

Our Evolving Counties: A History of New York State County Government



By Anastasia L. Pratt, Ph.D.

Clinton County Historian

Broadly designed to improve methods for protecting against enemies and to maintain law and order, New York's 62 counties have evolved to carry out locally functions specified by the State of New York. These functions, which include maintaining records, enforcing state laws, conducting elections for the state, and providing economic assistance through social services programs like Medicaid and Aid to Dependent Children, reflect the role of the county as a regional government that encompasses, without necessarily superseding, the jurisdiction of the cities, towns, and villages included within the county's borders.

The First Counties

As early as 1665, New York's land was divided into counties. Seeking to create laws for a colony that had moved from Dutch to British control the previous year, the Convention of Delegates recognized 17 towns and Yorkshire County. The Duke's Law of 1665 created ridings, or judicial districts, which served as early versions of counties. Later, in 1683, the General Assembly of Freeholders, convened by Governor Thomas Dongan, passed the Charter of Liberties and Privileges, which laid out how the colony should be governed. Based on the Magna Carta and similar to current constitutions, the Charter divided New York into 12 counties, which became the basis of representation for the colony and the administrative unit for the court systems established at the same time. The Duke of York signed the Charter, which he vetoed five years later when he ascended the throne as King James II. After he abandoned the throne in 1688 and Governor Henry Sloughter called for a new assembly in 1691, a statute that reinstated those principles was passed.

The Birth of Local Governments in NYS

Ratified in 1777, New York's first State Constitution recognized the 14 counties

established in 1683 and established a system wherein counties—along with cities and towns—were designated as units of local government. Eleven years later, the State Legislature divided all existing counties into towns, legally recognizing the municipalities and their role within the governmental structure. Over the next 137 years, the number of counties first decreased (when two were ceded to Vermont as part of the 1790 settlement of the New Hampshire land-grant controversy) and then increased as acts of legislature created 50 additional counties, usually when an area had about 1000 residents, with new counties formed from existing counties. The newest, Bronx County, was formed in 1914. Beginning in 1936, the County Charter Movement, and various New York State laws, allowed for changes to the scope of a county's ability to act. Nassau was the first county to become chartered.

Evolving County Government Structures

Every county in New York State, regardless of designation, includes an executive or administrative authority and a legislative body, both of which determine an administrative structure, and additional elected or appointed officers who carry out specific duties. Administrators, with titles including Executive, Administrator, Chair of Legislative Body, and Manager, carry out various assigned functions and duties on behalf of the county legislature. Originally composed of freeholders (1683), boards of supervisors were composed of elected town officers who served ex-officio as county officials or by elected city officers whose sole job was to serve as county officials. After a 1960s determination that the election process for boards of supervisors violated the Equal Protection clause of the Fourteenth Amendment of the United States Constitution, the legislative bodies adjusted by redistricting to allow for the one person-one vote principle or by creating a system of weighted voting which reflects the represented population.

Legislators are joined by various other officials, some of whom are elected and others of which are appointed. One of these officials, the sheriff, was created in 1683 by the first Assembly of the Colony. Originally appointed by the governor to a one year term, sheriffs are now elected officials whose jobs reflect the needs of the county. Similarly, district attorneys, county clerks, and coroners work for the benefit of county government as a whole. County Court, Surrogate Court, and Family Court judges are also elected from within a county to serve.

Varied Sizes, Varied Histories

While the structure of New York's counties is fairly similar, they differ in size and history. Population varies greatly, for example, with Hamilton County counting 5,379 in 2010 while Suffolk County numbered 1,419,369. In terms of population density, Hamilton County boasts fewer than three people per square mile, while Nassau County has more than 4,500 people per square mile. Rockland County includes 175 square miles, St. Lawrence County 2,700. Among the notable figures for whom the counties are named are George Clinton, third Governor of New York and fourth Vice President of the United States; James II of England, who was both the Duke of York and the Duke of Albany before becoming King of England; Jonas Bronck, an early Dutch settler; John Broome, the fourth Lieutenant Governor of New York; the Cayuga tribe; Christopher Columbus, the European explorer; Thomas West, the third Baron De La Warr; and Robert Fulton, the inventor of the steamship. Other counties were named for counties in England and for Native American words, phrases, or tribes.

Though varied, New York's counties have often come together to assist one another, to call for state action on common needs, to share services, and to improve upon an always-evolving local government structure. 🏰

Genealogy of New York's Counties

