



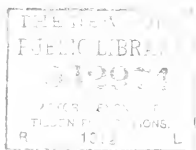
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REPORT OF THE
/
COMMISSIONER
OF RECORDS
KINGS COUNTY,

1910



M. B. BROWN PRINTING & BINDING CO.,
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INTRODUCTORY.

So little is generally known of the duties, purposes and work of the office of Commissioner of Records of Kings County, that it has been deemed proper to present to the people of this county and to the members of the bar, a report showing what has, and is being accomplished in this office, in order that those interested in the real estate and other records of the county may benefit by the work already accomplished.

The general impression seems to be that the office of Commissioner of Records is of recent creation. Such, however, is not the fact. As shown in the following pages, the office was created by Chapter 190 of the Laws of 1856. Prior to May 25, 1899, it was a Commission composed of three members. Since the enactment of Chapter 591 of the Laws of 1899 it has been a single-headed Commission.

Appendix "A" is a list of the various members of this Commission.

Other states, counties and cities have recognized the advantages of having Commissioners of Records.

In the County of New York, Commissioners of Records were appointed in 1855 with full power to examine into the condition of the records, documents, maps and indices in the office of the Clerk, Register and Surrogate, and to have the same copied and printed in such form and to such extent as they deemed proper, and to do such further acts for the preservation and convenient examination of the same as the public interests might require.

The present Commissioner of Records in New York County was appointed under Chapter 661 of the Laws of 1906.

In the City of Boston Record Commissioners were appointed in 1875 who had charge of the expenditure of all money expressly appropriated for copying any documents or records supplemental to the town or city records.

There was also a State Commissioner of Public Records in Massachusetts, who was originally appointed under Chapter 65 of the Laws of 1884. This act has been amended from time to time. One of these amendments, Chapter 67 of the Laws of 1898, provides that the Commissioner shall take the necessary measures to put the records of the counties, cities, towns, churches, parishes or religious societies in the custody and condition required by law and to secure their preservation.

In Connecticut, an Examiner of Public Records was appointed in 1886, under Chapter 99 of the laws of that year. This law was re-enacted from time to time with various minor changes. In 1907 (Chap. 131) a bill was passed which provided for the appointment of a Temporary Examiner of Public Records who "shall cause such action to be taken by the person having the care and custody of public records as may be necessary to put said public records in the custody and condition required by the laws of the State relating to such records and to secure their safety and preservation."

In the City of Providence, R. I., Record Commissioners were appointed in 1891 for the purpose of collecting and printing the early records of the Town of Providence.

There was also a Rhode Island State Record Commissioner "whose duty it shall be to prepare * * * a detailed report of the number, kind and condition of the various public records in the custody and under the control of

state, city and town officers * * * and such parish or church records as may be obtainable relating to extinct or active church organizations in said state, and as far as possible of the records and places of deposit in other states, relating to the several cities and towns in the State of Rhode Island."

In the State of New Jersey it was enacted by Chapter 105 of the Laws of 1897: "The Governor shall appoint three persons as a Commission on the public records of this state, who shall inquire into the nature and condition of the public records of this state, and of the several counties, townships, cities and other municipalities in the state; how, where, and in whose custody or possession such records are kept; what provision, if any, is made for the safe and permanent preservation thereof, and what measures, in the judgment of such Commission, should be taken to secure the safe and permanent preservation of such public records, where they can be convenient of access to the public, if there is no such provision at present; and such Commission shall report to the Governor from time to time the result of their inquiries, with such recommendations as to them shall seem advisable.

"It shall be the duty of all public officers in this state to afford all reasonable facilities to said Commission for acquiring a full knowledge as to the nature and condition of the public records, how, where, and in whose custody the same are kept, and what provision, if any, is made for the safe and permanent preservation thereof, and the facilities afforded for their convenient inspection by the public."

The foregoing are but a few of the laws tending to the care and preservation of records. Many special acts were passed in the various states at different times relating to this subject. In fact most of the states in the Union seem to have realized the value of their old records and the necessity for their preservation.

The duties of the Commissioner of Records in Kings County are three-fold:

First—The general supervision of the records in the offices of the Surrogate, County Clerk and Register, and the right to authorize the making and certifying of copies of such records by the Surrogate, County Clerk and Register, as may be necessary by reason of age, use or otherwise, and the fixing of the compensation for making such copies, and doing, or causing to be done, such further acts for the preservation and convenient examination of the records as the public interests may require.

Second—The care, collation, translation and indexing of the records of the former towns of Kings County, and the making of copies of such records as may be necessary to be filed in the different city and county offices. The indexing on the block system of such of the town records as relate to real estate.

Third—The reindexing on the block system of all conveyances, mortgages and other instruments relating to real estate filed or recorded prior to January 1, 1895.

An endeavor has been made in the following pages to outline the work of this office.

Borough of Brooklyn, N. Y., May 26, 1910.

LEWIS M. SWASEY,
Commissioner of Records, Kings County.

D. H. RALSTON,
Deputy Commissioner.

CARE AND PRESERVATION OF RECORDS.

The necessity for safeguarding records was the subject of legislation as early as 1788, Chapter 22 of the Laws of which year enacted:

"That if any record or parcel of the same, writ return, pannel, process or other proceeding in the court of chancery, Supreme Court Exchequer or any other Court of record, or in the office of the Secretary of this State or in the office of the Clerk of any City or County of this State hath been or hereafter shall be stolen, or willingly taken away, withdrawn or avoided, by any clerk or by any other person, by reason whereof any Judgment shall be reversed, then every such stealer, taker away, withdrawer or avoider, their procurers, counsellors and abettors being convicted or attained thereof according to the due course of law shall be adjudged guilty of a felony." * * *

That the county records should be kept in fireproof buildings was recognized in the early part of the last century. Chapter 81 of the Laws of 1828 enacted:

"Sec. 1. The board of Supervisors of the County of Kings are hereby authorized at any of their annual meetings to raise a sum not exceeding \$4,000 by a tax on the said County. * * * Which money shall * * * be expended by order or under the direction of the board of supervisors or such person or persons as they shall appoint for the purchasing a suitable site in the town of Brooklyn in the said County and the erecting a fire proof building thereon for an office for the Clerk of the said county, of such size and dimensions as to them shall seem proper. And when such building shall be completed, the records and papers belonging to the office of the clerk of said County shall thereafter be kept in said office, under the care and direction of the Clerk of said County and his successor in office."

The records were further safeguarded by Chapter 129 of 1838 by which it was enacted:

"No record of conveyance of real estate or other record, whereof a transcript duly certified may by law be read in evidence, shall be removed by virtue of any subpoena *duces tecum* from the proper office in which such record shall be kept, and no such record shall at any time be removed from such office, except when temporarily removed by the clerk having such record in custody to the Courts of which he is clerk, and to the Courts held in the City or Village where the office of such clerk is situated, unless by order of some Court of record made in open Court and entered in the minutes thereof, which order shall specify that the production of such record instead of such transcript is necessary."

Chapter 83 of the Laws of 1852 provided for the election of a Register of Deeds in and for the County of Kings. This act provided that "all that part of the duty of the County Clerk of the County of Kings, which in the City of New York is required by law to be done and performed by the register of deeds in said City and County, shall be done and performed by such register of deeds in and for the County of Kings."

Chapter 27 of the Laws of 1812 provided "that all that part of the duty of the Clerk of the City and County of New York which appertains and relates to the registering of Mortgages and to the recording of deeds, conveyances and other writings which by law are directed or hereafter may be directed, to be registered or recorded shall * * * be vested in and held, exercised and enjoyed by a person to be * * * called the register in and for the City and County of New York; and that such register * * * shall have and enjoy all the rights and powers and perform all the duties of the Clerk of the City and County of New York in relation to the recording and registering of deeds, conveyances, mortgages and other writings."

Under a system where the recording officer received fees as his compensation, out of which he was compelled to pay for all clerk hire, copyists were generally employed because of personal or political friendship rather than because of their merit and ability. The books used in these early times were made of common, coarse paper; the ink used in the transcripts being composed of such acid material that the acids have eaten large holes in the records. Only by reading the context left and trying to establish land marks can any idea be formed of what had originally been written.

When it is taken into consideration that upon the proper keeping and preservation of these books depends the title of every foot of land in Kings County the importance of reliability and exactitude can be appreciated.

As long ago as 1856 it became evident that the county records in the various offices were in a bad state, mutilated and worn out, many of the books being almost undecipherable. Appreciation of the existing conditions and the necessity of proper supervision of the county records resulted in the creation of the office of the Commissioner of Records.

Chapter 190 of the Laws of 1856 provided as follows: "An Act for the appointment of Commissioners of Records for the County of Kings.

Passed April 17, 1856, three-fifths being present.

The People of the State of New York, Represented in Senate and Assembly,
Do Enact as Follows:

Section 1. Henry A. Moore, John P. Rolfe and Jared Sparks of Brooklyn, * * * are hereby appointed Commissioners of Records for the County of Kings, with full power to examine into the condition of the records, documents, maps and indices in the offices of the Clerk, Register and Surrogate of said County, and to have the same copied and printed in such form and to such an extent as they may deem proper; and to do such further acts for the preservation and convenient examination of the same as the public interest may require, but said county shall not be liable to any expenses incurred in the pursuance of the provisions of this Act unless the consent of the Board of Supervisors of said county has first been obtained therefor, and when the indices of such records have been printed, the said Commissioners shall fix and determine the price at which the same may be sold by the County Treasurer of said County, and the proceeds of such sales shall be credited to the said County.

In case of a vacancy in said Board of Commissioners, such vacancy shall be filled by the Board of Supervisors of said County.

Section 2. The said Commissioners shall receive no compensation for their services. The necessary expenses incurred by them shall be paid by the County Treasurer upon the Certificate of said Commissioners; and the Supervisors of said County are hereby authorized to raise by tax, the amount required to defray the same.

Section 3. This Act shall take effect immediately."

From time to time after the passage of this act various sums were raised by tax for the objects set forth in said bill, no part of which was devoted to the purpose for which it was imposed.

On the 2d of June, 1869, the Commissioners of Records reported to the Board of Supervisors (Minutes 1869, page 179) that "they find that the interests of the public clearly require in consequence of the great and rapid extension of the records, that immediate steps should be taken to facilitate their examination in the office of the Register of the County. After careful consideration of the subject, they have arrived at the conclusion that the proper course will be to have the indices of Deeds and Mortgages arranged in what may be termed name order (the same as commonly used in City Directories)." * * *

At this time records were indexed against the names of the parties to the different instruments. That is, each name was indexed under its proper initial;

the W's all in one series of index books, the C's in another, and so on. No effort was made to vowelize or classify the names. In making a search against a specific name it was necessary to go through all the hundreds or thousands of names indexed under the same letter.

While the Board of Supervisors took no action on the communication of 1869, it would seem that even at this early date the Commissioners of Records were alive to the necessity of improving the records and indexes so as to facilitate their use.

On the 29th of April, 1873, the Board of Supervisors were petitioned to take such action as should be necessary "to secure the system of indexing records in Kings County known as 'Ford's Improved Index.'" (Supervisors' Minutes 1873, page 255.)

Nothing was done in this matter until March 8, 1876, when the following resolution was adopted:

"Resolved, That the Commissioners of Records * * * be and they are hereby requested to examine into the method of indexing proposed by William C. Ford and into the method of indexing proposed by any other person which may be brought to their notice, and to report to this Board their views thereon, and the cost and expense of bringing the same into use in this County." (Supervisors' Minutes 1876, page 228.)

April 5, 1876, the Commissioners of Records reported that they had concluded to adopt Ford's System of Indexing. They also adopted certain changes in the manner of indexing papers. As an illustration: When the property of deceased persons was conveyed by executors or others, to enter the name of deceased as the grantor instead of those of the executors or parties making the conveyance.

March 7, 1877 (Supervisors' Minutes 1877, page 255), the following resolution was adopted: "Resolved, That the consent of this Board is hereby given to and the Commissioners of Records of Kings County are hereby authorized forthwith to take such proceedings as shall be proper for the purchase and introduction of 'Ford's System of Indices' in the office of the Register of this County the same to be commenced and carried forward from January 1, 1877."

At various times reports were made that the indices and books were in such condition that unless soon recopied many valuable records therein contained would be lost or destroyed. (See Supervisors' Minutes 1883, page 296; 1884, page 345; 1886, page 247; 1886, page 459; 1887, page 726.) Upon several occasions appropriations were made to recopy libers and indices in the Register's office, but in no instance was the money used for that purpose, but was transferred to and used in the payment of other claims against the County. (Supervisors' Minutes 1887, page 1372.)

In the year 1887, the Commissioners of Records condemned fifty (50) libers and succeeded in obtaining an appropriation which enabled them to cause copies to be made of twenty (20) libers, but the remaining thirty (30) libers remained uncopied. (Supervisors' Minutes 1888, page 506.)

January 23, 1890 (Supervisors' Minutes 1890, page 57), the Commissioners of Records reported that in the Register's office at least one hundred (100) libers of conveyances should have immediate attention. That about one hundred and fifty (150) maps required recopying. "The records of the County Clerk's office are in such condition that they require expert, intelligent and efficient supervision to determine what is the most economical and best plan or course to pursue to put them in proper shape for the use of the public; a complete and thorough overhauling, comparing from the originals, and in some cases recopying are absolute necessities."

The Supervisors while agreeing that the work proposed in the above report should be done, claimed that it should be performed by the county officers hav-

ing the custody of the records, and failed to recognize the rights of the Commissioners of Records to supervise the work.

In the office of the Clerk of the County of Kings conditions were somewhat different. The following law relating to this office was passed and a great deal of work was performed under this act:

LAWS OF 1870, CHAPTER 535, PAGE 1290.

"Whenever any of the dockets of judgments or other liens, or any other books of record or indices in the office of the County Clerk of Kings County, shall become mutilated or injured so that they cannot be conveniently examined, and the Board of Supervisors of said county shall authorize them to be copied, such copies shall be made by the County Clerk of said county, and when so made and certified by him to be copies of the originals, shall have the validity of, and be deemed for all purposes to be, such originals.

The County Clerk is hereby directed to certify any copies of Judgment Dockets, or other liens, or any other indices or books of record heretofore made by him, to be correct copies of the originals, and such copies shall thereupon have the validity of, and shall for all purposes be treated as, such originals.
* * *

Under this act, the Commissioners of Records had no supervision of the copying of records in this office and although a great many books and records were copied and vast sums of money expended, the records were without doubt in a much worse condition than before this work was performed. The condition of these records is best set forth in the following communication from Justice William J. Gaynor:

"BROOKLYN, May 29, 1895.

To the Honorable the Board of Supervisors of Kings County.

GENTLEMEN—My attention having been repeatedly called by the County Clerk and others to the condition of the books of Indexes of Judgments, Lis Pendens and Mechanics' Liens, of which a schedule is hereto annexed, it became my official duty to examine the same under Section 25 of the County Law.

I find the said books so inaccurate as to be untrustworthy and title searchers refuse to trust them.

An examination of them develops 28,000 errors, 18,000 of which are grave omissions in names and the like.

The handwriting is inferior and obscure and often difficult to decipher. Indeed much of it is by persons who cannot be said to know how to write or spell. They were employed not to do the work correctly, but to get the money out of the public treasury.

These records are a discredit and a reproach.

They have been compared and corrected but they cannot be made decent or trustworthy.

The law requires me to certify their condition.

I certify that for the security and safety of the public records it is necessary that they be copied.

I do it, however, only upon condition that your Honorable Body permit me to examine and certify the correctness and character of the work before it is paid for. In view of the fact that the disgraceful work in former copying of these records were passed and paid for, I do not deem this condition as unreasonable.

I also make it a condition that the vacancy in the Commission of Records be filled by your Honorable Body, under Chapter 190, Laws 1856, by a competent man whose name and character will be an absolute guaranty that the records

of the county will receive proper supervision. I will suggest a name if you desire it.

I feel sure that these conditions will be welcome to your Honorable Body, for it must be difficult for your members to follow and scrutinize the doing of such work.

I am also informed that no new appropriation will be needed for this work, which will cost about \$10,000, but that it can be paid for out of the appropriation under your resolution of 3/25 '95 by retrenching in other particulars.

W. J. GAYNOR,
Justice of the Supreme Court."

Schedule attached shows—Judgments, 26 books; Lis Pendens, 26 books, and Mechanics' Liens, 26 books.

(Supervisors' Minutes 1895, page 701.)

Section 26 of the County Law to which Justice Gaynor referred is Chapter 686 of the Laws of 1892, relating to the powers and duties of the Board of Supervisors and enacts as follows:

"Section 26—County Records.

Such boards shall have general charge of the books and records of the county, subject to the legal rights of the officers using or having custody of the same, and shall provide for their safe keeping.

They may authorize County Officers having the official custody or control of any such books and records, or of maps and papers, to cause copies thereof to be made and certified for the public use; and it shall be their duty to cause the same to be made and certified whenever by reason of age or exposure, or any casualty, the same shall be necessary.

Any officers making such transcripts or copies shall be paid such sum therefor as may be just, but such payment shall not exceed a sum to be certified by the County Judge or a Justice of the Supreme Court of the Judicial District, as reasonable therefor.

Such Board of Supervisors shall not accept and pay for any such services, until the work shall be examined and approved as to its manner and form of execution, by such Judge or Justice; nor shall any Board of Supervisors order any such work to be done until such Judge or Justice, after an examination shall certify that such work is necessary for the security and safety of the public records."

Recognizing the fact that the Act of 1856 did not give the Commissioners sufficient power, the following act was passed:

Chapter 755 of the Laws of 1896.

"Sec. 1. The term of office for the present Commissioners of Records * * * shall expire on the first day of June Eighteen hundred and ninety-six.

Sec. 2. * * *

Sec. 3. It shall be the duty of such Commissioners of Records to examine into the condition of the books, records, documents, maps and indices of the Clerk, Register and Surrogate of said county, and they shall have sole and exclusive power to authorize said Clerk, Register or Surrogate to cause copies of said books, records, documents, maps and indices to be made and certified for public use, and it shall be their duty to cause the same to be made and certified whenever by reason of age, use, exposure or any casualty the same shall in their judgment be necessary, and they shall be authorized to do such further acts for the preservation and convenient examination of the same as the public interests may require. Any of the officers hereinbefore mentioned making such transcripts or copies, pursuant to an order of the said Commissioners of Records, shall

be paid such sum therefor as may be just, but such payment shall not be made unless the work has been first ordered to be done by the said Commissioners, and after the same shall have been completed, until the work shall be examined by them and approved as to its manner and form of execution, and such payment shall not exceed a sum to be certified by said Commissioners. * * *

This act was amended by Chapter 526 of the Laws of 1897.

Chapter 591 of the Laws of 1899 provided for the appointment of a single-headed commission, and enacted: * * *. "It shall be the duty of the Commissioner of Records to examine into the condition of the books, records, documents, maps and indices in the offices of the Clerk, Register and Surrogate of the said county * * * and from and after his entry into office, he shall have general supervision, care, custody and control of all maps, books, indexes, papers, records and instruments kept, filed or recorded, or hereafter to be kept, filed or recorded in said offices * * * and shall have sole and exclusive power to authorize said Clerk, Register or Surrogate to cause copies of said books, records, documents, maps and indices to be made and certified for public use; and it shall be his duty to do or cause the same to be done whenever by reason of age, use or exposure, or any casualty, the same shall in his judgment be necessary; and he shall be authorized to do such further acts for the preservation and convenient examination of the same as the public interests may require * * *. Any of the officers hereinbefore mentioned making such transcript or copies, pursuant to an order of the said Commissioner of Records, shall be paid such sum therefor as said Commissioner shall certify to be just, but such payment shall not be made unless the work has first been ordered to be done by said Commissioner, and after the same shall have been completed and examined by him and approved as to its manner and form of execution, and such payments shall not exceed the sum to be certified by said Commissioner * * *".

As to the care of the County Records, the Office is at present working under Chapter 171 of the Laws of 1904, by which it was enacted:

Sec. 4. "It shall be the duty of the Commissioner of Records to examine into the condition of the books, records, documents, maps and indexes in the offices of the Clerk, Register and Surrogate of the County of Kings, * * * and from and after his entry into office, he shall have general supervision of all maps, books, indexes, papers, records and instruments kept, filed or recorded, or hereafter to be kept, filed or recorded in the offices of the Clerk, Register and Surrogate of the County of Kings, * * *. And the said Commissioner shall have sole and exclusive power to authorize the Surrogate, Register or County Clerk of the County of Kings, as the case may be, to cause to be made and certified for public use copies of said books, records, documents, maps, plans and indexes in the offices of the said Surrogate, Register and County Clerk of the County of Kings, respectively; and it shall be his duty to do so whenever, by reason of age, use or exposure, or any casualty, the same shall, in his judgment, be necessary. And the said Commissioner is hereby empowered to authorize the Surrogate, Register and County Clerk of Kings County to rearrange or cause to be rearranged, all the records, filings, papers and maps in their respective offices and, upon completion of the alterations to the Hall of Records, in said county, to cause the same to be placed in fireproof files, properly marked and endorsed. And said Commissioner is hereby empowered to do, or to authorize to be done by said Surrogate, Register and County Clerk, or any of them, such further acts and things for the care, preservation and convenient examination of the said records, documents and papers as he deems the public interests may require.

Sec. 5. The copyists of old or mutilated records, making copies thereof for public use in the offices of the Surrogate, Register and County Clerk of the County of Kings, respectively, and any other person or persons performing any

work, labor or service in or about the care and preservation of any of said public records, documents and papers, pursuant to an order of the said Commissioner of Records, shall be paid such sum therefor as said Commissioner shall certify to be just, but such payment shall not be made unless such copies or work shall have been first ordered to be made or done, as the case may be, by said Commissioner, and after the same shall have been completed and examined by him, and approved as to the manner and form of execution."

Appendix "B" shows a catalogue of the books and maps in the various offices under the supervision of this office.

Appendix "C" shows a schedule of the number of files of papers in the various offices under the supervision of this office.

The following is a brief outline of what has been accomplished in the preservation of the County Records.

OFFICE OF COUNTY CLERK.

Arranged in chronological order of dates and placed in files 256,000 Chattel Mortgages and transferred same to the Register's Office.

Transferred during the alteration of the building, 11,900 files, containing 4,760,000 papers, and 5,900 books of record; also made general inventory of same, consisting of 5 books and 517 pages.

Transferred from the County Court to the County Clerk's Office, 520 files containing about 211,600 papers of various kinds of the Court of General Sessions, from the year 1870 to 1895.

Collated, codified, rearranged, and bound into 1,415 books, 585,200 Records of Convictions. An index of same is now being prepared.

Examined the Minutes of the City Court which were not properly written up or indexed, and caused same to be written up in full and properly indexed between the years 1849 and 1863, inclusive. This work consists of 7 Volumes of Minutes, containing 3,507 pages, and 10 Volumes of Indexes containing 45,700 names of parties in suits, representing 247,200 papers.

Searched, collated and codified all Divorce and Separation Proceedings from Clerk's Minutes, Clerk's Minutes Special Proceedings, City Court Minutes and Money Judgments from 1847 to and including 1906, from 332 volumes, representing 130,271 pages of records. An index consisting of 4 volumes, 886 pages, containing 14,000 names of parties to Divorce Proceedings was prepared.

Collated, codified and indexed 1,216 Street Opening Proceedings, beginning with the year 1789 and ending with the year 1905, from Clerk's Minutes, Clerk's Minutes Special Proceedings and all records in Equity Department.

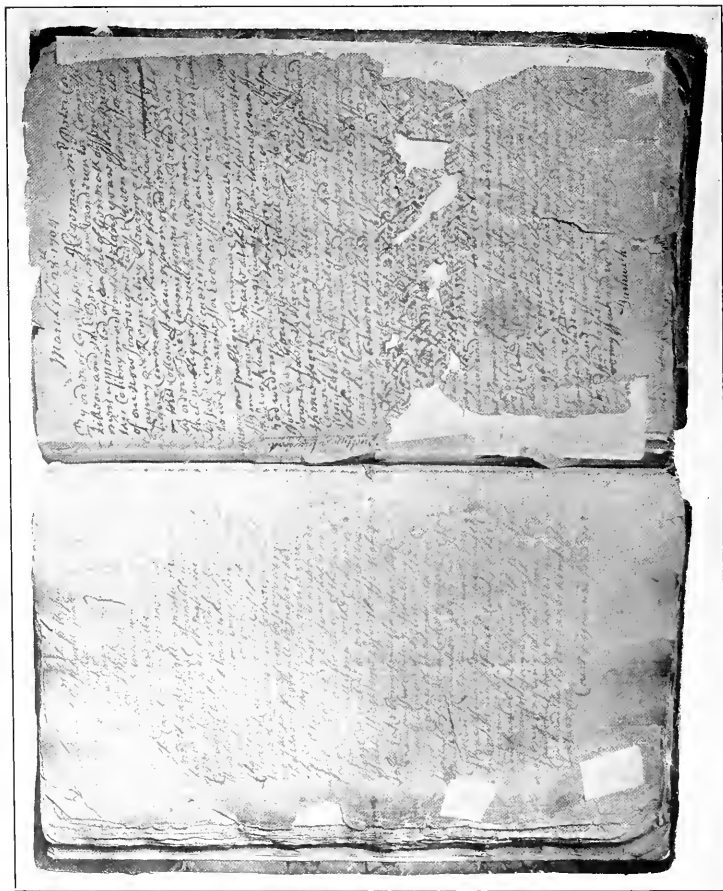
Abstracted and indexed 866 laws relating to the opening, closing, widening and extending of streets, avenues and roads in the County of Kings. In this connection all Session Laws were examined for the years 1789 to 1903.

Examined, collated and codified all papers in the County Clerk's Office relating to Declarations of Intentions and Naturalizations, which had not been indexed, and caused 103,735 papers to be bound in 133 volumes and properly indexed to December 31, 1895, in 29 volumes, for convenient examination.

These papers were in very bad condition, many of them being mutilated. As far as possible the missing parts have been found and the papers repaired. About 6,000 Declarations of Intentions were discovered among "Stenographers' Minutes" and in files marked "Verdicts," "Consents," "Notices of Trial," "Exhibits and Briefs," "Commissioner of Jurors' Returns," etc., etc. In connection with these papers a thorough study was made of all laws relating to the subject of Naturalization.

Collated, codified, arranged and bound 1,010,800 papers in 2,525 loose leaf binders.

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LIBER 3 OF COURT AND ROAD RECORDS BEFORE COPIING.
1704.

... Highway to ...
 ... Highway to ...
 ... Highway to ...
 ... Highway to ...
 ... Highway to ...
 ... Highway to ...
 ... Highway to ...
 ... Highway to ...
 ... Highway to ...
 ... Highway to ...
 ... Highway to ...
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Cerificate to all Travellers ...
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 ... Highway to ...
 ... Highway to ...
 ... Highway to ...
 ... Highway to ...
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LIBER 2 OF COURT AND ROAD RECORDS, AS COPIED. 1704.

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It became necessary to acquire a thorough knowledge of all the Courts of the County, when they were established, their powers and jurisdiction, in order to intelligently handle the records of this office.

There have been rebound and repaired since January 1, 1900, a total of 1,017 volumes of Records of the County Clerk's Office.

The following summary shows the various records which have been copied or compiled in the County Clerk's Office since May 26, 1899:

SUMMARY.

Class of Work.	Libers.	Pages.
Lexicographical Index, Judgment and Decree Dockets.....	260	78,696
Notices of Pendency of Actions.....	191	95,332
Index to Notices of Pendency of Actions.....	27	1,206
Clerks' Minutes.....	52	25,946
Index to Clerks' Minutes.....	34	12,986
Clerks' Minutes, Special Proceedings.....	6	3,101
Clerks' Records, City Court.....	7	3,507
Index to Clerks' Records, City Court.....	10	3,974
Index to Declarations of Intentions.....	18	6,488
Index to Naturalizations.....	11	3,556
Election Returns.....	36	18,400
Index to Mechanics' Liens.....	10	1,964
Index to Bonds and Undertakings.....	6	2,488
Corporations.....	5	2,241
Index to Corporations.....	1	326
Court and Road Records.....	2	892
Index to Divorce and Separation Proceedings.....	4	880
Index to General Inventory.....	5	517
Index to Records of Convictions.....	3	1,410
Index to Street Openings, etc.....	1	72
Index to Session Laws relative to Street Openings, etc.....	1	60
Index to Official Bonds.....	1	132
Index to Maps.....	1	79
Index to Special Proceedings.....	1	504
Adoptions.....	1	238
Religious Corporations.....	1	416
Index to Sheriff's Certificates of Sale.....	1	460
Index to Building and Loan Contracts.....	1	260
Index to General Assignments.....	1	206
Index to Insolvent Assignments.....	1	78
Index to Foreclosures by Advertisement.....	1	142
Index to Orders Appointing Receivers.....	1	138
Index to Collectors' Bonds.....	1	62
Index to Mortgages to Loan Commissioners.....	1	309
Total.....	763	266,522

The illustration on page 18 shows the condition of one of the books before the same was copied and restored under the supervision of the Commissioner of Records, while the opposite illustration on page 19 shows a certified copy of the same book with the mutilated portions supplied.

