

DOCUMENTED LEGISLATIVE HISTORY

of

SARATOGA NATIONAL HISTORICAL PARK

by

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During the 1800's a few far sighted people began to raise their voices about the fact that historic sites associated with the decisive battle of Saratoga should be preserved. In 1877, preservation of these sites was emphatically stressed during the 100th anniversary celebration of the Battle of Saratoga and dedication of the Surrender Monument in Schuylerville, New York. The fact was deplored that nothing had ever been done in one hundred years by the state of nation toward preserving the historic battle scene. On October 5, 1883, a committee headed by Mrs. E. H. Walworth of Saratoga Springs visited the Battlefield to mark sites for historic markers. Seven tablets of granite, three to five feet high, twelve to eighteen inches square, were to be placed on the field. They were provided by generous citizens who took an interest in perpetuating the glories of the eventful scenes that once occurred on the heights overlooking the Hudson River.

Nevertheless, it was not until 1923 that any definite steps were again taken in this regard. Inasmuch as federal and state governments had shown no disposition to acquire and safeguard the site, a group of concerned citizens formed the Saratoga Battlefield Association, Inc.

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This organization was the outgrowth of action taken by the Rochester Chapter, Sons of The American Revolution. This S.A.R. chapter introduced before their National Congress in May of 1923, a resolution concerning the preservation of Saratoga Battlefield and its related historic sites. As a result of this resolution, the President General, Arthur Sumner, appointed a committee of seven to take steps toward forming an association which would carry on the work and preserve these historic grounds. After consideration, the committee decided in favor of forming an association and on August 24, 1923, Articles of Incorporation were filed with the Secretary of State in Albany, New York. The purposes of the Association, as set forth in the Articles of Incorporation were as follows:

"To stimulate and promote patriotism in all who owe allegiance to, or dwell within the confines of the United States of America, and by education and dissemination of literature to create a more intimate knowledge of the struggles and sacrifices made by our forefathers, who are responsible for the events which culminated in the birth of our Republic and the consequent guarantee of freedom to every citizen,

To keep constantly before all who owe allegiance to our country and our flag by written and spoken words, and, by precept, the glory of the freedom which our forefathers secured by their sacrifices and which all mankind within our Republic enjoy under the constitution of the United States and its several states.

To acquire and hold title to land and property for the purpose of fostering such objects and particularly the land situated in the County of Saratoga, State of New York, upon which the battles were fought which culminated in the surrender of General Burgoyne, October 17, 1777; and to create thereof a part to be known as the Saratoga Battlefield Park, and to erect thereon suitable buildings which shall be open to visitors at all reasonable times." (1)

In September, 1923, a temporary committee met at the Victory Casino, Victory Village, New York, for the express purpose of forming a permanent committee to plan the celebration for the 150th anniversary

of the Battle of Saratoga. The elected chairman of the permanent committee was Assemblyman Burton D. Emond. The elected secretary was Dr. W. B. Webster who was also the historian of The Saratoga Battlefield Association, Inc. The first of ten resolutions adopted by the committee was that:

"Lands in the battle area of historical importance to be acquired and converted into a national park." (2)

One month later on Nov. 21, 1923, Benjamin K. Walbridge, Vice-President and attorney for the Saratoga Battlefield Association, Inc., acquired the title to the Serle and Wright (Peasman) farms, which amounted to 393.81 acres.

In late January, 1924, a bill sponsored by Representative James S. Parker and Senator Royal S. Copeland was introduced in Congress, that provided for a survey of the battlefield. The Copeland-Parker bill asked for 10,000 to be expended for the preservation and compilation of data showing various positions and movements of troops. However, no action was taken on this bill and it was allowed to die.

Throughout 1924 the members of the Saratoga Battlefield Association continued to speak at various community organizations, trying to arouse public interest in preserving the historic fields at Bemis Heights.

In the November, 1924, election, the voters of New York State approved a \$15,000,000 Park bond issue and the S.B.A. Inc. expected \$50,000 from this bond to be available to Saratoga Battlefield.

