



*New York State
Archives*

Local Government Records Useful in Family History Research



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Introduction

New York State local government records are a valuable resource for the genealogist. This guide will help the genealogist

- Understand New York State local government structure.
- Identify those local government records most valuable for genealogical research.
- Locate and access the exact records they need.

New York State Local Governments

New York's system of local government is complex with overlapping jurisdictions and functions. To locate the local government records useful for family history research, the genealogist must understand how New York State local government operates.

The New York State Archives has identified approximately 4,400 local governments in New York State. These governments are divided into two categories: general purpose governments and special purpose (or single purpose) governments.

General Purpose Governments

General purpose governments such as towns, cities and villages provide an array of services to their residents such as law enforcement, highway and road maintenance, property assessment, and social services. Many of these activities produce records valuable for genealogical research. Below are brief descriptions of each general purpose government type in New York State.

Counties

New York has 62 counties. Counties were originally subdivisions of the state created to carry out state services on the local level. Today, counties are municipal corporations that provide similar services as other municipalities such as towns and cities.

The five counties that comprise New York City provide limited services and function differently than the other 57 counties. Each of these counties is coterminous with one of New York City's five boroughs. Below is a list of the five boroughs with their corresponding county name.

Manhattan	New York County
Bronx	Bronx County
Brooklyn	Kings County
Queens	Queens County
Staten Island	Richmond County



Figure 1. New York's 62 Counties

Towns

New York's 933 towns (not townships, New York does not have local governments called townships) are the primary units of municipal government in New York State. If a New Yorker does not live in a city or on an Indian reservation, she lives in a town. Although all towns provide similar services some provide more than others and may have different characteristics. For example, some are very urban like the town of Hempstead with a population over 750,000 and some are very rural like the town of Red House with a population of 38.

Cities

New York's 62 cities are chartered by the state legislature and provide the same services as towns. When a city is formed it completely breaks away from the town where it was located

(unlike a village - see below). Contrary to popular belief, there are no size requirements either in population or geographic area to form a city and a city does not have to “graduate” from a village, although that is often the case.

Villages

Villages are an incorporated area within one or more towns. Unlike cities, residents of a village remain residents of the town where the village lies. This is important for the genealogist to understand because records of an ancestor may be with both the village and town.

Villages provide services similar to towns and cities. However, villages are free to choose the number of services they provide. For example, many villages were formed to simply take control of zoning within that geographic area and perform no other functions. Other villages may provide all the services a city would. The genealogist needs to take this into account while creating a research plan.

The genealogist should note that when a village dissolves its records, by law, go to the town clerk “where the principal portion of such village is situated, and they thereupon become a part of the records of such town.”

Coterminous Town-Village

New York has an unusual local government called the coterminous town-village. As its name implies, this is when a town and village share the same geographic location and their borders terminate at the same location. New York has six such local governments:

Mount Kisco
Harrison
Scarsdale
East Rochester
Green Island
Village of Kiryas Joel-Town of Palm Tree

In most cases, the town and village share the same government. For example, the town supervisor is the village mayor, and the town clerk is the village clerk. There is one exception, the town-village of Green Island has two separate governments. The Village of Kiryas Joel and the Town of Palm Tree is the only coterminous town-village that has different names.

Hamlets

A hamlet is not defined in New York State law but is a popular term to describe a small population cluster within a town that has a name but no government. They are sometimes called

unincorporated villages. Hamlets often are post offices and census enumeration districts but have no jurisdiction. They are merely a geographic location.

The genealogist needs to understand the distinction between a hamlet and a village. A village has a government and therefore produces records, a hamlet does not have a government, and thus does not produce records.

Special Purpose Governments

Special purpose governments, also called single purpose governments, provide only one specialized service to its constituents. For example, school districts only provide one service: education. Fire districts are another example of a special purpose government.

School Districts

New York has 800 school districts including all community school districts in New York City. New York has several types of school districts. The most common are Union Free School Districts, Central School Districts, and City School Districts. These distinctions are not important to the genealogist. Three important facts for genealogist to know:

- School Districts boundaries are not confined by any other boundaries. They can across town, village, and even county boundaries.
- There has been a lot of school district consolidation over the years. In the early 20th Century New York had 10,000 school districts which have been consolidated into 800 today. This means tracking where records may be held today may prove difficult if the records managed to survive.
- State law mandates that the district clerk of the successor school district is the custodian of records for predecessor districts. However, these records often end up with towns, counties, or historical societies.

Fire Districts

Fire Districts are an independent local government type created to serve towns. A district may serve part of a town or several towns. Cities and villages normally have their own municipal fire departments which are part of the city or village government.

Miscellaneous Local Governments

Miscellaneous local government is a broad term that describes special purpose governments that provide a service to residents in a defined area. Examples are a lighting district, a water and sewer district, a housing authority, or transportation authority. Generally, miscellaneous local governments do not hold records useful to the genealogist.

Local Government Records

This Section will review those local government records most used in genealogical research. Some important factors to keep in mind:

Records collections are not uniform across a government type

For example, a town may hold military records such as Civil War rosters where a neighboring town may not. Some villages provide more services than others, and their records collections reflect this.

Different government types may hold the same or similar records

For example, both counties and towns hold property assessment records, and tax collection records may be found with cities, counties, school districts, fire districts, among others.

Not all records held by a local government are local government records

Some records held by local governments are under the jurisdiction of the state and are state records. This is true of two of the most popular records used by genealogists: vital records (birth, death, and marriage records) and court records.

New York City is often the exception to the rule

New York City, the most populous region of New York State, has more autonomy over government administration than other local governments in such areas as public education, health, and the keeping of vital records. Court administration often differs too. These exceptions to the general rules of local government administration and function are noted where needed.

Census Records

Government Type: counties and school districts

New York conducted an enumerated census every ten years between 1825 and 1925, except for the period between 1875-1905 when only one census, 1892, was conducted. The state censuses from 1825-1845 are similar in content to the pre-1850 federal census records in that they record only the name of the head of household and other household members are tabulated in a series of columns by age and sex. (See Figure 2 below). Post-1850 censuses record every person's name as well as age, birthplace (state), citizenship status, and relation to the head of household. Some years contain more information than others. These records are useful for tracing your ancestors between federal censuses, establishing approximate birthdates, relationships and, in some cases, identifying the county of birth (if in New York). The 1892 census is a great substitute for the lost 1890 federal census which was destroyed in a fire.