OFFICE OF THE SURROGATE.

In the office of the Surrogate the antiquated alphabetical system of indexing is now being changed to the more up-to-date lexicographical system. The information contained in two books, under the former system, is now being copied into one, for example, Letters of Administration are contained in one book and Bonds of Administration in another. The said books are now being consolidated into one, so that Letters and Bonds both appear on the same page and are only indexed once. This is convenient for examination and will facilitate searching.

The eight volumes of indexes now prepared in the Surrogate's Office necessitated the abstracting and arranging of 12,457 names on 1,557 sheets which were later indexed in said eight volumes consisting of 3,024 pages.

The following summary shows the finished work in the office of the Surrogate:

SUMMARY.

Class of Work.	Libers.	Pages.
Index to Probate of Wills.....	1	184
Index to Letters of Guardianship.....	2	940
Index to Letters of Administration.....	1	250
Index to Miscellaneous Papers.....	1	530
Index to Final Accountings.....	1	440
Index to Guardians' Accounts.....	1	260
Index to Record of Inventories.....	1	420
Wills.....	7	3,371
Lexicographical Index to Probate of Wills and Letters Testamentary.....	..	1,630
Lexicographical Index to Letters and Bonds of Administration.....	..	1,572
Lexicographical Index to Miscellaneous Papers.....	..	784
Total.....	15	10,381

OFFICE OF THE REGISTER.

In the Register's Office the records which go back to a much earlier date than those of either the Clerk or Surrogate, required the greatest care in transcribing. The writing was of the style of the Seventeenth Century, the formation of some letters being very different from our present style of writing. In a few instances, instruments were found written in Dutch or Latin, while phrases or sentences in Latin were occasionally found. In such cases it became necessary to have translations made. The illustrations on pages 24 and 25 show one of these books before and after copying.

Recently the work of copying the Block Indexes has been and is now in progress. The originals of these indexes are large books containing about seventy blocks each and are contained in three sets of books.

In the recopying, the work has been done on loose leaf sheets of a smaller size and bound into books containing ten blocks each, thereby giving greater freedom to the searcher and doing away with the confusion of handling three sets of books.

The following summary shows in a condensed form the amount of work performed in the Register's Office:

SUMMARY.

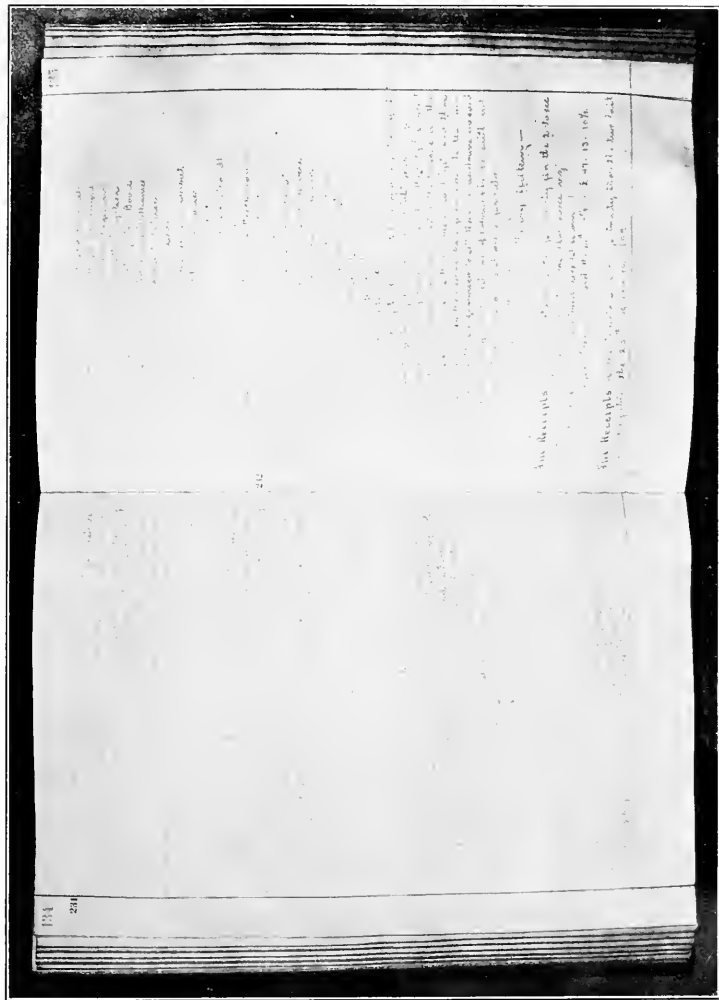
	Libers.	Pages.	Total No. Pages.
Conveyances.....	463	550	254,650
Mortgages.....	86	550	47,300
Lexicographical Indexes—Grantors.....	50	500	25,000
Lexicographical Indexes—Grantees.....	37	500	18,500
Lexicographical Indexes—Mortgagors.....	48	500	24,000
Miscellaneous Index.....	2	500	1,000
Index to Filed Maps.....	9	140	1,260
Chronological Index to Filed Maps.....	1	140	140
Total.....	696		371,850

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(182) *1775* *1776* *1777* *1778* *1779* *1780* *1781* *1782* *1783* *1784* *1785* *1786* *1787* *1788* *1789* *1790* *1791* *1792* *1793* *1794* *1795* *1796* *1797* *1798* *1799* *1800* *1801* *1802* *1803* *1804* *1805* *1806* *1807* *1808* *1809* *1810* *1811* *1812* *1813* *1814* *1815* *1816* *1817* *1818* *1819* *1820* *1821* *1822* *1823* *1824* *1825* *1826* *1827* *1828* *1829* *1830* *1831* *1832* *1833* *1834* *1835* *1836* *1837* *1838* *1839* *1840* *1841* *1842* *1843* *1844* *1845* *1846* *1847* *1848* *1849* *1850* *1851* *1852* *1853* *1854* *1855* *1856* *1857* *1858* *1859* *1860* *1861* *1862* *1863* *1864* *1865* *1866* *1867* *1868* *1869* *1870* *1871* *1872* *1873* *1874* *1875* *1876* *1877* *1878* *1879* *1880* *1881* *1882* *1883* *1884* *1885* *1886* *1887* *1888* *1889* *1890* *1891* *1892* *1893* *1894* *1895* *1896* *1897* *1898* *1899* *1900* *1901* *1902* *1903* *1904* *1905* *1906* *1907* *1908* *1909* *1910* *1911* *1912* *1913* *1914* *1915* *1916* *1917* *1918* *1919* *1920* *1921* *1922* *1923* *1924* *1925* *1926* *1927* *1928* *1929* *1930* *1931* *1932* *1933* *1934* *1935* *1936* *1937* *1938* *1939* *1940* *1941* *1942* *1943* *1944* *1945* *1946* *1947* *1948* *1949* *1950* *1951* *1952* *1953* *1954* *1955* *1956* *1957* *1958* *1959* *1960* *1961* *1962* *1963* *1964* *1965* *1966* *1967* *1968* *1969* *1970* *1971* *1972* *1973* *1974* *1975* *1976* *1977* *1978* *1979* *1980* *1981* *1982* *1983* *1984* *1985* *1986* *1987* *1988* *1989* *1990* *1991* *1992* *1993* *1994* *1995* *1996* *1997* *1998* *1999* *2000* *2001* *2002* *2003* *2004* *2005* *2006* *2007* *2008* *2009* *2010* *2011* *2012* *2013* *2014* *2015* *2016* *2017* *2018* *2019* *2020* *2021* *2022* *2023* *2024* *2025* *2026* *2027* *2028* *2029* *2030* *2031* *2032* *2033* *2034* *2035* *2036* *2037* *2038* *2039* *2040* *2041* *2042* *2043* *2044* *2045* *2046* *2047* *2048* *2049* *2050* *2051* *2052* *2053* *2054* *2055* *2056* *2057* *2058* *2059* *2060* *2061* *2062* *2063* *2064* *2065* *2066* *2067* *2068* *2069* *2070* *2071* *2072* *2073* *2074* *2075* *2076* *2077* *2078* *2079* *2080* *2081* *2082* *2083* *2084* *2085* *2086* *2087* *2088* *2089* *2090* *2091* *2092* *2093* *2094* *2095* *2096* *2097* *2098* *2099* *2100*

LIBER 3 OF CONVEYANCES, PAGES 231 AND 232, BEFORE COPYING. 1708.



COPY OF LIBER 3 OF CONVEYANCES, PAGES 231 AND 232.

1708.

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TILDEN FOUNDATION

The following work is not bound in volumes:

	Libers.	Entries.	Entries.
Card Index, Filed Manuscripts.....	1		2,500
Block Indexes, Conveyances—9 Sections (1-9).....		147,670	
Block Indexes, Mortgages—9 Sections (1-9).....		138,146	
			305,816
Block Indexes, Conveyances—Sections not completed.....		30,504	
Block Indexes, Mortgages—Sections not completed.....		28,389	
			58,893
Total			364,709

RECAPITULATION OF VOLUMES COPIED.

Office.	Volumes.	Pages.
County Clerk's Office.....	703	266,522
Surrogate's Office.....	15	10,381
Register's Office.....	696	371,850
	1,414	648,753

In the copying of all these records a uniform quality and size of paper was used, so that the completed certified copy of the records would be symmetrical and uniform in binding and appearance.

The paper was of a fine quality parchment deed, ruled with forty-three lines to the page, and with a blank space at the bottom of the page to allow for "thumbing" without soiling or erasing the writing. Steel pens were exclusively used that the ink might penetrate the surface into the fibre of the paper. Gold pen writing has been found to merely remain upon the surface of the paper and fade away and disappear within a short space of years.

On account of the fact that all instruments were indexed, showing liber and page, in the Lexicographical or Alphabetical Indexes, it became necessary, in the recopying, to so space the work that each instrument would begin and end on the same page as in the original liber. In some cases, especially in the early libers (1 to 100) of Conveyances and Mortgages in the office of the Register, it was found that the pages contained more or less than forty-three lines, which necessitated great care by the copyist in transcribing, that his work might be correct as to page numbers.

The work done is uniform in character, the names of the parties to each instrument being printed in a bold style, as well as the beginning of each clause, the rest of the instrument being written in a good legible round hand.

The usual course pursued in the cases of worn or mutilated records is for the Supervisors of Copying of Mutilated Records to make report to the Assistant Superintendent, after a general examination of the books and records, as to those found in bad condition. This report is submitted to the Commissioner of Records with the recommendation of the Assistant Superintendent as to which should be ordered copied. The books are then examined by the Commissioner of Records and those which he deems require copying most imperatively are ordered to be copied. These copies are made by copyists employed by the Register, County Clerk and Surrogate, respectively, under the supervision of the Commissioner of Records.

The copies are then taken to the Comparers Division of the Commissioner of Records Office where they are carefully compared with the original records, all errors being corrected, after which said copies are certified by the said Regis-

ter, County Clerk or Surrogate, as the case may be, and the same are then submitted to the Commissioner of Records for examination and approval.

In the copying of records, no erasures are allowed. Errors made by the copyists are stricken from the book and a marginal note is made as to corrections. All errors appearing in the original text are copied in the new volume and marked "So in original."

When parts of an instrument are missing, endeavor is made to supply the missing words from other authentic records. Where this is done, the information supplied is shown in green ink.

MAPS.

Another class of records, the care and preservation of which is under the supervision of this office, are the maps filed in the offices of the County Clerk and Register. The importance of preserving these original maps can not be over estimated, locating as they do most of the old farm lines and other monuments in the county. The illustration on page 30 shows how badly some of these maps needed copying. The illustration on page 31 shows the same map copied and the mutilated parts restored.

Prior to the year 1908, this office had the supervision of the recopying and remounting of all maps filed in the Register's and County Clerk's Offices. Since said time, the actual work of copying has been done for the Register by the employes of this office. Many of these maps which were recopied were badly mutilated and would soon have been totally destroyed. Much missing information on these maps has been supplied from authentic sources. This supplied information being shown in green ink on the copied maps.

The originals of all copied maps are carefully preserved in this office and may be referred to by any one upon proper application.

The following schedule shows what has been accomplished in the preservation of maps:

Total number of Maps in Register's Office.....		2,810
Number of Maps copied and placed in 13 Portfolios.....	553	
Number of Maps remounted and placed in 4 Portfolios.....	209	762
Balance on which no work has been done.....		<u>2,048</u>
Total number of Maps in County Clerk's Office.....		602
Filed Maps copied.....	41	Making 157 pages
Filed Maps remounted.....	543	Making 1,190 pages
Maps in suits remounted.....	66	Making 219 pages
	<u>584</u>	<u>1,566</u>
		<u>18</u>

Balance not copied or mounted—18.
These 584 Maps are bound in 32 Portfolios.

This office has for some time past and is now engaged in preparing for the Register, diagrams on the new index sheets of the Section and Block Indexes. In all, there are, approximately, eighteen thousand (18,000) of these diagrams to be made. To date, there have been completed about four thousand (4,000).

While the foregoing may seem rather a lengthy statement of the work of this branch of the office, there are many minor things tending to the "care, preservation and convenient examination" of the records which have not been mentioned; such as copying maps in the various libers and repairing the different records. In fact about 90 per cent. of the work in the bindery of this office is on the care and preservation of the records. It would be almost impossible to give a detailed statement of the work performed in the bindery, the following is but a general outline thereof:

The work for the Register's Office consists, in part, of inserting and arranging certified maps in portfolios, backing Land Maps with card board, backing

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MAP No. 1000 BEFORE COPYING.

FILED MAP 1000

MAP
OF PROPERTY IN THE
VILLAGE
OF
WILLIAMSBURCH

Alexander Maclean, City Surveyor, Brooklyn, October 17th 1845
FILED OCTOBER 31st 1842

STATE OF NEW YORK
COUNTY OF KINGS

I HEREBY CERTIFY that the map
shown hereon is a true and correct copy of a
map made by one M. B. G. Surveyor, of the village of
Williamsburgh, in the County of Kings, on
the 17th day of October 1845, and that
the same represents the several lots and streets
of the said village, as were manifested and
shown to the said Surveyor, and to the
Commissioners of the Land Office, on the
17th day of October 1845, and that the same
is a true and correct copy of the original
map of the said village.

APPROVED

SUPERINTENDENT



Scale: 1 INCH = 40 FEET
COMBINATION OF RECORDS 1842

MAP No. 1000, COPIED AND RESTORED.

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ASTOR, LENOX AND
TILDEN FOUNDATION

Filed Maps with muslin, repairing Conveyance and Mortgage Libers and other books of record in said office.

The work for the County Clerk's Office consists of binding Notices of Pendency of Actions and Clerks' Minutes, putting titles on volumes where needed, repairing Land Maps, and other work of a similar character.

The work for the Surrogate's Office corresponds with that performed for the Register and County Clerk and may be generalized as rebinding and repairing records.

TOWN RECORDS.

Chapter 171 of the Laws of 1904 provides:

Sec. 4. "It shall be the duty of the commissioner of records to examine into the condition of * * * the books, maps, documents and other records of the former towns of New Lots, Flatbush, New Utrecht, Gravesend, Flatlands, Brooklyn, Bushwick and Williamsburgh, in the county of Kings, now constituting the borough of Brooklyn, in the city of New York; * * * and he shall have exclusive supervision, care, custody and control of all books, records, documents, maps, indexes and other records of said former towns in the county of Kings, which are now in possession of former officers of said towns, or any of them, or of any other person or persons, board or officers, whether said board or officers be departments or officers of the city of New York, or any borough thereof, or otherwise; and said commissioner shall have exclusive power to make rules for the convenient use by the public of all the above mentioned records, documents and papers in his office. * * * The said commissioner of records is also authorized to reindex all conveyances, mortgages and other instruments relating to lands and liens thereon, which have been recorded in the various offices of the town clerks of the former towns of Kings County, respectively, hereinbefore referred to, or which have been filed therein, or which have been filed but not recorded, in the offices of the register and county Clerk of the county of Kings, such instruments to be indexed in a separate volume entitled, "Block index of unrecorded instruments," but nothing herein contained shall be construed as creating either actual or constructive notice of the contents of the said instruments, or either of them, where the same does not now exist by law."

* * * * *

Sec. 6. "It shall be the duty of any person or persons, board or officers, having in his, its or their possession, any of the maps, books or records of either or any of the said former towns of the county of Kings, to deliver the same to the commissioner of records, upon demand, and in case of a refusal, such delivery shall be enforced by a writ of mandamus issued out of the supreme court, or by an order of one of the justices thereof; and in case any officer, board or other person or persons, upon whom such demand shall have been made, shall deny having possession of any book or document, or other record so demanded, he may, upon return of such writ, or order, be examined, under oath, as to the whereabouts of such books, maps, documents and records. Having obtained possession of such books, maps, documents, and records, the commissioner of records shall collate, index and arrange the same for care, preservation and their use by the public; and in such cases as he deems necessary shall make translations into the English language of any such books and records as are in the Dutch language, and shall make certified copies of any thereof as may be necessary, and file such certified copies in such of the public offices of the county of Kings or in the city of New York, as may be necessary for the purpose of assessments, record or other public use."

The following catalogue shows such records as have been acquired by this office in pursuance of this law.

CATALOGUE OF LIBERS OF TOWN RECORDS IN THE OFFICE OF COMMISSIONER OF
RECORDS OF THE COUNTY OF KINGS.

NOTE.—Volumes which have been copied are marked with a star (*).

Title and Contents.	Date.	Vol. No.
TOWN OF FLATBUSH.		
Census, State, Election District No. 1.....	1845	136
Census, State, Election District No. 2.....	1845	137
Cattel Mortgages.....	1883-1890	134*
Court, Justices—Minutes.....	1887-1892	131*
Health Board, Minutes.....	1874-1886	132*
Highway Commissioners—Minutes.....	1877-1884	149*
Highway Commissioners—Treasurer's Receipt Book, Town Roads.....	1869-1875	140
Highway Commissioners—Treasurer's Receipt Book, Town Roads.....	1875-1880	141
Highway Commissioners—Treasurer's Receipt Book, Town Roads.....	1880-1884	142
Highway Commissioners—Treasurer's Receipt Book, Town Roads.....	1884-1888	143
Highway Commissioners—Treasurer's Receipt Book, Town Roads.....	1888-1893	144
Highway Commissioners—Treasurer's Receipt Book, Crosswalks.....	1874-1892	145
Highway Commissioners—Treasurer's Receipt Book, Ocean Avenue.....	1874-1886	146
Highway Commissioners—Treasurer's Receipt Book, Ocean Avenue.....	1889-1892	147
Highway Commissioners—Treasurer's Receipt Book, Ocean Avenue.....	1893-1894	148
Highway Commissioners—Treasurer's Account Book, Town Roads.....	1859-1869	150*
Highway Commissioners—Treasurer's Account Book, Town Roads.....	1869-1873	151*
Highway Commissioners—Treasurer's Account Book, Town Roads.....	1873-1889	152*
Highway Commissioners—Treasurer's Account Book, Town Roads.....	1889-1892	153*
Highway Commissioners—Treasurer's Account Book, Crosswalks.....	1874-1892	154*
Highway Commissioners—Treasurer's Account Book, Ocean Avenue.....	1872-1892	155*
Improvement Board—Minutes.....	1873-1885	160*
Improvement Board—Cash Book.....	1872-1894	138*
Improvement Board—Ledger.....	1872-1894	139*
Improvement Board—Bank Book.....	1887-1894	157
Improvement Board—Certificates of Assessment Sales.....	1874-1891	162
Improvement Board—Certificates of Assessment Sales.....	1895	163
Improvement Board—Certificates of Assessment Sales (Clerk's Book).....	1874-1893	164
Index to Papers received from Comptroller.....	Dec. 16, 1899	156
Index to Tax List School District No. 3 (probably).....		135
Schools—Accounts.....	1875-1882	123*
Schools—Accounts.....	1893-1897	124*
Schools—Accounts, District No. 3.....	1887-1888	125*
Schools—Draft Stubs, District No. 3.....	1884-1893	126
Schools—Census, District No. 3.....	1893	127*
Schools—Tax List, District No. 3.....	1877	117*
Schools—Tax List, District No. 3.....	1879	118*
Schools—Tax List, District No. 3.....	1880	119*
Schools—Tax List, District No. 3.....	1881	120*
Schools—Tax List, District No. 3.....	1882-1883	121*
Schools—Tax List, District No. 3.....	1884	122*
Schools—Trustees' Minutes, District No. 3.....	1875-1882	128*
Schools—Trustees' Minutes, District No. 3.....	1882-1888	129*
Schools—Commissioners of Sites Minutes.....	1891	130*
Streets and Sewers, Commissioners' Warrant Book, Stubs.....	1889-1894	158
Streets and Sewers, Commissioners' Warrant Book, Stubs.....	1894	159
Supervisor—Annual Report.....	1886	110*
Supervisor—Annual Report.....	1887	111*
Supervisor—Annual Report.....	1888	112*
Supervisor—Annual Report.....	1889-1890	113*
Supervisor—Annual Report.....	1891-1892	114*
Supervisor—Annual Report.....	1893-1893	115*
Supervisor—Annual Report.....	1893-1894	116*
Town Board Minutes.....	1875-1882	109*
Town Meeting Minutes—Dutch (including Town Accounts, 1663-1680).....	1701-1762	106*
Town Meeting Minutes—Part Dutch (including Slaves, Births and Manumissions, 1799-1819; Court Records, 1679-1681, Dutch).....	1762-1818	107*
Town Meeting Minutes (including Commissioners of Highways Reports, 1823-1851).....	1819-1851	108*
Town Records, Deeds, Wills—Dutch.....	1670-1768	100
Town Records, Deeds—Dutch.....	1676/7-1682	101
Town Records, Deeds—Dutch.....	1709-1818	102
Town Records, Court Minutes—Dutch.....	1659-1664	103
Town Records, Deeds, Court Minutes—Dutch.....	1666-1681	104
Town Records, Deeds, Court Minutes—Dutch.....	1664-1692	105
Troops—Quota in War of Rebellion.....	1861-1865	133
TOWN OF FLATLANDS.		
Election Inspectors' Reports.....	1799-1846	401*
Health Board—Minutes.....	1880-1885	402*
Health Board—Minutes.....	1885-1895	403*
Index of Papers received from Comptroller.....	Dec. 16, 1899	404*
License Board—Minutes (including Oyster Permits).....	1891	405
License Board—Town Clerk Expense Account (including Lands purchased on Ruffe Bay).....	1894	405

Title and Contents.	Date.	Vol. No.
Miscellaneous Records (Indian Deeds, Petitions, Awards, Court Records, Quitrent Receipts).....	1661-1864	406
Mortgages, Chattel.....	1847-1895	407*
Oyster Board Minutes (Rentals).....	1893-1895	408*
Police Commissioner's Receipts.....	1895	410*
Police Commissioner's Blotter.....	1893-1895	409*
Police Commissioner's Cash Book.....	1853-1895	411*
Road Records (including translation of Miscellaneous Records above).....	1661-1868	412*
Schools—Meetings, Elections, District No. 1.....	1850-1895	413*
Schools—Trustees' Minutes, District No. 1.....	1892-1895	414*
Schools—Minutes, District No. 2.....	1844-1895	415*
Supervisor—Accounts with Town and School.....	1853-1888	416*
Supervisor—Accounts.....	1888-1896	417*
Town Board Minutes (including Town Meeting Minutes, 1857-1891; Board of Canvassers, 1881-1891; License Board, 1890; Town Auditors, 1890-1895; Board of Assessors, 1891-1893).....	1877-1891	418*
Town Board Minutes (including Town Meeting Minutes, 1892-1895; Canvassers' Reports, 1892-1895).....	1892-1895	419*
Town Meeting Minutes (including Strays, 1802-1854).....	1783-1856	420*
Town Records, Deeds, etc. (including Town Meetings and Commissioners of Highways Records—Partly Dutch).....	1655-1784	400
Troops—Quota in War of Rebellion.....	1861-1865	421

TOWN OF GRAVESEND.

Auditors' Minutes.....	1879-1894	337*
Bonds—Part 1, Sewer District No. 1.....	1886-1888	341
Bonds—Street Record.....	1886-1892	342
Bonds—Street Record.....	1887-1893	340
Bonds—Sewer Improvement Book.....	1888	336
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TOWN RECORDS.

Of what good are these ancient town records which for years have been allowed to go to decay. The money equivalent for the money expended for their repair and preservation cannot be stated, although in cases it has come back many fold. In all civilized communities, property in the soil is the first evidence of settlement. These records show how the title passed from the Indians to the Government, and from the state to individuals. In fact they are the basis of the title to all real estate in this county. The true value of these records has been estimated by thoughtful students of them.

Edward Everett said: "In the pages of these ancient volumes there will be found lessons of experience; of blessed common sense, shaping itself to the exigency of uncommon times; of patient submission to present evils, in the hope of a brighter day; of fortitude and courage in an humble sphere; of provident care for the rising generation and posterity; of unwearied diligence for the promotion of religion, morals and education, which in their joint effect have done much toward giving us this goodly heritage."

Hon. C. F. Adams said: "It is in the towns and town records, that the American historical unit is to be sought. The political philosopher can there study the slow development of a system as it grew from the germ up. The details are trivial, monotonous and not easy to clothe with interest; yet the volumes which contain them are the most precious of archives. Upon their tattered and yellow pages the hardly legible letters of the ill-spelled words are written in ink grown pale with age; but they are all we have left to tell us of the first stages of a political growth which has since ripened into the dominant influence of the new world. Nor is it too much to imagine that when the idea of full human government, first slowly hammered into partial shape in these towns, as yet far from perfected, shall have permeated the civilized world and assumed shape, then these town records will be accepted as second in historical importance to no other form of archives."

Dr. O'Callaghan says: "The records of a government which thus introduced civilization, and founded courts, churches and similar institutions in our State,

are, few will be bold enough to deny, deserving of every care and worthy of particular preservation. They are the ground work, the foundation stones of the History of the State of New York, and, if destroyed, the record evidence of its antiquity is irreparably lost."

These records contain much minute legislation which show the creeds, the habits of thought, and the manners of the time. Here and there, a ray is shed upon domestic life, or family relations, which has its personal interest. The town legislation looked carefully after the manners and morals of the people; there are many curious entries which unconsciously throw a vivid light upon the new country and its simple life, and are of the greatest sociological value to one who would reconstruct a picture of this primitive life.

"Of what value are these old records?" Money value is usually in the mind of the questioner, and he can find the answer if he will consult the records of the courts. He will find how often these old records have been the only foundation for a just settlement of a knotty legal question. In every instance where an old road has been in question the town records are of the greatest importance. The monetary value of these records will be fully appreciated in the settlement of the ownership of the marsh lands in Jamaica Bay. While this problem has been settled as between the State and City it is believed that before the Jamaica Bay Improvement has progressed very far, claims to part of these marsh lands will be made by different private individuals; if this proves to be true, these town records will be the only means of settling the question.

The condition of some of these volumes as they were, when delivered to this office, cannot be pictured by description or photography, as nothing but handling will show the state of decay to which the paper had arrived.

The illustration on page 40 is an attempt to show the condition of one of these books, while the opposite illustration on page 41 shows the present condition of the same book after repairing and rebinding.

Some of these records have resisted decay for more than two hundred and fifty years and it was only too evident that their powers of resistance were in many cases nearly at an end, and that the time was not far distant when these records would have entirely disappeared. Some of these volumes had been wholly separated from the covers, and pages from each other, and wrongly arranged until the pages of the various volumes were so mixed as to make it the work of an expert to sort them. Copyists, or so-called historians, had re-paged them, often erroneously, and in some instances the volumes had been rebound with the pages in this improper order. The brittle leaves had been worn away, carrying with them information which virtually destroyed the particular record.

COLLECTION OF RECORDS.

Until the annexation of the former towns that made up the County of Kings, there were in each town a town clerk and various commissions and departments which had to do with the real estate in such towns, respectively, in which offices were kept records showing transfers of land, laying out of roads, woodlots, common lands, etc.

In order to ascertain what particular records were in use in these towns, the laws affecting their formation and government have been examined and memoranda has been made of the several boards and offices provided for by law and of the records which were to be kept by them. It became necessary to ascertain the names of the members of these various commissions and departments, and where possible by personal interview find what had become of the records they were required to keep.

At the time of the consolidation of the Towns of Flatbush, New Utrecht, Gravesend and Flatlands into the City of Brooklyn, a large portion of the rec-

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April 26
1672

1071

Admiration

Record of some account of the present estate
 and how he comes that of Thomas...
 - before and to go of some in the will...
 was heard by...
 - present and...
 - first admistrators and...
 - first tiller interest and...
 of land being and long in...
 the houseing garden and...
 and appoyntment these into...
 by the name of...
 of this same...
 and appoynting...
 to have...
 as large and...
 appoyntment...
 in writing...
 have...
 written: before the...
 acknowledged and...
 into in the presence of...

