

fit of the statute. But, replied the judge, I can't sign the paper till you have paid all your debts; you must pay your debts first. Upon this point he was inexorable, and the applicant was forced to seek elsewhere the relief he desired."

"The first incumbents of the Herkimer Court of Common Pleas, which then (1793) included Oneida county," writes Judge Bacon in his "Early Bar of Oneida," 'were three fair-minded, intelligent and upright laymen, viz., Heinrich Staring, Judge, and Jedediah Sanger and Amos Wetmore, Justices. Of the first of these men (Judge Staring), a very graphic and just sketch is given by the late William Tracy of the New York Bar, in a valuable lecture delivered in Utica thirty years ago.' "The first record," says Tracy, "we have of any court held within the territory of the county of Oneida, is in October, 1793, when a Court of Common Pleas was held in a barn * belonging to Judge Sanger, in the town of New Hartford, and over this court," Judge Starin presided, assisted by Justices Sanger and Wetmore. An incident occurred at this session of the court, which is so amusing and illustrative, that it is here reproduced substantially as it is related by Tracy, in the lecture already alluded to:

The day was cold and chilly, and the barn of course had no appliances for creating artificial warmth. In the absence of these and with a view to keep-

* Judge W. J. Bacon, in his address on the Oneida Bar, also says "that this venue of the court was held in a *barn*;" while the late Judge Jones, in his local History of Oneida County, says it was held in a "church." Both statements, however, are perfectly reconcilable, as the Dutch Reformed congregation held their meetings in Judge Staring's *barn*. — See *Van der Kemp's letter* a little further on.