



New York State Archives

**New York State Court for the Trial of Impeachments and
Correction of Errors Records of Appeals and Cases in Error
J0157**

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Overview of the Records

Repository:	New York State Archives
Summary:	This series consists of records of equity and probate appeals and law cases in error. While very few case files contain all records related to the case, most however include the writ or petition and an assignment of error or answer to an appeal. Appeals also include proceeding transcripts. Post-1830 files usually contain a written opinion which includes the court's final decision.
Creator:	New York (State). Court for the Trial of Impeachments and Correction of Errors
Title:	Court for the Trial of Impeachments and Correction of Errors records of appeals and cases in error
Quantity:	19 cubic feet
Quantity:	49 35mm microfilm roll(s)
Inclusive Date:	1784-1847
Series:	J0157

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Arrangement

Most files arranged alphabetically by name of plaintiff in error or appellant, then numerically by file numbers starting at 1. Except for the first few cases in each alphabetical category, arranged chronologically by filing date, file numbers correspond to a strict alphabetical order. Cases without file numbers are arranged chronologically by file date at the end of the series.

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Scope and Content Note

These are the records of equity and probate appeals and law cases in error produced to conform to procedures established by law (Chap. 11, L. 1784) and court rules. This series is the predecessor of the Cases and Briefs of the present Court of Appeals. Most records are on paper but some pre-1800 records and all pre-1830 writs of error are on parchment.

A complete record of a case contains information on the details of the original litigation, the reason the case was brought to the Court of Errors, and the case's final determination. A complete case in error includes most or all of the following documents: writ of error and return, including a transcript of Supreme Court proceedings; assignment of error; joinder in error; attorney's brief; a printed case containing all the above documents (after 1827); copies of Court of Error procedural documents (i.e., orders, motions); roll call form containing the results of the vote determining the case; copy of final judgment; and a written opinion (after 1827). A complete appeal includes most or all of the following documents: petition of appeal; answer to appeal; transcript of proceedings in Court of Chancery or Court of Probates and/or copies of original case documents (e.g. decree, bill of complaint, answer, and exhibits); a printed case containing all above documents (after 1827); copies of Court of Error procedural documents; roll call form containing the results of the vote determining the case; copy of final decree; and a written opinion (after 1827).

Very few case files, however, are complete because documents were lost and the court was required to remit a copy of lower court proceedings back to the court of original jurisdiction. Pre-1815 case in error files commonly consist of a writ of error and return and an assignment of error, while those of appeals consist of a petition of appeal, answer to appeal, and a transcript of proceedings. These types of files contain information on lower court proceedings, details of the case, and the reason the case was brought to the Court of Errors.

Post-1830 files usually contain a written opinion and/or a printed case. A printed case contains copies of the same documents and information commonly found in pre-1815 files. An opinion contains the court's final decision and the reasons for it, including references to points of law and precedent-setting cases. The Chancellor usually wrote the opinions for cases in error while those for appeals were usually unsigned.

Throughout the series, but especially for cases heard between 1815 and 1830, some files consist of one or two apparently random documents. The documents in these files range in significance from a remittitur containing a copy of lower court proceedings and the decision of the Court of Errors, to minor procedural records such as motions and common orders.

Many files in this series do not contain information on the court's final decision of a case. This information is available in Minutes of the Court of Errors and the published case reports. Additional information on cases is also found in the appropriate series of the court of original jurisdiction.

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Related Information

Related Material

J0159 Court for the Trial of Impeachments and Correction of Errors Minutes contains information on final decisions on cases in the Court of Errors.

J0162 Court for the Trial of Impeachments and Correction of Errors Rough Minutes references cases for which detailed information is found in Series J0157.

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Other Finding Aids

Available at Repository

Series J0158, Index to Appeals and Cases in Error, indexes cases with file numbers by name.

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Use of Records

Access Restrictions

There are no restrictions regarding access to or use of this material.

Alternate Formats AvailableAlternate Formats Available

Microfilm is available for use at the New York State Archives or through interlibrary loan.

Administrative Information

Custodial History

The Court of Appeals placed these records on deposit at the Historical Documents Collection, Queens College, from 1973-1982.

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Access Terms

- Adjudicating
- Courts
- New York (State)
- Appellate procedure
- Appellate courts