In March of 1925, Assemblyman Burton D. Emond attached an amendment on the State Parks bill which sought an appropriation of \$10,000 for the Saratoga Battlefield. In April, Governor Al Smith

vetoed this bill. A second attempt by Esmond in June at a special session asking for \$25,000.00 also failed approval.

Assemblyman Esmond, soon after these failures, spoke to the Ballston Spa Rotary Club and related to the membership his unsuccessful efforts. His enthusiasm reached one member in particular, the Rev. Dejos E. Sprague. Dr. Sprague in turn spoke before the Mechanicville Rotary Club and told of Esmond's enthusiasm and efforts in trying to secure funds for the Saratoga Battlefield. Sprague hit pay dirt in Mechanicville.

George Slingerland, Mayor of Mechanicville, at the time was also President of the Mechanicville Rotary. Slingerland took up the challenge and received support from his own club and then began spreading word for State acquisition and preservation of the field. He spoke before all the clubs in his region. Resolutions were secured from mayors, councils, automobile associations, the American Legion, Chambers of Commerce, Rotary Clubs, fraternal organizations, Veterans of Foreign Wars, Daughters of American Revolution, women's clubs, Parent-Teachers Associations, and, most importantly, the press, particularly the New York Times and its owner, Adolf Ochs.

In 1926, the New York State Legislature took action on the matter of the Saratoga Battlefield, and imposed the work of acquiring and restoring the battlefields of the Burgoyne Campaign upon the Conservation Department. Chapters 767 and 768 of the Laws of 1926 made \$50,000.00 available for acquisition of the Conservation Commissioner of Lands:

"that were of historic significance in the colonial Revolutionary and State formative period." (3)

and created a temporary advisory board on Battlefields and Historic Sites, to consist of the Conservation Commissioner, Commissioner of Education, three members of the State Senate, three members of the Assembly, and three persons appointed by the Governor. One of these appointed members was George Slingerland. The members were to serve without pay. In addition, the law provided that the Conservation Commissioner should present a statement on the lands to be acquired and the estimates of cost. However no land was to be purchased without the approval of the advisory board.

Chapter 767 of the Laws of 1926 appropriated an additional fund of \$15,000 for the purchase of land and \$75,000 for the improvement and rehabilitation of the lands then owned or to those to be acquired. It also provided that no expenditures should be made until the same had been approved by the Board.

In December, 1926, the Advisory Board made a recommendation to the State Legislature that \$193,000 be appropriated for purchase of the entire Saratoga Battlefield area, and an appropriation of \$75,000 in addition to the \$75,000 already appropriated for the development of these lands. The Legislature adjourned in March of 1927 without taking any action on the recommendations. However, it did appropriate \$150,000 for the celebration of the Sesquicentennial of the Burgoyne Campaign to be held in 1927. \$75,000 of the appropriation was set aside for monumentizing. This celebration was subsequently held in October of 1927 on the Battlefield by the State of New York in cooperation with local, civic and patriotic organizations. By all accounts, it turned out to be a great success.

Also in 1927, the State of New York acquired the Freeman farm and the Sarle farm from the Saratoga Battlefield Association and purchased from the owners the Gannon farm (111.48 acres), making the total State holdings to be 654.96 acres.

The Advisory Board on Battlefields, whose chairman was George Slingerland, in the same year reported that the surveyors and engineers of the Conservation Department felt the need for acquiring approximately 2,100 acres in addition to the acreage already owned by the State.

A bill introduced in the State Legislature in 1928 providing for an appropriation of \$192,000 for the purchase of 2,084 acres of land for the Saratoga Battlefield was slashed by \$100,000 by the Legislature. The act was subsequently signed by the Governor.

In December of 1928 in response to an Act of Congress approved in 1926, which provided for the study of battlefields in the United States, Secretary of War Dwight Davis, in a report to President Coolidge, stated that:

"...the preliminary investigation shows that it will cost approximately \$4,400 to make a survey along the lines necessary for their commemoration by the Federal Government as a Class I battlefield. If Congress determines that they should be so commemorated, the proper method would be by the establishment of a national military park. No survey or further investigation will be made until Congress indicates its desire in the matter and authorizes the necessary appropriation to make a survey to carry its wishes into effect. (h)

It would prove to take two years for Congress to let its wishes be known.