A true and accurate Enumeration of the Inhabitants residing in the Town of <i>Clymer</i> in the County of <i>Chautauque</i> together with other parties procuring useful Statistics																
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
The name of the Head of each Family.	The whole number of males in the family, including the head of family, and every male of every age.	The whole number of females in the family, including the head of family, and every female of every age.	The whole number of males under 15 years, including the head of family, and every male of every age.	The whole number of females under 15 years, including the head of family, and every female of every age.	The whole number of males 15 years and over, including the head of family, and every male of every age.	The whole number of females 15 years and over, including the head of family, and every female of every age.	The whole number of persons in the family, including the head of family, and every person of every age.	The whole number of persons in the family, including the head of family, and every person of every age.	The whole number of persons in the family, including the head of family, and every person of every age.	The whole number of persons in the family, including the head of family, and every person of every age.	The whole number of persons in the family, including the head of family, and every person of every age.	The whole number of persons in the family, including the head of family, and every person of every age.	The whole number of persons in the family, including the head of family, and every person of every age.	The whole number of persons in the family, including the head of family, and every person of every age.	The whole number of persons in the family, including the head of family, and every person of every age.	The whole number of persons in the family, including the head of family, and every person of every age.
Thomas Russell	4	2	1	1						1		1				19
Joseph King	4	2	1	2						1		1				15
Simon Starkweather	2	1	1	1						1						25
Horace Starkweather	1		1	1									1			7
Charles Brownell	3	1	2	3						1						10
Samuel Shord	2	6		1								5				5
John Cleveland	3	3	2	2						1		2				12
Gardner Cleveland	2	1		1												25
Stephen Bonif	6	2	2	3								1				12
Silas Terry	2	2	1	1						1		1		1		28
Thomas Bonif	2	5	1	1						1		1		1		15
Samuel French	6	1		1						1						3
Nathaniel Thompson	3	2	2	2						1				1		10
William Thompson	3	2	1	1						1				1		8
Gardner Cleveland Junr	4	3		1						1		2				8
Ugiah Amidon	3	2		1						1						10
Leonard Amidon	1	1	1	1						1						3
Samuel Amidon	3	3	2	2						1		2				16
Amos Butte	1	4	1	1						1		2				17
Daniel Oliver	2	4	1	1						1		3				1
Joseph Brownell	3	1	1	2												2
Freeman Terry	1	1	1	1						1						5
Thomas Tyler	6	4	2	3						1		2				5
Darius M Rice	3	1	1	2						1						8
William Bolis	3	1	2	3						1						12
Justus Robinson	1	2		1						1		1				2
Lawrence Colburn	1	2		1						1		1				2
Nathaniel Horick	3	2	1	2						1			1			65
Stephen Dyer	1	1	1	1						1						12
Stephen Colburn	3	3		1						1		2				2

Figure 2. 1825 New York State Census, Chautauqua County

During each census two copies were created in each county. One copy was kept by the county clerk and the other sent to Albany. The state copies from 1825-1905 were lost in the 1911 State Capitol fire leaving only the county clerks' copies. Fortunately, many counties have a complete set from 1855 to 1925. The New York State Library holds microfilm copies of the original county records from 1855-1905, and The New York State Archives holds the original state copies of the 1915 and 1925 censuses; most counties do not have copies before 1855. Only Chautauqua and Steuben Counties has a complete set for each state census from 1825-1925.

The State Census from 1855-1925 is available free to New Yorkers online through Ancestry New York. New York State residents may sign up for an Ancestry New York account at the State Archives website, www.archives.nysed.gov. It is also available through FamilySearch.org and several subscription websites. You can find some pre-1855 New York census records at FamilySearch.org. You can also access the state census through New York's county clerks.

Some county clerks also hold copies of federal census records for their county. For more information contact the county clerk.

School Census Records

Government Type: Cities and School Districts

With compulsory education laws starting in the mid-Nineteenth Century, came the need to take a count of all school-age children and thus the creation of school census records. The school census records genealogists are most likely to find today are from 1895-1928 when the State Education Department issued printed booklets that included not only the student census but the names of teachers in each school. This census also included a list of school taxpayers with property descriptions and total assessed value.

The Education Law of 1910 required all cities to establish a permanent school census board and each October police commissioners were charged with taking a census of all school-aged children (5-18), their birth dates, addresses, and names of parents or guardians. The same law charged non-city school districts with taking the same census on the 30th day of August each year. (note that Figure 3 below states August 30, 1915 as the census date.)

Census records for city school districts may still be with the city police departments or in city archives. For other district types, the records should be, by law, with the district or successor district after consolidation but they often are not. The Family Educational Rights and Privacy Act may restrict access to some of these records (see page 23).

CENSUS SCHEDULE (continued)

Names of parents or other persons with whom the children live	NAMES AND DATES OF BIRTH OF CHILDREN BETWEEN 5 AND 18 (Follow the form given below) Census of August 30, 1915	Children between 5 and 18		No. of children in the family	How many of these children attended school during school year ending June 1, 1915	Town in which they reside
		Male	Female			
(Example) J. Richards	John (Aug. 20, 1868), Charles (July 15, 1901), Mary (Mar. 2, 1896)	3	1	4	3	Herkimer
Bessie Roe	Harold 13	1				Colonia
Mr. Macomber	Anna John Harry 12	2	2			
Henry Sage	Anna Catherine		2			
Harry Holder	Clara Ruth 11	1	2			
Harry Bart	Mary 13 Nelson		2			
Griffiths	Mr. Richard	2				
Cottrell	James Earl	2				
Albert Jenkins	Mrs. Albert Margaret 11 Edward	3	1			
Anna Mackel	Carlisle Margaret 6	1	1			
George Boughton	Marguerite 18					
Ed. Schuch	Charles Caroline	1	1			
James Richmond	Elizabeth		1			
Fred. Kellist	Fred. Chas. 13 Mable	2	1			
Geo. Campbell	Geo. Wm. Margaret	2	1			
Frank S. Dunsen	Margaret Thompson		2			
W. Linderman	Henrietta		2			
Chas. B. Herzog	Charles	1				
Bennett	Howard Edw. 11	1	1			
Bouché	Ronald 11 Pauline 13	1	1			
Greelis	David	1				
Louis Humbelman	Curtis 14	1				
Shanahan	Sarah 13 Dorothy 11 Jack 9	1	2			
Dunne	Grace 11 Francis Monica		3			
Hugh Scott	Clara Matilda		2			
Tripp	Dorothy		1			

Figure 3. School census records, 1915. The town of Colonia

Vital Records (Birth, Death, Marriages)

Government Type: Mainly Cities, Towns, Villages, Some County.

