

Finding Aid for the New York State Supreme Court of Judicature (New York) Minute Books series.

Finding Aid Publication Date: Feb 23rd, 2021

Online Finding Aid Record:

<http://iarchives.nysed.gov/xtf/view?docId=ead/findingaids/JN531.xml>

Overview of Records

Repository:

New York State Archives

Summary:

The minute books in this series are the record of proceedings in the regular terms of the Supreme Court of Judicature in New York City (or in other locations during the Revolutionary War). The engrossed minute books are final versions. Rough minute books are usually less complete, but may contain unique information. Until 1797, the minute books contain entries relating to both civil litigation and criminal prosecutions throughout the colony and state. After 1797, the minute books contain mostly entries or lists of legal issues, motions, and appealed cases considered and decided by the court.

Creator:

New York (State). Supreme Court of Judicature (New York)

Title:

Supreme Court of Judicature (New York) minute books

Inclusive Dates:

1691-1692, 1704-1714, 1723-1786, 1788, 1790-1847

Quantity:

14 cubic feet (41 volumes); Microfilm: 19 microfilm rolls

Series Number:

JN531

New York State Archives - <http://www.archives.nysed.gov>

Arrangement:

Chronological by court term and date of session.

Administrative History:

Before the late eighteenth century most of the business of the Supreme Court of Judicature related to civil litigation and criminal prosecution, either before the justices in regular terms of court, or in circuit courts held in each county. Starting in 1784 most, and after 1797, all Supreme Court civil trials in New York City were held by a justice in what were called "sittings" or circuit court. A few criminal trials, the attorney general the prosecutor, occurred in the Supreme Court regular terms as late as 1801. After that date district attorneys were responsible for criminal prosecutions. Starting in 1797 most procedural orders were entered not in the minute books but in separate common rule books. Thereafter most of the business in regular terms of the Supreme Court in New York City, as documented by entries in the minute books, was deciding motions and points of law raised during pleading or trial, and reviewing judgments of lower courts removed to the Supreme Court by writ of error or writ of

Scope and Contact Note:

Minute books are the record of proceedings in the regular terms of the Supreme Court of Judicature in New York City (or in other locations during the Revolutionary War). The engrossed minute books are final versions in fine handwriting. Rough minute books are usually less complete but may contain unique information. Until 1797, the minute books contain entries relating to both civil litigation and criminal prosecutions throughout the colony and state. In civil cases there are numerous orders (rules) concerning appearance in court, pleading by the opposing parties, determination of judgment award, final judgment, and execution of judgment. The minutes also contain a few determinations of cases transferred from lower courts by writs of error and certiorari. In criminal cases at which a Supreme Court justice presided, there are minutes of jury trials in New York City and County, as well as returns of jury verdicts and sentencing minutes for trials in circuit courts held in other counties. The Supreme Court minutes during the early years of state government contain many entries relating to the indictment and conviction of Loyalists. After 1797, the minute books contain mostly entries or lists of legal issues, motions, and appealed cases considered and decided by the court. There are also numerous entries relating to the partition of real property and the appraisal of lands taken for street openings in New York City. The minute books for 1795-1805 contain a few orders for naturalization of aliens. During all time periods the minute books contain rules relating to court procedure, and the admission of attorneys to practice in the court.

Use of Records:

Access Restrictions:

Use and reproduction of fragile documents may be restricted.

Alternate Formats Available:

Volumes were microfilmed for the New York County Clerk's Office in 1959 and 1995. That microfilm was transferred to the State Archives, along with the original records, in 2017. The microfilm has been digitized and images are being made available in the State Archives' online "Digital Collections." The volumes for 1704-1847 (with gaps) were also microfilmed by the Genealogical Society of Utah in 1977 at the New York County Clerk's Office. The GSU microfilm has been digitized, and the images can be viewed online at FamilySearch Affiliate Libraries (including the New York State Archives and New York State Library). The FamilySearch microfilm and digital images are cataloged under the author "New York York Supreme Court (New York County)," with the title "Minute Books, 1704-1847," microfilm roll numbers 1018632-1018650. Minutes for Oct. 1691-Oct. 1692 and Aug. 1701-Oct. 1704 are published and annotated in Paul M. Hamlin and Charles E. Baker, eds.,

Related Information:

Related Materials:

Minutes for the period April 1693-April 1701 are held by the New-York Historical Society.

Other Finding Aids:

Naturalizations of aliens are indexed at the front of volumes for 1795-1805.

Access Terms:

Subjects:

- Court Records Project

Corporate Names:

- New York (State). Supreme Court of Judicature (New York)
- New York State Archives

Detailed Description:

Contact repository for copy with container list information.

New York State Archives - <http://www.archives.nysed.gov>