In 1929, New York State opened negotiations for the acquisition of 600 acres of farmland on the Battlefield for State Park purposes. Toward this end, the State was to spend part or all of the \$90,000 left over

from the original sum of \$192,000 set aside for a State Park.

Another important event in 1929 was the celebration marking the 152nd anniversary of the Battle of Saratoga, held on the Battlefield on October 17. Although not as extensive and involved as that of 1927, the event again re-emphasized the importance of the battle. Governor Franklin Delano Roosevelt was present at the ceremony in 1929. His interest in preservation of Saratoga Battlefield was to have profound effects on the National Park Service four years later.

By 1930 the movement toward establishing the Battlefield as a National Park began to gain momentum. Early in February, U.S. Representative Parker introduced a bill (HR 9334) in the House of Representatives that would authorize the Secretary of War to conduct a survey of Saratoga Battlefield for commemorative purposes. It called for the appropriation of \$4,000.00 for that purpose. In a report from Col. H. L. Landers to the Committee of Military Affairs regarding this bill, it was stated:

"In all likelihood the war for independence would not have terminated with success to the new Nation had it not been for the assistance given by France. This assistance was given only as a result of the surrender of the British Army at Saratoga.

This battlefield is not properly the possession of any one State. It should belong to the United States and be developed as a national shrine." (5)

The bill passed the House in April, the Senate in May, and was signed by President Herbert Hoover June 21, 1930. Its passage was the culmination of seven years of effort by Representative Parker.

The following year Mr. Parker introduced a bill (HR17040) in Congress proposing an appropriation of \$100,000 for the erection of a monument on the Battlefield in honor of the American Dead. This bill, however, was allowed to die in committee.

Then in 1933 the local chapter of the Daughters of American Revolution decided to take up what their Rochester male counterparts had started ten years previous in Hashville. They presented a resolution urging the Federal Government to take over the administration of Saratoga Battlefield, to the National Congress of the Daughters that met in Washington, D.C. The resolution was adopted, and this inaugurated a nation-wide drive to have the Saratoga Battle site made into a National Park.

Meanwhile, on April 9 of the same year the Director of the National Park Service, Horace M. Albright, had the pleasure of riding for several hours from Shenandoah Park to Washington D.C. with President Franklin Delano Roosevelt. During the course of this ride, the President's interest in Saratoga Battlefield surfaced when Mr. Albright related his plans to bring the historic Parks and Monuments into the National Park system:

"He did not wait to ask questions, but simply said that it should be done, and told me to take up the plan with his office and find out where to submit our papers at the proper time. Then he said, "How about Saratoga Battlefield in New York?" I told him what we knew about that historic site, and that a bill had been introduced in the second session of the 71st Congress (H.R. 9498) to create the Saratoga National Monument, but did not emerge from Committee. I also told him that a report of the War Department to Congress, transmitted by President Hoover in December 1931, contained a recommendation that the Saratoga Battlefield be studied for possible military park status. The President said that as Governor of New York he had recommended that Saratoga be acquired as a State park, but nothing had been done. Then he told me -- really ordered me -- to "get busy" and have Saratoga Battlefield made a national park or monument. Just a moment or two later, with a grin, he said, "Suppose you do something tomorrow about this." (7)

Needless to say, Director Albright worked very hard and by June 10, 1933, the National Park Service was charged with the administration of historic

and archeological sites and structures throughout the United States.

Five years later, the efforts of those individuals and groups who had labored so indefatigably toward attaining national park status for the Saratoga Battlefield and the wishes of the President began to be realized. On June 1, 1938, the United States Congress passed PL 576 which authorized the establishment of Saratoga National Historical Park:

"An Act to provide for the creation of the Saratoga National Historical Park in the State of New York and for other purposes, approved June 1, 1938 (52 Stat. 608)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to all the lands, structures, and other property in the area at Saratoga, New York, whereon was fought the Battle of Saratoga during the War of the Revolution, shall have been vested in the United States, such area shall be, and it is hereby, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the Saratoga National Historical Park: Provided, That such area shall include that part of the Saratoga Battlefield now belonging to the State of New York and any additional lands in the immediate vicinity thereof which the Secretary of the Interior may, within six months after the approval of this Act, designate as necessary or desirable for the purposes of this Act. (16 U.S.C. sec. 159)

Sec. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of said historical park as determined and fixed hereunder and donations of funds for the purchase or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: Provided, That he may acquire on behalf of the United States, out of any donated funds, by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said historical park as may be necessary for the completion thereof. (16 U.S.C. sec. 159a).

