

NY CLS CPLR R 4534

Current through 2025 released Chapters 1-207

New York

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Civil Practice Law And Rules (Arts. 1 — 100) >
Article 45 Evidence (§§ 4501 — 4551)

R 4534. Standard of measurement used by surveyor

An official certificate of any state, county, city, village or town sealer elected or appointed pursuant to the laws of the state, or the statement under oath of a surveyor, that the chain or measure used by him conformed to the state standard at the time a survey was made is prima facie evidence of conformity, and an official certificate made by any sealer that the implement used in measuring such chain or other measure was the one provided the sealer pursuant to the provisions of the laws of the state is prima facie evidence of that fact.

History

Formerly § 4534, add, L 1962, ch 308; amd, L 1962, ch 315, § 1, eff Sept 1, 1963.

Annotations

Notes

Prior Law:

Earlier statutes: CPA § 356; CCP § 841–a.

Advisory Committee Notes:

The provision was placed here rather than in the Agriculture and Markets Law, since it does not fix a standard of measurement but deals with certificates as prima facie evidence.

Research References & Practice Aids

Jurisprudences:

58 NY Jur 2d Evidence and Witnesses § 527. .

58A NY Jur 2d Evidence and Witnesses § 979. .

Law Reviews:

Evidence symposium. 52 Cornell L.Q. 177.

Treatises

Matthew Bender's New York Civil Practice:

Weinstein, Korn & Miller, New York Civil Practice: CPLR Ch. 4534, Standard of Measurement Used by Surveyor.

Matthew Bender's New York AnswerGuides:

Matthew Bender's New York Practice Guides:

LexisNexis AnswerGuide New York Civil Litigation § 10.08. Admitting Record Under Exceptions to Admission Requirements.

Warren's Weed New York Real Property:

Warren's Weed: New York Real Property Ch. 131. Surveys.

Matthew Bender's New York Evidence:

1 Bender's New York Evidence § 118.04. Authentication of Public and Official Documents Dealing with Real Property.

Matthew Bender's New York Checklists:

Checklist for Introducing Documents and Information into Evidence LexisNexis AnswerGuide New York Civil Litigation § 10.05.

Texts:

3 New York Trial Guide (Matthew Bender) § 40.51.

Hierarchy Notes:

NY CLS CPLR, Art. 45

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