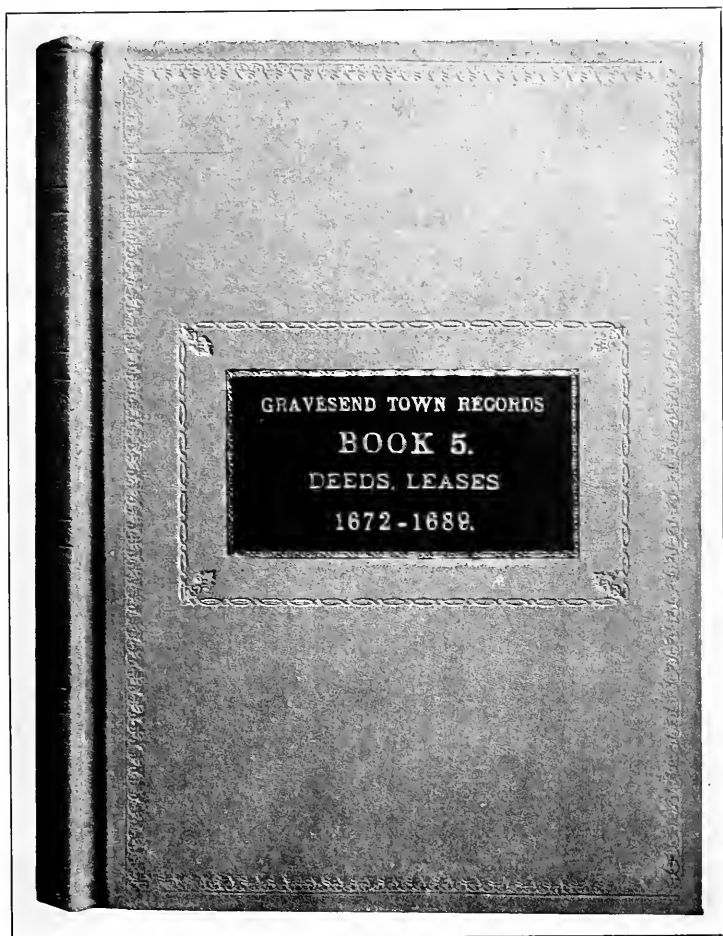
James Spurr

Richard...
Till you dying time

J. J. L. 7

BOOK 5

LIBER 5 OF GRAVESEND RECORDS.
1672.



LIBER 5 OF GRAVESEND RECORDS AS REBOUND.

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ords of said towns then in existence, were turned over in bulk to the Corporation Counsel of Brooklyn, who caused them to be examined and listed, and later, on creation of Greater New York, transferred most of these records to the Finance Department. Many of the other records were turned over by the town officials to the corresponding departments in the former City of Brooklyn. This office has received most of these records.

Occasionally this office receives records of value from former town officials or private individuals, but as time goes on it becomes more difficult to locate the missing records. From different sources there have been collected to date 29,231 manuscript records. The following schedule shows the number of papers relating to each of the former towns of Kings County now in the custody of this office:

New Lots	181
Flatbush	13,001
New Utrecht.....	4,830
Gravesend	6,813
Flatlands	4,406
	<hr/>
Total	29,231
	<hr/> <hr/>

These papers comprise:

A. Acceptances, Appointments, Bonds, Oaths and Resignations of Town Officers, supplementing similar information given in the books of Town Meeting Minutes.

B. Bills of Sale, Deeds, Leases, Mortgages, Patents and Releases. Among these are ten original patents or charters given by the Dutch and English Governors to the towns and a number of unrecorded deeds of early date.

C. Minutes of Town Meetings and Town Boards; Reports of Town Officers, including reports of Auditors, Common Land Trustees, Election Boards, Excise Commissioners, Fire Commissioners, Health Boards, Highway Commissioners, Improvement Boards, Police Commissioners, School Trustees, Town Treasurers and Water Boards.

Among these are to be found franchises and permits for railway, lighting and water companies. A very considerable number of papers deal with street openings and improvements, comprising orders of opening and grading, appointments and oaths of commissioners, awards and final reports. In these papers are to be found many diagrams and maps which are not listed in the number of maps.

There are also many papers dealing with vital statistics, such as births and manumissions of slaves. These are of comparatively early date, as are also the papers dealing with arbitrations and settlement of town boundary lines.

D. There remains a number of papers which will not permit classification under the three heads above given. Of such a nature are copies of laws affecting the different towns, and a number of papers of very old dates, both in Dutch and English, dealing with all sorts of subjects.

There is also in the custody of this department 199 maps distributed by towns as follows:

New Lots	23
Flatbush	38
New Utrecht	24
Gravesend	109
Flatlands	15
	<hr/>
Total	199
	<hr/> <hr/>

This does not include the large number of maps and diagrams attached to the papers and mentioned above.

The maps of early date are of the first divisions of the town common lands, such as home lots and plantations, wood lots, meadow lots, etc.; also maps used in early suits against the towns and maps used in settlement of boundary lines. Of later date, there are maps showing opening and improvements of roads or streets, changes of line proposed and adopted, sewer district maps, maps showing divisions of common lands and lands under water, maps of railway lines and a number of maps showing the estates of private individuals. There are also a few assessors' maps.

MISSING RECORDS.

Few persons realize the extent to which the earlier records of Kings County towns have disappeared and it is only when some question arises bringing to public notice the fact that certain much needed records are missing that the people give a thought to the matter. That these records are missing is not surprising when it is recalled that although the Town Clerk's Office was made the repository of many records, books, papers, plans, etc.; his office, if such it can be called, was his dwelling or a store or business office which might be his own or one in which he was employed. It was quite a common custom for clerks to loan their records and papers to persons asking for them, especially to historians, who, strange to say, usually took no care for their safety.

Of the missing records those of the Town of Brooklyn are without doubt of the greatest importance. These records were taken to England during the Revolutionary War by John Rapalje, who was employed as a clerk by Leffert Lef-ferts, the Town Clerk. After the death of Rapalje these papers came into the possession of his granddaughter who married William Weldon of Norwich, County of Norfolk, England. About the year 1810, Weldon and his wife came to New York bringing with them the lost records of the Town of Brooklyn, which they offered to sell to the town for a large sum, but would not allow them to be examined before delivery. The town officers not appreciating the value of these records, they were allowed to be returned to England. (Stiles History of Brooklyn, volume 1, page 327.)

Of the records of the former Towns of Bushwick, Williamsburgh and New Lots, this office has collected comparatively few, owing to the difficulty in obtaining information regarding their disposition, by reason of the time which elapsed between the consolidation of these towns into the former City of Brooklyn and the act of 1899 which gave this office the custody of these town records.

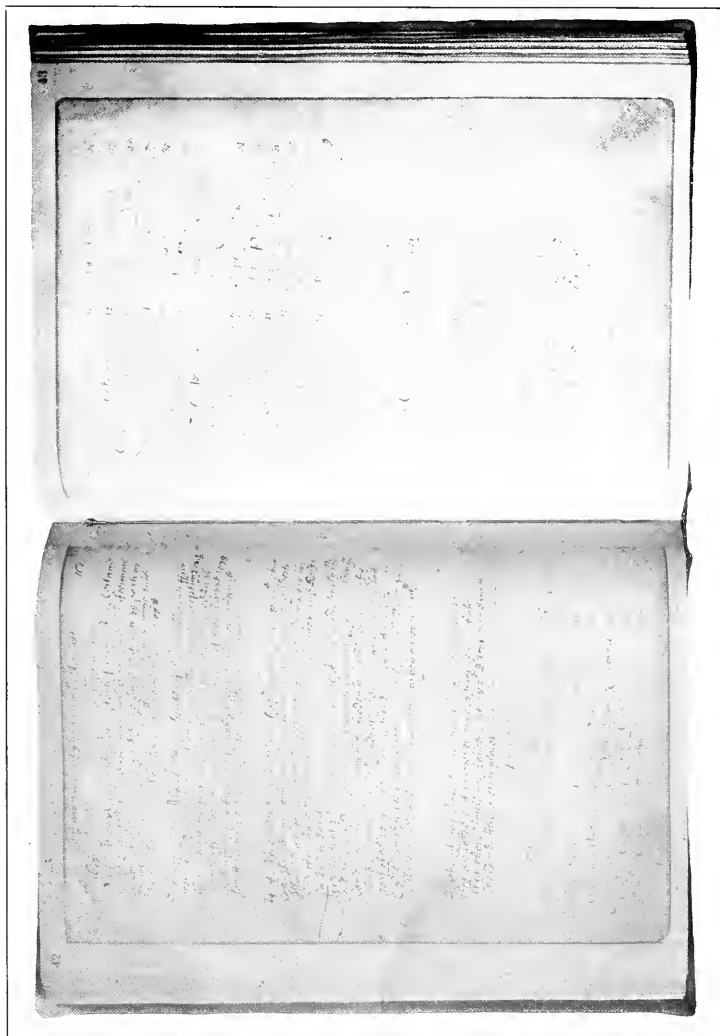
COPYING OF TOWN RECORDS.

No one unfamiliar with ancient records can have a right idea of the time required for correct copying and it is difficult to convince such a person that more cannot be accomplished. In ordinary copying, words and sentences are easily carried in the mind, whereas in the ancient copying it must be done word by word and often, owing to the quaint spelling, letter by letter. It is as necessary for one copying ancient records to be familiar with them generally, as it is for one copying a foreign language to be able to read it. Indistinct strange words, phrases and spelling which would not be decipherable to a novice because of their apparent lack of meaning are recognized by an expert.

The course pursued in copying has been to make a manuscript copy of the original, preserving the orthography, punctuation and, in fact, every feature, so far as practicable, that appears in the original record. After the copying is completed comparison is made with the original. In cases where errors have been made by the copyist, no erasures are allowed to be made; all corrections are made

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EARLY ENGLISH RECORD—GRAVESEND RECORDS, LIBER 3, PAGES 42 AND 43.
1677.

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COPY OF EARLY ENGLISH RECORDS, LIBER 3, PAGE 42.
1677.

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in red ink and a note is made on the margin that the correction has been approved. Where apparent errors appear in the original text a marginal note is made that the error appears in the original.

The illustration on page 46 shows one of these original records. The opposite illustration on page 47 shows the copy as prepared by this office.

TRANSLATIONS.

As will be seen by the catalogue in the beginning of this chapter, many of the old records of the various towns are written in the Dutch language. In some instances, while these records were still in possession of the town clerks, partial translations were made. In these translations there are many errors both of commission and omission. In addition to these translations are not complete of any single book, the one employed to do this work selected instruments at random, sometimes from one book and sometimes from another and many of the records of the greatest importance were entirely omitted. Translating these ancient records requires the services of one who is a competent Dutch and Latin scholar, a master of correct English, and through acquaintance with the history of the town to which the records refer. None of these qualifications seem to have been possessed by these early translators. In other words these early translations and transcriptions proved to be of such a character that this office was compelled to entirely ignore them.

Archivist Van Laer, of the New York State Library, in discussing the translation of Dutch records advocates the transcription of all the records in Dutch, with translations on the opposite pages. In a recent report he says:

"Modern scholarship regards the translation of historical documents as merely editorial work and demands that the original text be given as well as the translation, in order that competent persons may critically study the records for themselves. There are in and outside of the State many persons who can read and understand a printed Dutch text, but who are not sufficiently expert in the grammatical forms of the language and in the handwriting and contractions of the period to make much out of the original manuscript. In the interest of such persons the Dutch text should be given as well as the translation. Moreover, the publication of the Van Rensselaer Bowier manuscripts has in Holland attracted attention to the fact that the early Dutch settlements in this country are worthy of careful study. For the sake of the benefit which the elucidation of the early history of the State may derive from the study of the records by Dutch historians—who look at events from a different point of view and who have the advantage of a detailed knowledge of the contemporary history of their own country—it seems important to give such scholars the necessary material in its original form and in their own language, instead of through the medium of a foreign tongue. Finally, and this is perhaps the most important reason for printing the Dutch text as well as the translation, the printing of the documents in their original form is, properly speaking, the only means of preserving for all time the authentic information contained in them."

This office has had the method suggested by the State Archivist in use for a number of years, the course pursued is as follows: An accurate transcription of the Dutch text is first made by the translator, on the left hand page and directly opposite on the right hand page, line for line, as far as practicable, is written the translation; this translation is attested by the translator in an affidavit before an officer empowered to administer oaths. An illustration of one of these transcriptions and translations appears on page 51.

Indices are prepared and copied in the proper place in the beginning of each liber. These indices give all page references to every proper name, every place or locality, and every subject of importance treated or mentioned in the record. The value of an index of this kind needs no comment.

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Of the 176 original volumes in possession of this office, copies have been made of 122. In addition to which duplicate copies have been made and filed for use in various offices as shown in the following schedule:

Office.	No. of Volumes.
Department of Finance.....	5
Clerk of Kings County.....	29
Register of Kings County.....	1
Board of Health (Brooklyn).....	4
Bureau of Highways (Brooklyn).....	2
Department of Police (Brooklyn).....	2

Total	43

Such volumes as have been copied are marked with a star (*) in the catalogue.

COLLATING, INDEXING AND ARRANGING PAPERS.

Much preparatory work must necessarily be done before the papers are finally arranged in order for copying, and it is also essential that records called for at any time by the public should be obtainable without unnecessary delay. All papers have been placed in metal files, each file bearing a label showing the class and nature of its contents, which, in conjunction with lists prepared and used as temporary indices, furnish ready reference to said papers. The maps are kept in metal drawers and map tubes, properly labeled, and are easy of access.

The original volumes are arranged in order in a large fireproof safe and, so far as possible, are only used for identification.

Every facility is provided for the convenience of those desiring to examine the records, and employees of this office are constantly in attendance to render assistance and in providing such information as may be required.

SILK PROCESS.

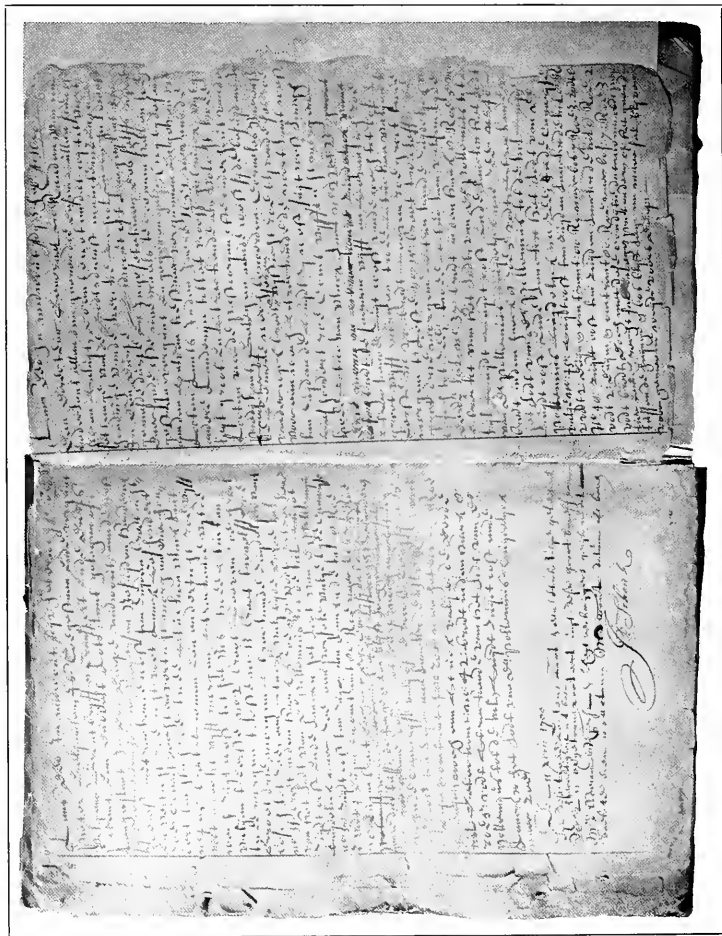
As most of these records are of the greatest importance, the utmost care is taken for their preservation and, ordinarily, they are kept in repair by employees of this office. In the cases of some of the older records which have become so worn and mutilated by exposure, use, and the chemical action of the ink that portions are continually crumbling off and disappearing, a silk covering process has been applied by outside experts to arrest their disintegration and to preserve them indefinitely.

This treatment has been used especially for the preservation of the most ancient of the town records and in the covering of maps.

The excellence of the silk or tissue process for preserving and binding records which were apparently beyond repair is so well acknowledged that each year sees more of the ancient records so treated. The illustration on pages 56 and 57 show a book which has been covered with silk and one in need of such covering.

The cost of the particular silk and the expert labor used upon the records necessarily makes this class of work expensive.

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RECORD BEFORE COVERING WITH SILK—FLATBUSH RECORDS, LIBER A, PAGES 5 AND 6.
1870.

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REINDEXING.

The Colony of New Netherland was planted by the West India Company, a commercial corporation of Holland, which obtained from the States General of Holland an exclusive charter or patent in 1621 to found colonies, etc., and for this purpose was invested among other things with the most comprehensive civil and judicial power. It was exclusively entrusted with the administration of justice in the colonies it should establish, having the right to appoint governors and all civil officers, etc., and to do all that the service of those countries might require. (Charter, Article 2.)

Under the Dutch regime there were no territorial divisions corresponding with what are now counties. The simple government of the towns was in part administered by magistrates nominated by the people and confirmed by the governor. The will of the governor in all matters, general and individual, civil and ecclesiastical, was absolute, and it appears that the rights of the people were held to be subordinate to his personal preferences, he often wantonly rejecting such magistrates as they had chosen merely to gratify his humor or caprice.

The laws and ordinances of the government of the province conformed generally to the jurisprudence of Holland.

Under this form of government, while towns had been erected, all papers relating to real estate were recorded with the Colonial Secretary. The following is the first legislation in this province relating to the recording of deeds, etc.:

LAWS OF NEW NETHERLAND—PAGE 114.

"Whereas the Director and Council of New Netherland have been informed that divers clandestine abuses and frauds have been practiced in the selling of Real Estate, such as Houses, Gardens, House lots, and other lands, to the serious injury of Creditors.

Therefore, the Director and Council do by these presents, charge their Secretary and, in his absence, the Chief Clerk, not to pass or sign any deed of Real Estate until it shall have been examined and approved by the Director and Council at the stated Court day, hereby declaring all contracts and conveyances null and void which shall have been passed without their approbation, ratification and signature.

This done and approved in our Sessions at Fort Amsterdam this 7th day of February Anno 1650."

This law continued in force until 1664 when the following petition was made and ordinance passed:

VOLUME 14—COLONIAL DOCUMENTS—PAGE 544.

To the Noble, Very Worshipful Director General and Council of New Netherland.

Respectfully show the Schout and the Schepens of the Village of Midwout, Breuckelen and New Entrecht, that experience has taught and is daily teaching them, that many irregularities and confusion occur among the inhabitants of said villages, because parcels of land, houses and lots which have been sold, are not properly conveyed; for it often happens that a piece of land, a house, or a lot is sold four or five times without a deed for it having been given and a receipt for the purchase money taken, because the persons considered the trouble, loss of time and expenses caused by coming to Fort Amsterdam to have the deed properly recorded in the Secretary's office. As it is an old custom in Holland, that all real estate is conveyed and transferred before the Schepens, in whose jurisdiction it lies, and in order to prevent the confusion and irregularities likely to arise through the neglect of having it properly conveyed.

Your petitioners turn to your Honors respectfully requesting that you will favor your petitioners with the authority and allow them in their aforesaid quality and by their Secretary of the four Villages to have the conveyances of real estate, already sold or hereafter to be sold there, made before the Secrt'y in presence of the two Schepens of the village, where the property is situated. Also that henceforth the petitioners may take acknowledgments, before two Schepens of the respective village, of Mortgages and bonds; the petitioners shall keep a separate record of the conveyances and mortgages in each Village. Which doing Etc.,

Your Honors obedient servants,

The Courts of Midwout, Amesfoort, Breuckelen & New Eutrecht

By order of the said Courts

ADRIAN HEGEMAN,

Secretary.

VOLUME 14—COLONIAL DOCUMENTS—PAGE 542.

Worthy, Dear, Faithful

Our answer to your petition is contained in the enclosure. This serves only to recommend and direct you to take care, that no deed or Mortgage of any piece of land, house or lot to be passed of which no proper patent can be produced, so that our good inhabitants may not be cheated and misled, for deeds and Mortgages of property, for which no patent is issued, are null and void.

In passing deeds, Mortgages, etc., you will use the Seal, sent herewith, until further orders.

Wherewith Etc.
Feb. 14th, 1664.

LAWS OF NEW NETHERLAND—PAGE 459.

PASSED FEBRUARY 14, 1664.

"The Director General and Council of New Netherland, having read and considered the petition of the Schout and respective Schepens of the Villages of Amesfoort, Breuckelen, Midwout and Utrecht on Long Island, setting forth that many Inhabitants in said Villages neglect to convey in proper form their sold Lands, Houses, and Lots, to the purchasers, and to give a quit-claim therefor, as many were, as they represent, unwilling to bear the trouble, loss of time and expense attendant on going to the Manhatans to the office of the Secretary of the Director General and Council, so that some Lands were sold 4 or 5 times without being duly recorded, said Petitioners therefore requesting to be authorized to have Deeds and Mortgages executed before them, each within his respective jurisdiction. Which, being taken into consideration by the Director General and Council, they have * * * * * authorized, as they do hereby, the said Petitioners, to have executed before them, the Deeds, Mortgages and Quitclaims of the Real Estate situate within their respective Jurisdictions and not beyond or without the same. Provided that in each Village correct Registers be separately kept as well of Deeds as of Mortgages, in order that it may at all times be correctly seen who the right owners of the Lands are, and if these are incumbered or not, and that correct copies thereof be annually delivered into the Office of the Director General and Council.

Thus done in Fort Amsterdam in New Netherland, the 14 February, A^o 1664."

This law marked the beginning of the recording of papers relating to real estate in the offices of the Town Clerks.

The foregoing was the manner of recording transfers of real estate at the time of the evacuation of the Colony of New Netherland by the Dutch. September 6, 1664.

Under the English the system was very similar as is evidenced by the following:

COLONIAL LAWS, VOLUME 1, PAGE 30.

DUKE OF YORK'S LAWS, MARCH 1, 1665.

Conveyances, Deeds and Writings.

"That henceforth no sale or alienation of houses and lands within this Government, shall be holden and good in Law except the same be done by Deed in writing under hand and Seal and delivered and possession given * * * and unless the said Deed be acknowledged and Recorded according to law. * * * And for the Recording of all such Grants, Sales and Mortgages. That every Clerk of every Court of Sessions shall enter all such Grants, Bargains, Sales and Mortgages of Houses, Lands, Rents and Hereditaments as aforesaid, together with the Estates of the Grantor and Grantee, Things and Estates granted together with the Date thereof."

COLONIAL LAWS, VOLUME 1, PAGE 62.

DUKE'S LAWS, MARCH 1, 1665.

Records.

"All Records of Bargains and Sale or any other Conveyances, Administrations or Probates of Wills within the North and West Riding shall be Transmitted to the Office of New Yorke, with the fees Ordained for the Records within one Moneth after the Record shall be made in the Courts, If within the East Riding within two Moneths."

On the 1st day of November, 1683, an Act was passed to "divide this province & dependences into shires and Countyes" (Col. Laws., Vol. 1, Page 121, Chap. 4).

Under this Act the County of Kings was created as a Civil division, and two days later the following law was enacted:

COLONIAL LAWS, VOLUME 1, PAGE 141.

An Act to prevent frauds in Conveyances of lands.

Passed November 3, 1683.

"Forasmuch as many abuses and injurys have happened to the Inhabitants of this Province for the want of Duely registering and recording Conveyances of Land whereby disputes and law Suittes do continually arise; for the prevencon whereof; Be it enacted &c., &c. That from and after the five and twentieth day of December next after the date hereof, no grants, deeds, mortgages or other conveyances whatsoever of any lands or Tenements within this Province shall bee of any force, power or validity in Law unless the said grants, Deeds, Mortgages or other conveyances be entered and recorded in the Register of the County wherein such lands or Tenements do lye within six months after the dayes of their respective dates.

Provided always * * * That none of the aforesaid grants, Deeds, Mortgages or other Conveyances shall be entered or recorded, until the party or partyes who did seale and deliver the same shall make acknowledgmt thereof before some of his mat^{es} Justices of the Peace, or that the same bee by Sufficient Witnesses proved before the said Justice of the peace and certificates thereof entered on the back side of the said Deeds, grants, Mortgages or other Conveyances.

Provided always that the said Deeds, Mortgages or other Conveyances as aforesaid bee by the clerk or register of the county * * * transmitted once

every yeare to the Secretary's office att New Yorke with the ffees ordained for the same, there to be registered and entered.

Provided also that the sume menconed in the said Deeds, Mortgages or other Conveyances do exceed the sume of £50 and no otherwise.

Provided also thatt if the Clerk or Register shall neglect to transmitt the said Records as aforesaid that the such neglect of the clerk shall not prejudice the right of any person claiming any such land by virtue of such Deeds, Mortgages or conveyances as aforesaid, butt thatt for such neglect the said clerk shall loose his place & be made forever incapable to execute any place or office of trust within this Province."

This Act which was amended Oct. 23, 1684 (Colonial Laws, Volume 1, page 148) was the origin of recording in the County offices. In other words, all records relative to real estate in the office of the County Clerk or Register were recorded subsequent to November 1, 1683.

The following extract from the Colonial Laws explains itself:

COLONIAL LAWS, VOLUME 1, PAGE 112.

CHAPTER 216.

An Act for the better settlement and Assuring of Lands in this Colony.

Passed October 30, 1710.

* * * " And whereas by many accidents the Deeds and Writings relating to Estates Some time have been and may hereafter be Destroyed, Consumed and Lost Whereby the Lawful and Rightfull Owner of any Lands, Messuages, House, Tenements and Hereditaments may be exposed to many doubtful, Expensive and Vexatious Suits, and other Inconveniences, for the Preventing Whereof Be It Enacted by the Authority aforesaid. That all and every Deed or Deeds Conveyance or Conveyances and Writings relating to the Title of Property of any Lands, Messuages, Tenements or hereditaments within this Colony which have been already or shall be hereafter Executed being Duly Acknowledged & Recorded in the Secretary's Office of the said Colony, or in the County Records where such Lands are Scituate and being Such Deed or Writing so Recorded or Transcript Thereof Shall be good and Effectual Evidence in any Court of Record within this Colony, to all Intents and purposes, as if the Original Deed or Deeds, Conveyance or Conveyances and Writings was or were produced and proved in Court."

COLONIAL LAWS, VOLUME 3, PAGE 957.

CHAPTER 945.

An Act for preventing frauds by Mortgages which shall be made and Executed after the first of June, 1754.

Passed 12/12, 1753.

"Whereas many frauds and Abuses have been committed as well by persons Mortgaging their lands, Tenements and Real Estate and afterwards Selling the same Lands to other Persons who were ignorant of Such Mortgages as by Persons Mortgaging the Same Lands Several times without giving Notice to the latter Mortgagees of the former Mortgage or Mortgages. Whereby many Persons have been defrauded of great Sums of Money. Wherefore for preventing those Evils for the future. Be it Enacted * * * That immediately from and after the Publication hereof Each and every of the Clerks of the Several and Respective Cities and Counties within the Province Shall provide a fit and proper Blank Book for the Registering of all Mortgages of Lands, Tenements and Real Estate lying within their respective Cities & Countys Which shall be made and executed after June 1, 1754. In which Register shall be entered the description and boundaries

of the lands mortgaged, the names of the Mortgagors and Mortgagees and the dates of the respective Mortgages and Mortgage Money and the time and times when payable and the time when registered or recorded.

To which register all persons whatsoever at proper seasons may have recourse and search and for which the said clerks shall have and receive the sum of three shillings for each Mortgage so entered and one shilling for every search. Provided Always that before any such Mortgage shall be so entered in any such register the same shall be either acknowledged by the parties that executed the same or proved by one or more of the Witnesses thereto * * *

And be it further Enacted by the Authority aforesaid. That if any person or persons whatsoever shall after June 1, 1754, Mortgage any lands, Tenements or Real Estate whatsoever within this Colony to two or more persons at different times and any doubt or dispute shall arise about the priority of such Mortgages. That then and in such case the Mortgage first entered on the Register in manner before directed for the City or County where the Lands, Tenements or Real Estate lie shall be deemed and taken and is hereby declared and shall be adjudged by all Courts of Law and Equity within the Colony to be the first and prior Mortgage. Provided it be made Bona Fide and upon good and valuable consideration. Any Law, Usage or Custom to the contrary notwithstanding.

* * * * *

And be it further Enacted by the Authority aforesaid, That whenever any Mortgage or Mortgages so entered as aforesaid, shall be redeemed paid off and discharged, The clerks of the respective Citys and Countys, on application to them made by the Mortgagors or persons Redeeming Paying off, and discharging such Mortgages and producing a certificate to the respective Clerks of the respective Cities and Counties signed by the Mortgagee or the Mortgagees in such Mortgage his her or their Executors Administrators or Assigns and acknowledged by the party or parties signing the same * * * Shall and they are hereby required to enter into the aforesaid book of Mortgages, a minute of the said discharge or discharges which minute so entered shall be deemed and taken to be and is hereby declared to be a full and perfect and absolute barr to the first entry of any such Mortgage or Mortgages. * * *

Under the requirements of this law the County Clerk of Kings County began the recording of Mortgages in separate books. This law did not require that the mortgage be recorded in full. Only that there be entered the *description*, the *parties*, the *amount*, *when payable* and the *date of record*.

