

# **HISTORY OF THE LAW OF REAL PROPERTY IN NEW YORK**

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History of the Law of Real Property in New York by Robert Ludlow Fowler

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**ROBERT LUDLOW FOWLER**

**HISTORY OF THE LAW  
OF REAL PROPERTY  
IN NEW YORK**



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HISTORY

OF THE

LAW OF REAL PROPERTY

IN

NEW YORK

*AN ESSAY INTRODUCTORY TO THE STUDY OF THE*

N. Y. REVISED STATUTES

(WITH APPENDICES)

BY

ROBERT LUDLOW FOWLER

COUNSELLOR AT LAW ✓

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BAKER, VOORHIS AND COMPANY

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## PREFACE.

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THE casual reader of this volume may regard it as an undue emphasis of certain trite historical facts of no great significance in the practical application of the law of our own day. A perusal of the recent case of *De Lancey v. Piepgras*, 138 N. Y. 26, will tend to dispel this impression, for that case shows how complete the *nexus* really is between the old law and the new. It is quite true that the old law was perhaps unnecessary to the actual solution of *De Lancey v. Piepgras*, but it nevertheless received consideration there, and for the first time a point of Province law involved was determined in New York.

An attempt to trace the legal institutions of the England of the seventeenth century to their cis-Atlantic abode is followed by a more practical theme—the Revised Statutes—one of the most useful applications of the old common law to the institutions of America ever yet made. These celebrated statutes serve as the basis of the present law of real property, and their exposition by the great courts of this State contributes a body of law of infinite value to the particular jurisprudence of America.

In many instances cases will be found to be cited because they are deemed illustrative of the historical phase of the subject under consideration; but in the majority of instances only because they are decisive of the text. A multiplication of authorities has not been aimed at, as it always has seemed to the writer that there can be but one decision by a court of last resort, under the great fundamental doctrine of our jurisprudence, *stare decisis et non quieta movere*.

NEW YORK, March 27th, 1895.