New York's vital records system can be confusing and difficult for the genealogist to navigate. There are several reasons:

- New York City, the state's most populous region, has a separate vital records system from the rest of the state. Vital records created in the city are NOT filed with the state. The only copy is held by the city's Department of Health (births, deaths) and New York City Clerk's Office (marriage records) with older records going to the New York City Municipal Archives.
- The Colony and State of New York passed several vital records laws starting in 1665 that required municipalities to create a record for births and deaths. Compliance with these laws was spotty and few vital records, with some exceptions, were created outside of New York City before 1880.

- New York State has among the strictest vital records access laws in the country. Researchers cannot browse the records and no post-1880 vital records are available online except for some marriage records (see below). There are indexes available online (see below).
- A genealogy records request to the New York State Department of Health, Bureau of Vital Records may take a considerable time to fill. A more expedient method is to contact the municipality where the event took place.
- Municipalities serve as the registrars of vital records outside of New York City. However, there are some exceptions.
 - Four counties – Chemung, Monroe, Onondaga, Tompkins – serve as “consolidated districts” and all vital records originally maintained by local registrars back to 1880/81 are held by the county Department of Health.
 - Villages may choose whether they want to serve as the registrar of vital records for births and deaths. If they choose not to, the records will be with the town. Check with the village or town clerk. Villages do not issue marriage licenses or keep marriage records. Check with the town clerk where the village lies.

Although vital records, especially pre-Twentieth Century ones, can be difficult to locate there are some tools and tips for the genealogist to use:

- There are online indexes for historical New York City vital records created jointly by the German Genealogy Group and the Italian Genealogy Group. The New York City Archives has imaged many of the vital records which are available online for free.
- There are also indexes to state vital records available online for certain time periods on FamilySearch.org, Archive.org, and Ancestry.com (Ancestry birth index (1881-1942), marriage index (1881-1967), death index (1852-1956)).
- Some larger cities such as Yonkers and Buffalo enacted vital records laws in the 1870s and have fairly complete collections from that time forward. Contact the city clerk where the event took place for more information.
- A state law in effect from 1908 to 1935 required marriage records (outside of New York City) also be filed with the county where the marriage took place. These records are not restricted and are available at the county clerk’s office or online (free) at FamilySearch.org (See Figure 4).
- Some towns did record vital events although not always consistently and systemically. Eighteenth and early Nineteenth Century vital records may be recorded in old “town books” where all town business was recorded. Contact the town clerk for more information.
- If you cannot locate a government vital record, research where your ancestor may have attended religious services and look for baptismal (if practiced), marriage, or death records there.

