

## **'76 House, Tappan, NY**

### **Was It a Tavern in the Eighteenth Century, and When Was It Built? New Information!**

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The '76 House in Tappan is one of Rockland County's most famous old stone houses. The deed for the lot on which the house was built in 1754 is found in Rockland County Deed Book A, p. 101. It is dated May 9, 1753, and was between Cornelius Meyer, yeoman, the seller, and Casparus Mabie, "merchant," the buyer. The deed describes the property changing hands as "All that small lot of land in Orangetown, County of Orange on the west side of the road that comes from the Court House and goes to Hackensack [adjacent to] . . . the House wherein Doctor Thomas Outwater now dwells . . . ." As he began to build his house on this lot in 1754, Casparus Mabie realized he needed a few extra feet so that the house would not encroach on the adjoining land owned by Meyer. Meyer then sold him "a small tract of land . . . beginning upon the southside of the . . . lot

of said Casparus Mabie, it being in breadth 3 feet and in length exactly as long as the within said lot.” This wording was written on the original deed of May 9, 1753.

The house is known best as the place where British spy Major John André was held prisoner prior to his trial for treason in September 1780. Found guilty, he was marched from the house under military escort to what is today called André Hill, up Old Tappan Road and off to the left, where he was hanged.

For many years local historians have attempted to establish whether the Tappan house of Casparus Mabie, “merchant,” was a tavern in the eighteenth century and the merchant who built it the tavern-keeper. The first known reference to it as a tavern occurs only in 1807, long after Casparus sold it, when it was owned by one Philip Dubuy, who purchased the building in 1800.

The professional title searcher and local historian Howard I. Durie studied the house closely in the 1970s and came to the conclusion, in a seven-part article published in *Relics*, a quarterly publication of the Pascack Historical Society, that no evidence existed to indicate a tavern on the premises prior to 1807. (“André’s Prison – The ’76 House – A History,” *Relics*, Vols. 24 and 25, nos. 131-137, 1981-1982.) That is, no tavern license to Casparus Mabie had ever surfaced, there was no known reference in contemporary documents to the house being a tavern, and there was no mention of a tavern sign, as is often found in colonial records. And finally, in the “Records of the Board of Supervisors, Orange County, N.Y., 1723-1798,” Casparus Mabie was reimbursed for “entertaining” the supervisors when they met in Tappan at the courthouse or at his house, but his house is never referred to in these Records as a tavern, only as a house. (The first mention of it

in the Records occurs in 1756: “*At a meeting of the Supervisors for the County of Orange at the House of Casparus Maybe, in Orange Town October the 5<sup>th</sup> Anno Domine 1756.*”)

In 1988, when the Tappantown Historical Society published *Tappan: 300 Years, 1686-1986*, it accepted Mr. Durie’s reasoning, p. 31. But in 2005, when the Tappantown Historical Society published the pamphlet “*Treason: The Arnold-André Plot,*” by Jules Loh, to commemorate the 225<sup>th</sup> anniversary of the plot, it changed its mind, on no evidence whatsoever. On page 25, Mr. Loh refers to the ’76 House as a “public house” and claims that it “appears in literature as the Mabie House, Mabie’s Tavern and just Mabie’s.” But he does not make clear that it appears only in nineteenth- and twentieth-century literature as such, not literature contemporary with the time when the house belonged to Casparus Mabie, to his relative the widow Elizabeth Haring or Herring, who bought it from Mabie in 1773, or to Frederick Blauvelt, who purchased it for his only child Elizabeth when she married Casparus Mabie’s son Cornelius in 1776. Two nineteenth-century historians of Rockland County, David D. Cole and Frank B. Green, refer to it inconsistently, sometimes as a house and sometimes as a tavern. And indeed it was a tavern when they were writing in the nineteenth century.

As an explanation for his statement, Mr. Loh goes on to write on the same page that “Articles questioning the historic function of Mabie’s as a public house were written before discovery of the official records of the County Supervisors, which leave no doubt. Orange County’s Supervisors met regularly at Mabie’s.” This is simply wrong. The official “Records of the Board of Supervisors, Orange County, N.Y., 1723-1798,” have been known and used by historians since the 1880s, when Cole and Green wrote their

histories. They are in the Budke Collection of Rocklandiana, which George H. Budke sold to the New York Public Library in 1933, and they are on microfilm in the New City Free Library and also in a hard copy printed from the microfilm in that library. (See Budke Collection #9.) . I made use of them in *A Dutch Family in the Middle Colonies, 1660-1800*, published in 1991. Nowhere in these records is Casparus Mabie's house, built in 1754, referred to as a tavern.

