

Finding Aid for Leases at Hamilton County Recorder's Office

Jim Dempsey

Leases are a wealth of information on early Cincinnati. Daniel Aaron summarized land development as "These landowners began acquiring city property at a time when Cincinnati was beginning its swift ascent; as Cincinnati grew larger, so did their bank accounts. Merchants, lawyers, doctors, anyone having idle capital, could make no safer investment than real estate in a city where there seemed to be a perpetual housing shortage and building boom." (1) Aaron concluded "Cincinnati realtors considered their business as necessary" because "Real estate, they believed, based upon great enduring values, established by nature and necessity, provided a better risk for bankers than merchandise." (2)

Dictionary definition of the participants is:

"A *lessor*, in its simplest expression, is someone who grants a lease. As such, a lessor is the owner of an asset that is leased under an agreement to a *lessee*. The lessee makes one-time or periodic payments to the lessor in return for the use of the asset."

Lessors and lessees could be individuals, partners, organization trustees and company officials. When a lease was terminated, released or transferred, a separate witnessed and notarized document was created that was taken to the Recorder's office to be copied on top of the recorded lease at a ninety-degree angle called a "marginal release" (Figure 1). Released is a legal term implying the lessee (renter) has satisfied the terms of the lease and therefore is being *released* by the lessor from his obligation. The Recorder endorsed this over-written release as additional proof. This was not always done but continued until the 1980's.

A totally alphabetical finding aid of lessee surnames for Hamilton County leases, April 1848 to September 1865, is now on our website at <https://hcgsohio.org/cpage.php?pt=66>. Over the last year, dedicated volunteers have transcribed original indexes to books 6 to 16 and 18 to 25 and created indexes to *never indexed* lease books 1, 2, 3 and 5 for a total of 11,778 leases. Books 6 to 25 at this time only have the surname of the lessee except where I reviewed the lease for errors in spelling and page numbers. Books 1, 2, 3 and 5 have surnames of both lessee and lessor and record type when different from a

simple lease. Our volunteers have transcribed 50 percent of lessee surnames on indexes to books 26 through 49 (1865-1875) which will be on the web site when completed. The leases in the 1794 to 1823 deed book indexes have also been added to the same web page.

Where a complete recorded date is given, that indicates that I have read the lease and the names should be considered correct. In general, lease entries are chronological. So estimated time period of recording for those not reviewed is given as Sprg, Sumr, Fall and Wint plus the year.

Unexpectedly, during transcription of the original lease indexes, it was found that many leases were omitted by the creators. The following surnames do not occur in the following books at this time

Book 16 - surnames beginning with A, E, O, N, most of C

Book 11 - surnames beginning with G

Book 22 - surnames beginning with E, F, G, K, L, M, O, P, many S

Book 24 - surnames beginning with O, many G

We will correct the omissions in the near future. Books 4 and 17 will be indexed as time permits

Leases can involve multiple people such as "Smith, Jones & Brown." Since our finding aid is totally alphabetic only by the first surname in the first column, this lease will be under "S". To find Jones and Brown you will have to use the PDF search capability. After you have loaded the finding aid, by pressing the Ctrl key on the keyboard and pressing letter "F", a search box will appear where you can enter Jones or Brown to locate Jones and Brown leases.

(1) Aaron, Daniel, *Cincinnati, Queen City of the West 1819-1838*, (Columbus: Ohio State University Press, 1992), 38.

(2) Aaron, 38; *Cincinnati Gazette*, 14 December 1836.