64

Record of Marriages in

of State of New York

65

No. 316 FOR THE GROOM FOR THE BRIDE

Name: Michael Gergaga, White, Age 20, Single, No. of Marriages: first

Residence: Mill Hand, Austria

Birthplace: Austria

Father: Joseph Gergaga, Austria

Mother: Maryanna Gergaga, Austria

Consent by: Joseph Gergaga, Austria

Date of License: Aug 8, 1908

Date of Marriage: Aug 17, 1908

Place of Marriage: St. Joseph's Church, New York City

Witnesses: Joseph Gergaga, Austria; Maryanna Gergaga, Austria

No. 317 FOR THE GROOM FOR THE BRIDE

Name: Lawrence Gergaga, White, Age 22, Single, No. of Marriages: first

Residence: Mill Hand, Austria

Birthplace: Austria

Father: Joseph Gergaga, Austria

Mother: Maryanna Gergaga, Austria

Consent by: Joseph Gergaga, Austria

Date of License: Aug 8, 1908

Date of Marriage: Aug 17, 1908

Place of Marriage: St. Joseph's Church, New York City

Witnesses: Joseph Gergaga, Austria; Maryanna Gergaga, Austria

No. 318 FOR THE GROOM FOR THE BRIDE

Name: Anthony Gergaga, White, Age 23, Single, No. of Marriages: first

Residence: Mill Hand, Austria

Birthplace: Austria

Father: Joseph Gergaga, Austria

Mother: Maryanna Gergaga, Austria

Consent by: Joseph Gergaga, Austria

Date of License: Aug 8, 1908

Date of Marriage: Aug 17, 1908

Place of Marriage: St. Joseph's Church, New York City

Witnesses: Joseph Gergaga, Austria; Maryanna Gergaga, Austria

No. 319 FOR THE GROOM FOR THE BRIDE

Name: Antonio Gergaga, White, Age 23, Single, No. of Marriages: first

Residence: Mill Hand, Austria

Birthplace: Austria

Father: Joseph Gergaga, Austria

Mother: Maryanna Gergaga, Austria

Consent by: Joseph Gergaga, Austria

Date of License: Aug 8, 1908

Date of Marriage: Aug 17, 1908

Place of Marriage: St. Joseph's Church, New York City

Witnesses: Joseph Gergaga, Austria; Maryanna Gergaga, Austria

No. 320 FOR THE GROOM FOR THE BRIDE

Name: Michael Gergaga, White, Age 23, Single, No. of Marriages: first

Residence: Mill Hand, Austria

Birthplace: Austria

Father: Joseph Gergaga, Austria

Mother: Maryanna Gergaga, Austria

Consent by: Joseph Gergaga, Austria

Date of License: Aug 8, 1908

Date of Marriage: Aug 17, 1908

Place of Marriage: St. Joseph's Church, New York City

Witnesses: Joseph Gergaga, Austria; Maryanna Gergaga, Austria

No. 321 FOR THE GROOM FOR THE BRIDE

Name: Joseph Gergaga, White, Age 23, Single, No. of Marriages: first

Residence: Mill Hand, Austria

Birthplace: Austria

Father: Joseph Gergaga, Austria

Mother: Maryanna Gergaga, Austria

Consent by: Joseph Gergaga, Austria

Date of License: Aug 8, 1908

Date of Marriage: Aug 17, 1908

Place of Marriage: St. Joseph's Church, New York City

Witnesses: Joseph Gergaga, Austria; Maryanna Gergaga, Austria

No. 322 FOR THE GROOM FOR THE BRIDE

Name: Joseph Gergaga, White, Age 23, Single, No. of Marriages: first

Residence: Mill Hand, Austria

Birthplace: Austria

Father: Joseph Gergaga, Austria

Mother: Maryanna Gergaga, Austria

Consent by: Joseph Gergaga, Austria

Date of License: Aug 8, 1908

Date of Marriage: Aug 17, 1908

Place of Marriage: St. Joseph's Church, New York City

Witnesses: Joseph Gergaga, Austria; Maryanna Gergaga, Austria

No. 323 FOR THE GROOM FOR THE BRIDE

Name: Joseph Gergaga, White, Age 23, Single, No. of Marriages: first

Residence: Mill Hand, Austria

Birthplace: Austria

Father: Joseph Gergaga, Austria

Mother: Maryanna Gergaga, Austria

Consent by: Joseph Gergaga, Austria

Date of License: Aug 8, 1908

Date of Marriage: Aug 17, 1908

Place of Marriage: St. Joseph's Church, New York City

Witnesses: Joseph Gergaga, Austria; Maryanna Gergaga, Austria

No. 324 FOR THE GROOM FOR THE BRIDE

Name: Joseph Gergaga, White, Age 23, Single, No. of Marriages: first

Residence: Mill Hand, Austria

Birthplace: Austria

Father: Joseph Gergaga, Austria

Mother: Maryanna Gergaga, Austria

Consent by: Joseph Gergaga, Austria

Date of License: Aug 8, 1908

Date of Marriage: Aug 17, 1908

Place of Marriage: St. Joseph's Church, New York City

Witnesses: Joseph Gergaga, Austria; Maryanna Gergaga, Austria

No. 325 FOR THE GROOM FOR THE BRIDE

Name: Joseph Gergaga, White, Age 23, Single, No. of Marriages: first

Residence: Mill Hand, Austria

Birthplace: Austria

Father: Joseph Gergaga, Austria

Mother: Maryanna Gergaga, Austria

Consent by: Joseph Gergaga, Austria

Date of License: Aug 8, 1908

Date of Marriage: Aug 17, 1908

Place of Marriage: St. Joseph's Church, New York City

Witnesses: Joseph Gergaga, Austria; Maryanna Gergaga, Austria

Figure 4. Marriage Records, 1908. Montgomery County

Land Records

Government Type: Mainly County, also city, town, and village.

Land records are a valuable genealogical resource and include deeds, mortgages, maps, land patents, among others.

Land patents are the original land grant from the colony or state to an individual or group of individuals. Military land bounties were similar records. These land grants were awarded to those who served in the military during the French and Indian War and the Revolutionary War as a form of payment for service. Much of central New York is known as the Military Tract, land granted to Revolutionary War soldiers. Those who have early New York ancestors should research these records in the New York State Archives, which holds records of land grants from the early Dutch and British colonial periods to the present.

Deeds record the transfer of property from one party to another and are proof of ownership.

Deeds record the names of those your ancestors purchased land from and sold land to. A deed's land description often records the names of those whose land it abutted, (as do some maps) and these abutters are often family, in-laws, and friends as are those who witnessed the land transaction. Deeds sometimes record relationships, such as a spouse's or child's name.

Many relied on mortgages to purchase their land and often people borrowed from a family member and mortgaged their land to them. Mortgages were more likely to be recorded than deeds, because a mortgage could not be foreclosed unless it was recorded in the county clerk's office.

A deed or mortgage search should start with the county clerk where the land transaction took place. Counties began recording deeds and mortgages from their inception in 1683 although many individuals did not bother recording their deeds. During the colonial period some deeds were recorded by the provincial secretary, whose records are now held by the State Archives. After the Revolutionary War, a general requirement for recording deeds was enacted for the new counties in central, western, and northern New York. It was extended to some other counties in following years, and by statute to the entire state in 1823. In the earlier settled areas of New York (eastern and southern areas) if the county did not record the deed or mortgage, try the local municipality (town or city)

New York City land records are held by the Office of the City Register, part of the New York City Department of Finance, except for Staten Island, which are held by the Richmond County Clerk.

Digitized pre-1900 deeds are available at FamilySearch.org. Some have been indexed. For more information check out the State Archives Real Property Path Finder available on the State Archives' website.

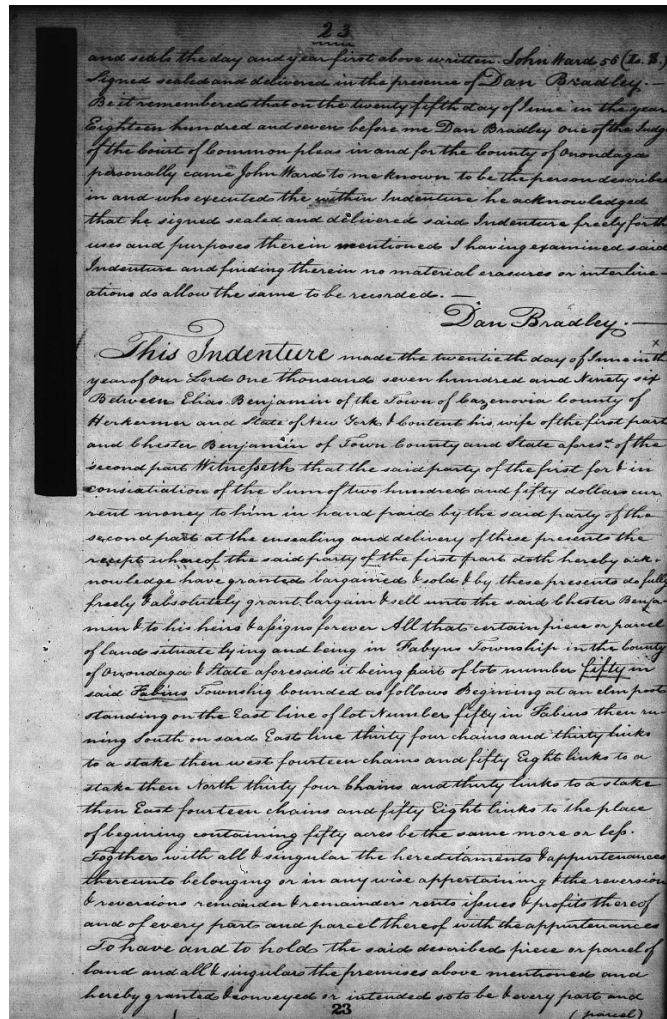


Figure 5. Deed, 1796. Onondaga County

Court Records

Government Type: Counties, Cities, Towns, Villages

As previously stated, court records are state records, and the New York State Archives holds a large collection of trial court records from 1665 to 1847 and post-1847 appellate courts and Court of Appeals records. For more information on the court records held at the State Archives, see the Archives' court records pathfinder available on the State Archives' website.