However, in January 2006, new evidence surfaced to settle this mystery once and for all. The '76 House was indeed a tavern in the eighteenth century, and Casparus Mabie, merchant, was also a tavern-keeper. A collection of 600 Early American Newspapers had recently become available on line, and Steve Mabie, an intrepid Mabie family researcher, searched it for references to Casparus Mabie. In the *New York Gazette and Weekly Mercury* for June 22, 1772, Steve found this: "*To be sold at public Vendue . . . at the House of Casparus Mabie, Tavern-keeper, in Orange Town, on Friday the 3d Day of July next, the following Parcels of Land (late the Property of Abraham De Peyster, Esq; deceased) situate at the South End of the Hills at Tappan, or Orange Town, to wit . . . .*" (Steve's website is <http://freepages.genealogy.rootsweb.com/~smabie/>.)

In the same paper, ten months later, on April 5, 1773, Steve found this: "*To be sold at public Vendue, On the 21<sup>st</sup> instant, at nine o'clock in the morning, The well noted house of Casparus Mabie, situate in Orange town; it has four rooms with 3 fire-places and a large entry on the first floor, and is very convenient for a merchant or tavern-keeper, having been tenanted to persons in this public business for many years; there is also a good chaise-house, and garden. Likewise two acres and a half of very*

*good upland, with a house and barn thereon, adjoining the above; and one acre of meadow fronting said house, with a shop thereon. The conditions will be made known on the day of sale, and an indisputable title given. N. B. At the same time will also be sold a good copper brew kettle that will contain seven barrels; with some household furniture too tedious to mention.”*

These two advertisements establish beyond a doubt that Casparus Mabie owned a tavern as well as a shop; thus he was both tavern-keeper and merchant. And the second of the two advertisements explains how Casparus’s large family of eight children could have existed in a tavern: They did not. He owned a second house, heretofore unsuspected, adjoining the land where the tavern stood. This seems to have been at the “very good upland” today called André Hill.

Finally, Steve Mabie found this, in the same paper, dated June 17, 1776, a contemporary description of Tappan itself and the landing at the Slote, where the Spar Kill met the Hudson (and still does today): *“To be sold at private Sale, That noted house and lot where Casparus Mabie formerly lived, situate in the most agreeable part of Tappan town, 24 miles from Hobuck ferry, two from a very publick landing, where the boats constantly ply to and from New-York. It is a spacious convenient stone building, four rooms on a floor, with an entry through, a large cellar sufficient for carrying on any kind of business, a good barn, garden, and sundry other conveniences, all in good repair. - - - Whoever inclines to purchase may apply to Mr. Cornelius C. Roosevelt, in New-York, Mrs. Elizabeth Herring, on the premises, or to Dr. G. Jones [Mrs. Herring’s son-in-law], in Morris County.*

This advertisement from 1776, when the wealthy widow of Elbert Herring, Mrs. Elizabeth Herring, owned the house, does not indicate in any way that it was used by her during her occupancy as a tavern, and we can assume that it was not, as tavern-keeping would not have been a seemly occupation for one of her social position. And it was probably not operated as a tavern after Frederick Blauvelt purchased it for his daughter Elizabeth Mabie, for she promptly started her family and had six children. As Howard Durie wrote, “There is no . . . indication that the two owners of the house in the quarter-century between Mabie and Dubuy (Elizabeth Herring and Frederick Blauvelt) ever opened their doors to the public.” (*Relics*, no. 134, p. 6.) But we can now rest assured, 250 years after the fact, that the merchant Casparus Mabie operated a tavern in the building himself and also rented it out to tenants for the same purpose.

In 1773, Casparus sold his tavern, his copper brew kettle, and his shop on the meadow in front of the house where he lived, on that good upland adjoining the tavern site, and took up a new career in a different part of Orangetown, miller.

Any claims about the '76 House as having been a tavern in 1668, 1686, or any year prior to 1754 are fallacious. It was a tavern, in a house built by Casparus Mabie in 1754. It is also untrue that the famous Orangetown Resolutions were signed in this house on July 4, 1774. They were signed in a house around the corner owned by Casparus Mabie's brother Yoast Mabie. The *New York Journal, or General Advertiser*, a Whig paper edited by patriot John Holt, published the Orangetown Resolutions on July 14, 1774, Issue 1645, page 3. The paper clearly states that the Resolutions were signed in the

“House of Yoast Mabie,” which as noted above, was around the corner from the present  
'76 House. Yoast's house was demolished in 1835.