No.	Name	Date		Age	Sex	Religion	Marital Status	Occupation	Income	Assets	Liabilities	Net Worth
		Year	Month									
1	John Doe	1980	01	35	M	Catholic	Married	Teacher	\$40,000	\$100,000	\$50,000	\$150,000
2	Jane Smith	1975	03	30	F	Protestant	Single	Nurse	\$30,000	\$80,000	\$20,000	\$100,000
3	Robert Johnson	1985	06	25	M	Muslim	Single	Student	\$15,000	\$30,000	\$5,000	\$25,000
4	Emily White	1990	09	20	F	Jewish	Single	Artist	\$20,000	\$40,000	\$10,000	\$30,000
5	Michael Brown	1978	12	32	M	Buddhist	Married	Engineer	\$50,000	\$120,000	\$60,000	\$180,000
6	Sarah Green	1982	04	28	F	Hindu	Single	Writer	\$25,000	\$50,000	\$15,000	\$35,000
7	David Black	1988	07	24	M	Sikh	Single	Software Developer	\$35,000	\$70,000	\$25,000	\$45,000
8	Olivia Grey	1992	10	18	F	Orthodox	Single	Student	\$10,000	\$20,000	\$3,000	\$17,000
9	James Blue	1983	02	29	M	Anglican	Married	Business Owner	\$60,000	\$150,000	\$80,000	\$230,000
10	Mia Yellow	1987	05	23	F	Bahai	Single	Designer	\$30,000	\$60,000	\$20,000	\$40,000
11	Benjamin Purple	1991	08	19	M	Wiccan	Single	Student	\$12,000	\$25,000	\$4,000	\$21,000
12	Charlotte Pink	1986	11	26	F	Unitarian	Married	Marketing Specialist	\$45,000	\$90,000	\$45,000	\$135,000
13	Lucas Orange	1989	03	21	M	Deist	Single	Student	\$18,000	\$35,000	\$6,000	\$29,000
14	Aria Silver	1993	06	17	F	Atheist	Single	Student	\$8,000	\$15,000	\$2,000	\$13,000
15	Leo Gold	1984	09	27	M	Secular	Married	Entrepreneur	\$70,000	\$180,000	\$100,000	\$280,000
16	Isabella Bronze	1981	12	31	F	Humanist	Single	Journalist	\$38,000	\$75,000	\$30,000	\$45,000
17	Sebastian Iron	1986	01	26	M	Stoic	Married	Architect	\$55,000	\$110,000	\$55,000	\$165,000
18	Valentina Steel	1990	04	20	F	Existentialist	Single	Student	\$14,000	\$28,000	\$4,000	\$24,000
19	Julian Copper	1985	07	25	M	Pragmatist	Married	Lawyer	\$65,000	\$130,000	\$65,000	\$195,000
20	Madeline Tin	1989	10	21	F	Utilitarian	Single	Student	\$16,000	\$32,000	\$5,000	\$27,000
21	Christopher Lead	1983	03	27	M	Positivist	Married	Physician	\$80,000	\$160,000	\$80,000	\$240,000
22	Victoria Zinc	1987	06	23	F	Empiricist	Single	Student	\$22,000	\$44,000	\$8,000	\$36,000
23	Christopher Nickel	1991	09	19	M	Rationalist	Single	Student	\$11,000	\$22,000	\$3,000	\$19,000
24	Isabella Cobalt	1986	12	26	F	Scientist	Married	Researcher	\$48,000	\$96,000	\$48,000	\$144,000
25	Benjamin Silver	1990	01	20	M	Philosopher	Single	Student	\$9,000	\$18,000	\$2,500	\$15,500
26	Charlotte Gold	1984	04	26	F	Historian	Married	Professor	\$60,000	\$120,000	\$60,000	\$180,000
27	Lucas Bronze	1988	07	22	M	Writer	Single	Student	\$13,000	\$26,000	\$4,000	\$22,000
28	Aria Iron	1992	10	18	F	Artist	Single	Student	\$7,000	\$14,000	\$2,000	\$12,000
29	Leo Steel	1985	03	25	M	Entrepreneur	Married	Business Owner	\$75,000	\$150,000	\$75,000	\$225,000
30	Isabella Copper	1989	06	21	F	Designer	Single	Student	\$17,000	\$34,000	\$5,000	\$29,000
31	Sebastian Lead	1993	09	17	M	Student	Single	Student	\$6,000	\$12,000	\$1,500	\$10,500
32	Valentina Zinc	1986	12	26	F	Teacher	Married	Teacher	\$40,000	\$80,000	\$40,000	\$120,000
33	Julian Nickel	1990	01	20	M	Student	Single	Student	\$8,000	\$16,000	\$2,500	\$13,500
34	Madeline Cobalt	1984	04	26	F	Engineer	Married	Engineer	\$50,000	\$100,000	\$50,000	\$150,000
35	Christopher Silver	1988	07	22	M	Student	Single	Student	\$10,000	\$20,000	\$3,000	\$17,000
36	Isabella Gold	1992	10	18	F	Student	Single	Student	\$5,000	\$10,000	\$1,500	\$8,500
37	Benjamin Bronze	1985	03	25	M	Entrepreneur	Married	Business Owner	\$85,000	\$170,000	\$85,000	\$255,000
38	Aria Iron	1989	06	21	F	Designer	Single	Student	\$19,000	\$38,000	\$6,000	\$32,000
39	Leo Steel	1993	09	17	M	Student	Single	Student	\$4,000	\$8,000	\$1,000	\$7,000
40	Isabella Copper	1986	12	26	F	Teacher	Married	Teacher	\$45,000	\$90,000	\$45,000	\$135,000
41	Sebastian Lead	1990	01	20	M	Student	Single	Student	\$7,000	\$14,000	\$2,000	\$12,000
42	Valentina Zinc	1984	04	26	F	Engineer	Married	Engineer	\$55,000	\$110,000	\$55,000	\$165,000
43	Julian Nickel	1988	07	22	M	Student	Single	Student	\$9,000	\$18,000	\$2,500	\$15,500
44	Madeline Cobalt	1992	10	18	F	Student	Single	Student	\$3,000	\$6,000	\$1,000	\$5,000
45	Christopher Silver	1985	03	25	M	Entrepreneur	Married	Business Owner	\$90,000	\$180,000	\$90,000	\$270,000
46	Isabella Gold	1989	06	21	F	Designer	Single	Student	\$21,000	\$42,000	\$7,000	\$35,000
47	Benjamin Bronze	1993	09	17	M	Student	Single	Student	\$2,000	\$4,000	\$0,500	\$3,500
48	Aria Iron	1986	12	26	F	Teacher	Married	Teacher	\$42,000	\$84,000	\$42,000	\$126,000
49	Leo Steel	1990	01	20	M	Student	Single	Student	\$6,000	\$12,000	\$1,500	\$10,500
50	Isabella Copper	1984	04	26	F	Engineer	Married	Engineer	\$62,000	\$124,000	\$62,000	\$186,000



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