Most general purpose governments have court records; the most useful ones to genealogists are generally held by the county clerk. In New York City, the New York County Clerk holds many records of now defunct courts such as the Mayor's Court and the Court of Common Pleas.

There are two basic types of court cases: civil and criminal. A civil case involves two or more parties, a plaintiff(s), and a defendant(s), in a lawsuit, e.g., Rafael Lopez v. Martin Shultz. A

criminal case is the prosecution of an individual for committing a crime, e.g., *The People of the State of New York v. Sharon Smythe*. Court records not only add color to your ancestor's story, but often contain many useful facts and clues such as ages, relationships, residences, among others.

New York's court structure is complicated and a bit confusing. For example, most would assume the New York State Supreme Court was the highest court in the state, but it is merely a trial and first-level appellate court and the Court of Appeals serves as the state's highest court. New York's court system has also changed over the years and there are many defunct courts. The key to locating a particular court record will depend on the nature of the case (civil or criminal), the time period, and the location where the case was heard. The summary below will help you locate a case, but check with the local jurisdiction on what records they hold.

Civil Courts

Court of Chancery (1683-1847). These records are held by the New York State Archives in Albany and not at the local level. Of special interest to the genealogist are guardianship records for all periods and divorce records from 1787 to 1847. The Chancery Court's jurisdiction was absorbed by the Supreme Court in 1847.

The Court of Common Pleas (1691-1847). This was a county level court and records will be held by the county clerk or county archives.

Mayor's Court (1686-Varies) The Mayor's Court was a city court that heard civil cases although after 1830 it heard some minor criminal cases. The dates this court existed vary but generally the Mayor's courts have been succeeded by the City Courts.

Justices Courts, later City, Town, Village Court. (1665-Present)

These courts heard mostly minor civil cases and some misdemeanors. Many of these records have limited retention periods and have not survived. Check with the local clerk for what records they have in their collections.

The Supreme Court of Judicature, later the Supreme Court (1691-Present).

Today the Supreme Court hears civil cases in every county of the state. Before about 1800, it did hear criminal cases and since 1962 the Supreme Court has been the main criminal court in New York City. Of special interest to the genealogist is that since 1847 the Supreme Court has heard "matrimonial cases" (divorces, annulments, separations). The Supreme Court also has an Appellate Division (organized in four departments), which is the state's busiest appellate court. The New York State Archives holds the records of the Supreme Court of Judicature. Supreme Court records are held by county clerks.

Criminal Courts

The Court of Oyer and Terminer (1683-1895) A county level court that dealt with felony cases including capital cases. Records are with the county clerks.

The Court of Sessions (1683-1847) A county level court that heard such non-capital cases as assault, burglary, and bigamy.

County Courts (1847-Present) County courts are the main criminal court outside of New York City. New York County, which included all of New York City at one time, never had a county court. Other counties (except for the Bronx) after they became part of New York City in 1898, continued their county courts until 1962. The county clerks hold these records.

Court of Special Sessions (dates vary). A city or town court that heard minor criminal cases. Check with the city or town clerk for what records, if any, they might hold from this court.

Police Court (dates vary) This court, as its name suggests, heard minor criminal cases.