Sec. 3. That the administration, protection, and development of the aforesaid national historical park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. sec. 159b.)

Under this authority, 1,129.61 acres of historically important land owned by the State of New York was accepted by the Federal Government, as a donation for administration as a National Historical Park project on February 7, 1961. The State of New York had enacted reciprocal legislation in 1938, transferring the State-owned lands comprising part of the battlefield to the Federal Government. Planning and development of the Park, however was continued by the State of New York, with the National Park Service functioning in an advisory capacity through 1961.

A Civilian Conservation Corp camp was assigned to the area in 1935. This unit furnished technical help as well as unskilled labor to accomplish preliminary planning, research, archeological and historical investigations and surveying; all steps necessary in the formation of a master plan for general development.

The Federal Act of 1938 had provided that in addition to State lands, private lands as designated within the boundaries were to be acquired. Therefore, acquisition of historically important portions of the Battlefield followed.

The National Park Service accepted the Park for administration and protection as a National Historical Park Project, as was stated above, on February 7, 1961. Establishment became a reality on June 22, 1968, by the provisions set forth in PL 734 passed by the 90th Congress and signed by President Johnson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of completing the establishment of Saratoga National Historical Park, and to provide adequately for its future development, all lands and other property which have been acquired by the Federal Government pursuant to the

Saratoga National Historical Park Act of June 1, 1938 (52 Stat. 608; 16 U.S.C., secs. 159-159b), are hereby established as the Saratoga National Historical Park, and shall be administered as provided in section 3 of that Act. (16 U.S.C. 159c.)

Sec. 2. The Secretary of the Interior is authorized to accept all or any portion of the General Philip Schuyler Mansion property, real and personal, situated at Schuylerville, New York, comprising approximately fifty acres, and also donations of additional land, interests in land, buildings, structures, and other property in Saratoga County. The authority to acquire property, contained in section 2 of the Act of June 1, 1938, may be utilized by the Secretary of the Interior in carrying out the purposes of this Act. These properties, upon acquisition by the United States, shall become a part of Saratoga National Historical Park, the total area of which however, shall not exceed five thousand five hundred acres. (16 U.S.C. 159d). (9)

This law set a limit of 5,500 acres on the maximum allowable size of the Park, and in addition, Section 2 authorized the acceptance of all or any portion of the Schuyler House property at Schuylerville, New York, not to exceed fifty acres. It also gave the secretary the authority to accept DONATIONS of any additional land, interests in land, buildings, structures and other property in Saratoga County.

The Schuyler House with 25 acres of land was acquired by the Federal Government on March 30, 1950, as a gift through the generosity of George Lowber and the heirs of Mrs. Jessie L. Marshall. Interpretive services, maintenance and acquisition of the furnishings for the General Philip Schuyler House are being provided and carried out by the Old Saratoga Historical Association of Schuylerville, New York, Inc., under the terms of a cooperative agreement entitled: "Cooperative agreement between the Secretary of the Interior and the Old Saratoga Historical Association relating to the preservation of the General Philip Schuyler property, Schuylerville, N.Y. Entered into on the 21st day of January 1953."

(See Appendix I)

The boundary of Saratoga National Historical Park was authorized by the Act of June 1, 1938 (52 Stat. 608). Pursuant to this Act, the Acting Secretary of the Interior, on November 22, 1938, approved a boundary containing 2,600 acres. Over the next few years, all the lands within this boundary, except one block of 114 acres, were conveyed to the Federal Government by donation, most of it by the State of New York.