The discharge of a mortgage under this act was, as a rule, nothing more than a receipt in full often pasted in the book opposite the mortgage.

This law was practically re-enacted by Chapter 45 of the Laws of 1788.

The foregoing illustrates the manner of recording in use prior to the recording act of 1822 of which the following is an extract:

LAWS OF 1822, CHAPTER 251, PAGE 284.

“ Be it enacted &c. That every deed, conveyance, or other writing, made and executed after the first day of January next, whereby the right or title to any lands or tenements lying in the counties of Saratoga, Kings and Sullivan, may be affected either in law or equity, after being acknowledged or proved by any of the officers empowered by law to take the acknowledgments of deeds * * *, shall be recorded in the clerks office of the said counties, in books to be provided by the clerks of the said counties, for that purpose, and that every deed, conveyance, or other writing, made and executed after the said first day of January next, whereby any of the said lands may be affected, in law or equity, shall be adjudged fraudulent and void against any subsequent bona fide purchaser or mortgagee, for a valuable consideration, unless the same be recorded as by this

act is directed, before the recording the deed or conveyance, under which such subsequent purchaser or mortgagee shall claim.

And be it further enacted, That every deed, conveyance, or other writing, of and concerning any lands or real estate, within the said counties, which shall be entitled to be recorded as aforesaid, shall be recorded in the order, and at the time when the same shall be delivered to the clerks for that purpose, and shall be considered as recorded from the time it was so delivered; and the said clerks shall make an entry at the foot or in the margin of the record thereof, of the day, month, year, and the time of the day, when the same is so recorded, and endorse and sign a certificate on such deed, conveyance or writing, of the particular time when, and the book and page in which the same is so recorded, and that every deed, conveyance, or writing, so acknowledged or proved, whether the same be recorded or not, or the record thereof, or a transcript of such record, certified by the said clerks, under the seal of the Court of Common Pleas of the counties whereof they are clerks, may be read in evidence in any court of this State, and without further proof thereof. * * *

It will be noticed that here there is a complete system for the registry of deeds and mortgages and not one word is said of any index to be made. In the certificate on the paper so recorded and the clerk is not required to certify that a paper is indexed.

LAWS OF 1826—CHAPTER 313.

“That it shall be the duty of the clerks of the several counties of this State, whenever directed by the Court of Common Pleas of any county to provide proper books for making general indices of all deeds and mortgages recorded or registered in the Clerk’s office of said counties respectively, and to index, in alphabetical order, all such deeds and mortgages, in such manner as shall afford a correct and easy reference to the several books of record in said offices, one of which indices shall contain, in alphabetical order, the names of grantors or mortgagors, followed by the names of all their grantees or mortgagees; and the other shall contain in like order, the names of all the grantees or mortgagees, followed by the names of their grantors or mortgagors: which indices of deeds and of mortgages shall be entered in separate books, and also to leave sufficient room in such books to insert the names of other grantors and grantees, mortgagors and mortgagees, from time to time; and when the said indices shall be so completed, the boards of supervisors of said counties shall audit and allow to the said clerks all monies they may have expended in purchasing said books, and 25c for each and every hundred names contained in said indices. Provided, That this act shall not extend to any counties where such indices are already provided, or to the City and County of New York.”

LAWS OF 1843—CHAPTER 199.

“Sec. 1. The clerks of the several counties in this State * * * in those counties in which general indices of deeds and mortgages have not been made and preserved, according to the act passed April 18, 1826, shall provide proper books for making such general indices, and shall form indices therein in such manner as to afford correct and easy reference to the several books of record in their offices respectively. There shall be one book for deeds and another for mortgages. In each book there shall be made double entries, or two lists of names in alphabetical order. In one shall be set the names of the grantors or mortgagors, followed by the names of their grantees or mortgagees; and in the other, the names of the grantees or mortgagees, followed by the names of their grantors or mortgagors, leaving proper blanks between each class of names for subsequent entries; and in those counties in which indices were made under the said act of April 18, 1826, and have been preserved the several clerks shall

complete the same by bringing them down to the present time, and in either case, the said clerks shall keep the said indices complete by adding to the lists, as deeds and mortgages shall be sent in to be recorded. * * *

Neither the Law of 1826 or that of 1843 make the index a part of the record. The indices provided for by Chapter 199 of the Laws of 1843 clearly form no part of the record but are intended in the language used "to afford correct and easy reference" to the books of record, and the record is thus recognized as existing independently of the indices. It is clear that the only purpose which was intended to be served by the indices was as a guide to the records for the convenience of searchers.

In the case of *Mutual Life vs. Drake* (87 N. Y., 257), Justice Earl referring to the index states: "There is nothing in the history of legislation on the subject of the registration of deeds and mortgages, from the earliest time in England and in this State which tends in the least degree, to show that it has ever been supposed that indexing was any essential or necessary part of registration."

"Whatever forms part of a perfect record as prescribed in the act is essential; that is, the conveyance must be recorded in the proper book, in the proper order and with substantial accuracy. If the record be defective in any thing essential, it will not serve the purpose of giving constructive notice to subsequent bona fide grantees or encumbrances."

Cites—4 Kent's Com. 174 "An index or alphabet of a mortgage is no part of a mortgage and a mortgage is duly registered if no index is made of it."

Also

1 Hilliard on Mortgages, 721 (4th Ed.), "The index is no part of the record and a mistake does not invalidate the notice afforded by a record otherwise properly made; although the mortgage be omitted from the index it is just as much an incumbrance upon the land, and notice of it from the time it was left for record or transcribed, affects all subsequent purchasers."

Further adds:

"It may be that the index, both for convenience and safety, should be made a part of the record, but until it is so made by the legislature, we can but pronounce the law as it is."

There has been no amendment to these laws relating to conveyances and mortgages, with the exception of the Reindexing or Block Index Act, Chapter 365 of the Laws of 1894.

Section 13 of which provides: "The entries made in said indexes" (i. e. Block Indexes) "shall, for the purpose of notice, be denied and taken to be a part of the record of the instruments to which such entries respectively refer, and shall be notice to such subsequent purchasers or encumbrances to the same extent and with like effect as the recording of such instruments * * * now is or may be notice."

Much more could be said on the subject of the index forming no part of the record (prior to the Reindexing Act) and of a paper being notice although not indexed, but this matter will be left with just one suggestion to the members of the bar, and that is, prior to the Reindexing Act in order that one might make an absolutely perfect search, it would be necessary to examine, page by page, every liber and read every instrument recorded during the period covered by the search being made. In other words, in making a search from 1800 to 1894, it would be necessary to examine upwards of 480,000 deeds.

REINDEXING.

The only indexes to the records relating to real estate, recorded in the County Clerk's and Register's offices, prior to January 1, 1895, were, what are called lexicographical or name indexes, and, in order to find what deeds, mortgages or other papers relating to a specified piece of real estate had been made,

it was necessary to run through a long series of indexes which contained the names of all persons in the County of Kings who had at any time made any conveyance or other instrument relating to any piece of land in the County. As there were about two million names on the indexes, it can be seen how enormous was the labor of searching which this system of indexing entailed.

Chapter 365 of the Laws of 1894 (See Appendix D) provided for the indexing of all instruments, filed in the offices of the Register or County Clerk, relating to real estate, on and after January 1, 1895, upon the Block System, that is, indices were required to be made having at the top of a page one of the blocks within the County of Kings. On that page or the succeeding pages, which belonged with it, were to be indexed all instruments affecting land in that particular block, without regard to what letter of the alphabet commenced the name of the person making the instrument. So that, in ascertaining what instruments had been made with regard to a specified parcel of land included within that block, it would only be necessary to examine the instruments which related to that block, and which would be included on a page or two, instead of on hundreds of pages on the name indices, with thousands, and perhaps, hundreds of thousands of entries which had no relation to the land in question. The Act of 1894 also provided that the County Clerk and Register should reindex all the old records on the Block System.

Chapter 526 of the Laws of 1897, after providing for the appointment by the Commissioners of Records of two superintendents, further provided "and from and after the first day of January, Eighteen hundred and ninety-eight, said superintendents, under the direction of the Commissioners of Records, shall carry on, continue and complete the reindexing of conveyances, mortgages and other instruments relating to lands and liens thereon in the County of Kings in the manner now provided by law to be done by the register and county clerk of said county. * * *

By Chapter 591 of the Laws of 1899, which provide for the appointment of a single headed Commissioner of Records it was enacted "and from and after his entry into office, the said Commissioner shall carry on, continue and complete the reindexing of conveyances, mortgages and other instruments relating to lands and liens thereon in the County of Kings, in the manner provided by law in force at the time of the passage of this act. The said Commissioner of Records assuming the duties with respect to said reindexing in the Register's office and the County Clerk's office of the County of Kings, now devolved by law upon the present Commissioners of Records and their superintendents."

Chapter 171 of the Laws of 1904, under which law this office is at present engaged on the reindexing, provided "From and after his entry into office, the said commissioner of records shall carry on, continue and complete in permanent form, the reindexing of conveyances, mortgages and other instruments relating to lands and liens thereon in the County of Kings, in block indexes, in the manner provided by law in force at the time of the passage of this act, the said commissioner of records assuming the duties with respect to said reindexing in the Register's and County Clerk's offices of the county of Kings, and now devolved by law upon the present commissioner of records. It shall be the further duty of said commissioner of records to reindex in separate block indexes all mortgages satisfied prior to January first, eighteen hundred and ninety-five, and upon the block indexes now completed or in process of completion by the present commissioner of records, all mortgages unsatisfied of record or satisfied subsequent to January first, eighteen hundred and ninety-five, or he may consolidate and include all mortgages recorded prior to January first, eighteen hundred and ninety-five, whether satisfied or unsatisfied, in the permanent block indexes, as he may deem most advisable. When put in permanent form and before depositing the said block indexes of mortgages in said register's office, the commissioner

shall note upon the margin of said block indexes of mortgages, following the index of each mortgage, respectively, all satisfactions filed prior to January first, nineteen hundred and four, and shall cause all satisfactions thereafter filed to be so noted upon the margin of such indexes from time to time as the same are filed. The said commissioner of records shall reindex in the block system of indexes of notices of pendency of actions, in the office of the county clerk of the county of Kings, the name or names of all defendants requested to be indexed in said notices, respectively, at the time of filing thereof, in addition to that of the first named defendant under which said notices are now only indexed, and shall continue the same to and until January first, nineteen hundred and five. Upon the completion of reindexing of records in the county clerk's and register's offices, upon the block system, as herein provided, the commissioner of records shall put his reindexing plant in proper and permanent form for its care and preservation for public use in his office, and is hereby authorized to arrange and bind in book, portfolio, or other permanent form, all the abstracts of conveyances, mortgages and other instruments relating to lands and liens thereon, which have been made in connection with, or for the purpose of the reindexing on the block system, and also maps, working plans and commissioner sheets, upon which are delineated lands in the county of Kings, which have been prepared and used in the office of the commissioner of records, in connection with, or for the purpose of reindexing on the block system; and may make such copies of said abstracts, maps, working plans and commissioner sheets as he shall deem necessary for public use; and the same, and the originals thereof, shall be deemed to be the public records, and shall, after the completion of the said reindexing on the block system, be public records, and shall be open to the use of the public in his office, and under such rules and regulations as the commissioner shall prescribe. The said commissioner of records is also authorized to reindex all conveyances, mortgages and other instruments relating to lands and liens thereon, which have been recorded in the various offices of the town clerks of the former towns of Kings County, respectively, hereinbefore referred to, or which have been filed therein, or which have been filed but not recorded, in the offices of the register and county clerk of the county of Kings, such instruments to be indexed in a separate volume entitled 'Block index of unrecorded instruments' but nothing herein contained shall be construed as creating either actual or constructive notice of the contents of the said instruments, or either of them, where the same does not now exist by law."

The usual course of procedure in reindexing the old records is as follows:

There is made by the Abstracting Division, an abstract, or, in other words, a short digest of each instrument recorded or filed in the office of the Register, and of all records in the office of the County Clerk, which relate to real estate. The abstract consists of the name of the party who makes the instrument, called the grantor or mortgagor, as the case may be, and the party or parties to whom the instrument is made, called the grantee or mortgagee, the date of the instrument, the date, liber and page of the record and a diagram, if possible, if not, a written description of the property.

In the meanwhile maps have been prepared which are called Commissioners' Maps or Sheets. On each sheet is laid down a section of the City, showing a certain number of blocks under the Land Map. These Commissioners' Sheets are more fully described on page 83.

The abstracts are then sent to the Locating Division where they are arranged according to locality, so that one man may have in his hands for locating all the abstracts which relate to the property shown upon one of the Commissioners' Sheets. The locator then takes an abstract and, with the Commissioners' Sheet before him, he ascertains upon what block or blocks the particular property shown on that abstract must be located and marks at the top of the abstract the proper

block. If he finds that the property extends over into another Commissioners' Sheet, the abstract is so marked, and a reference slip pinned to it, and it is passed on to such person as may have the adjoining sheet. This method also applies where an abstract describes two or more parcels of land on different sheets.

All abstracts which described property according to farm lines were sent to the First or Map Division where they were located and plotted on the Farm Plan Sheets described on page 84.

Any abstracts which are difficult, or perhaps impossible to locate from the Commissioners' Sheets, by reason of indistinct, doubtful, or defective descriptions, which occur especially in the earlier records are sent to the Fourth or Searching Division, where searches are made of other old instruments and other records relating to the property, and by comparison and diagrams made up from the instruments in question, and perhaps from twenty to thirty or more instruments, relating to the same farm of which the abstract represents a part, or perhaps adjoining farms also, the actual location of the property mentioned on the abstract is ascertained, and in that way the proper block number placed at the top of the abstract. Such a difficult abstract often takes one, two or three weeks to locate.

When the abstracts in a certain section have all been located, they are again re-distributed, according to the blocks which are marked at the top so that all instruments relating to one block may be together. The abstracts are then taken to the Indexing Department or Fifth Division, where the final work is done of entering on sheets all instruments relating to each block of land; when completed these sheets are bound up in temporary indexes.

Upon the completion of the reindexing, in this form, all instruments relating to any property upon a certain block will be found upon a few pages of the Block Index, so that a chain of the title of property will be obtained in a few minutes or a few hours, at the outside, instead of taking days, weeks, or even months as under the old system.

There were abstracted in all 1,273,868 records in the office of the Register made up as follows:

Conveyances	559,318
Mortgages	484,051
Cancellation of Mortgages.....	230,499
Total	<u>1,273,868</u>

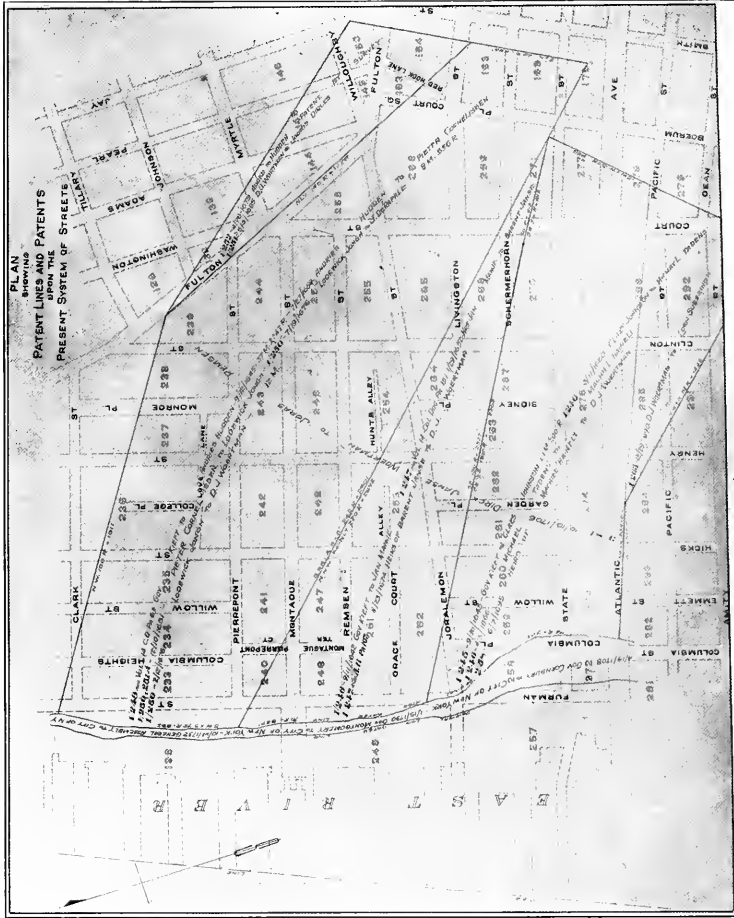
The foregoing is a very brief outline of the method of procedure in reindexing. An endeavor will be made to show some of the many details of this work.

PATENT AND FARM MAP SKETCHES.

The Dutch settlements on the western end of Long Island began mostly as individual enterprises. The settlers took up such tracts of land as best suited them and commenced their cultivation. These lands were either selected from those of which the title had already been secured by the West India Company from the native Indian proprietors, or were purchased directly from the Indians themselves. In either case, their occupation was duly sanctioned by a patent or ground brief from the Governor of the Colony acting for the West India Company, and confirmatory patents were usually granted after a change in the Governor of the Colony. Many confirmatory patents were issued after the acquisition of the Colony by the English Government.

The dates of the original patents mostly range from 1640 to 1664 and they are the basis for the title to most of the land in Kings County.

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PATENT MAP.

These original patents are of necessity the starting point in the re-indexing of records relating to real estate and in order that such of these patents as are recorded and the early conveyances might be properly located on the block system, it became necessary to prepare a map showing all these early papers.

This map was known as the Patent Map, an illustration of a small section of which appears on page 70. In order that this map might be prepared a thorough knowledge of the history of the County and State and of the early Indian deeds, and patents had to be acquired.

Employees of this office have made a study of all available published historical works, including local and family histories.

Few persons can appreciate the amount of study the preparation of a map of this kind required; work of this character calling for a special knowledge which no available person possessed and it was only by the most diligent search and close application that the work has finally been accomplished. Scarcity of records was probably the greatest handicap in the preparation of the work. Of the great number of patents which were issued to the different civil divisions and individuals for lands in this county, only four are of record in the county records. It is not surprising that these early papers were not recorded in the county records when it is recalled that the county had no existence as a civil division until November 1, 1683. Page 73 illustrates one of these patents.

Another of the difficulties of this work was the fact that the system of measurements in use under the Dutch Government did not conform to the English measurements now in use. While almost every province in Holland had a different system for the measuring of land, the following table shows those most commonly used in the province of New Netherland:

1 Dutch foot	=	11.355 English inches
13 Dutch feet = 1 Dutch Rod	=	12 ft. 3.62 English inches
600 Dutch sq. rods = 1 Morgan	=	2.084 English acres
1 Dutch mile	=	2.90 English miles
1 Amsterdam foot	=	11.14 English inches
13 " " feet = 1 rod	=	12.0683 English feet
600 " " sq. rods = 1 Morgan	=	2.061 English acres
1 Rhineland foot	=	12.4 English inches

A few of the historical works consulted are shown in the following list:

American Genealogies—Holgate.

A Description of New York—Daniel Denton, 1670.

Battle of Long Island—T. W. Field.

Colonial History of New York—Documents relating to, 14 Vols.

Calendar of English and Dutch Manuscripts.

Danker's and Shuyter's Visit to New York, 1679-1680.

Early Settlers of Kings County—Bergen.

History of Bergen Family—Bergen.

History of Brooklyn—Furman.

History of Brooklyn—Ostrander.

History of Brooklyn—Stiles.

History of Flatbush—Strong.

History of Flatbush—Vanderbilt.

History of Harlem—Riker.

History of Huguenot Emigration—Baird.

History of Indian Wars—Hubbard.

History of Johnson Homestead—Johnson.

History of Kings County—Stiles.

History of Lefferts Family.

History of Long Island—Farmer.

History of Long Island—Onderdonk.

History of Long Island—Prime.

History of Long Island—Thompson.

History of Long Island—Wood.



ORIGINAL PATENT—GOVERNOR DONGAN TO TOWN OF FLATBUSH.
1685.

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History of New Netherland—O'Callaghan, 2 Vols.
 History of New York—O'Callaghan, 4 Vols.
 History of Newtown—Riker.
 History of Queens County.
 History of Remsen Family.
 Indian Names on Long Island—Tooker.
 Indian and Dutch Names—Benson.
 Laws of New York—Greenleaf.
 Loyalists—Sabine.
 Moody, Deborah—Gerard.
 New Amsterdam Records.
 New York and New Netherland—Brodhead.
 Recollections of Brooklyn and New York.

The inaccuracies of these historical works was a source of many vexatious errors and delays, some of these inaccuracies or differences are noted below:

Vol. 14, page 65 of Colonial Documents reads "150 Rods"; Stiles' History of Brooklyn reads "115 Rods."

Vol. 14, page 61 of Colonial Documents, contains the following:

"The S. E. 50 Rds. S. of the hill, S. W. by W. and W. S. W. 80 rds." While Liber 1 of Conveyances, page 246, which is supposed to be a copy of the same paper, does not contain this sentence.

Vol. 14, page 60 of Colonial Documents reads "96 Rds.," while Stiles' History reads "69 Rds."

Vol. 14, page 45 of Colonial Documents reads "54 Rds.," while a certified copy obtained from Albany reads "twenty-four rods." Again in the same instrument one reads "74 Rds." while the other reads "Seventy Rods."

The patent to Abraham Rycken is located by Thompson at Gowanus; by Riker, at the Wallabout; and by Stiles, on the Brooklyn and Newtown Turnpike, while this office eventually located this grant on the old-Bushwick Road.

Many more such instances could be cited, but it is believed that the foregoing are sufficient to show the care and study necessary in this work.

In addition to the study of the different historical works it was necessary to examine many of the records in neighboring counties. Perhaps one of the greatest aids in the preparation of this work were wills.

Prior to 1787, all wills relating to Kings County, were, with a few exceptions, recorded in New York County, those having been probated prior to 1754 in the Prerogative Court and subsequent to said year in the Court of Probate.

Uncertainty as to the exact location of the boundary lines of the different civil divisions was another of the difficulties encountered. In several instances the lines of townships overlapped. The most noted instance of this kind was the dispute between the towns of Newtown, Bushwick, Flatbush and Brooklyn. Without going into a lengthy explanation of this case, the claim of the town of Newtown to all the south part of the town of Bushwick and practically all that part of the town of Brooklyn east of Reid avenue, necessitated the examination of all the records of the town of Newtown and of the early records of Queens County.

As a matter of fact many of the conveyances affecting the southern part of the town of Bushwick are of record in Queens County. It might also be mentioned here as a matter of information, that many conveyances of the land along the west side of Spring Creek are recorded in the town records of Newtown and in the Queens County records.

GENEALOGICAL WORK.

During the progress of the work on the original patents and early farm titles, it became necessary to make a systematic study of the descendants of the

original settlers. By a study of this kind many apparent breaks in the early titles have been filled. As an illustration, Jacobus Emans in the year 1728 was the owner of a large tract of land in the town of New Utrecht. In the year 1762 this land was sold by Jacques Denyse and Jacoba, his wife, and there is nothing in the county or town records showing how Jacobus Emans disposed of this land.

A study of the history of the Emans family discloses the fact that Jacobus Emans died in the year 1735, leaving him surviving one child, Jacoba, his only heir at law, and that this Jacoba afterward married Jacques Denyse.

Many other instances of this character could be cited but it is believed that the foregoing is sufficient.

The difficulties with which the student of the family history of the early settlers of Kings County have to contend were legion. Hon. Henry C. Murphy, While U. S. Minister at The Hague, wrote an article descriptive of Dutch nomenclature, etc., extracts from which illustrate some of these difficulties:

"Returning now to the consideration of names, in order to show what difficulties the peculiar systems adopted in this country (Holland), and continued by the settlers in our own home throw in the way of tracing genealogies, it is to be observed that the first of these, * * * was the patronymic, as it is called by which a child took, besides his own baptismal name, that of his father, with the addition of zoon or sen, meaning son.

"To illustrate this: If a child were baptized Hendrick and the baptismal name of his father were Jan, the child would be called Hendrick Jansen. His son, if baptized Tunis, would be called Tunis Hendricksen; the son of the latter might be William, and would have the name of William Tunissen, * * * and so on, through the whole calendar of christian names; or as more frequently happened, there would be repetition in the second, third or fourth generations, of the name of the first, and thus, as their names were common to the whole people, there were in every community different lineages of identically the same name. * * * In writing the termination 'sen' it was frequently contracted into se or z or s. Thus the name of William Barrentsen, * * * is given Barentsen, Barentse, Barentz or Barents, sometimes in one way, sometimes another, indifferently. * * * The inconvenience of this practice, the confusion to which it gave rise, and the difficulty of tracing families, led ultimately to its abandonment both in Holland and in our own country." * * *

"Another mode of nomenclature, intended to obviate the difficulty of an identity of names for the time being, but which rendered the confusion worse confounded * * * was to add to the patronymic the occupation or other personal characteristic of the individual. Thus Laurens Jansen, * * * the printer had affixed to his name that of Coster, that is to say, sexton, an office of which he was in possession of the emoluments, but the same addition was not transmitted to the son; and thus the son of Hendrick Jansen Coster might be called Tunis Hendricksen Brouwer (brewer) * * *. Upon the abandonment of the old system of names, this practice went with it; but it often happened that, while one brother took the father's patronymic as a family name, another took that of his occupation or personal designation.

"A third practice, evidently designed, like that referred to, to obviate the confusion of the first, was to append the name of the place where the person resided, not often of a large city, but of a particular, limited locality, and frequently of a particular farm or natural object * * * as for instance Van Wyck, Van Buren and many others too numerous to mention. Sometimes the Van has been dropped, as in the name of Boerum * * * of Covert * * *, and others."

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UNRECORDED DEEDS.

The fact that only a small percentage of the ancient deeds have been recorded either in the town or county records still further handicapped the work on ancient titles. Special effort has been made by this department to obtain either the original or copies of as many of these unrecorded papers as possible. There are now in possession of this office three volumes of unrecorded deeds amounting to over one thousand pages.

The different title companies and many individuals have materially aided this office in the collection of unrecorded papers. It is to be regretted that some more systematic effort has not been made to collect the great mass of unrecorded papers that are in the hands of the descendants of the early settlers of this county. As the years roll by these papers are being scattered and in time they will undoubtedly fall into the hands of persons who failing to appreciate their value will allow them to be destroyed. It is believed that some effort should be made to rescue from oblivion records of such vital importance to titles to real estate.

While these papers are in no sense official records this office has every facility for the care and preservation of papers of this character, and would suggest that those having original unrecorded papers relating to real estate deposit them in this office where they would undoubtedly be of inestimable value to searchers and historians, as well as to this office.

On page 78 is a fac-simile of one of these unrecorded deeds which has been deposited in this office for preservation.

OLD STYLE AND NEW STYLE OF DATING.

Searching through the old deeds, county, town, church and other records, and in reading early history we frequently notice in connection with the dates the abbreviations "O. S." and "N. S.," or the expression "Stilo Novo." George Washington was born, according to record, February 11, 1732, O. S., corresponding to February 22, 1732, N. S.

A year is the time required for the earth to revolve around the sun, viz.: 365 days, 5 hours, 48 minutes and 49.7 seconds; and for convenience it was necessary, by adding the fractions, to make an extra day every four years. Hence February has 29 days every fourth year.

About the year 45 B. C., Julius Cæsar, established the Julian or present style of making a year to consist of 365 days, and of adding one day every fourth year to make up the loss in the three preceding years. The addition of a whole day every four years is, however, too much by 11 minutes and a fraction.

The Council of Nice, in 325 A. D., established the beginning of the year on the 21st day of March. Hence the names of September, October, November and December, which, counting March as the first month, are the seventh, eighth, ninth and tenth months respectively, and we often find the names of these months written 7^{br}, 8^{br}, 9^{br}, and 10^{br}, the number in these cases being used in the place of the Latin words Septem, Octo, Novem and Decem.