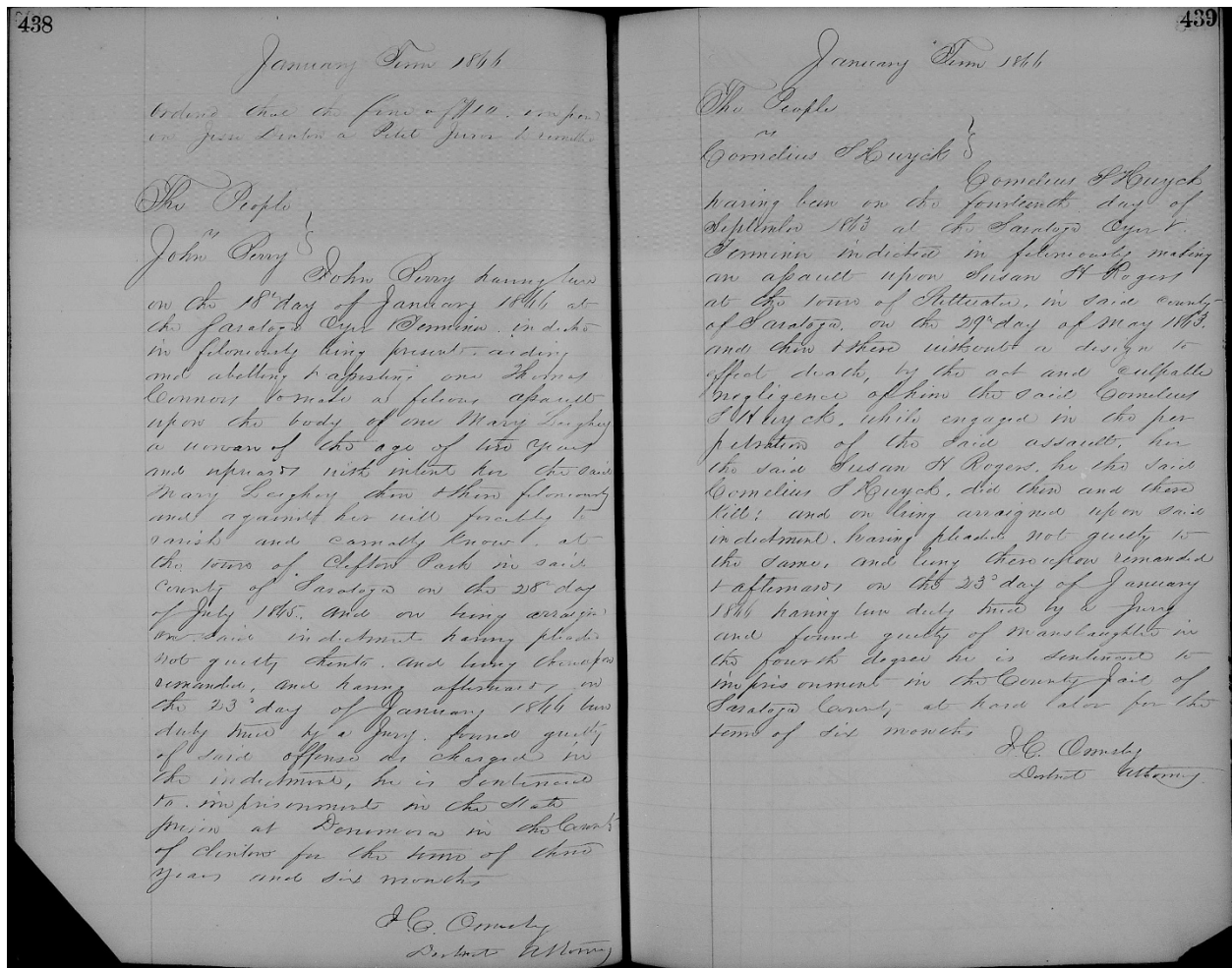


Figure 6. Minutes – Court of Oyer and Terminer, 1866. Saratoga County.

Probate Records

Government Type: County

When a person dies, their estate, both real and personal property, must be settled and legally distributed to their heirs. This probate process will happen whether the person left a will or not.

Probate records are a rich resource for the genealogist. Wills record the heirs and (usually) their relationship to the deceased. If the deceased did not leave a will, they are said to have died intestate. However, all states define heirs-at-law, and probate records for intestate estate settlements will record the names and relationships of those who made claims on the estate. Probate records will also record the deceased's outstanding debts, their net worth, and often a complete inventory of their real and personal property. Genealogists should note those who witnessed the will or who were administrators of the estate since they may be a previously undiscovered family member.

After 1787 probate cases, with few exceptions, were settled in Surrogate's Court. Contact the county Surrogate's Court for more information. Some probate records, mostly pre-1900, have been digitized and are available online for free at FamilySearch.org

Before 1787 estates were settled in now defunct Prerogative Courts and other colonial era courts. The New York State Archives' Probate Path Finder, available on the State Archives' website, is an excellent finding aid for locating pre-1787 probate records and post-1787 probates not heard in the Surrogate's Court.

Record of Will

The last Will and Testament of Dorothy Hiscock of the town of Parma, County of Monroe and State of New York.

I Dorothy Hiscock considering the uncertainty of this mortal life and being of sound mind and memory (blessed be Almighty God for the same) do make and publish this my last will and testament in manner and form following (that is to say)

First I give and bequeath unto my son James W. Hiscock one hundred dollars

Item I give and bequeath unto my son George W. Hiscock one hundred dollars

Item I give unto my daughter Sarah Smith one hundred dollars

Item I give and bequeath unto my daughter Corina Smith thirty three dollars

Item I give and bequeath unto my daughter Elizabeth Whitcomb thirty three dollars

Item I give and bequeath unto my daughter Dorothy Tomlinson thirty three dollars

Lastly as to the residue and remainder of my personal property consisting principally of household furniture I give and bequeath the same to my sons James W. Hiscock and George W. Hiscock and my daughters Corina Smith Elizabeth Whitcomb Dorothy Tomlinson and Sarah Smith to be divided equally among them so that they shall share & have alike in said residue provided I have any money or evidences of debt thereby direct my Executor hereinafter named to pay out of the same the expenses of administering upon this Will and any debts that I may owe and provided I should expend any money or property so that I should not have sufficient amount to pay the above bequests after all expenses are paid I direct my Executors to pay the above bequests in pro rata so that each one shall receive of the amount I should leave in proportion to the amount I have bequeathed to them

I hereby direct my Executors to pay to the several persons to whom I have made bequests the several sums going to them within one year from the time of my decease

I hereby appoint James W. Hiscock and George W. Hiscock my Executors of this my last Will and Testament.

In witness whereof I have hereunto set my hand this 25th day of January in the year of our Lord one thousand eight hundred and forty two

Dorothy Hiscock

Signed, published and declared by the above named Dorothy Hiscock to be her last Will and Testament in presence of us who have signed our names as witnesses

John C. Patterson Residence Parma, Monroe
George W. Fargo Residence Parma, County, N.Y.

Figure 7. Probate Record, 1842, Monroe County.

Naturalization Records

Government Type: County

Naturalization is the legal process that allows a foreign-born person to become a citizen. Until 1906 each state - and earlier, colony - administered the naturalization process. A New Yorker could be naturalized in any state court of record, having a clerk to maintain its records. Some immigrants were naturalized in federal courts. Each court set its own procedures and standards,

thus the amount and type of information that appears on a pre-1906 naturalization record may differ. Many contain only limited information such as the person's name, age, date of naturalization, and nation of origin.

In 1906 the federal government took over the naturalization process and set uniform standards. Although a resident alien could still be naturalized in a state court, that court had to follow the standards set by the federal government. Thus after 1906 each naturalization record captured the same information and included, birth dates, city and nation of birth, exact arrival date and location in the United States, and family member names.

Since naturalization is a court proceeding, most of these records will be with the county clerks. If your ancestor was naturalized after 1906, he may have done so in a federal court. The New York State Archives' Naturalization Path Finder, available on the State Archives' website, is an excellent source for locating naturalization records from the British Colonial period until the present.

