



*New York State Archives*

**New York State Attorney General's Office Transcripts  
of Hearings and Stenographer's Notes Relating to the  
Investigation of James Eaton, Superintendent of the New  
Capitol B0905**

---

New York State Archives  
222 Madison Avenue  
Albany, NY 12230  
[archref@nysed.gov](mailto:archref@nysed.gov)  
URL: <http://www.archives.nysed.gov/>

## Table of Contents

---

Overview of the Records .....	3
Arrangement .....	3
Administrative History .....	3
Scope and Contents .....	4
Use of Records .....	4
Administrative Information .....	5
Access Terms .....	5

## Overview of the Records

---

<b>Repository:</b>	New York State Archives
<b>Summary:</b>	This series consists of sixteen books of stenographer's minutes containing the arguments of counsel and the testimony of witnesses in the investigation of official misconduct by James W. Eaton, superintendent of the new state capitol construction project. A printed copy of the complainants' charges and a newspaper clipping containing the text of Judge Van Alstyne's report to the governor are also included.
<b>Creator:</b>	New York (State). Attorney General's Office
<b>Title:</b>	Transcripts of hearings and stenographer's notes relating to the investigation of James Eaton, Superintendent of the new Capitol
<b>Quantity:</b>	0.5 cubic foot
<b>Inclusive Date:</b>	1876-1877
<b>Series:</b>	B0905

[^ Return to Table of Contents](#)

---

## Arrangement

---

Books of stenographer's minutes are arranged chronologically.

[^ Return to Table of Contents](#)

---

## Administrative History

---

The governor's authority to investigate the conduct of public officers and to remove them from office has been defined in the state constitution and in numerous statutes. In July of 1876, several Albany residents charged James W. Eaton, superintendent of the new state capitol construction project, with official misconduct. In a notarized petition to Governor Samuel J. Tilden, David Reed, Henry Pottenburgh, and John Scott listed sixteen charges against Eaton and requested his removal and replacement. The complainants charged that Eaton neglected his duties as superintendent and violated the law by engaging in the construction of various other buildings concurrently with the new state capitol project. The group also charged that Eaton's "knowledge and perception of building" was inadequate and that his mismanagement

of the project was resulting in "irreparable" injury to the structure and enormous financial loss to the state. Finally, the complainants charged that Eaton arranged for payments to be made to particular individuals for work that was never performed.

In October of 1876, Governor Tilden directed Albany County Judge Thomas J. Van Alstyne to serve as referee in the investigation of the charges against Eaton. Van Alstyne began by meeting informally with Eaton, the complainants, and legal counsel for the parties involved. Immediately thereafter, Van Alstyne began taking testimony from witnesses and continued doing so until March 15, 1877. On March 22, 1877, Van Alstyne reported his findings to Tilden's successor, Governor Lucius Robinson. Van Alstyne concluded that while Eaton did undertake other construction projects while serving as superintendent, the freedom to do so had been granted him as a condition of his acceptance of the position. Van Alstyne found no evidence of illegality or misconduct on Eaton's part in undertaking projects concurrently with construction of the new capitol. He concluded that Eaton was not in fact even supervising certain construction projects as charged. Lastly, the judge reported that none of the remaining charges were "sustained by the evidence."

[^ Return to Table of Contents](#)

---

## Scope and Content Note

---

This series consists of sixteen books of stenographer's minutes recorded during the investigation of James W. Eaton, superintendent of the new state capitol construction project. One book of minutes exists for each day of proceedings presided over by the governor's appointed referee, Albany County Judge Thomas J. Van Alstyne. The minutes include arguments of counsel for Eaton and the complainants and testimony of witnesses taken under direct and cross-examination. Eaton's own testimony appears in Book 15. The series also includes a printed copy of the complainant's charges against Eaton and a newspaper clipping containing the text of Judge Van Alstyne's report to Governor Lucius Robinson.

[^ Return to Table of Contents](#)

---

## Use of Records

---

### Access Restrictions

There are no restrictions regarding access to or use of this material.

## Administrative Information

---

### Custodial History

The record was originally box 37 of old collection -198.

[^ Return to Table of Contents](#)

---

## Access Terms

---

- Governors--New York (State)
- Governmental investigations
- New York State Capitol (Albany, N.Y.)
- Eaton, James.