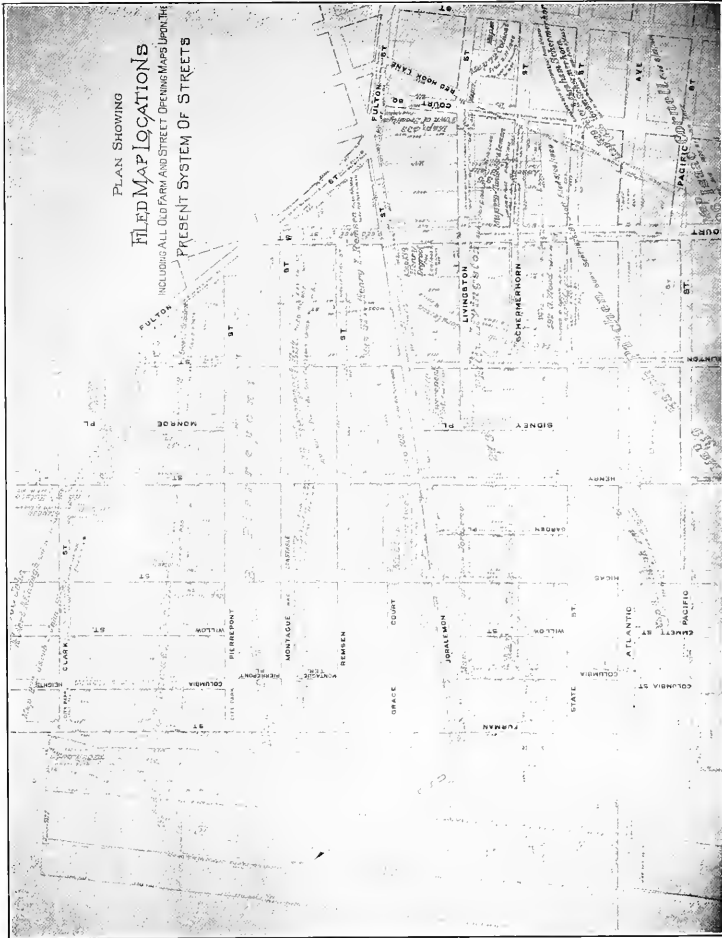
Pope Gregory found in 1582 that a gain of about ten days had been made in the period of 1257 years, and that the vernal equinox then fell on the 11th of March. To correct the time therefrom he decreed that the 5th of October in that year should be reckoned as the 15th; and to avoid the future overplus of 18 hours, 37 minutes and 10 seconds in a century, that every centurial year not divisible by 400 should not be "leap year." This required that the extra day be dropped three times in every 400 years. Catholic countries, generally, adopted the so-called "Gregorian Style," but Protestants declined, on account of existing prejudices, to receive from the Pope even such a marked improvement.

A bill to correct the calendar was introduced in the English Parliament in 1585, but failed to pass, and therefore the British people continued to endure

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PLAN SHOWING
FILED MAP LOCATIONS
INCLUDING ALL OLD FARM AND STREET OPENING MAPS UNDER
PRESENT SYSTEM OF STREETS



COMMISSIONERS' SHEET—FILED MAP PLAN

the inconvenience of the "old style" rather than submit to "Popish Dictation." In 1752, however, the British Parliament enacted that after the 2d day of September, 1752, the next day following should be reckoned as the 14th, and that three of the four centurial years should not be leap years, thus practically adopting the Gregorian style. The year 1700 was leap year under the Julian style but was an exception under the Gregorian style, and by the Act of 1752 it was made to conform thereto.

In applying "old style" to "new style" dates prior to September 2, 1752, it will therefore be seen that 10 days should be added to the dates on or before February 29, 1700, and 11 days to dates on or subsequent to March 1, 1700, and prior to September 2, 1752.

The Act of 1752 also established January 1 as the beginning of the year in all cases in and after 1752.

(Historical Bulletin, Volume 7, page 45.)

Still another manner of dating records, which causes more or less difficulty to those who are not familiar with English history was that of giving the year of the reigning Monarch instead of the year A. D.; for instance, few would recognize "in the second year of the reign of our Sovereign Lord George the Third" as the year "1762/3." Instances of dating in this manner are numerous prior to the Revolutionary War.

For the convenience of those examining the ancient records the following schedule is given:

Monarch	Accession.	Reign Ended.
Charles II.	May 29, 1660	Died Feb. 6, 1685
James II.	Feb. 6, 1685	Deposed Dec. 1, 1688
	Interregnum Dec. 1, 1688	
William III. } and Mary II. }	Feb. 13, 1689.	{ Died March 8, 1702 { Died 1694
Anne	March 8, 1702	Died August 1, 1714
George I.	August 1, 1714	Died June 10, 1727
George II.	June 10, 1727	Died Oct. 25, 1760
George III.	Oct. 25, 1760	Died Jan. 29, 1820

COMMISSIONERS' SHEETS.

In order to carry out the provisions of the reindexing laws, it became necessary to accurately determine the location of each parcel of land described in the early records, upon the present map of the city, with its elaborate system of streets. The vague method employed by the early settlers in their land transactions, the meagreness of descriptions and the lack of accuracy in the surveys, together with the fact that the farm lines continually changed, lines once existing having long since been obliterated by the merging of adjoining farms in one owner, and many other unforeseen obstacles made the undertaking a difficult one.

Under the direction of the First or Map Division two series of plans, called Commissioners' Sheets, were constructed, each series covering the entire county. These plans show the present system of streets, with the width of the streets and dimensions of the blocks, etc. Upon one series were located all maps affecting land in Kings County filed in the various offices, such as property maps, street opening maps, assessment maps, also all other surveys and maps not of record, obtained from reliable private sources. This series of maps were known as Filed Map Plans, an illustration of one of these plans appears on page 82.

Upon the other series, with the map lines as a basis, were plotted all descriptions from the early conveyances and mortgages. These plots were grad-

ually fitted together, like an immense puzzle, eventually forming a complete farm map, showing not only the present or most recent lines but all farm lines as have ever existed from the earliest settlement. Not only are all farm lines shown but also references are given to the libers and pages in which the instruments are recorded, together with the dates and names of the parties; and wherever possible the exact extent of each conveyance has been indicated by a suitable system of coloring. In this manner chains of titles of conveyances have been shown upon these plans down to the time the farms were cut up into lots. An illustration of one of these plans, which were known as Farm Plans, appears on page 85.

In early times, before the present system of streets had been adopted, owners of farms or tracts of land who desired to cut their property up into building lots would lay out a system of streets and lots to suit their own convenience and file maps of their land. Many farms were cut up in this manner until in order to avoid the hopeless confusion to which this would ultimately lead, a uniform system of streets was adopted. Many of the lots on these maps were sold, and, in some cases streets were opened on the ground and buildings were erected. Many other streets were never opened but only existed on paper.

In order to show the relative position of these old streets with the present uniform system, it became necessary to construct another series of plans, called Working Plans, upon which were laid down all old maps showing a system of streets different from the present system, indicating the old streets and lot lines in red, thus enabling all conveyances of lots on these maps to be easily located on the block system.

In some cases the changes in streets have been so numerous as to make it impossible to put all the information on one working plan, and therefore, it has been necessary to construct from one to four additional plans in order that the information might be legible and intelligible. Page 87 shows a small section of a working plan.

In all about 650 preliminary Commissioners' Sheets have been constructed; 97 Working Plans have been made on which are laid down 374 filed maps.

The Commissioners' Sheets are nearly all of uniform size, 24 by 36 inches, and made to a scale of 100 feet to 1 inch. The working plans are drawn to the same scale but vary in size according to the size of the old maps shown thereon. The total area of these plans, if placed side by side, would equal about four thousand five hundred (4,500) square feet.

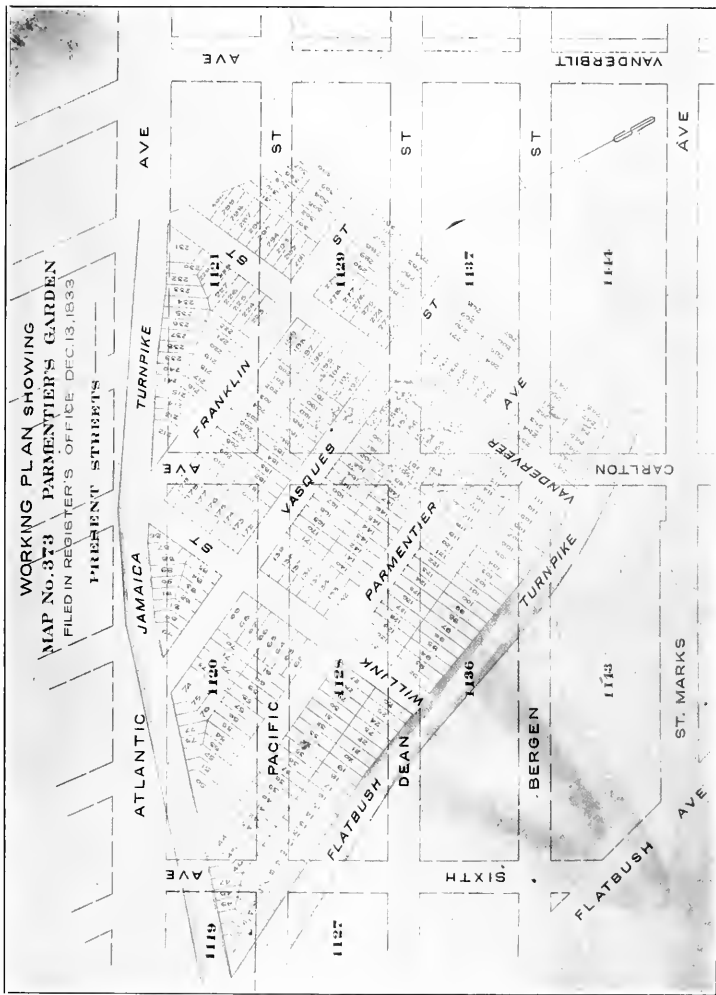
Upon these Commissioners' Sheets have been laid down about 3,400 filed maps from the Register's and County Clerk's offices and from other reliable sources. Upon the Farm Plans have been shown nearly forty thousand references to deeds and mortgages.

These plans have been drawn with the utmost care. Special endeavor has been made to show on these sheets in compact form all information relating to streets, maps, water lines, bulkhead and pier lines, as well as farm titles, and in fact any information which could be of aid in any way to searchers, lawyers, surveyors, or the public at large.

Abstracts have been made of all laws of the State of New York from the Colonial period to date which in any way affect lands and streets in Kings County. In this connection there has also been examined all the minutes of the Boards of Aldermen and Supervisors.

In connection with this work a card index of streets has been prepared showing street openings, change of lines, change of names, etc. This is being extended from time to time as additional information is obtained.

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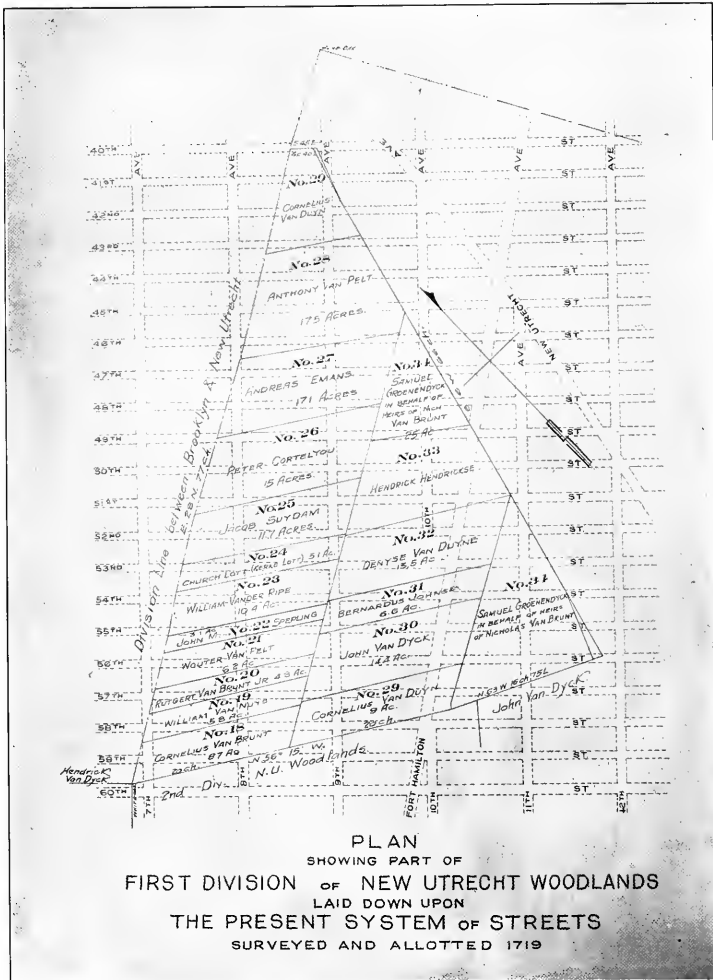


COMMISSIONER'S SHEET—WORKING PLAN

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PLAN
 SHOWING PART OF
 FIRST DIVISION OF NEW UTRECHT WOODLANDS
 LAID DOWN UPON
 THE PRESENT SYSTEM OF STREETS
 SURVEYED AND ALLOTTED 1719

PART OF THE COMMON LANDS OF THE TOWN OF NEW UTRECHT.

COMMON LANDS.

One of the questions which confronted this Department under the reindexing act was that of Common Lands. There were in each of the former towns of Kings County extensive tracts of land which had been acquired on behalf of the towns either by purchase from the native Indian proprietors or other individuals or by grants from the different Colonial Governors.

These lands were known as commons and consisted of pasturage for their cattle, woodlands and meadows, and were used in early times by all of the freeholders of the town as common lands. At later periods these common lands were laid out in parcels by the freeholders and were allotted to, and became the property of individuals, and were appurtenant to their homesteads.

In our ancient (and in fact in some modern) deeds one may read the following:

"together with all houses * * * meadows, waters and other immunities, libertys, priviledges and appurtenances thierunto belonging" (L. 2, Cons., p. 2).

"with the Priviledg off the undivided land and Premises in the Common Woods" (L. 2, Cons., p. 1).

"Together with the proporcoñ of meadows thierunto belonging" (L. 2, Cons., p. 11).

"with all the priviledges & appurtenances both of uplands & meadow & comonage that is thierunto belonging" (L. 2, Cons., p. 27).

"and all previledges and every part and parcel thereof * * * thierunto belonging and appertaining" (L. 2, Cons., p. 39).

"as also all the rights and priviledge that the said Gerrett now has and of right enjoyed in the Common Woodlands" (L. 3, Cons., p. 51).

"together with all * * * profits, rights and priviledges in the Common Woodlands of the town of Broockland * * * to the said piece or parcel of land belonging or in any wise appertaining" (L. 3, Cons., p. 79).

In all of the foregoing deeds it was undoubtedly the intention of the grantor to convey his rights or a part of his rights in the Common Lands of the town, and it became necessary to ascertain just what land was held by each town as Common Land, when it was acquired, and how and when it was disposed of.

An illustration of one of these original allotments appears on page 90.

OLD ROADS.

A careful study of the old roads in the county has been made not only for the purpose of determining their correct location upon the present system of streets, but also to settle the question as to their origin, i. e., whether under the Dutch or English form of government. This latter question at the present time is one of much importance. By the law of England the fee in the soil of a highway is in the adjoining owner; the public have an easement only. In the case of highways laid out prior to the evacuation of the Colony of New Netherland by the Dutch on September 6, 1664, a different conditions arises. It is generally conceded that the fee to the land occupied by roads laid out and used by the Dutch during their sovereignty here was vested in the Dutch Government and unless released is now owned by the successors of the Dutch Government.

There are many sides to the question of old roads but this is believed to be a general outline of the subject. Eighty-eight old roads have been investigated and carefully located, diagrams of each having been made, showing the blocks affected, and all the information obtained from a careful search of the old town and county records tabulated.

The roads so far investigated affect three thousand one hundred and ninety-eight (3,198) blocks on the Land Map and have a total length of one hundred and seventy-three (173) miles.

FRANCHISES (RAILROADS).

An examination of the conveyances and mortgages executed at different times by the railroad companies of their road beds in this county disclosed that, in addition to conveying or mortgaging, the railroad actually constructed these papers, also conveyed or mortgaged all franchises or rights which had been granted to the different companies.

In order that these papers might be properly located, it was necessary to compile all possible data as to the different railroads, their organization, charter, consolidations, sales and franchises; examining in this connection all reports of the State Engineer prior to 1884, the Reports of the Railroad Commissioners from 1884 to date, all Minutes of the Boards of Aldermen and Supervisors, all Session Laws and the records of the former towns of this county.

During the course of this work there was constructed maps which show the route of all railroads constructed, all filed maps of railroads, together with all franchises granted either by the local authorities or by special acts of the Legislature, and as far as possible there were also shown all contemplated roads.

During the 19th Century, there were chartered or incorporated 247 separate railroads located in Kings County. While many of these railroads were never operated, and in fact some had no more than an existence on paper, the three companies now operating in this county (the Brooklyn Rapid Transit, the Long Island and the Coney Island and Brooklyn Railroad Company) are made up by the consolidation or leasing of over 137 separate companies.

That the different railroad companies, the Public Service Commission, the Bureau of Franchises and other departments appreciate the value of this work is best evidenced by the frequency with which they consult these records.

This work has disclosed a condition in connection with railroad franchises that should interest every member of the legal fraternity and every dealer in real estate.

Under the present law franchises are not recorded, and there is no way in which a searcher may ascertain if a railroad has a franchise through the street in front of the property being searched. In fact the question of franchises never arises in connection with the transfer of real estate. It would seem, however, that a person buying property for residential purposes should know whether a franchise has been granted in front of his contemplated home.

It has been suggested that a law should be passed requiring that all franchises be recorded in the office of the Register, and indexed against all blocks in front of which the contemplated railroad passes, thus giving notice to all purchasers.

RELEASES OF MORTGAGES.

Section 23 of Chapter 365 of the Laws of 1894, provided that "releases from mortgages which have been satisfied" should not be indexed on the block system.

On the original distribution of Conveyance Abstracts, there were found 17,961 abstracts of this class. These it became necessary to examine in connection with original mortgage to determine if the mortgage was properly satisfied. This examination disclosed the fact that 16,302 of these papers were releases of mortgages which had been properly satisfied; while the balance, 1,389, were releases of mortgages which were open of record and they were therefore located and indexed on the Block Indexes.

LEASES.

Another class of papers which the Law of 1894 provided should not be indexed on the Block System were "leases which by their terms have expired." The original distribution disclosed 10,455 leases or assignments of leases which

required examination. Disposing of these abstracts required, because of their indefinite description or designation of the real property, many lengthy searches. Many of these original leases described the property by street number only, and as the street numbers were changed from time to time, their location on the Block System was especially difficult. The final examination of these papers showed that 6,539 referred to or were leases which by their terms had expired, the balance, 4,005, were located and indexed.

MISCELLANEOUS CONVEYANCES.

As the caption implies, these abstracts were of a miscellaneous character. The original distribution disclosed 14,333 papers of this class. Many of these papers were assignments of judgments of foreclosure and read as follows: "Sell, assign and set over unto John Doe a certain judgment order of foreclosure and sale entered on the 9th day of June, 1856, in the Supreme Court of New York, in the office of the Clerk of the County of Kings, in favor of Richard Doe, Plaintiff, against John Brown, Defendant, together with the bond and mortgage under which said judgment and order to sell was obtained." There was no further description of the mortgage and it became necessary to examine the judgment roll in the office of the County Clerk in order to ascertain the liber and page of the mortgage referred to. Prior to 1844, these judgment rolls were filed in the office of the Clerk of the County of New York.

The matter of assignments of judgments was only one of many such questions as arose in connection with the reindexing.

Take, for instance, such assignments as read "All my estate and interest, right, title, property, claim and demand * * * which was devised and bequeathed to me by the Last Will and Testament of Sarah Brown, deceased."

Assignments of Tax Sales were another troublesome class of papers. In one Liber of Conveyances there were found 87 of these assignments following each other which read "sell and assign the within or foregoing declaration of sale." There is no declaration of sale either preceding or following these papers. They are all made by the same grantor to the same grantee.

The following is another example of indefinite papers: Koert DeBevoise conveys to David Herring (186 C. P., 132) Oct. 19, 1848, "one acre of the farm in Bushwick. The said land is not yet in my possession but the same being devised to me by will of my grandfather to be mine after my mother's death; therefore it is only an expectant estate hereby conveyed—said Herring may select said acre himself." Here was a case of a man conveying something he did not own. Search disclosed the fact that the grandfather of Koert DeBevoise by will gives all his estate to his daughter Maria, the wife of Gabriel DeBevoise in fee (she was the mother of Koert).

Koert DeBevoise, the party of the first part, in this conveyance, died sometime prior to 1855, at which time he was seized of no property which in any way came from his grandfather, his mother, Maria, being alive at the time of his death.

General Assignments were still another class of abstracts that required a great deal of searching before they were finally properly located. In many of these papers the only description reads as follows: "All my real estate situated in the State of New York or elsewhere."

The following is a list of some of the different miscellaneous papers recorded in the conveyance libers: Assignments and Releases of Judgments, Assignments and Releases of Mortgages, Assignments and Releases of Liens, Agreements and Assignments of Agreements, Contracts and Assignments of Contracts, Powers of Attorney, Assignments for the Benefit of Creditors, Appointments of Assignees, Trustees and Receivers, Declarations, Wills, Releases of Legacies, Affidavits, Releases of Dower, Tax Sales, and many other of similar character.

In all these cases the papers are undoubtedly links or important features in the Chains of Title and the greatest care had to be exercised in order that they might be properly located on the Block System.

ACCOUNT OF MISCELLANEOUS ABSTRACTS.

Total number of abstracts to be examined.....	14,415
Disposed of by search.....	11,416

Balance	2,999

The balance of 2,999 is of so general and indefinite a character that it was found impossible to locate them for indexing on the Block System, therefore a special alphabetical index has been prepared and these papers have been indexed under the vowel system. This index is in two volumes, one for the grantors in which there are 4,108 entries, the other for grantees with 3,669 entries.

The following schedule shows the number of abstracts which have been indexed in the Temporary Block Index, together with the number of blocks on which they were entered.

INDEXING SCHEDULE.

Town.	Abstracts.	Blocks.	Names.	Volumes of Index.	
Conveyances	{ Brooklyn.....	428,386	737,815*	1,646,413*	441
	{ New Utrecht.....	42,684	21,913	55,876	61
	{ New Lots.....	32,911	51,904	128,259	37
	{ Flatbush.....	12,695	30,827	82,644	26
	{ Gravesend.....	6,947	32,016	89,092	29
	{ Flatlands.....	3,797	54,549	154,914	45
	{ Miscellaneous.....	9,375	143,420	415,360*	..
	506,795	1,072,447	2,572,458	639	
Mortgages	179,720	1,177,104	3,455,655	206	
Total	686,515	2,249,551	6,028,113	845	

* Estimated.

MORTGAGES.

Section 23 of Chapter 365 of the Laws of 1894 required the Register to index in the Block Indexes "All conveyances, mortgages and other instruments which were recorded or filed in the office of said Register, prior to the first day of January, Eighteen hundred and ninety-five, *except executory contracts for the sale of land, mortgages satisfied of record, satisfaction of mortgages, releases from mortgages, which have been satisfied, and leases which by their terms, have expired.*"

This section of the law which excepted "mortgages satisfied of record" from being Block Indexed necessitated that this class of papers be handled in a somewhat different manner than were the conveyances. When mortgages were originally abstracted if the record had been marked canceled by the Register, no abstract was taken of the property so mortgaged, but the abstract was marked "Discharged" and the date and liber and page of the cancellation were noted.

The Locating Department in separating mortgage abstracts first divided them in seven classes.

1. All mortgages discharged of record upon which there were no assignments or other marginal references.
2. All open mortgages upon which there were no assignments or other marginal references.
3. All open mortgages upon which there were assignments.
4. Discharged mortgages upon which assignments were noted.

5. Statutory foreclosures.
6. Miscellaneous.
7. Assignments.

The assignments and different papers relating to the mortgages could not be located without reference to the original abstract of the mortgage, it therefore became necessary that all papers relating to the mortgage should be carried back and attached thereto.

It was also necessary to have all papers relating to a canceled mortgage attached to the abstract in order to determine if the original mortgage was properly canceled.

These assignments, assign from 1 to 150 different mortgages all of which had to be examined; many of these assignments give no reference to the mortgage assigned, except as to its date. In cases of this kind it was necessary to make a search to ascertain the liber and page of the mortgage to which they referred. The original mortgage abstract with the papers attached became known as a chain of title and before being located were given a critical examination in order that any missing links or errors might be detected and where the chain of title was not complete by reason of an assignment being missing, or for any other reason, it was necessary to make a search to ascertain if such assignment or other paper had been recorded. After this examination was completed these chains of title were distributed according to locality and then followed the usual course of locating and indexing.

In the case of the discharged mortgages, after all papers had been attached to the original mortgage abstract, forming chains of title, these papers were examined to determine whether the chain of title was complete and, after examination of the Certificate of Cancellations or Satisfaction Pieces, whether the mortgage was properly canceled.

Many apparent breaks in these chains of title were caused by assignments being recorded by mistake in the Conveyance Libers instead of in the Mortgage Libers.

Before making the examination to determine if the mortgage was properly canceled it was necessary to abstract all certificates of cancellations. Abstracts were made of 230,531 papers. This abstracting and examination disclosed that 1,886 of these certificates had never been recorded in their proper libers although duly filed and the mortgage to which they referred properly marked canceled. Thirty-two of these certificates canceled mortgages which were apparently open of record. In ten instances, although the certificate was properly filed and recorded, the Register failed to mark the original mortgage as being discharged.

In abstracting the certificates of cancellations it was found in many instances that the record was inaccurate and incomplete. In many cases the record was not a complete copy of the certificate, as filed, but careless and insufficient extracts of them. This necessitated the comparing of the original certificates with the record.

In several instances, Certificates of Cancellations were filed to cancel the mortgages which had never been recorded. When a doubt arose as to the validity of a Certificate of Cancellation, the mortgage and all accompanying papers were located and indexed and a marginal reference made to the record of cancellation.

The following schedule shows the different classes of papers recorded in the mortgage libers and the disposition made thereof:

Total number of Abstracts of Mortgages.....	484,051
Mortgages which appeared discharged.....	246,049
	<hr/>
Abstracts which required examination.....	238,002
	<hr/> <hr/>

TOTAL NUMBER OF MORTGAGE ABSTRACTS, 484,051.

	Total.	To be Located.	Cancelled.	New Abs'ts.
Discharged—no references.....	191,174	62	191,112	....
Open—no references.....	39,523	59,523	.....	....
Open—with references.....	29,763	29,763	.....	....
Discharged—with references.....	54,875	199	54,628	48
Statutory Foreclosures.....	829	822	3	4
Miscellaneous.....	34,810	10,198	24,170	442
Assignments.....	113,075	35,285	76,666	1,124
	484,051	135,854	346,579	1,618
Distribution of 1,618 new abstracts.....	.....	810	521	287
	484,051	136,664	347,100	287
Mortgages transferred from Canceled to Locate Account.....	.....	43,038	43,038	....
	484,051	179,702	304,062	287

In other words there were 179,702 open papers recorded in the mortgage libers which it became necessary to locate. These papers affected about 1,177,104 blocks and in the indexing thereof 3,455,655 names were entered.

In the year 1901, the then Commissioner of Records expressed himself as follows: "That all mortgages should be indexed, whether discharged or still alive, for the reason that it is no part of the duty of the Commissioner of Records to pass upon the legality of discharges, if in proper form, and that there is no guarantee by the government, or any one else, that the discharges are legal or genuine. Hence, under the present system, it should be left to the decision of the examiner of title as to whether a mortgage is, in fact, legally discharged or not, and the omission of discharged mortgages from the Block Indices will require, by every careful examiner of title, a search of the lexicographical index of discharged mortgages, in addition to the examination of the Block Indices, doing away very largely with the usefulness of the Block Index. It is, however, the duty of the Commissioner of Records to index on the Block System the undischarged mortgages as that is the express direction of the statute, and, unless the law is amended, it is only the undischarged mortgages that can be put on the Block Index."

Following the foregoing suggestion it was enacted by Chapter 171 of the Laws of 1904: "It shall be the further duty of said Commissioner of Records to reindex in separate block indexes all mortgages satisfied prior to January first, eighteen hundred and ninety-five, and upon the block indexes now completed or in process of completion by the present Commissioner of Records, all mortgages unsatisfied of record or satisfied subsequent to January first, eighteen hundred and ninety-five, or he may consolidate and include all mortgages recorded prior to January first, eighteen hundred and ninety-five, whether satisfied or unsatisfied, in the permanent block indexes, as he may deem most advisable. When put in permanent form and before depositing the said block indexes of mortgages in said register's office the Commissioner shall note upon the margin of said block indexes of mortgages, following the index of each mortgage, respectively, all satisfactions filed prior to January first, nineteen hundred and four, and shall cause all satisfactions thereafter filed to be so noted upon the margin of such indexes from time to time as the same are filed."

This amendment makes it necessary to re-abstract the 304,062 abstracts shown as canceled in the foregoing schedule. Of these, there have been re-abstracted to January 1, 1910, 75,842, contained in 495 libers, leaving a balance of 228,220 abstracts, contained in 2,100 libers to be re-abstracted, located and indexed.

COUNTY CLERK.

The method of reindexing in the office of the County Clerk differed from that employed in the office of the Register.

It was provided by Chapter 365 of the Laws of 1894, Section 24: "The Clerk of the County of Kings shall cause to be prepared, suitable books for the reindexing therein of all statutory notices of liens and claims upon land which shall have been filed or recorded in the office of the said County Clerk for such period prior to the passage of this act, as said County Clerk shall determine, and said County Clerk shall thereupon cause all such liens to be reindexed in such books accordingly. The said County Clerk shall, when possible, reindex said instruments and liens in this section mentioned upon the plan of block indexing herein provided for, and under the respective sections and blocks on the said land * in which the land lies affected by such liens and instruments. The index books by this section directed to be prepared, shall be suitably endorsed and designated as Block Indexes of Reindexed Liens, the endorsements specifying the kind of Liens reindexed in each index book.