TRIPLICATE
(To be given to declarant)

No. 339192

319601 - 319650

UNITED STATES OF AMERICA

DECLARATION OF INTENTION
(Invalid for all purposes seven years after the date hereof)

STATE OF NEW YORK
SOUTHERN DISTRICT OF NEW YORK

In the UNITED STATES NEW YORK Court
of at

I, FRANK GAWEL
now residing at 146 East 7 Street New York New York, New York
occupation Baker, aged 53 years, do declare on oath that my personal description is:
Sex Male, color white, complexion fair, color of eye blue
color of hair brown, height 5 feet 5 inches; weight 170 pounds; visible distinctive marks
NONE

race Polish; nationality Polish
I was born in Poland, Poland, on May 17, 1879
I am married. The name of my wife is Mary
we were married on September 11, 1904 at Cawienia, Austria
born at Wiczkowice, Poland, on March 25, 1883
at New York, NY, on May 11, 1912
resides at 146 East 7 St. NYC
I have 3 children, and the name, date and place of birth,
and place of residence of each of said children are as follows: Louis born Mar. 25, 1906 at NYC
Sept. 18, 1907 both born at Poland; Caroline born Sept. 16, 1919 at NYC
all reside at 146 East 7 St. NYC

I have heretofore made a declaration of intention: Number 1911
at New York New York
my last foreign residence was Cawienia, Austria
I emigrated to the United States of America from Bremen, Germany
my lawful entry for permanent residence in the United States was at New York, NY
under the name of Moskala, Germany, on May 21, 1907
on the vessel Brandenburg

I will, before being admitted to citizenship, renounce forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, and particularly, by name, to the prince, potentate, state, or sovereignty of which I may be at the time of admission a citizen or subject; I am not an anarchist; I am not a polygamist nor a believer in the practice of polygamy; and it is my intention in good faith to become a citizen of the United States of America and to reside permanently therein; and I certify that the photograph affixed to the duplicate and triplicate hereof is a likeness of me: So HELP ME GOD.

Frank Gawel

Subscribed and sworn to before me in the office of the Clerk of said Court,
at New York this 15 day of February
anno Domini 1933 Certification No. 2-251690 2-251690
from the Commissioner of Naturalization showing the lawful entry of the declarant for permanent residence on the date stated above, has been received by me. The photograph affixed to the duplicate and triplicate hereof is a likeness of the declarant.

CHARLES WEISER
Clerk of U.S. DISTRICT Court.
By Deputy Clerk.

Form 2502 - I-A
U. S. DEPARTMENT OF LABOR
NATURALIZATION SERVICE

No. 34042




Figure 8. Naturalization Record, 1933. New York County

Military Records

Government Type: Counties, Cities, Towns, Villages

Most military records for New Yorkers are located at the New York State Archives in Albany or the National Archives in Washington, D.C. See the State Archives Military Pathfinder, available on the State Archives' website, for more information. Local governments do hold some military records. They formerly had responsibility for determining eligibility for military service and supporting local militias through special assessments. Such records may be found as lists of persons eligible for military duty; lists of soldiers, officers, and seamen; and militia tax. You may find militia rolls and similar records in the old "town books." Contact the town, city, or village clerk for more information.

Veterans discharge records have been filed with the county clerks since the end of World War I. However, this is voluntary, and a veteran may choose not to file his discharged papers. There are also access restrictions on these records. Contact the county clerk for more information.

NAME	RESIDENCE	AGE	CLASS
Coolio James	Liverpool	32	See 2nd
Cary Henry	" "	27	1st Exempt
Casler David	" "	39	See 2nd
Canda & S.	" "	24	1st
Casler John	" "	31	See 2nd
Casler Joseph	" "	27	1st
Cattell John	" "	35	See 2nd Exempt
Croaty John	" "	27	1st
Corkins George	" "	44	See 2nd Exempt
Collins Dexter	" "	40	See 2nd
Cumbersworth Anthony	" "	31	See 2nd
Camer George	" "	34	See 2nd
Carnes John	" "	36	See 2nd
Crawford Jasper	" "	42	See 2nd
Curner Hans	" "	40	See 2nd
Cross Elisha	" "	23	See 2nd
Conly Winfield	" "	25	1st
Covin Richard	" "	23	1st
Clatt Philip	" "	19	1st
Clark John	" "	28	1st
Chambers James	" "	40	See 2nd
Chambers Richard	" "	44	See 2nd
Conar John	" Exempt	40	See 2nd Exempt
Caslin Jerry	" under age	15	1st Exempt
Coleman Trinity	" Day's Run & 300 dollars	25	1st Exempt
Clark Edwin	" "	25	1st

Figure 9. Civil War Enrollment List, 1864. Town of Salina, Onondaga County

Assessment and Taxation

Government Type: All

Tax records are a valuable tool for genealogists to track their ancestors between census years or serve as a census substitute when census records are missing such as the 1890 federal census. Assessment and taxation records can provide information on the economic status of your ancestor, who his neighbors were, and interesting personal facts like whether he owned a dog.

All local governments in New York State raise taxes on the assessed value of real property. However, not all local governments assess property or collect taxes. Property is primarily assessed by towns, cities, and some villages. Once a final assessment roll is created it is used by other local governments such as counties or school districts to calculate the amount of taxes owed by each property owner. Once the taxes are calculated they are added to a copy of the

assessment roll which becomes the final tax roll. Although all local governments will create a tax roll, they may rely on another local government to collect the taxes. Many local governments have these records from about 1850.

While searching for assessment and tax rolls remember:

- Final assessment rolls are kept by the towns, cities, and sometimes villages
- Final tax rolls are kept with the counties except for Westchester County where they remain with the municipalities.
- Some municipalities choose to keep a copy of the tax roll long-term

Although many local government types do not assess property or collect the taxes directly, they may keep copies of such records they receive from a county or municipality, and some will have other tax records such as taxes collected on personal property and highway taxes. Check with the local clerks for more information.

2nd

Taxable Inhabitants	Assessors	Description	Real	Per	Total	
Babcock Henry	8 15	Head & Ford	50	150	0 23	
Bartholomew Andre	100	Hoopers Pat	900	900	3 60	
Berry Paul	24	" "	100	100	0 45	
Barny Nathan	62	" "	900	144 944	4 25	
Bois W ^m	14 50	Nichols Pat	100	100	0 45	
Brimmer Abraham	2 110	" "	900	900	3 60	
Brimmer John	2 10	" "	75	75	0 34	
Baty Ransom	100	Hooper Pat	1200	125 1325	5 96	
Baker Sherman	13 130	Nichols Pat	325	325	1 46	
Bennet Arnold				75 75	0 34	
Bull Thomas	2 92	2 nd In Sidney	200	200	0 90	
Chaise Barlow	8 56	North Side Head & Ford	120	120	0 54	
Card Stephen	11 43	Nichols Pat	250			
		& Saw Mill	150	400	1 88	
Card Sherman	11 39	" "	150	150	0 68	
Chidester Joseph	4 50	Princeton Collage	125	125	0 56	
			5245	3445581	25 16	

Figure 10. Assessment Roll, 1837. Broome County

Historian's Files

Government Type: Counties, Cities, Towns, Villages

New York State law prescribes that all villages, towns, cities, and counties appoint a historian. Many of these historians collect records and other research materials in the course of their official duties and these records can prove invaluable to your research. Contact the local historian for more information.

