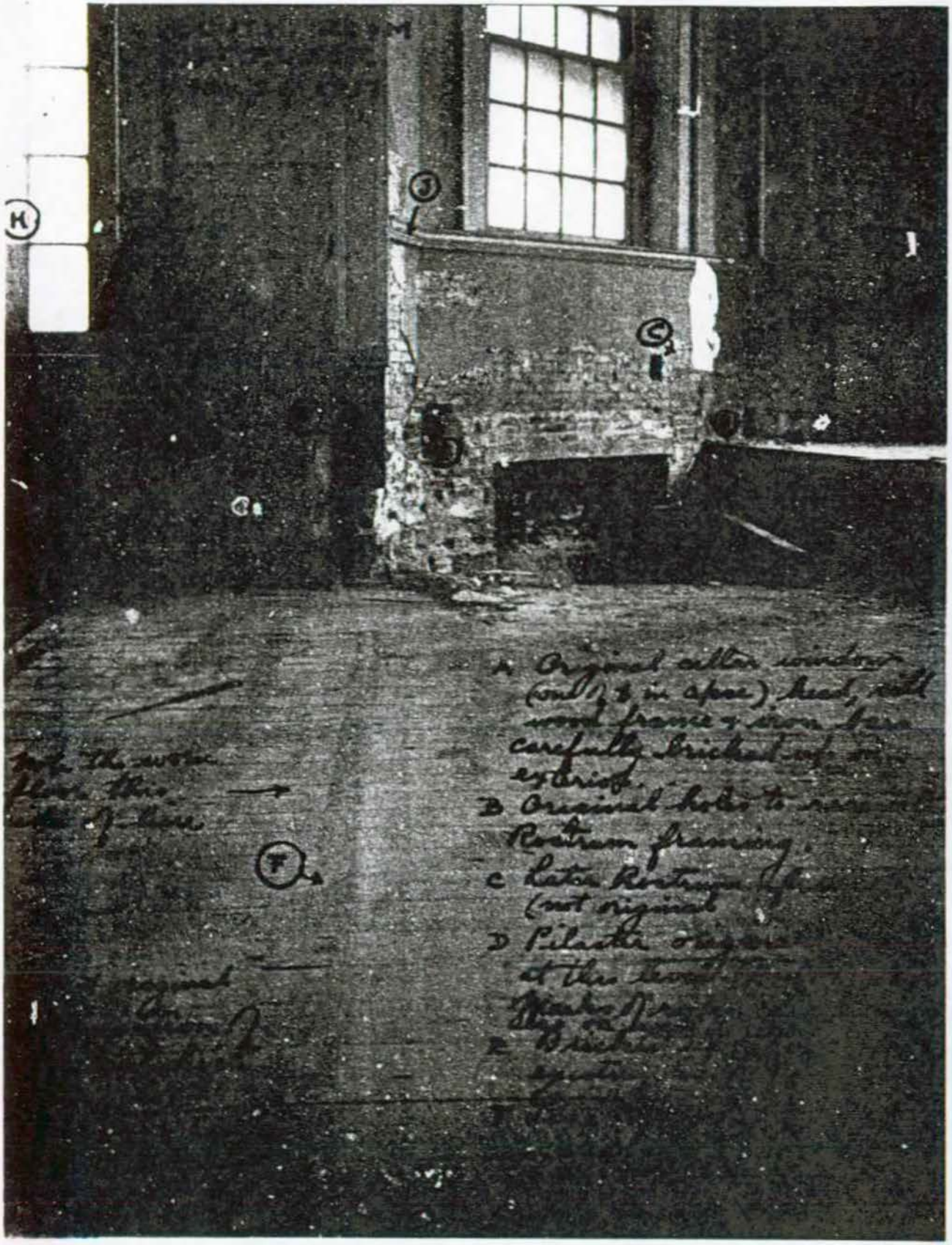

K
J
I
G
F
A Original cellar window (only 3 in place) head, sill wood frame & iron bars carefully stricken out in exterior
B Original holes to receive Rostrum framing
C Later Rostrum (not original
D Pilaster

Illustration 7:
CARTOON, "CUDGELING AS BY LATE ACT IN CONGRESS....". Cartoon representation of the Lyon-Griswold encounter in February 1798. The artist is not known. Depicts the interior of the House of Representatives chamber in Congress Hall. Note floor and window treatments. COURTESY, ESSEX INSTITUTE. INDE negative #6380.


CUDGELING as by late ACT in CONGRESS, U.S.A. or

Illustration 8:
NINETEENTH CENTURY PRINT OF ENGLISH COURT CHAMBER. Note lawyers' bags in foreground. FREE LIBRARY OF PEILADELPHIA, CARSON PRINT COLLECTION.
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