



*New York State Archives*

**New York State Supreme Court of Judicature (Utica)  
Judgment Rolls J0134**

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## Overview of the Records

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<b>Repository:</b>	New York State Archives
<b>Summary:</b>	This series consists of judgment rolls which have been signed, filed, and docketed by the clerk of the Supreme Court. The judgment roll contains the record of pleadings and proceedings in a cause, prepared by the attorney for the party to whom the judgment has been awarded. Accompanying the judgment roll proper are copies of other documents filed in the cause, in what may be termed the judgment record.
<b>Creator:</b>	New York (State). Supreme Court of Judicature (Utica)
<b>Title:</b>	New York State Supreme Court of Judicature (Utica) judgment rolls
<b>Quantity:</b>	207.7 cubic feet
<b>Quantity:</b>	484 boxes
<b>Inclusive Date:</b>	1807-1847
<b>Series:</b>	J0134

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## Arrangement

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Chronological by year, then alphabetical by first letter of last name of losing party, then chronological by filing date.

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## Scope and Content Note

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Judgment rolls contain names of the court, the term, justices, clerks, parties to the action, and attorneys; summary of proceedings; pleas of plaintiff and defendant; verdict; and award of judgment. Copies of related documents, such as plaintiffs' declarations and satisfaction pieces, accompany the judgment rolls.

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in a cause, prepared by the attorney for the party to whom the judgment has been awarded. The judgment roll proper consists of the following parts: caption (name of the court, the term, names of justices and clerks); warrants of attorney (names of parties to the action and their attorneys); memorandum (summary of proceedings on the bill of complaint, i.e. writ of *capias*); plaintiff's plea (the substance of his declaration); defendant's plea (replication); any subsequent pleadings (such as rejoinders and surrejoinders); joinder of issue; award of jury process (the writ of *venire facias juratores*) or, after 1829, an order that the issue be tried at a Circuit Court; imparlances, or postponements, of trial, if any; summary of trial proceedings and verdict, copied from the *nisi prius* record or, after 1829, the circuit roll; and the award of judgment, signed in the margin by a Supreme Court clerk, Supreme Court Commissioner, or in rare instances, by one of the justices.

When the defendant admitted the debt or damages, his *cognovit* was entered on the roll. When the defendant defaulted through failure to plead or rejoin, an interlocutory judgment might be granted along with an order for a writ of inquiry to issue to a sheriff to make an inquisition of the damages due (this might also occur on a demurrer). Reports of referees or court clerks on the amount of judgment to be awarded are entered upon the roll in similar fashion. The plaintiff's judgment award was damages and costs, in cases of *assumpsit*, covenant, trespass, and case; debt, damages, and costs, in cases of debt; possession of moveable property plus costs, in cases of *replevin*; and possession of and title to real property plus costs in actions of *ejectment*. The defendant's judgment award, in the few cases which went against the plaintiff, either by verdict or non-suit, was costs only. On the dorso of the judgment record are written the name of the court, the title of the cause, name of winning party's attorney, amount of judgment award, and date of filing.

Accompanying the judgment roll proper are copies of other documents filed in the cause, in what may be termed the judgment record. These are the plaintiff's declaration (statement of cause of action with his plea and counts); *oyer* (copy of the bond or other obligation sued upon); bail piece (either common bail, in which the sureties are fictitious, or special bail, in which one or both of the bail are real persons who have undertaken for the defendant's appearance and satisfaction of the judgment); defendant's plea or a *cognovit*; warrant of attorney (by which a defendant appoints an attorney to receive a declaration and confess liability for judgment); and the satisfaction piece (acknowledgment of satisfaction of judgment by both parties to the action). By the 1820's all these documents (except the satisfaction piece and warrant of attorney), are usually on one printed form, along with the judgment itself.

Until February 5, 1798, all judgments were required to be enrolled on parchment. A law of 1798 permitted use of paper after that date. (Parchment judgment rolls appear occasionally for a few years thereafter.)

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## Related Information

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### Related Material

J0137Series J0137, New York State Supreme Court of Judicature (Geneva) Judgment Rolls, contains some misfiled Utica judgment rolls

J0911Series J9913, New York State Supreme Court of Judicature (Utica) Reports of Commissioners to Partition Lands, contains related records

J0135Series J0135, New York State Supreme Court of Judicature (Albany) Transcripts of Docket of Judgments (Utica) and

J0142Series J0142, New York State Supreme Court of Judicature Index to Dockets of Judgments (Albany, Utica, Geneva, New York, 1829-1835 only) facilitate access to Series J0134.

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## Use of Records

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### Access Restrictions

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

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## Administrative Information

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### 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

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- Adjudicating

- Trials
- Courts
- Judicial records
- Judgments
- New York (State)
- Appellate procedure
- Appellate courts
- New York (State). Court of Appeals
- New York (State). Supreme Court of Judicature