Minutes

Government Type: All

Minutes and proceedings of local governing bodies contain a wealth of information about the origins and operations of counties, cities, towns, and villages, and contain references to those persons involved in or affected by government administration. Early fiscal records reflect transactions between governments and numerous individuals who supplied or received goods or services. Oath books contain signatures of persons who were local officials. Clerks of county legislative bodies hold their county proceedings, while at cities, towns and villages, minutes are kept by the respective clerk.

Chattel Mortgages

Government Type: Counties, Cities, Towns, Villages

A chattel mortgage is a secured loan on movable personal property similar to a mortgage on real property. For example, in the early 20th Century many farmers used chattel mortgages to purchase a tractor for use on their farm. Since chattel mortgages do not have legal permanent retention, many local governments have donated these records to a local historical society.

“Town Books”

Government Type: Towns, similar records in some villages and cities

Until the mid-nineteenth century, most town records kept by the clerk were often recorded in one book and not separated by records series or type. Often called “town books,” town clerk books” or “town record books,” in these volumes, you may find a marriage record sandwiched between the town board minutes and the militia muster roll. Furthermore, the records are not always in perfect chronological order. If your ancestors lived in one town for an extended period or multiple generations, it is best to read the whole book to ensure you do not miss an important entry about them.

Miscellaneous Records

Government Type: Varies by record

Various series of records, some documenting functions no longer carried out by local governments, contain interesting information about individuals.

- Early town highway records list residents in “road districts” and names of citizens required to work on the highways.
- Records of livestock earmarks, brands and strays provide names of local farmers.
- County clerks often maintained registers of professions such as dentists or lawyers.
- Some counties and municipalities hold early records of slaves and their manumission.
- Election records such as registers of voters, poll and enrollment lists provide names of individuals and locate their residences in wards or districts.
- “Miscellaneous record books” kept by county clerks include a mixture of court and non-court records, including lists of public officials and information on insolvent debtors.
- Fire District records help document a local community’s history and can be a valuable source for the genealogist. Records include minutes, roll calls, blotters, and newspaper clippings.
- Information on individuals is also found in police, health, and cemetery records found at all levels of local government.

1939

ROLL CALL

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
ADRIANO - P		A	P									
BARBER - P		A	P			P	A	P	A	P		P
BARNHART - P		P	P			P	E	P	A	P		A
BENNETT - P		P	P			P	P	P	P	P		P
BRENNAN - P		P	A			A	P	P	A	A		A
BROWN - P						A	P	A	A	A		A
CHOWANEC - P		P	P			E	E	P	P	A		P
CZYZEWSKI - P		P	P			P	P	P	P	P		P
COLE - H		P	P			A	P	P	P	A		A
CZYZEWSKI - J		P	P			P	P	P	P	P		P
CHOWANEC - W		P	P			P	P	P	P	P		P
CORDETT - P		P	A			A	A	P	A	P		P
FISHER - EV						A	P	P	E	P		P
FERGUSON - WHITE LETTER						P	P	P	P	A		A
GIRARD - V										P		P
GIFFORD - H		P	E			P	E	P	P			P
HORVATH - A						P	P	P	P	P		P
HAMILTON - R		A	A			A	P	P	A	A		A
HERBERT - W		P	E			E	P	P	P	P		E
HUSZAR - H		P	E			E	P	E	P	P		E
HILEY - H		P	P			E	E	E	E	P		P
HORVATH - J										P		P

Figure 11. Roll Call, 1939. Milton Fire District, Saratoga County

Local Government Records at the New York State Archives

Government Type: All

From 1990 to 2000 local governments receiving grant funds from the State Archives through the Local Government Records Management Improvement Fund to microfilm historical records were required to submit one copy to the State Archives. Consult the State Archives' finding aids, available on the State Archives' website, for more information.

Accessing Local Government Records

A local government's ability to provide access to records differs widely. Some counties have established formal archives staffed by professional archivists and equipped with a public research room. Most local governments do not have formal archives but do their best to provide access to their historical records.

When searching for local government records:

- Check the FamilySearch.org catalog for the local government you are researching. They may have records online.
- Create a free Ancestry New York account if you are a New York State resident. You may find some of the local government records you need here.
- Visit the local government's website. They may have posted information about access procedures, a finding aid to their collection, and in some cases indexed digital images of records. For example, see Dutchess County's online collection of "ancient documents."
- Contact the following persons in each government type:
 - Counties – clerk, historian, records management officer
 - Cities – clerk, historian, records management officer
 - Towns and Villages – clerk (by law the records management officer) or historian
 - School districts – district clerk or records management officer
 - Fire districts – district secretary (by law the records management officer)
- Inquire if the local government provides remote research services for a fee if visiting the local government in person is not possible. If you know what specific record you are looking for, many local governments will send you a scan or photocopy of the record but may charge a fee. If you want to research your ancestor in multiple records, you should consider hiring a local genealogist or researcher to conduct the research for you.

There are laws that guarantee access to most local government records while other laws that restrict access to some local government records.

- The Freedom of Information Law (FOIL), a state law that guarantees public access to all local government records not otherwise exempt from this law or restricted by other laws. If you believe you have been wrongly denied access to a record, you may file a FOIL

request with the local government or contact the New York State Committee on Open Government (COOG) for help on accessing the record.

- The Health Insurance Portability and Accountability Act (HIPAA), a federal law, restricts access to medical records. This may affect your ability to access records from medical institutions like mental asylums even if the record is old and the subject of the records is long dead.
- Family Educational Rights and Privacy Act (FERPA), a federal law, restricts access to student records. This law does not generally apply to directory information, which is basic information about a student like name, address, age, etc. The law also does not apply to the records of any individual who is dead, or to any record that is 100 years or older.

Summary

A strong understanding of New York State local governments, their functions, and the records they produce, will help genealogists in locating the records that will lead to successful research.