



New York State Archives

**New York State Supreme Court of Judicature (Albany, Utica,
and Geneva) Writs of Inquiry and Inquisitions J0027**

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Overview of the Records

Repository:	New York State Archives
Summary:	This series consists of writs of inquiry, which were orders of the Supreme Court of Judicature under seal, commanding a sheriff to empanel a jury to determine the exact damages sustained by the plaintiff who had obtained an interlocutory judgment.
Creator:	New York (State). Supreme Court of Judicature (Albany, Utica, and Geneva)
Title:	Writs of inquiry and inquisitions
Quantity:	12.5 cubic feet
Quantity:	29 boxes
Inclusive Date:	1823-1847
Series:	J0027

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Arrangement

Chronological by filing date for each term of court.

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Scope and Content Note

The writ of inquiry was an order of the Supreme Court of Judicature under seal, commanding a sheriff to empanel a jury to determine the exact damages sustained by the plaintiff who had obtained an interlocutory judgment.

The writ contains a copy of the plaintiff's declaration and of the interlocutory judgment of the court. The writ was issued in cases where judgment went against the defendant by default, because of his failure to plead, or by demurrer or confession (cognovit). Execution of the writ was made by an inquisition of twelve jurors summoned by the sheriff of the county where the original venue was laid. The inquisition contains the amount of damages awarded and is subscribed and sealed by the jurors. The inquisition is attached or appended to the writ. A law of 1813 provided that inquisitions might be held before a jury summoned by the sheriff or before

a Circuit Court. Legislation of 1829 provided for use of a writ of inquiry to empanel a jury to assess damages, but required no writ, only a circuit roll, if the assessment were to be made by a Circuit Court.

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Related Information

Related Material

J0009Series J0009, New York State Supreme Court of Judicature (Utica) Declarations

J0015Series J0015, New York State Supreme Court of Judicature (Albany) Declarations

J0017Series J0017, New York State Supreme Court of Judicature (Geneva) Declarations and

J0011Series J0011, New York State Supreme Court of Judicature (Albany) Motions and Declarations, contain other writs of inquiry and inquisitions.

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Use of Records

Access Restrictions

There are no restrictions regarding access to or use of this material.

Administrative Information

Custodial History

The Court of Appeals placed these records on deposit at the Historical Documents Collection, Queens College, from 1973-1982.

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Access Terms

- Adjudicating
- Jury
- Sheriffs
- Writs
- Courts
- Judicial records
- Judgments
- New York (State)
- New York (State). Court of Appeals
- New York (State). Supreme Court of Judicature