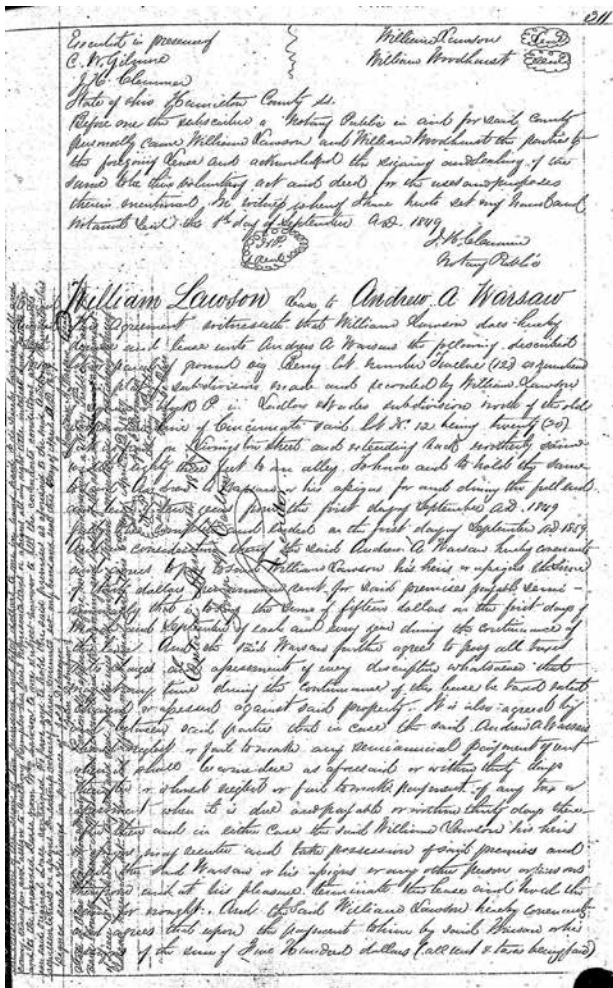


Figure 1, William Lawson, lease to Andrew A. Warsaw, lease book 3, page 311

William Lawson, Lease to Andrew A. Warsaw

This agreement witnesseth that William Lawson does hereby devise and lease unto Andrew A Warsaw the following described lot or parcel of ground viz Being lot number Twelve (12) as numbered on a plat of subdivisions made and recorded by William Lawson of square or block P. in Ludlow & _rudes subdivision north of the old corporation line of Cincinnati said lot No. 12 being twenty (20) feet at front on Livingston Street and extending back northerly same width eighty three feet to an alley To have and to hold the same to said Andrew A Warsaw his assigns for and during the full end and term of ten years from the first day of September AD 1849 And in consideration thereof the said Andrew A Warsaw hereby covenants and agrees to pay to said William Lawson his heirs or assigns the Sume of thirty dollars per annum rent for said premises payable semi - annually that is to say the Sum of fifteen dollars on the first day of March and September of each and every years during the continuance of this lease And the said

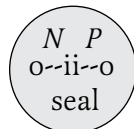
Warsaw further agrees to pay all taxes rates charges and assessments of every description whatsoever that may at any time during the continuance of this lease be taxed inte[re]s]t charged of assessed against said property. It is also agreed by and between said parties that in case the said Andrew A Warsaw should neglect or fail to make any semiannual payment of rent when it shall be come due as aforesaid or within thirty days thereafter or should neglect or fail to make payment of any tax or assessment when it is due and payable or within thirty days thereafter then and in either case the said William Lawson his heirs or assigns may reenter and take possession of said premises and expel the said Warsaw or his assigns or any other person or persons therefrom and at his pleasure terminate this lease and hold the same for nought. And the said William Lawson hereby covenants and agrees that upon the payment to him by said Warsaw or his assigns of the sum of Five Hundred dollars (all rent & taxes being paid) ... [lease continues on page 312]

Over-written release:

In consideration of the sum of two hundred and fifty dollars to me in hand paid I do hereby bargain convey, transfer and assign to Anthony Rumpler his heirs representatives or assigns all my right title interest and estate in and to the annexed (sic) Lease from Wm. Lawson to me subject however to all the covenants conditions and in said original Lease contained. To have and to hold the said premises as aforesaid to the said Anthony Rumpler his representatives or assigns. In witness whereof I have hereunto set my hand and seal this 6th day of April AD 1857 signed sealed & delivered in presence of

Jas J Dobmeyer Andrew A Warsaw (seal)
John Dobmeyer

State of Ohio Hamilton County SS Personally appeared before me the undersigned a Notary Public said County Andrew A Warsaw and acknowledged the signing and sealing of the above assignment of Lease to be his voluntary act and deed for the uses and purposes therein mentioned In Testimony whereof I have hereunto set my hand and affixed my Notarial seal this 6th day of April A.D. 1857



Jas. J. Dobmeyer
Notary Public
Ham. Co. Ohio

Entered April 7th 1857
John W. Carlton, Recorder