"Sec. 25. Notices of Lis Pendens shall be reindexed only against the name of the first plaintiff and the name of the first defendant mentioned in the notice, and in case of an action for the foreclosure of a mortgage, it shall appear by an index of such mortgage, or on the margin of † thereof, that such mortgage has been satisfied and discharged of record, or such action has been discontinued without judgment, then in such case the notice of the pendency of such action, which may have been filed, shall not be reindexed, under the provisions of this act, and no lien shall be reindexed which appears to have been satisfied and discharged by an entry to that effect on the margin of the present index, or of the record of the instrument, or by other record evidence brought to the notice of said County Clerk or Register. In cases in which mortgages have been foreclosed, and decrees of foreclosure have been entered, said Register may, in his discretion, enter on the margin of the record of the mortgage foreclosed the fact of such foreclosure and the date of the decree.

"Sec. 26. If, in the opinion of such Register or County Clerk, it shall, in particular cases, be impracticable by reason of the uncertainty of descriptions or otherwise, or it shall appear to either of them, for any reason, not advisable to index or reindex some of the instruments and notices of liens by the act directed to be reindexed upon the plan hereinbefore mentioned with reference thereto, said Register or County Clerk may, in his discretion, in such cases, as to such instruments and notices, adopt and carry out another plan of indexing or reindexing which he shall think best, in order to simplify reference to such instruments and notices and their use as public records."

NOTICES OF PENDENCY OF ACTIONS.

On the 31st of December, 1894, there were in the office of the County Clerk 152 volumes of Notices of Pendency of Actions which were to be reindexed. In these 152 volumes there had been recorded 55,776 separate actions each of which were abstracted as were the conveyances and mortgages. The abstract made in this case, however, contained the date on which the paper was filed, the liber and page of the record, the nature of the action, the court in which the action was commenced, the names of the plaintiff, the name of the first defendant, and a description of the property. These abstracts were later compared with the original Notices of Pendency of Actions which comparison disclosed so many errors and omissions that, in order that the Block Indexes might be as nearly accurate

* So in original (the word map omitted).

† So in original.

as possible, new abstracts were made from the original notices. These abstracts were later located and indexed in temporary block indexes.

SHERIFFS' CERTIFICATES OF SALE.

There were 1,954 of these papers filed prior to December 31, 1894, which have been abstracted, located and indexed in temporary block indexes. In abstracting, record was made of the filing date, the liber and page of the record, the party to whom sold, the name of the plaintiffs and defendants, a record of any redemption, assignment or cancellation, together with a description of the property sold.

FORECLOSURES BY ADVERTISEMENT.

The abstracts of this class of papers contained the filing date, the liber and page, the mortgagors, the mortgagees, the liber and page of the original mortgage, the liber and page of any assignment of the mortgage, a description of the property affected, a record of the liber and page of the sale, and a record of any redemption. There were 641 of these papers which have been temporarily block indexed on 2,037 blocks.

Chapter 171 of the Laws of 1904 materially changed the manner of indexing Notices of Pendency of Actions, as is shown by the following extract from said law: "From and after his entry into office, the said Commissioner of Records shall carry on, continue and complete in permanent form, the reindexing of conveyances, mortgages and other instruments relating to lands and liens thereon in the County of Kings, in block indexes, in the manner provided by law in force at the time of the passage of this act, the said Commissioner of Records assuming the duties with respect to said reindexing in the Register's and County Clerk's offices of the County of Kings, and now devolved by law upon the present Commissioner of Records. * * * The said Commissioner of Records shall reindex in the block system of indexing of notices of pendency of actions, in the office of the County Clerk of the County of Kings, the name or names of all defendants requested to be indexed in said notices respectively, at the time of filing thereof, in addition to that of the first named defendant under which said notices are now only indexed, and shall continue the same to and until January first, nineteen hundred and five."

Since the passage of this act, the employees of this office have been engaged in abstracting on information sheets the names of the additional defendants as required by this act. In addition to the 55,776 abstracts made of actions filed prior to January 1, 1895, it is estimated that under this law about 45,000 additional abstracts will be necessary to carry the records to January 1, 1905. In connection with this work, information sheets are made which, in addition to giving the information as hereinbefore set forth, give the names of the additional defendants as required by the Laws of 1904, together with a record of the liber and page of the actions as indexed in the Clerk's Minutes, the year and file number of action, a record of the liber and page of the mortgage and conveyance, the date of the Judgment, filing date of Referee's Report, filing date of Referee's or Sheriff's Report of sale, and record of a discontinuance or cancellation.

In order to determine if a notice of pendency of action was canceled, it was necessary to examine all the papers in the different actions; 38,148 orders cancelling these notices have been examined.

The condition of this work is as follows:

Notices of Pendency of Actions prior to 1895.....	55,776
Notices of Pendency of Actions, 1895 to 1905.....	45,000
	<hr/>
Total	100,776
Information sheets made to date.....	92,156
	<hr/>
Balance to make.....	8,620
	<hr/> <hr/>

In addition to this there are the records of the minor liens such as Homestead Exemptions, Mortgages to Loan Commissioners, etc.

The foregoing is but a brief outline of the work in connection with the records of the County Clerk's Office.

All of the temporary block indexes mentioned in this report (which are subject to correction) are in use by the public.

PERMANENT PLANT.

Chapter 171 of the Laws of 1904, provides * * * "Upon the completion of the reindexing of records in the county clerk's and register's offices, upon the block system, as herein provided, the commissioner of records shall put his reindexing plant in proper and permanent form for its care and preservation for public use in his office, and is hereby authorized to arrange and bind in book, portfolio, or other permanent form, all the abstracts of conveyances, mortgages and other instruments relating to lands and liens thereon, which have been made in connection with, or for the purpose of the reindexing on the block system, and also maps, working plans and commissioners' sheets, upon which are delineated lands in the county of Kings, which have been prepared and used in the office of the commissioner of records, in connection with, or for the purpose of reindexing on the block system; and may make such copies of said abstracts, maps, working plans and commissioners' sheets as he shall deem necessary for public use; and the same, and the originals thereof, shall be deemed to be the public records, and shall, after the completion of the said reindexing on the block system, be public records, and shall be open to the use of the public in his office and under such rules and regulations as the commissioner shall prescribe."

* * *

There have been prepared 85 permanent commissioners' sheets, a description of which is contained on page 83, all locations on which have been reviewed and to which have been added such additional information as has been received by this office up to the present time.

Preliminary to permanent indexing and the preparation of the permanent plant a great deal of review work has been done. Sketch plans have been completed covering most of the first twenty-five wards of the old City of Brooklyn; chains of title have been worked out for each farm, woodlot and meadow and subdivision thereof. These chains of title include references to many wills and unrecorded deeds. Endeavor has been made to show, wherever possible, the original source of title, tracing it down to the present time.

The work on the permanent plant, it will be appreciated, is yet in its infancy. When this work is completed, however, the County of Kings will have the most complete system of records relating to real estate of any county in the State, if not in the world. It will then be possible for any person of ordinary intelligence, with the assistance of the Commissioner of Records' permanent plant, to search the title of a parcel of land in a very few hours.

NEW LAND MAP.

Section 2 of Chapter 365 of the Laws of 1894, provided " the Register of the County of Kings is hereby authorized and directed to prepare a map of said county, on which shall be shown and delineated all the streets, avenues, roads, boulevards, parkways and water-fronts of said county, and also all blocks or parcels of land bounded by said streets, avenues, roads, boulevards, parkways and water-fronts * * *"

Section 15 of said act provided " whenever, after the making of said Land Map, any new or additional blocks of land shall be formed * * * by the opening or closing of any street, avenue, road, boulevard or parkway, or otherwise, it shall be the duty of the said Register * * * to cause new maps of such new or additional blocks to be made, and such new or additional blocks to be numbered * * * and to certify such new maps and file them * * * and on and after the first day of January next succeeding the making and filing of any such new maps * * * , said maps, so filed as aforesaid, shall constitute a part of the Land Map of said county * * *. The numbers and boundaries of blocks and sections shall not be changed except as in this section provided."

The register as required by Section 2 caused the original Land Map to be prepared. While this work was faulty in many instances, oftimes omitting streets and avenues which should have been shown and in other cases showing streets and avenues for which there was no authority, the fact must be borne in mind that the Register had less than six months in which to prepare this map, and in this short time there could be little or no investigation as to the authority for the different streets, avenues, etc. The basis for this original Land Map was the Town Survey in the county towns and the Commissioners' Map in the old city of Brooklyn.

The following schedule shows the changes made in the original Land Map prior to January 1, 1910.

Year.	Number of Changes.	Number of Blocks Changed.	Number of New Blocks Created.
1895	1	1	7
1896	2	75	11
1897	6	36	37
1901	1	24	25
1902	1	12	1
1906	23	153	143
1907	13	99	144
1908	14	55	73
	59	475	441

Chapter 344 of the Laws of 1909 amended Section 15 of Chapter 365 of the Laws of 1894 to read as follows:

" Sec. 15. Whenever, after the making of said Land Map, any new or additional blocks of land shall be formed * * * by the opening or closing of any street, avenue, road, boulevard or parkway, or otherwise, it shall be the duty of the said Register of the County of Kings to cause new maps of such new or additional blocks to be made, and such new or additional blocks to be numbered on said map, with block numbers following in consecutive order the highest block number on the maps or block indexes immediately previous thereto or by some other proper designation and to certify such new maps and file them * * * on and after the first day of January next succeeding the making and filing of any such new maps, * * * said maps, so filed as aforesaid, shall constitute a part of the Land Map of said County, * * * The numbers and boundaries of blocks and sections shall not be changed except as in this section provided. *During the year Nineteen hundred and ten

* Remainder of section new.

and during each tenth year thereafter, it shall be the duty of the Register of the County of Kings to cause to be made a new Land Map of the County of Kings, which said map shall be filed in the Office of the Register of said County and shall take effect on the first day of January of the year next succeeding the year in which it is prepared. Said map shall be a copy of the Land Map of the County of Kings then on file, including all additions to and changes in said Land Map, which have been previously filed, together with the additions or changes intended to be filed on the date of the filing of said new map, and shall thereafter be known as the Land Map of the County of Kings and shall become a public record; and every provision of this Chapter so far as the same may be applicable thereto shall apply to said new map with the same force and effect as though said map were prepared under the provisions of Section 2 hereof. The Land Map previously in use shall remain on file for the purpose of reference. *It shall be the duty of the Commissioner of Records of the County of Kings, to cause to be prepared and delivered to said Register such drawing or drawings as said Register may require, for the purpose of carrying into effect the provisions of this section.*

It was deemed advisable in the preparation of this new Land Map to investigate all streets, avenues, roads, etc., shown on the old Land Map so that the errors of that map might not appear on the new one. This work will require the services of from seven to eight men for about one year. All streets, avenues, roads, etc., will be investigated as to their origin, or any change in their lines or names. Every map of record in the County of Kings has been examined, also many of those on file in the County of Queens in order that the location of certain lines might be determined. There has also been utilized many public maps that are not of record, notably those of the United States Coast Survey, the Finance and Dock Departments, Bureau of Highways and the Topographical Bureau.

In the investigating of bulkhead, coast and shore lines, especially in Gravesend and Jamaica Bays, it was found that the old Land Map differed materially from existing conditions. As an illustration of the changes made by this investigation, the line of Spring Creek, which is the dividing line between Kings and Queens County, was actually found to be at least five hundred (500) feet to the east of its location on the old map.

While the actual work of copying the old Land Map requires but little time, the investigation of the different streets is another matter and consumes a great deal of time.

The act of 1909 provides that the Register cause a new Land Map to be made. The same act provides that it shall be the duty of the Commissioner of Records to prepare such drawings as may be required. In other words, the office of the Commissioner of Records does all the actual work in connection with this new map and the Register certifies the result.

The magnitude of the work upon which this office is engaged is only, to a slight degree, set forth in the foregoing memoranda.

The necessity for accurate records affecting title to real property is beyond question.

A description of the mass of detail involved and of the precautions taken to insure the accuracy of said records would entail an explanation that, while interesting, would be too voluminous for present purposes.

The invaluable assistance rendered the public, through the medium of our Temporary Block Indexes, proves, beyond doubt, the usefulness of this system representing alone in the reindexing of conveyances, approximately, 2,572,000 entries, and in the reindexing of mortgages the total entries will exceed this number.

The importance of the work of arrangement, care and preservation of records cannot be too strongly emphasized.

APPENDIX "A."

COMMISSIONERS OF RECORDS OF KINGS COUNTY.

UNDER CHAPTER 190, LAWS OF 1856, FROM 1856 TO JUNE 1, 1896.

Henry A. Moore—Resigned.

John P. Rolfe—Died January 18, 1895.

Jared Sparks, Died October 22, 1868.

John A. Lott—Resigned May 3, 1865.

Tunis G. Bergen—Appointed May 3, 1865; died 1881.

Abraham Lott—Appointed February 2, 1869; died 1889.

Chas. W. Church—Appointed May 5, 1881; resigned July 1, 1895.

M. E. Finnegan—Appointed January 24, 1889.

John M. Rider.

Henry N. Meeker—Appointed July 29, 1895.

UNDER CHAPTER 755, LAWS OF 1896, FROM JUNE 1, 1896, TO MAY 25, 1899.

Henry N. Meeker.

John M. Rider.

Henry S. Rasquin.

UNDER CHAPTER 591, LAWS OF 1899, FROM MAY 25, 1899, TO MAY 25, 1904.

George E. Waldo.

UNDER CHAPTER 171, LAWS OF 1904, FROM MAY 25, 1904, TO DATE.

John K. Neal—Appointed May 25, 1904; died June 2, 1908.

Lewis M. Swasey—Appointed August 1, 1908.

APPENDIX "B."

CATALOGUE OF BOOKS AND MAPS IN THE OFFICE OF THE REGISTER OF THE COUNTY OF KINGS UNDER THE SUPERVISION OF THE COMMISSIONER OF RECORDS.

<i>Conveyances—</i>	Libers.
From 1684 to December 31, 1894.....	2,276
From January 1, 1895, to April 30, 1907.....	915
From May 1, 1907, to January 1, 1910.....	182
<i>Mortgages—</i>	
From 1755 to December 31, 1894.....	2,595
From January 1, 1895, to April 30, 1907.....	1,369
From May 1, 1907, to January 1, 1910.....	372
<i>Indexes of Conveyances—</i>	
Grantors from 1684 to December 31, 1894.....	128
Grantees from 1684 to December 31, 1894.....	115
Grantors from January 1, 1895 to date.....	94
Grantees from January 1, 1895, to date.....	89
Block Indexes of Conveyances, January 1, 1895 to January 1, 1910..	299
Leaf Block Indexes, January 1, 1895, to January 1, 1910.....	860
Ticklers, Current	125
Daily Blotters	31

Indexes of Mortgages—

	Lifers.
Mortgagors from 1755 to December 31, 1891.....	106
Mortgagees from 1755 to December 31, 1891.....	106
Mortgagors, January 1, 1895, to January 1, 1910.....	102
Mortgagees, January 1, 1895, to January 1, 1910.....	92
Block Indexes of Mortgages, January 1, 1895, to January 1, 1910..	298
Leaf Block Indexes, January 1, 1895, to January 1, 1910.....	860
Ticklers, Current	125
Daily Blotters	29
Land Title Registration Department.....	16
Mortgage Tax Department.....	15
Notary Department	3
Cancellation of Mortgages from 1830 to January 1, 1910.....	690
Wills from January 1, 1895, to January 1, 1910.....	3
Contracts from January 1, 1895, to January 1, 1910.....	7
Powers of Attorney from 1844 to January 1, 1910.....	17
Certificates of Corporations from 1867 to January 1, 1910.....	1
General Assignments from January 1, 1895, to January 1, 1910.....	1
Miscellaneous Papers from January 1, 1895, to January 1, 1910.....	3
Miscellaneous Index from January 1, 1895, to January 1, 1910.....	2
Miscellaneous Ticklers (Current).....	6
Mortgages to Redeem.....	1
Conditional Bills of Sale from 1904 to January, 1, 1910.....	4
Conditional Bills of Sale from 1904 to January, 1, 1910.....	1
Conditional Bills of Sale from 1904 to January, 1, 1910.....	3
Chattel Mortgages—New Utrecht, 1850 to 1880.....	1
Chattel Mortgages, January 18, 1847, to March 29, 1900 (4 volumes missing)	33
Chattel Mortgages, March 30, 1900, to December 31, 1907.....	34
Chattel Mortgages, January 1, 1908, to date.....	40
Chattel Mortgages, Street Index (not complete), 1902-1910.....	9
	12,056

Map Department—

Recopied and Remounted Maps (volumes).....	19
Land Maps (volumes).....	6
School Maps (volumes).....	2
Grade Crossing Maps (loose—to be bound—volumes).....	2
Town Survey (volumes).....	3
Land Maps (in corridor).....	2
Indexes to Filed Maps.....	10
Filed Maps	2,810

CATALOGUE OF BOOKS IN THE OFFICE OF THE COUNTY CLERK OF KINGS COUNTY
UNDER THE SUPERVISION OF THE COMMISSIONER OF RECORDS.

Title.	No. of Volumes.
Notices of Pendency of Suits—1823 to September 23, 1909.....	269
Equity Judgments—July 21, 1848, to August 7, 1908.....	286
Money Judgments—February 8, 1892, to December 23, 1907.....	39

Title.	No. of Volumes.
Special Proceedings, Supreme Court (Orders)—November 1, 1853 to August 18, 1909.....	57
Special Proceedings, County Court (Orders)—June 14, 1844, to March 8, 1907.....	20
Clerks' Minutes—September, 1849, to December 31, 1895.....	52
Clerks' Minutes—January 1, 1896 to date.....	103
Clerks' Minutes, Special Proceedings—January, 1849, to December 31, 1897.....	6
Clerks' Record (City Court)—1849 to December 31, 1895.....	28
Certificate of Incorporations—October 10, 1878, to January 10, 1909....	36
General Assignments, June 2, 1860, to May 13, 1907.....	12
Insolvent Assignments—December 3, 1853, to February 2, 1898.....	4
Orders Appointing Receivers—April 28, 1862, to date.....	9
Sheriffs' Certificates of Sale—February 24, 1821, to date.....	5
Records of Miscellaneous Papers—April 20, 1850, to May 9, 1906.....	10
Bonds and Undertakings—May 18, 1887, to date.....	62
Block Indexes of Lis Pendens—1823 to December 31, 1894.....	131
Block Indexes of Lis Pendens—January 1, 1895, to date.....	127
Lexicographical Indexes of Lis Pendens—1823 to date.....	102
Block Index—Mechanics' Liens—1895 to date.....	127
Alphabetical Index—Mechanics' Liens—1893 to date.....	29
Clerks' Record on Lunacy—1872 to December 27, 1895.....	1
Money Book—1897 to date.....	1
Notice of Foreclosure by Advertisement—June 9, 1857, to date.....	3
Judgment and Decree Docket—1830 to December 31, 1884.....	91
Judgment and Decree Docket—January, 1885, to date.....	172
Judgment Dockets (City Court)—June 1, 1849, to December 31, 1895....	8
Eighth Ward Improvements—1897.....	1
Court Orders—March 11, 1907, to date.....	1
Mortgages to Loan Commissioner—1837 to 1876.....	1
Title Deeds and Old Records—October 9, 1878, to November 14, 1895..	1
Library and Cemetery—1846 to 1881.....	1
County Court Minutes in Equity—August 18, 1847, to July 28, 1848....	1
Supreme Court Minutes in Equity—July 13, 1847, to July 26, 1867....	1
Court and Road Records—1668 to 1825.....	2
Miscellaneous Incorporations—February 3, 1903, to date.....	1
Transfer Tax—April 30, 1892, to date.....	1
Transfers and Mortgages of Interests in Decedents' Estates—February, 1902, to date.....	1
City and County Appointments—January 1, 1900, to date.....	1
Order Perpetuating Testimony—August 31, 1905, to date.....	1
County Court Orders—September 15, 1899, to December 31, 1900.....	1
Homestead Exemptions—April 21, 1851, to November 21, 1893.....	1
County Canvass—December 5, 1900, to date.....	1
Clerk's Record, Mutual Life Insurance Co. of N. Y.—1874 to 1895....	1
Minutes of Special Proceedings (County Court)—January 1, 1844, to November 14, 1849.....	1
Minutes of Special Proceedings (County Court)—January 3, 1853, to March 18, 1855.....	1
Record Book of County Bonds—March 30, 1854, to April, 1883.....	1
Minutes of General Term (Supreme Court)—June 25, 1888, to December 31, 1888.....	1

Title.	No. of Volumes.
Certificates of Continued Use of Names of Copartnership—March 6, 1869, to date.....	1
Change of Names—November 9, 1896, to date.....	6
Adoptions—November 2, 1896, to date.....	5
Religious Corporations—September 18, 1785, to November 17, 1894.....	2
Index—Religious Corporations—September 18, 1785, to November 17, 1894.....	1
Index—Change of Names—1896 to date.....	1
Index—Designation for Service of Papers.....	1

Indices—

Index to Record of Adoptions—1896 to date.....	1
Trade Marks—1896 to date.....	1
Clerks' Records on Lunacy—October 27, 1842, to June 19, 1874.....	1
Liens on Vessels—1855 to date.....	1
Assignments of Contracts—1903 to date.....	1
Limited Partnership—1829 to date.....	1
Inventory and Sales of Merchandise—1902 to date.....	1
Inventories and Bonds of Assignees—1860 to date.....	1
Certificates of Business Firms—June, 1900, to date.....	2
Corporations—July 18, 1850, to date.....	2
Annual Reports of Corporations—1838 to date.....	2
Miscellaneous Records—1850 to date.....	2
Transfers and Mortgages of Interests in Decedents' Estates—Feb- ruary, 1902, to date.....	1
Undertakings (City Court)—January 9, 1860, to January 29, 1896.....	1
Street Openings, etc.—September 2, 1839, to date.....	1
References to Laws Authorizing Openings, etc., of Streets—1789 to 1903.....	1
Official Bonds—January 2, 1880, to date.....	1
Incompetents.....	1
Money Book—1897 to date.....	1
Papers Held for Fees—1884 to date.....	1
Foreclosures by Advertisement—June 9, 1857, to date.....	1
Insolvent Assignments—January 11, 1811, to February 2, 1898.....	1
Orders Appointing Receivers—May 1, 1862, to date.....	1
Collectors' Bonds—November 25, 1823, to date.....	1
General Assignments—June 2, 1860, to date.....	1
Homestead Exemptions—April 21, 1851, to date.....	1
Mortgages to Loan Commissioners—1837 to 1876.....	1
Sheriffs' Certificates of Sale—February 24, 1821, to date.....	1
Building and Loan Contracts—September 1, 1897, to date.....	6
Bonds and Undertakings—1823 to date.....	8
Registry of Agents, Managers or Brokers.....	2
Clerks' Minutes—1849 to December 31, 1895.....	18
Clerks' Minutes—1896 to date.....	46
Clerks' Records (City Court)—1849 to December 31, 1895.....	10
Divorce and Separation Proceedings—1847 to date.....	4
Clerks' Minutes—Special Proceedings—1849 to December 31, 1897.....	3
Declarations of Intentions (Municipal and City Court)—1823 to 1895.....	9
Declarations of Intentions (Various Courts)—1821 to 1895.....	9
Declarations of Intentions (City Court)—1834 to 1896.....	2

<i>Indices—</i>	Title.	No. of Volumes.
	Declarations of Intentions (County Court)—1857 to 1906.....	11
	Naturalizations (Various Courts)—1715 to 1894.....	9
	Naturalizations—Under Age—1876 to 1894.....	2
	Naturalizations (City Court)—1834 to 1896.....	2
	Naturalizations (County Court)—September, 1856, to August, 1907.....	17
	Naturalizations—Cancellations—1904 to date.....	1
	Final Applications for Citizenship (County Court)—February 26, 1896, to January 7, 1905.....	3
	Oaths of Allegiance—June 15, 1896, to May 10, 1907.....	1
	Notaries Public—1879 to date.....	9
	Marriage Records—January 1, 1908, to date.....	3
Marriage Records—January 1, 1908, to date.....		3
	Oaths of Attorneys and Counsellors—1859 to 1895.....	3
	Oaths—Commissioners of Deeds—1859 to date.....	8
	Oaths of Election Officers—1875 to date.....	1
	Oaths of Special Deputy Sheriffs—1883 to date.....	2
	Oaths of Notaries Public—1908 to date.....	10
	Certificates of Notaries Public—Other Counties—1873 to date.....	3
	Notaries of Public Cash Book.....	1
	Physicians' and Surgeons' Affidavits—1904 to date.....	4
	Register of Physicians and Surgeons—1880 to date.....	3
	Dentists' Affidavits—1895 to date.....	2
	Register of Dentists—1879 to date.....	2
	Veterinary Surgeons' Affidavits—1895 to date.....	1
	Register of Veterinary Surgeons—1895 to date.....	2
	Register of Osteopaths—1907 to date.....	1
	Optometry—1909 to date.....	1
	Chiroprodists' Affidavits—1895 to date.....	1
	Register of Chiroprodists—1895 to date.....	1
	Nurses' Affidavits—1904 to date.....	2
	Register of Nurses—1904 to date.....	3
	Register of Exempt Firemen—County Towns—1897 to date.....	2
	Register of Master Journeymen Horseshoers—1896 to date.....	2
	Oaths of Office (Appointive)—1906 to date.....	1
	Veterans' Peddler's License—July 1, 1908 to date.....	1
	County Appointments—1838 to 1871.....	1
	Peddlers' License Stubs—1896 to 1908.....	2
	Day Book.....	1
	New Utrecht—Road Records—1704 to 1870.....	1
	New Utrecht—Town Meetings—1793 to 1894.....	2
	New Utrecht—Sewer Commissioners—Bath Beach.....	1
	New Utrecht—Town Officers' Oaths—1877 to 1894.....	2
	Flatlands—Town Meetings—1783 to 1895.....	3
	Flatlands—School Districts 1, 2—Minutes—1844 to 1895.....	1
	Flatlands—Supervisors' Accounts—1853 to 1896.....	1
	Flatlands—Oyster Board and License Board Minutes—1891 to 1894..	1
	Flatlands—Election Inspectors' Reports—1799 to 1846.....	1
	Flatbush—Town Board Minutes—1819 to 1882.....	2
	Flatbush—School District 3 Tax Lists—1875 to 1884.....	3
	Flatbush—Supervisors' Accounts—1886 to 1894.....	1
	Flatbush—Justices' Court Minutes—1887 to 1892.....	1
	Williamsburgh Village Trustees Minutes—1832 to 1837.....	1

Title.	No. of Volumes.
Gravesend—Town Records—1616 to 1653.....	1
Gravesend—Town Board Minutes—1873 to 1894.....	3
Gravesend—Town Auditors' Minutes—1879 to 1894.....	1
Gravesend—Town Records, Deeds, Leases—1653 to 1670.....	1
Gravesend—Street Invoice Book—1885 to 1886.....	1
Gravesend—School District 1—1857 to 1894.....	1
Prospect Park—Extension Maps, A, B, C.....	3
Prospect Park—Assessment Maps, D, E.....	2
Prospect Park—Assessments Rolls.....	2
Prospect Park—Appointments of Commissioners.....	1
Prospect Park—Relative to Extensions.....	1
Prospect Park—Report of Commissioners.....	4
Index to Filed Maps.....	2
Preliminary General Inventory of Office, 1901.....	4
Preliminary General Inventory of Cellar, 1902.....	1
Report, Abstract, Damage and Benefit Maps (Street Openings).....	239
Filed Maps.....	32
Land Maps.....	5
Tickler Index—Notices of Pendency of Suits (Balance in Vault).....	14
Original Notices of Pendency of Suits—1823 to 1909.....	656
Bound Papers in Suits (Judgment Rolls).....	2,525
Records of Convictions—1867 to 1905.....	1,470
Minutes—Special Term—Supreme Court—March 17, 1860, to Decem- ber 31, 1894.....	40
Minutes—Trial Term—Supreme Court—1870 to December 17, 1902....	18
Minutes—General Term—Supreme Court—1848 to July 26, 1895.....	10
Minutes—Oyer and Terminer—Supreme Court—1870 to December, 1895.....	2
	<hr/> <hr/> 7,160 <hr/> <hr/>

The above records are distributed through the various departments of the County Clerk's Office, except in the Old Record Room. The books in the Old Record Room are as follows:

Title.	No. of Volumes.
Declarations of Intentions—County Court.....	108
Declarations of Intentions—(New Series)—Sup. Court.....	22
Declarations of Intentions—City Court.....	16
Declarations of Intentions—Municipal Court.....	1
Declarations of Intentions—Various Courts.....	133
Naturalizations—County Court.....	333
Naturalizations—(Adults)—City Court.....	65
Naturalizations—(Infants)—City Court.....	16
Naturalizations—(New Series)—Supreme Court.....	1
Petitions to Become a Citizen—1896.....	1
Stubs—Certificates of Naturalizations.....	43
Miscellaneous Records—Judgment Rolls.....	133
Judgment and Decree Dockets—(I. Series)—1849 to 1893.....	128
Judgment and Decree Dockets—(II. Series)—1830 to 1895.....	189
Judgment and Decree Dockets—1885 to 1895.....	57
Judgment and Decree Dockets—1891 to 1900.....	116
Judgment and Decree Dockets—1849 to 1854.....	17

Title.	No. of Volumes.
Judgment and Decree Dockets—1896 to 1907.....	37
Mechanics' Liens—1893 to 1900.....	28
Mechanics' Liens—1844 to 1894.....	92
Index to Clerks' Minutes (Oldest Set).....	10
Index to Clerks' Minutes.....	34
Clerks' Minutes (Old).....	53
Clerks' Minutes (Paper Covers).....	5
Index to Clerks' Minutes—Special Proceedings.....	4
Clerks' Minutes—Special Proceedings.....	7
Special Term Minutes—Supreme Court—1834 to 1909.....	267
Special Term Minutes—City Court—1885 to 1895.....	53
Index to Same.....	1
Criminal Court Minutes—1849 to 1855.....	140
Trial Term Minutes—Supreme Court.....	597
City Court Minutes—1869 to 1895.....	246
Chambers and Term Minutes.....	19
Clerks' Records of City Court.....	1
Clerks' Minutes.....	1
Court of Sessions—Minutes—(Kings County).....	8
County Court Minutes.....	21
County Court Calendar.....	1
Oyer and Terminer Minutes—1787 to 1870.....	5
Circuit Court Minutes—1800 to 1895.....	25
Index to Circuit Court Minutes—1872 to 1876.....	1
Minutes—Special Proceedings—City Court—1870 to 1895.....	4
Supplementary Proceedings—County Court.....	1
Minutes—General Term Supreme Court.....	4
Rough Minutes—Kings County Sessions—1862 to 1865.....	4
Rough Minutes—Kings County Sessions—Index.....	1
Index County Court—Common Rule.....	2
Index Supreme Court—Common Rule.....	1
Rough Minutes—Supreme Court—Special Term—1847 to 1856.....	5
Rough Minutes—Common Pleas.....	1
Common Pleas—Minutes—1800 to 1844.....	3
Common Pleas—Summons—1800.....	1
Rough Minutes—1841 to 1853.....	10
Court Minutes—1848 to 1853.....	1
Supreme Court Minutes in Equity.....	3
County Court Minutes in Equity—1847 to 1848.....	1
City Court Minutes.....	2
Supreme Court Minutes—1856.....	1
Index—Clerk's Record—City Court.....	1
Clerks' Record—City Court.....	7
Index to Foreclosures by Advertisement—1857 to 1909.....	10
Index to Annual Reports of Corporations—1870 to 1893.....	2
Index to Insolvent Assignments—1811 to 1894.....	6
<i>Indexes—</i>	
Orders Appointing Receivers—1862 to 1897.....	8
General Assignments—1860 to 1909.....	6
Religious Corporations—1785 to 1849.....	4
Insolvent Debtors—1811 to 1831.....	1
Sheriffs' Certificates of Sales—1821 to 1909.....	8

<i>Indexes—</i>	Title.	No. of Volumes.
	Collectors' Bonds—1823 to 1891.....	6
	Inventories and Bonds of Assignees—1860 to 1892.....	2
	Mortgages to Loan Commissioners—1837 to 1846.....	4
	Homestead Exemptions—1851 to 1893.....	3
	Recognizances to Answer.....	28
	Index—Limited Copartnership—1892 to 1896.....	1
	Index—Corporations—1848 to 1897 and 1850 to 1896.....	3
	Data Collected for Judgment Corporations—1885 to 1895.....	4
	Indexes to Notices of Pendency of Suits—1823 to 1895.....	48
	Indexes to Notices of Pendency of Suits—1823 to 1902.....	115
	Notices of Pendency of Actions—1823 to 1898.....	318
	Notices of Pendency of Actions (Recopied)—1902 to 1904.....	17
	Records of Certificates of Joint Stock Company.....	1
	Jurors' Records.....	9
	Jury Trial Lists.....	15
	Jurors—City Court—1856 to 1890.....	8
	Grand Jury Minutes.....	1
	Oaths of Office—1848 to 1852.....	2
	Receipt Books, County Clerk's Office.....	18
	Receipt Books, District Attorney.....	5
	Money Deposited with County Clerk.....	4
	Money Deposited with County Treasurer.....	1
	Collateral Tax—1886 to 1893.....	1
	Constitutional Convention—1894.....	1
	Fees Collected—1871 to 1891.....	1
	Warrants for Collection of Taxes (Sup. Court).....	2
	Appeals—City Court.....	2
	Indexes to Decisions—1906 to 1908.....	3
	Judgment Books (City Court)—1853 to 1895.....	65
	Cases on Appeal.....	4
	Order Books—City Court.....	3
	Calendars—City Court.....	4
	Index of Calendars and Executions—City Court.....	3
	Index—County Appointments—1871 to 1879.....	1
	County Appointments—1871 to 1879.....	3
	Medical Society—1874.....	1
	Notary Public Certificates.....	19
	Cash Books—1864 to 1865.....	2
	Day Book.....	1
	Ledgers.....	3
	Lottery Licenses.....	1
	Expense Book.....	1
	Stubs of Checks—Atlantic National Bank.....	1
	Stubs of Checks—Mechanics' Bank.....	1
	Stubs of Checks—National City Bank.....	1
	Stubs of Checks—Nassau Bank.....	1
	Time Book—City Court.....	1
	Journals.....	3
	Diaries—1866, 1893 and 1894.....	21
	Minutes—Book of Morning Star Council—1848.....	1
	Register of Muster Roll N. Y. State Volunteers.....	4
	Kings County Bounty Committee Receipts.....	1

Title.	No. of Volumes.
Fourth Regiment Roster.....	1
Principals—Receipts for State Bounty.....	2
Principals—Receipts for State Bounty—Register.....	2
Bounty Committee	2
Substitute Register	1
Principals Register	1
Census Reports—1820 to 1892.....	167
Census Reports—1905 (Loose in 5 Boxes).	
Poll Lists—1876 to 1887.....	98
Index to Poll Lists—1875, 1884 and 1885.....	3
Election Returns, Copied—1877 to 1902.....	240
County Town Ballots—1890.....	1
County Town Canvass.....	1
Party Nominations—1895.....	1
*Record of Adoptions.....	4
*Change of Names.....	4
*Incorporations	5
Court and Road Records—1668 to 1825.....	2
Order Book—May, 1904, to July 16, 1904.....	1
Affidavits and Marriage Licenses—January, 1908, to December 31, 1908	103
	4,541

Total number of books in County Clerk's Office is 11,701.

* Recopied.

CATALOGUE OF BOOKS IN THE OFFICE OF THE SURROGATE OF THE COUNTY OF
KINGS UNDER THE SUPERVISION OF THE COMMISSIONER OF RECORDS.

Title.	No. of Volumes.
Wills—May 16, 1787, to November 26, 1909.....	419
Letters Testamentary—February 23, 1830, to December 23, 1909.....	113
Letters of Administration—June 4, 1787, to Feb. 28, 1910.....	162
Letters of Adiministration—June 19, 1832, to April 13, 1909.....	11
Letters of Guardianship—May 14, 1814, to December 11, 1909.....	47
Testamentary Letters of Guardianship—December 15, 1891, to Decem- ber 10, 1903.....	1
Bonds of Administration—July 11, 1827, to March 29, 1910.....	245
Bonds of Administration—January 21, 1893, to March 7, 1910.....	40
Bonds of Guardianship—October 8, 1830, to November 5, 1909.....	114
Bonds of Guardianship—May 31, 1892, to February 14, 1910.....	26
Miscellaneous Bonds—February 25, 1896, to May 27, 1909.....	3
Decrees of Final Accountings—May 17, 1831, to September 15, 1908..	103
Transfers of Mortgages of Interest in Decedents' Estates—June 15, 1904, to January 4, 1910.....	2
Agreements, Releases and Receipts in Settlement of Estates—Septem- ber 4, 1906, to January 4, 1910.....	3
Surrogates' Minutes—January 11, 1830, to August 28, 1908.....	41
Orders of Publication—May 5, 1851, to March 3, 1910.....	12
Appointment of Special Guardian of Judicial Settlement—April 1, 1882, to March 3, 1910.....	5

Title.	No. of Volumes.
Probate of Wills and Appointment of Guardians—November 30, 1891, to March 8, 1909.....	6
Probate of Heirship—November 8, 1880 to date.....	1
Renunciation of Executors—February 18, 1830, to date.....	4
Records of Accounts of Guardians—June 26, 1833, to December 30, 1908.....	8
Rejected Wills—February 28, 1870, to date.....	4
Real Estate Proceedings—March 22, 1800, to June 4, 1909.....	9
Collection Bonds—December 11, 1858, to August 18, 1880.....	1
Collateral Tax—June 4, 1891, to September 26, 1893.....	1
Orders Appointing Appraisers—March 6, 1861, to June 21, 1887.....	2
Orders of Letters of Administration—May 3, 1851, to May 10, 1877....	6
Proceeding for the Administration of Dower—January 10, 1834, to May 6, 1875.....	1
Petitions for Minors Over 14 Years—December 6, 1842, to January 15, 1851.....	1
Petitions for Minors Under 14 Years—January 1, 1843, to January 15, 1851.....	1
Proceedings for Probate of Wills—May 1, 1851, to November 24, 1891.....	16
Orders for Citations of Wills, etc.—May 10, 1851, to September 29, 1879.....	8
Matter of Final Accountings—February 17, 1876, to February 3, 1882.....	1
Proceedings for Appointment of Guardians—May 2, 1851, to May 24, 1867.....	1
Minutes of Final Accountings—May 15, 1902, to August 1, 1907.....	6
Miscellaneous Orders—June 1, 1882, to March 24, 1884.....	1
Surrogates' Minutes of Miscellaneous Proceedings—January 3, 1906 to date.....	4
Letters Testamentary (Current).....	1
Ticklers of Wills.....	10
Miscellaneous Tickler.....	1
Miscellaneous Orders—January 1, 1899, to September, 1906.....	4
Ex-parte Matters (Current).....	1
Calendars.....	20
Bonds (Current).....	4
Tickler of Administration (Current).....	1
Tickler of Guardians (Current).....	1
Letters of Administration (Current).....	1
Testamentary Letters of Guardianship (Current).....	1
Ancillary Letters of Guardianship.....	1
Letters of Guardianship.....	1
Special Letters of Administration.....	1
Surrogates' Minutes of Accounts—August 9, 1907, to date.....	4
Record of Deposits with City Chamberlain.....	1
Stenographers' Minutes—February 24, 1880, to January 29, 1910.....	171
<i>Indices—</i>	
Miscellaneous Proceedings.....	5
Record of Inventories.....	2
Transfers of Interest of Mortgages of Decedents' Estates.....	1
Agreements, Releases and Receipts in Settlement of Estates.....	1
Testimony.....	1
Proceedings for the Sale of Real Estate.....	3

Title.	No. of Volumes.
<i>Indexes—</i>	
Guardians' Accounts	3
Final Accountings	4
Probate of Wills and Letters of Administration.....	16
Letters and Bonds of Administration.....	6
Letters and Bonds of Guardianship.....	5
Orders of Publication	1
Receipts for Original Wills.....	4
Receipts for Releases.....	1
Receipts for Assignment of Interests.....	1
<i>Obsolete Indexes—</i>	
Letters of Guardianship.....	3
Records of Inventories.....	2
Ticklers of Wills.....	5
Letters of Administration.....	4
Letters of Administration and Guardianship.....	2
Tickler Accounts	4
Letters Testamentary.....	3
Bonds of Guardianship.....	2
Guardians' Accounts	1
Probate of Wills.....	3
Miscellaneous	1
Bonds of Administration.....	1
Final Accountings	1
The following books are in the Transfer Tax Department:	
Transfer Tax Order for Appraisers.....	10
Taxable Transfers of Property.....	11
Decrees Filed and Copies Forwarded to State Comptroller.....	2
Decree Books—Collateral Tax.....	6
Indexes—Taxable Transfer of Property.....	7
Total	1,775

APPENDIX "C."

SCHEDULE OF NUMBER OF FILES IN THE OFFICE OF THE SURROGATE OF THE COUNTY OF KINGS UNDER THE SUPERVISION OF THE COMMISSIONER OF RECORDS.

Title of Papers.	No. of Files.
Probate Proceedings	1,803
Final Accountings	1,204
Administrations	341
Original Wills	254
Transfer Tax Proceedings.....	515
Transfer Tax Decrees.....	28
Transfer Tax Receipts.....	13
Guardians' Annual Accounts.....	164
Guardianships	130
Miscellaneous	335

Title of Papers.	No. of Files.
Orders to Advertise.....	55
Real Estate Proceedings.....	63
Inventories.....	12
Accountings.....	40
Rejected Wills.....	19
Unfinished Final Accountings.....	69
Unfinished Miscellaneous.....	19
Unfinished Special Proceedings.....	27
Uncalled for Letters of Administration—Property of Individuals.....	30
Various Papers in Wooden Files, Current Work Not Yet Classified.....	54
Total.....	5155

Final Accountings and Estates placed in large tin boxes, on account of the numerous papers filed in the said suits.....120 boxes.

SCHEDULE OF NUMBER OF FILES IN THE OFFICE OF THE CLERK OF KINGS COUNTY
UNDER THE SUPERVISION OF THE COMMISSIONER OF RECORDS OF THE
COUNTY OF KINGS.

	No. of Files.
Judgment Rolls and Papers in Suits.....	10,385
Money Judgments.....	1,398
Transcripts, Assignments and Satisfactions of Judgments.....	321
Equity Judgments.....	28
Mechanics' Liens.....	164
Assignments and Satisfactions of Mechanics' Liens.....	31
General and Insolvent Assignments.....	28
Incorporations.....	84
Annual Reports of Corporations.....	60
Limited Partnership.....	3
Business Certificates (Assumed Names).....	18
Trade Marks.....	3
Change of Names (Certificate).....	16
Defective Satisfactions and Other Papers.....	8
Sheriffs' Executions and Certificates of Sale, etc.....	87
Adoption Certificates.....	15
Appointments of County and Public Officers.....	22
Supreme Court Papers, Orders, Pleadings, Decisions.....	19
County Court Orders, Minutes.....	5
Appeals, Cases on Appeal, Remittiturs, Undertakings.....	128
Bonds—Official, Assignees', Mechanics' Liens, Miscellaneous.....	13
Miscellaneous Orders—1854-1891.....	26
Miscellaneous Papers—Supreme and County Court.....	26
Railroad Franchises, Consents, etc., Withdrawal of Consents.....	75
Insurance Claims, Certificates of Insurance.....	44
Motion Papers, Consents, Stipulations, Court Minutes, Bills of Cost....	91
Affidavits of Merit.....	21
Briefs and Exhibits in Actions.....	12

	No. of Files.
Street Opening Proceedings, Appointments of Opening and Grading Commissioners	14
Notes of Issue.....	16
Notices of Trial, Consents and Undertakings.....	2
Common Pleas Papers and Reports of Clerk.....	4
Perpetuating Testimony—1824-1888.....	1
Criminal Courts—Returns, Appeals, Affidavits and Orders, Bonds, Sentences and Rough Minutes, Excise Cases, Cases Transferred from Sessions to Oyer and Terminer.....	532
Certificates of Execution of Condemned Murderers.....	1
Inventories and Schedules.....	15
Lunacy—Warrants and Physicians' Certificates.....	11
Circuit Court, City Court and Miscellaneous Calendars.....	37
Physicians' Diplomas, Dentists' Certificates, Applications to Practice as Attorney	5
Bench Warrants, Convictions, Recognizances, Remission of Fines.....	26
Certioraris	1
Foreclosures of Mortgages by Advertisement.....	1
Miscellaneous Complaints and Papers in Suits.....	39
Verdicts	2
Certificates of Nominations, Statements of Canvassers, Election Challenges and Candidates' Expenses.....	19
Primary Election Returns and Challenges.....	49
Appointments of School Commissioners and Reports of School Districts	
Resolutions of Boards of Supervisors.....	1
Writs of Inquiry.....	1
Returns of Writs of Errors.....	1
County Town Elections—1843-1894.....	1
Financial Affairs of Flatlands—December 30, 1893.....	1
Unpaid Taxes, County Towns.....	3
Petitions of Habeas Corpus Proceedings.....	2
Narrs	5
County Treasurers' Reports.....	5
Certificates of Notary Publics and Commissioners of Deeds.....	96
Lists of Trial and Grand Jurors, Jurors' Notices, Circuit and City Court Jurors' Excuses	42
Coroners' Inquisitions	289
Statement of Brooklyn Trust Company—1889.....	2
Papers of Clerk of City Court.....	1
Notices of Pendency of Actions.....	28
Naturalizations Approved—1896-1906.....	104
Naturalizations Dismissed—1896-1906.....	17
Naturalizations, Orders Correcting and Canceling—1906.....	2
Naturalizations, Returns and Disposed of—1906.....	4
Naturalizations, Indictments for Trial—1906.....	2
Naturalizations, City Clerk's Records—1906.....	1
Declarations of Intentions.....	1
Law Journals—1892.....	1
Total	14,555

In addition to the above there are in the vault thousands of other papers in suits, together with printed cases and testimony in book form, which have not been arranged and placed in files. It is estimated that there are on file in this office, at the present time, about 5,600,000 papers.

The number of files in this office varies from time to time as the different papers are merged into Judgment Rolls and Papers in Suits.

SCHEDULE OF NUMBER OF FILES IN THE OFFICE OF THE REGISTER OF KINGS COUNTY UNDER THE SUPERVISION OF COMMISSIONER OF RECORDS.

	No. of Files.
Chattel Mortgages and Bills of Sale.....	1,820
Satisfactions of Mortgages.....	1,330
Court Orders, Street Openings, etc.....	25
Receipts for Delivery of Papers.....	387
Mortgage Tax Affidavits and Statements.....	46
Miscellaneous.....	32
Consents to Mortgages.....	15
Deeds.....	43
Mortgages.....	17
Leases.....	8
Wills.....	1
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	3,724
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APPENDIX "D."

CHAPTER 365, LAWS OF 1894.

AN ACT to provide for indexing and reindexing conveyances, mortgages and other instruments relating to lands and liens thereon in the County of Kings.

Became a law April 25th, 1894, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, Represented in Senate and Assembly, do Enact as follows:

SECTION 1. Every instrument affecting real estate or chattels real, situate in the County of Kings, which shall be recorded in the office of the Register of said County, on and after the first day of January, Eighteen hundred and ninety-five, shall be recorded and indexed pursuant to the provisions of this Act.

SECTION 2. Upon the passage of this Act, the Register of the County of Kings is hereby authorized and directed to prepare a map of said County, on which shall be shown and delineated all the streets, avenues, roads, boulevards, parkways and water-fronts of said County, and also all blocks or parcels of land bounded by said streets, avenues, roads, boulevards, parkways and water-fronts, subject, however, to the next following section. The word "block," as used in this Act, designates a plot or parcel of land such as is commonly so designated, wholly embraced within the continuous lines of streets and water-fronts taken together where water forms one of the boundaries of a block, and such other

parcels of land or lands under water as may be indicated upon said map by block numbers as constituting blocks.

SECTION 3. The said Register of the County of Kings shall also cause said maps to be subdivided into convenient land sections, for the use to which said map is to be put, as by this Act provided, and shall cause the division lines of said several sections to be exhibited on said map, and shall cause said sections to be numbered on said map from number one, consecutively, upward for as many sections as shall appear on said map.

SECTION 4. The said Register of the County of Kings shall also cause the blocks or parcels of land shown on said map to be numbered thereon, by block numbers, from number one consecutively upward.

SECTION 5. For the purpose of notice under this Act, each block shall be deemed to extend to the middle line of the streets, avenues, roads and boulevards, then or thereafter laid out on said land map fronting and adjoining such block, and shall also be deemed to extend to the exterior bulkhead line where water forms one of the boundaries of a block.

SECTION 6. The said Register of the County of Kings shall cause five copies of said map to be made, and shall certify the same under his hand, and shall file one copy of said map in the office of the Register of the County of Kings, one in the office of the Clerk of said County, one in the office of the Collector of Taxes in the City of Brooklyn, one in the Office of the Comptroller of said City, and one in the Department of Assessment in said City; and upon said map being so certified and filed, it shall be and become a public record, and shall be known and designated as the Land Map of the County of Kings.

SECTION 7. Such number of any of the aforesaid maps as the Board of Estimate of the City of Brooklyn and of said County of Kings may direct, not exceeding ten thousand, shall be printed by said Register of the County of Kings for sale, at a price fixed by said Board of Estimate, and the proceeds of such sale shall be paid to the County Treasurer of Kings County, to the credit of the general fund for the reduction of taxation.

SECTION 8. The Register of the County of Kings is hereby directed and required, immediately upon the completion and filing of said map in the office to cause to be prepared one or more books for each of said sections for the indexing therein under the proper block numbers and block diagrams of all instruments now required by law to be recorded in the books of conveyances. The said Register shall also cause to be prepared one or more books for each of the said sections for the indexing therein under the proper block numbers and block diagrams of all instruments now required by law to be recorded in the books of mortgages. Said indexes, when completed, shall be deposited in the office of said Register. They shall be prepared so as to contain the names of the parties to each instrument, the date of recording the same, and the liber and page of the record thereof, and shall be substantially the forms of the schedule hereto annexed, designated, respectively, Schedule A and Schedule B, which schedules are to be deemed and taken to be a part of this Act. Said books shall be entitled Block Indexes of Conveyances and Mortgages, respectively, and shall indicate the sections and blocks to which they shall respectively relate, and the said books shall be public records. Whenever there shall be filed with the said Register a satisfaction of any mortgage which has been indexed as herein provided, the Register shall forthwith enter upon the index of such mortgage, the date of the filing of the satisfaction of the same, and the liber and page of the record thereof, in the form shown for such entry, in said Schedule B.

SECTION 9. It shall be the duty of said Register to provide and keep in his office, besides said land map and block indexes, books to be entitled the Daily Index or Tickler of Conveyances and the Daily Index or Tickler of Mort-

gages, together with books of record in which shall be recorded at length conveyances and mortgages recorded in his office, each of which shall be endorsed with its proper liber number, as well as with the number of the section to which it shall relate, and which shall contain the record of instruments relating to land in that section.

SECTION 10. Every instrument presented to said Register for record and requiring to be indexed under this Act after the date when this Act shall go into operation in order to entitle the same to be recorded, shall contain in the body thereof, or shall have endorsed thereon to be recorded therewith, a designation of the number of every block on the said land map in which the land affected by the instruments lies. Every assignment of a mortgage and every agreement respecting a mortgage to entitle the same to be recorded shall contain in the body thereof, or shall have endorsed thereon to be recorded therewith, a designation of the number of every block on the said land map in which the land lies which is affected by the mortgage to which such assignment or agreement relates. And the record of the instrument shall not be effectual by way of notice to bona fide purchasers or encumbrances in respect of any land situated in any block not so designated, except as hereinafter provided in Section Sixteen of this Act.

SECTION 11. Whenever any instrument affecting or relating to land in said city entitled to be recorded and required to be indexed under the provisions of this Act shall be presented to said Register for record, he shall forthwith endorse the date, hour and minute of its receipt by him, and enter in the proper index or tickler the names of every party executing the said instrument, the date of the record thereof and the number of every block designated as aforesaid for the indexing of such instrument, and within ninety days thereafter shall cause the said instrument to be indexed in the proper book or books of block indexes under the block number and diagram of every block so designated.

SECTION 12. In the certificate of said Register now required to be endorsed on instruments recorded by him he shall certify, in addition to the other matters required by law to be stated therein the number of every block on said land map under which the instrument has been indexed.

SECTION 13. The entries made in said indexes, in conformity with the requirements of this Act, shall for the purpose of notice, be deemed and taken to be a part of the record of the instruments to which such entries respectively refer, and shall be noticed to such subsequent purchasers or encumbrances to the same extent and with like effect as the recording of such instruments in the office of said Register now is or may be noticed.

SECTION 14. Said Register, on and after the first day of January, Eighteen hundred and ninety-five, shall keep in his office for each section, alphabetical indexes containing lists of the names of all grantors and grantees of land entered from time to time on the block index of conveyances in such section in his office, referring after the names of said grantors and grantees to the liber and page of the record of the several instruments to which they are parties, and to every block affected by said instruments. Said Register shall keep in his office similar alphabetical indexes of mortgagors and mortgagees whose names appear upon the block indexes of mortgages. Said Register shall prepare the books for such alphabetical indexes, and in lexicographical or such other form as he may think proper, but said last named indexes shall not be deemed or held to be a part of the record of the instruments to which they refer, for the purpose of notice or otherwise, nor shall be deemed to constitute notice of said instruments or of the contents thereof. The indexes provided for in this section shall be in lieu of the general indexes, now required by law, to be kept in the office of said Register. But the indexes now in said office shall be retained so that access may be had to the same at any time, and the Register shall cause all conveyances and mort-

gages now recorded in his office to be lexicographically indexed where not already done, in the same manner and form as conveyances and mortgages are now lexicographically indexed in his office, and the Auditor of said County shall audit monthly and the Treasurer of said County shall thereupon pay to said Register his charge for said work at the rate now paid for like work in said office, but no more.

SECTION 15. Whenever, after the making of said land map, any new or additional blocks of land shall be formed in said County by the opening or closing of any street, avenue, road, boulevard or parkway, or otherwise, it shall be the duty of the said Register of the County of Kings to cause new maps of such new or additional blocks to be made, and such new or additional blocks to be numbered on said map, with block numbers following in consecutive order the highest block number on the maps or block indexes immediately previous thereto or by some other proper designation and to certify such new maps and file them in the same offices as the previous land maps, on and after the first day of January next succeeding the making and filing of any such new maps, the indexes of all blocks theretofore existing, comprising the land in the new blocks so formed as aforesaid, shall, except for the purpose of completing the indexing belonging to the preceding year, be closed and discontinued, and a new index shall be opened for every such new block in the form herein prescribed, which new index shall thenceforth be used for all entries relating to land in such block. The date of closing shall be entered on the map previously in use and at the end of every index on the block indexes so discontinued with references to the number of every new block to be used in place thereof, and the date of opening shall be entered on the new map so made and filed, and at the beginning of every such index with references to the number of every block before in use for the land contained in such new block; and on and after the said first day of January, said maps, so filed as aforesaid, shall constitute a part of the land map of said county, and become public records, and the recording and indexing of instruments relating to land shown thereon shall be subject to the provisions of this Act, as to the manner of indexing as hereinbefore provided, and the legal effect of such recording and indexing. The numbers and boundaries of blocks and sections shall not be changed except as is in this section provided.

SECTION 16. In cases where any instrument shall have been recorded without such designation as is required by Section Ten of this Act, or with an erroneous designation, the said Register shall, on presentation of proper proof thereof, enter such instrument in the proper index under the proper block number of every block, the designation of which shall have been erroneously stated or omitted, and shall, at the same time, make a note of such entry and of the date thereof in every place in which such instrument may have been erroneously indexed, opposite the entry thereof, and also upon the record of the instrument and upon the instrument itself, if the same be in his possession or produced to him for the purpose, and the record of such instrument shall be constructive notice as to property in any block not duly designated at the time of such record only from the time when the same shall be properly indexed.

SECTION 17. No entry in any book or index in said Register's office shall be erased so as to be illegible, but in case of any correction the same shall be made without destroying the original by drawing a line through such original entry, and in all such cases the date of such correction, attested by the signature of the Register or his Deputy, shall be entered upon the same page on which such correction is made, on the margin, opposite such correction.

SECTION 18. Any person presenting to said Register an instrument for record under this Act shall pay to said Register in addition to the fees now required by law for recording like instruments, the further sum of twenty-five cents for

each additional block beyond one under which such instrument is required to be indexed, and the sum of one dollar for each block shall be payable whenever an instrument already recorded is required to be reindexed under Section Sixteen of this Act.

SECTION 19. The provisions of this Act shall not apply to the indexing of the general assignments, wills, powers of attorney, executory contracts for the sale or purchase of land or satisfaction of mortgages, except as in the next section provided; but such instruments shall be filed or recorded as now required by law, and when recorded they shall be indexed in separate alphabetical indexes.

SECTION 20. The said Board of Estimate is hereby authorized and directed, from time to time, to determine the amounts of money not herein otherwise provided for which may be required to carry out the provisions of this Act until the first day of January, Eighteen hundred and ninety-five, and to appropriate said moneys therefor, and the County Treasurer of Kings County is authorized to raise such money, from time to time, by the issue of bonds of said County, as hereinafter provided.

SECTION 21. No expenditure shall be made or obligation incurred under any provision of this Act, unless otherwise herein specifically authorized and provided for, until an appropriation therefor shall have been made by the said Board of Estimate, nor in excess of any such appropriation.

