

Biography OF  
Elial Todd Foote

Andrew Young  
History of  
Chautauqua  
County, 1875

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Eng<sup>d</sup> by A.H. Ritchie.

Very Respectfully  
Your Friend  
E. J. Foote

1873

Born in Greenfield, Mass 1796

ELIAL TODD FOOTE; the son of Deacon Samuel Foote and Sybil Doolittle Foote, was born in Greenfield, now Gill, Mass., May 1, 1796. He removed with his parents to Sherburne, N. Y., in 1798, and received his education in the common school and Oxford academy, and under the private tuition of Rev. W. M. Adams. He read medicine in Sherburne, and attended medical lectures in the city of New York. He was licensed by the Chenango County Medical Society, and subsequently received the honorary degree of M. D. He came to Jamestown, then called *The Rapids*, seeking a place to settle in the practice of his profession. The prospect there was not an encouraging one. There were but few—perhaps eight or ten—dwellings there, nearly all of them other than frame houses. The population on all sides was sparse and poor; and the roads were extremely bad. There was but one physician in the county, south of the ridge—at Mayville—and none in Warren county, Pa. He was subjected to great hardships and much exposure in storms; and became asthmatic, being compelled to decline rides in storms and nights; and turned his attention to business of a public nature.

In 1817, he was appointed assistant justice of the court, and first sat on the bench at the June term. In 1818, the office of assistant justice was abolished; and the courts were to be held by judges; and he was appointed associate judge under Judge Cushing. Under the constitution of 1821, he was appointed by the governor and senate *first judge*, in which office he was continued by reappointments every five years, until he had served twenty years, when he declined another appointment. From the published proceedings of the court, bar and grand jury on his declension and that of his worthy associate, Judge Campbell, [see Supplement to this work;] and from the remarks of contemporary members of the court and bar, we are warranted in saying, that for dispatch of business, impartiality, firmness on moral questions, and clear discernment in matters in general before the court, he

occupied a high position ; and that during his long services on the bench, he was respected by his associates, members of the bar, and others connected with the court.

In 1819, he was elected, with Oliver Forward, of Buffalo, a member of assembly, from the district comprising the counties of Chautauqua, Cattaraugus and Niagara, Erie being then a part of Niagara. In 1826, he represented, singly, this county in the assembly; and, in 1827, again, with Samuel A. Brown.

Soon after 1820, Judge Foote conceived the idea of collecting materials for the early history of the county and its pioneer settlements and settlers. His position on the bench brought him in contact with the early settlers from every part of the county; and much of the information collected was written in pocket memorandum books. Some of it was published in the county papers, and preserved in scrap books. He collected about one hundred volumes of early newspapers, few of which can be duplicated. He visited the Holland Land Company's offices; and he searched the public records at Albany, New York, and Washington. Thus, thousands of dollars and much time were expended, without the least probability of pecuniary reward. The author has had the free use of this large historic collection. Judge Foote has willed this collection to the county, if a fire proof apartment shall be furnished for its preservation.

In 1822, he purchased Peacock's "reserved land," now constituting a large portion of the village of Jamestown. This tract, with its valuable water power, was speedily improved, and the growth of the village greatly promoted.

In 1859, having become convinced that the prevalent mode of spelling the name of the county with a terminating *e* was erroneous, he, with others, petitioned the board of supervisors to change the spelling by ending the name with *a*. The supervisors sanctioned the proposition. By correspondence with geographers, map publishers, and public officers, his views were fully confirmed.

He was appointed a director of the United States branch bank at Buffalo, when established, which office he resigned when elected president of the Chautauqua County Bank.

Judge Foote took an active part in public improvements, and aided them liberally. He was an early supporter of the temperance and antislavery causes. He made a public profession of his faith in Christ, in 1826, and united with the Congregational church, and gave it liberal aid. On the organization of the Presbyterian church, he united with that society, and contributed liberally toward the erection of their meeting-house. Other religious societies of Jamestown received his aid. The lands on which three of them stand, were donations from him. He was president of the county Bible society about ten years; and president of the first county total abstinence temperance society, of which he and Judge Hazeltine are said to be the only surviving members. And it appears from the records, that he constituted

himself a life member of several national benevolent and religious societies, some of which were not of his denomination. The county almshouse has shared in his fostering care. He gratuitously furnished the board of supervisors their early history, their record having been lost.

This sketch has been written under unfavorable circumstances. On application to its venerable subject for assistance, he declined taking any part in the preparation of a history of his own life. The material was indeed ample, but it lay scattered through voluminous records. The constant pressure of labor on the writer's hands induced the postponement of the task, from time to time, to the last moment at which this hastily written sketch could find its proper place in this history.

Elial T. Foote was married, in Jamestown, in December, 1817, to Anna, daughter of Ebenezer Cheney, by whom he had five children: Samuel Erastus, Mary Ann, Charles Cheney, James Hall, and Horace Allen. Mrs. Anna Foote died in Jamestown, July 7, 1840, as is said, "in the triumph of faith," aged 40 years, a prominent member of the Methodist Episcopal church. In 1841, he married for his second wife, Amelia Stiles Leavitt Jenkins, daughter of Hon. Jonathan Leavitt, of Greenfield, Mass., grand-daughter of President Stiles, of Yale College, and widow of Rev. Charles Jenkins, of Portland, Maine, who had two children by her first husband: Amelia Leavitt, who subsequently married Dr. Charles Cheney Foote; and Jonathan Leavitt Jenkins, now pastor of the Congregational church of Amherst, Mass. His second wife, Amelia L. Foote, died in New Haven, Conn., in full confidence in Christ as her Saviour, Nov. 26, 1867, aged 68. He was married to his third wife, Mrs. Emily W. Stockbridge, a native of Whately, Mass., and widow of S. W. Allis, Esq.; June 30, 1869. She had three children, who died from 18 to 23 years of age, before her last marriage. Judge Foote still resides in New Haven, Conn.