On January 1, 1948, the Director of the National Park Service approved drawing No. N.H.P. Sar 7007 which recommended an extension of the boundary. Further changes occurred on June 22 when the Establishment Act (62 Stat. 570) was approved. This Act permitted inclusion of the Schuyler property consisting of the house lot and lot number 8, an area of approximately 25 acres (not to exceed 50 acres). Also the Act authorized the boundary to include in addition to the land authorized by 52 Stat. 608, such other historically important lands in Saratoga County as are within the 5,500 acre limitation.

On December 16, 1958, the Associate Director approved a boundary status report enlarging the Park boundary to include approximately 4,260 acres of which 2,432.35 acres are now in Federal ownership. The total acreage within the boundary is 4,393.31 acres, thus there are 1960.96 acres in non-Federal ownership. This land can only be acquired by donation or purchased with donated funds. Since establishment, donations have not been forthcoming in amounts to complete acquisition of historically important land. The National Park Service is presently working with Congressman Carleton J. King, on a legislative proposal to permit the acquisition of additional properties with appropriated funds.

The State of New York ceased operation of the Saratoga Battle Monument in Schuylerville, New York, at the close of 1970. In July 1971, Congressman King introduced bill HR7741 providing for the establishment of the Saratoga Battle Monument as a National Monument. However, no action was taken on this bill. The National Park Service recommends inclusion of the Saratoga Battle Monument as part of Saratoga National Historical Park and has accumulated a large amount of support data from the State for this proposal and is working closely with Congressman King at the present time.

FOOTNOTES

- (1) The Schuylerville Standard. Sept. 6, 1923.
p. 1 col. 2.
- (2) The Schuylerville Standard. Sept. 27, 1923, p. 1, col. 4.
- (3) State of New York Conservation Department, Sixteenth Annual Report for the Year 1926 Legislative Document (1927) No. 29, J. B. Lyon Company, Albany, 1927, p. 26.
- (4) Rogers, Edmund B. History of Legislation Relating To The National Park System Through the 82nd Congress, Washington, 1959. Document 187.
- (5) Rogers, op. cit. Report No. 1525.
- (6) Rogers, op. cit. Document No. 151 p. 3.
- (7) Albright, Horace H. Origins of National Park Administration of Historic Sites, E.N. P. & M.A. Philadelphia, 1971. p. 21.
- (8) Sullivan, Thomas Laws Relating to The National Park Service Supplement I
July 1933 - April 1944, G.P.O. Washington D.C. 1944. p. 111.
- (9) Tolson, Hillory Laws Relating To the National Park Service, Supplement II
May 1944 to Jan. 1963. G.P.O. Washington, 1963. pp. 223, 224.

BIBLIOGRAPHY

- Albright, Horace M., Origins of National Park Administration of Historic Sites, Eastern National Park and Monument Association Philadelphia, 1971.
- Barrett, Evelyn. Golden Tales Leading to the Golden Anniversary of Saratoga Chapter Daughters of the American Revolution 1945
n.p. - Bradshaw Printing Co. 1946.
- Historical Pageants. Adoption of the "Declaration of Independence" and the "Surrender of Burgoyne". Regal Art Press, Troy, 1926.
- Master Plan for the Preservation and Use of Saratoga National Historical Park. Vol. III Sec. A Sept. 1963.
- Master Plan Saratoga National Historical Park New York January 1969.
- Rogers, Edmond B., History of Legislation Relating to the National Park System through the 82nd Congress Washington D.C., 1958.
- The Schuylerville Standard, Schuylerville, New York
Sept. 1923 - February 1933.
- Sheehan, Harold George O. Slingerland
A Portion of his Efforts in Acquisition and Restoration of the Stillwater Battlefield. Historian's files Saratoga NHP,
Aug. 1972.
- Slingerland Papers, Saratoga National Historical Park.
- State of New York Conservation Commission Annual Report for 1926, 1927, 1928, 1929, J. B. Lyon Company, Albany.
- Sullivan, Thomas Laws Relating to the National Park Service Supplement
I July 1933 - April 1944, G.P.O. Washington D.C., 1944.

Tolson, Hillory. Laws Relating to the National Park Service,
Supplement II May 1944 to Jan. 1963. G.P.O. Washington,
D.C., 1963.