SECTION 22. The Register of the County of Kings, immediately after the passage of this Act, shall cause to be prepared two separate sets of index books, to be known, respectively, as the Block Index of Reindexed Mortgages, which books shall be substantially the same in form as the Block Indexes of Conveyances and Mortgages hereinabove provided for. Such books so to be prepared shall be properly ruled and endorsed, and so as to indicate the section and blocks on the Land Map of the County of Kings, to which they respectively relate, and also the periods of time covered by them respectively.

SECTION 23. Upon the completion of the said index books, so directed to be prepared, the said Register shall cause to * reindexed therein, subject to his direction, under the sections, blocks and block numbers shown on the Land Map of said County, and, so far as practicable, on the same general plan as entries are hereinbefore required to be made in the block indexes in the office of said Register, all conveyances, mortgages and other instruments which were recorded or filed in the office of said Register, prior to the first day of January, Eighteen hundred and ninety-five, except executory,* (contracts) for the sale of land, mortgages satisfied of record, satisfaction of mortgages, releases from mortgages which have been satisfied, and leases, which, by their terms, have expired.

SECTION 24. The Clerk of the County of Kings shall cause to be prepared, suitable books for the reindexing therein of all statutory notices of liens and claims upon land which shall have been filed or recorded in the office of the said County Clerk for such period prior to the passage of this Act, as said County Clerk shall determine, and said County Clerk shall thereupon cause all such liens to be reindexed in such books accordingly. The said County Clerk shall, when possible, reindex said instruments and liens in this section mentioned upon the plan of block indexing herein provided for, and under the respective sections, and blocks on the said land* (map) in which the land lies affected by such lines and instruments. The index books, by this section directed to be prepared, shall be suitably endorsed and designated as Block Indexes of Reindexed Liens, the endorsements specifying the kind of liens reindexed in each index-book.

SECTION 25. Notice of lis pendens shall be reindexed only against the name of the first plaintiff, and the name of the first defendant mentioned in the notice,

* So in original.

and in case of an action for the foreclosure of a mortgage, it shall appear by an index of such mortgage, or on the margin of* thereof, that such mortgage has been satisfied and discharged of record, or such action has been discontinued without judgment, then in any such case the notice of the pendency of such action, which may have been filed, shall not be reindexed, under the provisions of this Act, and no lien shall be reindexed which appears to have been satisfied and discharged by an entry to that effect on the margin of the present index, or of the record of the instrument, or by other record evidence brought to the notice of said County Clerk or Register. In cases in which mortgages have been foreclosed, and decrees of foreclosure have been entered, said Register may, in his discretion, enter on the margin of the record of the mortgage foreclosed the fact of such foreclosure and the date of the decree.

SECTION 26. If, in the opinion of such Register or County Clerk it shall, in particular cases, be impracticable by reason of the uncertainty of descriptions or otherwise, or it shall appear to either of them, for any reason, not advisable to index or reindex some of the instruments and notice of liens by this Act directed to be reindexed upon the plan hereinbefore mentioned with reference thereto, said Register or County Clerk may, in his discretion, in such cases, as to such instruments and notices, adopt and carry out another plan of indexing or reindexing which he shall think best, in order to simplify reference to such instruments and notices and their use as public records.

SECTION 27. Should the said Register or County Clerk think it expedient so to do, he may cause to be prepared nominal index in lexicographical form of the parties to the instruments mentioned in this Act, or to any of them, and of the owners of land against which liens have been filed and of judgment debtors whose names appear on record. The particular form of such lexicographical indexes shall be such as said Register or County Clerk shall determine, and shall cover such periods and be brought down to such dates as he shall direct in respect to his own office.

SECTION 28. Upon the completion of the indexing and reindexing directed by this Act as to any instruments or liens hereinbefore mentioned, and when such indexes shall be certified by said Register or County Clerk as having been prepared by him under the authority of this Act, the same shall be deposited in the office of the Register and County Clerk, respectively, or such other place as shall be provided for them, for public use, and the same shall thereupon be public records.

SECTION 29. The said County Clerk is also hereby directed to cause to be prepared, under his direction, suitable index books for the future indexing therein upon said block plan of indexing of all statutory notices of liens or claims on land which may be filed or recorded in his office, on and after the first day of January, Eighteen hundred and ninety-five. Such index-books shall be known and designated as the Block Index of Liens, and shall be ruled for entering therein the names of the lienor and of the owner of the property affected, the amount claimed to be due as shown by the notice, and the date of the satisfaction thereof, and said indexes shall be of such other general form as said and each of said books indexed on the block plan, shall contain entries relating only to the section of which the number and designation is endorsed in said book, and said indexes shall be of such other general form as said County Clerk may determine. In cases in which it is not practicable, in the opinion of said County Clerk, to index some of the liens in this section mentioned, under said blocks, then the said County Clerk may prepare such other form of indexes as he shall think best. All such books shall be endorsed with their proper designation, and so as to show the liens to be indexed therein, the sections and blocks on the Land

* So in original.

Map of the said County to which they relate, and the periods of time covered by them, respectively.

SECTION 30. For the purpose of carrying out all the various provisions of this Act the Register and County Clerk may employ an expert who shall act as superintendent, and such clerks and assistants and other expert persons as may in their respective judgment be required in their own offices; provided, however, that all of the expenses, including printing, stationery and material as may be necessary for the purposes of this Act, and for carrying out all of the provisions of this Act, shall not in any event exceed the amount or amounts authorized by the said Board of Estimate or otherwise specifically provided for by this Act, or other existing law.

SECTION 31. The Board of Estimate of the City of Brooklyn and County of Kings is hereby authorized to include in the final estimate of the moneys to be raised by taxation in said County for the year Eighteen hundred and ninety-five, and the succeeding years if required, until said block index or reindexed liens and compilations are completed, the amounts of money which may be required by said Register and County Clerk to carry out the provisions of this Act in respect thereto and not otherwise provided and to appropriate said moneys therefor, and the County Treasurer of said County is authorized and directed to pay, out of the amounts so required and appropriated, the expenses authorized by this Act, upon the requisition of the said Register and County Clerk for the amounts required by each in his own office, and said County Treasurer is authorized to raise whatever money may be required not otherwise provided for from time to time by the issue of county bonds in such amounts in such series and payable at such times as the County Treasurer may determine bearing interest at a rate not to exceed four per cent and not to be sold at less than par, provided that the total amount of such bonds shall not exceed the amount actually appropriated or required to carry out the provisions of this Act.

SECTION 32. This Act shall be deemed and taken to be a public and not a private Act.

SECTION 33. All Acts and parts of Acts, so far as the same are inconsistent with this present Act, are hereby repealed.

SECTION 34. This act shall take effect immediately.

SCHEDULE "A."

Form of Block Index of Conveyances.

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Name of Street.

Section 1. Block 110.	Name of Street.	110.	Name of Street.
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Name of Street.

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Grantors.	Grantees.	Date of Recording.	Conveyances.		Remarks.
			Liber.	Page.	
John Doe	Richard Roe				
Richard Roe	William Black				
James White	Robert Moore				
William Black	John Young				
Robert Moore	Francis Hart				
Francis Hart	Thomas Scott				
Henry Brown	Ira Smith				
Ira Smith	Lewis Green				

SCHEDULE "B."

Form of Block Index of Mortgages.

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Name of Street.

Section 1. Block 110.	Name of Street.	110.	Name of Street.	
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Name of Street.

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Mortgagors.	Mortgagees.	When recorded.	Mortgage.		When discharged.	Satisfaction.		Remarks.
			Liber.	Page.		Liber.	Page.	
Richard Roe.....	James Dunn.....							
Robert Moore.....	Emil Smith.....							
William Block.....	Amos Wright.....							
Francis Hart.....	Samuel Jones.....							
Ira Smith.....	Charles Clute.....							
Ira Smith.....	Henry Burke.....							
Thomas Scott.....	John Flint.....							

APPENDIX "E."

CHAPTER 155, LAWS OF 1896.

AN ACT for the appointment of Commissioners of Records for the County of Kings, and to fix the term thereof.

Accepted by the City.

Became a law May 20, 1896, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, Represented in Senate and Assembly, do Enact as Follows:

SECTION 1. The term of office of the present Commissioners of Records in and for the County of Kings shall expire on the first day of June, Eighteen hundred and ninety-six.

SEC. 2. On or before the first day of June, Eighteen hundred and ninety-six, the Mayor of the City of Brooklyn, the Register, County Clerk and Surrogate of the County of Kings shall appoint three persons, who shall be known as the Commissioners of Records of the County of Kings, who shall serve without compensation, and who shall hold office for six years from the said first days of June, Eighteen hundred and ninety-six. Each succeeding six years thereafter and within thirty days prior to the expiration of the term of office of the said Commissioners, the said Mayor, Register, County Clerk and Surrogate shall appoint their successors, who shall hold office for a like term. In case of a vacancy occurring in the office of said Commissioners, or either of them, the persons above designated shall appoint a Commissioner to fill such vacancy for the unexpired portion of said term.

SEC. 3. It shall be the duty of such Commissioners of Records to examine into the conditions of the books, records, documents, maps and indices of the Clerk, Register and Surrogate of said County, and they shall have sole and exclusive power to authorize said Clerk, Register or Surrogate to cause copies of said books, records, documents, maps and indices to be made and certified for the public use, and it shall be their duty to cause the same to be made and certified whenever by reason of age, use, exposure or any casualty the same shall in their judgment be necessary, and they shall be authorized to do such further acts for the preservation and convenient examination of the same as the public interests may require. Any of the officers hereinbefore mentioned making such transcripts or copies, pursuant to an order of the said Commissioners of Records, shall be paid such sum therefor as may be just, but such payment shall not be made unless the work has been first ordered to be done by the said Commissioners, and after the same shall have been completed, until the work shall be examined by them and approved as to its manner and form of execution, and such payment shall not exceed a sum to be certified by said Commissioners.

SEC. 4. Immediately upon the appointment of the said Commissioners, as provided in Section Two of this Act, the said Commissioners shall appoint a Superintendent for said Register's Office, and a Superintendent for said County Clerk's Office. The duty of said Superintendents shall be to superintend all work ordered to be done in their respective offices by the said Commissioners and to* The compensation for such services to each of said Superintendents shall be fixed by the said Commissioners, but shall not exceed that now paid to the Superintendent in the Kings County Register's Office, and each of said Superintendents shall serve for a period of six years; provided, however, that either of said Superintendents may be removed by the said Commissioners upon charges preferred, and

* The following words were omitted from the printed law: "have general supervision over all records and papers in said offices."

after an opportunity to be heard, notice of such charges and of the time and place when the same will be investigated having been given to such Superintendent, such removal to become effective only upon the approval and with the consent of a Justice of the Supreme Court of the Second Judicial District.

SEC. 5. It shall be the duty of the Board of Estimate of the City of Brooklyn, annually, to make provision for the expenses of said Commissioners, Superintendents and the work to be performed under the provisions of this Act.

SEC. 6. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

SEC. 7. This Act shall take effect immediately.

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APPENDIX "F."

CHAPTER 526, LAWS OF 1897.

AN Act to amend chapter seven hundred and fifty-five of the laws of eighteen hundred and ninety-six, entitled "An act for the appointment of commissioners of records for the county of Kings, and to fix the term thereof."

Accepted by the City.

Became a law May 18, 1897, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, Represented in Senate and Assembly, do Enact as Follows:

SECTION 1. Section two of chapter seven hundred and fifty-five of the laws of eighteen hundred and ninety-six, is hereby amended so as to read as follows:

SEC. 2. On or before the first day of June, eighteen hundred and ninety-six, the mayor of the city of Brooklyn, the register, county clerk and surrogate of the county of Kings, shall appoint three persons, who shall be known as the commissioners of records of the county of Kings, who shall hold office for six years from the said first day of June, eighteen hundred and ninety-six, and each of said commissioners shall, from and after December thirty-first, eighteen hundred and ninety-seven, be paid for his services a yearly salary of twenty-five hundred dollars in equal monthly payments. Each succeeding six years thereafter, and within thirty days prior to the expiration of the term of office of the said commissioners, the said mayor, register, county clerk and surrogate shall appoint their successors, who shall hold office for a like term. In case of a vacancy occurring in the office of said commissioners, or either of them, the persons above designated shall appoint a commissioner to fill such vacancy for the unexpired portion of said term.

SEC. 2. Section three of said act is hereby amended so as to read as follows:

SEC. 3. It shall be the duty of such commissioners of records to examine into the condition of the books, records, documents, maps and indices of the clerk, register and surrogate of said county, and from and after the passage of this act they shall have general supervision, care, custody and control of all maps, books, indexes, papers, records and instruments kept, filed or recorded or hereafter to be kept, filed or recorded in said office, and said commissioners shall have exclusive power to make rules for the convenient use of the same by the public, and shall have sole and exclusive power to authorize said clerk, register or surrogate to cause copies of said books, records, documents, maps and indices to be made and certified for public use, and it shall be their duty to cause the same to be made and cer-

tified whenever by reason of age, use, exposure or any casualty the same shall, in their judgment, be necessary, and they shall be authorized to do such further acts for the preservation and convenient examination of the same as the public interests may require. Any of the officers hereinbefore mentioned making such transcripts or copies, pursuant to an order of the said commissioners of records, shall be paid such sum therefor as may be just, but such payment shall not be made unless the work has been first ordered to be done by the said commissioners, and after the same shall have been completed and examined by them and approved as to its manner and form of execution, and such payment shall not exceed a sum to be certified by said commissioners.

SEC. 3. Section four of said act is hereby amended so as to read as follows:

SEC. 4. Immediately upon the appointment of said commissioners, as provided in section two of this act, the said commissioners shall appoint a superintendent for said register's office, and a superintendent for said county clerk's office. The duty of said superintendents shall be to superintend all work ordered to be done in their respective offices by the said commissioners, and shall, under the direction of the commissioners, have general supervision over all records and papers, maps, books, indexes and instruments kept, filed or recorded, or hereafter to be kept, filed or recorded in said offices. And from and after the first day of January, eighteen hundred and ninety-eight, said superintendents, under the direction of the commissioners of records, shall carry on, continue and complete the reindexing of conveyances, mortgages and other instruments relating to land and liens thereon in the county of Kings in the manner now provided by law to be done by the register and county clerk of said county. The superintendent for said register's office, under the direction of said commissioners assuming the duties with respect to said reindexing, now devolved by law upon the register, and the superintendent for the county clerk's office, under the direction of said commissioners assuming the duties now devolved by law upon the county clerk. And the board of estimate of the city of Brooklyn is hereby authorized and directed to make provision for such reindexing, in the same manner and to the same extent as is now provided for by law with reference to such reindexing by said register and county clerk. The compensation for such services to each of said superintendents shall be fixed by the said commissioners, but shall not exceed that now paid to the superintendent in the Kings county register's office, and each of said superintendents shall serve for a period of six years; provided, however, that either of said superintendents may be removed by the said commissioners upon charges preferred, and after an opportunity to be heard, notice of such charges and of the time and place when the same will be investigated having been given to such superintendent, such removal to become effective only upon the approval and with the consent of a justice of the supreme court of the second judicial district.

SEC. 4. This act shall take effect immediately.

APPENDIX "G,"

CHAPTER 591, LAWS OF 1899.

AN ACT to provide for the appointment of a Commissioner of Records for the County of Kings.

Passed without the acceptance of the City.

Became a law May 15, 1899, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, Represented in Senate and Assembly, do Enact as Follows:

SECTION 1. The term of office of the present Commissioners of Records in and for the County of Kings and all their appointees and subordinates, shall expire ten days after the passage of this Act.

SEC. 2. Within ten days after the passage of this Act the District Attorney of the County of Kings shall appoint one person, who shall be known as the Commissioner of Records of the County of Kings, and who shall hold office for five years from the date of his appointment, and he shall be paid for his services the yearly salary of Five thousand dollars in equal monthly payments. At the expiration of the term of office of the said Commissioner the said office of Commissioner of Records for the County of Kings shall cease to exist, unless continued by Act of the Legislature, and all records, books, maps and other documents shall be turned over to the care of such County Officers as may properly be entitled to have the care and custody of them, or as designated by the said Commissioner of Records in the absence of specific action by the Legislature. In case of a vacancy occurring in the office of said Commissioner of Records, the District Attorney of the County of Kings then in office shall fill such vacancy for the unexpired portion of the term of office of said Commissioner of Records.

SEC. 3. It shall be the duty of such Commissioner of Records to examine into the condition of the books, records, documents, maps and indices of the Clerk, Register and Surrogate of said County of Kings, and the books, maps and other records of the late Towns of New Lots, Flatbush, New Utrecht, Gravesend and Flatlands, in the County of Kings, now the Twenty-sixth, Twenty-ninth, Thirtieth, Thirty-first and Thirty-second Wards of the Borough of Brooklyn, in the City of New York, and from and after his entry into office he shall have general supervision, care, custody and control of all maps, books, indices, indexes, papers, records and instruments kept, filed or recorded or hereafter to be kept, filed or recorded in said offices, and which are now in the possession of former officers of said towns or any of them, or of any other person or persons, boards, or officers, whether said boards or officers be departments or officers of the City of New York or otherwise; and said Commissioner shall have exclusive power to make rules for the convenient use of the same by the public, and shall have sole and exclusive power to authorize said Clerk, Register or Surrogate to cause copies of said books, records, documents, maps and indices to be made and certified for the public use; and it shall be his duty to do or cause the same to be done whenever by reason of age, use, exposure or any casualty the same shall in his judgment be necessary; and he shall be authorized to do such further acts for the preservation and convenient examination of the same as the public interests may require. And from and after his entry into office, the said Commissioner shall carry on, continue and complete the reindexing of conveyances, mortgages and other instruments relating to land and liens thereon in the County of Kings, in the manner provided by law in force at the time of the passage of this Act. The said Commissioner of Records assuming the duties with respect to said reindexing in the Register's Office and the County Clerk's Office of the County of Kings, now devolved by law upon the present Commissioners of Rec-

ords and their Superintendents. Any of the officers hereinbefore mentioned making such transcripts or copies, pursuant to an order of the said Commissioner of Records, shall be paid such sum therefor as said Commissioner shall certify to be just, but such payment shall not be made unless the work has first been ordered to be done by said Commissioner, and after the same shall have been completed and examined by him and approved as to its manner and form of execution, and such payments shall not exceed the sum to be certified by said Commissioner.

SEC. 4. It shall be the duty of any and every person or persons, board or officers having in his, their or its possession any of the said maps, books or records of either or any of the late towns mentioned in the third section of this Act to deliver the same to the Commissioner of Records upon demand, and, in case of a refusal, such delivery shall be enforced by a writ of mandamus issued out of the Supreme Court, or by an order of one of the Justices thereof, and in case any former officer or other person upon whom such demand shall have been made shall deny having possession of any book, map, or other record so demanded, he may upon the return of such writ or order be examined under oath as to the whereabouts of such books, maps and records. Having obtained possession of such books, maps and records, the Commissioner of Records shall collate, index and arrange the same for use and preservation, and in such cases as may be necessary shall make certified copies thereof and file such certified copies in such of the public offices of the County of Kings and the City of New York as may be necessary for the purpose of assessment, record or other public use.

SEC. 5. The said Commissioner of Record upon his appointment, is hereby authorized to appoint such assistants and employees as may be necessary for the proper and economical conduct of the duties of his office, to fix their compensation and determine the amount necessary for the other expenses of his office.

SEC. 6. The Board of Estimate and Apportionment of the City of New York shall upon the passage and approval of this Act, at once, and annually thereafter, make provision for the salary of the Commissioner of Records and the compensation of his assistants and employees; and his other necessary expenses as audited by the Comptroller of the City of New York but not to exceed the sum of One hundred thousand dollars in any one year.

SEC. 7. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

SEC. 8. This Act shall take effect immediately.

APPENDIX "H."

CHAPTER 171, LAWS OF 1904.

AN ACT to provide for the continuance of the office of commissioner of records of the county of Kings, and for the completion and care of the block indexes and reindexing plant, and for the care and preservation of the county records, old town and other records.

Became a law March 28, 1904, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. The office of commissioner of records of the county of Kings is hereby continued, for the purpose of completing in permanent form the temporary block indexes, now made or in process of being made in the office of the present commissioner of records of the county of Kings, and for the permanent

care and preservation of the reindexing plant, now in the office of said commissioner, and of the county, old town and other records, as hereinafter provided.

SEC. 2. Within ten days after this act goes into effect, the county judges of the county of Kings, shall appoint a commissioner of records of the county of Kings, who shall be a resident of said county, who shall take and hold office for a term of five years, commencing from and including the twenty-sixth day of May, in the year one thousand nine hundred and four, the date of the expiration of the term of office of the present commissioner; such appointment shall be made by a certificate in writing, signed by said county judges, and to be filed in the office of the county clerk of Kings county; and within fifteen days after the date of said appointment the person so appointed shall take and file in said county clerk's office the official oath required by law. Each succeeding five years thereafter, and within thirty days prior to the expiration of the term of office of the commissioner of records, the said county judges of Kings county shall appoint his successor, who shall hold office for a like term. In case of a vacancy occurring in the office of commissioner of records, by death or resignation, or otherwise, the county judges of Kings county shall appoint a commissioner of records to fill such vacancy for the unexpired portion of said term. The commissioner of records shall be paid for his services a yearly salary of five thousand dollars per year, in equal monthly payments.

SEC. 3. Upon the expiration of the term of office of the present commissioner of records, all records, indexes, books, maps and other documents and papers in his exclusive custody, shall be turned over to the care and custody of his successor, so to be appointed as aforesaid.

SEC. 4. It shall be the duty of the commissioner of records to examine into the condition of the books, records, documents, maps and indexes in the offices of the clerk, register and surrogate of the county of Kings, and the books, maps documents and other records of the former towns of New Lots, Flatbush, New Utrecht, Gravesend, Flatlands, Brooklyn, Bushwick and Williamsburgh, in the county of Kings, now constituting the borough of Brooklyn, in the city of New York; and from and after his entry into office, he shall have general supervision of all maps, books, indexes, papers, records and instruments kept, filed or recorded, or hereafter to be kept, filed or recorded in the offices of the clerk, register and surrogate of the county of Kings, and he shall have exclusive supervision, care, custody and control of all books, records, documents, maps, indexes and other records of said former towns in the county of Kings, which are now in the possession of former officers of said towns, or any of them, or of any other person or persons, board or officers, whether said board or officers be departments or officers of the city of New York, or any borough thereof, or otherwise; and said commissioner shall have exclusive power to make rules for the convenient use by the public of all the above mentioned records, documents and papers in his office. From and after his entry into office, the said commissioner of records shall carry on, continue and complete in permanent form, the reindexing of conveyances, mortgages and other instruments relating to lands and liens thereon in the county of Kings, in block indexes, in the manner provided by law in force at the time of the passage of this act, the said commissioner of records assuming the duties with respect to said reindexing in the register's and county clerk's offices of the county of Kings, and now devolved by law upon the present commissioner of records. It shall be the further duty of said commissioner of records to reindex in separate block indexes all mortgages satisfied prior to January first, eighteen hundred and ninety-five, and upon the block indexes now completed or in process of completion by the present commissioner of records, all mortgages unsatisfied of record or satisfied subsequent to January first, eighteen hundred and ninety-five, or he may consolidate and include all mortgages recorded prior

to January first, eighteen hundred and ninety-five, whether satisfied or unsatisfied, in the permanent block indexes, as he may deem most advisable. When put in permanent form and before depositing the said block indexes of mortgages in said register's office, the commissioner shall note upon the margin of said block indexes of mortgages, following the index of each mortgage, respectively, all satisfactions filed prior to January first, nineteen hundred and four, and shall cause all satisfactions thereafter filed to be so noted upon the margin of such indexes from time to time as the same are filed. The said commissioner of records shall reindex in the block system of indexes of notices of pendency of actions, in the office of the county clerk of the county of Kings, the name or names of all defendants requested to be indexed in said notices, respectively, at the time of filing thereof, in addition to that of the first named defendant under which said notices are now only indexed, and shall continue the same to and until January first, nineteen hundred and five. Upon the completion of reindexing of records in the county clerk's and register's offices, upon the block system, as herein provided, the commissioner of records shall put his reindexing plant in proper and permanent form for its care and preservation for public use in his office, and is hereby authorized to arrange and bind in book, portfolio, or other permanent form, all the abstracts of conveyances, mortgages and other instruments relating to lands and liens thereon, which have been made in connection with, or for the purpose of the reindexing on the block system, and also maps, working plans and commissioners sheets, upon which are delineated lands in the county of Kings, which have been prepared and used in the office of the commissioner of records, in connection with, or for the purpose of reindexing on the block system; and may make such copies of said abstracts, maps, working plans and commissioners sheets as he shall deem necessary for public use; and the same, and the originals thereof, shall be deemed to be the public records, and shall, after the completion of the said reindexing on the block system, be public records, and shall be open to the use of the public in his office, and under such rules and regulations as the commissioner shall prescribe. The said commissioner of records is also authorized to reindex all conveyances, mortgages and other instruments relating to lands and liens thereon, which have been recorded in the various offices of the town clerks of the former towns of Kings county, respectively, hereinbefore referred to, or which have been filed therein, or which have been filed but not recorded, in the offices of the register and county clerk of the county of Kings, such instruments to be indexed in a separate volume entitled, "Block index of unrecorded instruments," but nothing herein contained shall be construed as creating either actual or constructive notice of the contents of the said instruments, or either of them, where the same does not now exist by law. And the said commissioner shall have sole and exclusive power to authorize the surrogate, register or county clerk of the county of Kings, as the case may be, to cause to be made and certified for public use copies of said books, records, documents, maps, plans and indexes in the offices of the said surrogate, register and county clerk of the county of Kings, respectively; and it shall be his duty to do so whenever, by reason of age, use or exposure, or any casualty, the same shall, in his judgment, be necessary. And the said commissioner is hereby empowered to authorize the surrogate, register and county clerk of Kings county to rearrange or cause to be rearranged, all the records, filings, papers and maps in their respective offices and, upon completion of the alterations to the hall of records, in said county, to cause the same to be placed in fireproof files, properly marked and endorsed. And said commissioner is hereby empowered to do, or to authorize to be done by said surrogate, register and county clerk, or any of them, such further acts and things for the care, preservation and convenient examination of the said records, documents and papers as he deems the public interests may require.

SEC. 5. The copies of old or mutilated records, making copies thereof for public use in the offices of the surrogate, register and county clerk of the

county of Kings, respectively, and any other person or persons performing any work, labor or service in or about the care and preservation of any of said public records, documents and papers, pursuant to an order of the said commissioner of records, shall be paid such sum therefor as said commissioner shall certify to be just, but such payment shall not be made unless such copies or work shall have been first ordered to be made or done, as the case may be, by said commissioner, and after the same shall have been completed and examined by him, and approved as to manner and form of execution.

SEC. 6. It shall be the duty of any person or persons, board or officers, having in his, its or their possession, any of the maps, books or records of either or any of the said former towns of the county of Kings, to deliver the same to the commissioner of records, upon demand, and in case of a refusal, such delivery shall be enforced by a writ of mandamus issued out of the supreme court, or by an order of one of the justices thereof; and in case any officer, board or other person or persons, upon whom such demand shall have been made, shall deny having possession of any book or document, or other record so demanded, he may, upon return of such writ, or order, be examined, under oath, as to the whereabouts of such books, maps, documents and records. Having obtained possession of such books, maps, documents, and records, the commissioner of records shall collate, index and arrange the same for care, preservation and their use by the public; and in such cases as he deems necessary shall make translations into the English language of any such books and records as are in the Dutch language, and shall make certified copies of any thereof as may be necessary, and file such certified copies in such of the public offices of the county of Kings or in the city of New York, as may be necessary for the purpose of assessments, record or other public use.

SEC. 7. The commissioner of records of the county of Kings is hereby authorized to appoint and at pleasure remove a deputy, a secretary, a superintendent and an assistant superintendent, and to appoint such other assistants, clerks and employees, including unskilled laborers as may be necessary for the proper and economical conduct of the duties of his office; the present clerks and employees in the office of the commissioner of records of the county of Kings, shall continue to be clerks and employees in said office as hereby continued, so long as their services are required. All such clerks and employees in said office as are hereby continued together with those hereafter appointed shall be subject to the civil service laws of the state of New York. The said commissioner of records is hereby authorized to fix the compensation of all subordinates, clerks and employees in said office, subject as aforesaid.

SEC. 8. The board of estimate and apportionment of the city of New York shall, upon the passage and approval of this act, at once, and annually thereafter, make provision for the salary of the commissioner of records, and the compensation of his deputy, secretary, superintendent, assistant superintendent, assistants, clerks, employees and laborers, and for other necessary expenses, as audited by the comptroller of the city of New York, but not to exceed the sum of one hundred thousand dollars in any one year, until the completion of reindexing the records of the register and county clerk of the county of Kings, on the block system, in permanent form and thereafter not to exceed the sum of fifty thousand dollars in any one year.

SEC. 9. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, provided that nothing herein contained shall be deemed to interfere with the powers and duties of the present commissioner of records.

SEC. 10. This act shall take effect immediately.

